

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 01-02252019

Division 2, Section 60-145, Use Regulations,

(b) Special Exception Uses;

- (17) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings as accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment, subject to the following conditions:
- a. The proposed use is accessory, complementary, or otherwise related to a recreational or agricultural use;
 - b. The recreational or agricultural use has been in existence for at least five years prior to the date of the application for the special exception; and
 - c. The recreational or agricultural use is located on the parcel for which the special exception is requested or is adjacent to the property for which the special exception is requested, in conformance with Maine DEP standards; and,
 - d. **Industrial use, including manufacture, assembly and maintenance of recreational or agricultural equipment, is prohibited in the watershed areas surrounding Lake Auburn and Taylor Pond.**

Failed 1st reading on 2/25/2019 1-5 (Councilors Lasagna, Hayes, Fournier, Walker, and Young opposed).

Failed 2nd and final reading on 3/4/2019 3-4 (there was a tie vote 3-3 with Councilors Young, Lasagna, and Hayes opposed, and in accordance to the City Charter, Article III, Section 3.3 the Mayor voted to break the tie and voted no). A roll call vote was taken.

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IN CITY COUNCIL

ORDINANCE 02-03042019

Chapter 2, Article V, Division 7. – Age Friendly Community Committee

DIVISION 7. – AGE FRIENDLY COMMUNITY COMMITTEE

Sec. 2-482.7. - Established; membership.

- a) There shall be an age friendly community committee, which shall be composed of thirteen members. All except the ex officio member of the board shall be appointed by the city council.
- b) Serving as the ex officio member shall be the director of recreation and sports tourism or designee.
- c) Nothing in this article shall preclude the creation of standing subcommittees.

Sec. 2-482.8. - Term of members.

All appointed members of the age friendly committee shall serve staggered three-year terms from the date of their appointment and thereafter until their successors are appointed beginning with the effective date of this Code.

Sec. 2-482.9. - Officers; rules of procedure; vacancies.

The age friendly committee shall elect a chair, a vice-chair, secretary, and such other officers as it may require. The board shall develop such rules to govern its meetings and operations as it deems advisable. Upon the death, incapacity or removal from the city of any member, or if any member shall be absent without excuse for three consecutive meetings, the secretary of the board shall advise the city council that a vacancy exists and request the appointment of a replacement.

Sec. 2-482.10. - Duties.

The purpose of the age friendly committee shall be:

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- a) To facilitate communication between leaders, consumers and providers that identify key issues for healthy aging communities;
- b) To conduct impact evaluations and analyze the effectiveness of age-friendly programs; and
- c) To make policy recommendations to the city council and advance initiatives that promote the health and social well-being of older adults

**Passage of first reading on 3/4/2019 6-0
(Councilor Titus absent).
Passage of second reading on 3/18/2019 7-0.**

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IN CITY COUNCIL

ORDINANCE 03-05202019

TITLE: Adopting the proposed amendment to Chapter 14, Business Licenses and Permits for an *Adult Use and Medical Marijuana Businesses Ordinance.*

WHEREAS, implementing a system for the regulation of stores, dispensaries, cultivation, manufacturing, and testing for the production and sale of marijuana, is a complex function with significant administrative demands on the City of Auburn; and

WHEREAS, ensuring that possession and use of Adult Use and Medical Marijuana is limited to persons who are 21 years of age or older, except in the case of minors in possession of a medical marijuana patient card, is necessary to protect those who have not yet reached adulthood from the effects of irresponsible use of marijuana; and

WHEREAS, the City of Auburn believes that any production, processing, or selling of Adult Use and Medical Marijuana should be conducted in a safe and fair manner for the health, safety, and welfare of the community, which includes complying with provisions of all applicable laws and ordinances relating to adult use and medical use of marijuana throughout the City of Auburn; and

BE IT FURTHERED ORDERED, the Adult Use and Medical Marijuana Business ordinance will take effect July 1, 2019. For the month of July, the City of Auburn will except applications for existing city approved medical marijuana businesses. Effective August 1, 2019, the City of Auburn will be accepting all new medical marijuana businesses. Adult use marijuana business applications will only be received upon having a conditional license approved by the State of Maine. All Registered Caregivers operating out of their residence, the City of Auburn will begin accepting applications on July 1, 2019.

NOW THEREFORE, this Ordinance is adopted pursuant to the Marijuana Legalization Act, 28-B M.R.S. §101 et seq.; the Maine Medical Use of Marijuana Act, 22 M.R.S. §2421 et seq.; and the City's home rule authority under Article VIII, Part 2, Section 1 of the Maine Constitution 30-A M.R.S. §3001 et seq., and 30-A M.R.S. §4301 et seq.

Passage of first reading on 5/20/2019 7-0.
Passage of second reading on 6/3/2019 7-0.

CITY OF AUBURN

**Adult Use and Medical Marijuana Businesses
Ordinance**

ENACTED: _____, 2019

CERTIFIED BY: _____
Sue Clements-Dallaire

City Clerk
Title

Affix Seal

City of Auburn
Chapter 14 – Business Licenses and Permits
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Adult Use and Medical Marijuana Businesses Ordinance
Chapter 14 – Business Licenses and Permits

14-650 Title:

This ordinance shall be known and cited as the “City of Auburn Adult Use and Medical Marijuana Businesses Ordinance” and will be referred to hereinafter as “this Ordinance”. This Ordinance limits all subject Adult Use and Medical Marijuana Businesses to the zoning districts specified under the Auburn Zoning Ordinance, prescribes definitions of Adult Use and Medical Marijuana Businesses, and provides for permitting/licensing and regulation of Adult Use and Medical Marijuana Businesses, and provides performance standards for Adult Use and Medical Marijuana Businesses.

14-651 Authority and Applicability:

WHEREAS, implementing a system for the regulation of stores, dispensaries, cultivation, manufacturing, and testing for the production and sale of marijuana, is a complex function with significant administrative demands on the City of Auburn; and

WHEREAS, ensuring that possession and use of Adult Use and Medical Marijuana is limited to persons who are 21 years of age or older, except in the case of minors in possession of a medical marijuana patient card, is necessary to protect those who have not yet reached adulthood from the effects of irresponsible use of marijuana; and

WHEREAS, the City of Auburn believes that any production, processing, or selling of Adult Use and Medical Marijuana should be conducted in a safe and fair manner for the health, safety, and welfare of the community, which includes complying with provisions of all applicable laws and ordinances relating to adult use and medical use of marijuana throughout the City of Auburn; and

NOW THEREFORE, this Ordinance is adopted pursuant to the Marijuana Legalization Act, 28-B M.R.S. §101 et seq.; the Maine Medical Use of Marijuana Act, 22 M.R.S. §2421 et seq.; and the City’s home rule authority under Article VIII, Part 2, Section 1 of the Maine Constitution 30-A M.R.S. §3001 et seq., and 30-A M.R.S. §4301 et seq.

14-652 Purpose:

It is the purpose of this Ordinance to regulate Adult Use and Medical Marijuana Businesses in order to promote the health, safety, and general welfare of the citizens of Auburn, and to establish reasonable and uniform regulations for the appropriate location of Adult Use and Medical Marijuana Businesses in Auburn.

Persons or entities wishing to establish an Adult Use or a Medical Marijuana Business within the City of Auburn shall first obtain a license from the Auburn City Council (hereinafter “the City Council”) and shall be subject to the provisions of this Ordinance. This Ordinance may not be construed to limit any privileges or rights of a qualifying patient, primary caregiver, registered or otherwise, or registered dispensary under the Maine Medical Use of Marijuana Act.

14-653 Conflict with Other Ordinances; State Law:

Whenever a provision of this Ordinance conflicts with or is inconsistent with other provisions of this Ordinance, or of any other ordinance, regulation or standard, the more restrictive provision shall apply. Nothing herein is intended to conflict with State law; whenever a provision of this Ordinance conflicts with State law the more restrictive provision shall apply. All applicants and licensees shall comply with all applicable State laws.

14-654 Effective Date:

The effective date of this Ordinance, and the business licensing thereunder, shall be the date of adoption by the City Council.

14-655 Validity and Severability:

Should any section or provision of this Ordinance be declared by any court to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

14-656 Definitions:

Adult Use Cultivation facility: a facility licensed under this ordinance to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use marijuana; to sell adult use marijuana to Adult Use Products Manufacturing Facilities, to Adult Use Marijuana Stores and to other cultivation facilities; and to sell marijuana plants and seeds to other cultivation facilities and immature marijuana plants and seedlings to Adult Use Marijuana Stores.

Adult Use Marijuana Nursery Cultivation Facility: a facility licensed under this ordinance to cultivate not more than 1,000 SF of plant canopy pursuant to 28-B M.R.S. §501.

Adult Use Marijuana Store: a facility licensed under this ordinance to purchase adult use marijuana, immature marijuana plants and seedlings from an Adult Use Cultivation Facility, to purchase adult use marijuana and adult use marijuana products from an Adult Use Products Manufacturing Facility and to sell adult use marijuana, adult use marijuana products, immature marijuana plants and seedlings to consumers.

Adult Use Marijuana Testing Facility: a facility licensed under this ordinance to develop, research and test adult use marijuana, adult use marijuana products and other substances.

Adult Use Products Manufacturing Facility: a facility licensed under this ordinance to purchase adult use marijuana from a cultivation facility or another products manufacturing facility; to manufacture, label and package adult use marijuana and adult use marijuana products; and to sell adult use marijuana and adult use marijuana products to marijuana stores and to other products manufacturing facilities.

Cultivation or Cultivate: the planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of marijuana for use or sale.

Harvested Marijuana: the plant material harvested from a mature marijuana plant, except the stalks, leaves and roots of the plant that are not used for a qualifying patient's medical use. "Harvested marijuana" includes marijuana concentrate and marijuana products.

Immature marijuana plant: a marijuana plant that is not a mature marijuana plant or a seedling.

Manufacture or Manufacturing: the production, blending, infusing, compounding or other preparation of marijuana concentrate and marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis.

"Marijuana" means the leaves, stems, flowers and seeds of a marijuana plant, whether growing or not.

Marijuana Business: Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Testing Facility, Registered Dispensary, Registered Caregiver Retail Store, Adult Use Marijuana Cultivation Facility, Adult Use Marijuana Products Manufacturing Facility, Adult Use Testing Facility, or Adult Use Marijuana Store licensed under this Ordinance.

Medical Marijuana Cultivation Facility: a facility licensed under this ordinance to cultivate, prepare and package medical marijuana at a location that is not the residence of the Registered Caregiver or Qualifying Patient.

Medical Marijuana Manufacturing Facility: a registered tier 1 or tier 2 manufacturing facility or a person authorized to engage in marijuana extraction under section 2423-F.

Medical Marijuana Testing Facility: a public or private laboratory that:

A. Is authorized in accordance with 22 M.R.S. §2423-A, subsection 10 to analyze contaminants in and the potency and cannabinoid profile of samples; and

B. Is accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization by a 3rd-party accrediting body or is certified, registered or accredited by an organization approved by the State of Maine.

Medical Use: the acquisition, possession, cultivation, manufacture, use, delivery, transfer or transportation of marijuana or paraphernalia relating to the administration of marijuana to treat or alleviate a qualifying patient's medical diagnosis or symptoms for which a medical provider has provided the qualifying patient a written certification under this chapter.

Plant Canopy: the total surface area within the licensed premises of an Adult Use Marijuana Cultivation Facility that is authorized for use at any time by the cultivation facility licensee to cultivate mature marijuana plants. The surface area of the plant canopy must be calculated in square feet and measured using the outside boundaries of the area and must include all of the area within the boundaries. If the surface area of the plant canopy consists of non-contiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used by the cultivation facility licensee, the surface area of each tier or shelf must be included in calculating the area of the plant canopy. Calculation of the area of the plant canopy may not include the areas within the licensed premises of a cultivation facility that are used by the licensee to cultivate immature marijuana plants and seedlings and that are not used by the licensee at any time to cultivate mature marijuana plants.

Qualifying patient: a person who has been a resident of the State for at least 30 days and who possesses a valid written certification regarding medical use of marijuana in accordance with section 2423-B.

Registered caregiver: a person or an assistant of that person that provides care for a qualifying patient and who is registered by the State of Maine pursuant to 22 M.R.S. § 2425-A.

Registered Caregiver Retail Store: a facility licensed to sell harvested marijuana to qualifying patients for the patients' medical use.

Registered Dispensary: an entity registered under 22 M.R.S. § 2425-A that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational materials to qualifying patients and the caregivers of those patients.

Testing or test: the research and analysis of marijuana, marijuana products or other substances for contaminants, safety or potency.

14-657 License Required:

No person may establish, operate or maintain a Marijuana Business without first obtaining a license from the City Council.

It is a violation of this Ordinance for any person to operate a Marijuana Business without a valid Marijuana Business license issued by the City pursuant to this Ordinance.

Pursuant to 28-B M.R.S. § 402, an applicant seeking to operate an Adult Use Marijuana Business may not submit an application for a license unless the applicant has been issued a conditional license by the State of Maine to operate the Adult Use Marijuana Business.

Marijuana Business Licenses shall be administered on a first come, first served basis based upon the date the application is deemed complete.

Registered Caregivers operating out of their residence shall apply for and obtain a permit for a home occupation in accordance with Article IX of the Auburn Zoning Ordinance and shall comply with all standards set forth in the article. Registered Caregivers who cultivate medical marijuana only for themselves and/or members of their household are exempt from this requirement and are not required to obtain a permit or license.

The cultivation, manufacturing, testing or sale of adult use marijuana from a residence is prohibited, unless it is for personal use in accordance with 28-A M.R.S. § 1502. Home cultivation of adult use marijuana for personal use is exempt from the licensing requirements of this Ordinance. Provided, however, that outdoor cultivation of adult use marijuana for personal use is prohibited, unless the residence is located in an agricultural zoning district.

14-658 Application Procedure:

- A. An application for a license must be made on a form provided by the City.
- B. All applicants must be qualified according to the provisions of this Ordinance. Applicants shall provide sufficient information to demonstrate that they meet all qualifications and standards established in this Ordinance.
- C. Application to establish a Marijuana Business
 - 1. If the applicant who wishes to operate a Marijuana Business is a single individual, this person must sign the application for a license. If the applicant who wishes to operate a Marijuana Business is more than one individual, each person who has an interest in the business must sign the application for a license as applicant. Each applicant must be qualified under the following section and each applicant shall be considered a licensee if a license is granted.
 - 2. The completed application for a Marijuana Business license shall contain the following information and shall be accompanied by the following documents:
 - a. If the applicant is an individual: The individual shall state their legal name and any aliases, and submit proof that they are at least twenty-one (21) years of age.
 - b. If the applicant is a partnership: The partnership shall state its complete name, and the names of all partners, whether the partnership is general or limited, submit a copy of the partnership agreement, if any, and submit proof that all partners are at least twenty-one (21) years of age.

- c. If the applicant is a corporation: The corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under State law, the names and capacity of all officers, directors and principal stockholders, the name of the registered corporate agent, the address of the registered office for service of process, and submit proof that all officers, directors and principal stockholders are at least twenty-one (21) years of age.
- d. If the applicant is a limited liability company (LLC): The LLC shall state its complete name, the date of its establishment, evidence that the LLC is in good standing under State law, the names and capacity of all members, a copy of its operating agreement, if any, the address of its registered office for service of process, and submit proof that all members are at least twenty-one (21) years of age.
- e. If the applicant intends to operate the Marijuana Business under a name other than that of the applicant, they must state the Marijuana Business' name and submit the required registration documents.
- f. If the applicant, an officer, member or employee has been convicted of criminal activity under State and/or federal law, they must list the specified criminal activity involved, and the date, place, and jurisdiction of each conviction.
- g. If the applicant has had a previous license under this Ordinance or other similar Marijuana Business license applications in another town, city or state denied, suspended or revoked, they must list the name and location of the Marijuana Business for which the license was denied, suspended or revoked, as well as the date of the denial, suspension or revocation, and they must list whether the applicant has been a partner in a partnership or an officer, director, or principal stockholder of a corporation that is permitted/licensed under this Ordinance, whose license has previously been denied, suspended or revoked, listing the name and location of the Marijuana Business for which the permit was denied, suspended, or revoked as well as the date of denial, suspension or revocation.
- h. If the applicant holds any other permits/licenses under this Ordinance or other similar Marijuana Business license from another town, city, or state the applicant shall provide the names and locations of such other permitted/licensed businesses.
- i. The type of Marijuana Business for which the applicant is seeking a license.
- j. The location of the proposed Marijuana Business, including a legal description of the property, street address, and telephone number.
- k. Sufficient documentation demonstrating possession or entitlement to possession of the proposed licensed premises of the Marijuana Business

pursuant to a lease, rental agreement, purchase and sale agreement or other arrangement for possession of the premises or by virtue of ownership of the premises.

- l. The applicant's mailing address and residential address.
 - m. Recent passport-style photograph(s) of the applicant(s).
 - n. The applicant's driver's license.
 - o. A sketch showing the configuration of the subject premises, including building footprint, interior layout with floorspace to be occupied by the business, and parking plan. The sketch must be drawn to scale with marked dimensions.
 - p. A copy of a City Tax Map depicting: the subject property lines and the property lines of other properties containing any existing Marijuana Businesses within one thousand (1,000) feet of the subject property; and the property lines of any public or preexisting private school within seven hundred and fifty (750) feet of the subject property, measured in accordance with Section 14-659.
3. All applications for a Marijuana Business license shall be kept confidential by the City .
4. All applicants, including all individuals, officers, directors, managers, members, and partners, for any Adult Use Marijuana Business license, excepting Adult Use Marijuana Testing Facilities, must be residents of the State, as defined in 28-B M.R.S. §102, and a majority of shares, partnership interests, and membership interests, or other equity interests in corporate applicants must be held or owned by persons who are residents.

All applicants, including all individuals, officers, directors, managers, members, and partners, for any Medical Marijuana Business license must be residents of the State, as defined in 22 M.R.S. §2422.

5. If an applicant is a person, the applicant must be a resident as that term is defined in the application. If the applicant is a corporation, partnership, or limited liability company, every officer, director, and managing partner must be a person who is a resident, and a majority of shares, partnership interests, and membership interests, or other equity interests must be held or owned by persons who are residents. This residency requirement does not apply to applicants for testing facility licenses.

E. Application and License Fees

All applications must be submitted with a \$500 fee. If an application is approved, the following license fees must be paid before the City will issue a license:

Marijuana Store: Annual Operation License Fee: \$5,000

Marijuana Manufacturing Facility: Annual Operation License Fee: \$2,500

Marijuana Testing Facility: Annual Operation License Fee: \$2,500

Adult Use Marijuana Cultivation:

Tier 1: 0 to 500 SF of plant canopy: Annual Permit/Licensing Fee: \$1,000.

Tier 2: 501-2,000 SF of mature plant canopy: Annual License Fee: \$1,500.

Tier 3: 2,001-7,000 SF of mature plant canopy: Annual License Fee: \$2,500.

Tier 4: greater than 7,000SF of mature plant canopy: Annual License Fee: \$5,000.

Medical Marijuana Cultivation: Annual Operation License Fee: \$1,000

Adult Use Marijuana Nursery Cultivation: Annual License Fee: \$1,000 (Plant canopies of individual Nursery Cultivations are permanently capped at 1,000 SF.)

Renewal applicants for Adult Use Marijuana Cultivation licenses may seek an increase to a higher tier if they comply with the requirements in this section.

Applicants for Adult Use Marijuana Cultivation licenses may not hold more than three (3) such licenses or a total combined plant canopy in excess of 30,000 SF.

14-659 Standards for License:

A. General

1. All Marijuana Businesses shall comply with applicable state and local laws and regulations.
2. Marijuana Businesses shall only be located within the zoning districts permitted in the Auburn Zoning Ordinance.
3. Marijuana Businesses may not be located on property within seven hundred and fifty (750) feet of the property line of a preexisting public or private school (K-12). For the purposes of this Ordinance, "school" includes a public school, private school, or public preschool program as defined in 20-A M.R.S. §1, or any other educational facility that serves children from prekindergarten to grade 12.

Required setbacks shall be measured as the most direct, level, shortest, without regard to the intervening structures or objects, straight-line distance between the school property line and the property line of the parcel of land on which the Marijuana Business is located. If the Marijuana Business is located within a commercial subdivision, the required setback shall be measured from the front

door of the Marijuana Business to the property line of the school. Presence of a town, city, county, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this Section.

4. Marijuana Businesses may not be located on property within one thousand (1,000) feet of the property line of a parcel containing one or more Marijuana Businesses. Required setbacks shall be measured as the most direct, level, shortest, without regard to the intervening structures or objects, straight-line distance between the property lines of the parcels of land on which the Marijuana Businesses are located. If the Marijuana Business is located within a commercial subdivision, the required setback shall be measured from the front door of each of the Marijuana Businesses. Presence of a town, city, county, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this Section.

Notwithstanding the foregoing, more than one Marijuana Businesses may be located on the same parcel, provided all state and local requirements are met.

Adult Use and Medical Marijuana Cultivation Facilities and Adult Use and Medical Marijuana Manufacturing Facilities operating within the industrial zoning district are exempt from this setback requirement.

This setback requirement does not apply to properties with more than one Marijuana Business that are subdivided, as long as the Marijuana Business(es) located on the property were operating with City approval prior to December 13, 2018.

5. No outside cultivation or storage of marijuana, marijuana products, or related supplies is permitted, except that outdoor cultivation of marijuana in the Agricultural District is permitted.
6. Pursuant to 22 M.R.S. §2429-D(3), Registered Caregiver Retail Stores, Registered Dispensaries, Medical Marijuana Testing Facilities, and Medical Marijuana Manufacturing Facilities, as well as Medical Marijuana Cultivation Facilities, that were operating with City approval prior to December 13, 2018, are grandfathered in their current location and current use and shall be treated as legally non-conforming uses in accordance with Article III of the Auburn Zoning Ordinance if their location or use is not in conformance with this ordinance or applicable zoning ordinances, provided, however, that said Marijuana Businesses shall apply for and obtain a license.

Notwithstanding Section 60-79(4) of the Auburn Zoning Ordinance, the holder of a license for a Medical Marijuana Cultivation Facility or a Medical Marijuana Manufacturing Facility that complies with all applicable provisions of this Ordinance and the Auburn Zoning Ordinance, may exchange their license for an Adult Use Cultivation Facility or Adult Use Manufacturing Facility license in the

same location, provided they meet all requirements and standards to operate an Adult Use Cultivation Facility or Adult Use Manufacturing Facility, with the exception of the required setbacks between facilities and schools. Said holder must file an application and pay a \$500 fee.

Notwithstanding Section 60-79(4) of the Auburn Zoning Ordinance, the holder of a license for a Registered Caregiver Retail Store that complies with all applicable provisions of this Ordinance and the Auburn Zoning Ordinance may exchange their license for an Adult Use Marijuana Store license in the same location, provided they meet all requirements and standards to operate an Adult Use Marijuana Store. Said holder must file an application and pay a \$500 fee.

7. All Adult Use Marijuana Stores and Registered Caregiver Retail Stores must be operated from permanent locations, which may utilize telephone and internet orders as long as the buyer pays for and picks up such orders in the store on the day the order is made, an exception is made for Registered Caregiver Retail Stores whereas it may be a necessity for the business to deliver medical marijuana to a patient. These deliveries will be made by the business and no contracted/paid delivery service will be authorized. Delivery must be made directly to the Qualified Patient and proper identification is verified.
8. Adult Use Marijuana Stores and Registered Caregiver Retail Stores may not use vending machines for sales, may not have "drive-through" or "drive-up" window-serviced sales, and may not have internet-based sales with credit/debit card payment and delivery by USPS, UPS, FedEx, DHL, or any other global or local delivery service or courier.
9. Security measures at all Marijuana Business premises shall include, at a minimum, the following:
 - a. Security surveillance cameras installed and operating twenty-four (24) hours a day, seven (7) days a week, with thirty (30) day video storage, to monitor all entrances, along with the interior and exterior of the premises, to discourage and facilitate the reporting of criminal acts and nuisance activities occurring at the premises; and
 - b. Door and window combination video and motion detector intrusion system with audible alarm and smart phone monitoring, maintained in good working condition; and
 - c. A locking safe permanently affixed to the premises that is suitable for storage of all marijuana, marijuana products, and cash stored overnight on the licensed premises; and
 - d. Exterior lighting that illuminates the exterior walls of the licensed premises during dusk to dawn, that is either constantly on or activated by motion

detectors, and complies with applicable provisions of the lighting performance standards in the City of Auburn Zoning Ordinance; and

- e. Deadbolt locks on all exterior doors and any other exterior access points, excepting windows which shall have locks; and
- f. Methods to ensure that no person under the age of twenty-one (21) shall have access to marijuana and marijuana products.

11. Ventilation

All Marijuana Businesses are required to be in compliance with the Odor Nuisance Control and Abatement Performance Standards in the City's Zoning Ordinance, and all Marijuana Cultivation facilities shall have odor mitigation systems and a plan.

12. Operating Plan

Marijuana Businesses which cultivate, test, and/or manufacture are required to submit an operation plan that at a minimum addresses the following:

- a. wastewater; and
- b. disposal of waste

13. Required Notices

There shall be posted in a conspicuous location inside each Marijuana Store, at least one legible sign containing the following information:

On-site consumption of marijuana is illegal; Open and public consumption of marijuana in the State of Maine is illegal; The use of marijuana or marijuana products may impair a person's ability to drive a car or operate machinery; No one under the age of twenty-one (21) may purchase marijuana or marijuana products, except a minor with medical marijuana card; Loitering prohibited.

14. Signs

All signs used by and all marketing and advertising conducted by or on behalf of the marijuana business may not involve advertising or marketing that has a high likelihood of reaching persons under 21 years of age or that is specifically designed to appeal particularly to persons under 21 years of age. The signs, marketing, or advertising is prohibited from making any health or physical benefit claims. All signage shall meet the City's Sign Ordinance and may use an image or images of the marijuana plant or plants, or parts thereof, as long as they do not exceed 20% of the sign face, but there shall be no pictorial representations of other marijuana products, by-products, or paraphernalia associated with the use or distribution of retail marijuana.

The exterior of all Marijuana Stores shall display a 1' x 1' image of any universal symbol for Medical or adopted by the State's Department of Administration and Financial Services.

B. Right of Access/Background Check/Inspection

Every Marijuana Business shall allow law enforcement officers and the Auburn Code Enforcement Officer ("CEO") to enter the premises at reasonable times for the purpose of checking compliance with all applicable State laws and this Ordinance. Every owner and employee of a Marijuana Business applying for a license, shall contact the Auburn Police Department for the purposes of fingerprinting and criminal background checking, and all premises managers for Marijuana Businesses shall submit emergency contact information to the Lewiston – Auburn 911 Communication Center.

Due to fire, explosion, and other hazards inherent in Marijuana Cultivation, Testing, and Manufacturing facilities, including, but not limited to, heavy electrical loads, hot lighting fixtures, CO² enrichment, extraction solvents (acetone, butane, propane, ethanol, heptane, isopropanol, CO², etc.), high-pressure extraction methods (CO², etc.), and flammable contents, the owners of all such facilities shall agree to be inspected annually by the Auburn Fire Department and have a Knox Box installed at the structure's exterior entrance for emergency access. Knox Boxes shall be obtained and installed in coordination with the Auburn Fire Department.

C. Indemnification

By accepting a license issued pursuant to this Ordinance, the licensee waives and releases the City, its officers, elected officials, employees, attorneys, and agents from any liability for injuries, damages, or liabilities of any kind that result from any arrest or prosecution of any Marijuana Business owners, operators, employees, clients, or customers for a violation of local, State or federal laws, rules, or regulations.

By accepting a license issued pursuant to this Ordinance, the permittee/licensee agrees to indemnify, defend, and hold harmless the City, its officers, elected officials, employees, attorneys, agents, and insurers against all liability, claims, and demands on account of any injury, loss or damage, including without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever arising out of or in any manner connected with the operation of a permitted/licensed Marijuana Business.

D. State Law

In the event the State of Maine adopts any additional or stricter law or regulation governing the sale, cultivation, manufacture, distribution, or testing of Marijuana or Marijuana products, the additional or stricter regulation shall control the establishment or operation of any Marijuana Business in Auburn.

Compliance with all applicable State laws and regulation shall be deemed an additional requirement for issuance or denial of any license under this Ordinance, and noncompliance with State laws or regulations shall be grounds for revocation or suspension of any license issued hereunder.

14-660 Enforcement

A. Violations

1. Any violation of this Ordinance, including failure to comply with any condition, may be enforced in accordance with 30-A M.R.S. §4452. Every day a violation exists constitutes a separate violation.
2. Commencement of any Marijuana Business without a City license for same shall be a violation of this Ordinance. Any party committing such a violation shall immediately cease operations, whether of a construction, renovation, or business nature, upon notification by the Code Enforcement Officer (CEO). Upon such CEO notification, the City can pursue fines and/or penalties under 30-A M.R.S. §4452.

B. Law Enforcement Officer ("LEO") and Code Enforcement

Law enforcement officers and the CEO may at any reasonable time conduct on-site inspections to ensure compliance with all applicable laws and conditions attached to license approvals and shall investigate all complaints of alleged violations of the Ordinance.

1. If the LEO or CEO finds that any provision of this Ordinance is being violated, they shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it, including but not limited to, discontinuance of illegal use of land, buildings, or structures, or work being done, removal of illegal buildings or structures, and abatement or mitigation of violations. A copy of such notices shall be submitted to the City Council and be maintained as a permanent record.
2. The LEO or CEO shall keep a complete record of all essential transactions of the LEO or CEO, including Marijuana license applications submitted, permits/licenses granted or denied, training certifications, revocation actions, revocation of permits/licenses, appeals, court actions, violations investigated, violations found, and fees collected.

C. Legal Actions

When the above notification and/or inspection actions do not result in the voluntary correction or abatement of the violation by the subject Marijuana Business, the

City Council, upon receiving written notification from the LEO or CEO, may institute any and all actions and proceedings, either legal or equitable, including injunctions of violations and the impositions of penalties and/or fines in order to enforce the provisions of this Ordinance.

The City Council, or their authorized agent, are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this Ordinance and recovering fines without court action.

D. Penalties/Fines

Any person, including but not limited to, a Marijuana Business owner, a property owner where such business is located, or any agent or contractor for same, who orders or conducts any activity in violation of this Ordinance, or fails to comply with any of its requirements, shall be penalized in accordance with 30-A M.R.S. §4452.

14-661 Training:

A. Individuals who sell marijuana and marijuana products, pursuant to a Marijuana Store business license, must complete responsible marijuana vendor sales practices training, if and when such training is available. This training may be completed on-line and an employee must be certified within 30 days of employment.

B. Recordkeeping.

Marijuana Store licensees shall maintain on the licensed premises, written records of the vendor training programs completed by individuals who sell marijuana and marijuana products and shall produce those records upon request by the CEO or LEO with the Auburn Police Department.

C. Failure to comply with the training requirements.

Failure to meet the training requirement imposed by §14-661 may result in the denial/revocation of a Marijuana Business license.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 04-05202019

TITLE: Adopting the proposed amendment to Chapter 60, Section 60-145(a) Use regulations, permitted uses

Be it ordained, that the Auburn City Council hereby adopts the proposed amendment to Chapter 60, Section 60-145 (a) Use regulations, permitted uses (as attached).

Passage of first reading on 5/20/2019 7-0.
Passage of second reading on 6/3/2019 7-0.

ORDINANCE 04-05202019B

Sec. 60-145. - Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, accessory to farming operations subject to the following restrictions:
 - a. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are substantially completed.
 - b. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - c. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.
- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.
- (3) Forest products raised for harvest.
- (4) Field crop farms.
- (5) Row crop farms.
- (6) Orchard farms.
- (7) Truck gardens.
- (8) Plant and tree nurseries.
- (9) Greenhouses.
- (10) Handling, storage and sale of agriculture produce and processed agricultural products derived from produce grown on the premises.
- (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
- (12) Wayside stands.
- (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
- (14) Adult Use and Medical Marijuana Cultivation, but not retail sales of any kind.
- (15) Marijuana Manufacturing accessory to a licensed cultivation site.

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Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 05-05202019

TITLE: Adopting the proposed amendment to Chapter 60, Section 60-499(a) Use regulations, permitted use

Be it ordained, that the Auburn City Council hereby adopts the proposed amendment to Chapter 60, Section 60-499 (a) Use regulations, permitted use (as attached).

**Passage of first reading on 5/20/2019 7-0.
Passage of second reading on 6/3/2019 7-0.**

ORDINANCE 05-05202019B

Sec. 60-499. - Use regulation.

(a) *Permitted uses.* The following uses are permitted:

- (1) Residential dwelling uses permitted in the Multifamily Suburban District (MFS) (division 9 of article IV of this chapter).
- (2) Grocery stores and supermarkets.
- (3) Clothing stores.
- (4) Furniture stores.
- (5) Department stores.
- (6) Specialty shops.
- (7) Hotels and motels.
- (8) Funeral homes and mortuaries.
- (9) Child day care centers.
- (10) Medical and dental clinics.
- (11) Wholesale bakeries.
- (12) Retail laundries and dry cleaners, but not plants.
- (13) Banks, business and professional offices.
- (14) Public transportation passenger offices.
- (15) Governmental offices.
- (16) Municipal, civic or public service buildings and other utility facilities.
- (17) Warehouses, wholesale offices, salesrooms and showrooms.
- (18) Restaurants, bars, dining rooms or lunchrooms, but not to include drive-in and carry-out restaurants.
- (19) Halls, private clubs and lodges, bowling alleys, ice and roller skating rinks, indoor theaters and similar places of indoor amusement or recreation.
- (20) Animal hospitals and pet shops, but no kennels.
- (21) Business equipment repair and business services.
- (22) Radio and television studios.
- (23) Printing shops, but not publishing plants.
- (24) Retail, service, office and commercial uses similar to the foregoing.
- (25) Carwashes.
- (26) Accessory uses, building and structures.
- (27) Shelters for abused persons.
- (28) Greenhouses and lawn maintenance services.
- (29) Temporary outdoor places of amusement.
- (30) Churches and temples.

(31) Adult Use and Medical Marijuana Stores subject to the requirements of Chapter 11, Article 14 of the City of Auburn Ordinances.

(32) Marijuana Cultivation accessory to a licensed retail store on the same property.

Holly C. Lasagna, Ward One
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Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 06-05202019

TITLE: Adopting the proposed amendment to Chapter 60, Section 60-525(a) Use regulations, permitted uses

Be it ordained, that the Auburn City Council hereby adopts the proposed amendment to Chapter 60, Section 60-525(a) Use regulations, permitted uses (as attached).

**Passage of first reading on 5/20/2019 7-0.
Passage of second reading on 6/3/2019 7-0.**

ORDINANCE 06-05202019B

Sec. 60-525. - Use regulation.

(a) *Permitted uses.* The following uses are permitted:

- (1) Residential dwelling uses permitted in the Multifamily Suburban District (MFS) (division 9 of article IV of this chapter).
- (2) Grocery stores and supermarkets.
- (3) Clothing stores.
- (4) Furniture stores.
- (5) Department stores.
- (6) Specialty shops.
- (7) Hotels and motels.
- (8) Funeral homes and mortuaries.
- (9) Child day care centers.
- (10) Medical and dental clinics.
- (11) Retail bakeries.
- (12) Retail laundries and dry cleaners.
- (13) Banks, business and professional offices.
- (14) Public transportation passenger offices.
- (15) Governmental offices.
- (16) Municipal, civic or public service buildings and other utility facilities.
- (17) Restaurants, dining rooms or lunchrooms.
- (18) Bowling alleys, ice and roller skating rinks, indoor theaters and similar places of indoor amusement or recreation.
- (19) Animal hospitals and pet shops, but not kennels.
- (20) Business equipment repair and business services.
- (21) Radio and television studios.
- (22) Printing shops, but not publishing plants.
- (23) Carwashes.
- (24) Accessory uses, buildings and structures.
- (25) Greenhouses.
- (26) Seasonal outdoor places of amusement.
- (27) Churches and temples.
- (28) Shelters for abused persons.
- (29) Adult Use and Medical Marijuana Stores subject to the requirements of Chapter 11, Article 14 of the City of Auburn Ordinances.
- (30) Marijuana Cultivation accessory to a licensed retail store on the same property.

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Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 07-05202019

TITLE: Adopting the proposed amendment to Chapter 60, Section 60-554 Form Base Code and Matrix

Be it ordained, that the Auburn City Council hereby adopts the proposed amendment to Chapter 60, Section 60-554-Form Base Code and Matrix (as attached).

**Passage of first reading on 5/20/2019 7-0.
Passage of second reading on 6/3/2019 7-0.**

ORDINANCE 07-05202019B

DIVISION 14. - FORM BASED CODE

Sec. 60-554. - Form based code use and parking matrix.

Key:	
S =	Special exception
P =	Permitted
X =	Prohibited
sp =	Parking space
sf =	Square foot of gross floor space
DU =	Dwelling unit

USE(1)	T-4.1	T-4.2	T-5.1	T-5.2	T-6	PARKING REQUIREMENTS 2)
Residential Type Use						
Single Family	P	P	P			1 sp/DU
Duplex	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	P	P	P	P	1 sp/employee plus 1 sp/guest

Bed & Breakfast > 4 Rooms	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	S	S	P	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	S	S	S	S	P	½ sp/employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	Based on Use Type (Ch. 60, Art. IX)
Community Based Residential Facilities	P	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/Lodginghouse	P	P	P	S	X	1 sp/guestroom plus
						1 sp/employee
Office/Service Type Use						
Professional Offices	S	S	P	P	P	1 sp/400 sf
Medical and Dental Clinics	S	S	P	P	P	1 sp/400 sf
Personal Services	S		P	P	P	1 sp/400 sf
Retail Type Use						
General Retail	S	S	P	P	P	1 sp/400 sf
Age Restricted Retail (3)	S	S	S	S	S	1 sp/400 sf
Specialty Shops	S	P	P	P	P	1 sp/400
Restaurant up to 30 seats w/16 outdoor	X	S	P	P	P	1 sp/4 seats
Restaurant over 30 seats w/16 outdoor		S	S	P	P	1 sp/4 seats

Halls, Private Clubs, Indoor Amusement	S	S	S	P	P	1 sp/400 sf
Artist Studios, Performing Art Center	S	S	P	P	P	1 sp/400 sf
Civic						
Church or Places of Worship	S	S	P	P	P	1 sp/5 seats
Government Offices	X	X	P	P	P	1 sp/400 sf
Art Galleries	S	P	P	P	P	1 sp/400 sf
Transportation Facilities	X	X	S	S	S	1 sp/400 sf
Adaptive Reuse of Structures of Community Significance	S	S	S	S	S	To be determined by the planning board depending on use(s)

Notes:

- (1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.
- (2) *Parking requirements in T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within 1,000 feet of the principal building, subject to planning board approval.
- (3) Where more than 50% of floor space is devoted to age restricted goods. This may include licensed Adult Use or Medical Marijuana Stores.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 05-04032017, § 2, 4-24-2017)

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David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 08-05202019

TITLE: Adopting the proposed amendment to Chapter 60, Section 60-578(a) Use regulations, permitted uses

Be it ordained, that the Auburn City Council hereby adopts the proposed amendment to Chapter 60, Section 60-578(a) Use regulations, permitted uses (as attached).

Passage of first reading on 5/20/2019 7-0.
Passage of second reading on 6/3/2019 7-0.

ORDINANCE 08-05202019B

Sec. 60-578. - Use regulations.

- (a) *Permitted uses.* The following uses are permitted, provided that the use proposed will not be noxious, offensive or detrimental to the neighborhood or to the city by reason of danger of fire or explosion; pollution of waterways or groundwater; vibration; emission of corrosive, toxic or unhealthful fumes, gas, smoke, soot obnoxious dust, disagreeable odors, offensive noises or other objectionable characteristics:
- (1) Farming of field crops, row crops, orchards and truck gardens.
 - (2) Plant and tree nurseries, wholesale nurseries, landscape services and greenhouses; on-premises sales permitted.
 - (3) Farm dwellings on premises actively farmed.
 - (4) Financial institutions.
 - (5) Office buildings.
 - (6) Post offices.
 - (7) Telephone exchanges or telephone business offices.
 - (8) Public transportation passenger stations.
 - (9) Churches or temples.
 - (10) Municipal uses buildings.
 - (11) Airports.
 - (12) Wholesale businesses, warehouses, trucking terminals and similar nonprocessing storage and distribution uses, except bulk storage of chemicals, petroleum products and other flammable, explosive or noxious material.
 - (13) Manufacture, compounding, processing or packaging of foods and food products, except uses approved by resolution of the city council allowing review and recommendation of the planning board in the same manner as a special exception.
 - (14) Manufacture, compounding or assembling of articles using the following prepared materials: bone or shell, cellophane, fur, glass, leather, plastics, precious or semi-precious metals or stones, rubber textiles or cloth products, tobacco, or wood, bark or wood products.
 - (15) Manufacture of ceramic products, brick and cinder blocks.
 - (16) Manufacture or assembling from prepared material of the following: musical instruments, clocks or watches, toys or novelties, electrical devices, light sheet metal products, office equipment.
 - (17) Building material sales yard and contractor's equipment storage yard and plant.
 - (18) Research, experimental or testing laboratories.
 - (19) Lumber yard, including planing, milling and other processing.
 - (20) Ice manufacturing and storage plant.
 - (21) Beverage bottling plants.
 - (22) Public utilities uses, such as electric substations, storage of material and trucks, repair facilities, offices and electric generating plants.
 - (23) Accessory uses and buildings, including but not limited to:
 - a. Retail sales of products manufactured on premises.

- b. Dwellings used as living quarters for caretakers or watchmen and their families.
 - c. Storage boxes or space trailers as defined in section 60-666(12) used for the storage of nonhazardous material by the commercial or industrial use which occupies the property.
- (24) Training schools.
 - (25) Uses similar to those in this subsection (a) and not elsewhere named in the following subsections, provided that the use will not be noxious.
 - (26) Any new or existing building proposed as a complex of three or more business and/or offices provided that they are approved by the planning board as a subdivision under division 4 of article XVI of this chapter.

(27) Adult Use and Medical Marijuana Cultivation, Manufacturing and Testing Facilities subject to the requirements of Chapter 11, Article 14 of the City of Auburn Ordinances.

(28) Adult Use and Medical Marijuana Stores subject to the requirements of Chapter 11, Article 14 of the City of Auburn Ordinances, provided that the store is located on the same parcel of land as a Marijuana Cultivation Facility or Marijuana Manufacturing Facility.

- (b) *Special exception uses.* The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter; upon determination that such a use will not unduly disturb or harmfully influence other uses in the areas adjoining:
 - (1) Uses similar to those found in subsection (a) of this section and not elsewhere named in the following subsection; that in the determination of the municipal officer charged with enforcement do not meet the requirements subsection (a) of this section.
 - (2) Automobile filling stations.
 - (3) Automobile and marine repair and service stations, automobile and marine paint and body repair shops.
 - (4) Restaurants and diners, including drive-in and carry-out restaurants.
 - (5) Retail food stores.
 - (6) Microwave, radio, radar, television or radio-telephone transmitting or broadcasting towers, including studios or offices for such transmitting or broadcasting, provided that:
 - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than 1½ times its height from the nearest property line.
 - (7) Motels and hotels.
 - (8) Automobile scrap yards.
 - (9) Off-street parking accessory, to a permitted use whether or not located on the same lot.
 - (10) Outdoor advertising.
 - (11) Junkyard.
 - (12) Airplane manufacture or assembly.
 - (13) Alcohol, methanol, or ethanol manufacture.
 - (14) Automobile or automotive manufacture or assembly.
 - (15) Brewery or distillery.

- (16) Manufacture, or bulk storage of chemicals, petroleum products and other flammable, explosive or noxious materials.
- (17) Machinery and machine tool manufacture.
- (18) Metal fabrication plant.
- (19) Municipal incinerator or sewage treatment plant.
- (20) Manufacture of cosmetics, toiletries and pharmaceuticals.
- (21) Asphalt batching plant.
- (22) Grain processing and storage.
- (23) Concrete or cement products manufacture.
- (24) Coal distillation and derivation of coal products.
- (25) Iron or steel foundry.
- (26) Meat products manufacture.
- (27) Packinghouse, including meat and poultry canning and curing, processing or freezing.
- (28) Plastic and pyroxylin manufacture.
- (29) Uses similar to the uses of this section and not elsewhere named in the following subsections.
- (30) Accessory uses building and structures, including but not limited to:
 - a. Retail sales of products manufactured on the premises and products accessory to the industry.
 - b. A single dwelling unit for security personnel. Such dwelling unit shall be located in the principal building.
- (31) Hospital.
- (32) Automobile and marine sales lots and agencies.
- (33) Child day care centers over 5,000 square feet (building area).
- (34) Outpatient addiction treatment clinics.
- (35) Any new building of 10,000 square feet or more or any existing building which proposes a use permitted under subsection (a) of this section which will occupy an area of 10,000 square feet or more.
- (36) Adaptive reuse of structures of community significance.

Holly C. Lasagna, Ward One
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Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 09-05202019

TITLE: Adopting the proposed amendment to Chapter 60, Article XIII, Environmental Performance Standards, Division 1, Sections 1035-1042, Applicability.

Be it ordained, that the Auburn City Council hereby adopts the proposed amendment to Chapter 60, Article XIII, Sections 1035-1042, Applicability (as attached).

A TRUE COPY

ATTEST _____
Susan Clements-Dallaire, City Clerk Date

Passage of first reading on 8/19/2019 7-0.
Passage of second reading on 9/9/2019 7-0.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



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David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 10-07152019

TITLE: Adopting the proposed amendment to Chapter 42, Sections 42-44 Location and 42-45 Design, Installation and Maintenance

Be it ordained, that the Auburn City Council hereby adopts the proposed amendment to Chapter 42, Sections 42-44 Location and 42-45 Design, Installation and Maintenance (as attached).

ORDINANCE: 10-07152019

DIVISION 2. - DIRECTIONAL SIGNS

Sec. 42-40. - Purpose and policy.

The purpose of this division is to provide tourists and travelers with information and guidance concerning public accommodations, facilities, commercial services, and other businesses and points of scenic, cultural, historic, educational, recreational, agricultural, and religious interest. To provide this information and guidance, it is the policy of the city:

- (1) To establish and maintain a system of official business directional signs;
- (2) To prohibit and control the proliferation of roadside signs; and
- (3) To provide a uniform procedure and criteria to govern their location and approval consistent with state laws governing official business directional signs.

(Code 1967, § 27-5.1)

Sec. 42-41. - Definitions.

Unless another meaning is given expressly or by clear implication, all terms used in this division shall have the meanings set forth in 23M.R.S.A. § 1903.

(Code 1967, § 27-5.2)

Sec. 42-42. - Applicability.

The provisions of this division shall apply only to official business directional signs.

(Code 1967, § 27-5.7)

Sec. 42-43. - Eligibility.

Lawful businesses and points of interest and cultural, historic, recreational, educational, and religious facilities are eligible to contract with the state for the placement of up to six official business directional signs within the city, but only at the intersections or locations listed in section 42-44.

(Code 1967, § 27-5.3)

State Law reference— Similar provision, 23 M.R.S.A. § 1909.

Sec. 42-44. - Location.

Official business directional signs shall be located in accordance with the provisions contained in 23 M.R.S.A. §§ 1911 and 1912 and chapter ~~200~~ 205 of the state department of transportation administrative guidelines on approaches to or at ~~the following intersections designated by the city council~~ all State, State Aid and Federal Highway intersections.

- ~~(1) Turnpike Connector/Lewiston Junction Road.~~
- ~~(2) Turnpike Connector/Washington Street.~~
- ~~(3) Turkey Lane/Washington Street.~~
- ~~(4) Route 122/Hotel Road.~~
- ~~(5) Beech Hill Road/Washington Street.~~
- ~~(6) Old Danville Road/Danville Corner Road.~~
- ~~(7) Merrow Road/Hotel Road.~~
- ~~(8) Turnpike Connector/Hotel Road.~~
- ~~(9) Rodman Road/Washington Street.~~
- ~~(10) Rodman Road/Poland Road.~~
- ~~(11) Rodman Road/Manley Road.~~
- ~~(12) Rodman Road/Hotel Road.~~
- ~~(13) Hotel Road/Minot Avenue.~~
- ~~(14) Upper Court Street/Minot Avenue.~~
- ~~(15) Fairview Avenue/Minot Avenue.~~
- ~~(16) Rotary.~~
- ~~(17) High Street/Minot Avenue.~~
- ~~(18) Broad Street/Mill Street.~~
- ~~(19) Riverside Drive/Mill Street.~~
- ~~(20) Court Street/Union Street Bypass.~~
- ~~(21) Court Street/Goff Street.~~
- ~~(22) Court Street/Western Avenue~~
- ~~(23) Court Street/Turner Street.~~
- ~~(24) Turner Street/Union Street Bypass.~~
- ~~(25) Center Street/North River Road.~~

- ~~(26) Park Avenue/Mt. Auburn Avenue.~~
- ~~(27) Gracelawn Road/Mt. Auburn Avenue.~~
- ~~(28) Center Street/Mt. Auburn Avenue.~~
- ~~(29) Youngs Corner Road/Hotel Road.~~
- ~~(30) Youngs Corner Road/Perkins Ridge Road.~~
- ~~(31) Lake Shore Drive/Route 4.~~
- ~~(32) West Hardscrabble Road/Lewiston Junction Road.~~
- ~~(33) Minot Avenue/Hatch Road (northerly direction only).~~
- ~~(34) High Street/Academy Street.~~
- ~~(35) Main Street/Academy Street.~~
- ~~(36) South Main Street/Mill Street.~~
- ~~(37) Lake Shore Drive/North Auburn Road.~~
- ~~(38) Center Street/Fair Street, Martin Street.~~
- ~~(39) Washington Street southbound Miami Avenue.~~
- ~~(40) Washington Street northbound Miami Avenue.~~
- ~~(41) Washington Street southbound Phil O Mar Street.~~
- ~~(42) Washington Street northbound Phil O Mar Street.~~
- ~~(43) Washington Street northbound Chasse Street.~~
- ~~(44) Washington Street southbound Chasse Street.~~
- ~~(45) Washington Street northbound Hackett Road.~~
- ~~(46) Park Avenue/Gamage Avenue.~~
- ~~(47) Perkins Ridge Road/Hatch Road (Welcomb's Corner).~~
- ~~(48) Center Street/Stetson Road.~~
- ~~(49) Fair Street/Oak Hill Road.~~
- ~~(50) Hotel Road/Manley Road.~~
- ~~(51) Summer Street/Youngs Corner Road.~~
- ~~(52) Riverside Drive/Penley Corner Road.~~
- ~~(53) Rodman Road/Twin Road.~~
- ~~(54) Washington Street northbound Adams Street.~~
- ~~(55) First Ave/Rotary Reverse Direction Connectors.~~
- ~~(56) Hackett Road/Broad Street.~~
- ~~(57) Center Street/Stanley Street.~~
- ~~(58) Center Street/Cross Street.~~
- ~~(59) Riverside Drive/Dunn Street.~~
- ~~(60) Turner Street/Gracelawn Road.~~
- ~~(61) Drummond Street/Main Street.~~
- ~~(62) Court Street/Pleasant Street (both directions).~~
- ~~(63) Minot Avenue/Elm Street.~~
- ~~(64) Pleasant Street/Elm Street.~~
- ~~(65) Millett Drive/Court Street.~~
- ~~(66) Minot Avenue/Millett Drive.~~

(Code 1967, § 27-5.4; Ord. of 3-2-1998; Ord. of 12-6-1999(2); Ord. of 11-19-2001(2); Ord. of 5-2-2005(02); Ord. No. 05-07162012, 8-6-2012)

State Law reference— Permitted locations, 3 M.R.S.A. § 1912.

Sec. 42-45. - Design, installation and maintenance.

Official business directional signs shall be designed, installed and maintained in accordance with the provisions of 23 M.R.S.A. §§ 1901 through 1925 and chapter ~~200~~ 205 of the state department of transportation administrative guidelines. ~~Signs shall be nonreflectorized and no larger than 12 by 48 inches, except that a reflectorized sign of any permissible size may be permitted on an existing sign assembly displaying a reflectorized sign of the same size if such sign assembly was legally erected prior to October 7, 1985.~~

(Code 1967, § 27-5.5)

Sec. 42-46. - Application.

Application for an official business directional sign shall be made on forms furnished by the state department of transportation. Completed applications shall be submitted to the department of planning and permitting services for review. Upon receipt of the completed application, the department shall review the request to ensure that it conforms to the provisions of this article and shall approve, conditionally approve or reject the request based on its findings. If disapproved by the department, the reasons for disapproval shall be communicated to the applicant in writing. Any person aggrieved by the decision of the department may appeal to the county superior court within 30 days of receipt of the department's decision. If approved, the applicant may then forward the approved application and the license fee prescribed by the state law to the state commissioner of transportation for approval or disapproval.

(Code 1967, § 27-5.6)

State Law reference— Applications for state licensing, 23 M.R.S.A. § 1918.

Sec. 42-47. - Penalty.

Any person who violates any of the provisions of this article shall be guilty of a civil infraction, and shall be subject to a fine of \$100.00 to be paid to the city for each such offense. Each day that such violation is permitted to continue after notification by the department of planning and permitting services shall constitute a separate offense.

(Code 1967, § 27-5.8)

Secs. 42-48—42-67. - Reserved.

Passage of first reading on 7/15/2019 7-0.
Passage of second reading on 8/19/2019 7-0.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 11-08192019

Be it ordained that the City of Auburn City Council hereby adopt the attached amendment to Chapter 60, Section 201 of the City of Auburn Ordinances to prohibit commercial marijuana cultivation and manufacturing in the Low Density Country Residence District.

A TRUE COPY

ATTEST _____
Susan Clements-Dallaire, City Clerk Date

Passage of first reading on 8/19/2019 7-0.
Passage of second reading on 9/9/2019 7-0.

SECTION BREAK

DIVISION 3. - LOW DENSITY COUNTRY RESIDENTIAL DISTRICT

Sec. 60-200. - Purpose.

The purpose of this zone is to maintain and promote the rural/agricultural character of the land within this zone. This zone is composed of those areas in the city whose predominant land use is rural, wooded and agricultural. The regulations for this zone are designed to protect and stabilize these predominant land uses which are the essential characteristics of these areas and to minimize conflicting land uses detrimental to agricultural enterprises. Since residences are only incidental to this zone's development, the densities which require improved roads and expanded municipal services, in excess of those required by the present agricultural-oriented uses, shall not be permitted.

(Ord. of 9-21-2009, § 3.32A)

Sec. 60-201. - Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) All uses permitted in the Agriculture and Resource Protection District, except uses allowed by section 60-145(a)(8), (9), (14 and 15).
- (2) One-family detached dwellings.
- (3) Lawn maintenance services.

(b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVI of this chapter:

- (1) All uses permitted by special exception in the Agriculture And Resource Protection (AR) District, (divisions 2 and 3 of article IV of this chapter), except uses allowed by section 60-172(b)(7), (14), and (15).
- (2) Bed and breakfast.
- (3) Adaptive reuse of structures of community significance.

(Ord. of 9-21-2009, § 3.32B; Ord. 33-02072011-08, 2-7-2011; Ord. No. 08-08012011-07b, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017)

Sec. 60-202. - Dimensional requirements.

All structures in this district except as noted shall be subject to the following dimensional regulations:

- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than three acres and measuring less than 325 feet in width. No lot shall be less than 200 feet in depth. The keeping of horses, mules, cows, goats, sheep, hogs and similar size animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit forms to the definition of animal farm contained in section 60-2.
- (2) *Density.* The density of dwelling units shall not exceed an average of one dwelling per three acres.

Deleted: 172

Deleted: and

- (3) *Yard requirements.*
- a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot, whichever is less.
 - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 25 feet for side yard setback.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to 2½ stories or 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard, and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.32C)

Secs. 60-203—60-227. - Reserved.

SECTION BREAK

DIVISION 4. - LOW DENSITY RURAL RESIDENCE DISTRICT

Sec. 60-228. - Purpose.

This district is intended to provide for low density rural residential areas while protecting adjacent agriculture and resource protection districts, allowing a degree of residential development compatible with maintenance of environmental quality and preservation of the open character of the area.

(Ord. of 9-21-2009, § 3.41A)

Sec. 60-229. - Use regulations.

- (a) *Permitted uses.* The following uses are permitted:
- (1) All uses permitted in the Agriculture and Resource Protection District pursuant to (section 60-172(A)), ~~except 60-145(a)(14) and (15).~~
 - (2) One-family detached dwellings.
 - (3) Two-family dwellings.
 - (4) Attached single-family dwellings, provided that they are approved by the planning board as part of a planned residential unit development and subdivision, under the provisions of division 10 of article IV and division 4 of article XVII of this chapter.

- (5) Mobile home parks, subject to the requirements and conditions of section 60-669, mobile home park standards.
 - (6) Licensed veterinarians provided that the lot is of at least three acres.
 - (7) Wayside stands.
 - (8) Accessory uses, buildings or structures.
 - (9) Lawn maintenance services.
 - (10) Municipal uses and buildings.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVI of this chapter:
- (1) Radio, radar, television and radio-telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
 - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, buildings occupants, land uses and properties.
 - b. In no case shall such tower be located less than 1½ times its height from the nearest property line.
 - (2) Care homes, lodging houses and boardinghouses.
 - (3) Recreational uses of land intended or designed for public use, subject to the following conditions:
 - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
 - (4) Child day care centers, provided that:
 - a. They are located on arterial and collector streets as defined in the Auburn Tomorrow Comprehensive Plan.
 - b. They shall not be located closer than 1,000 feet from other established day care centers.
 - c. These standards shall not apply to section 60-52.
 - (5) Cemeteries, provided that:
 - a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
 - (6) Community-based residential facilities, provided that:
 - a. The minimum distance between any two such facilities shall be 1,500 feet.
 - b. Any such facility shall house no more than eight persons.
 - (7) Licensed kennels provided that there shall be available land area of at least three acres.
 - (8) Training schools.
 - (9) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
 - (10) Adult day centers.

Deleted: d

- (11) Landscape services.
- (12) Wholesale nurseries, subject to the following conditions:
 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (13) Schools.
- (14) Churches or temples.
- (15) Libraries.
- (16) Museums.
- (17) Adaptive reuse of structures of community significance.

(Ord. of 9-21-2009, § 3.41B; Ord. No. 05-04032017, § 2, 4-24-2017)

Sec. 60-230. - Dimensional regulations.

All structures in this district, except as noted, shall be subject to the following dimensional regulations:

- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than 43,560 square feet and measuring less than 250 feet in width. No lot shall be less than 150 feet in depth. The keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted, provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2.
- (2) *Density.* The density of dwelling units shall not exceed an average of one dwelling per acre.
- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet or 25 percent of the average depth of lot, whichever is less.
 - b. *Side.* There shall be a minimum distance of five feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 15 feet for side yard setback.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories or 35 feet in height. A public building, church or temple, and accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard, and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements of specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.41C)

Secs. 60-231—60-253. - Reserved.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 12-08192019

Be it ordained that the City of Auburn City Council hereby adopt the attached amendment to Chapter 60, Section 229 of the City of Auburn Ordinances to prohibit commercial marijuana cultivation and manufacturing in the Low Density Rural Residence District.

A TRUE COPY

ATTEST _____
Susan Clements-Dallaire, City Clerk Date

Passage of first reading on 8/19/2019 7-0.
Passage of second reading on 9/9/2019 7-0.

SECTION BREAK

DIVISION 3. - LOW DENSITY COUNTRY RESIDENTIAL DISTRICT

Sec. 60-200. - Purpose.

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(Ord. of 9-21-2009, § 3.32A)

Sec. 60-201. - Use regulations.

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 - a. The minimum distance between any two such facilities shall be 1,500 feet.
 - b. Any such facility shall house no more than eight persons.
 - (7) Licensed kennels provided that there shall be available land area of at least three acres.
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 - (9) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
 - (10) Adult day centers.

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- (11) Landscape services.
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 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
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(Ord. of 9-21-2009, § 3.41B; Ord. No. 05-04032017, § 2, 4-24-2017)

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 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories or 35 feet in height. A public building, church or temple, and accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard, and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements of specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.41C)

Secs. 60-231—60-253. - Reserved.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 13-10152019

Chapter 24, Article II, Division 1, Sec. 24-23 of the General Assistance Ordinance Annual Adjustment of Maximum Benefits

Be it Ordained, that the City Council hereby amends Chapter 24, Article II, Division 1, Sec. 24-23 of the General Assistance Ordinance Annual Adjustment of Maximum Benefits to incorporate the following maximum levels of assistance to be effective on and after October 1, 2019 through September 30, 2020, as follows:

Sec. 24-23. - Annual adjustment of maximum benefits.

- (a) Each year the Maine Municipal Association provides for the city three appendices providing maximum benefits applicable for the period beginning October 1 and ending September 30 as mandated by state law and based on certain federal values effective on October 1 of each year, as follows:
 - (1) Appendix A, a listing of overall maximum levels of general assistance relating to all Maine municipalities.
 - (2) Appendix B, a listing of maximum levels of assistance for food.
 - (3) Appendix C, a listing of maximum levels for heated and unheated housing.
 - (4) Appendix H, a listing of funeral maximums, including burials and cremations.
- (b) The portion of these annual appendices applicable to the city, as adopted each year by the city council, are made a part of this chapter as though fully set forth herein and a copy thereof is available in the office of the city clerk.

Editor's note— The appendices referred to in this section are not codified but are available in the office of the city clerk.

Holly C. Lasagna, Ward One
 Robert P. Hayes, Ward Two
 Andrew D. Titus, Ward Three
 Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
 Belinda A. Gerry, At Large
 David C. Young, At Large

Jason J. Levesque, Mayor

Appendix A – GA Overall Maximums

Effective 10/1/2019 – 9/30/2020

TOTAL NUMBER IN HOUSEHOLD:	1	2	3	4	5
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	725	783	1,007	1,265	1,606

Add \$75.00 for each additional person

Appendix B – Food Maximums

Effective 10/1/2019 – 9/30/2020

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2019, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	45.12	194
2	82.56	355
3	118.37	509
4	150.23	646
5	178.60	768
6	214.19	921
7	236.74	1,018
8	270.70	1,164

****Note: For each additional person, add \$144 per month.**

Appendix C – Rental Maximums

Effective 10/1/2019 – 9/30/2020

Lewiston/Auburn MSA Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	133	574	156	671
1	137	591	167	719
2	177	763	216	929

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



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David C. Young, At Large

Jason J. Levesque, Mayor

3	224	965	273	1,174
4	288	1,240	348	1,497

APPENDIX H – FUNERAL MAXIMUMS

Effective 10/01/2019 – 9/30/2020

Burial Maximums

The maximum amount of general assistance granted for the purpose of burial is \$1,475. Additional costs may be allowed by the GA administrator, where there is an actual cost, for:

- The wholesale cost of a cement liner if the cemetery by-laws require one;
- The opening and closing of the grave site; and
- A lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality

The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- Removal of the body from a local residence or institution
- A secured death certificate or obituary
- Embalming
- A minimum casket
- A reasonable cost for transportation
- Other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator

Cremation Maximums

The maximum amount of assistance granted for a cremation shall be \$1,025. Additional costs may be allowed by the GA administrator where there is an actual cost, for:

- A cremation lot in the least expensive section of the cemetery
- A reasonable cost for a burial urn not to exceed \$55
- Transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.

Passage of first reading on 10/21/019 7-0.

Passage of second reading on 11/4/2019 7-0.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 14-10212019

Be it Ordained, that the City Council hereby adopts the proposed amendment to the Official Zoning Map to rezone a 2.4 Acre portion of PID 217-002 from Suburban Residential to General Business II and a 1.4 Acre portion from Suburban Residential to Urban Residential (as attached).

Be it Ordained, that the City Council hereby adopts the proposed amendment to the Future Land Use Map to rezone a 2.4 Acre portion of PID 217-002 from Low-Moderate Density Residential Development to Planned Commercial Development and a 1.4 Acre portion of PID 217-002 from Low-Moderate Density Residential to Business Expansion Transition (as attached).

Passage of first reading on 10/21/2019 7-0.
Passage of second reading on 11/4/2019 7-0.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



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David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 15-11182019

Be it Ordained, that the Auburn City Council hereby adopts the proposed amendment to Chapter 60, Article XII, Division 5. Shoreland Overlay District (SLO), Section 60-1003. – Timber Harvesting (as attached).

Passage of first reading on 11/18/2019 7-0.
Passage of second reading on 12/2/2019 7-0.

Chapter 60, Article XII, Division 5. Shoreland Overlay District (SLO),

Sec. 60-1003. - Timber harvesting. Repealed - “Chapter 21, Statewide Standards for Timber Harvesting in Shoreland Areas apply.”

Deleted: (a) In a resource protection district abutting a great pond, timber harvesting shall be limited to the following: ¶

(1) Within the strip of land extending 75 feet, horizontal distance, inland from the normal high-water line, timber harvesting may be conducted when the following conditions are met: ¶

- a. The ground is frozen; ¶
- b. There is no resultant soil disturbance; ¶
- c. The removal of trees is accomplished using a cable or boom and there is no entry of tracked or wheeled vehicles into the 75-foot strip of land; ¶
- d. There is no cutting of trees less than six inches in diameter; no more than 30 percent of the trees six inches or more in diameter, measured at four and one-half feet above ground level, are cut in any ten-year period; and a well-distributed stand of trees and other natural vegetation remains; and ¶
- e. A licensed professional forester has marked the trees to be harvested prior to a permit being issued by the municipality. ¶

(2) Beyond the 75-foot strip referred to in subsection (a)(1) above, timber harvesting is permitted in accordance with subsection (b) below except that in no case shall the average residual basal area of trees over four and one-half inches in diameter at four and one-half feet above ground level be reduced to less than 30 square feet per acre. ¶

(b) Except in areas as described in subsection (a) above, timber harvesting shall conform with the following provisions: ¶

(1) Selective cutting of no more than 40 percent of the total volume of trees four inches or more in diameter measured at four and one-half feet above ground level on any lot in any ten-year period is permitted. In addition: ¶

a. Within 100 feet, horizontal distance, of the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and within 75 feet, horizontal distance, of the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland, there shall be no clearcut openings and a well-distributed stand of trees and other vegetation, including existing ground cover, shall be maintained. ¶

b. At distances greater than 100 feet, horizontal distance, of a great pond classified GPA or a river flowing to a great pond classified GPA, and greater than 75 feet, horizontal distance, of the normal high-water line of other water bodies or the upland edge of a wetland, harvesting operations shall not create single clearcut openings greater than 10,000 square feet in the forest canopy. Where such openings exceed 5,000 square feet they shall be at least 100 feet, horizontal distance, apart. Such clearcut openings shall be included in the calculation of total volume removal. Volume may be considered to be equivalent to basal area. ¶

(2) Timber harvesting operations exceeding the 40 percent limitation in subsection (b)(1) above, may be allowed by the planning board upon a clear showing, including a forest management plan signed by a Mair ...

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 16-11182019

Be it Ordained, that the Auburn City Council hereby adopts the second and final reading of the proposed amendment to Chapter 60 Section 60-2 Definitions as attached.

Sec.60-2. - Definitions

For the purposes of this chapter, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned:

Farm means any parcel of land which is used in the raising of agricultural products, livestock or poultry, or for dairying.

Passage of first reading on 12-2-2019, 5-2 (Councilors Gerry and Lasagna opposed).

Passage of second reading on 12-9-2019, 5-1-1 (Councilor Gerry opposed, Councilor Walker abstained).

Sec.60-2. - Definitions

For the purposes of this chapter, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned:

Farm means any parcel of land ~~containing more than ten acres~~ which is used in the raising of agricultural products, livestock or poultry, or for dairying. ~~The term "farm," under the Agricultural and Resource Protection District, shall be further defined as meeting the following criteria:~~

~~At least 50 percent of the total annual income of the farm occupant and his spouse living in the farm residence will be derived from such uses; and~~

~~At least ten acres of the farm will be devoted to the production by the occupant of field crops or to the grazing of the occupant's livestock. For purposes of this definition, the term "poultry" means no fewer than 100 fowl and the term "livestock" means no fewer than 20 cattle or other animals being raised for commercial purposes.~~

[Proposed language to accomplish changes recommended by the Planning Board](#)

Sec. 60-145. - Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, on parcels containing no less than ten acres, provided that the dwelling is accessory to farming operations and subject to the following restrictions:
 - a. At least 30 percent of the total gross annual household income of the farm occupants living in the farm residence will be derived from farm uses or the gross farm income of the farm occupants living in the farm residence is equal to or greater than 30% of Auburn's Median Household Income, according to the most recent Census data.
 - b. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are ~~substantially~~ 75% completed.
 - ~~cb.~~ In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - ~~de.~~ Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.
- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.
- (3) Forest products raised for harvest.
- (4) Field crop farms.
- (5) Row crop farms.
- (6) Orchard farms.
- (7) Truck gardens.
- (8) Plant and tree nurseries.
- (9) Greenhouses.
- (10) Handling, storage and sale of agriculture produce and processed agricultural products derived from produce grown on the premises.
- (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
- (12) Wayside stands.
- (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
- (14) Adult use and medical marijuana cultivation, but not retail sales of any kind.
- (15) Marijuana manufacturing accessory to a licensed cultivation site.

(b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:

[Proposed language to accomplish changes recommended by the Planning Board](#)

- (1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:
 - a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.
 - b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.
 - c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.
- (2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.
- (3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
- (4) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.
- (5) Recreational uses of land intended or designed for public use subject to the following conditions:
 - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
- (6) Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:
 - a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.
 - b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.
- (7) Rifle, pistol, skeet or trap shooting ranges, public or private.
- (8) Cemeteries, subject to the following conditions:
 - a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
- (9) Municipal sanitary landfills, subject to the following conditions:
 - a. Not located in any environmental overlay district or over any known aquifer.

[Proposed language to accomplish changes recommended by the Planning Board](#)

- b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
- (10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
- a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
- (11) Wholesale nurseries, subject to the following conditions:
- a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
- a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
 - b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
 - c. An end-use plan must be filed as part of the planning board process.
- (13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (14) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:
- a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the Watershed of Taylor Pond, the Shoreland Overlay District or the Floodplain Overlay District.
 - b. The proposed use shall not occupy more than 10,000 square feet of building area.
 - c. The number of employees shall be limited to not more than 15.
 - d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
 - e. Hours of operation shall limited to between 6 a.m. and 8 p.m.
- (15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:
- a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
 - b. Provisions shall be made to avoid surface and groundwater pollution.
 - c. Provisions shall be made to counteract vermin, insects and odors.
 - d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
 - e. Shall not be located within the Lake Auburn Watershed Overlay District.

Proposed language to accomplish changes recommended by the Planning Board

- (16) Adaptive reuse of structures of community significance.
- (17) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings as accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment, subject to the following conditions:
- a. The proposed use is accessory, complementary, or otherwise related to a recreational or agricultural use;
 - b. The recreational or agricultural use has been in existence for at least five years prior to the date of the application for the special exception; and
 - c. The recreational or agricultural use is located on the parcel for which the special exception is requested or is adjacent to the property for which the special exception is requested.

(18) One-family detached dwellings, including manufactured housing, subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, on parcels containing greater than 6.1, but less than ten acres, provided that the dwelling is accessory to farming operations and subject to the following restrictions:

a. At least 30 percent of the ~~total~~gross annual household income of the farm occupants living in the farm residence will be derived from farm uses or the gross farm income of the farm occupants living in the farm residence is equal to or greater than 30% of Auburn's Median Household Income, according to the most recent Census data: and,

b. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are 75% completed: and,

c. The applicant shall demonstrate compliance with the following requirements, said compliance to be first reviewed by the Agricultural Advisory Committee for recommendation:

1. The applicant shall provide a farm business plan that appears feasible and, if implemented, will meet the definition of a farm.
2. The parcel can reasonably accommodate the proposed farm.
3. The applicant shall demonstrate a commitment to the proposed farm use through compliance with the following requirements:
4. The parcel must contribute to a gross income per year of at least the amount required to meet the definition of Farmland in Title 36 M.R.S.A, section 1102, subsection 4 ,per year from the sales value of agricultural products as defined in Title 7 M.R.S.A., section 152, subsection 2 in the two calendar years preceding the date of application for special exception use approval. Gross income includes the value of commodities produced for consumption by the farm household.

Proposed language to accomplish changes recommended by the Planning Board

5. The proposed residence shall be accessory to farming.

6. The proposed residence shall not be located in the Lake Auburn Watershed Overlay District.

d. The parcel was existing as of [October 1, 2017](#), contains more than five acres of land area, and otherwise meets the requirements of Chapter 60 Zoning.

e. In no case shall any farm residence constructed under the provisions of this section, after the effective date of the amended ordinance from which this section is derived, continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.

f. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirement of this article.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 06-06052017, 6-19-2017; Ord. No. 04-05202019, 6-3-2019)

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 17-11182019

Be it Ordained, that the Auburn City Council hereby adopts the second and final reading of the proposed amendment to Chapter 60 Section 60-145 Use Regulations as attached.

Passage of first reading on 12-2-2019, 4-3 (Councilors Gerry, Lasagna, and Hayes opposed).

Passage of second reading with amendments on 12-9-2019, 5-1-1 (Councilor Gerry opposed, Councilor Walker abstained).

Holly C. Lasagna, Ward One
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David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 18-11182019

Be it Ordained, that the Auburn City Council hereby adopts the first reading of the proposed amendment to Chapter 60 Section 60-146 Dimensional Regulations as attached.

Failed

Passage of first reading on 11/18/2019 6-0-1 (Councilor Walker abstained).

Failed second and final reading on 12/2/2019 3-4 (Councilors Gerry, Lasagna, Hayes, and Young opposed).

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d. The parcel was existing as of January 1, 2018, and contains more than 5 acres of land area, and otherwise meets the requirements of Chapter 60 Zoning.

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e. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.

f. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 06-06052017, 6-19-2017; Ord. No. 04-05202019, 6-3-2019)

Sec. 60-146. - Dimensional regulations.

All structures in this district, except as noted shall be subject to the following dimensional regulations:

(1) *Minimum lot area, width and depth.* No lot shall be created containing less than ten acres, exclusive of any bodies of water having a surface area of one-fourth of an acre or more and measuring less than 250 feet in width at the street frontage, and 200 feet in depth. No building shall be erected on a lot containing less than ten acres except as allowed in this section, exclusive of any bodies of water having a surface area of one-fourth of an acre or more, and measuring less than 250 feet in width at the street frontage, and 200 feet in depth.

a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.

b. On legally nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2.

c. A dwelling may be constructed on lots existing as of January 1, 2018 and containing greater than 5 acres but less than 10 acres a dwelling may be constructed if approved as a special exception pursuant to section 60-145.b.18.

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(2) *Density.* The density of year-round dwelling units shall not exceed an average of one dwelling per ten acres unless approved pursuant to section Sec. 60-146(1).

(3) *Yard requirements.*

a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet.

b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line.

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- c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories of 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.31C)

Secs. 60-147—60-199. - Reserved.

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Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
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Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 19-12022019

Be it Ordained, that the Auburn City Council hereby adopts the second and final reading of the proposed amendment to Chapter 60 Section 60-952. - Use and environmental regulations of the Lake Auburn Overlay District as attached.

Passage of first reading on 12-2-2019, 5-2 (Councilors Gerry and Lasagna opposed).

Passage of second reading with amendments on 12-9-2019, 5-1-1 (Councilor Gerry opposed, Councilor Walker abstained).

Holly C. Lasagna, Ward One
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David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 20-12022019

Be it Ordained, that the Auburn City Council hereby adopts the proposed amendment to Chapter 2, Article V, Boards, Commissions and Committees to add Division 8, Agriculture Committee .

Division 8. – Agriculture Committee
Section 2-485.1 – Purpose

The purpose of the Agriculture Committee shall be to proactively build a stronger food, agricultural, and resource economy in Auburn and to address the ongoing needs of protecting and promoting farms, farmland, forestry businesses, woodlots, local agriculture economy and local forestry economy.

Section 2-485.2 – Committee established

An Agriculture Committee is hereby established to consist of nine members, of whom seven members shall be appointed by the City Council and shall be residents of the city with highest priority given to selecting members who are actively engaged in agriculture or forestry. At least one member shall have professional experience in an area directly related to forestry and at least one shall have direct professional experience in an area related to agriculture. The other nonvoting members shall be residents or landowners. The seven regular members appointed by the City Council shall appoint up to two nonvoting members.

The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the City Council shall initially appoint one members for terms of one year, three members for terms of two years, and three members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. Subsequent appointments shall be for a term of three years.

Section 2-485.3 – Qualifications

All members of the Committee shall be selected upon the basis of their active involvement, interests, skill or expertise in agriculture, forestry, food system economics, public policy or related fields. All voting members shall be residents of the City.

Section 2-485.4 – Powers and Duties

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
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Alfreda M. Fournier, Ward Four



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David C. Young, At Large

Jason J. Levesque, Mayor

The Committee shall:

1. Make recommendations to the Planning Board and City Council and consult with the Conservation Commission regarding the ongoing needs of protecting and promoting farms, forestry businesses, farmland, woodlots and building a stronger food, agricultural and resource economy in Auburn.
2. Promote opportunities for farm financing and farm, forestry or natural resource business development proposals, conservation and preservation of agricultural lands and encourage the marketing of Auburn's agricultural and forestry products;
3. Seek to coordinate the activities of local, State and regional organizations of similar purposes and collaborate to assist with education of the community regarding food systems, agriculture and forestry;
4. Research methods, best practices and successful policies that other communities are using to strengthen and support agriculture and forestry and share information and ideas with community leaders.
5. Periodically review the Auburn Comprehensive Plan, ordinances and land use trends that relate to agriculture and forestry in order to identify potential barriers and opportunities to modify Auburn's policies and ordinances to better support agriculture and forestry.
6. Support broad public participation in changes to municipal policies and ordinances that affect agriculture and forestry and provide opportunities for public input as changes are proposed.
7. Review applications for a Voluntary Municipal Farm Support Program and perform related duties as requested by the Auburn City Council.
8. Keep records of its meetings and activities and make an annual report to the city council;
9. Undertake any other agricultural or forestry related activity referred to it by the city council;
10. Adopt by-laws to govern the internal affairs of the Committee including meeting frequency;
11. May perform such other functions as are permitted by this Code.

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David C. Young, At Large

Jason J. Levesque, Mayor

12. Should any project in the City require the submission of a farm plan, the committee shall review the farm plan and provide a recommendation to the Planning Board within 60 days.

Section 2-485.5—Officers, meetings and records.

1. The members shall elect from their membership a chairperson, a vice-chairperson and a secretary. Officers shall serve two-year terms.
2. All meetings of the Committee shall be open to the public, and notice, shall be provided to the public about such meetings.
3. The Committee may request that testimony provided during public hearings in front of the Committee be provided under oath.
4. Minutes shall be kept of all meetings.

Section 2-485.6 – Committees

The Committee may vote to create subcommittees and appoint members of such subcommittees to work on specific projects.

Section 2-485.7 – Quorum and necessary vote

As to any matter requiring a public hearing, no business shall be transacted by the Committee without a quorum, consisting of at least half of the voting members of the committee. If less than a quorum is present, the hearing shall be rescheduled, and the members and other interested parties shall be notified of the rescheduling.

Passage of first reading with amendment on 12-2-2019, 7-0.

Passage of second reading with amendments on 12-9-2019 6-0-1 (Councilor Walker abstained).