



## **Ordinance 658**

**AN ORDINANCE REPEALING ORDINANCE 654, THEREBY REPEALING THE MORATORIUM ON THE REVIEW OR HEARING OF AN APPLICATION TO THE PLANNING COMMISSION OR BOARD OF ADJUSTMENT WHICH IN ANY MANNER INCREASES IMPERVIOUS LOT COVERAGE.**

**Sponsored By:** 2<sup>nd</sup> District Councilwoman Sally Jensen

**First and Second Reading:** February 11, 2010 Council Meeting

**Results:** Passed 7 In Favor, 0 Opposed

**Third and Final Reading:** March 11, 2021 Council Meeting

**Results:** Passed 7 In Favor, 0 Opposed

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AN APPLICATION TO THE PLANNING COMMISSION OR BOARD OF  
ADJUSTMENT WHICH IN ANY MANNER INCREASES IMPERVIOUS  
LOT COVERAGE.**

**WHEREAS,** The Mayor and Council of the Town of Elsmere adopted Ordinance 654 in order to allow time to study and determine the Town's current position as it relates to the amount of impervious lot coverage throughout the Town; and

**WHEREAS,** The Town was able to obtain the information which it was seeking during the month of January 2021 and there is no longer a need to have the moratorium established by Ordinance 654.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE  
TOWN OF ELSMERE, AS FOLLOWS:**

Effective March 12, 2021 Ordinance Number 654 and the moratorium established by that Ordinance are hereby voided.

First and Second Reading  
February 12, 2021



Eric Thompson, Mayor

Third and Final Reading  
March 11, 2021



Brian Hurst, Secretary

Approved as to form:



Town Solicitor

**SYNOPSIS  
ORDINANCE 658**

This Ordinance repeals Ordinance 654 which was an Ordinance that placed a one (1) year moratorium of the review or approval of any application before the Planning Commission or Board of Adjustment which if approved would increase the amount of impervious surface on the subject property. Any application which may have been submitted prior to December 11, 2020 was permitted to continue through the application process, and anyone who could prove an actual hardship related to a disability or accessibility issue was not be affected by the moratorium established by this ordinance.

**Fiscal Impact:**

This Ordinance is anticipated to have no Fiscal Impact. Since any fees paid would go toward the cost of holding the hearing (such as the deposit on signs) and during the Fiscal year have already been budgeted.