

AGENDA TOPIC 10.

TO: Mayor & Council
FROM: Wayne Marshall, Director, Code & Planning
DATE: February 13, 2019
RE: Ordinance Amendment - Chapter 102, Zoning, Division 7, Significant Groundwater Well Permit

REQUESTED ACTIONS

I am requesting that the Council take the following actions at its meeting of February 19 regarding the proposed clean-up/corrective amendment to Chapter 102, Zoning, Article VIII, Supplementary District Regulations, Division 7, Significant Groundwater Well Permit.

- 1) Provide me an opportunity to describe the purpose of the proposed amendments prior to conducting the scheduled public hearing.
- 2) Conduct a public hearing as part of the First Reading of the proposed amendments.
- 3) Support Council consideration of the amendments for a Second Reading and public hearing at the Council meeting of March 19.

BACKGROUND INFORMATION

The Council, at its meeting of October 16, 2018, adopted amendments to Chapter 102, Zoning, to establish a specific permitting process and standards that would apply to the regulation of a significant groundwater well. The standards were included in Article VIII, Supplementary District Regulations, Division 7, Significant Groundwater Well Permit Ordinance amendments. The Division 7 amendments were part of a larger package of amendments associated with the proposal to establish the Route One South Business Park zoning district for the Nordic Aquafarm project. Unfortunately, in presenting the final language for these amendments at the Second Reading on October 9, I inadvertently omitted one of the Sections/Clauses in the new Ordinance, Section 102-1080, Independent Expert Assistance, that was included in the First Reading language that the Council supported (as recommended by the Planning Board) at its meeting of September 25. I am now returning to the Council to correct this error and to restore Section 102-1080 to the adopted Ordinance.

Section 1080 is an important clause in the Ordinance. This clause provides the City the authority to charge fees of an applicant for a groundwater well permit so the City can hire independent expert advice to review information in the permit application, and assist the Planning Board in establishing effective conditions of approval to regulate a significant groundwater well.

Also, after discovering this error, I reviewed the remainder of the Ordinance language that the Council adopted in October 2018 and determined that there were no similar errors.