KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

# *KENNEDALE PLANNING & ZONING COMMISSION*

**AGENDA**
**COMMISSIONERS - REGULAR MEETING**
**October 16, 2014**
**CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

**WORK SESSION - 6:00 PM**
**REGULAR SESSION - 7:00 PM**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. *WORK SESSION***

A. Discuss rezoning application for a planned development district at 6901 Mansfield Cardinal

B. Discuss possible change in meeting dates for regular meetings

C. Discuss any item on the regular session agenda

D. Update on revisions to the zoning code, including plans for establishing zoning for Urban Villages and Neighborhood Centers

**IV. *REGULAR SESSION***

**V. CALL TO ORDER**

**VI. ROLL CALL**

**VII. MINUTES APPROVAL**

**VIII. VISITOR/CITIZENS FORUM**

*At this time, any person with business before the Planning and Zoning Commission not scheduled on the Agenda may speak to the Commission, provided that an official 'Speaker's Request Form' has been completed and submitted to the Commission Secretary prior to the start of the meeting. All comments must be directed towards the Chair, rather than individual commissioners or staff. All speakers must limit their comments to the subject matter as listed on the 'Speaker's Request Form.' No formal action can be taken on these items.*

**IX. REGULAR ITEMS**

A. CASE # PZ 14-08 Public hearing and consideration of Ordinance approval regarding a request by the City of Kennedale for a zoning change for 23.8 acres from “C-2” General commercial district to “I” Industrial district, at 7200, 7201, 7203, 7205, 7206, 7207, 7208, 7210, 7218, 7220, 7222, 7224, 7226, 7228, 7230, 7232, 7234, & 7236 & 3 unaddressed parcels on **Bloxom Park Rd**, 7208, 7210, 7213, 7225, & an unaddressed parcel on **Hudson Village Creek Rd**, and 4310, 4382, & an unaddressed parcel on **Eden Rd S**, legal descriptions of Wade H Hudson Survey A 716 Tracts 2C, 2C01, 2C02, 2C03, 2C04, 2C04A, 2C05, 2C06, 2C07, 2C08, 2C09, 2C10, 2C10A, 2C11, 2C12, 2C13, 2C18, 2C19, 2C20, 2C21, 2C22, 2C23, 2C24, 2C25, 2C25A, 2C25B, 2C14, 2C15, 2C16, & Peter Rouche Survey A1338 Tracts 1, 1B, 1C, 2, 2B, & 2C.

1. Staff presentation
2. Public hearing
3. Staff summary and recommendation

**X. REPORTS/ANNOUNCEMENTS**

**XI. ADJOURNMENT**

In compliance with the Americans with Disabilities Act, the City of Kennedale will provide for reasonable accommodations for persons attending City Council meetings. This building is wheelchair accessible, and parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meetings. Please contact Amethyst Cirmo, City Secretary, at 817.985.2104 or (TDD) 1.800.735.2989

**CERTIFICATION**

I certify that a copy of the October 16, 2014, Planning and Zoning Commission agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.

Rachel Roberts

Rachel Roberts, Board Secretary

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# Staff Report to the Commissioners

**Date:** October 16, 2014

**Agenda Item No:** *WORK SESSION* - A.

---

**I. Subject:**
Discuss rezoning application for a planned development district at 6901 Mansfield Cardinal

**II. Originated by:**

Rachel Roberts, City Planner

**III. Summary:**
Last year, the property at 6901 Mansfield Cardinal Rd was purchased by the owners of Water Tank Services, a company that specializes in painting water towers. The property had been in use for commercial purposes, several of the surrounding uses are intensive commercial in nature, and the previous owner assured the buyers that the property was zoned for commercial use. The buyers also called the city to verify the zoning and were told the property was zoned commercial. The buyers purchased the property with the intent of using it for their office and to store equipment when the equipment was not in use at a job site.

After the current owners, Mr. and Mrs. Vela, purchased the property and attempted to obtain a certificate of occupancy, they were told that the property is actually zoned for residential use. When they had called to verify the zoning prior to purchasing, the person they spoke with looked at a map that had not been updated to show the property's correct zoning. The Velas would like to rezone the property for commercial use so that they can use it for their business.

The property is located at the end of an area identified as Neighborhood Corridor. A commercial use would not be out of place in a Neighborhood Corridor character district. However, the Velas recognize that our commercial zoning districts are not in keeping with the desired future character of the area, so they are planning to request a rezoning to a planned development district so that future uses of the property can be restricted. Before the Commission hears the case, however, the Velas would like to get input from the Commission on any concerns they might have so that they can be sure to address the concerns in the ordinance to accompany their request.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

None

**VIII. Alternative Actions:**

**IX. Attachments:**

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# Staff Report to the Commissioners

**Date:** October 16, 2014

**Agenda Item No:** *WORK SESSION* - B.

---

**I. Subject:**
Discuss possible change in meeting dates for regular meetings

**II. Originated by:**

Rachel Roberts, City Planner

**III. Summary:**
Now that the City Council will hold its regular meetings on the first Monday of each month, the Commission has the opportunity to meet on the second Thursday of each month, if it wishes to do so.

If the Commission decides to move its meeting date, I recommend not starting the new meeting schedule until after the November meeting. W are expecting several applications for rezoning requests, and the applicants in those cases are expecting a November meeting date of November 20, with related deadlines.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**
None

**VIII. Alternative Actions:**

**IX. Attachments:**

KENNEDALE
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# Staff Report to the Commissioners

**Date:** October 16, 2014

**Agenda Item No:** *WORK SESSION* - C.

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**I. Subject:**
Discuss any item on the regular session agenda

**II. Originated by:**

Rachel Roberts, City Planner

**III. Summary:**
Under this agenda item, the Commission members may discuss any item on the regular session agenda. No public hearing may be held on any of the regular session agenda items, and no action may be taken.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**
None

**VIII. Alternative Actions:**

**IX. Attachments:**

KENNEDALE
Planning and Zoning Commission
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# Staff Report to the Commissioners

**Date:** September 18, 2014

**Agenda Item No:** *WORK SESSION* - A.

---

**I. Subject:**
Update on revisions to the zoning code, including plans for establishing zoning for Urban Villages and Neighborhood Centers

**II. Originated by:**

Rachel Roberts, City Planner

**III. Summary:**
Employment Center code -- Phase III (expansion into Oak Crest)
We have a preliminary schedule of input meetings with our consultant for expanding the Employment Center code, but no dates are yet set. We will let you know when we have a better schedule. I believe the earliest we would meet with the advisory group (made up of representatives from P&Z, Council, and KEDC) would be mid-to-late October.

Neighborhood Village
Another property owner who lives in the Sublett Neighborhood Village character area has given us comments about code revisions, and this person would like the properties in that area to remain residential.

Based on the comments I've received so far, I've begun making some changes to the NC draft code. I'm anticipating we will need a phased approach that will allow development in these areas to occur over time. These particular areas have low demand for the kind of large development that would be needed to develop or redevelop the Neighborhood Villages to fit the comprehensive plan immediately, so we will need to adopt updates the code that allow existing uses to continue and yet be compatible with development on adjacent or surrounding properties within the district. Code revisions should also make it possible for the Neighborhood Villages to develop incrementally yet with the same character.

I plan to bring some of the suggested changes to you at the meeting next week so that I may get your comments.

**IV. Notification:**
**V. Fiscal Impact Summary:**
**VI. Legal Impact:**

**VII. Recommendation:** None

**VIII. Alternative Actions:**
**IX. Attachments:** None

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# Staff Report to the Commissioners

**Date:** October 16, 2014

**Agenda Item No:** MINUTES APPROVAL - A.

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**I. Subject:**
Consider approval of minutes from September 18, 2014 Planning and Zoning Commission meeting.

**II. Originated by:**

Katherine Rountree, Permits Clerk

**III. Summary:**
Review and approve minutes from September 18, 2014 Planning and Zoning meeting.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**
Approve

**VIII. Alternative Actions:**

**IX. Attachments:**

| | | |
|---|---|---|
| 1. | 09.18.2014 PZ Minutes | 09.18.2014 PZ Minutes Final.docx |

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# *KENNEDALE PLANNING & ZONING COMMISSION*

**MINUTES**
**COMMISSIONERS – REGULAR MEETING**
**September 18, 2014**
**CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

**WORK SESSION - 6:00 PM**
**REGULAR SESSION - 7:00 PM**

## I. CALL TO ORDER

Mr. Harvey called the meeting to order at 6:17 P.M.

## II. ROLL CALL

| Commissioner | Present | Absent |
|---|---|---|
| Ernest Harvey | x | |
| Tom Pirtle | x | |
| *vacant* | | |
| Stephen Brim | x | |
| Katie McFadden | | x |
| Don Rawe | x | |
| *vacant* | | |
| *Alternates* | | |
| Carolyn Williamson | x | |
| *vacant* | | |

A quorum was present.

Ms. Williamson was asked to serve as a regular member for the meeting.

Staff present: Rachel Roberts (planning director); Katherine Rountree (board secretary).

## III. ***WORK SESSION***

### A. Update on revisions to the zoning code, including plans for establishing zoning for Urban Villages and Neighborhood Centers

Ms. Roberts said that she is looking at having several subzones with different setbacks and requirements. Mr. Harvey suggested different lot types instead of subzones. The Commission discussed different ideas and concerns they had. Ms. Roberts said that she wanted to decrease the block perimeter maximum length to 400 feet on each side. The commission decided to discuss that topic at a later date.

### B. Discuss item for future consideration

1. Hilltop replat

2. Zoning standards for Old Town

The Commission did not have time to discuss these items.

**C. Discuss ideas for potential changes to the industrial zoning district, to include a discussion of possible rezoning of properties identified in the comprehensive plan as light industrial but not currently zoned for industrial use**

Ms. Roberts asked the Commission for input on the ideas she had given them in the staff report and for any other concerns they may have. Mr. Harvey said he is concerned about the existing businesses that are heavy industrial. He suggested making the heavy industrial businesses a special exception but they have to apply to the board of adjustment to get approval. He said any future businesses will have to abide by the light industrial zoning. Ms. Roberts said she will look more into the issue after she gets more information from the right resources.

The work session closed at 7:07 P.M.

**IV. *REGULAR SESSION***

**V. CALL TO ORDER**

Mr. Harvey called the meeting to order at 7:07 P.M.

**VI. ROLL CALL**

| Commissioner | Present | Absent |
|---|---|---|
| Ernest Harvey | x | |
| Tom Pirtle | x | |
| *vacant* | | |
| Stephen Brim | x | |
| Katie McFadden | | x |
| Don Rawe | x | |
| *vacant* | | |
| *Alternates* | | |
| Carolyn Williamson | x | |
| *vacant* | | |

A quorum was present.

Ms. Williamson was asked to serve as a regular member for the meeting.

Staff present: Rachel Roberts (planning director); Katherine Rountree (board secretary).

**VII. MINUTES APPROVAL**

**A. Review and consider approval of minutes from the August 21, 2014 Planning and Zoning Commission meeting.**

Mr. Pirtle motioned to approve the minutes. The motion was seconded by Mr. Rawe and passed with all in favor except Mr. Harvey, who abstained from voting.

**VIII. VISITOR/CITIZENS FORUM**

Hank Barnes, 116 Collett Sublett Rd, addressed the Commission. He said that home developers had cleared out brush and trees by his house and he has had theft on his property from that occasion. He

said he thinks there will be future issues between developers and home owners by not finishing fencing on existing homes that had previously been cleared out. He said that home builders also leave trash on construction sites that need to be cleaned up. Mr. Barnes also said that when home builders tear down a house, dirt will be in the air which can be prevented by wetting the land. Mr. Harvey addressed each situation for Ms. Roberts to check into.

**IX. REGULAR ITEMS**

There were no regular items

**X. REPORTS/ANNOUNCEMENTS**

The Drug Take Back Program is going to be held September 27th from 10 A.M. to 2 P.M. at the Police Department.

A volunteer is bringing back the Bird Workshop Program in the upcoming months.

On October 9th at 5:30 P.M., the City Council and Planning and Zoning Commission will be meeting during a work session to discuss the Downtown Village concept, joined by a consultant.

On October 11th, the Historical Society is having an annual membership meeting.

On October 18th, the Bring It! drop off is going to be held in TownCenter from 9 A.M. to 11 A.M.

**XI. ADJOURNMENT**

Ms. Williamson motioned to adjourn. The motion was seconded by Mr. Pirtle and passed with all in favor except Mr. Harvey, who abstained from voting.

The meeting adjourned at 7:29 P.M.

KENNEDALE
Planning and Zoning Commission
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# Staff Report to the Commissioners

**Date:** October 16, 2014

**Agenda Item No:** REGULAR ITEMS - A.

---

**I. Subject:**
CASE # PZ 14-08 Public hearing and consideration of Ordinance approval regarding a request by the City of Kennedale for a zoning change for 23.8 acres from "C-2" General commercial district to "I" Industrial district, at 7200, 7201, 7203, 7205, 7206, 7207, 7208, 7210, 7218, 7220, 7222, 7224, 7226, 7228, 7230, 7232, 7234, & 7236 & 3 unaddressed parcels on **Bloxom Park Rd**, 7208, 7210, 7213, 7225, & an unaddressed parcel on **Hudson Village Creek Rd**, and 4310, 4382, & an unaddressed parcel on **Eden Rd S**, legal descriptions of Wade H Hudson Survey A 716 Tracts 2C, 2C01, 2C02, 2C03, 2C04, 2C04A, 2C05, 2C06, 2C07, 2C08, 2C09, 2C10, 2C10A, 2C11, 2C12, 2C13, 2C18, 2C19, 2C20, 2C21, 2C22, 2C23, 2C24, 2C25, 2C25A, 2C25B, 2C14, 2C15, 2C16, & Peter Rouche Survey A1338 Tracts 1, 1B, 1C, 2, 2B, & 2C.
1. Staff presentation
2. Public hearing
3. Staff summary and recommendation

**II. Originated by:**

Rachel Roberts, City Planner

**III. Summary:**
**Applicant:** City of Kennedale
**Location:** Bloxom Park Rd (off Hudson Village Creek Rd)
**Request:** rezone from C-2 to I

**Background & overview.**
The properties along Bloxom Park Road (see map) are currently zoned C-2 general commercial. The Future Land Use Plan in the comprehensive plan categorizes the properties as Light Industrial. The City of Kennedale is requesting to rezone the properties to "I" Industrial zoning.

We received several phone calls and an email message regarding this case. Most of the phone calls have been from property owners or businesses owners in the area to be rezoned who wanted more information about the case but did not express an opinion for or against the rezoning request. The email message was received from a property owner opposed to the request, since he did not think there was zoning in place and did not think the City had the authority to rezone.

**Staff Review.**
*Compliance with the comprehensive land use plan.*
The Future Land Use Plan shows this area as Light Industrial. This is the only part of the Light Industrial character district not already zoned for industrial use. The city does not have a Light Industrial zoning district at this time. A Light Industrial district may (or may not) be established through the upcoming code update this

next fiscal year, but in the meantime, the Industrial zoning district can be used to move this area towards conformity with the comprehensive plan. Staff considers the rezoning request to be in compliance with the comprehensive land use plan.

*Compliance with the strategic plan.*
The strategic plan does not speak to this rezoning request.

*Compliance with City Council priorities.*
The Council's list of priorities established through the balanced scorecard process does not address this rezoning request.

**Staff Recommendation.**
Staff recommends approval.

**Commission Review and Consideration.**
The city code outlines the Commission's review process:

The planning and zoning commission, after conducting a hearing on a zoning request, shall report its recommendations on the zoning request to the city council for their consideration. The planning and zoning commission may recommend favorable approval of the request or that the request be denied, with or without prejudice. The recommendation of the planning and zoning commission shall automatically be forwarded to the city council for public hearing and consideration. When the planning and zoning commission recommends that the proposal should be denied, it shall report the same to the city council and the applicant. Furthermore, notwithstanding any provision to the contrary, the planning and zoning commission in considering a rezoning application shall have the authority to consider and recommend approval of any zoning classification set forth in the zoning ordinance having a lesser intensity and being more restrictive than the zoning designation requested by the applicant.

**Sample Motions.**
I recommend approval of Case PZ 14-08.
I recommend denial of Case PZ 14-08.
I recommend denial of Case PZ 14-08 without prejudice.

**IV. Notification:**

**V. Fiscal Impact Summary:**

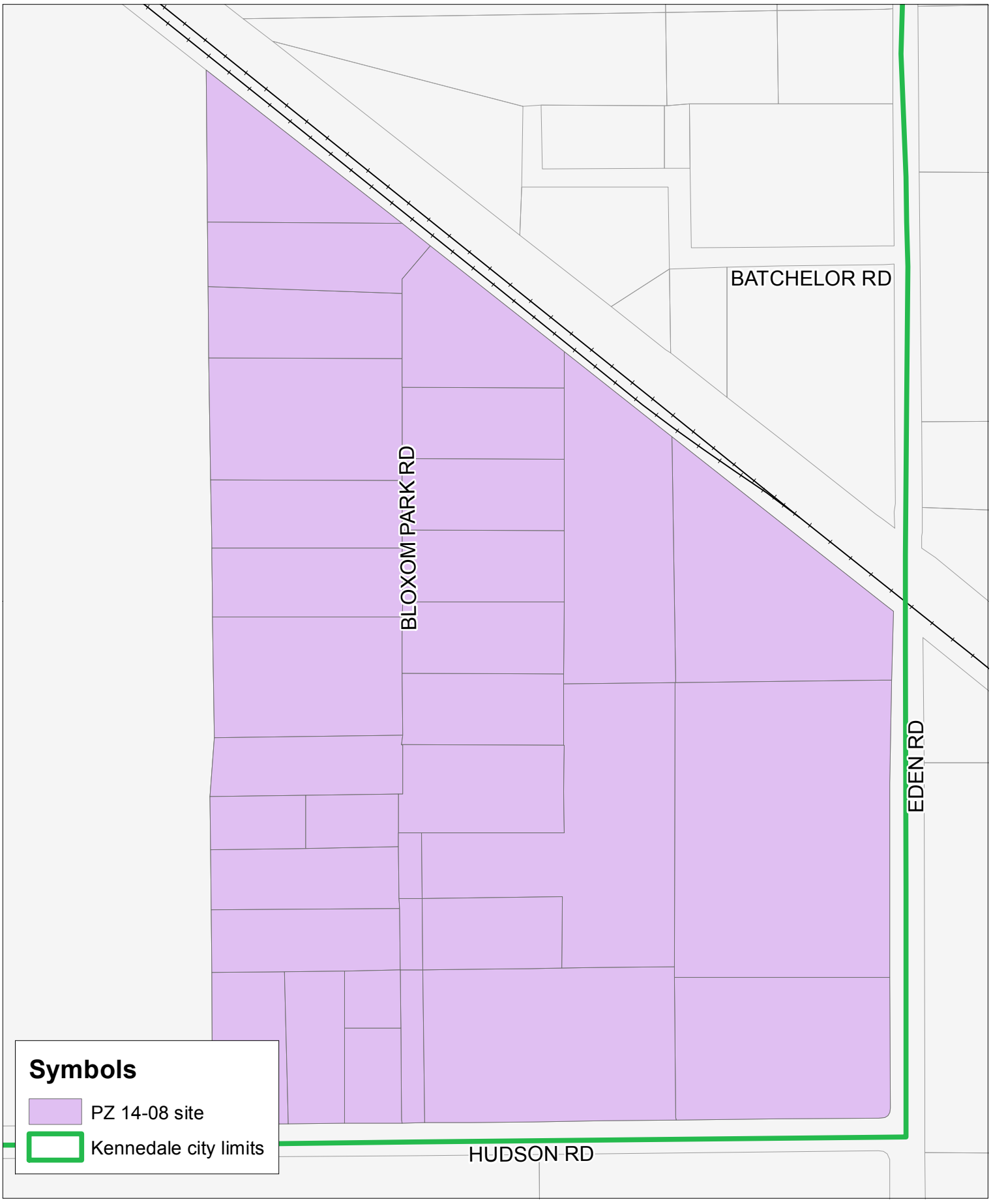
**VI. Legal Impact:**

**VII. Recommendation:**
Approve

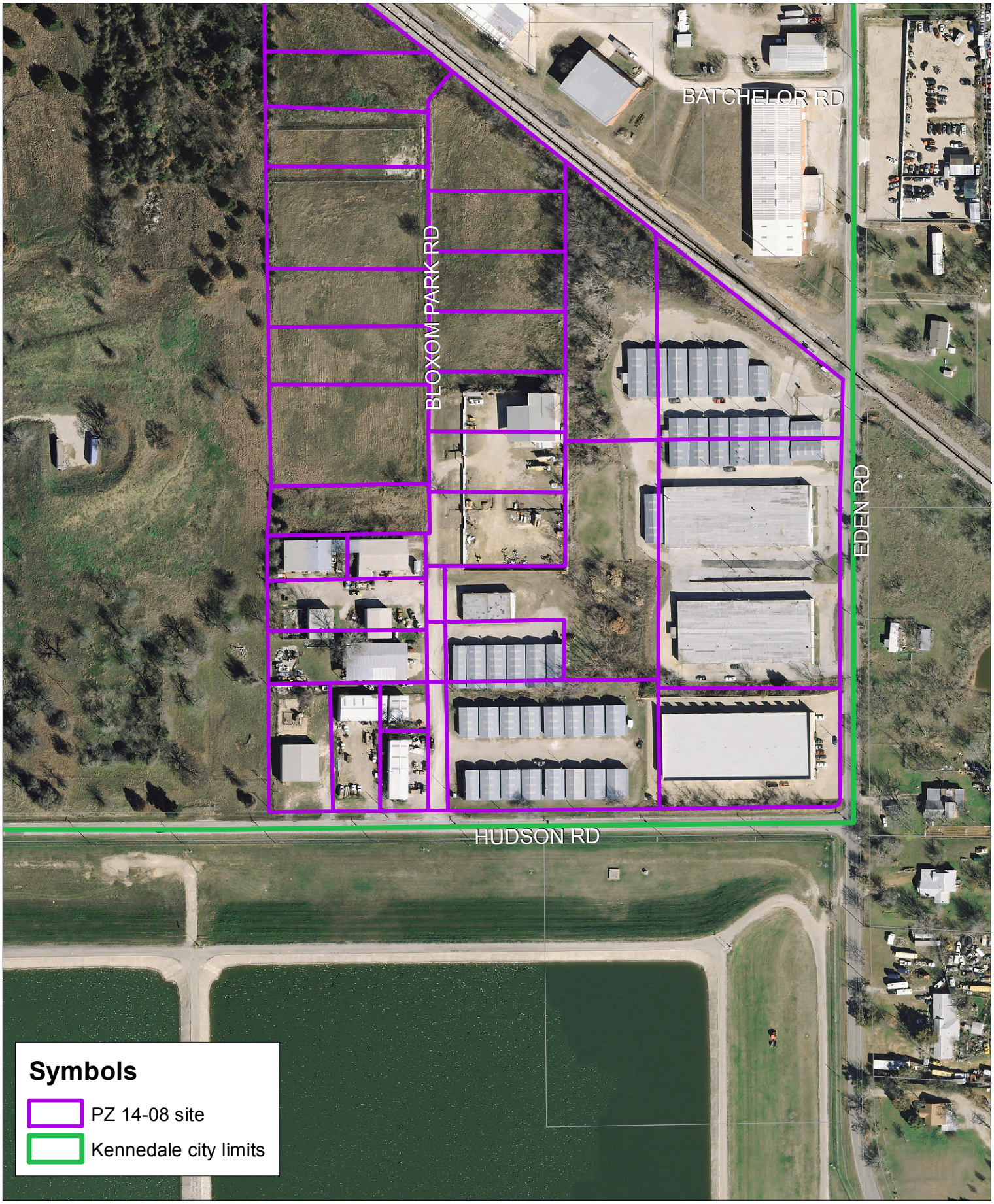
**VIII. Alternative Actions:**

**IX. Attachments:**

| | | |
|---|---|---|
| 1. | PZ 14-08 map showing site | PZ 14-08 site.pdf |
| 2. | PZ 14-08 aerial view | PZ 14-08 aerial view.pdf |
| 3. | Future Land Use Plan excerpt | Kennedale_Future Land Use_Light industrial district.jpg |
| 4. | PZ 14-08 ordinance | PZ 14-08 ORDINANCE.docx |



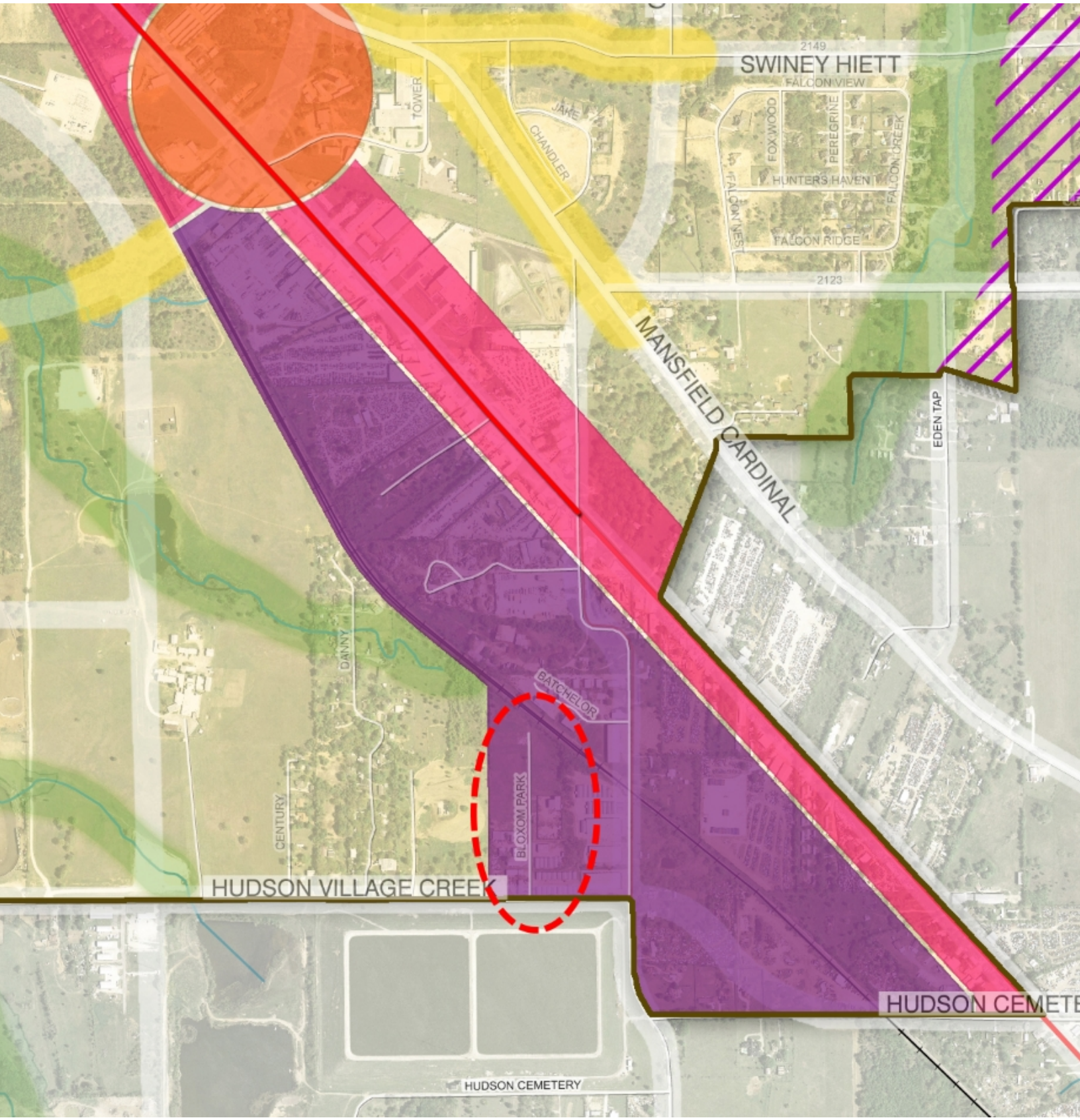

*Parcel boundary data from the Tarrant Appraisal District*
*Road data from North Central Texas Council of Governments*




*Parcel boundary data from the Tarrant Appraisal District*
*Road data from North Central Texas Council of Governments*

N

0 90 180
Feet


SWINEY HIETT
2149
FALCON VIEW
FOX WOOD
PEREGRINE
FALCON CREEK
HUNTERS HAVEN
FALCON NEST
FALCON RIDGE
2123
TOWER
JAKE
CHANDLER
MANSFIELD CARDINAL
EDEN TAP
DANNY
BATCHELOR
BLOXOM PARK
CENTURY
HUDSON VILLAGE CREEK
HUDSON CEMETE
HUDSON CEMETERY

**ORDINANCE NO_____**

**AN ORDINANCE AMENDING ORDINANCE NO. 40, AS AMENDED; REZONING CERTAIN PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF KENNEDALE FROM "C-2" GENERAL COMMERCIAL DISTRICT TO "I" INDUSTRIAL DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS,** the City of Kennedale Texas is a Home Rule municipality acting under its charter adopted by the electorate pursuant to Article XI, of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS,** pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential, or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

**WHEREAS,** the City of Kennedale desires to implement the comprehensive land use, which calls for the area described below to transition to a land use character classified as Light Industrial; and

**WHEREAS,** the City of Kennedale believes the proposed rezoning would help achieve the vision set forth in the comprehensive land use plan; and

**WHEREAS,** the City Council has determined that a planned development zoning district is the most appropriate zoning district to facilitate the development of the property; and

**WHEREAS,** a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale on the 16th day of October 2014 and by the City Council of the City of Kennedale on the _____ day of November 2014 with respect to the zoning changes described herein; and

**WHEREAS,** all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code; and

**WHEREAS,** the City Council does hereby deem it advisable and in the public interest to amend the City's Zoning Ordinance as described herein.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS:**

**SECTION 1:**

The Comprehensive Zoning Ordinance is hereby amended so that the zoning classification and the uses in the hereinafter described area shall be changed and or restricted as shown and described below:

An approximately 23.8 acre tract in the Wade H Hudson and Peter Rouche surveys, more particularly described Wade H Hudson Survey A 716 Tracts 2C, 2C01, 2C02, 2C03, 2C04, 2C04A, 2C05, 2C06, 2C07, 2C08, 2C09, 2C10, 2C10A, 2C11, 2C12, 2C13, 2C18, 2C19, 2C20, 2C21, 2C22, 2C23, 2C24, 2C25, 2C25A, 2C25B, 2C14, 2C15, 2C16, & Peter Rouche Survey A1338 Tracts 1, 1B, 1C, 2, 2B, & 2C, Tarrant County, Texas ("the Property"), as more particularly described on Exhibit "A" attached hereto and incorporated herein, from "C-2" General Commercial District to "I" Industrial District.

**SECTION 2.**

The zoning districts and boundaries as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, flood and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

**SECTION 3.**

The City Secretary is hereby directed to amend the official zoning map to reflect the changes in classifications approved herein.

**SECTION 4.**

The use of the properties hereinabove described shall be subject to all the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the City of Kennedale, Texas.

**SECTION 5.**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Kennedale, Texas (1991), as amended, including but not limited to all

Ordinances of the City of Kennedale affecting zoning and land use, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

**SECTION 6.**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars ($2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 7.**

All rights or remedies of the City of Kennedale Texas are expressly saved as to any and all violations of any ordinances governing zoning or of any amendments thereto that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation both civil and criminal same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

**SECTION 8.**

**It** is hereby declared to be the intention of the City Council that the phrases clauses sentences paragraphs and sections of this ordinance are severable and if any phrase clause sentence paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction such unconstitutionality shall not affect any of the remaining phrases clauses sentences paragraphs and sections of this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase clause sentence paragraph or section.

**SECTION 9.**

The City Secretary of the City of Kennedale is hereby directed to publish the caption penalty clause publication clause and effective date clause of this ordinance in every issue of the official newspaper of the City of Kennedale for two days or one issue of the newspaper if the official newspaper is a weekly newspaper as authorized by Section 3.10 of the City of Kennedale Charter.

**SECTION 10.**

This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

**PASSED AND APPROVED ON THIS _____ DAY OF NOVEMBER 2014.**

APPROVED:

Mayor Brian Johnson

ATTEST:

City Secretary, Kelly Cooper

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney, Wayne K. Olson