

**REQUIREMENTS FOR AREA STRUCTURE PLAN (ASP)
POLICY #61.1.6**

POLICY STATEMENT

The Council of the County of Wetaskiwin No. 10 receives requests from landowners who wish to develop their parcels into multi-lot subdivisions or propose recreational, multi-residential, commercial, and industrial developments without subdivision. In order to provide fair and consistent decisions regarding multi-lot subdivisions or proposals without subdivision of recreational, multi-residential, commercial, and industrial developments, Council deemed it necessary to establish this Policy.

PROCEDURES

Council requires an Area Structure Plan (ASP) for any proposed development described above or subdivision that will result in there being three or more lots on a quarter section, with the exception of parcels created under Second Yard Subdivision Policy #61.1.7.

The guidelines provided as per the attached "Schedule A" outline the requirements of an Area Structure Plan. An Area Structure Plan will not be deemed complete until all requirements outlined in "Schedule A" have been met. This Policy hereby grants to Administration the authority to amend "Schedule A".

Once an Area Structure Plan has been deemed complete by Administration, the proposed Plan will be referred to all required government departments, agencies, and adjacent municipalities. Once responses have been reviewed, a Public Hearing will be held. Prior to the Public Hearing, the proposed Plan will be advertised in the local paper for two consecutive weeks and adjacent landowners notified by mail, as per Sections 606 and 692 of the *Municipal Government Act*.

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-SCHEDULE A-

PREPARING AN AREA STRUCTURE PLAN IN THE COUNTY OF WETASKIWIN NO. 10

The Council of the County of Wetaskiwin No. 10 (the County) requires that an Area Structure Plan (ASP) be provided for any proposed development or subdivision creating 3 (three) or more lots in a quarter section, with the exception of those lots created under the Second Yard Subdivision Policy #61.1.7. An ASP provides to the County a comprehensive analysis of a development or subdivision proposal. Most importantly, it ensures that County ratepayers will have the opportunity for input into the plan, and will be able to make their views known before Council in a Public Hearing. The following information needs to be considered in order for an Area Structure Plan proposal to be successful.

1.0 General Overview

While beginning to prepare an ASP proposal, there are several important considerations to keep in mind.

1.1. Council views land development as a partnership. This process requires a significant investment of time from all parties involved, including County staff. Staff will review the submission and if necessary, send it back to the developer with comments regarding sections of the plan that require additional work. This process can be repeated several times. In order to speed up the process, developers should provide as much information as possible. Time spent in respectful and meaningful consultation upfront can save a significant amount of time, expense, and adversity in the long run.

1.2. Keep in mind that the ASP will be approved by Council only if it can be deemed that the proposal is in the best interest of the County in the long term. This means, among other things, that the plan must be consistent with the Municipal Development Plan and the Land Use By-law. The County will ultimately be responsible for the area after the development is complete, so Council will not be inclined to approve a plan that is likely to cost the County money, or will have other negative impacts in the long term. The Area Structure Plan is the opportunity for developers to explain their vision to County Council and to County ratepayers. A clear, comprehensive plan will help address concerns that Council or other parties might have regarding the proposal or its impact on area residents.

1.3. The County strongly recommends the hiring of a professional consultant to prepare the plan.

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2.0 Purpose

ASPs are broad area plans that specify the development layout and technical considerations for the subject parcel(s) in the immediate and longer term future. ASPs will consider the effects of that development on surrounding lands and the relationship of the proposed development with any existing adjacent and known proposed and/or approved development in the area. Once adopted and passed through By-law, further applications, including rezonings, subdivisions and development permit applications, are guided by the ASP.

3.0 Obligations

3.1. Developers are expected to provide a useful, comprehensive document which clearly outlines the vision for development in a proposed area. Developers are expected to provide any information deemed necessary within this proposal, and to understand that County staff must spend a considerable amount of time comprehensively reviewing each version of the document until it is deemed complete and ready for a Public Hearing before Council. If and when the ASP is approved, developers will be required to engage in further steps before the development is complete, which may include Rezoning, Subdivision, a Development Agreement, and the issuance of Development Permits.

3.2. Administration is expected to provide to the developer a clear understanding of Councils expectations. They will assist in outlining the requirements for an ASP, and will ultimately review the proposal upon its submission. Administration, along with engineers working on their behalf, and other stakeholder agencies will provide comments regarding the submission and any changes which may be required. These changes should be incorporated into a new document, at which point Administration must begin a new comprehensive review. When Administration is satisfied that the document meets the necessary requirements, they will prepare a public hearing where the Plan will be presented to Council for adoption. Administration will outline the plan and make recommendations to Council based on pertinent County policies, By-laws, and their professional experience in regards to the viability and suitability of the proposal.

3.3. County Council is expected to use the Public Hearing process to listen to the issues raised by members of the public, and to consider such issues in making their decisions along with input from the developer and Administration. Council members should defer involvement or engagement in discussions on planning and development projects with either citizens or developers until the Public Hearing. This ensures a fair process for both citizens and the developer.

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3.4. The general public is expected to participate in the developer’s public consultation process during the preparation of the Area Structure Plan. They are expected to understand the nature of the proposal, to learn about the issue, listen to all perspectives and viewpoints, and provide comments to the developer so that their views can be incorporated into the Plan. The public is likewise expected to attend the County Public Hearing, whereby they can make comments to Council and can address any concerns they may have.

4.0 Pre-ASP Information

The preparation of an ASP is quite rigorous, and can represent a significant investment on the part of the developer. Before beginning this process, the following should be discussed with members of the County Planning & Development Department.

4.1. Outline of the Planning Area: Through consultation with County staff, a planning area should be determined prior to the development of a plan. Plans are encouraged to be developed for at least one full quarter section as smaller plans can create difficulty in terms of how long-term development is mapped out in the County, particularly in areas of high demand.

4.2. Overall vision for development: The developer is encouraged to provide to Administration a clear description of the proposed outcome of the development. This can help clarify how the proposal will tie into other plans or proposed plans in the area, and will give Administration a sense of what type of investment the developer is willing to make. If this vision is not a good fit for the area, it can be modified or disbanded before any significant investment of time or money has been made.

4.3. Draft Terms of Reference: A description of the proposed plan contents, procedures for plan preparation, and key dates. At this point, Administration will likewise be able to advise the developer on what type of public consultation process should be held based on the expected sensitivity of the proposal.

5.0 Contents of the ASP: Studies & Reports

In addition to the above noted map features, the ASP should provide a significant amount of information regarding technical considerations of the proposal. Many sections of this document will require reports from qualified professionals. These reports should be summarized in the text of the document, but should also be attached in full as an appendix to the ASP.

5.1. Public Input: Although the ASP is brought forward in a public hearing, the County requires that the proposal be presented to the general public before it is brought before Council. The scope of the public input plan will vary depending on the size, location, intensity, and sensitivity of the proposal. How the public input was gathered, including any information on advertising, should be included in this section of the document. The developer will include the feedback in the plan, and will be expected to respond to this

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feedback within this section of the document. If a solution to a problem is proposed, it should be outlined. If a problem is acknowledged, but is not dealt with, then this should be stated and the reason for this decision should be included. This helps to ensure that any new development will be as compatible as possible with existing land uses. Council, as a general rule, will look more favourably on a plan that has made a legitimate attempt to address the concerns of County ratepayers before it is put forward for a formal review.

5.2. Geotechnical & Groundwater Percolation Reports: Reports by qualified engineers should be provided proving the suitability of the plan area for the proposal. These reports should include:

- A Groundwater report showing any near surface water tables.
- Percolation and near surface water testing to show any high water tables that could restrict development. Furthermore, this report will show the suitability of the site for septic fields if the proposed sewage system is individual septic tanks and fields.
- Discussion of slope stability in the area, and how this will be addressed in the tentative plan with regard to adequate development sites as per Alberta Environment regulations.

5.3. Sewage Treatment: The ASP must include a section detailing the proposal for how sewage will be treated within the plan area. Should future residences or businesses in the Plan area not be connected to a municipal or provincially approved centralized wastewater treatment system or regional collection line system for the transport and treatment of waste water, the applicant shall provide a report concerning how waste-water will be treated by Private Sewage Treatment Systems (PSTS). For further assistance and guidance, please contact the County's Planning and Economic Development Departments. In addition, if the development is to be served by tile fields, it shall be subject to the applicable regulations. Appropriate test results shall be provided as part of the ASP. Where a piped municipal system exists, or can be extended, new lots must connect to the system. If a system is being considered in an area, but does not currently exist, there may be a requirement for the development of a system which is compatible with future plans.

Where there is no piped municipal system, but the land is near certain lakes and rivers, sewage must be piped to one or more central holding tanks within or near the development or subdivision. Likewise, the development may be subject to an off-site levy for the expansion and maintenance of existing municipal facilities. This levy is applied to each lot created during the subdivision process; acknowledgement of and adherence to the levy should be included as part of the ASP. County staff will be able to indicate whether or not a proposal falls within a levy area.

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5.4. Storm water Management: A plan for the management of storm water runoff is required as part of any ASP proposal. The plan should include a map detailing the slope/gradient of the proposal area, and shall also indicate how storm water will be directed, and stored in a storm water management facility – usually a pond. If a storm water management pond is used, it will be dedicated as a public utility lot – it will not be included as municipal or environmental reserve. It may be prudent to include safety measures as part of the ASP proposal if necessary. A storm water management plan will include identification of the 1:100 year flood plain and potential flood risks.

5.5. Water Supply: Description of the proposed water supply, whether by individual wells, piped water system, or cistern system. If water is proposed to be by individual or shared wells, a preliminary Phase 1 Groundwater Assessment is required which reviews existing well data in the area from Alberta Environment. In the case of subdivisions of 6 or more lots per quarter section, the *Water Act* requires that a detailed Groundwater Assessment be conducted by a professional engineer, geologist, or geophysicist, verifying that the current Alberta Environment standard of 1,250 cubic metres of water per year are available to each individual lot.

5.6. Traffic & Roads: For development and multi-lot subdivisions, a statement on the traffic impact of the development will be a requirement. This may require a traffic impact assessment by a qualified professional engineer for larger subdivisions. If the proposal is within 1.6Km of a provincial highway, the ASP will be reviewed by Alberta Infrastructure & Transportation, who may require additional information such as a Traffic Impact Assessment), road or intersectional upgrades, etc.

County staff will be able to provide information on road standards, which will vary depending on the type, density, and location of the proposal. In addition to building an internal road system, the developer may be required to upgrade roads leading to the development. At a minimum, the developer may be assessed a road contribution levy. The County will be able to provide a manual detailing design guidelines and construction standards for infrastructure and other works occurring as part of the subdivision development process. These standards should be considered as a minimum requirement – the County reserves the right to require additional upgrades where deemed appropriate.

5.7. Environmental Assessment: The County may request that a qualified professional produce an Environmental Assessment in the case that the subject area and/or surrounding area is known to be environmentally sensitive, in terms of wildlife issues, potential contamination from previous or adjacent land uses, or potential effects on nearby lands, uses, waterways or groundwater tables are anticipated. The exact requirements of such an Environmental Assessment will be noted by staff.

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5.8. Archaeological and Historical Assessment: The County may require that a qualified professional produce an Archaeological and Historical Assessment, especially in the case where it is known that the subject or nearby lands are of historical significance, through archaeological findings or known settlements that have occurred in the area. Such an Assessment must meet Provincial standards.

5.11. Fire Protection: Each development must have adequate water available for fire protection. The exact volume of water required will vary based on the type of use and density. For residential developments the requirement is generally for 4000 gallons per household of useable water. In addition to providing the required water (which must be available for use at all times) the developer will be required to provide access to it; this may require the construction of an approach, the installation of one or more fire hydrants, and/or the installation of one or more staging areas. If the water is stored in an area where it may be a hazard, the developer may be required to provide safety measures such as a berm or fencing at the County's discretion. The size, location, and type of fire protection proposed should be included as part of the ASP.

5.12. Existing Land Uses: In reference to the map which will be included as part of the document, the ASP should include a section detailing the surrounding land uses and outlining any conflicts that may arise as a result of the proposed development. Any issues arising from this analysis should be dealt with in a reasonable manner and if no realistic solution exists, than the reasons for this should be highlighted. This section will likely be closely tied to the Public Input section of the document.

6.0 Contents of the ASP: Maps

Unless otherwise noted, the ASP proposal must consist of a number of maps, including the following:

6.1. Natural Areas: A map of the natural area of the Plan and surrounding lands. This shall identify topographical features, including steep slopes and sensitive natural areas. Contours, through survey or aerial photographs will assist in assessing development constraints and storm water runoff projections. This should also include a ground water report showing any near surface water tables, as well as an orthographical overlay.

6.2. Existing Land Use: This map will identify the location of any intensive livestock operations within two (2) kilometers of the plan area along with setbacks as per the NRCB, Alberta Agriculture, Food and Rural Development's Minimum Distance Separation (MDS) Formula as contained in the Code of Practice for the Safe and Economic Handling of Animal Manures. Please contact the local NRCB office for assistance with the MDS Formula as it has been subject to change. The map will additionally locate any nearby sour gas installations, locations of airport runways and Noise Exposure Forecast (NEF) noise

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contours, and any other existing land uses which may place a constraint on development in the plan area.

In addition to identifying land uses that may place a constraint on development in the plan area, the ASP should likewise identify any surrounding land uses which will be impacted by the proposal. If negative externalities exist, they should be outlined in the text of the ASP; a proposal for their mitigation, if reasonably possible, should be included as part of the text of this document.

6.3. Boundaries of Adjacent Municipalities: The Plan shall identify the location of any adjacent municipalities, including:

6.3.1. The City of Wetaskiwin or the Town of Millet, if within 3.2 kilometers of the plan area.

6.3.2. Any land included in the Intermunicipal Development Plan between the County of Wetaskiwin and a neighbouring municipality, if within 3.2 km of the Plan Area.

6.3.3. Other municipalities and First Nations Reserves if within 1.6 kilometers of the plan area.

Any development within the above distances of neighbouring municipalities will require that any Area Structure Plan(s) and related applications be referred to these municipalities for review.

The above distances may be greater than specified if the potential effects of the proposed development warrant referrals due to air emissions, smell, noise, or aesthetic considerations.

6.4. Roads, Utilities, and Built Features: The location of existing and proposed roads, as well as existing and proposed utility lines, and oil and gas installations shall be shown on a plan.

6.5. Municipal, Environmental and Conservation Reserves: As per Section 661 of the *Municipal Government Act* of Alberta, the County will require the dedication of Municipal Reserves (MR) as part of the ASP process. Likewise, the County may require the dedication of any Environmental Reserves (ER) or Conservational Reserve (CR), if applicable. This dedication should be outlined on a map, with regard to the section of the ASP detailing proposals related to MR, ER and CR.

Provision of Environmental, Municipal and Conservation Reserves:

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Environmental Reserve is to be dedicated to the County in any area where land is of a sensitive nature and needs to be protected from development. Examples of land dedicated as ER include: the shorelines of lakes, rivers, and streams; wetlands, bogs, or marshes; steep slopes, gullies, or ravines; and floodplains.

Conservation Reserve is to allow for the dedication of lands to the County if the land, in the opinion of the development and/or subdivision authority, has environmentally significant features, and could not be required to be provided as environmental reserve, therefore allows for the County to protect and conserve the land. Note: Unlike Environmental or Municipal Reserves, the municipality . . . “must pay compensation” (for Conservation Reserve lands) “to the landowner in an amount equal to the market value of the land at the time of application for subdivision approval was received by the subdivision authority”.

Municipal Reserve is to be dedicated to the County in the amount of 10% of the total development area less the area dedicated as Environmental and/or Conservation Reserve. For example, if the development area is 160 acres and a combination of Environmental and Conservation Reserve add up to 10 acres dedicated then:

$$(160 \text{ acres} - 10 \text{ acres}) \times 0.1 = 15 \text{ acres of Municipal Reserve required}$$

Municipal Reserve should be dedicated in such a way that it provides real use for the proposed development. MR is often used for walking trails, parks, etc. Likewise, it can often be used to provide a buffer zone between the proposal and an adjacent parcel if required

6.6. Community Lots and Reserve Dedications: In limited cases, the concept of having a Community Lot or Lots has been part of a tentative plan of subdivision. A Community Lot is typically situated in a location that benefits all lot owners within a plan of subdivision including lots allowing for community storage or access to a feature in or adjacent to the subdivision including a Lake. In the event that a developer wishes to have a Community Lot, credit for having land set aside for a Community Lot will not be granted for Municipal Reserve owed or Environmental Reserve required as a Community Lot does not meet the intended purpose of either a Municipal or Environmental Reserve.

6.7. Tentative Plan of Subdivision: Although this Plan will not constitute a subdivision approval, the ASP should contain a tentative plan of subdivision which shows the expected layout of lots within the proposal. Following the Plan laid out in an approved ASP will greatly increase the value of a future subdivision application, even if lot lines require minor adjustment. Note that adding additional lots at the subdivision phase will likely require an amendment to the ASP, therefore, it is prudent to include all proposed lots in the Area Structure Plan. The Plan should include an approximation of lot sizes throughout the plan, so that the County can have an idea as to what policies and standards will affect the proposal.

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Also note that the tentative plan of subdivision should be designed for the entire plan area, although it is quite common to break the plan area up into two or more phases of development. The tentative plan should include the proposed phasing of development in order to give Council and other interested parties a sense of how the development will proceed towards completion. Also note that there is no requirement that, once one phase is begun, another phase proceeds. As a developer you may choose not to proceed with later phases of a proposal; the plan will remain in place and will provide a blueprint for future development.

7.0 Additional Information

7.1. Further Studies or Detailed Investigation: The provision of the above noted reports, studies, maps, etc. may indicate that further, more detailed assessments or evaluations are required, as well as possible mitigative measures.

7.2. Documents Submitted: In addition to paper copy submissions, Council also requires the submission of digital copies.

7.3. Associated Costs: There are several costs involved in the preparation of an ASP. While this list is not exhaustive, the following items are generally the major costs associated with the ASP process:

- Professional Fees
- Road/Sewer Levy
- Application Fee
- County Development Agreement & Engineering Fees
- Costs associated with holding a public hearing

7.4. Additional Contacts: The preparation of an ASP may require contact with outside agencies.

If the plan is being prepared by a professional planner or engineer, they will likely have all the required information. If not, the following agencies may need to be contacted:

- Alberta Environment
- Alberta Infrastructure & Transportation
- Alberta Municipal Affairs (safety codes)
- Alberta Health & Wellness
- Safety Codes Council
- NRCB
- AER

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8.0 Expiry Date of ASP

8.1. As Council may approve Policies from time to time that may benefit new development and/or abutting lands to development, it is the wish of Council to ensure that Area Structure Plans (ASP) that have not proceeded with a development or the registration of at least one lot within three years of the adoption of the ASP and subsequent phases for at least one lot will, at the discretion of the County, be subject to the application of any new policy that would normally be applied to the Area Structure Plan and related development thereof if it were to be approved at the time of the expiry of the aforementioned three year term.

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