

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. 1826

AN ORDINANCE TO ADOPT PERFORMANCE STANDARDS FOR GROUNDWATER PROTECTION WITHIN WELLHEAD PROTECTION CAPTURE ZONES AND STORMWATER QUALITY MANAGEMENT AND TO AMEND SECTION 8.3 OF THE ZONING ORDINANCE (APPENDIX A OF THE CODE OF ORDINANCES)

WHEREAS, the Kalamazoo City Zoning Ordinance includes regulations that pertain to the submission, review and approval of site plans for development and redevelopment projects for properties within the city and includes specific information that must be provided on all site plans; and

WHEREAS, the site plan regulations contain language that pertains to storm water management and ground water protection measures that must be adhered to for all such projects; and

WHEREAS, the Department of Public Services has created a new set of regulations entitled Performance Standards for Groundwater Protection Within Wellhead Protection Capture Zones and Stormwater Quality Management, which are intended to be used during the site plan review process and in association with the Wellhead Protection Overlay Zoning District; and

WHEREAS, the Performance Standards provide more in-depth requirements that are intended to help safeguard the drinking water source for Kalamazoo and protect surface water quality from high-risk land use activities; and

WHEREAS, on April 11, 2007, the Planning Commission reviewed the draft of the Performance Standards and unanimously recommended its implementation and adoption by the City Commission; and

WHEREAS, the City Commission has determined that the implementation of the Performance Standards will promote the health, welfare, and safety of the community, will advance the continued economic growth and redevelopment of the City of Kalamazoo, and will help to protect the vital water resources in the city for the benefit of the citizens and business community; and therefore, it is in the best interest of the City to adopt the Performance Standards.

THE CITY OF KALAMAZOO ORDAINS:

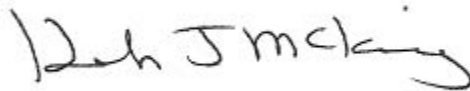
Section 1: Section 8.3.H.7.L. and Section 8.3.H.7.X. of the Zoning Ordinance, Appendix A to the Code of Ordinances, City of Kalamazoo, Michigan are amended by adding the following language to both sections: *The proposed development shall comply with the regulations of the City of Kalamazoo's "Performance Standards for Groundwater Protection within Wellhead Protection Capture Zones and Stormwater Quality Management."*

SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

CERTIFICATE

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on May 21, 2007. Public notice was given and the meeting was conducted in full compliance with the Open Meetings Act, (PA 267, 1976). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the Charter of said City.



Hannah J. McKinney, Mayor



Scott A. Borling, City Clerk