



**City Council Workshop & Meeting
March 20, 2017
Agenda**

5:30 P.M. Workshop

- A. Welcome and Introduction of Peter Crichton the New City Manager of Auburn – Mayor LaBonté
- B. Community Development Block Grant (CDBG) Budget/Annual Action Plan–Yvette Bouttenot (15 minutes)
- C. Adaptive Re-Use Ordinance – Doug Greene (20 minutes)
- D. Executive Session regarding economic development, pursuant to 1 M.R.S.A. §405(6)(A) with action to follow.

7:00 P.M. City Council Meeting

Roll call votes will begin with Councilor Walker

Pledge of Allegiance

- I. **Consent Items** – All items listed with an asterisk (*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.
 - 1. **Order 25-03202017***
Approving the temporary sign request for the Auburn Business Association’s “Citizen of the Year” signs.
- II. **Minutes**
 - March 6, 2017 Regular Council Meeting
 - March 13, 2017 Special Council Meeting
- III. **Communications, Presentations and Recognitions**
 - Welcome and Introduction of Peter Crichton the New City Manager of Auburn
 - Recognition - St. Dom’s Women’s Hockey Team
- IV. **Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.
- V. **Unfinished Business**

1. **Ordinance 02-03062017**
Adopting the Complete Streets Committee Ordinance. Second reading.
2. **Ordinance 03-03062017**
Adopting the Complete Streets Ordinance. Second reading.
3. **Order 22-03062017**
Authorizing the reallocation of unspent proceeds from the City's General Obligation Bonds in the amount of \$42,000 to be used for the renovation of the Parks Garage for a Senior Center. Public hearing and Second Reading. ***Requires an affirmative vote of 5 for passage.***

VI. New Business

4. **Order 26-03202017**
Approving the request to waive the business licensing fee for the New Auburn Little League, a non-profit organization (Sherwood Heights and Pulsifer Park) for the 2017 season.
5. **Order 27-03202017**
Adopting the City Property Sale Policy.
6. **Order 28-03202017**
Amending the City of Auburn 2010 Comprehensive Plan Future Land Use Map for the properties located at 121 Hampshire Street (PID # 250-316) and 127 Hampshire Street (PID # 250-315) from High Density Neighborhood Conservation (HDNC).
7. **Ordinance 04-03202017**
Adopting the proposed future land use and zone map amendments for 121 and 127 Hampshire Street. First reading.

VII. Executive Session

VIII. Reports

- a. **Mayor's Report**
- b. **City Councilors' Reports**
- c. **City Manager Report**
- d. **Finance Director, Jill Eastman – February 2017 Monthly Finance Report**

- IX. **Open Session** - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

X. Adjournment

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The

only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

- A. Discussion of personnel issues
- B. Discussion or consideration by a school board of suspension or expulsion
- C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosure of the information would prejudice the competitive or bargaining position of the body or agency
- D. Labor contracts
- E. Contemplated litigation
- F. Discussion of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;
- G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and
- H. Consultation between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: March 20, 2017

Order:

Author: Yvette Bouttenot

Subject: FFY2017 Annual Action Plan – Community Development Block Grant and HOME Budget

Information: Attached is the Community Development Program budget for FFY2017. The proposed budget for FFY2017 is \$760,918 for Community Development Block Grant and \$684,190 for HOME Investment Partnerships Program funds. HUD has not yet announced the allocations for this budget therefore what you are presented is a flat funded budget from FFY2016 level of funding. On the advice of our HUD field Office we have included a budget showing a 10% reduction. This budget will implement the third year of strategies and outcomes of the 2015-2019 Consolidated Plan.

The Citizen's Advisory Committee (CAC) met on February 22nd to review the proposed budget and provide comments. The meeting record, including their suggestions and budget recommendations, is incorporated in the budget package. Staff met with Acting City Manager John Bubier on March 9, 2017 to review the CAC recommendations; no changes were made.

A final public hearing should be held on May 1st.

Advantages: This budget supports the strategies and goals of the 2015-2019 Consolidated Plan.

Disadvantages: None

City Budgetary Impacts: The salaries in this budget include partial funding for the Director and the Deputy Director of Economic and Community Development and the Code Enforcement Officer.

Staff Recommended Action: Guidance on the Action Plan and Budget

Previous Meetings and History: None

Attachments: FFY2017 CDBG/HOME Available Resources
FFY2017 Budget and Line Item Descriptions by Strategy

**FFY 2017 BUDGET REVIEW
COMMUNITY DEVELOPMENT BLOCK GRANT/HOME PROGRAM
FEBRUARY 22, 2017**

Community Development Block Grant Funds: The proposed budget for FFY2017 is \$760,918 from the following sources of Community Development funds:

<i>Proposed</i> Community Development Grant	\$511,800
Anticipated Program Income	238,000
Carry Over Funds	11,118

Auburn HOME Funds: The proposed budget for FFY2017 is \$684,190 from the following sources of HOME funds:

<i>Proposed</i> HOME Grant	\$168,328
Anticipated Program Income	54,000
Income from sale of 68 W. Dartmouth	70,000
Carry Over Funds	391,862

Full descriptions of the budgets are in the text following this introduction.

**TENTATIVE SCHEDULE FOR ADOPTION
2017 ACTION PLAN/BUDGET**

Citizens Advisory Committee Review	February 22
City Manager Budget Review	March 9
City Council Budget Review	March 20
30-day Comment Period	March 23
End of Comment Period	April 23
Public Hearing/Adoption of 2017 Action Plan by City Council	May 1
<i>Deadline Submission to HUD</i>	<i>May 12</i>

**City of Auburn
Community Development Block Grant
Federal Fiscal Year 2017**

	Final FFY 2016 Budget	CAC Proposed FFY 2017 Budget	10% Reduction FFY2017 Budget
Planning and Administration			
General Administration	\$130,000	\$130,000	\$125,000
Project Delivery Costs/Housing	\$93,000	\$93,000	\$93,000
Goods and Services	\$12,100	\$12,100	\$12,100
Support Fair Housing and Increase Housing Choice			
Fair Housing	\$2,000	\$2,000	\$2,000
Sub Total	\$237,100	\$237,100	\$232,100
Promote Jobs and Development			
STAR Business Loan Program	\$200,000	\$150,000	\$150,000
Sub Total	\$200,000	\$150,000	\$150,000
Prevent Deterioration of Housing Stock			
Rehabilitation Loan Program:	\$182,864	\$139,950	\$138,770
Lead Testing/Clearance/Training	\$7,790	\$5,000	\$5,000
Community Concepts Weatherization	\$42,150	\$20,750	\$20,750
Code Enforcement	\$50,000	\$50,000	\$35,000
Sub Total	\$282,804	\$215,700	\$199,520
Improve Parks and Establish Community Gardens			
Community Garden	\$5,950	\$33,118	\$28,118
Sub Total	\$5,950	\$33,118	\$28,118
Make Neighborhood Streets Safer and More Walkable			
Hampshire Street Reconstruction	\$312,050	\$0	\$0
Neighborhood Challenge Grant	\$25,000	\$25,000	\$0
Sub Total	\$25,000	\$25,000	\$0
Support People in their Efforts to Transition Out of Poverty			
Androscoggin Head Start/Family Advocacy	\$9,000	\$9,000	\$9,000
Auburn Recreation Department & Scholarships	\$15,000	\$15,000	\$15,000
Literacy Volunteers of Androscoggin County/Adult Literacy	\$8,635	\$8,635	\$8,635
PAL/Youth Diversion	\$20,000	\$0	\$0
Auburn Police Department/Work with ME	\$40,000	\$48,365	\$48,365
Community Concepts/Bridges out of Poverty	\$11,000	\$0	\$0
Prevent Homelessness			
Safe Voices / Social Services	\$11,000	\$12,000	\$12,000
Tedford Housing & Support Services for Homeless	\$7,000	\$7,000	\$7,000
Sub Total	\$121,635	\$100,000	\$100,000
Total Budget	\$872,489	\$760,918	\$709,738

City of Auburn
HOME Investment Partnerships Program
Federal Fiscal Year 2017

		CAC Proposed	10% Reduction
	FFY2016 Budget	FFY2017 Budget	FFY2017 Budget
<u>PROGRAM ADMINISTRATION</u>			
General Administration	\$24,000	\$24,000	\$20,500
Project Delivery Costs	\$30,000	\$30,000	\$30,000
Goods and Services	\$2,500	\$2,500	\$2,500
Sub Total	\$56,500	\$56,500	\$53,000
<u>INCREASE OWNER OCCUPANCY</u>			
Homebuyer Assistance	\$32,600	\$45,000	\$40,000
Special Project/132 Hampshire Street			
Special Project/62 Harvard	\$5,000	\$0	\$0
Special Project/Purchase of 68 W. Dartmouth	\$120,850	\$0	\$0
Special Project/Co-Op Housing	\$111,828	\$111,828	\$111,828
Subtotal	\$270,278	\$156,828	\$151,828
<u>PREVENT DETERIORATION OF HOUSING STOCK</u>			
Homeowner Rehabilitation	\$100,000	\$125,862	\$109,029
<u>PREVENT HOMELESSNESS</u>			
Security Deposits	\$15,000	\$20,000	\$20,000
Staying Home Rental Assistance (new program)	\$75,000	\$75,000	\$75,000
Subtotal	\$90,000	\$95,000	\$95,000
<u>SUPPORT CONSTRUCTION OF NEW AFFORDABLE HOUSING UNITS</u>			
62 Spring Street Rental Set-Aside/Budget	\$204,150	\$250,000	\$250,000
62 Spring Street Rental Set-Aside/Sale of 132 Hampshire	\$0	\$0	\$0
62 Spring Street Rental Set-Aside/Sale of 62 Harvard	\$0	\$0	\$0
Sub Total	\$204,150	\$250,000	\$250,000
TOTAL BUDGET	\$720,928	\$684,190	\$658,857

**FFY2017 COMMUNITY DEVELOPMENT
BUDGET DESCRIPTIONS
As Amended by CAC – 2/22/2017**

STRATEGY: SUPPORT FAIR HOUSING AND INCREASE HOUSING CHOICE

Build a Fair Housing Website Page as a means to disseminate information to landlords and tenants about the rights and responsibilities of each party and the means for assistance in the event of a problem.

**1. Fair Housing
Proposed Budget: \$2,000**

Description: Implementation of the Fair Housing strategies identified in the Analysis of Impediments to Fair Housing Choice report.

The Cities of Auburn and Lewiston will be undertaking fair housing activities to raise awareness of Fair Housing Laws. Based on the Analysis of Impediments to Fair Housing Choice Report completed in 2013 the Cities have identified the following activities to be undertaken in first four years.

- a. a series of landlord and tenant workshops;
- b. school outreach - poster contest for middle school with winners being selected for a fair housing calendar;
- c. distribution of basic information on tenant housing rights;
- d. identify obstacles to Sharia lending and inform New Mainers of housing opportunities.

The 5th year (FFY2017) will be used for planning for implementation of HUD's new Affirmative Fair Housing Rule. The Analysis of Impediments to Fair Housing will be replaced by the Affirmatively Furthering Fair Housing Report that will be funded in FYY1018. All activities will be done in collaboration with the Cities of Auburn and Lewiston's Community Development Departments and the Auburn and Lewiston Housing Authorities.

Anticipated Outputs: Build fair housing page on city website

STRATEGY: PROMOTE JOBS AND DEVELOPMENT

Assist small businesses to start up, succeed and grow through

- *Loans to upgrade and adapt buildings in target areas; and*
- *Loans to support job creation for low-income people anywhere in the City.*

**2. Economic Development Programs
Proposed Budget: \$150,000**

STAR Program (Storefront Traffic Accelerates Revitalization)

Description: Funds will be used to provide loans to businesses and property owners for building renovations in the Union Street, Downtown, and New Auburn Target Areas. This program helps to create jobs and will encourage the redevelopment of vacant storefront properties. Funds will be used to provide forgivable loans to expanding businesses or to business start-ups. Funds can be used for working capital, equipment or inventory purchase, or building improvements. The program will help to create jobs in the community, primarily benefiting low- and moderate-income persons.

Anticipated Outputs: 3 Business Loans

STRATEGY: PREVENT DETERIORATION OF HOUSING STOCK

- *Provide grants, deferred loans, and low-interest loans for the rehabilitation of owner and rental housing that is occupied by low and moderate income households;*
- *Provide matching funds to the 3-year federal grant to reduce childhood lead poisoning;*
- *Provide Community Development staff support to the Lewiston-Auburn Lead Subcommittee to assist with implementation of the 5-Year Strategic Action Plan for the Reduction of Childhood Lead Poisoning in the Cities of Auburn and Lewiston.*
- *Financially support code enforcement activities that result in improvements to the housing stock*
- *Provide financial assistance to encourage exterior as well as health and safety improvements.*

3. Rehabilitation Loan Program
Proposed Budget: \$139,950

Description: Funds will be used to provide loans under the Rehabilitation Loan Program to upgrade residential buildings, increase curb appeal, address code violations, weatherize homes, and to provide a loan match to the Lead Hazard Reduction Grant. The Rehabilitation Program helps to maintain and upgrade the quality of housing, particularly in targeted areas and assists low-income property owners and investors to address housing problems. The program also helps to increase or stabilize the tax base, provides an economic stimulus for contractors and suppliers, eliminates lead hazards, and prevents properties from becoming blighting influences in the more densely populated neighborhoods.

Anticipated Outputs: 5 units with health and safety repairs
5 units with whole house/curb appeal improvements
3 units with lead paint problems eliminated
5 units repaired of code enforcement

4. Lead Testing and Clearance
Proposed Budget: \$5,000

Description: Funds will be used to cover the cost of performing lead clearances in buildings that have been rehabilitated with federal funds. These funds will be used only for projects where there are no Lead Grant funds involved. All rehabilitation projects must now comply with strict lead requirements to reduce the hazards caused by lead-based paint. One of the requirements imposed by Title X is that a property that is rehabilitated with federal funds must be lead safe that is documented through a clearance test. These funds pay for the contractor to take samples and have the sample analyzed by a certified lab.

Anticipated Outputs: 20 lead tests

5. Community Concepts, Inc. Weatherization
Proposed Budget: \$20,750

Description: Funds will be used to weatherize homes and pay for a portion of the program salary expense. This weatherization program includes wall, ceiling and basement insulation, caulking windows and doors, etc. An assessment is done to determine payback and only improvements which have a reasonable payback are undertaken. This program leverages an amount that is greater than our CDBG investment through a Department of Energy grant. These funds would not come to our community without the CDBG match.

Anticipated Outputs: 5 units weatherized

6. Code Enforcement
Proposed Budget: \$50,000

Description: Funds will be used to cover salary costs for a Code Enforcement officer of the City of Auburn. Code enforcement efforts will be directed in three target areas, Downtown, New Auburn and Union Street. The focus of the code enforcement effort is to control vacant and dangerous buildings, nuisance complaints, and to expand code enforcement efforts to improve the overall condition of the housing stock. This will include coordinating building improvements, some of which will come through the City's Rehabilitation Program.

Anticipated Outputs: 100 buildings inspected
25 buildings with health/safety violations repaired/private funds
9 buildings with health and safety violations repaired/public funds

STRATEGY: IMPROVE PARKS AND ESTABLISH COMMUNITY GARDENS

- *Enhance physical infrastructure of key in-town parks;*
- *Improve lighting at Union Street;*
- *Extend the Riverwalk into New Auburn;*
- *Improve walkways to and from parks;*
- *Provide opportunities for growing fresh healthy foods by establishing community gardens in the Downtown, Union Street and New Auburn target areas.*

7. Community Gardens

Proposed Budget: \$33,118 – New request of \$22,000

Description: Funds will be used to support the vegetable garden on Webster Street for the 2017 garden season. This garden season begins in April of next year. Community gardens encourage people to improve their health, stretch their food dollars, learn about growing vegetables, and provide a place where neighbors can meet to engage in a positive way. The budget amount of \$7,000 will be used for the salary of the garden coordinator and a neighborhood garden champion. The garden coordinator will be supervised by St. Mary's Nutrition Center at their cost. \$15,000 will be designated to the construction of the second garden. The site will be selected in the spring of 2017. Three sites are being considered: 88 Newbury Street, Walton School and the Great Falls School.

Anticipated Output: Support for Webster Street garden
Create a second community garden

STRATEGY: MAKE NEIGHBORHOODS STREETS SAFER AND MORE WALKABLE

Provide grants to Neighborhood Organizations and groups for projects that will enhance a neighborhood. The funds will be used for public infrastructure projects. This activity may also meet the previous strategy to improve parks and greenspaces.

8. Neighborhood Challenge Grants

Proposed Budget: \$25,000

Description: Funds will be used in increments of \$1,000 up to \$10,000 to provide funding for projects that will enhance neighborhoods. Increased safety, beautification and improved parks are the goals. The budget amount of \$25,000 will be awarded to applicants for projects of \$1,000 or more. One \$10,000 grant may be awarded. City staff will assist the applicants with the development of the projects.

Anticipated Output: 1 - \$10,000 grant
3 - \$5,000 grants (smaller grants may be awarded)

STRATEGY: SUPPORT PEOPLE IN THEIR EFFORTS TO TRANSITION OUT OF POVERTY

Focus on helping young people growing up in poverty to get the personal and educational skills needed to live a healthy and productive adult life.

- *Expand programming for at-risk teenagers that helps them learn work skills, graduate from high school*
- *Create youth apprenticeship opportunities with local businesses*

Support low-income adults to successfully provide for themselves and their families through education and development of employment skills including mentoring, work readiness, and job training.

9. **Androscoggin Head Start and Child Care
Life & Job Skills at Extended Care Program
Request: \$10,000
Proposed Budget: \$9,000**

Project Description: Funds would provide social services for families enrolled in head start at Webster School. Services are available to economically disadvantaged children whose parents are working or in job training. These services assist families in meeting their basic needs, provide parent training, provide information and referrals, develop a strategy to maintain or attain economic independence, and provide crisis intervention. These services facilitate families' efforts to maintain or obtain financial independence from assistance and help children achieve school readiness.

Anticipated Output: 20 Auburn families

10. **Literacy Volunteers of America/Androscoggin
Literacy Services for Adults & Families
Request: \$8,635
Proposed Budget: \$8,635**

Project Description: Funds will be used to help recruit, train and support volunteers to provide tutoring to illiterate adults and families. The Adult Literacy Program provides one-on-one tutoring for reading, writing, and basic math for adults and families in Androscoggin County who are at the lowest two literacy levels. They also offer one-on-one tutoring for English speakers of other languages. The focus is to help adults with low literacy skills and immigrants gain critical reading, writing, and math skills that will help with employability. 90% of their students' primary goal is to obtain a job, pass a job-related test, or participate in career training.

Anticipated Output: 90 Auburn residents

11. Auburn Police Department

Work with Me

Request: \$70,500

Proposed Budget: \$51,365 *\$48,635 - amended by CAC 2/22/2017*

Description: Auburn Police Department will work with Auburn School Department, the Career Center, and local business owners/tradesmen to provide soft skills and job specific skills to 50 at-risk and homeless youth between the ages 15-19. Students will be assisted to find internships. Funds will be used to cover the program coordinator's salary, cab fares, student/mentor stipends, and purchase students work clothes.

Anticipated Output: 50 Auburn youth

12. Auburn Recreation Department

Recreation Scholarships

Request: \$15,000

Proposed Budget: \$15,000

Description: Support families who are involved in education or working by providing summer day care for their children. Families will be required to enroll in an education or training program for their children in order to qualify. Funds will pay for grants to 30 children. Funds will pay for scholarships, approximately \$500 per child.

Anticipated Output: 30 children

PREVENT HOMELESSNESS

Support homeless people first with housing, then with services to help them provide for themselves and their families through work readiness training and job skill development.

- *Provide staff support to Lewiston-Auburn Alliance for Services to the Homeless (LAASH) to improve access to services and housing for persons who are homeless or at risk.*
- *As a first step towards helping the homeless or at-risk households re-integrate into the community provide a City-sponsored Security Deposit Program as well as other "housing first" approaches.*

13. Safe Voices

Request: \$12,000

Proposed Budget: \$10,000 *\$12,000 – amended by CAC 2/22/2017*

Project Description: Funds will be used to pay the shelter worker salaries to provide services to families experiencing domestic violence and homelessness to develop skills for self-sufficiency. The shelter serves women and children who are victims of domestic

violence. The 17-bed shelter is open 24 hours, 365 days each year with day and evening staff. Their clients are usually forced to leave behind most of their possessions and many lose their jobs when they come to the shelter. The ongoing case management services and connections to community resources help them to increase their income and non-cash benefits for overall housing stability which helps to prevent the reoccurrence of homelessness. The shelter advocate will assist the family by developing self-sufficiency skills, connect them with resources such as work ready training and job skills.

Anticipated Output: 68 Auburn residents

14. **Tedford Housing**

Request: \$7,000

Proposed Budget: \$6,000

\$7,000 Amended by CAC 2/22/2017

Description: Funds will be used to pay for case management services for a supportive housing project in Auburn. Tedford Housing operates a permanent supportive housing for formerly homeless single adults. Services will help these individuals to improve quality of life and remain living independently. Without these services, many formerly homeless families fail to maintain housing. Tenants tend to have been homeless two or more times for an extended period of time. They typically have a disability and have frequent physical health challenges. Each person will be evaluated and have a plan of care. Additionally, the plan will identify opportunities to move towards a volunteering activity, academic courses or training.

Anticipated Output: 7 formerly chronically homeless persons

HOME INVESTMENT PARTNERSHIPS PROGRAM

Source of Funds: U. S. Department of Housing and Urban Development

Objective: Housing

- Expand supply of decent, safe, sanitary and affordable housing
- Strengthen public-private partnerships
- Development of rental housing

Eligible Activities

- Rehabilitation of owner-occupied housing
- Rental housing development
- Homebuyer assistance
- Tenant-based rental assistance

**100% of these funds must be spent on housing activities
that benefit low-income households**

FFY2017 BUDGET DESCRIPTIONS

STRATEGY: INCREASE OWNER OCCUPANCY

- *Make it easier for renters to become homeowners;*
- *Financial help for down payments and financial counseling for low-moderate income renter households seeking to purchase a first home in Auburn;*
- *Find alternative mortgage financing for New Americans and other residents to be able to move up to homeownership, and work with Auburn Housing Authority to identify potential owners.*

1. Homebuyer Assistance

Proposed Budget: \$45,000

Project Description: Funds will be used to provide a 5 to 1 grant for down payment assistance and an interest-free amortized loan to make home purchase affordable for income eligible applicants.

Anticipated Output: 3 households assisted to purchase a home

2. Special Co-Op Project

Proposed Budget: \$111,828

PROJECT DESCRIPTION: Funds will be used for the development of a Co-Op Housing Project. The funds provided may be in the form of a low interest or forgivable

loan. The City will seek a developer to purchase and rehab a multi-unit building and convert the property for owner occupancy using the housing co-operative model where residents will build equity for themselves and the community.

Anticipated Output: 2 households assisted to purchase a unit

STRATEGY: PREVENT DETERIORATION OF HOUSING STOCK

- *Provide grants, deferred loans, and low-interest loans for the rehabilitation of owner and rental housing that is occupied by low and moderate income households;*
- *Provide matching funds to implement the 3-year federal grant to reduce childhood lead poisoning;*
- *Provide Community Development staff support to the Lewiston-Auburn Lead Subcommittee to assist with implementation of the 5-Year Strategic Action Plan for the Reduction of Childhood Lead Poisoning in the Cities of Auburn and Lewiston.*
- *Financially support code enforcement activities that result in improvements to the housing stock*
- *Provide financial assistance to encourage exterior as well as health and safety improvements.*

3. Homeowner Rehabilitation

PROPOSED BUDGET: \$125,862

PROJECT DESCRIPTION: Funds will be used to provide interest-free amortized loans and forgivable loans for housing improvements of owner-occupied income-eligible households.

Anticipated outcome: 4 households assisted with whole house/curb appeal improvements

STRATEGY: PREVENT HOMELESSNESS

- *Support homeless people first with housing, then with services to help them provide for themselves and their families through work readiness training and job skill development.*
- *Provide staff support to Lewiston-Auburn Alliance for Services to the Homeless (LAASH) to improve access to services and housing for persons who are homeless or at risk.*
- *As a first step towards helping the homeless or at-risk households re-integrate into the community provide a City-sponsored Security Deposit Program as well as other "housing first" approaches.*

4. Tenant Based Rental Assistance/Security Deposit Program

Proposed Budget: \$20,000

Project Description: Funds will be used to provide interest-free loans to pay the security deposit for income eligible households who are homeless or at risk of homeless and will receive a housing voucher from Auburn Housing Authority.

Anticipated Outcome: 33 households

5. Tenant Based Rental Assistance/Staying Home Rental Assistance Program

Proposed Budget: \$75,000

Project Description: Funds will be used to provide rental subsidies to income qualified renters who have been identified by the Auburn School Department at risk of homelessness due to housing affordability issues. Tenants will contribute a fixed percent of their income towards the rent. The subsidy payment will not exceed 12 months. Participants will be encouraged to apply for the Section 8 Voucher Program and participate in the Bridges Out of Poverty Program.

Anticipated Outcome: 16 households

STRATEGY: SUPPORT NEW HOUSING CONSTRUCTION

Provide financial assistance to developers of high-quality affordable mixed income housing in the target areas of Auburn.

6. Development of Rental Housing

Proposed Budget: \$250,000

Project Description: Funds are committed to the development of the 62 Spring Street project, site of the former Dillingham Funeral Home. Funds will be used to pay for the construction of 2 units which will remain subject to HOME restrictions for 30 years. The \$8.6 million project will produce a total of 31 low income housing units, 8 market rate units, and 2,388 sq. ft. of commercial space.

Anticipated Outcome: 2 HOME units

MEETING RECORD
Citizen Advisory Committee Meeting
February 22, 2017

CAC in Attendance: Grady Burns, Belinda Gerry, Ernestine Gilbert, Joe Gray, Larry Pelletier, Doris Russell, Theresa Smith, and Rick Whiting

CAC Absent: Peter Flanders, Kelli Flynn Aiken, Mitch Thomas and Tom Poulin (excused absence)

Staff: Yvette Bouttenot, Alison Pepin, and Michael Chammings

Welcome:

Committee Chair Grady Burns welcomed everyone to today's meeting.

Introductions:

CAC members introduced themselves.

Consolidated Plan Overview and Status of First Year Programs/Projects:

Yvette Bouttenot gave a review of the first year projected outcomes for the 2015-2019 Consolidated Plan.

Discussion about lagging progress :

- **Promote jobs and development** – the STAR Program was not rolled out until late October, we have since received 4 application.
- **Make neighborhood streets safer and more walkable**– Hampshire Street project due to break ground late spring.
- **Increase owner occupancy** – Difficult program to find financially capable households. Common roadblocks are credit problems, insufficient income., etc. Staff continues to market program.
- **Support construction of affordable housing** – 62 Spring Street is scheduled to break ground this summer.

Discussion:

There was a discussion about Co-Op Housing and what the potential advantages and disadvantages could be. Committee member, Rick Whiting discussed his experience with Co-Op Housing and how the restrictions are far more all-encompassing, therefore it can be harder to find buyers. It was asked, what is the role of the City in supporting Co-Op Housing? Response: The city is still exploring its options to work with Craig Saddlemire and or other developers of Co-Op Housing.

A comment was made that it seems reasonable to move Co-Op funds to an area more in need.

What is the STAR Program and how is word getting out? *The STAR Program is a Business Loan Program is designed to encourage the creation or enhancement of business enterprises by providing low interest and forgivable financing for commercial property owners, new or expanding businesses,*

or micro-enterprise business. The program objective is to create new employment opportunities for low and moderate income households and to revitalize storefront spaces in the target areas. Four applications have been submitted to date. Word is getting out through word of mouth, marketing, Economic Development Round Table, the web-site and posters in City Hall.

Community Concepts Weatherization – Would like to see a match from the City added to the description.

Work with Me – Why is the police department involved in Work with Me? *The Police Department has an interest in helping at-risk kids receive job skills. This gives them an opportunity for employment and may prevent involvement in criminal activity. Through their work, they recognized a need and know how to help.*

Committee Member, Larry Pelletier read an e-mail from Shelly Mogul, Auburn School Department, Curriculum Director outlining the skill set a student needs to be successful in life and how the police department is partnering with them to achieve this.

Prevent Homelessness – Can more funds be allocated toward social service agencies that address homelessness? CDBG puts a cap on how much money can be allocated toward public service agencies. There is a 15% cap on the allocation plus program income. Discussion ensued resulting in a vote to add money back to line items Safe Voices and Tedford Shelter.

A motion was made by Rick Whiting and Seconded by Joe Gray to add \$1000.00 back to line item Safe Voices/Social Services and to add \$1000.00 back to line item Tedford Housing & Support Services for Homelessness.

Passage – 7-0

Comments:

Craig Phillips, Executive Director, Tedford Shelter – Spoke about the Stable Home Program.

Alyse Johansen, Executive Director, Safe Voices – Spoke about the Safe Voices program.

Both expressed appreciation for the past CDBG funding and for proposing to fully fund this year's request for funds.

Adjournment

Respectfully submitted,



Alison F. Pepin
Community Development



**City of Auburn
City Council Information Sheet**

Council Workshop Date: March 20, 2017

Order:

Author: Doug Greene, Urban Development Specialist

Subject: Text Amendment for the Adaptive Reuse of a Structure of Community Significance

Information: Currently, certain buildings of a historic, social or culturally significance are prevented from redevelopment or re-use due to existing zoning restrictions. This text amendment would allow the Planning Board to consider making the Adaptive Reuse of Structures of Community Significance to become a Special Exception and allow qualifying structures to be adapted to be reused in ways that the zoning ordinance does not normally allow. The text amendment also includes a provision to waive the application fees.

Advantages: This text amendment would further the objectives of the Comprehensive Plan, prevent demolition of structures that do not function under current economic or regulatory conditions, protect and preserve our community's cultural and historic character and bring important unused buildings back into productive use.

Disadvantages: A Special Exception must meet 7 criteria in order to be approved by the Planning Board. Any applicant will have to prove that the Adaptive Reuse will not be detrimental to the surrounding area and neighborhood.

City Budgetary Impacts: Waiving application fees for a Special Exception (\$500) is a minor loss of city revenues when compared to increased tax revenues and putting a non-productive property and structure back into use for the community.

Staff Recommended Action: Staff recommends APROVAL.

Previous Meetings and History: The Planning Board worked on the first draft for over a year (2015-2016). The new, second draft was worked on by the Planning Board for 3 meetings in 2016. The Planning Board scheduled a public hearing for Tuesday, March 14, 2017, which was cancelled due to the weather and will hold that public hearing tomorrow, Tuesday, March 21, 2017.

Attachments:

1. Memo and text amendment from Doug Greene, Urban Development Specialist and Michael Malloy, City Attorney
2. Order by City Council



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To: Mayor LaBonte and Members of the Auburn City Council

From: Douglas M. Greene, Urban Development Specialist
Michael S. Malloy, Esq., The Malloy Firm

Date: March 20, 2017

RE: Ordinance Revisions: Adaptive Reuse

The Challenge.

As the Planning Board knows, the City's zoning ordinance has, in some instances, frustrated efforts to convert historic structures to new uses. Special buildings that have served important roles in the community are in danger of being demolished because of use restrictions. This can require property owners or prospective property owners to incur expense and uncertainty. To reduce these barriers and to increase the likelihood that Auburn's historic buildings will be preserved and put to productive use, City staff have proposed amending the zoning ordinance to allow for the Planning Board to grant a special exception, allowing qualifying structures to be adapted for new uses that, while not expressly permitted by the permitted uses of their zone, are deemed to be in furtherance of the objectives stated in the City's Comprehensive Plan adopted April 11, 2011 (the "Comp. Plan").

Based on the Planning Board's discussion at their December 13, 2016 and January 10, 2017 meetings regarding Adaptive Reuse, the Staff is submitting this revised text amendment, as well as additional considerations for the Board to discuss.

Justification for Adaptive Reuse Exception: Preserving Auburn's History and Culture.

Preserving Auburn's history and culture has long been a City planning priority, as stated in the Com. Plan's policies designed encouraging the preservation of historically significant properties.

Historic and Archeological Policies:

Goal D.1: Preserve Auburn's history by maintaining and enhancing historic and archeologically significant sites and structures throughout the community.

Comp. Plan at 29.

Objective D.1.1.: Strengthen efforts to identify, protect, and preserve all local, state, and federally significant historic buildings, features, and sites throughout Auburn.

Comp. Plan at 30.

Strategy D.1.1.d: Review and update the historic resource standards in the City zoning ordinance that are used in the review of development applications. The review should include an analysis of the preservation tools available that could help enhance the protection of historic properties throughout Auburn. The City should implement those preservation tools that protect historically significant buildings without placing undue burdens or costs on property owners.

Comp. Plan at 30.

It is therefore appropriate for the Planning Board to consider ways to increase the likelihood that historically significant buildings will be saved from the wrecking ball. The preservation of these buildings can have multiple positive benefits:

- **Environmental:** Preservation is a sustainable action, one that conserves energy. Demolition and new construction requires large amounts of energy but also destroys the past energy investment in the building.
- **Cultural:** By preserving historic or iconic structures, we are able to share and reuse the very spaces and environments in which the generations before us lived. Preservation is the visual and tangible conservation of our cultural identity.
- **Economic:** Preserving older buildings can be a foundation of economic development programs. Special buildings of community significance can help create vibrant, cultural downtowns and neighborhoods that draw tourism, art, festivals, and other activities which in turn draw investment, revenue, and economic growth.

The Saint Louis church is one, but not the only, example of a structure of historic and cultural significance, whose reuse has proved challenging under our existing ordinance. After serving as the Catholic Church in New Auburn for close to 100 years, the Diocese closed the church due to low attendance, and the building was sold to a local group looking to find other productive uses for it. However, the activities currently permitted in the Multi-Family Urban Zone in which the building is located have frustrated the new owner's attempts to find a new use for this property.

The Proposed Solution:

The Planning Department proposes creating a new special exception category that would allow the owner of a qualifying property to petition the Planning Board, through the existing site plan review process, to obtain a special exception to the uses that are customarily permitted in the zoning district where the property is located. This would allow the Planning Board to



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consider each request on a case-by-case basis, and determine whether the structure is of such historical or cultural significance that its permitted uses should be broadened in order to facilitate the building's preservation and reuse. As presented here, a property owner would be required to pay the customary site plan review fees and submit the customary supporting information and documents about the property. *See* Sec. 60-1278 (site plan review is required for all special exception requests). As you know, site plan review can entail submission of a detailed file, including plans and detailed descriptions of the proposed reuse. Sec. 60-1300, Sec. 60-1301. A fee of \$500 is also assessed. Auburn Maine Code of Ordinances, Appendix A.

We suggest adding two definitions in Section 60-2 of the zoning ordinance: (1) a *Structure of Community Significance*, and (2) *Adaptive Reuse*, defined as follows:

Structure of Community Significance means a Building that by virtue of its historic, social, cultural or economic contribution to the community, as determined by the Planning Board, is entitled to a Special Exception allowing its Adaptive Reuse. The Planning Board may consider a Building's age, as well as any evidence of its role in the historic, social cultural, or economic history of the community, in determining whether a Building qualifies for this designation.

Adaptive Reuse means a Special Exception permitting a Structure of Community Significance to be used for one or more purposes, not otherwise permitted in the District in which the Building is located, but which the Planning Board has determined will contribute to the preservation of a Structure of Community Significance, including without limitation, the following uses:

- a) Bed and breakfast homes or inns;
- b) Restaurants, diners or cafes;
- c) Art studios and galleries;
- d) Performing arts centers;
- e) Medical and dental clinics;
- f) Office space;
- g) Municipal and government uses; and
- h) Retail sales as an accessory use.

Once these definitions are added, they could then be incorporated into the list of Special exceptions permitted in any District that you deem appropriate. This can be done in two ways. The first would be to add *Adaptive Reuse of Structure of Community Significance* as a special exception in the Low Density Rural Residential zone. By reference, this would also allow the

special exception to be made in additional zones that incorporate those special exceptions that are permitted in the Low Density Rural Residential zone (which are the Suburban Residence, Urban Residence, Multifamily Suburban, and Multifamily Urban Districts).¹ This approach requires fewer revisions to the ordinance. However, some readers who are less familiar with our ordinance and its cross references, may find it burdensome to trace this exception through its numerous cross-references. Therefore, a second approach, would be to simply add *Adaptive Reuse of a Structure of Community Significance*, to the list of Special Exceptions in each additional District where you wish to make it available.

Finally, we wish to raise two aspects of the Site Plan process that may be seen as hindrances to redevelopment of historic structures. While the Planning Board may already waive the file submission requirement (Sec. 60-1302), it does not have the discretion to waive the filing fee (cite). In light of these expenses, which developers of historic properties may not feel go far enough in encouraging reuse of historic properties whose upkeep and repair may already be quite expensive, the Board may wish to consider a reduced Site Plan Review fee as part of this process, or proposing a section that would expressly allow the Planning Board to waive the site plan review fee for adaptive reuse applications on a case by case basis, just as the Board may waive the requirement to submit a detailed site plan review file. This could be done by revising the fee schedule in Appendix A to the City's ordinances, to insert a reduced or modified fee for Adaptive Reuse applications.

Attached for your review are the following:

Exhibit A: The existing definitions section of our zoning ordinance, illustrating the two proposed additions in redline.

Exhibit B: The existing Low Density Rural Residence District section, contained in Article IV, Section 4, of the ordinance. The proposed addition is in redline.

Exhibit C: Proposed revision to Section 60-1302, to authorize the Planning Board to waive site plan review fees for Adaptive Reuse applications

¹ We assume that the existing permitted uses in the other zones would either be flexible enough to accommodate the reuse of culturally significant structures, or that there are insufficient structures for this to be a concern. We recommend that the Board explore this issue during its deliberations and public comment sessions, to see whether this is the case.

Exhibit A: Definitions Section, as Proposed.

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:

Accessory structure or building means an uninhabited building, at least five feet in distance from the principal building, used for a purpose which is customarily subordinate and incidental to that of the principal building or to the principal use of the land and which is located on the same lot as the principal building use. The term "accessory buildings," in residential districts, includes tool sheds, wood sheds, detached garages and swimming pools. No accessory building shall house a home occupation or professional office or be used as a sales outlet in a residential district.

Accessory use means a subordinate use of land or building which is customarily incidental and subordinate to the principal building or to the principal use of the land and which is located on the same lot with the principal building or use.

Adaptive Reuse means a Special Exception permitting a Structure of Community Significance to be used for one or more purposes, not otherwise permitted in the District in which the Building is located, but which the Planning Board has determined will contribute to the preservation of a Structure of Community Significance, including without limitation, the following uses:

- a) Bed and breakfast homes or inns;
- b) Restaurants, diners or cafes;
- c) Art studios and galleries;
- d) Performing arts centers;
- e) Medical and dental clinics;
- f) Office space;
- g) Municipal and government uses; and
- h) Retail sales as an accessory use.

Adult day center means a supervised facility providing a program of education, crafts or recreation for adults over the age of 55 years.

Animal unit means one living animal of any species.

Antique shop means a building, or portion of building, where artifacts from generally recognized previous eras are sold or traded as the primary commercial activity.

Apartment. See the term *Dwelling unit*.

Architectural features means exterior building elements intended to provide ornamentation to the building massing, including but not limited to, eaves, cornices, bay windows, window and door surrounds, light fixtures, canopies, and balconies.

Art galleries means a building or place where works of art or other objects of value are kept, displayed, produced and offered for sale to the general public.

Artist studio, residential means a dwelling where up to 50 percent of the total floor space can be used for the production of art and/or craft products. The term "residential artist studio" shall not include

galleries or studios open to the public for display or sales. All artist studios shall be designed to meet all residential safety and occupancy requirements and shall be considered to be accessory to the residential use.

Automobile means a passenger vehicle propelled by a self-contained motor. The term "automobile" also includes motorcycles, all-terrain vehicles, trucks and recreation vehicles (RVs).

Automobile and marine paint and body shops means a building in which the business of automobile and marine paint and bodywork is conducted. Such use may also include as an accessory use a facility for the orderly display and sale of vehicles which have undergone substantial body repair on the premises. No such facility shall display, outdoors or indoors, or offer for sale more than ten vehicles at any one time.

Automobile and marine repair and service station means a building, lot or both in or upon which the business of general motor repair and vehicle service is conducted, but excluding junk and/or wrecking businesses.

Automobile, commercial, means a vehicle the primary use of which is commercial in character.

Automobile filling station means a building or lot having pumps and storage tanks at which fuel, oil or accessories for the use of motor vehicles are dispensed, sold or offered for sale at retail, where repair service is incidental and no vehicle storage or parking space is offered for rent.

Automobile garage, private, means an accessory building or portion of a main building designed, arranged or used for housing of private motor vehicles, only one of which may be a commercial vehicle. Not more than 50 percent of the space in such a garage shall be used for housing vehicles other than those owned by occupants of the premises.

Automobile parking lot, private, means a parcel of land, lot or portion thereof required, in accordance with these regulations, for off-street automobile parking.

Automobile repair and service station means a building, lot or both in or upon which the business of general motor vehicle repair and service is conducted, but excluding junk and/or wrecking business.

Automobile sales lot means a lot arranged, designed or used for the storage and display of motor vehicles or any unoccupied trailer for sale.

Automobile scrap yard means any land or building used for the dismantling, storage and salvaging for reuse of automobiles or other vehicles not in running condition.

Automotive towing and storage means a business engaged in/or offering the services of a towtruck or towing service whereby motor vehicles are towed or otherwise removed from one place to another by the use of a motor vehicle specifically designed for that purpose. Storage of towed vehicles is considered to be the keeping of vehicles in a secured yard for not more than 120 days until claimed or disposed of in accordance with the laws of the state.

Basement means that portion of a building below the first floor joists having at least one-half of its clear ceiling height above the main level of the adjacent ground.

Bed and breakfast home means an accessory use to a single-family dwelling involving the renting of four or fewer guestrooms to transient guests who are staying for a limited duration (seven consecutive days and/or 60 accumulated days in a calendar year) and the serving of breakfast only to house guests. Such establishment shall be owned and operated by the resident of the dwelling. The term "bed and breakfast home" also includes a tourist home.

Bed and breakfast inn means a dwelling involving the renting of more than four but fewer than ten guestrooms to transient guests who are staying for a limited duration (seven consecutive days and/or 60 accumulated days in a calendar year) and the serving of breakfast to house guests only. Such use may provide a restaurant, function rooms and places of public assembly.



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Boardinghouse or lodginghouse means a dwelling which, for compensation, lodging, or lodging and meals are provided to more than four persons and where a proprietor or owner resides in the building. No provisions for cooking in individual rooms other than a main kitchen is allowed.

Building means a structure having one or more stories and a roof, designed primarily for the shelter, support or enclosure of persons, animals or property of any kind. (See the term *Structure*.)

Building envelope means the ground area on a lot and the space above it on which a building may be constructed.

Building form means the overall shape and dimensions of a building.

Building height means the vertical distance from the grade of the top of the highest roof beams of a flat roof, or to the mean level of the highest gable or slope of a hip roof. When a building faces on more than one street, the height shall be measured from the averages of the grades at the center of each street front.

Building inspector means the building inspector of the City of Auburn, Maine, or their duly authorized agent.

Building line means a line beyond which the foundation wall and/or any enclosed porch, vestibule of other enclosed portion of a building shall not project.

Building, principal, means a building in which is conducted the principal use of the lot on which it is situated.

Care home means a rest, nursing, or convalescent home established to render domiciliary nursing care and board for chronically ill or convalescent patients, or persons who are infirm because of mental or physical conditions, but excluding a child care home or one for the care of mentally retarded patients, alcoholics, psychotics or drug addicts.

Cellar means that portion of a building below the first floor joists having at least one-half of its clear ceiling height below the mean level of the adjacent ground. A cellar shall not be used for habitation.

Cemetery means a place used for the permanent interment of dead bodies or cremated remains thereof. A cemetery may be a burial park of earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination of one or more thereof.

Child care home means a child boarding home, summer camp, foster family home or other place providing domiciliary arrangements for compensation, of three or more children, unrelated to the operator by blood, marriage or adoption, under 18 years of age. A facility providing child day care less than 24 hours per day, per child, to more than five children shall not be considered a child care home. The term "child care home" includes any family-type facility which provides child care to children placed by order of any court of competent jurisdiction, or by any public welfare department, or other governmental agency having responsibility for placing children for care, or placed by child-placing agency licensed under state law.

Child day care center means a facility conducted or maintained by anyone who provides, for consideration, care and protection for more than 12 children under 16 years of age, unrelated to the day care center operator, who are unattended by parents or guardians, for any part of the day. Any facility, the chief purpose of which is to provide education, shall not be considered to be a day care center, but is classified as a nursery school.

Child day care home means an accessory use of a residence by a person residing on a premises to provide on a regular basis, and for consideration, care and protection for up to 12 children under 16 years of age, unrelated to the day care home operator, who are unattended by parents or guardians, for any

part of the day. Any facility, the chief purpose of which is to provide education, shall not be considered to be a day care home, but is classified as a nursery school. A child day care home shall not be located closer to another child day care home than 500 feet measured along the street frontage. Child day care homes shall be reviewed under the city's home occupation regulations (article IX of this chapter) and shall meet the following:

- (1) All outdoor play areas, used in conjunction with the day care operation, shall be fully enclosed by a fence, a minimum of four feet in height.
- (2) If the property utilizes a private sewerage disposal/septic system a written verification from a site evaluator, stating that the current system can handle the change of use to include the children in the proposed day care, shall be submitted.

Church means a building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which buildings, accessory buildings and uses are maintained and controlled by a religious body organized to sustain public worship.

Clinic means an establishment where patients are accepted for treatment by a group of physicians practicing medicine together, but shall not offer domiciliary arrangements; medical and dental.

Club, private, means any building or rooms, which serve as a meeting place for an incorporated or unincorporated association for civic, social, cultural, religious, literary, political, recreational or like activities, operated for the benefit of its members and not open to the general public.

Community based residential facilities (CRF) means dwelling units providing communal domiciliary arrangements for a group of unrelated persons under supervision of the state government human service agencies, for the transition of formerly institutionalized persons back into the mainstream community living and participation, a halfway house, or a group home.

Comprehensive plan means the master development plan of the City of Auburn, Maine, any amendments or additions thereto, part or portion thereof adopted by the city council upon recommendations of the planning board of Auburn, Maine, pursuant to 30-A M.R.S.A. § 4323.

Convenience store means a business establishment having an interior selling space of less than 3,000 square feet where general food supplies for the table, other articles of household use and gasoline pump service is offered for sale. Such a use may include the sale of food vended in disposable containers for consumption on or off the premises.

Court means an open, unoccupied space, other than a yard, on the same lot with a building or group of buildings which is bounded on two or more sides by such building or buildings and every part of which is clear and unobstructed from its lowest point to the sky.

Dental clinic means an establishment where patients are accepted for treatment by a group of dentists practicing dentistry together.

Development standard(s) means building standards that establish basic parameters governing building form, including the envelope for building placement in three dimensions and certain permitted and required building elements such as storefronts, balconies, street walls, etc. The development standards establish both boundaries within which development may take place and what requirements apply.

Director means the director of planning and any successor or other official designated from time to time by the city council to enforce the provisions of this chapter.

District or zone means an area within which certain uses of land and buildings are permitted or denied pursuant to municipal review, and certain others are prohibited.

District, overlay, means a special district or zone which addresses special land use circumstances and environmental safeguards and is superimposed over the underlying existing zoning districts. Permitted uses in the underlying zoning district shall continue subject to compliance with the regulations of the overlay zone or district.



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Dormitory means a building or portion thereof used for sleeping purposes in connection with a school, college or other educational institution.

Driveway means private ways intended for internal vehicular circulation on a lot or within an automobile parking lot.

Dump means any premises used primarily for disposal by abandonment, discarding, dumping, reduction, burial, incineration or any other means and for whatever purpose of garbage, trash, refuse, dead animals, waste materials of any kind, junk; but not untreated sewage, animal waste, discarded machinery, or vehicles or parts thereof. The establishment of any dump shall be approved by the city council of the City of Auburn.

Dwelling or *dwelling unit* means a building or portion thereof arranged or designed to provide living facilities for one or more families.

Dwelling, multifamily, means a residence designed for or occupied by three or more families with separate housekeeping and cooking facilities for each.

Dwelling, one-family detached, means a dwelling unit singly and apart from any other building and intended and designed to be occupied and used exclusively for residential purposes by one family only, excluding those forms of temporary housing permitted by section 60-666. Each one-family detached dwelling shall contain not less than 700 square feet of net floor area of habitable space.

Dwelling, seasonal, means a dwelling occupied for not more than six months of any year.

Dwelling, two-family, means a freestanding building intended and designed to be occupied and used exclusively for residential purposes by two families only, with separate housekeeping and cooking facilities for each.

Dwelling unit means a room or group of rooms located within a building and forming a single habitable unit, physically separated from any other rooms or dwelling units which may be in the same structure, with facilities which are used for or intended to be used for independent living, sleeping, cooking and eating purposes. Dwelling units available for rental or occupancy for periods of less than one week shall be considered boarding/lodging units.

Eave means the edge of a roof which projects beyond the exterior wall.

Encroachment means any architectural feature, structure or structural element, such as a gallery, fence, garden wall, porch, stoop, balcony, bay window, terrace, or deck that breaks the plane of a vertical or horizontal regulatory limit exceeding into a setback, the public frontage, or above a height limit.

Erected includes the terms "built," "constructed," "reconstructed," "enlarged" and/or "retained on."

Facade means the vertical surface of a building.

Family means one or more persons occupying a single housekeeping unit and using common cooking facilities, provided that unless all members are related by blood or marriage, no such family shall contain over four persons.

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:

- (1) 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
- (2) 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.

Farm, animal, means any parcel of land that contains at least the following land area used for the keeping of horses, mules, cows, goats, sheep, hogs and similar sized animals for the domestic use of the residents of the lot, provided that adequate land area is provided for each animal unit, excluding water bodies of one-quarter acre surface area or larger:

- (1) Cattle: One bovine animal unit per acre of cleared hay-pasture land.
- (2) Horse: 1.5 animal units per acre of cleared hay/pasture land.
- (3) Sheep: Three animal units per acre of cleared hay/pasture land.
- (4) Swine: Two animal units per acre of cleared land.
- (5) Other animal farms: The required lot size shall be determined by municipal officer charged with enforcement and shall conform to the lot size for similar sized animals.

Floodplain overlay means those areas of the city which are directly affected by flooding as shown on the flood insurance rate maps (FIRM) as established by the Federal Emergency Management Agency and that shall comply with the pertinent regulations found in division 2 of article XII of this chapter pertaining to the Floodplain Overlay District.

Floor area of building means the total number of square feet of floor area of all stories in a building, excluding cellars, uncovered steps and uncovered porches. All horizontal measurements shall be made between exterior faces of walls.

Form based code means a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code.

Form based code zoning district means one of the five areas on the regulating plan, including Transect 4.1 (T-4.1), Transect 4.2 (T-4.2), Transect 5.1 (T-5.1), Transect 5.2 (T-5.2), and Transect 6 (T-6).

Frontage means the length of a lot extending between the side lot lines of a lot which borders an accepted portion of a street. Maine Turnpike frontage does not apply to this definition.

Frontage line means the lot line(s) of a lot fronting a street or other public way.

Greenhouse means an enclosed structure where trees, shrubs, vines and plants are propagated, grown or maintained. Activities associated with a greenhouse include:

- (1) The sale of greenhouse products and related supplies; and
- (2) The storage of material used in the maintenance of plants and growing items sold.

Grocery store means a small retail establishment having an interior selling space of less than 3,000 square feet where general food supplies for the table and other articles of household use are offered for sale. Such a use may include the sale of food vended in disposable containers for consumption on or off the premises; a corner market, a mom and pop store.

Ground area of building means the total number of square feet of horizontal surface covered by a building, including covered porches and accessory buildings. All measurements shall be made between exterior faces of walls, foundation, piers or other means of support.

Group home. See the term *Community based residential facilities*.

Guesthouse means a detached dwelling that is intended, arranged or designed for occupancy by transient, nonpaying visitors.

Habitable space means that area within a dwelling which has headroom of not less than seven feet when measured vertically upward from the finished floor, provided that any such area next below the roof

of a dwelling shall be counted only if it is connected with the story next below by a permanent inside stairway. The floor area of any porch, cellar room, garage or shed attached to such dwelling shall not be counted in any measure of habitable space.

Half-story means a story directly under a sloping roof in which the points of intersection of the bottom of the rafters with the interior faces of the walls are less than three feet above the floor level.

Historic site means a parcel of land, a particular building, or a group of buildings that have played a significant role in the history of the community, and identified as such by the state historic preservation committee.

Historic or archaeological resources means areas identified by a governmental agency such as the state historic preservation commission as having significant value as historic or archaeological resources and any areas identified in the municipality's comprehensive plan.

Hog farm means any land or building used for the purpose of keeping, feeding or raising 20 or more swine per piggery. Establishment of this use requires approval from the city health department.

Home occupation means the accessory use of a dwelling unit for a business or commercial venture engaged in, by the person residing in the dwelling unit, and which allows up to one person who does not reside on the premises to be employed by that home occupation.

Hospital means any institution receiving inpatients and rendering medical, surgical and/or obstetrical care. The term "hospital" includes general hospitals and institutions in which service is limited to special fields such as cardiac, eye, nose and throat, pediatric, orthopedic, skin, cancer, mental health, tuberculosis, chronic disease and obstetrics. The term "hospital" also includes sanitariums, including those wherein mentally retarded and mental patients, epileptics, alcoholics, senile psychotics or drug addicts are cared for or treated.

Hotel means a building in which the primary use is transient lodging accommodations offered to the public on a daily rate of compensation and where ingress and egress to the sleeping rooms is primarily through an inside lobby or office, supervised by a person in charge at all hours. Such facilities may include accessory uses such as restaurants, bars, nightclubs, function rooms, places of public assembly and/or recreational facilities.

Household pet means any animal kept as a pet and normally housed at night within the owner's dwelling or an accessory building on the same lot, including laying hens, but not including any animal normally raised as livestock or poultry or any animal raised for commercial gain. No household pet shall be kept that creates a public nuisance by reason of:

- (1) Objectionable effects perceptible outside the owner's property, such as excessive or untimely noise or offensive odors; or
- (2) Being a hazard to the health, safety and welfare of neighbors, invited guests or public servants visiting the property in the pursuit of their normal duties.

Illustrative plan means a plan or map that depicts (i.e. Illustrates but does not regulate) the streets, lots, buildings and general landscaping of the proposed Downtown Auburn/New Auburn Form-Based Code District.

Industrial use, heavy, means the use of real estate, building or structure, or any portion thereof, for assembling, fabricating, manufacturing, packaging or processing operations.

Industrial use, light, means the use of real estate, building or structure, or any portion thereof, the main processes of which involve the assembly of prefabricated parts and which will not create a nuisance by noise, smoke, vibration, odor or appearance.

Institution means any building or open area used only by an educational, religious, medical, charitable, philanthropic, or nonprofit organization, either public or private.

Institution, philanthropic, means a private, nonprofit organization that is not organized or operated for the purpose of carrying on a trade or business, no part of the net earnings of which inures to the benefit of any member of said organization and which either:

- (1) Provides volunteer aid to the sick and wounded of the armed forces in time of war and relief services to victims of natural or manmade calamities; or
- (2) Provides all or any of the following: religious, social, physical, recreational and benevolent service.

Institution, private educational, means any private school or educational institution, however designated, which offers an academic curriculum of college, professional, preparatory, high school, middle school, elementary, kindergarten or nursery school instruction, or any combination thereof; but not a training program of trade, craft, technical or artistic instruction operated by a governmental entity. No private educational institution shall be deemed a home occupation. (See the terms *Training school* and *School*.)

Institution, research, means an agency for scientific research of technical development including offices, libraries, laboratories, testing facilities and equipment incidental to such research and development.

Junkyard or automobile graveyard means any land or building used for the abandonment, storage, keeping, collecting or bailing of paper, rags, scrap metal, other scrap or discarded material, or for the abandonment, demolition, dismantling, storage or salvaging of automobiles or other vehicles not in running condition, machinery or parts thereof. Establishment and operation of this use requires annual approval from the City Council of Auburn, Maine.

Kennel means any building and/or land used, designed or arranged for the boarding, breeding or care of dogs, cats, pets, fowl or domestic animals, kept for purposes of show, hunting or as pets, except horses.

Land use permit means a permit required for the use of property that is legally permitted under the provisions of this chapter.

Landscape services means the actual planting, bed preparation, installation of landscape materials and maintenance of the landscape, planting and materials. Activities associated with landscaping include: the storage of materials and equipment related to the performance of landscaping, the temporary storage of trees, shrubs and plants pending installation in an existing landscape plan and the application and storage of pesticides and fertilizers by a licensed person.

Lawn maintenance service means the care and upkeep of the landscape after its installation and consists of such activities as mowing of the lawn, pruning of trees and shrubs, application by hand of fertilizer and weed control, insect and disease control, planting and care of flower beds, replacement of dead plants, incidental repairing of walls and paved surfaces, cleaning of fountains and pool basins, irrigation of lawns, cultivation of soil around trees and shrubs, rolling and reseeding of lawns, raking of leaves, winterization of trees and shrubs and snow removal.

Library means a place containing books and other material for reading, study or reference, provided that no such material is offered for sale.

Livestock means domestic animals kept, used or raised on a farm for the production of income.

Lodge, private. See the term *Club, private*.

Lot means for zoning purposes, as covered by this chapter, a lot is a parcel of land under one ownership or joint ownership of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an accepted public street and may consist of:



City of Auburn, Maine

Office of Economic and Community Development
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Auburn, Maine 04210
207.333.6601

- (1) A single lot of record;
- (2) A portion of a lot of record;
- (3) A combination of complete lots of record;
- (4) A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residential lot or parcel be created which does not meet the requirements of this chapter;
- (5) Lots shown on a plan approved by the planning board of the City of Auburn.

Lot frontage/width means the front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements or corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under the definition of yards in this section.

Lot line, rear, means the lot line generally opposite or parallel to the front lot line, except in a through lot. If the rear lot line is less than ten feet long or the lot comes to a point at the rear, said rear lot line is assumed to be a line not less than 20 feet long, lying wholly within the lot, parallel to the front lot line, or in the case of a curved front lot line, parallel to the chord of the arc of said front lot line.

Lot measurements means the following measurements:

- (1) The depth of a lot shall be considered to be the uninterrupted distance between the midpoints of lot frontage and the midpoint of the rear lot line unless the lot meets the exception provided for by section 60-39.
- (2) The width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided, however, that the width between the side lot lines at their foremost points (where they intersect the street line) shall not be less than 80 percent of the required lot width except in the case of a lot on the turning circle of a cul-de-sac, where the 80 percent requirement shall not apply.

Lot of record means a lawfully laid out lot which is part of a subdivision recorded in the proper office of the registry of deeds, or a lawfully laid out lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot types means the diagram which follows illustrates terminology used in this chapter with reference to corner lots, interior lots, reversed frontage lots and through lots. In the diagram above, the lots designated by letters are defined as follows:

- (1) Corner lot, defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees. (See lots marked A(1) in diagram)
- (2) Interior lot, defined as a lot other than a corner lot with only one frontage on a street other than an alley.
- (3) Through lot, defined as a lot other than a corner lot with frontage on more than one street other than an alley. Through lots with frontage on two streets may be referred to as double frontage lots.

- (4) Reversed frontage lot, defined as a lot in which the frontage is at right angles or approximately right angles to the general pattern in the area involved. A reversed frontage lot may also be a corner lot or an interior lot. (See A-D and B-D in diagram.)

Lot, undersized, means for zoning purposes, as covered by this chapter, an undersized lot is a parcel of land of insufficient size to meet minimum zoning requirements for area or width or depth.

Major or principal arterial highway means the highway that:

- (1) Serves the major traffic movements within urbanized areas such as between central business districts and outlying residential areas, between major intercity communities, or between major suburban centers;
- (2) Serves a major portion of the trips entering and leaving the urban area, as well as the majority of the through traffic desiring to bypass the central city;
- (3) Provides continuity for all rural arterials which intercept the urban area. The term "major or principal arterial highways" includes Washington Street (State Routes 4 and 100, U.S. 202), Minot Avenue (State Routes 11 and 121), Union Street/Center Street/Turner Road (State Route 4), Veterans Memorial Bridge and approaches (State Routes 11 and 100, U.S. Route 202), North Bridge/Court Street to in town Minot Avenue Intersection (Turner Street), Court to Center Street (State Route 4).

Major retail development means a single building in excess of 100,000 square feet of new ground floor retail space.

Manufactured housing means a structural unit designed for occupancy, and constructed in a manufacturing facility and then transported by the use of its own chassis, or placed on an independent chassis, to a building site. The term "manufactured housing" includes any type of building which is constructed at a manufacturing facility and then transported to a building site where it is utilized for housing and may be purchased or sold by a dealer in the interim. The term "manufactured housing" includes newer mobile homes and modular homes.

Mining, quarrying, or earth removing means the excavation of any earth materials.

Minor arterial highway means the highway that:

- (1) Serves trips of moderate length at a somewhat lower level of travel mobility than principal arterials;
- (2) Provides access to geographic areas smaller than those served by the major arterial highway system; and
- (3) Provides intra-community continuity but does not penetrate identifiable neighborhoods. Examples are Riverside Drive, Mill Street, South Bridge (Broad Street to Mill Street), Main Street, Mechanics Row, High Street (Minot Avenue to Academy Street), Academy Street (High Street to Main Street), Elm Street, Spring Street (Minot Avenue to Court Street), Turner Street (Union Street to Turner Road), Mount Auburn Avenue (Center Street to Turner Street), Lake Street, Court Street (Union Street to in town Minot Avenue Intersection), Hotel Road (Manley Road to Poland Spring Road).

Mobile home development, intended to be generic, includes mobile home parks, mobile home subdivisions, and mobile home condominiums.

Mobile home park means a parcel of land under single ownership in rural residence and suburban residence districts which has been planned and improved for the placement of not less than three mobile homes for nontransient use.

Mobile homes, newer, means those units constructed after June 15, 1976, commonly called "newer mobile homes," which the manufacture certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures, transportable in one or



City of Auburn, Maine

Office of Economic and Community Development
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

more sections, which, in the traveling mode, are 14 body feet or more in width and are 700 or more square feet, and which are built on a permanent chassis and designed to be used as dwellings on foundations when connected to the required utilities, including the plumbing, heating, air conditioning and electrical system contained therein; except that the term "newer mobile homes" includes any structure which meets all the requirements of this definition, except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban development and complies with the standard established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, 42 USC 5401 et seq.

Mobile homes, older, means any factory-built home which fails to meet the definition of manufactured housing and more specifically, the term "older mobile homes" means any mobile home constructed prior to June 15, 1976. These units shall be restricted to approved mobile home parks.

Modular homes means those units which the manufacturer certifies are constructed in compliance with the state's Manufactured Housing Act and regulations, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air conditioning or electrical systems contained therein.

Motel means a building or group of detached buildings intended primarily to provide sleeping accommodations to the public on a daily rate of compensation and having a parking space generally located adjacent to a sleeping room. Such facilities may include a main kitchen or snack bar for the use of motel guests only.

Municipal sanitary landfill means a disposal site for household, commercial and industrial wastes, sludge or incinerator ash operated or controlled for operation by the city in a controlled manner involving the covering of deposited wastes with layers of earth so as to reduce health hazards and public nuisances from vermin, insects, odors and wind-borne debris. The location and design of sanitary landfills also require precautions against ground and surface water contamination through clay lining, water impoundment, aquifer avoidance and similar techniques.

Municipal uses means any lawful use of a building or of land carried on by the city sanitary landfill shall not be deemed a municipal use.

Museum means a building or place where works of art or other objects of permanent value are kept and displayed, provided such objects are not offered for sale.

Nonconforming building means a building lawfully existing at the time this or any previous zoning ordinance became effective and which does not conform to the dimensional regulations of the district in which it is located.

Nonconforming lot means a lot lawfully existing at the time this or any previous zoning ordinance became effective and which does not conform to the dimensional regulations of the district in which it is located.

Nonconforming use means a use of a building or of land lawfully existing at the time this or any previous zoning ordinance became effective and which does not conform with the use regulations of the district in which it is located.

Nursery means an outdoor place where live trees, shrubs, vines and plants are propagated, grown or maintained before permanent planting. Activities associated with nursery a business include: the sale of nursery products and related gardening supplies, the storage of material used in the maintenance of plants and growing items sold and the use of power-motorized equipment required by the nursery.

Nursery, child, means a facility providing a program less than 24 hours per day per child for the care of infants up to the age of 2½ years.

Nursery, wholesale, means a nursery where plants, trees, shrubs and vines are propagated and/or grown and sold only at wholesale to industry related buyers such as retail nurseries, greenhouses and landscape contractors. A wholesale nursery may also provide landscape services accessory to the nursery use provided.

- (1) 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; and
- (2) 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.

Office means a building, or portion of a building wherein services are preformed involving predominantly administrative, professional or clerical operations.

Office trailer means a movable vehicle or structure designed for yearround or temporary occupancy for purposed of supervising construction; for business actually engaged in the business of selling manufactured housing, mobile homes and trailers; and as temporary office space for a business during the period in which permanent office space is being constructed.

Outpatient addiction treatment clinic means a program or facility operated for the purpose of and specializing in the care, treatment and/or rehabilitation of persons suffering with addictions, including but not limited to gambling addition, alcohol or controlled substance addictions. The term "outpatient addiction treatment clinic" includes, but is not limited to, substance abuse treatment programs licensed by the State of Maine Department of Behavioral and Developmental Services Office of Substance Abuse. An outpatient addiction treatment clinic shall not be located within 2,000 feet of any property that is occupied by a church, school, family day care home, small day care facility, day care center, or public park or playground on the date of application for a license for such a facility. The term "outpatient addiction treatment clinic" does not include an inpatient or residential addiction treatment program, or a program consisting solely of support group activities without treatment by licensed health practitioners, such as Alcoholics Anonymous, Narcotics Anonymous, and similar programs.

Parapet means a low wall along the edge of a roof or the other portion of a wall that extends above the roof line.

Parking space, off-street, means a rectangular area, not less than nine feet by 18 feet, forming a parking stall within or without a structure, not located in any public right-of-way.

Performing arts center means a public or private space used to create and present various performing and visual arts. For the purposes of this definition, the term "performing arts center" also includes educational and training uses associated with the various performing and visual arts.

Personal services means the furnishing of labor, time and effort by a person as an independent contractor not involving the delivery of a specific end product.

Place of worship see definition of church.

Planning board means the planning board of the City of Auburn, Maine.

Primary entrance means a section of building elevation which contains the street level principal entrance of the business, including the businesses on upper floors or in a basement.

Principal use means the principal use for which a lot or main building thereon is designed, arranged or intended and for which it is or may be used, occupied or maintained.

Professional office means rooms and/or buildings used for office purposes as the principal use by members of any recognized profession, including doctors, dentists, lawyers, accountants, engineers, architects, veterinarians, etc.



City of Auburn, Maine

Office of Economic and Community Development
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

Realm, private means the physical and social domain that is considered private by their physical location and visual association being away from public view. This is considered areas behind the front building facade along with side and rear yard areas.

Realm, public means the physical and social domain of the public that is held in common either by their physical presence or visual association. This includes but is not limited to sidewalks, plazas, squares, parks, streets, front yards, civic buildings and civic spaces.

Recreational uses of land means permanent uses of outdoor space which are intended or designed for public use and include but are not limited to ski areas, golf courses (both public and private), driving ranges, horse boarding and riding facilities, miniature golf, paintball, horse and dog racing, snowmobile races and facilities for mass gatherings when used for two or more events during a calendar year.

Regulating plan means the adopted map that shows the Form Based Code zoning districts, which correspond to the special requirements of the form based code.

Restaurant means an eating place in which food is prepared and vended for immediate consumption on the premises without further preparation by the customer. The takeout of food on an infrequent basis is not prohibited.

Restaurant, carry-out, means an eating place in which all food is vended in disposable containers for consumption on or off premises at the customer's choice; a fast-food restaurant.

Restaurant, drive-in, means an eating place in which the business transacted is conducted by a customer from within his automobile or in which consumption of goods sold normally takes place within the customer's automobile on the establishment's premises.

Retail means a principal use encompassing the sale of commodities or goods in small quantities directly to the consumer. The term "retail" sales does not include sales of professional, financial and governmental services and personal services, including but not limited to a hotel and its accessory uses (restaurants, salons, gift shops, recreational facilities, convention space, etc.).

Retail space means the areas of a building, within a climate controlled environment, devoted to the display of commodities or goods for sale directly to the consumer and including customer sales transaction areas and areas associated with customer access.

Rifle, pistol, skeet or trap shooting range means a rifle, pistol, skeet or trap shooting range operated by an individual or club. Such a range may be opened to the general public or developed for the exclusive use of the individual, or club and invited guests.

Road means any public or private traveled way or any portion thereof.

Roof means the covering for a building which is an integral part of the structure for the purpose primarily of protecting the interior of the building or covering a porch or other similar permanent portion thereof, excluding awnings, stoop coverings, or similar additions which are removable without substantially impairing the original structure.

Sawmill means a unit designed to saw logs into lumber, firewood or other processed wood products.

School means an educational institution offering an academic curriculum; not the teaching of the crafts or a training school offering a program of trade, technical instruction or physical education. (See the term *Training school*.)

Shared housing means housing consisting of two or more families occupying a single dwelling and using common cooking facilities. Shared housing shall permit the same number of families at the same density as allowed in the zoning district where the property is located subject to all applicable codes relating to building, housing, life safety, health and zoning as would be applied to independent living units

located in the same structure. Approval for shared housing shall be secured from the department of community development and planning subject to the codes and ordinances indicated in this definition, prior to establishing a shared housing arrangement in any building.

Shelter for abused persons means dwelling facilities complying with the laws administered by the state government human services agencies, providing temporary domiciliary arrangements for children and adults unable to protect their own interest and welfare because of critical family circumstances.

Shopping center or office mall means a planned integrated complex of three or more retail stores and/or offices sharing a common structure and developed according to a unified plan. Such uses may include a common pedestrian circulation system and off-street automobile parking facilities.

Sign means any device, display surface, structure or object in public intended for visual communications.

Sign, mobile mounted, means a temporary sign which is mounted or for mounting on wheels or a mobile platform or which is portable.

Sign, official business directional, means any off-premise sign permitted to be erected pursuant to article II of chapter 42.

Sign, on-premises, means any sign that advertises, calls attention to, or indicates the person occupying the premises on which the sign is erected or maintained or the business transacted thereon, or advertises the property itself or any part thereof as for sale or rent, and which contains no other matter.

Sign, standing, means any sign that is not attached to a building.

Sign, temporary, means any movable sign, including its supporting structure, intended to be maintained for not more than 90 days in any calendar year.

Site-built home means a building constructed on-site which is designed to be used as a dwelling on foundations, when connected to the required utilities.

Slaughterhouse (abattoir, dressing plant) means any building, place or establishment in which is conducted the slaughtering of livestock and/or poultry for commercial purposes.

Special exception means a use that would not be appropriate generally or without restriction throughout the district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, order, comfort, convenience, appearance, prosperity, or general welfare. Such a use may be permitted in such district as a special exception, if specific provision for such special exception is made in this zoning chapter and reasonable restrictions imposed by the planning board are complied with.

Specialty shop means a retail business offering products of a similar kind and nature designed for a particular use, purpose or occasion and distinguished from a store offering the same type of product together with other products of a non-homogeneous quality.

Stable, riding, means any building or structure used or designed for boarding, breeding or care of horses, other than horses used for farming or agricultural purposes.

Standing means a person who holds title, right or interest in a property which may include a written option, contract to purchase the property or a leasehold interest or may be a person who can show how his actual use or enjoyment of property will be adversely affected by the proposed decision as an abutter as defined in section 60-1473.

Story means that portion of a building between the surface of any floor and the surface of the other floor or roof next above it, but not including the lowest portion so contained if more than one-half of such portion vertically is below the mean finished grade of the ground adjoining such building unless such space is used for business or as habitable space, in which case it shall count as a story.

Story, half, means a story under the gable, hip or gambrel roof, the plates of which on at least two opposite exterior walls are more than two feet above the floor of such story.



City of Auburn, Maine

Office of Economic and Community Development
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

Street means the following:

- (1) A public way laid out and established by the state, county commissioners of the County of Androscoggin;
- (2) A way accepted by the municipal officers of the city;
- (3) A way as to which a petition for improvements has been allowed under the provisions of this chapter for which the cost of the improvements has been provided for by the developer in either a cash amount or as provided for in this chapter; or
- (4) A way on a plan of a subdivision duly approved by the planning board.

Street frontage. See the term *Frontage*.

Street line means a line defining the edge of a street right-of-way separating the street from abutting property or lots.

Street, primary means the street that is considered to be more intensely used than the other on a corner or double sided lot.

Street, secondary means the street that is considered to be less intense to the other on a corner or double sided lot.

Structure or *building* means a combination of materials to form a construction that is safe and stable including, among other things: stadia, reviewing stands, platforms, automobile parking garages, stagings, windmills, observation towers, trestles, sheds, coal bins, shelters and display signs, but not fences of any kind.

Structure of Community Significance means a Building that by virtue of its historic, social, cultural or economic contribution to the community, as determined by the Planning Board, is entitled to a Special Exception allowing its Adaptive Reuse. The Planning Board may consider a Building's age, as well as any evidence of its role in the historic, social cultural, or economic history of the community, in determining whether a Building qualifies for this designation.

Subdivision means a division of land as defined in 30-A M.R.S.A. § 4401.

Summer camps means seasonal dwelling units intended for and actually used for single-family dwellings only during the months of May, June, July, August, September and October or weekends or other periods of vacations not exceeding 30 days.

Supermarket means a retail establishment having an interior selling space of 3,000 square feet or more where general food supplies for the table and other articles of household use are offered for sale.

Swimming pool means any manmade receptacle or excavation housing a surface area of 250 square feet, or more, designed to hold water to a depth of at least 24 inches, primarily for swimming or bathing whether in the ground or above the ground.

Theater, indoor, means a building designed and/or used primarily for the commercial exhibition of motion pictures or plays to the general public.

Theater, outdoor, includes only those areas, buildings or structures designed and used for the commercial outdoor exhibition of motion pictures to passengers in parked motor vehicles.

Tourist home. See the term *Bed and breakfast home*.

Townhouse means a single-family dwelling unit that is one of two or more residential buildings having a common or party wall separating the units.

Trailer or RV means any vehicle or structure, except a device exclusively used upon stationary rails or tracks, mounted on wheels for use on highways and streets; propelled or drawn by its own or other motor power; and designed and constructed to provide living and/or sleeping quarters for one or more persons or for the conduct of a business, profession, trade or occupation for use as a selling or advertising device. If the wheels of a trailer are removed, except for repairs, it is deemed a building subject to all the regulations thereof. A trailer shall not be considered an accessory building.

Trailer home means a travel trailer, camping trailer or other similar vehicle capable of being hauled by a passenger automobile or light truck and designed primarily for temporary occupancy for recreational purposes or other seasonal use. A trailer home shall not be considered an accessory building.

Training school means a public or private school or training institution which offers a training program of trade, technical instruction, or physical education. A training school shall not be deemed a home occupation.

Transect (rural-to-urban) means a cross-section of the environment showing a range of different building development zones. The rural-to-urban transect of the human environment is divided into multiple transect zones that describe the physical form and character of a place according to the intensity of its land use and building development pattern.

Transmission towers means a structure that has the sole purpose of transmitting radio, television, cellular telephone or telephone waves from one location to another.

Useable open space means open or green space that is accessible for the use and enjoyment of residents, shall not be steep sloped (over ten percent slope), shall not include wetlands, parking or required buffer areas, and may include any required yard area or open areas for play.

Variance means a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. The term "variance" is authorized for only dimensional and supplemental regulations. Establishment of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the district or adjoining districts.

Wayside stand means a structure designed, arranged or used for the display and sale of agricultural products primarily grown or produced on the premises upon which such stand is located. A wayside stand may be located on premises that the products are not grown upon provided such premises is owned by the grower.

Wholesale means sales chiefly to retailers, other merchants, industrial and/or commercial users mainly for resale or business use.

Yard means a required open space on a lot unoccupied and unobstructed by any principal structure or portion of a principal structure.

Yard, front, means the open space extending across the full width of lot between the front lot line and nearest line of the principal building or any enclosed portion thereof. The depth of such yard shall be the shortest horizontal distance between the front lot line and the nearest point of the building or any enclosed portion thereof.

Yard, rear, means the open space extending across the full width of lot between the rear line of the lot and the nearest line of the building or any enclosed portion thereof. The depth of such yard is the shortest horizontal distance between the rear lot line and the nearest point of the building. When the rear lot line is less than ten feet long or if the lot comes to a point at the rear, the depth of the rear yard is measured to an assumed rear lot line as follows, the lot line generally opposite or parallel to the front lot line, except in a through lot. If the rear lot line is less than ten feet long or the lot comes to a point at the rear, said rear lot line is assumed to be a line not less than 20 feet long, lying wholly within the lot, parallel to the front lot line, or in the case of a curved front lot line, parallel to the chord of the arc of said lot line.



City of Auburn, Maine

Office of Economic and Community Development
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

Yard, side, means the open space between the side lot line, the side street line, or the proposed side street line and the principal buildings, or any portion thereof, extending from the front yard to the rear yard, or, in the absence of either of such yards, to the front lot line and/or rear lot line. The width of a side yard shall be the shortest distance between the side lot line and the nearest point of the principal building or any portion thereof.

Zone. See the term *District*.

(Ord. of 9-21-2009, § 2.2; Ord. No. 13-09062011-05, 9-6-2011; Ord. No. 12-09062011-04, 9-19-2011; Ord. No. 04-03072016, 5-16-2016)

Exhibit B: Low Density Rural Residence District, as Proposed

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)).
- (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, lodginghouses 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.
- (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.



City of Auburn, Maine

Office of Economic and Community Development
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

(15) Libraries.

(16) Museums.

(17) Adaptive Reuse of a Structure of Community Significance.

(Ord. of 9-21-2009, § 3.41B)

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.

Exhibit C: Proposed Fee Waiver for Site Plan Review

Sec. 60-1302. - Exemption for information; [Fee waiver](#).

Upon request, the planning board, or the planning director, acting for the board, may waive the necessity of providing any of the foregoing planning information which is not relevant to the proposed development. [The planning board or the planning director, acting for the board, may waive the site plan review fee if the purpose of the site plan review is to determine the Adaptive Reuse of a Structure of Community Significance.](#)

(Ord. of 9-21-2009, § 7.1D(3))

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
VACANT, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER XX-XXXXXXXX

ORDERED, that the City Council hereby amends Chapter 60 of the Auburn Zoning Ordinance, adding "Adaptive Reuse" and "Structure of Community Significance" to Section 60-2, Definitions; amends Low Density Rural Residential District, Section 60-229 Use Regulations, (b) Special Exception, adding (17) "Adaptive Reuse of a Structure of Community Significance" and amending Section 60-1302, Exemption for Information, adding "Fee Waiver" to allow the Planning Board or Planning Director to waive the Site Plan Review Fee.



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: March 20, 2017

Subject: Executive Session

Information: Discussion regarding economic development, pursuant to 1 M.R.S.A. Section 405(6) (C) **with action to follow.**

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
 - (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
 - (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
 - (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.
- This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: March 20, 2017 **Order:** 25-03202017

Author: Sue Clements-Dallaire, City Clerk

Subject: Temporary sign request – Auburn Business Association

Information: The Auburn Business Association would like to request approval to display temporary signs at the locations stated in the attached letter. Signs will be installed by April 3, 2017 and will remain in place until the week following the event which is scheduled to be held on May 4, 2017.

Advantages: Helps to promote events in the Lewiston-Auburn Community and provides additional recognition to the recipient of the “Citizen of the Year” award.

Disadvantages: If the signs are not placed properly, they could potentially affect the sight distance for streets or adjacent driveways.

City Budgetary Impacts: None

Staff Recommended Action: Recommend passage.

Previous Meetings and History: This is a yearly request from this organization

Attachments: Letter of request, diagram of the sign, and Order 25-03202017.



PETER MURPHY
Project Manager



Neokraft Signs Inc.
686 Main Street
Lewiston, ME 04240
peter@neokraft.com
M: 207-650-7632
P: 207-782-9654
F: 207-782-0009

March 6, 2017

To: City of Auburn
From: Peter Murphy, Auburn Business Association
RE: Auburn Business Association "Citizen Of The Year" signs

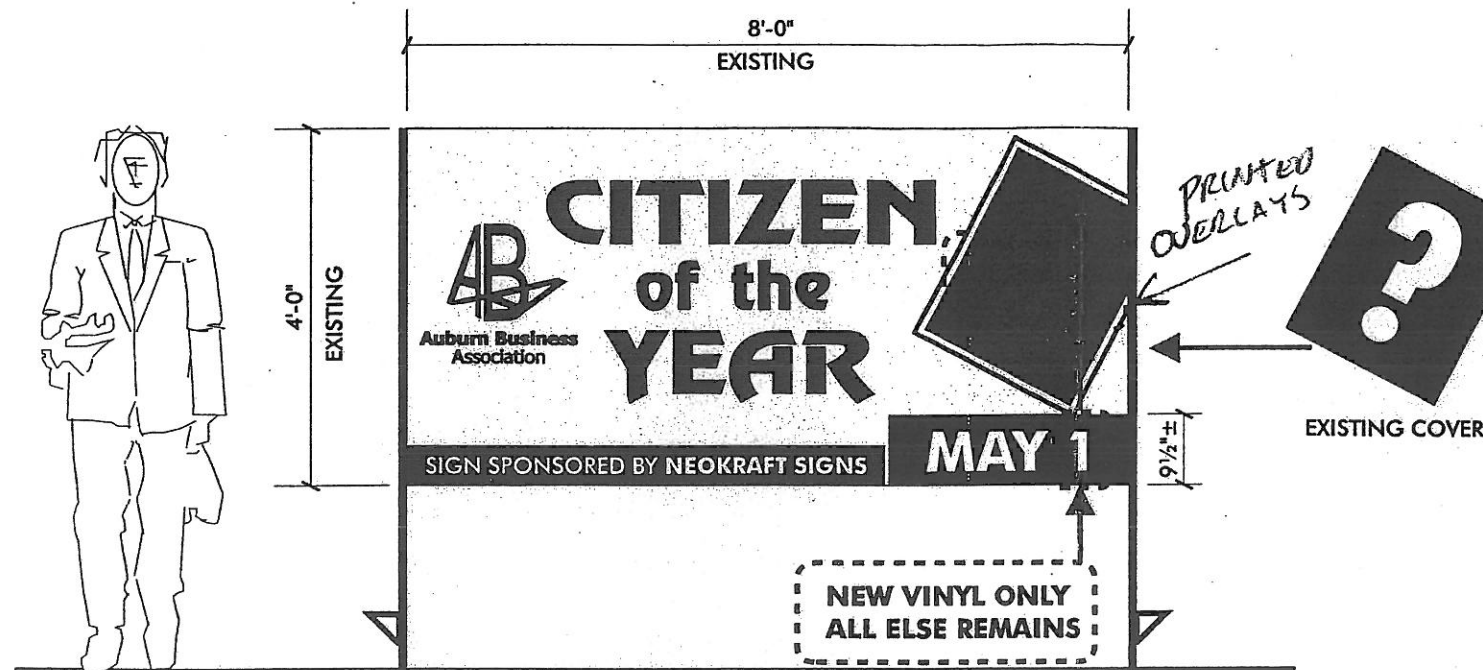
For over 40 years, The Auburn Business Association has recognized a prominent person as its "Citizen Of The Year". Once again this year, on May 4th, the ABA will be honoring another worthy recipient. For the past several years, the ABA has placed signs in several locations throughout the City, and this year we are asking the City's permission to display signs on Center Street (in front of Better Homes & Gardens Realty), on Minot Avenue, at Androscoggin Bank, and in New Auburn. These are the same signs used in prior years, updated to reflect current information. To take advantage of their promotional potential, we would like to install them April 3rd, and they would remain until the week following the event thereby giving recognition to the recipient.

For your convenience, I have attached a drawing showing the type of sign which will be installed. I trust this will give you sufficient information to make a speedy decision regarding this matter. I can be reached at Neokraft Sign Company, 782-9654, or via my cell, 650-7632. Please don't hesitate to contact me if you should require any additional information, and thank you for your help with this matter.

Sincerely,

Peter Murphy
Neokraft Sign Company
Board Member, Auburn Business Association

* REPRINTED ONE SIDE BECAUSE OF DAMAGE (LATEX PRINTER)
SEE FILE FOR ADJUSTED COLORS
SEE VINYLSSZ FOR UPDATES



REPLACEMENT WHITE VINYL GRAPHICS ON EXISTING SIGNS

VINYL GRAPHICS UPDATES FOR D/F SIGNS

SCALE: 1/2"=1'-0"

(3) SIGNS TOTAL

**Auburn Business
Association
17966**

SHOP DRAWING

Location: P.O. Box 821
Auburn, Maine

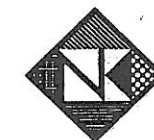
Drawing No.: 1 of 2

Drawn by: BK Rep.: PM

Date: 02.24.2014

Lead No.: 020933

Gen Ref.: 12/14918, 13272, 11687



**Neokraft
SIGNS**

Neokraft Signs Inc.
686 Main Street
Lewiston, Maine 04240

<http://www.neokraft.com>
T: 207.782.9654 F: 782.0009
1.800.339.2258

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Robert Stone, Ward Two
Andy Titus, Ward Three
VACANT, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 26-03202017

ORDERED, that the City Council hereby authorizes the Auburn Business Association to place temporary signs to promote the Auburn Citizen of the Year Event to be held on May 4, 2017 so long as their placement does not affect sight distance for streets or adjacent driveways. .

The signs are to be installed on Center Street (in front of Better Homes & Gardens realty), on Minot Avenue (at Androscoggin Bank), and in New Auburn by April 3, 2017 and removed one week after the event.

IN COUNCIL REGULAR MEETING MARCH 6, 2017 VOL. 35 PAGE 17

Mayor LaBonté called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Stone had an excused absence. All other Councilors were present.

1. Order 20-03062017*

Approving the temporary sign request for Park Avenue School's April Festival.

2. Order 21-03062017*

Accept and place on file the City Audit for Fiscal Year Ending June 30, 2016.

Motion was made by Councilor Titus and seconded by Councilor Walker for passage.
Passage 5-0.

II. Minutes

- February 27, 2017 Regular Council Meeting

Motion was made by Councilor Burns and seconded by Councilor Walker to accept the minutes of the February 27, 2017 Regular Council Meeting. Passage 5-0.

III. Communications, Presentations and Recognitions

IV. Open Session – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

Mamie Anthoine Ney, Director of the Auburn Public Library invited community members to a showing of a documentary called "Screenagers" on March 9, 2017 at 6:00 PM. It is about how technology is affecting our youth.

V. Unfinished Business

1. Order 19-02272017

Appointing a member to the Auburn Housing Authority (term expiration of 10/01/2021).
Council may enter into executive session pursuant to 1 M.R.S.A. §405(6)(A).

Motion was made by Councilor Pross and seconded by Councilor Walker to appoint Jonathan Labonte to the Auburn Housing Authority with a term expiration of 10/01/2021.

Motion was made by Councilor Burns to enter into executive session pursuant to 1 M.R.S.A. §405(6) (A). The motion failed due to the lack of a second.

Assistant City Manager, Denis D'Auteuil invited Attorney Mike Malloy to provide an update to the Council regarding a potential conflict of interest under HUD regulations with three of the four applicants.

Motion was made by Councilor Pross and seconded by Councilor Young to postpone this item to a date uncertain. Passage 4-1 (Councilor Burns opposed).

VI. New Business

2. Ordinance 02-03062017

Adopting the Complete Streets Committee Ordinance. Public hearing and first reading.

Motion was made by Councilor Titus and seconded by Councilor Burns for passage.

Public hearing – Larry Pelletier, 129 Second Street looking for clarification on the meaning of the term “complete streets”.

Councilor Walker recommended adding City Manager where City Administrator is referenced (example: City Administrator/City Manager) before the second reading in order to align with Auburn’s form of Government as well as Lewiston’s.

Passage 5-0. A roll call vote was taken.

3. Ordinance 03-03062017

Adopting the Complete Streets Ordinance. Public hearing and first reading.

Motion was made by Councilor Burns and seconded by Councilor Pross for passage.

Public hearing – Joe Gray, Sopers Mill Road commented on sidewalks and is hoping this group can address sidewalk issues.

Passage 5-0. A roll call vote was taken.

4. Order 22-03062017

Authorizing the reallocation of unspent proceeds from the City’s General Obligation Bonds in the amount of \$42,000 to be used for the renovation of the Parks Garage for a Senior Center. First Reading.

Motion was made by Councilor Titus and seconded by Councilor Walker for passage.

Public comment – no one from the public spoke.

Passage 5-0.

5. Order 23-03062017

Consolidating to one polling place for the June 13, 2017 Election. Public hearing.

Motion was made by Councilor Pross and seconded by Councilor Walker for passage.

Public hearing – no one from the public spoke.

Motion failed 1-4 (Councilors Pross, Titus, Walker, and Burns opposed).

VII. Executive Session

- Executive Session regarding a real estate matter, pursuant to 1 M.R.S.A. §405(6)(C)

Motion was made by Councilor Burns and seconded by Councilor Pross to enter into executive session. Passage 5-0. Time 8:04 PM.

Council was declared out of executive session at 8:46 PM.

VIII. Reports

a. Mayor's Report:

- St. Dom's women's hockey team won the Class A championship
- The Central Maine Community College women's basketball team won the national championship (the first woman's basketball team in Maine to do so) and he thanked the MDOT, State Police, Sheriff's staff, and city staff for quickly pulling together a strong "welcoming back" to them.
- He reported that the Café at the Auburn Public Library is now closed and he is working with library board members on how to utilize that space moving forward
- This Thursday is the Chamber Breakfast where there will be a three part presentation on the Androscoggin River (The Past, Present, and Future)
- He noted that he will be traveling to the National League of Cities early next week
- He will be in North Adams, Massachusetts at the end of next week at the Massachusetts Museum of Contemporary Art where Auburn artist Tonya Hollander has opened an exhibit

b. City Councilors' Reports

Councilor Young – no report

Councilor Pross -no report

Councilor Titus

- He would like to see a Spring clean up this year

Councilor Walker

- He noted that he would also like to see a Spring clean up and he would like to see some changes made (rather than doing it all at once, break it up possibly by ward).

Councilor Burns - no report

c. City Manager Report

- noted that there is money in the budget for Spring clean up this year.

IX. Open session – Adam Lee, Garden Circle commented on the Auburn Housing Authority item that was postponed. He said that he feels that we should use our Boards and Committees as an opportunity to expand rather than contract the number of individuals in the City that have a role in our government adding that applicant Jen Kimble is a highly qualified candidate for that board.

X. Adjournment

Motion was made by Councilor Titus and seconded by Councilor Walker to adjourn. All were in favor. Adjourned at 9:01 PM.

A True Copy.

ATTEST 
Susan Clements-Dallaire, City Clerk

IN COUNCIL SPECIAL MEETING MARCH 13, 2017 VOL. 35 PAGE 21

Motion was made by Councilor Burns and seconded by Councilor Walker to elect Councilor Young to serve as Mayor Pro Tempore in the absence of Mayor LaBonté. Passage 5-0 (Councilor Stone absent).

Mayor Pro Tempore Young called the meeting to order at 5:32 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

I. New Business

Authorizing the Mayor to sign a contract appointing Peter J. Crichton as City Manager, effective April 10, 2017.

Motion was made by Councilor Pross and seconded by Councilor Burns for passage. Passage 5-0.

III. Adjournment

Motion was made by Councilor Burns and seconded by Councilor Walker to adjourn, all were in favor. Adjourned at 5:35 PM.

A True Copy.

ATTEST *Susan Clements Dallaire*
Susan Clements-Dallaire, City Clerk



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: March 20, 2017

Ordinance: 02-03062017

Author: Denis D'Auteuil

Subject: Complete Streets Committee Ordinance

Information: The Bicycle Pedestrian Committee on February 22nd, 2017 finalized their recommended language for the proposed Complete Streets Committee Ordinance that is attached.

Advantages: Formalizes the existing Committee with an Ordinance.

Disadvantages:

City Budgetary Impacts: Complete street requirements may result in additional construction costs in order to accommodate all modes of transportation.

Staff Recommended Action: Passage

Previous Meetings and History: Passage of first reading on 3-6-2017

Attachments: Ordinance language

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
VACANT, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 02-03062017

ORDINANCE, ESTABLISHING THE COMPLETE STREETS COMMITTEE

BE IT ORDAINED, that the City Council hereby adopts the Ordinance establishing the Complete Streets Committee as noted below:

Article V, Boards, Commissions, and Committees Division 6 - Complete Streets Committee

Section 2- 482.2. Purpose and Mission

The purpose of the Complete Streets Committee is to

- (a) Promote and advise the development of public infrastructure which supports a multi-modal transportation system for all users, not strictly motor vehicles, and includes the best design practices for enhancing safety as well as community and economic development;
- (b) Develop and recommend policies to the respective governing bodies and planning agencies that address and support all modes of transportation in Lewiston Auburn;
- (c) Advise the respective public works and engineering departments on how all modes of travel can be accommodated in street, highway, trail, and open space projects;

Section 2-482.3. Appointment and Membership.

- (a) The Committee shall consist of nine (9) members as follows: 4 residents of the City of Auburn, 4 residents of the City of Lewiston, and 1 representative of an organization directly involved in issues of public health and wellness. A city councilor may be appointed as a resident.
- (b) The residents of each community shall be appointed in accordance with the standard procedures employed by each community for such appointments. The representative of an organization directly involved in issues of public health shall be appointed by majority vote of the members of the full committee.
- (c) The initial term for resident members shall be three (3) years, as shall the term of the representative of a public health organization. These terms shall run from the first day of January of the year in which the appointment is made. At the time the initial

James Pross, Ward One
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Jonathan P. LaBonte, Mayor

appointments are made, the appointing authority shall assign each resident member to a term with one member appointed to a one year term; one to a two year term; and one to a three year term. Members shall remain in office until their successors are appointed.

- (d) Vacancies shall be filled following the same process employed for the initial appointment of members.
- (e) A vacancy shall be declared if any member of the committee fails to attend three consecutive regular meetings of the committee without being excused by the committee chair.

Section 2-482.4. Duties and Responsibilities.

The Complete Streets Committee shall:

- (a) Follow the City's Complete Streets Policy, oversee its implementation, and review the policy every 2 years to recommend changes as appropriate;
- (b) Serve as the primary resource representing Lewiston and Auburn in the update of Regional and Statewide plans dealing with transportation issues involving motorized vehicles, bicycles, pedestrians, public transportation, and other non-automobile related transportation issues;
- (c) Develop and recommend policies and ordinances for passage by the City Councils in support of alternative modes of transportation;
- (d) Review and comment on existing transportation projects including regionally approved projects, municipally initiated projects, and improvements originating from Traffic Movement Permits associated with development projects; and
- (e) Participate with appropriate city and state departments, committees, and metropolitan planning organizations in planning coordinated multi-modal transportation systems in L-A and the surrounding region, such as rail, bus, and air.

Section 2-482.5 Organization.

- (a) The Committee shall have the following officers: Chair, vice-chair, and secretary, each of whom shall be selected by a majority of the members of the committee at its first meeting in January of each year. The chair shall preside over all meetings of the board, shall supervise the affairs of the board, and shall perform such other duties as may be assigned to the office by the committee. The vice-chair shall assist the chair in carrying out the latter's duties and shall preside at meetings in the chair's absence. The secretary shall be responsible for preparing and distributing committee agendas and

James Pross, Ward One
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Leroy Walker, Ward Five
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Jonathan P. LaBonte, Mayor

minutes and ensuring that the legal posting requirements are met.

- (b) A quorum necessary to conduct an official meeting shall consist of at least six members and at least six concurring votes shall be necessary to constitute an action on any matter.
- (c) The committee shall meet at least quarterly and may meet more frequently at the call of the chair.
- (d) Unless otherwise prescribed by this Division or by bylaws established by the Committee, the Committee shall operate in accordance with Robert's Rules of Order.

Section 2-482.6. Staff Support. The City Manager/Administrator of each community shall designate a planning or public works staff member to serve as a liaison to the committee.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: March 20, 2017

Ordinance: 03-03062017

Author: Denis D'Auteuil

Subject: Complete Streets Ordinance

Information: The Bicycle Pedestrian Committee on February 22nd, 2017 finalized their recommended language for the proposed Complete Streets Ordinance that is attached.

Advantages: Formalizes the existing practice of accommodating all modes of transportation where and when practicable.

Disadvantages:

City Budgetary Impacts: Complete street requirements may result in additional construction costs in order to accommodate all modes of transportation.

Staff Recommended Action: Passage

Previous Meetings and History: Passage of first reading on 3-6-2017

Attachments: Ordinance language

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
VACANT, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 03-03062017

COMPLETE STREETS ORDINANCE

BE IT ORDAINED, that the City Council hereby adopts the Complete Street Ordinance as noted below:

Complete Streets

The City of **Auburn** will plan for, design, construct, operate, and maintain an appropriate and integrated transportation system that will meet the needs of motorists, pedestrians, bicyclists, wheelchair users, transit vehicles and riders, freight haulers, emergency responders, and residents of all ages and abilities.

- (1) Transportation facilities that support the concept of complete streets include, but are not limited to, pavement markings and signs; street and sidewalk lighting; sidewalk and pedestrian safety improvements; Americans with Disabilities Act and Title VI compliance; transit accommodations; bicycle accommodations including intersection detection and appropriate signage and markings; and streetscapes that appeal to and promote pedestrian use.
- (2) The system's design will be consistent with and supportive of local neighborhoods, recognizing that transportation needs vary and must be balanced in a flexible, safe, and cost effective manner.

Projects

Those involved in the planning and design of projects within the public right-of-way will give consideration to all users and modes of travel from the start of planning and design work. Transportation improvements shall be viewed as opportunities to create safer, more accessible streets for all users. This shall apply to new construction, reconstruction, and rehabilitation. The Complete Streets Committee¹² shall be briefed on potential future

¹ Note that this assumes the Complete Streets Committee will also be established by an ordinance.

Jonathan P. LaBonte, Mayor

projects of this nature during or immediately following the annual development of the city's capital improvement program. This will allow the Committee to provide its views regarding complete streets policy early in the planning and design process.

Exceptions

Exceptions to this policy may be made under the circumstances listed below:

- (1) Street projects may exclude those elements of this policy that would require the accommodation of street uses prohibited by law;
- (2) Ordinary maintenance activities such as mowing, snowplowing, sweeping, spot repair, joint or crack sealing, or pothole filling do not require that elements of this policy be applied beyond the scope of that maintenance activity;
- (3) Ordinary maintenance paving projects may only exclude the elements of this policy that would require increasing pavement width. However, when such projects do occur, the condition of existing facilities supporting alternate transportation modes should be evaluated as well as the appropriateness of modifying existing pavement markings and signage that supports such alternate modes. This exception does not apply to street reconstruction projects;
- (4) Street reconstruction projects and maintenance paving projects which involve widening pavement may exclude elements of this policy when the accommodation of a specific use is expected to:
 - (a) require more space than is physically available, or
 - (b) be located where both current and future demand is proven absent, or
 - (c) drastically increase project costs and equivalent alternatives exist within close proximity, or
 - (d) have adverse impacts on environmental resources such as streams, wetlands, floodplains, or on historic structures or sites above and beyond the impacts of

Such an ordinance would be located in a different section of the Code.

² Note that this assumes the Complete Streets Committee will also be established by an ordinance. Such an ordinance would be located in a different section of the Code. This footnote applies to all references in this ordinance to the Committee.

James Pross, Ward One
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Jonathan P. LaBonte, Mayor

currently existing infrastructure.

(5) In order for an exception to be granted under the conditions stated above and prior to finalizing the design and budget for the intended project, the City Engineer and Director of Public Works must first consult with the City Planner and City Administrator. If the City Administrator concludes that an exception to the policy is warranted, the Administrator or the staff representative to the Complete Streets Committee shall consult with the Committee regarding the project and the requested exception. If, after this consultation, a difference of opinion exists between the Committee and staff regarding an exception that has been granted, the Committee may forward its concerns to the City Council for its consideration.

(6) The City Council may grant such other exceptions as it sees fit.

Intergovernmental Cooperation

The City will cooperate with the City of **Lewiston** and with other transportation agencies including the Maine Department of Transportation (MDOT) and Androscoggin Transportation Resource Center (ATRC) to ensure the principles and practices of complete streets are embedded within their planning, design, construction, and maintenance activities. The two cities will specifically cooperate to ensure the transportation network flows seamlessly between the two communities in accordance with local and regional road, transit, bicycle, and pedestrian plans and mutually agreed upon design criteria.

Design Criteria

The City, through its Public Works Department, shall develop and adopt design criteria, standards, and guidelines based upon recognized best practices in street design, construction, and operation. To the greatest extent possible, the City shall coordinate with the City of Auburn to adopt the same standards with particular emphasis on pedestrian and bicycle markings and wayfinding signage. Resources to be referenced in developing these standards shall include, but not necessarily be limited to, the latest editions of: American Association of State Highway Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets, Guide for Planning, Designing, and Operating Pedestrian Facilities, and Guide for the Development of Bicycle Facilities; Institute of Transportation Engineers (ITE) Designing Walkable Urban Thoroughfares: A Context Sensitive Approach; National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide; U.S. Access Board Public Right-of-Way Accessibility Guidelines; Androscoggin Transportation

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Resource Center (ATRC) Complete Streets, A Guide to Best Management and Design Practice; Highway Capacity Manual and Highway Safety Manual; the Manual on Uniform Traffic Control Devices; and any applicable policies and guidance issued by the Maine Department of Transportation.

The Cities will be permitted to consider innovative or non-traditional design options that provide a comparable level of safety and utility for users as those listed above.

Community Context

Implementation of this Policy shall take into account the goal of enhancing the context and character of the surrounding built and natural environments. Transportation facilities, including roads, should be adapted to fit and enhance the character of the surrounding neighborhood.

Network

Special attention should be given to projects which enhance the overall transportation system and its connectivity. Specifically, high priority should be given to:

- (1) Corridors providing primary access to one or more significant destinations such as a parks or recreation areas, schools, shopping/commercial areas, public transportation, or employment centers;
- (2) Corridors serving a relatively high number of users of non-motorized transportation modes;
- (3) Corridors providing important continuity or connectivity links to existing pedestrian or bicycle networks;
- (4) Projects identified in regional or local bicycle pedestrian plans prepared by organizations such as the ATRC and other associated groups.

Performance Measures

The City Administrator and/or designee shall report to the Planning Board and City Council on an annual basis on the transportation projects undertaken within the prior year and planned within the coming year and the extent to which each of these projects has met the Complete Streets ordinance.

Implementation

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
VACANT, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

This policy will be primarily implemented through planning comprehensive complete streets networks regionally and within each city.

Additional implementation activities will include, but not be limited to: developing project checklists that incorporate complete streets elements in the Cities' overall design processes; annual review of capital improvement plans and unified planning work programs; establishing design manuals that clearly set forth the complete streets standards; and directing the Planning Boards to evaluate changes to the Cities' respective land development codes that will extend the complete streets concept into private developments through appropriate subdivision and site plan regulations.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: March 6, 2017

Order: 22-03062017

Author: Sue Clements-Dallaire, City Clerk

Subject: Reallocation of Unspent Proceeds from the City's General obligation Bonds

Information: To get authorization to reallocate \$42,000 of unspent proceeds from the city's general obligation bonds to be used for the renovation of the Parks Garage for a Senior Center. **This will require two readings and an affirmative vote of 5 Councilors for passage.**

Advantages: Provide the community with a large meeting space, with the primary focus to provide Seniors with a place to gather for programs and events, but also be utilized by other community groups and events.

Disadvantages: Loss of storage space for Public Service and Police for their vehicles/equipment.

City Budgetary Impacts: \$42,000

Staff Recommended Action: Consider passage of order

Previous Meetings and History: Passage of first reading to be held on 3/6/2017. A Public hearing and second reading to be held on 3/20/2017.

Attachments: copy of the public notice and order 22-03062017

**CITY OF AUBURN
NOTICE OF PUBLIC HEARING**

Pursuant to Section 8.13 of the City Charter, notice is hereby given that the Auburn City Council will hold a public hearing on Monday, March 20, 2017, at 7:00 p.m. in the Council Chambers, Auburn Hall, 60 Court Street on a proposed order reallocating \$42,000 of unspent proceeds from various General Obligation Bonds to finance renovation of the Parks Garage for a Senior Center.

The City Council expects to conduct the first reading on the order at the March 6, 2017 meeting and the public hearing, second reading and final action at the meeting of March 20, 2017.

The order is available for inspection at the City Clerk's office during regular business hours.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
VACANT, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 22-03062017

ORDERED, that the City Council hereby **Reallocates Unspent Proceeds from the City's General Obligation Bonds.**

WHEREAS, the City of Auburn issued General Obligation Bonds in various amounts for various projects; and

WHEREAS, there remain unspent proceeds of the Bonds borrowed for multiple capital improvements, \$42,000 of which excess proceeds the City Council desires to reappropriate and reallocate to be used for the **renovation of the Parks Garage for a Senior Center.**

NOW, THEREFORE, by the City Council of the City of Auburn, be it hereby ORDERED:

THAT the excess proceeds of the Bonds, in the amount of \$42,000 be and hereby are appropriated from the amount borrowed as part of various Bonds to finance the costs of the project listed above.

THAT the City's Finance Director / Treasurer be, and hereby is, authorized and empowered in the name and on behalf of the City, to do or cause to be done all such acts and things, and to execute and deliver, all such financing documents, certificates, and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of this Order, as may be necessary or desirable.

A Public Notice describing the repurposing of these Bond proceeds borrowed for Various Projects to the list above was published on or before March 6, 2017, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

A public hearing was held on March 20, 2016.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: March 20, 2017 **Order:** 26-03202017

Author: Sue Clements-Dallaire, City Clerk

Subject: Fee Waiver Request by New Auburn Little League

Information: The New Auburn Little League, a non-profit group providing athletic programs for children between the ages of 4 and 12, living in the City of Auburn, is requesting the food service fee of \$150.00 be waived for the concession stands located at Sherwood Heights and Pulsifer Park facilities for the 2017 season.

Sec. 14-31. Fees; waiver. The fees for business licenses shall be paid by the owner or his agent in accordance with the business fee schedule established by the City Council. The City Council is the only authority allowed to waive fees prescribed by ordinance. An application for waiver of any fees must be presented in writing to the city clerk to be brought to the City Council at its next available meeting.

Advantages: Will continue to provide athletic programs for children between the ages of 4 and 12 living in the City of Auburn; will continue to allocate money from the sales toward the care and improvement of fields and building, and will potentially attract families with children to live in our community.

Disadvantages: Could potentially set a precedent for other non-profits requesting waiver of fees.

City Budgetary Impacts: \$150.00

Staff Recommended Action: Recommend passage.

Previous Meetings and History: Fees have been waived in the past.

Attachments:

- Letter from New Auburn Little League
- Exemption Certificate of Non-profit
- Order 26-03202017

New Auburn Little League



P.O. Box 775 Auburn, ME 04212

March 7, 2017

City of Auburn
Attn: Sue Clements Dallaire
60 Court St.
Auburn, ME 04210

Dear Mayor LaBonté & City Council Members;

In the past New Auburn Little League has requested a waiver for the Victualers License, now called the FSE-Class G. Could we please have the waiver granted again for both of the fields that we use – Sherwood Heights and Pulsifer Park for our 2017 season?

Thank you in advance for your consideration.

Sincerely,

Dori-Anne

Dori-Anne Tarr
President
New Auburn Little League

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
VACANT, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 26-03202017

ORDERED, that the City Council hereby approves the request by New Auburn Little League to waive the Food Service Establishment/On or Off Premise license fee of \$150.00 for Sherwood Heights and Pulsifer Park facilities for the 2017 season.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 3-20-2017

Order: 27-03202017

Author: Eric J. Cousens, Deputy Director of Economic and Community Development

Subject: Target Area City Owned Properties Development Policy

Information: We have drafted a policy/protocol for reviewing City owned properties for disposition and workshopped the policy on 2 occasions. Staff has updated the policy to reflect the Council direction and we are looking for approval of the draft to finalize it. The main change from the last review was to use the tax acquired policy committee to provide recommendations to the Council.

Advantages: Appropriately review parcels for municipal needs, move appropriate properties to a taxable status and encourage private investment.

Disadvantages: None:

City Budgetary Impacts: Increased revenues over time.

Staff Recommended Action: Approve policy

Previous Meetings and History: 12-19-2016 and 2-6-17 Workshops

Attachments: Draft Policy/procedure



City of Auburn, Maine

Office of Economic & Community Development

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Auburn, Maine 04210

207.333.6601

Review and Disposition of City Property for Redevelopment Purposes

Article 1. Purpose

The purpose of this guideline is to establish a procedure for the review and disposition of real property to promote economic and community development goals and increase the City's tax base. It is in the City's and the residents' best interest to have a clear policy with respect to the disposal of property and to have that property disposed of efficiently as possible in order to:

- Return City owned properties to the tax rolls and grow value;
- Create a competitive market for key properties and promote development in accordance with City goals;
- Reduce the opportunity for neighborhood blight by not having buildings or lots sit vacant and unattended, thus potentially becoming an eyesore and a target for vandalism;
- Preserve neighborhoods by having properties sold in a timely manner, thus reducing the likelihood of deterioration or becoming dilapidated.

Article 2. Administration – Project Review Committee

Section 2.1 Responsibility for Review. With the passage of this policy the Tax Acquired Property Committee (TAPC) will add the discussion of City Owned Parcels to their agenda and provide recommendations regarding which parcels should be marketed for development RFP, general listing with a broker or retained for City or other purposes.

Section 2.2 Committee Composition. The TAPC includes representatives from most City Departments.

Section 2.3 Meetings. The Committee will meet as often as necessary to carry out the duties and responsibilities set forth in this policy.

Article 3. Duties and Responsibilities of the Review

Section 3.1 Review of Properties. The Economic and Community Development Department shall prepare a list of City owned property annually and from time to time as parcels become available, for review and notify the TAPC as needed. All City Properties will be included on the initial list and the review should consider developed and undeveloped lots or a portion of lots if partly developed for public use. Tax acquired properties may be referred to this process if the Council has determined a



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parcel to be ready for resale. Priority will be given initially to lots within the Downtown, New Auburn and Union Street CDBG Target Areas and then expanded to include other areas of the City.

Section 3.3 Department Reviews. Attendance at the TAPC meeting is mandatory. Each required Department must provide a representative for TAPC meetings and make arrangements for an alternate if the primary representative is unavailable.

When reviewing properties the TAPC shall make a recommendation and at a minimum determine whether the City should: (1) retain the property for public use, (2) sell the property (RFP or Broker), (3) retain the property temporarily for future resale or public use.

The following should be considered in forming a recommendation:

- the property is either unfit or unnecessary for City use;
- Comprehensive Plan or other City Plan recommendations for the area;
- the City wishes to retain ownership for municipal purposes;
- the property is adjacent to publicly owned land;
- there are buildings on the property that should be demolished;
- there are environmental liabilities or hazards present on the site
- the property has investment or marketable value;
- there are uses that the property is suited for which meet the requirements of the City's zoning and land use ordinance;
- the status of the existing infrastructure

The TAPC may consider additional criteria in formulating its recommendation to the Manager and City Council regarding disposition of the property.

Section 3.5 Recommendations. The Economic and Community Development Department shall review the comments received from each department, compile a summary and forward a recommendation to the City Manager for appropriate action. It should be recognized that a title review and a review of any other restrictions on a particular parcel has a cost and may be delayed until after staff provides an initial



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recommendation and after the Council has expressed an interest in moving forward with a particular parcel.

Article 4. Sale and Marketing of Properties. The City of Auburn intends to dispose of properties by the following methods.

Section 4.1 Sales. Depending on the type of property and its value, the City may use a variety of marketing methods, as indicated below. City Plans, goals, desired project types and property information should be included in the marketing materials. Sale price may have less weight than meeting city plans, goals, development plans and new value created. The City may donate or sell at less than market value if the proposal promotes substantial private investment and the creation of new taxable value in excess of the current property value or if it is determined by the Council to benefit the City to do so. Regardless of the method, the City reserves the right to accept or reject any proposal it receives.

- **Sealed Bids.** The City may offer properties for sale by sealed bid in conformance with the City charter and applicable statutes. This sale will be conducted by the City's Purchasing/Facilities Manager. The City retains the sole discretion to accept or reject any bid depending on whether the City determines a bid proposal meets the City's objectives.
- **Request for Proposals.** The City may solicit proposals using an RFP process. City plans, goals, property information and desired project types or elements should be included as goals/criteria in the RFP and scoring, based on meeting some or all of those goals/criteria may be used to determine the winning proposal. Sale price may have less weight than meeting city plans, goals, development plans and new value created.
- **Real Estate Broker Contract.** Vacant land, commercial, industrial, residential and multi-family residential properties which are determined to have investment or high sale value will be identified with a disclosure statement describing all property attributes. This disclosure statement will be obtained from the Assessing Department based on the available record and a field inspection when entry to the property can be obtained. The City may place these properties with a professional real estate broker to be marketed. If the properties are placed with a professional broker, they will be given a deadline within which to sell the property. If the property is not sold within that timeframe, thereafter if any broker produces a purchaser, which results in a sale, the broker will receive a commission.



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Section 4.2. Rejection of Bid or Purchase Offer. Nothing in this policy shall limit or modify the discretion of the City Manager or the City Council to reject any bid offer to purchase, should they deem it in the best interests of the City to do so. All properties must be sold for uses in keeping with the City's zoning ordinance or future City Plans. The City may place criteria or performance standards on the disposition of any property that meet or further the City's objectives.

The sale of property shall be subject to any additional terms and conditions of sale which the municipal officers may require and the City Attorney may reasonably advise.

Purchase and Sale Agreement as well as a Notice and Acknowledgement prepared by the City Attorney shall be entered into between the municipality and the successful bidder no later than 30 days from the date of the award of bid and upon successful completion of all terms of sale. Such agreements shall require the buyer to close in full on the property within thirty (30) days thereafter.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
VACANT, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 27-03202017

ORDERED, that the City Council hereby adopts the attached Disposition of City Owned Real Estate Policy.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 3-20-17 **Order:** 28-03202017 & **Ordinance:** 04-03202017

Author: Doug Greene, Urban Development Specialist

Subject: First Reading for:
Future Land Use and Zoning Map Amendments for 121 and 127 Hampshire Street, Gowell's Market

Information: Nolin Enterprises, LLC, the owners of Gowell's Market, located at 121 Hampshire Street and currently zoned Neighborhood Business (NB), wish to expand their neighborhood grocery store business by building a 600 s.f. addition to their existing building. The proposed building addition would extend into 127 Hampshire Street, which is also owned by Gowell's Market as well. The current zoning for 127 Hampshire Street is Multi-Family Urban (MFU), which does not allow for commercial or neighborhood business use.

At the request of the property owners, the City Council initiated a Zoning Map Amendment at their January 9, 2017 meeting. That request was then presented to the Planning Board at a public hearing on February 14, 2017. The Staff recommended that the Planning Board consider both an amendment to the Comprehensive Plan's Future Land Use Plan for both 121 and 127 Hampshire Street from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) and a Zoning Map Amendment for 127 Hampshire Street from Multi-Family Urban (MFU) zoning to Neighborhood Business (NB) zoning. The Staff felt the Zoning Map Amendment would be better supported by changing the Future Land Use designation to one that would be in compliance with the Comprehensive Plan. One neighbor spoke during the public hearing, was in support but wanted to be sure that additional screening be added to the rear of his family's property at the time of an application for the building addition, should the zone change be approved.

Advantages: Changing the zoning will allow Gowell's Market to expand, the business will be able offer better service and goods to the neighborhood and the expanded neighborhood business will benefit from the improved walkability and aesthetics created by the Hampshire Street Reconstruction project.

Disadvantages: Should the zone change be approved, the modest building addition of 600 s. f. will slightly increase vehicular and foot traffic. The new building addition will visible from surrounding properties.

City Budgetary Impacts: The expanded new business will increase tax revenues slightly.

Staff Recommended Action: Staff and Planning Board recommend the City Council approve the Future Land Use and Zoning Map Amendments.

Previous Meetings and History: The City Council initiated the Zoning Map Amendment at their January 9, 2017 meeting. On February 14, 2017, the Planning Board voted 6-0 in favor on of a recommendation to the City Council to amend the Future Land Use for 121 and 127 Hampshire Street to Neighborhood Business and a Zoning Map Amendment for 127 Hampshire Street from Multi-Family Urban to Neighborhood Business. A presentation was also made at a City Council workshop on February 27, 2017.

Attachments: 1.) Planning Board Report to the City Council (dated February 22, 2017) with attachments and mapping. 2.) Order by City Council



City of Auburn, Maine

Office of Economic & Community Development
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Auburn, Maine 04210
207.333.6601

PLANNING BOARD REPORT to the CITY COUNCIL

To: Mayor LaBonte and Members of the Auburn City Council

From: Douglas M. Greene, AICP, RLA
Urban Development Specialist

Re: A Future Land Use Amendment for 127 Hampshire Street and a Zoning Map Amendment for 121 and 127 Hampshire Street - Gowell's Market

Date: February 22, 2017

SUMMARY - On February 14, 2017, the Auburn Planning Board held a public hearing and took action on a Comprehensive Plan Future Land Use Plan Amendment and a Zoning Map Amendment for properties at 121 and 127 Hampshire Street. The meeting consisted of a staff presentation, a short presentation by the applicant and their representative and comments from one neighbor during the public hearing. After a discussion, the Planning Board voted unanimously 6-0 (Cyr, Poliquin-Pross, Bowyer, Scoggins, Tardif and Vice Chair Philbrick, In Favor; Bellefleur absent) to send recommendations of APPROVAL for both amendments on to the City Council for final action.

PROPOSAL - Based on a request by the owners of 121 and 127 Hampshire Street, (**Attachment 1**) the City Council initiated a Zoning Map Amendment (zone change) at its January 9, 2017 meeting for the Planning Board to consider amending the zoning at 127 Hampshire Street from its current zoning of Multi-Family Urban (MFU) to Neighborhood Business (NB). Gowell's Market, located at 121 Hampshire Street, has served the surrounding area as a neighborhood grocery store for many years. The owners would like to expand their store with a 600 s.f. addition that would extend into the adjacent property at 127 Hampshire Street, which they also own. The current zoning at 127 Hampshire Street is Multi-Family Urban (MFU) and prohibits retail sales, which is the reason for the Zoning Map Amendment request to Neighborhood Business (NB). (**Map 1**)

The 2010 Comprehensive Plan Future Land Use Plan recommends High Density Neighborhood Conservation (HDNC) for the general area (**Map 2**) including 121 and 127 Hampshire Street. The Staff recommended that the Planning Board first amend the 2010 Comprehensive Plan's Future Land Use map for both 121 and 127 Hampshire Street from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) prior to considering the proposed zone change. The second step would be a Zoning Map Amendment for 127 Hampshire Street from Multi-Family Urban (MFU) to Neighborhood Business (NB).

CURRENT CONDITIONS: The property at 121 Hampshire Street (PID # 250-316) is .3 acres in size and has 2 buildings on it: a grocery store/recycling and redemption operation and a 2 story duplex. The grocery store and duplex are both non-conforming structures as they do not meet the front yard building setback of 25 feet and are approximately 5 feet from the street right of way. There is an informal parking/driveway area between the 2 buildings that connect Hampshire Street to Willow Street.

The property at 127 Hampshire Street (PID # 250-315) has a 3 unit apartment building on a .19 acre lot and also has a non-conforming front yard building setback of approximately 5 feet from the street right of way. Both properties are served by public water and sewer. (**Map 3 Aerial**)

DEPARTMENT REVIEW - The Plan Review Committee met on January 18, 2017 and had the following comments:

- a. Police - mentioned it would be good to see improvements made to the informal parking area.
- b. Fire Department - would like more specific information at the time of a building permit application.
- c. Engineering - mentioned the Hampshire Street reconstruction project will positively impact the Gowell's Market by improving the sidewalks and adding new lighting.
- d. Economic and Community Development - would like to work with the owners to have the 600 s.f. building expansion moved closer to the Hampshire Street right-of-way. This action would be consistent with the existing building frontages along Hampshire Street.

PLANNING BOARD ACTION - The Planning Board was asked to make two recommendations to the City Council: (1) amend the Future Land Use Map for 121 and 127 Hampshire Street from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) and (2) for a Zoning Map Amendment for 127 Hampshire Street from Multi-Family Urban (MFU) zone to Neighborhood Business (NB) zone.

1. The February 14th Staff Report (**Attachment 2**) presented references from the 2010 Comprehensive Plan relating to Neighborhood Business, which were incorporated into the findings for recommending approval to amend the Future Land Use for both 121 and 127 Hampshire Street from the High Density Neighborhood Conservation designation to Neighborhood Business. (**See Attachment 2, Section III, A, pages 3 and 4**)
2. The second part of Planning Board consideration was for a zoning map amendment to 127 Hampshire Street from Multi-Family Urban (MFU) to Neighborhood Business (NB). The Staff suggested that if the Planning Board/City Council amended the Future Land Use for 121 and 127 Hampshire Street from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB), that change would make the Zoning Map Amendment request for 127 Hampshire Street to Neighborhood Business in compliance with the Comprehensive Plan's Future Land Use Plan. The staff also presented findings that the zone change request was reasonable and would allow an expansion of an



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important service the current Market provides without being detrimental to the surrounding area.

The Staff Report also mentioned another important factor in the support of the Zoning Map Amendment was that the Hampshire Street reconstruction project will be a significant investment in the area, and the improvements made to Hampshire Street will enhance pedestrian safety and convenience to Gowell's Market, which will further the Comprehensive Plan's *"policy to support the retention and improvement of these businesses since they offer a valuable service to the City's residents."*

IV. PLANNING BOARD PUBLIC HEARING, DELIBERATION AND RECOMMENDATIONS -

During the public hearing portion of the item at the February 14, 2017 meeting, Ken Estes, a family member representing 66 Webster Street, expressed concern about expanding the zoning and commercial use of Gowell's Market. He asked to be notified when building permits were applied for and requested a tall fence be constructed to screen the property at 66 Webster Street. The Staff obtained Mr. Estes contact information and said they would notify him when that time occurred. The Board then closed the public hearing and discussed the case.

The Planning Board discussed the Staff's interest in working with the applicant at the time of a building permit application to move the proposed addition closer to the street, should the zone change be approved. It was agreed that any construction issues were not relevant at this time in the consideration of the zone change, but the Board was interested in staff pursuing that possibility in the future.

A motion was made to forward a recommendation of **Approval** to the City Council to amend the Future Land Plan for 121 and 127 Hampshire Street from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) and to amend the Zoning Map for 217 Hampshire Street from Multi-Family Urban (MFU) to Neighborhood Business (NB) with the following findings on the Future Land Use Amendment:

1. Amending the Future Land Use Plan from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) for 121 Hampshire Street will reflect the existing zoning of Neighborhood Business and its land use as a neighborhood business, which has existed for many years on the property.
2. The existing neighborhood business at 121 Hampshire Street meets the Objectives, Allowed Uses and Development Standards for Neighborhood Business (NB) as stated in the 2010 Comprehensive Plan (Chapter 2 Future Land Use Plan).
3. Amending the Future Land Use Plan from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) for 127 Hampshire Street will meet the goal of the Comprehensive Plan by *"support(ing) the retention and*

improvement of these businesses since they offer a valuable service to the City's residents" and "The standards also allow for replacing an existing use with a new non-residential use as long as it is appropriate for the neighborhood."

4. Amending the Future Land Use Plan from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) for 127 Hampshire Street will create a future land use designation that is in compliance with the proposed zoning map amendment which, if approved, would allow an expansion of the current neighborhood business at 127 Hampshire Street.
5. The expansion of Gowell's neighborhood business will be limited to 127 Hampshire Street and will be compatible and appropriate for the surrounding neighborhood.
6. The Hampshire Street reconstruction project will improve walkability in the area and support the improvements and expansion of Gowell's Market.

The findings continued for the Planning Board to send a recommendation of **APPROVAL** to the City Council for the Zoning Map Amendment for 127 Hampshire Street from Multi-Family Urban (MFU) to Neighborhood Business (NB) with the following findings:

1. The Zoning Map Amendment for 127 Hampshire Street from Multi-Family Urban (MFU) to Neighborhood Business (NB) will be in compliance with the Future Land Use Plan's designation as Neighborhood Business. (Subject to City Council approval of the Future Land Use Amendment)
2. Amending the Zoning Map for 127 Hampshire Street from Multi-Family Urban (MFU) to Neighborhood Business (NB) will allow an expansion of an existing neighborhood business into 127 Hampshire Street.
3. Expanding the existing neighborhood business into 127 Hampshire Street will meet the Neighborhood Business goal of the 2010 Comprehensive Plan by *"support(ing) the retention and improvement of these businesses since they offer a valuable service to the City's residents."*
4. The limited expansion of a neighborhood business at 127 Hampshire Street will be compatible with the existing Neighborhood Business.
5. The Hampshire Street reconstruction project will improve walkability in the area and support the improvements and expansion of Gowell's Market.

The motion was approved with a unanimous vote of 6-0. (Cyr, Poliquin-Pross, Bowyer, Scoggins, Tardif and Vice Chair Philbrick, In Favor; Bellefleur absent)


Douglas M. Greene, AICP, RLA
Urban Development Specialist

Cc: Dan Philbrick, Chair Auburn Planning Board
File



Attachment 1

City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: January 9, 2017

Order:

Author: Douglas Greene, Urban Development Coordinator, Department of Economic and Community Development

Subject: Council Initiation of a Zone Change at 127 Hampshire Street

Information: Gowell's Market, a small neighborhood business located at 121 Hampshire Street, would like to expand its operation into an adjacent property that it owns, which is located at 127 Hampshire Street. In order to expand, the adjacent property at 127 Hampshire Street will need to have its zoning changed from Multi-Family Urban (MFU) to Neighborhood Business (NB). Council members Stone and Walker have submitted a Workshop Agenda Item Request Form (attached) requesting the City Council initiate a Zoning Map Amendment (ZOMA) to rezone 127 Hampshire Street to Neighborhood Business. If initiated, the ZOMA would move forward to the Planning Board at their February 14th meeting, for a public hearing and recommendation. The Staff recommends that the Council also include in its initiation motion that the Future Land Use Plan for 127 Hampshire Street be amended from High Density Neighborhood Conservation to Neighborhood Business. This step will then allow the zone change amendment to be in compliance with the Comprehensive Plan.

Advantages: Rezoning the property at 127 Hampshire Street would allow this long time neighborhood business, to expand and become more productive.

Disadvantages: The applicant will need to work with the surrounding property owners and Planning Board to ensure that the new business expansion, if allowed through a zone change, will not be detrimental to the neighborhood.

City Budgetary Impacts: None

Staff Recommended Action: Staff recommends the City Council initiate the zoning map amendment.

Previous Meetings and History: None

Attachments:

1. City Council Workshop Agenda Item Request Form
2. Existing Zoning Map
2. Future Land Use Map (2010 Comprehensive Plan)
3. Excerpt on Neighborhood Business from 2010 Comprehensive Plan

JAMES P. MCPHEE
LAND USE PLANNING & ZONING
72 Hillcrest Street ~ Auburn, Maine 04210
Jamespmcpee@gmail.com ~ 207-783-3963

The subject properties located at 121 and 127 Hampshire Street, Auburn, consist of two lots, tax map parcels 250-316 and 250-315, respectfully. Nolin Enterprises LLC owns both properties. The improvements at 121 Hampshire Street include Gowell's Variety Gowell's) and a two family dwelling. A three family dwelling occupies the 127 Hampshire Street parcel. The proposed project seeks to enlarge Gowell's by, approximately, 600 square feet (20'x 30').

Proposed Project

Nolin Enterprises LLC proposes to enlarge Gowell's by 600 sq ft thru the construction of a 20'x30' addition on the northwesterly side of the building. The purpose for the enlargement is to provide needed sales space and storage. Access to the new space will be from the current sales area and will include an emergency exit, directly to the outside, near the middle of the building making it safer. The nonconforming front yard setback of approximately six feet will be extended to the required twenty-five feet for the addition and the rear yard setback will be within the nonconforming setback currently allowed. At question, is does the expansion extended onto the 127 Hampshire Street parcel, now zoned Multifamily Residential Urban (MFU), outside of the identified boundary of the Neighborhood Business District (NB), by approximately +/- 10' and containing +/- 300 square feet, requires that portion of the lot to be rezoned? See attached Sketch A.

Zoning

The Market parcel is a conforming lot, which satisfies lot area, width, depth, height, density, and parking requirements - see Section 60-472. Lawfully nonconforming setbacks are present for rear, side, and front yards for both the Market and two family dwelling. The adjacent 127 Hampshire parcel is a lawfully nonconforming lot due to insufficient lot depth. There is rear, side, and front yard lawfully nonconforming setbacks on this lot as well. Section 60-38(c) requires that "an abutting conforming and nonconforming lot under one ownership, or joint ownership shall be considered one lot." Based on this, 121 and 127 Hampshire Street, while being separately deeded parcels under single ownership, are, for the purposes of zoning, one lot. Extending this concept to it's conclusion, Gowell's, the two family, and the three family are on the same lot and need to be recognized under a single zone as NB. Deputy Director of Economic and Community Development, Eric Cousins, has confirmed that the adopted description of Auburn's zoning districts list "A lot of land at the intersection of Hampshire Street and Willow Street and identified as tax map parcel 10-2-50" as Neighborhood Business. Tax map parcel 10-2-50 is now 250-316.

The NB Purpose statement, Section 60-470, states, "It is intended that this district be located on lots in areas zoned for residential use." Historically, most NB uses have a residential use within the structure or on the same lot - the two family at 121 Hampshire Street is an example. Buildings used solely as a residence and located on the same lot as a qualifying business have not been allowed to be converted to accommodate another commercial use. This exclusion will not permit the conversion of either the two family or three family dwellings to commercial use.

The Neighborhood Business District is classified as a commercially zoned district and pursuant to Section 60-79(3) allows, "an existing lawfully nonconforming, nonresidential building or structure may be extended or enlarged..." Section (3) expressly provides that "a commercially used building or structure located in a commercially zoned district may be enlarged up to 2,500 square feet or 25 percent of the occupied floor area that now exists, whichever is greater, to a maximum expansion of 5,000 square feet..." According to the Auburn Assessing Department, Gowell's Market contains 2,738 square feet allowing a maximum expansion of 2,262 square feet. The proposed 600 square foot expansion is less than both the maximum of 5,000 square feet and less than the 25 percent of 684 square feet.

Comprehensive Plan Considerations

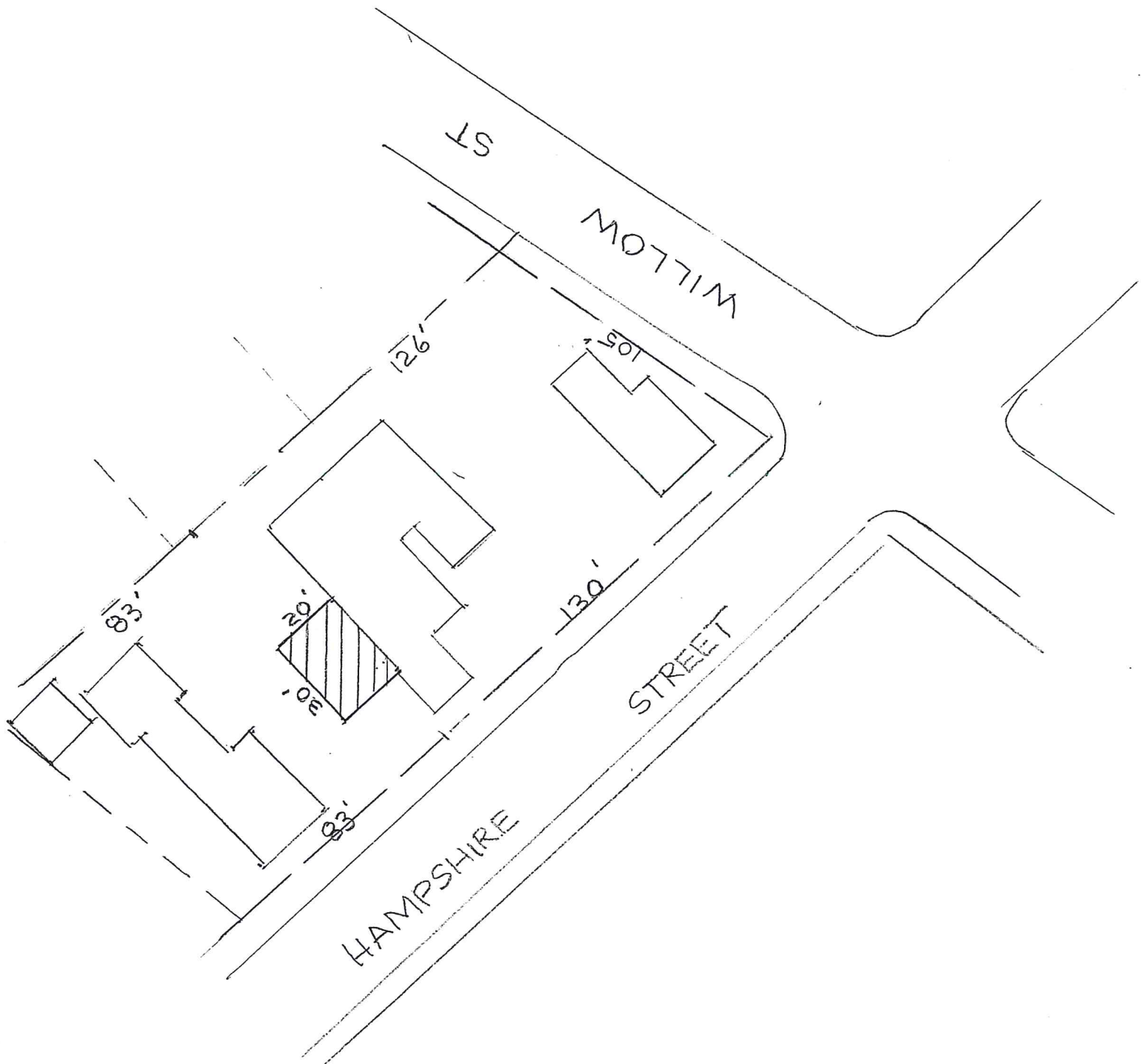
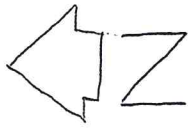
Objective- "The objective of the Neighborhood Business District is to allow for the maintenance, improvement, and the continued commercial use of properties within residential neighborhoods that have been traditionally used for non-residential purposes provided that they are good neighbors and that changes in the property or the use do not increase the adverse impacts on the neighborhood..."

Development Standards - "should allow for the expansion of the building as long as the overall layout and functioning of the site is improved and there is no increase in adverse impacts."

Summary

The properties addressed as 121 and 127 Hampshire Street, parcels 250-316 and 250-315, respectfully, are under the single ownership of Nolin Enterprises LLC, are required to be one lot by zoning, should be identified as one tax map parcel (250-316), and, therefore, the entire property zoned Neighborhood Business. This will result in the elimination of a nonconforming lot (250-315), promotes the Objective and Development Standards of the Comprehensive Plan, will encourage investment in the property, and will support the City's new vision for the Hampshire Street neighborhood.

SKETCH A
121 HAMPSHIRE ST.

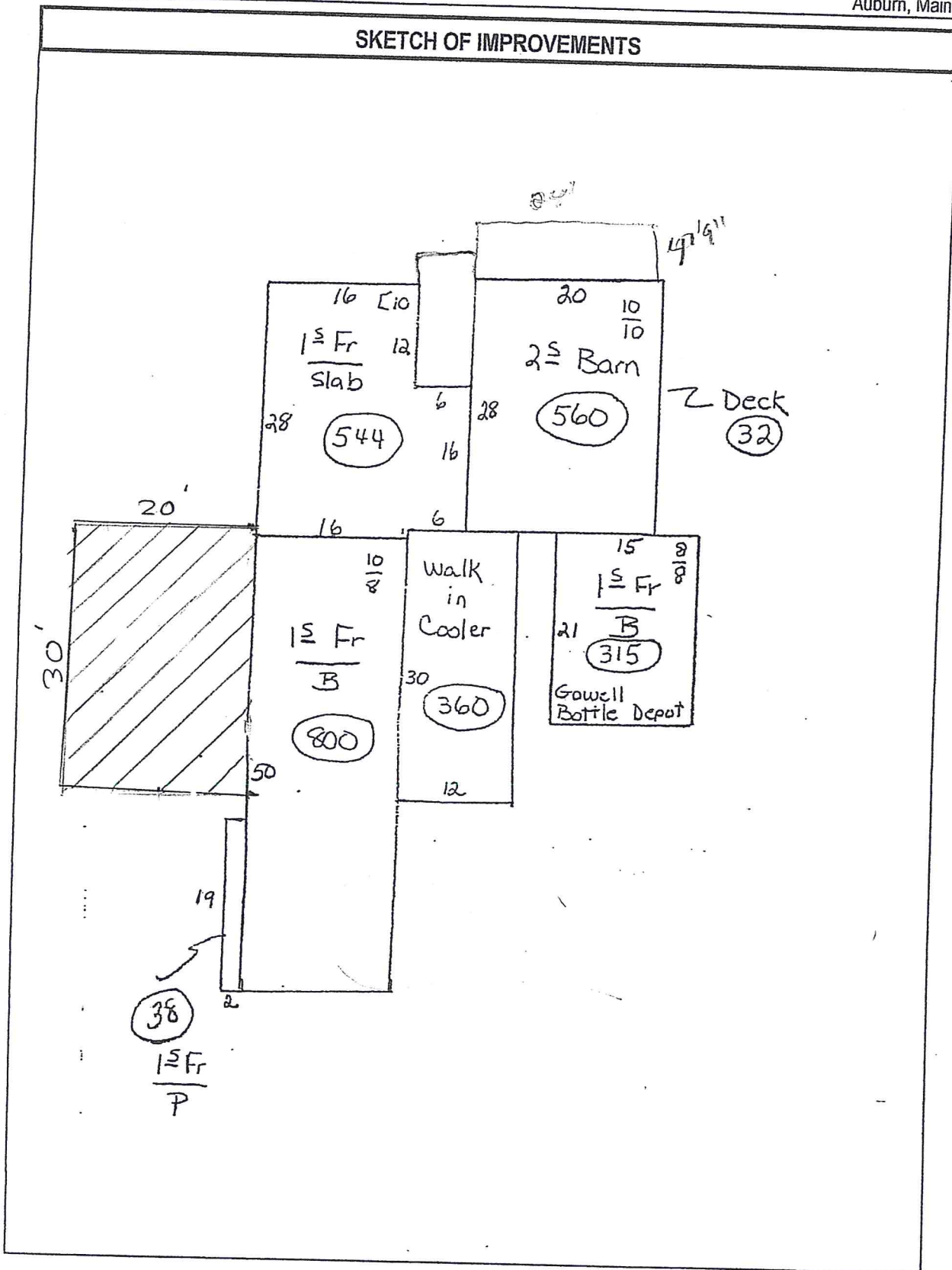


SKETCH B GOWELL'S VARIETY

Page 43

121 Hampshire Street
Auburn, Maine

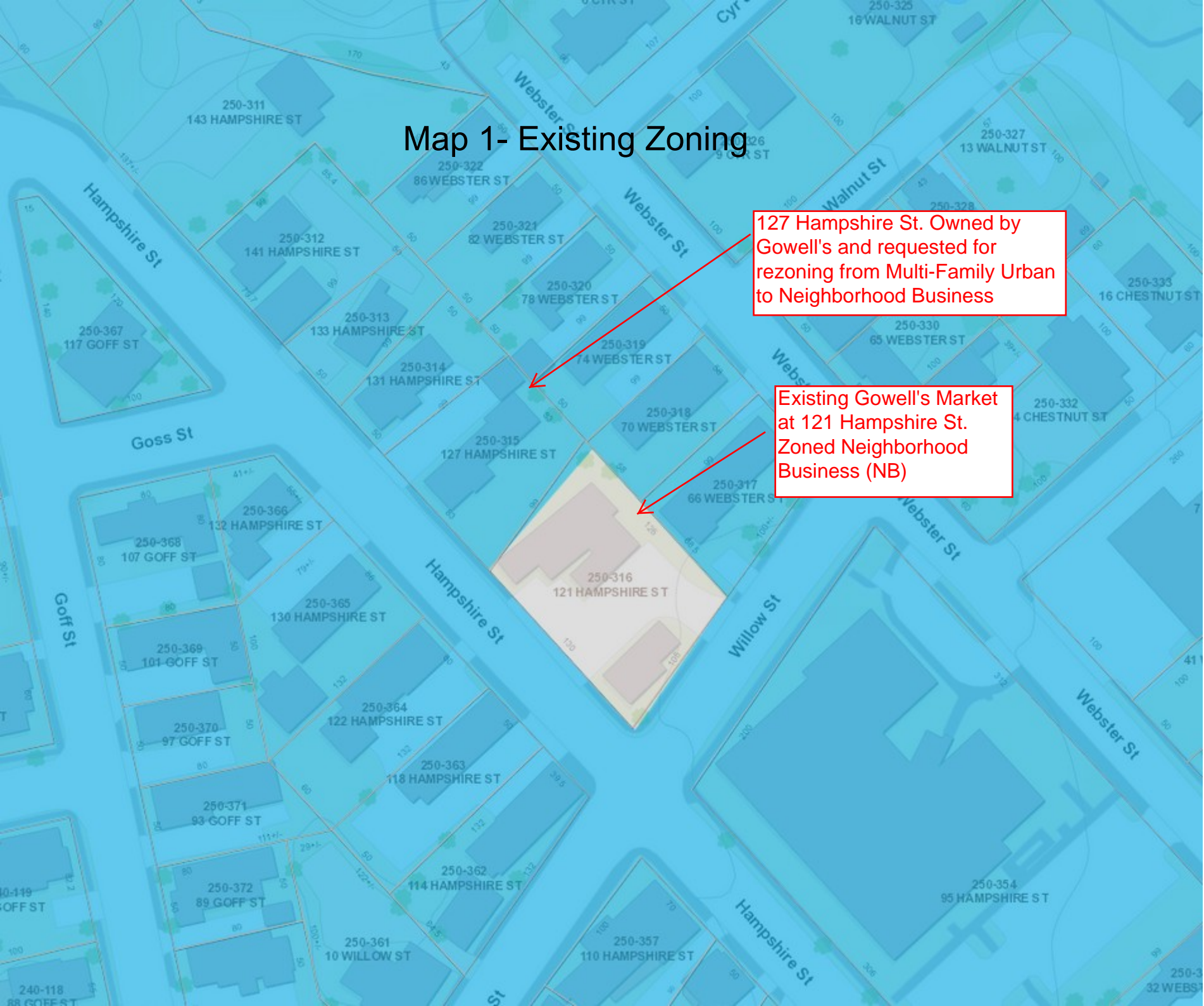
SKETCH OF IMPROVEMENTS



Map 1- Existing Zoning

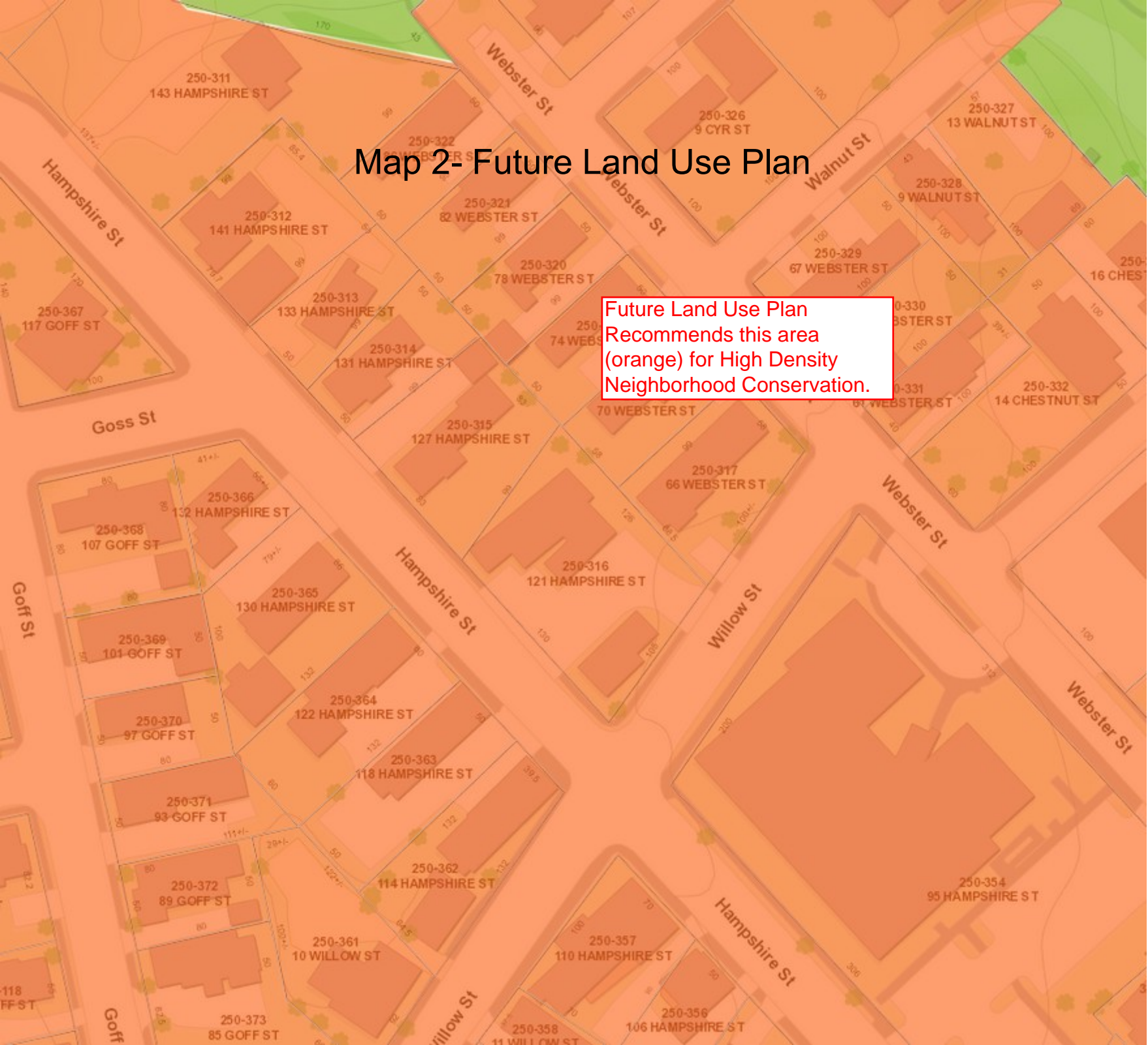
127 Hampshire St. Owned by
Gowell's and requested for
rezoning from Multi-Family Urban
to Neighborhood Business

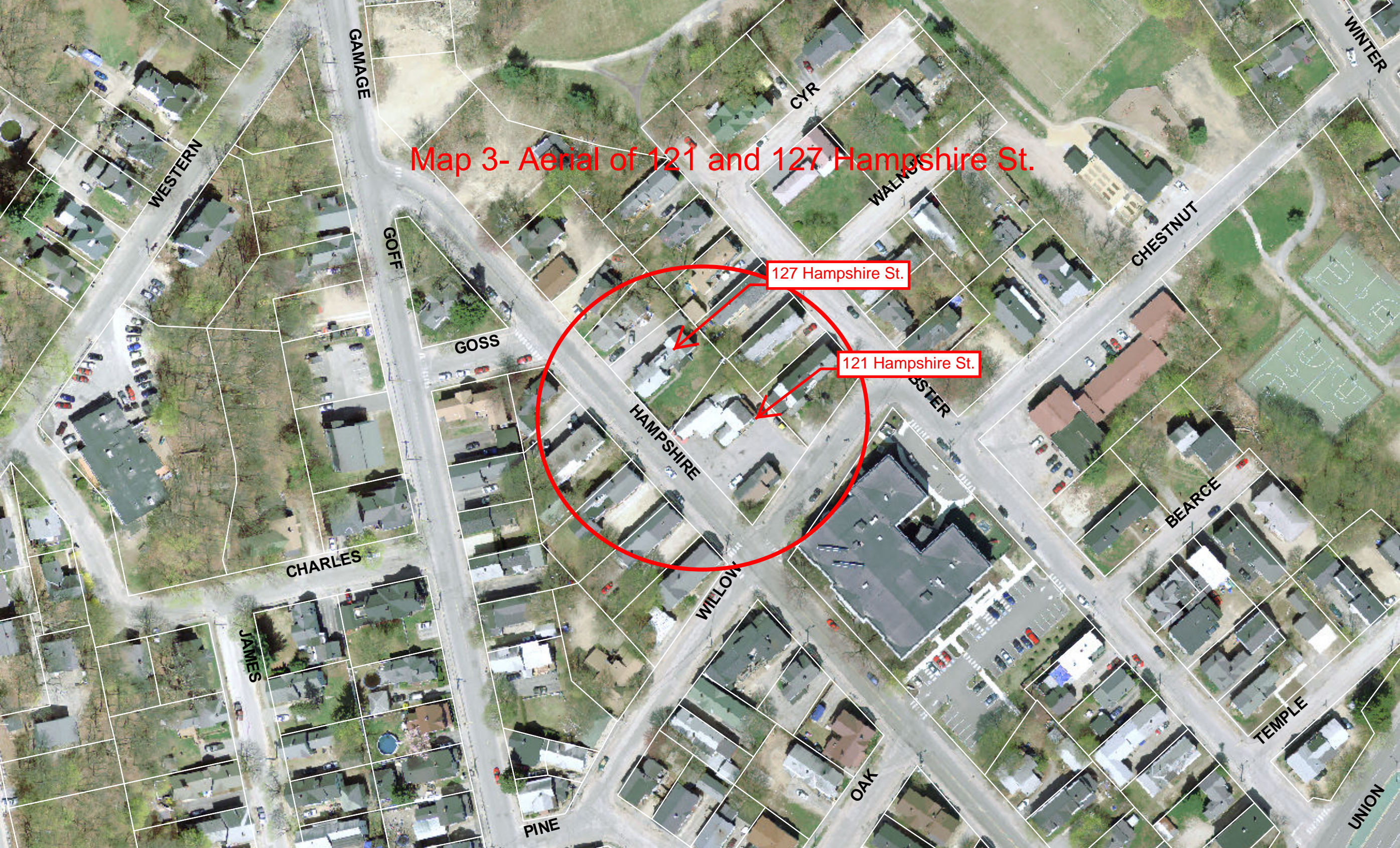
Existing Gowell's Market
at 121 Hampshire St.
Zoned Neighborhood
Business (NB)



Map 2- Future Land Use Plan

Future Land Use Plan
Recommends this area
(orange) for High Density
Neighborhood Conservation.





Map 3- Aerial of 121 and 127 Hampshire St.

127 Hampshire St.

121 Hampshire St.



City of Auburn, Maine

Office of Economic and Community Development
www.auburnmaine.gov 60 Court Street
Auburn, Maine 04210
207.333.6601

PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Douglas M. Greene; AICP, RLA
Urban Development Specialist

Re: A Future Land Use Amendment for 127 Hampshire Street and a Zoning Map Amendment for for 121 and 127 Hampshire Street

Date: February 14, 2017

I. PROPOSAL- Gowell's Market, located at 121 Hampshire Street, has served the surrounding area as a neighborhood grocery store for many years. The owners would like to expand their store with a 600 s.f. addition that would extend into the adjacent property at 127 Hampshire Street that they own. The current zoning at 127 Hampshire Street is Multi-Family Urban (MFU), which prohibits retail sales. The City Council initiated a Zoning Map Amendment at their January 9, 2017 meeting, to change the current zoning at 127 Hampshire Street from Multi-Family Urban (MFU) to Neighborhood Business (NB). (**Attachment 1**)

The property at 121 Hampshire Street is currently zoned Neighborhood Business and the adjacent property at 127 Hampshire Street is zoned Multi-Family Urban (**Map 1**). The 2010 Comprehensive Plan Future Land Use Plan recommends High Density Neighborhood Conservation (HDNC) for the general area (**Map 2**). The Staff recommends that the Planning Board first amend the 2010 Comprehensive Plan's Future Land Use map for both 121 and 127 Hampshire Street from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) prior to considering the proposed Zoning Map Amendment for 127 Hampshire Street from Multi-Family Urban (MFU) to Neighborhood Business (NB).

CURRENT CONDITIONS: The property at 121 Hampshire Street (PID # 250-316) is .3 acres in size and has 2 buildings on it, a grocery store/recycling and redemption operation and a duplex. The grocery store and duplex are both non-conforming structures as they do not meet the front yard building setback of 25 feet and are approximately 5 feet from the street right of way. There is an informal parking/driveway area between the 2 buildings that connect Hampshire Street to Willow Street.

The property at 127 Hampshire Street (PID # 250-315) has a 3 unit apartment building on a .19 acre lot and also has a non-conforming front yard building setback of approximately 5 feet from the street right of way. Both properties are served by public water and sewer. (**Map 3 Aerial**)

It is important to note that a reconstruction project for Hampshire Street will take place in the near future. The project area goes from Goff Street to Turner Street and will make significant improvements to sidewalks, cross-walks, lighting and landscaping. The City is investing in making Hampshire Street a high quality pedestrian friendly street using State and Federal funds as well as additional CDBG funding to do a first class improvement. A goal of the project is to promote private reinvestment and improve the quality of life in the neighborhood. The Gowell's project and its high numbers of walk in customers accessing additional products and food within the neighborhood is very complementary to City efforts and should not only be allowed but encouraged.

II. DEPARTMENT REVIEW- The Plan Review Committee reviewed the Gowell's Market zone change at their January 18, 2017 meeting. The Staff presented the zone change request and a sketch plan for the proposed building addition.

- a. Police- Tim Cogle mentioned it would be good to see improvements made to the informal parking area.
- b. Auburn Water and Sewer- No Comments
- c. Fire Department- The Fire Department would like more specific building plan information before issuing any permits or approvals. Staff mentioned that this was only a zone change and not a request for a building permit.
- d. Engineering- Mentioned the Hampshire Street reconstruction project will positively impact the Gowell's Market by improving the sidewalks and adding new lighting.
- e. Economic and Community Development- Would like to work with the owners to have the 600 s.f. building expansion moved closer to the Hampshire Street Right-of-Way. This action would be consistent with the existing building frontages along Hampshire Street.

III. PLANNING BOARD ACTION- The Planning Board is being asked to make recommendations to the City Council on amending the Future Land Use for 121 and 127 Hampshire Street from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB), and for a Zoning Map Amendment for 127 Hampshire Street from Multi-Family Urban (MFU) zone to Neighborhood Business (NB) zone.

A. FUTURE LAND USE PLAN AMENDMENT-

The 2010 Comprehensive Plan's Future Land Use Map for the 121 and 127 Hampshire Street is High Density Neighborhood Conservation. This designation is appropriate for the general area; however, it does not acknowledge the existing Neighborhood Business zoning on the property or the long standing neighborhood grocery store use, which would like to expand.

The 2010 Comprehensive Plan speaks to Neighborhood Business as follows:

(From Goals, Policies and Strategies, Chapter 1)

4. Neighborhood Business Districts

The City has a number of neighborhood businesses that are located within residential neighborhoods. It is the City's policy to support the retention and improvement of these businesses since they offer a valuable service to the City's residents. It is also the City's policy to encourage the owners of these properties to reinvest in maintaining and improving these buildings. To accomplish these objectives, the Future Land Use Plan (see Chapter 2) designates these properties as Neighborhood Business Districts. The standards for these districts allow the existing nonresidential use to be maintained and improved, as long as it is compatible with the surrounding neighborhood. The standards also allow for replacing an existing use with a new nonresidential use (other than service stations and auto service facilities), as long as it is appropriate for the neighborhood. The primary objective in creating these districts is to encourage the retention of these neighborhood businesses. As long as the property includes nonresidential space, whether occupied or not, the property should remain in the Neighborhood Business District to allow re-occupancy by an appropriate nonresidential use. However, if a property is converted to a residential use, it is the City's policy that the City should rezone the property to eliminate the Neighborhood Business District. (pages 71 and 72, 2010 Comprehensive Plan- Chapter 1: Goals, Policies and Strategies)

(From Future Land Use Plan, Chapter 2)

Neighborhood Business District (NB)

Objective – *The objective of the Neighborhood Business District is to allow for the maintenance, improvement, and continued commercial use of properties within residential neighborhoods that have been traditionally used for nonresidential purposes, provided that they are good neighbors, and that changes in the property or the use do not increase the adverse impacts on the neighborhood (see Figure 2.3). Properties that are zoned Neighborhood Business should continue to be zoned for commercial use as long as they continue to be used for appropriate nonresidential purposes. If the property is converted to a residential use, it should be rezoned to remove it from the neighborhood business district.*

Allowed Uses – *The following types of uses should be allowed in the Neighborhood Business District provided they do not result in an increase in the adverse impacts on the surrounding neighborhood:*

- *residential uses of the type allowed in the surrounding neighborhood*
- *personal services*
- *small retail uses*
- *existing service stations and auto service facilities*
- *community services and government uses*

Service stations and auto service facilities existing as of 2009 should continue to be allowed uses and should be allowed to modernize, but the establishment of a new service station or auto service facility in the Neighborhood Business district should not be permitted. Before an existing nonresidential use is replaced by a new nonresidential use, it should be required to demonstrate that it will not increase the adverse impact on the surrounding neighborhood.

Development Standards – *The development standards should reflect the existing pattern of development with respect to setbacks. The standards should allow for the expansion of the building as long as the overall layout and functioning of the site is improved, and there is no increase in adverse impacts. (pages 105 and 106; 2010 Comprehensive Plan- Future Land Use Plan Chapter 2)*

STAFF COMMENTS- It is clear that 2010 Comprehensive Plan's Goals and Future Land Use Plan supports preserving, maintaining and in appropriate cases, expanding (if compatible to the neighborhood) neighborhood businesses. Gowell's Market has provided a valuable service to the neighborhood for many years and the owner's plan to expand and improve service are worthy of staff support. Amending both 121 and 127 Hampshire Street properties from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) meets the goals and intent of the 2010 Comprehensive Plan for Neighborhood Business and will allow the associated Zoning Map Amendment to be approved by being in agreement with the Comprehensive Plan Land Use Map. In addition, 121 Hampshire Street is zoned Neighborhood Business which is not reflected on the Future Land Use Map.

B. ZONING MAP AMENDMENT- The proposed Zoning Map Amendment for 127 Hampshire Street from Multi-Family Urban (MFU) to Neighborhood Business (NB) is supported by the 2010 Comprehensive Plan's Goals, Policies and Strategies and Land Use Plan as referenced previously. Should the Future Land Use Plan be amended for both 121 and 127 Hampshire Street to Neighborhood Business, the proposed zone change for 127 Hampshire to Neighborhood Business would then be in agreement with the Future Land Use Plan. In addition, the proposed zone change would allow Gowell's Market to expand, make improvements to the existing neighborhood business, provide improved services to the neighborhood and still allow the existing residential uses on 121 and 127 Hampshire Street to continue as conforming uses.

STAFF COMMENTS- Amending the Future Land Use for 121 and 127 Hampshire Street to from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) will make the Zoning Map Amendment request for 127 Hampshire Street to Neighborhood Business compatible and in compliance with the Comprehensive Plan's Future Land Use Plan. The zone change request will allow a reasonable expansion of an important service the current Market provides without being detrimental to the surrounding area.

Another important factor in the support of the Zoning Map Amendment is the Hampshire Street reconstruction project. The investments and improvements made to Hampshire Street will enhance pedestrian safety and convenience to Gowell's Market which will further the

Comprehensive Plan's "policy to support the retention and improvement of these businesses since they offer a valuable service to the City's residents."

IV. STAFF RECOMMENDATIONS-

A. FUTURE LAND USE PLAN AMENDMENT-

The Staff recommends the Planning Board send a recommendation of **APPROVAL** to the City Council to amend the Future Land Plan for 121 and 127 Hampshire Street from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) with the following findings:


1. Amending the Future Land Use Plan from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) for 121 Hampshire Street will reflect the existing zoning of Neighborhood Business and its land use as a neighborhood business, which has existed for many years on the property.
2. The existing neighborhood business at 121 Hampshire Street meets the Objectives, Allowed Uses and Development Standards for Neighborhood Business (NB) as stated in the 2010 Comprehensive Plan (Chapter 2 Future Land Use Plan).
3. Amending the Future Land Use Plan from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) for 127 Hampshire Street will meet the goal of the Comprehensive Plan by "support(ing) the retention and improvement of these businesses since they offer a valuable service to the City's residents" and "The standards also allow for replacing an existing use with a new non-residential use as long as it is appropriate for the neighborhood."
4. Amending the Future Land Use Plan from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB) for 127 Hampshire Street will create a future land use designation for the Comprehensive Plan and be compatible and in compliance for the proposed zoning map amendment, which if approved, would allow an expansion of the current neighborhood business at 127 Hampshire Street.
5. The expansion of Gowell's neighborhood business will be limited to 127 Hampshire Street and will be compatible and appropriate for the surrounding neighborhood.
6. The Hampshire Street reconstruction project will improve walkability in the area and support the improvements and expansion of Gowell's Market.

B. ZONING MAP AMENDMENT-

The Staff recommends the Planning Board send a recommendation of **APPROVAL** to the City Council for the Zoning Map Amendment for 127 Hampshire Street from Multi-Family Urban (MFU) to Neighborhood Business (NB) with the following findings:

1. The Zoning Map Amendment for 127 Hampshire Street from Multi-Family Urban (MFU) to Neighborhood Business (NB) will be in compliance with the Future Land Use Plan's designation as Neighborhood Business. (Subject to City Council approval of the Future Land Use Amendment)

2. Amending the Zoning Map for 127 Hampshire Street from Multi-Family Urban (MFU) to Neighborhood Business (NB) will allow an expansion of an existing neighborhood business into 127 Hampshire Street.
3. Expanding the existing neighborhood business into 127 Hampshire Street will meet the Neighborhood Business goal of the 2010 Comprehensive Plan by “support(ing) the retention and improvement of these businesses since they offer a valuable service to the City's residents.”
4. The limited expansion of a neighborhood business at 127 Hampshire Street will be compatible to the existing Neighborhood Business.
5. The Hampshire Street reconstruction project will improve walkability in the area and support the improvements and expansion of Gowell's Market.


Douglas M. Greene, A.I.C.P., R.L.A.
Urban Development Specialist

C: File

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
VACANT, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 28-03202017

ORDERED, that the City Council hereby amends the City of Auburn 2010 Comprehensive Plan Future Land Use Map for the properties located at 121 Hampshire Street (PID # 250-316) and 127 Hampshire Street (PID # 250-315) from High Density Neighborhood Conservation (HDNC) to Neighborhood Business (NB).

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
VACANT, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

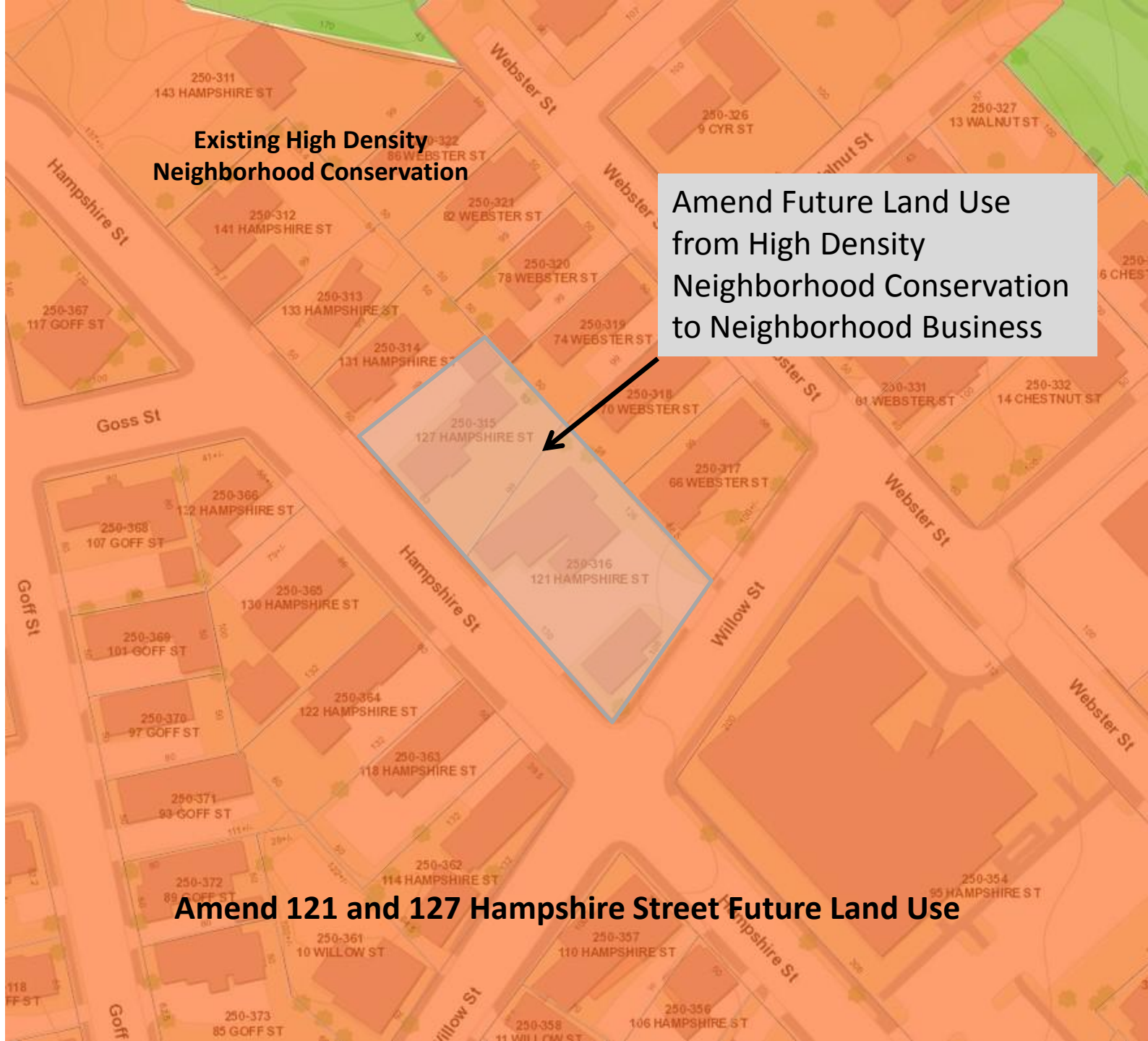
ORDINANCE 04-03202017

BE IT ORDAINED, that the City Council hereby amend the City of Auburn Zoning Map for the property located at 127 Hampshire Street (PID # 250-315) from Multi-Family Urban (MFU) to Neighborhood Business (NB).

**Existing High Density
Neighborhood Conservation**

Amend Future Land Use
from High Density
Neighborhood Conservation
to Neighborhood Business

Amend 121 and 127 Hampshire Street Future Land Use



City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services



TO: John Bubier, Acting City Manager

FROM: Jill Eastman, Finance Director

REF: February 2017 Financial Report

DATE: March 14, 2017

The following is a discussion regarding the significant variances found in the City's February financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its eighth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 66.7% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

Revenues collected through February 28th, including the school department were \$47,920,364 or 59.51%, of the budget. The municipal revenues including property taxes were \$34,296,264, or 59.71% of the budget which is less than the same period last year by 0.75%. The accounts listed below are noteworthy.

- A. The current year tax revenue is at 59.62%, the second payment is due March 15th .
- B. Excise tax for the month of February is at 73.75%. This is a \$63,878 increase from FY 16. Our excise revenues for FY17 are 7.5% above projections as of February 28, 2017.
- C. State Revenue Sharing at the end of February is 67.66% or \$993,441.

Expenditures

City expenditures through February 2017 were \$25,185,170 or 63.30%, of the budget. This is a 1.74% decrease for the same period last year. Noteworthy variances are:

- A. Administration is below last year by 6.86% or \$18,772 due primarily to vacancies in HR and the City Managers Department.
- B. Health and Social Services is currently at 78.78% of budget at the end of February.

Investments

This section contains an investment schedule as of February 29th. Currently the City's funds are earning an average interest rate of .57%.

Respectfully submitted,

A handwritten signature in black ink, reading "Jill M Eastman". The signature is written in a cursive, flowing style.

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND, WC AND UNEMPLOYMENT FUND
AS of February 2017, January 2017, and June 2016

	UNAUDITED February 28 2017	UNAUDITED January 31 2017	Increase (Decrease)	AUDITED JUNE 30 2016
ASSETS				
CASH	\$ 12,314,991	\$ 16,706,795	\$ (4,391,804)	\$ 10,809,594
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	2,157,283	2,156,650	633	2,561,677
TAXES RECEIVABLE-CURRENT	17,183,043	20,086,297	(2,903,254)	1,015,068
DELINQUENT TAXES	633,336	628,693	4,643	613,248
TAX LIENS	734,950	761,814	(26,864)	473,362
NET DUE TO/FROM OTHER FUNDS	2,411,320	2,747,142	(335,822)	2,298,596
TOTAL ASSETS	\$ 35,434,924	\$ 43,087,391	\$ (7,652,467)	\$ 17,771,545
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (16,865)	\$ (18,209)	\$ 1,344	\$ (643,393)
PAYROLL LIABILITIES	(722,018)	(805,009)	82,991	-
ACCRUED PAYROLL	529,353	800	528,553	(3,934,340)
STATE FEES PAYABLE	(58,660)	(44,248)	(14,412)	-
ESCROWED AMOUNTS	(5,470)	(11,183)	5,713	(12,981)
DEFERRED REVENUE	(18,404,925)	(21,330,399)	2,925,474	(1,970,197)
TOTAL LIABILITIES	\$ (18,678,586)	\$ (22,208,248)	\$ 3,529,662	\$ (6,560,911)
FUND BALANCE - Unassigned	\$ (14,889,368)	\$ (19,012,173)	\$ 4,122,805	\$ (6,158,083)
FUND BALANCE - Assigned	\$ (783,311)	\$ (783,311)	\$ 0	\$ (2,084,993)
FUND BALANCE - Nonspendable-long term receivables				\$ (1,341,590)
FUND BALANCE - Restricted	(1,083,659)	(1,083,659)	-	(1,625,968)
TOTAL FUND BALANCE	\$ (16,756,338)	\$ (20,879,143)	\$ 4,122,805	\$ (11,210,634)
TOTAL LIABILITIES AND FUND BALANCE	\$ (35,434,924)	\$ (43,087,391)	\$ 7,652,467	\$ (17,771,545)

CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH February 28, 2017 VS February 29, 2016

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU FEB 2017	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU FEB 2016	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	\$ 46,032,435	\$ 27,445,497	59.62%	\$ 44,021,283	\$ 26,037,457	59.15%	\$ 1,408,040
PRIOR YEAR TAX REVENUE	\$ -	\$ 723,417		\$ -	\$ 863,420		\$ (140,003)
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 750,000	\$ 569,088	75.88%	\$ 505,000	\$ 258,527	51.19%	\$ 310,561
ALLOWANCE FOR ABATEMENT	\$ -	\$ -		\$ -	\$ -		\$ -
ALLOWANCE FOR UNCOLLECTIBLE TAXES	\$ -	\$ -		\$ -	\$ -		\$ -
EXCISE	\$ 3,365,000	\$ 2,481,602	73.75%	\$ 3,350,000	\$ 2,417,724	72.17%	\$ 63,878
PENALTIES & INTEREST	\$ 150,000	\$ 96,568	64.38%	\$ 150,000	\$ 81,055	54.04%	\$ 15,513
TOTAL TAXES	\$ 50,297,435	\$ 31,316,171	62.26%	\$ 48,026,283	\$ 29,658,183	61.75%	\$ 1,657,988
LICENSES AND PERMITS							
BUSINESS	\$ 48,000	\$ 36,989	77.06%	\$ 48,300	\$ 37,791	78.24%	\$ (802)
NON-BUSINESS	\$ 427,384	\$ 279,138	65.31%	\$ 356,800	\$ 243,778	68.32%	\$ 35,360
TOTAL LICENSES	\$ 475,384	\$ 316,127	66.50%	\$ 405,100	\$ 281,569	69.51%	\$ 34,558
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 400,000	\$ 399,292	99.82%	\$ 440,000	\$ 401,596	91.27%	\$ (2,304)
STATE REVENUE SHARING	\$ 1,468,313	\$ 993,441	67.66%	\$ 1,477,641	\$ 1,057,740	71.58%	\$ (64,299)
WELFARE REIMBURSEMENT	\$ 59,000	\$ 36,663	62.14%	\$ 70,000	\$ 34,052	48.65%	\$ 2,611
OTHER STATE AID	\$ 22,000	\$ 2,681	12.19%	\$ 22,000	\$ 3,554	16.15%	\$ (873)
CITY OF LEWISTON	\$ 160,000	\$ -	0.00%	\$ 155,000	\$ 5,040	3.25%	\$ (5,040)
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 2,109,313	\$ 1,432,076	67.89%	\$ 2,164,641	\$ 1,501,982	69.39%	\$ (69,906)
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 132,640	\$ 65,906	49.69%	\$ 133,040	\$ 91,419	68.72%	\$ (25,513)
PUBLIC SAFETY	\$ 139,077	\$ 78,182	56.21%	\$ 239,138	\$ 65,671	27.46%	\$ 12,511
EMS TRANSPORT	\$ 1,250,000	\$ 679,907	54.39%	\$ 1,250,000	\$ 666,675	53.33%	\$ 13,232
TOTAL CHARGE FOR SERVICES	\$ 1,521,717	\$ 823,996	54.15%	\$ 1,622,178	\$ 823,765	50.78%	\$ 231
FINES							
PARKING TICKETS & MISC FINES	\$ 65,000	\$ 39,089	60.14%	\$ 60,000	\$ 42,304	70.51%	\$ (3,215)
MISCELLANEOUS							
INVESTMENT INCOME	\$ 10,000	\$ 41,494	414.94%	\$ 5,000	\$ 11,351	227.02%	\$ 30,143
INTEREST-BOND PROCEEDS	\$ -	\$ -		\$ 2,000	\$ -	0.00%	\$ -
RENTS	\$ 18,000	\$ 18,690	103.83%	\$ 18,000	\$ 152,687	848.26%	\$ (133,997)
UNCLASSIFIED	\$ 10,000	\$ 23,916	239.16%	\$ 20,000	\$ 30,990	154.95%	\$ (7,074)
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 14,120		\$ -	\$ 34,369		\$ (20,249)
SALE OF PROPERTY	\$ 20,000	\$ 10,935	54.68%	\$ 20,000	\$ 501,494	2507.47%	\$ (490,559)
RECREATION PROGRAMS/ARENA	\$ -	\$ -		\$ -	\$ -		\$ -
MMWAC HOST FEES	\$ 210,000	\$ 248,835	118.49%	\$ 210,000	\$ 140,437	66.87%	\$ 108,398
TRANSFER IN: TIF	\$ 1,537,818	\$ -	0.00%	\$ 545,000	\$ -	0.00%	\$ -
TRANSFER IN: POLICE	\$ -	\$ -		\$ 45,000	\$ -	0.00%	\$ -
TRANSFER IN: REC SPEC REVENUE	\$ 54,718	\$ -	0.00%	\$ 42,718	\$ -	0.00%	\$ -
TRANSFER IN: SPECIAL REVENUE	\$ -	\$ -		\$ -	\$ -		\$ -
ENERGY EFFICIENCY	\$ -	\$ 1,625		\$ -	\$ 3,600		\$ (1,975)
CDBG	\$ 254,127	\$ 3,352	1.32%	\$ 58,000	\$ 18,524	31.94%	\$ (15,172)
UTILITY REIMBURSEMENT	\$ 27,500	\$ 5,838	21.23%	\$ 37,500	\$ 9,049	24.13%	\$ (3,211)
CITY FUND BALANCE CONTRIBUTION	\$ 825,000	\$ -	0.00%	\$ 1,650,000	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 2,967,163	\$ 368,805	12.43%	\$ 2,653,218	\$ 902,501	34.02%	\$ (533,696)
TOTAL GENERAL FUND REVENUES	\$ 57,436,012	\$ 34,296,264	59.71%	\$ 54,931,420	\$ 33,210,304	60.46%	\$ 1,085,960
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 21,373,337	\$ 13,111,006	61.34%	\$ 20,854,672	\$ 12,603,140	60.43%	\$ 507,866
EDUCATION	\$ 814,540	\$ 513,094	62.99%	\$ 856,607	\$ 432,410	50.48%	\$ 80,684
SCHOOL FUND BALANCE CONTRIBUTION	\$ 906,882	\$ -	0.00%	\$ 906,882	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 23,094,759	\$ 13,624,100	58.99%	\$ 22,618,161	\$ 13,035,550	57.63%	\$ 588,550
GRAND TOTAL REVENUES	\$ 80,530,771	\$ 47,920,364	59.51%	\$ 77,549,581	\$ 46,245,854	59.63%	\$ 1,674,510

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH February 28, 2017 VS February 29, 2016

DEPARTMENT	FY 2017 BUDGET	Unaudited EXP THRU FEB 2017	% OF BUDGET	FY 2016 BUDGET	Unaudited EXP THRU FEB 2016	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 78,464	\$ 65,047	82.90%	\$ 77,366	\$ 68,920	89.08%	\$ (3,873)
CITY MANAGER	\$ 378,880	\$ 155,739	41.11%	\$ 269,340	\$ 179,514	66.65%	\$ (23,775)
CITY CLERK	\$ 177,906	\$ 113,910	64.03%	\$ 165,053	\$ 113,116	68.53%	\$ 794
FINANCIAL SERVICES	\$ 637,754	\$ 410,598	64.38%	\$ 619,855	\$ 409,598	66.08%	\$ 1,000
HUMAN RESOURCES	\$ 150,435	\$ 51,715	34.38%	\$ 143,526	\$ 95,741	66.71%	\$ (44,026)
INFORMATION TECHNOLOGY	\$ 479,324	\$ 361,972	75.52%	\$ 390,190	\$ 302,278	77.47%	\$ 59,694
LEGAL SERVICES	\$ 45,650	\$ 69,509	152.27%	\$ 65,000	\$ 40,551	62.39%	\$ 28,958
TOTAL ADMINISTRATION	\$ 1,948,413	\$ 1,228,490	63.05%	\$ 1,730,330	\$ 1,209,718	69.91%	\$ 18,772
COMMUNITY SERVICES							
ECONOMIC & COMMUNITY DEVELOPMENT	\$ 1,938,437	\$ 676,948	34.92%	\$ 1,267,711	\$ 916,477	72.29%	\$ (239,529)
HEALTH & SOCIAL SERVICES	\$ 171,474	\$ 135,090	78.78%	\$ 184,711	\$ 96,232	52.10%	\$ 38,858
RECREATION & SPECIAL EVENTS*	\$ 341,772	\$ 180,205	52.73%	\$ 338,871	\$ 196,200	57.90%	\$ (15,995)
PUBLIC LIBRARY	\$ 979,516	\$ 646,077	65.96%	\$ 979,516	\$ 650,495	66.41%	\$ (4,418)
TOTAL COMMUNITY SERVICES	\$ 3,431,199	\$ 1,638,320	47.75%	\$ 2,770,809	\$ 1,859,404	67.11%	\$ (221,084)
FISCAL SERVICES							
DEBT SERVICE	\$ 6,406,845	\$ 5,905,713	92.18%	\$ 6,324,864	\$ 5,792,676	91.59%	\$ 113,037
FACILITIES	\$ 645,756	\$ 361,252	55.94%	\$ 653,080	\$ 477,388	73.10%	\$ (116,136)
WORKERS COMPENSATION	\$ 522,088	\$ -	0.00%	\$ 496,536	\$ -	0.00%	\$ -
WAGES & BENEFITS	\$ 5,274,528	\$ 3,427,365	64.98%	\$ 5,171,309	\$ 3,194,407	61.77%	\$ 232,958
EMERGENCY RESERVE (10108062-670000)	\$ 375,289	\$ -	0.00%	\$ 375,289	\$ -	0.00%	\$ -
TOTAL FISCAL SERVICES	\$ 13,224,506	\$ 9,694,330	73.31%	\$ 13,021,078	\$ 9,464,471	72.69%	\$ 229,859
PUBLIC SAFETY							
FIRE DEPARTMENT	\$ 4,049,396	\$ 2,776,468	68.56%	\$ 4,099,634	\$ 2,893,631	70.58%	\$ (117,163)
FIRE EMS	\$ 590,997	\$ 300,098	50.78%	\$ 549,801	\$ 267,078	48.58%	\$ 33,020
POLICE DEPARTMENT	\$ 3,875,113	\$ 2,469,634	63.73%	\$ 3,870,995	\$ 2,465,683	63.70%	\$ 3,951
TOTAL PUBLIC SAFETY	\$ 8,515,506	\$ 5,546,200	65.13%	\$ 8,520,430	\$ 5,626,392	66.03%	\$ (80,192)
PUBLIC WORKS							
PUBLIC SERVICES DEPARTMENT	\$ 4,496,349	\$ 2,892,635	64.33%	\$ 4,525,898	\$ 2,840,204	62.75%	\$ 52,431
SOLID WASTE DISPOSAL	\$ 932,689	\$ 475,080	50.94%	\$ 927,278	\$ 532,869	57.47%	\$ (57,789)
WATER AND SEWER	\$ 599,013	\$ 452,380	75.52%	\$ 599,013	\$ 452,385	75.52%	\$ (5)
TOTAL PUBLIC WORKS	\$ 6,028,051	\$ 3,820,095	63.37%	\$ 6,052,189	\$ 3,825,458	63.21%	\$ (5,363)
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 106,000	\$ 79,730	75.22%	\$ 105,000	\$ 105,000	100.00%	\$ (25,270)
E911 COMMUNICATION CENTER	\$ 1,088,857	\$ 804,922	73.92%	\$ 1,069,122	\$ 571,740	53.48%	\$ 233,182
LATC-PUBLIC TRANSIT	\$ 182,244	\$ 182,244	100.00%	\$ 209,244	\$ 209,244	100.00%	\$ (27,000)
LA ARTS	\$ -	\$ -		\$ -	\$ -		\$ -
TAX SHARING	\$ 270,000	\$ 18,015	6.67%	\$ 270,000	\$ 21,066	7.80%	\$ (3,051)
TOTAL INTERGOVERNMENTAL	\$ 1,647,101	\$ 1,084,911	65.87%	\$ 1,653,366	\$ 907,050	54.86%	\$ 177,861
COUNTY TAX	\$ 2,167,824	\$ 2,167,824	100.00%	\$ 2,142,268	\$ 2,142,268	100.00%	\$ 25,556
TIF (10108058-580000)	\$ 2,824,803		0.00%	\$ 2,599,914	\$ -	0.00%	\$ -
OVERLAY	\$ -	\$ 5,000		\$ -	\$ -	0.00%	\$ 5,000
TOTAL CITY DEPARTMENTS	\$ 39,787,403	\$ 25,185,170	63.30%	\$ 38,490,384	\$ 25,034,761	65.04%	\$ 150,409
EDUCATION DEPARTMENT	\$ 40,743,368	\$ 20,179,490	49.53%	\$ 39,062,197	\$ 15,695,992	40.18%	\$ 4,483,498
TOTAL GENERAL FUND EXPENDITURES	\$ 80,530,771	\$ 45,364,660	56.33%	\$ 77,552,581	\$ 40,730,753	52.52%	\$ 4,633,907

**CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF February 28, 2017**

INVESTMENT		FUND	BALANCE February 28, 2017	BALANCE January 31, 2017	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	\$ 4,177,991.61	\$ 4,176,389.59	0.45%
ANDROSCOGGIN BANK	502	SR-TIF	\$ 1,006,754.51	\$ 1,006,368.48	0.45%
ANDROSCOGGIN BANK	836	GENERAL FUND	\$ 4,072,886.28	\$ 4,071,328.48	0.45%
ANDROSCOGGIN BANK	801	WORKERS COMP	\$ 50,294.07	\$ 50,274.76	0.45%
ANDROSCOGGIN BANK	748	UNEMPLOYMENT	\$ 50,294.04	\$ 50,274.79	0.45%
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	\$ 230,976.63	\$ 230,850.90	0.45%
NORTHERN CAPITAL	02155	CAPITAL PROJECTS	\$ 750,000.00	\$ 750,000.00	0.70%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	0.70%
NORTHERN CAPITAL	02155	GENERAL FUND	\$ 500,000.00	\$ 500,000.00	1.00%
GRAND TOTAL			\$ 11,339,197.14	\$ 11,335,487.00	0.57%

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2016 - June 30, 2017
Report as of February 28, 2017

	Beginning Balance 02/01/17	February 2017				Ending Balance 2/28/2017
		New Charges	Payments	Refunds	Adjustments	
Bluecross	\$ 42,303.60	\$ 11,865.60	\$ (4,581.95)	\$ -	\$ (3,901.22)	\$ 45,686.03
Intercept	\$ 334.80	\$ 800.00	\$ (600.00)			\$ 534.80
Medicare	\$ 111,096.34	\$ 86,026.00	\$ (32,732.96)		\$ (49,825.90)	\$ 114,563.48
Medicaid	\$ (21,167.75)	\$ 24,905.20	\$ (15,521.93)		\$ (16,104.98)	\$ (27,889.46)
Other/Commercial	\$ 151,295.86	\$ 40,053.60	\$ (35,354.85)	\$ 30.00	\$ (10,820.80)	\$ 145,203.81
Patient	\$ 520,787.19	\$ 16,101.40	\$ (7,512.87)	\$ 167.09	\$ (1,246.00)	\$ 528,296.81
Worker's Comp	\$ -	\$ -	\$ (685.00)			\$ (685.00)
TOTAL	\$ 804,650.04	\$ 179,751.80	\$ (96,989.56)	\$ 197.09	\$ (81,898.90)	\$ 805,710.47

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2016 - June 30, 2017
Report as of February 28, 2017

	July 2016	August 2016	Sept 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Adjustment	Totals	% of Total
No Insurance Information		\$ 4,649.80							\$ (4,649.80)	\$ -	0.00%
Bluecross	\$ 10,000.40	\$ 13,101.80	\$ 7,886.80	\$ 10,183.80	\$ 7,624.60	\$ 6,585.00	\$ 9,587.80	\$ 11,865.60	\$ 5,706.60	\$ 82,542.40	5.67%
Intercept	\$ 200.00	\$ 800.00	\$ 200.00	\$ 400.00	\$ 434.80	\$ 300.00	\$ 600.00	\$ 800.00	\$ 1,025.00	\$ 4,759.80	0.33%
Medicare	\$ 65,787.40	\$ 79,078.20	\$ 87,750.40	\$ 101,560.20	\$ 70,601.00	\$ 53,336.40	\$ 111,207.20	\$ 86,026.00	\$ 17,197.60	\$ 672,544.40	46.20%
Medicaid	\$ 34,317.20	\$ 36,679.60	\$ 25,523.80	\$ 34,320.80	\$ 35,292.20	\$ 24,267.60	\$ 29,678.80	\$ 24,905.20	\$ 5,091.00	\$ 250,076.20	17.18%
Other/Commercial	\$ 54,548.80	\$ 49,906.40	\$ 44,401.40	\$ 39,102.00	\$ 34,393.20	\$ 34,834.60	\$ 49,913.80	\$ 40,053.60	\$ (5,824.40)	\$ 341,329.40	23.45%
Patient	\$ 16,125.40	\$ 20,867.80	\$ 12,572.60	\$ 13,732.00	\$ 20,298.20	\$ 6,623.80	\$ 15,335.40	\$ 16,101.40	\$ (18,579.60)	\$ 103,077.00	7.08%
Worker's Comp	\$ 651.40				\$ 728.40				\$ 33.60	\$ 1,413.40	0.10%
TOTAL	\$ 181,630.60	\$ 205,083.60	\$ 178,335.00	\$ 199,298.80	\$ 169,372.40	\$ 125,947.40	\$ 216,323.00	\$ 179,751.80	\$ 0.00	\$ 1,455,742.60	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2016 - June 30, 2017
Report as of February 28, 2017

	July 2016	August 2016	Sept 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Totals	% of Total
No Insurance Information		6							6	0.32%
Bluecross	12	15	9	12	10	8	12	14	92	4.86%
Intercept	2	10	2	4	8	3	6	8	43	2.27%
Medicare	80	99	105	126	87	69	138	111	815	43.05%
Medicaid	45	50	33	44	45	35	38	31	321	16.96%
Other/Commercial	69	65	56	54	44	49	68	52	457	24.14%
Patient	20	25	16	17	25	15	19	20	157	8.29%
Worker's Comp	1				1				2	0.11%
TOTAL	229	270	221	257	220	179	281	236	1893	100.00%

TOTAL REVENUE COLLECTED AS OF 2/28/17 \$ 679,907.

TOTAL EXPENDITURES AS OF 2/28/17 \$ 300,098.

**EMS BILLING
AGING REPORT
July 1, 2016 to June 30, 2017
Report as of February 28, 2017**

	Current		31-60		61-90		91-120		121+ days		Totals							
Bluecross	\$	9,303.11	85%	\$	848.98	8%	\$	-	0%	\$	741.93	7%	\$	10,894.02	1.35%			
Intercept	\$	700.00	44%	\$	-	0%	\$	-		\$	882.20	56%	\$	1,582.20	0.20%			
Medicare	\$	57,279.19	96%	\$	2,617.20	4%	\$	-	0%	\$	(83.19)	0%	\$	59,813.20	7.42%			
Medicaid	\$	24,721.83	69%	\$	5,533.02	15%	\$	1,685.36	5%	\$	858.40	2%	\$	3,238.17	9%	\$	36,036.78	4.47%
Other/Commercial	\$	25,421.32	56%	\$	7,370.70	16%	\$	1,824.32	4%	\$	333.76	1%	\$	10,669.28	23%	\$	45,619.38	5.66%
Patient	\$	43,378.80	7%	\$	28,230.16	4%	\$	25,838.94	4%	\$	18,039.04	3%	\$	536,277.95	82%	\$	651,764.89	80.89%
Worker's Comp	\$	-		\$	-		\$	-		\$	-		\$	-		\$	-	0.00%
TOTAL	\$	160,804.25		\$	44,600.06		\$	29,348.62		\$	19,231.20		\$	551,726.34		\$	805,710.47	
		20%			6%			4%			2%			68%			100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS
As of January 31, 2017

	1902	1905	1909	1910	1913	1914	1915	1917	1922	1926	1927	1928	1929	1930			
	Riverwatch	Winter Festival	Kittyhawk Park	Community Service	Police Fitness Equipment	Oak Hill Cemeteries	Fire Training Building	Wellness Grant	Walmart Risk/Homeless	Healthy Androscoggin	Insurance Reimbursement	Vending	Fire Prevention	211 Fairview			
Fund Balance 7/1/16	\$ 998,289.00	\$ 3,504.80	\$ 44,875.00	\$ 3,822.59	\$ 5,932.53	\$ 27,084.76	\$ 3,511.16	\$ 4,657.35	\$ 7,158.93	\$ (169.41)	\$ (42,276.05)	\$ 97.26	\$ 4,094.47	\$ (566,303.71)			
Revenues FY17	\$ 31,637.51	\$ 6,300.00		\$ 450.70				\$ 3,839.00	\$ 2,059.08	\$ 8,164.96	\$ 25,164.31	\$ 823.00					
Expenditures FY17	\$ 105,681.60	\$ 13,391.07		\$ 47.95			\$ 5,000.00	\$ 2,612.69	\$ 2,393.69	\$ 3,360.00	\$ 11,875.20	\$ 1,146.63					
Fund Balance 1/31/17	\$ 924,244.91	\$ (3,586.27)	\$ 44,875.00	\$ 4,225.34	\$ 5,932.53	\$ 27,084.76	\$ (1,488.84)	\$ 5,883.66	\$ 6,824.32	\$ 4,635.55	\$ (28,986.94)	\$ (226.37)	\$ 4,094.47	\$ (566,303.71)			
	1931	2003	2005	2006	2007	2008	2010	2013	2014	2019	2020	2025	2030	2032			
	Donations	Byrne JAG	MDOT	PEACE	Seatbelt Grant	Homeland Security	State Drug Money	OUI Grant	Speed Grant	Law Enforcement Training	CDBG	Community Cords	Parking	HEAPP			
Fund Balance 7/1/16	\$ 4,030.22	\$ 5,601.31	\$ (300,767.41)	\$ 5,113.91	\$ 3,838.00	\$ (79,902.47)	\$ 32,161.49	\$ 20,076.97	\$ 9,286.00	\$ (2,764.26)	\$ 4,390,795.83	\$ 29,363.56	\$ 7,326.18	\$ (4,994.50)			
Revenues FY17	\$ -	\$ 2,120.64		\$ 3,130.91		\$ 102,245.77	\$ 5,138.50	\$ 15,650.00	\$ 8,205.00	\$ 4,436.00	\$ 480,055.40	\$ 3,021.12	\$ 127,514.16				
Expenditures FY17	\$ 66.40	\$ 1,427.74		\$ 3,093.47		\$ 71,977.05	\$ 14,255.27	\$ 16,464.00	\$ 6,324.00	\$ 850.00	\$ 378,915.31	\$ 1,957.70	\$ 128,266.54				
Fund Balance 1/31/17	\$ 3,963.82	\$ 6,294.21	\$ (300,767.41)	\$ 5,151.35	\$ 3,838.00	\$ (49,633.75)	\$ 23,044.72	\$ 19,262.97	\$ 11,167.00	\$ 821.74	\$ 4,491,935.92	\$ 30,426.98	\$ 6,573.80	\$ (4,994.50)			
	2033	2038	2037	2038	2040	2041	2042	2044	2045	2046	2048	2050	2051	2052			
	Safe School/Health (COPS)	COPSAP Grant	Bulletproof Vests	Community Action Team	Great Falls TV	Blanche Stevens	High Visibility	Federal Drug Money	Forest Management	Joint Land Use Study	TD Tree Days Grant	Project Lifesaver	Project Canopy	Nature Conservancy			
Fund Balance 7/1/16	\$ (11,598.45)	\$ -	\$ 11,591.10	\$ 7,206.21	\$ 49,695.26	\$ 51,105.26	\$ 3,528.71	\$ 28,246.58	\$ 4,661.52	\$ 0.57	\$ -	\$ 100.00	\$ -	\$ 975.05			
Revenues FY17	\$ 6,893.21	\$ 11,349.00	\$ 5,323.50					\$ 6,842.92			\$ 12,500.00	\$ 50.00	\$ 12,970.00				
Expenditures FY17	\$ 65,171.77	\$ 11,349.00	\$ 4,926.39		\$ 4,375.38	\$ 1,472.56		\$ 20,068.39			\$ 12,500.00						
Fund Balance 1/31/17	\$ (69,877.01)	\$ -	\$ 11,988.21	\$ 7,206.21	\$ 45,319.88	\$ 49,632.70	\$ 3,528.71	\$ 15,021.11	\$ 4,661.52	\$ 0.57	\$ -	\$ 150.00	\$ 12,970.00	\$ 975.05			
	2053	2054	2055	2056	2057	2058	2059	2201	2500	2501							
	St Louis Bells	EMS Transport Capital Reserve	Work4ME-PAL	Lake Auburn Neighborhood	ASPCA Grant	Barker Mills Greenway	Distracted Driving	EDI Grant	Parks & Recreation	Recreation Donation							
Fund Balance 7/1/16	\$ 2,357.75	\$ 230,363.06	\$ (10,824.92)	\$ 125.00	\$ 800.00	\$ (36,787.03)	\$ (720.00)	\$ (1,336,528.99)	\$ 285,658.91	\$ 1,757.00							
Revenues FY17						\$ 34,189.60	\$ 17,231.00		\$ 107,474.47								
Expenditures FY17			\$ 9,803.46				\$ 14,226.00	\$ 875.00	\$ 242,834.60								
Fund Balance 1/31/17	\$ 2,357.75	\$ 230,363.06	\$ (20,628.38)	\$ 125.00	\$ 800.00	\$ (2,597.43)	\$ 2,285.00	\$ (1,337,403.99)	\$ 150,298.78	\$ 1,757.00							
	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	Total
	Tambrands TIF 4	J Enterprises TIF 5	Tambrands II TIF 6	J & A Properties TIF 7	Formed Fiber TIF 8	Mall TIF 9	Downtown TIF 10	Safe Handling TIF 11	Auburn Industrial TIF 12	Auburn Plaza TIF 13	Auburn Plaza II TIF 14	Webster School TIF 16	Bedard Pharm TIF 17	Slapshot LLC TIF 18	Hartt Transport TIF 19	Special Revenues	
Fund Balance 7/1/16	\$ (127,347.23)	\$ 14,500.44	\$ (471,229.88)	\$ 2,558.27	\$ 134,174.73	\$ 538,642.58	\$ 700,419.73	\$ 50,183.21	\$ (373,286.94)	\$ 112,923.51	\$ (90,278.95)	\$ 360.91	\$ 388.80	\$ (111,372.97)	\$ (5.40)	\$ 4,275,786.91	
Revenues FY17							\$ 46,880.91									\$ 1,091,660.67	
Expenditures FY17							\$ 839,557.74		\$ 136,810.59	\$ 79,912.46	\$ 534,503.92	\$ 14,645.06		\$ 84,567.93	\$ 14,972.71	\$ 2,861,679.27	
Fund Balance 1/31/17	\$ (127,347.23)	\$ 14,500.44	\$ (471,229.88)	\$ 2,558.27	\$ 134,174.73	\$ 538,642.58	\$ (92,257.10)	\$ 50,183.21	\$ (510,097.53)	\$ 33,011.05	\$ (624,782.87)	\$ (14,284.15)	\$ 388.80	\$ (195,940.90)	\$ (14,978.11)	\$ 2,505,768.31	

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: John Bubier, Acting City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for February 28, 2017

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of February 28, 2017.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, January 31, 2017.

Current Assets:

As of the end of February 2017 the total current assets of Norway Savings Bank Arena were (\$470,089). These consisted of cash and cash equivalents of \$91,209, accounts receivable of \$132,000, and an interfund payable of \$693,298.

Noncurrent Assets:

Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of February 28, 2017 was \$318,203.

Liabilities:

Norway Arena had no accounts payable as of February 28, 2017.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through February 2017 are \$819,012. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Norway Arena through February 2017 were \$832,757. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

As of February 2017 Norway Arena has an operating loss of \$13,745 compared to the January 2017 operating loss of \$18,898 a decrease in the operating loss for the fiscal year of \$5,153.

As of February 28, 2017 Norway Arena has a decrease in net assets of \$13,745.

The budget to actual reports for revenue and expenditures, with comparison to the same period last year show that revenue for FY17 is \$165,476 more than in FY16 and expenditures in FY17 are \$79,515 more than last year in February.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
February 28, 2017
Business-type Activities - Enterprise Fund

	February 28, 2017	January 31, 2017	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 91,209	\$ 91,209	\$ -
Interfund receivables	\$ (693,298)	\$ (732,493)	\$ 39,195
Prepaid Rent	\$ -	\$ -	\$ -
Accounts receivable	132,000	166,042	\$ (34,042)
Total current assets	(470,089)	(475,242)	5,153
Noncurrent assets:			
Capital assets:			
Buildings	35,905	35,905	-
Equipment	417,455	417,455	-
Land improvements	-	-	-
Less accumulated depreciation	(135,157)	(135,157)	-
Total noncurrent assets	318,203	318,203	-
Total assets	(151,886)	(157,039)	5,153
LIABILITIES			
Accounts payable	\$ -	\$ -	\$ -
Net pension liability	77,298	77,298	-
Total liabilities	77,298	77,298	-
NET ASSETS			
Invested in capital assets	\$ 318,203	\$ 318,203	\$ -
Unrestricted	\$ (547,387)	\$ (552,540)	\$ 5,153
Total net assets	\$ (229,184)	\$ (234,337)	\$ 5,153

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
February 28, 2017

	Norway Savings Arena
Operating revenues:	
Charges for services	\$ 819,012
Operating expenses:	
Personnel	229,024
Supplies	48,664
Utilities	166,412
Repairs and maintenance	9,502
Rent	337,656
Depreciation	-
Capital expenses	20,368
Other expenses	21,131
Total operating expenses	832,757
Operating gain (loss)	(13,745)
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	(13,745)
Transfers out	-
Change in net assets	(13,745)
Total net assets, July 1	(215,439)
Total net assets, February 28, 2017	\$ (229,184)

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through February 28, 2017 compared to February 28, 2016

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU FEB 2017	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU FEB 2016	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concussions	\$ 18,000	\$ 4,870	27.06%	\$ 30,000	\$ 5,625	18.75%	\$ (755)
Sponsorships	\$ 230,000	\$ 194,250	84.46%	\$ 230,000	\$ 132,848	57.76%	\$ 61,403
Pro Shop	\$ 8,500	\$ 4,769	56.11%	\$ 8,500	\$ 5,052	59.44%	\$ (283)
Programs	\$ 31,000		0.00%	\$ 280,000	\$ 228,743	81.69%	\$ (228,743)
Rental Income	\$ 672,250	\$ 555,811	82.68%	\$ 398,500	\$ 221,223	55.51%	\$ 334,588
Camps/Clinics	\$ 50,000	\$ 38,895	77.79%		\$ 38,320		\$ 575
Tournaments	\$ 50,000	\$ 20,417	40.83%	\$ 50,000	\$ 21,726	43.45%	\$ (1,309)
TOTAL CHARGE FOR SERVICES	\$ 1,059,750	\$ 819,012	77.28%	\$ 997,000	\$ 653,537	65.55%	\$ 165,476
INTEREST ON INVESTMENTS	\$ -			\$ -			
GRAND TOTAL REVENUES	\$ 1,059,750	\$ 819,012	77.28%	\$ 997,000	\$ 653,537	65.55%	\$ 165,476

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through February 28, 2017 compared to February 28, 2016

DESCRIPTION	ACTUAL			ACTUAL			VARIANCE
	FY 2016 BUDGET	EXPENDITURES THRU FEB 2017	% OF BUDGET	FY 2015 BUDGET	EXPENDITURES THRU FEB 2016	% OF BUDGET	
Salaries & Benefits	\$ 311,000	\$ 229,024	73.64%	\$ 311,000	\$ 235,897	75.85%	\$ (6,873)
Purchased Services	\$ 87,306	\$ 30,634	35.09%	\$ 96,150	\$ 50,710	52.74%	\$ (20,076)
Supplies	\$ 37,150	\$ 48,664	130.99%	\$ 17,500	\$ 23,601	134.86%	\$ 25,063
Utilities	\$ 199,800	\$ 166,411	83.29%	\$ 200,200	\$ 145,985	72.92%	\$ 20,426
Capital Outlay	\$ 57,000	\$ 20,368	35.73%	\$ 57,000	\$ 1,600	2.81%	\$ 18,768
Rent	\$ 507,000	\$ 337,656	66.60%	\$ 507,000	\$ 295,449	58.27%	\$ 42,207
	\$ 1,199,256	\$ 832,757	69.44%	\$ 1,188,850	\$ 753,242	63.36%	\$ 79,515
GRAND TOTAL EXPENDITURES	\$ 1,199,256	\$ 832,757	69.44%	\$ 1,188,850	\$ 753,242	63.36%	\$ 79,515

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: John Bubier, Acting City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for February, 2017



Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of February 28, 2017.

INGERSOLL TURF FACILITY

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of January 31, 2017.

Current Assets:

As of the end of January 2017 the total current assets of Ingersoll Turf Facility were 26,653. This consisted of an interfund receivable of \$26,653 an increase from January of \$8,962.

Noncurrent Assets:

Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of February 28, 2017 was \$195,659.

Liabilities:

Ingersoll had no accounts payable as of February 28, 2017.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through February 2017 are \$105,607. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through February 2017 were \$78,514. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of February 2017 Ingersoll has an operating gain of \$27,093 compared to January's of \$18,131.

As of February 28, 2017 Ingersoll has an increase in net assets of \$27,093.

The budget to actual reports for revenue and expenditures, show that the revenue for FY17 compared to FY 16. Ingersoll Arena opened last year in the middle of October.

Statement of Net Assets
Ingersoll Turf Facility
February 28, 2017
Business-type Activities - Enterprise Fund

	February 28 2017	January 31 2017	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents		\$ -	\$ -
Interfund receivables/payables	\$ 26,653	\$ 17,691	8,962
Accounts receivable	-	-	-
Total current assets	26,653	17,691	8,962
Noncurrent assets:			
Capital assets:			
Buildings	672,279	672,279	-
Equipment	86,625	86,625	-
Land improvements	18,584	18,584	-
Less accumulated depreciation	(581,829)	(581,829)	-
Total noncurrent assets	195,659	195,659	-
Total assets	222,312	213,350	8,962
LIABILITIES			
Accounts payable	\$ -	\$ -	\$ -
Total liabilities	-	-	-
NET ASSETS			
Invested in capital assets	\$ 195,659	\$ 195,659	\$ -
Unrestricted	\$ 26,653	\$ 17,691	\$ 8,962
Total net assets	\$ 222,312	\$ 213,350	\$ 8,962

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
February 27, 2017

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	\$ 105,607
Operating expenses:	
Personnel	57,301
Supplies	4,850
Utilities	637
Repairs and maintenance	10,768
Rent	-
Depreciation	-
Capital expenses	-
Other expenses	4,958
Total operating expenses	78,514
Operating gain (loss)	27,093
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	27,093
Transfers out	-
Change in net assets	27,093
Total net assets, July 1	195,219
Total net assets, February 28, 2017	\$ 222,312

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through February 28, 2017

REVENUE SOURCE	FY 2017 BUDGET	ACTUAL REVENUES THRU FEB 2017	% OF BUDGET	FY 2016 BUDGET	ACTUAL REVENUES THRU FEB 2016	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	\$ 15,000	\$ 9,913	66.09%	\$ 15,000	\$ 7,040	46.93%
Batting Cages	\$ 9,940	\$ 6,760	68.01%	\$ -	\$ 5,590	
Programs	\$ 90,000	\$ 37,291	41.43%	\$ 8,640	\$ 40,303	466.47%
Rental Income	\$ 100,000	\$ 51,643	51.64%	\$ 191,300	\$ 52,428	27.41%
TOTAL CHARGE FOR SERVICES	\$ 214,940	\$ 105,607	49.13%	\$ 214,940	\$ 105,361	49.02%
INTEREST ON INVESTMENTS	\$ -			\$ -		
GRAND TOTAL REVENUES	\$ 214,940	\$ 105,607	49.13%	\$ 214,940	\$ 105,361	49.02%

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through February 28, 2017

DESCRIPTION	ACTUAL			ACTUAL		
	FY 2017 BUDGET	EXPENDITURES THRU FEB 2017	% OF BUDGET	FY 2016 BUDGET	EXPENDITURES THRU FEB 2016	% OF BUDGET
Salaries & Benefits	\$ 101,899	\$ 57,301	56.23%	\$ 101,899	\$ 29,029	28.49%
Purchased Services	\$ 20,750	\$ 4,850	23.37%	\$ 20,750	\$ 1,838	8.86%
Programs	\$ 5,000	\$ 4,958	99.16%	\$ 5,000	\$ 2,659	53.18%
Supplies	\$ 6,750	\$ 637	9.44%	\$ 6,750	\$ 810	12.00%
Utilities	\$ 41,320	\$ 10,768	26.06%	\$ 41,320	\$ 8,076	19.55%
Insurance Premiums	\$ 2,383	\$ -	0.00%	\$ 2,383	\$ -	0.00%
Capital Outlay	\$ -	\$ -		\$ -		
	\$ 178,102	\$ 78,514	44.08%	\$ 178,102	\$ 42,412	23.81%
GRAND TOTAL EXPENDITURES	\$ 178,102	\$ 78,514	44.08%	\$ 178,102	\$ 42,412	23.81%