



City Council Order

IN CITY COUNCIL

Whereas the zoning text amendment evidenced by Ordinance #28-11202023 relating to Chapter 60, Article XII, Division 4- Lake Auburn Watershed Overlay District pertaining to agricultural farms, agricultural buffer strips, subsurface wastewater disposal system setbacks from resources/buffer strips, private sewage disposal systems and subsurface wastewater standards and requirements became effective on December 9, 2023 pursuant to Section 2.6(C) of the City Charter;

Whereas members of the Auburn City Council and the Mayor have heard concerns from constituents related to limitations on agriculture and water quality protections in the Lake Auburn Watershed;

The Auburn City Council hereby orders the City Manager to direct staff to work with the AG Working Group, Sustainability and Natural Resource Board, LAWPC, the Auburn Planning Board and public stakeholders to review the adopted amendments and recommend any changes back to the City Council **no later than the second regular City Council meeting in April 2024**. The process should include an initial advertised public meeting with the AG working Group to solicit public feedback, a working meeting with the AG work Group and then a Planning Board Workshop, Council Workshop and then a Planning Board Public hearing and recommendation. At a minimum, consideration should include the following:

- Agricultural uses
 - In Sec 60-951(b) amend the definition of non-hobby agricultural uses
 - In Sec 60-952(a) amend the description of permitted/prohibited agricultural uses
 - Define which agricultural uses are permitted (and by default the non-permitted activities are prohibited) and the scale of the permitted activity with a focus on water quality impacts. As an example, three horses kept for a resident's enjoyment or to provide riding lessons for a fee have the same water quality impact.
- Subsurface waste-water disposal system inspection
 - In Sec 60-952(f)(6) consider amending the described inspection method to shift responsibility for the inspection to the land-owner and provide a phased implementation.
 - The current construct in Sec 60-952(f)(6) supposes that LAWPC will perform an inspection once every five years or upon sale. LAWPC may not have the capability to

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do this and will require additional funding / hiring to do so. Another approach should be considered to require the landowner to have an inspection performed on this cycle by an inspector meeting defined qualifications, with the inspection meeting defined standards and with the report being sent to LAWPC and the City Plumbing Inspector.

- Consider further limits on the number of new subsurface wastewater disposal systems. The current ordinance will limit the construction of new systems (new here having the same meaning as the state plumbing code) to an estimated 38 new systems.

Passage on 1-2-2024, as amended 6-0 (Councilor Milks absent).

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