

City Council Meeting and Workshop May 19, 2014 Agenda

5:30 P.M. Workshop

- A. Executive Session, labor negotiations, pursuant to 1 M.R.S.A. §405(6)(D) (30 minutes)
- B. Executive Session, personnel discussions, pursuant to 1 M.R.S.A. §405(6)(A) (30 minutes)
- C. Lewiston Auburn Economic Growth Council (LAEGC) proposal Clint Deschene (30 minutes)

7:00 P.M. City Council Meeting

Roll call votes will begin with Councilor Hayes

Pledge of Allegiance

- 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 41-05192014*

Setting the time to open the polls for the June 10, 2014 Election.

- **II. Minutes -** May 5, 2014 Regular Council Meeting
- III. Reports

Mayor's Report

City Councilors' Reports

City Manager Report

- New Auburn Little League
- Athletic Fields Assessment

Finance Director, Jill Eastman - April 2014 Monthly Finance Report

IV. Communications, Presentations and Recognitions

- Proclamation Maine Arbor Week May 18 24, 2014
- **V. 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*. Time limit for open sessions, by ordinance, is 45 minutes.
- VI. Unfinished Business
- 1. Order 38-05052014

Adopting the School Budget for Fiscal Year 2015.

2. Resolve 06-05052014

Adopting the Appropriations Resolve for Fiscal Year 2015, First reading.

Auburn City Council Meeting & Workshop

May 19, 2014

VII. New Business

3. Ordinance 03-05192014

Approving the zoning text amendment to the Agricultural and Resource Protection Zone (ZOMA 1180-2013). First reading.

The City Manager recommends this item be taken out of order so budget discussions (unfinished business) are last on the agenda.

VIII. Executive Session

- Discussion regarding economic development (TIF), pursuant to 1 M.R.S.A. §405(6)(C).
- **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 of 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 disclosures of the information would prejudice the competitive or bargaining position of the body or agency
- D. Labor contracts
- E. Contemplated litigation
- 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 in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



City Council Information Sheet

City of Auburn

Council Meeting Date: May 19, 2014

Subject: Executive Session

Information: Discussion on labor negotiations, pursuant to 1 M.R.S.A. §405(6)(D)

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- 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 Council Information Sheet

City of Auburn



City Council Information Sheet

City of Auburn

Council Meeting Date: May 19, 2014

Subject: Executive Session

Information: Personnel discussion, pursuant to 1 M.R.S.A. §405(6)(A)

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- (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
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City Council Information Sheet

City of Auburn



City Council Workshop Information Sheet

City of Auburn

workshop information sheet		
Council Workshop Date: May 19, 2014 Item C Author: Clinton Deschene		
Item(s) checked below represent the subject matter related to this workshop item.		
□Comprehensive Plan ☑Work Plan ☑ Budget □Ordinance/Charter □Other Business* ☑Council Goals**		
**If Council Goals please specify type:		
Subject: Lewiston-Auburn Economic Growth Council (LAEGC) proposal		
Information : The process to review a new strategy is completed by the Consultant. A copy of this is attached.		
BUDGET Component: The allocation in the budget recommended by the City Manager is \$160,410. It has been recommended, but not acted on it yet to reduce it by \$15,792 to new amount of \$144,618. Jim Damicis the consultant does express a concern that funding levels are low. The City Manager continues to request and urge support from Lewiston and the Growth Council. Many budgets are being drastically impacted on both cities. Auburn has worked in cooperation with Lewiston on Intergovernmental agencies. However, the only item the City Manager is recommending is for one year during the new implementation of the new scope of services in this reduction. At this point no reductions		
are being proposed by the LAEGC board, LAEGC staff, or the City of Lewiston. Although, staff vacancies appear to allow a reduced budget to be manageable, a common concern is appropriately funding during a transitional period.		
Financial: Budget		
Action Requested at this Meeting: Discussion		
Previous Meetings and History: N/A		

Attachments: New Scope per consultant process.

^{*}Agenda items are not limited to these categories.

ECONOMIC DEVELOPMENT SERVICES PLAN FOR

LEWISTON AUBURN GROWTH COUNCIL

FINAL DRAFT - May 8 2014

INTRODUCTION

The cities of Lewiston and Auburn have worked with the Lewiston Auburn Economic Growth Council (LAEGC) to develop a scope of services for the continuation of joint economic development services. Camoin Associates was hired by the two cities and the LAEGC to work with the parties involved, along with an Advisory Committee to develop a scope of services for LAEGC that could be adopted and funded by the two cities as well as provide recommendations for the economic development service delivery going forward. The Joint Economic Development Services Advisory Committee met four times as part of this process and developed the this final draft which includes a recommended scope of services to help guide the work of LAEGC and recommendations on how the Cities and LAEGC should approach economic development going forward.

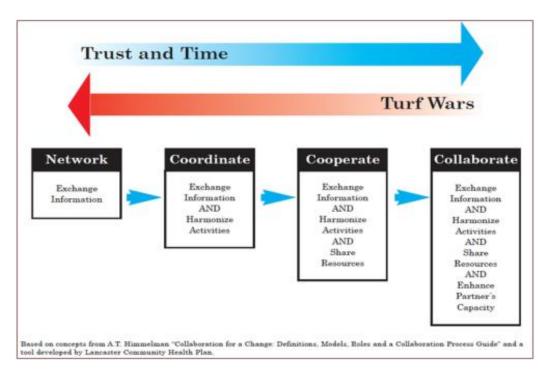
GUIDING PRINCIPLES AND APPROACH

The following principles provide guidance for a scope of services and economic development system going forward:

- Historically L/A has been a model for collaborative economic development and has had past success – Collaboration must continue! It will lead to greater impact and efficiencies compared to the two cities going it alone. The bottom line is that the Cities cannot fiscally afford going it alone in providing the resources to support modern day economic development functions and services.
- Economic development and the economy has become complex more issues, more stakeholders, global economy, greater expectations, a demand for openness and transparency, and a demand for measurement, etc... the LAEGC and the Cities must become more adaptive to rapid change and working within an environment of constant unknowns and limited predictability.
- Transformation and change takes time and commitment. There is no overnight silver bullet. Success requires patience and commitment to on-going capacity building and learning.
- The Cities and LAEGC may have to do less than in the past to allow for adaption to new models and services create "space" for adapting to change, working on the process of collaboration and networks with new stakeholders and interests, and updating operational process and procedures. Through all of this and into the future there must be adequate, consistent, capacity (dollars, staffing, and resources) to run a high performing organization.

Throughout the process of developing a scope of services much discussion focused on collaboration. The Advisory Group felt it important to understand what is meant by collaboration as opposed to networking, coordination, and collaboration. Through LAEGC the Cities seek to approach and delver economic development collaboratively, though networking, coordination, and cooperation are all needed to build and implement a collaborative approach. This following graphic helps demonstrate the model:

Economic Development Services Plan for Lewiston Auburn Growth Council -Final DRAFT - May 8, 2014 - Page - 1



Source: http://21stcenturylibrary.com/2010/09/

Current Economic Development Staffing/Capacity in the Cities

The two cities have very little staff/resources for carrying-out economic development functions. Current staffing is as follows:

- Auburn: 2 full-time staff: 1 focused on all economic development but also overseas planning, codes, assessing, and CBDG; 1 that spends 75%-80% on downtown issues
- Lewiston: 1 full-time economic development director

LAEGC increases this capacity while at the same time providing services collaboratively that are of mutual benefit. The overall potential is to have a greater impact than if the Cities were to go it alone. Additionally, LAEGC is able to utilize non property tax sources through its loan pool and other financing/grant programs to do more than what would be possible through property tax appropriations for the Cities alone.

Organization and Leadership

The scope of services focuses on the specific program and services that are to be provided by LAEGC to the two Cities. Each service area is like a piece of the puzzle and when put together determines "what" will be offered. This process of refining and negotiating scope of does not address "how responsive and effective" these services will be over the long-term and the changing nature of economic development. The Cities and the LAEGC should work to define and agree on what constitutes success in the delivery of economic development services and the value (return on investment) expectation of services. Regardless of the final agreed to scope of services there are several factors that need to be addressed in the short-term and continued to be worked on in the long-term to impact responsiveness and effectives. They are:

- Trust internally and externally amongst the Economic Development partners (Auburn, Lewiston, LAEGC)
- Process and procedures these help build trust
 - o Internal work plan for LAEGC
 - o Annual review by LAEGC of organization, board, and president
 - o Evaluation of services, metrics
- Leadership qualities within the organization including among the board. These include: adaptability, leading in periods of chaos or uncertainty
- Engagement among the board, committees, and among the many stakeholders and networks
- Open and active communications amongst the partners
- Ability and respond and adapt to changes in the external environment

It is highly recommended that these issues not be ignored and use this period of transition to a new president and another service year to begin to regularly discuss, assess, and address each of these issues. In hiring a new president LAEGC should put high emphasis of qualities of leadership, adaptability, board and stakeholder communication and engagement, networking, and ability to adopt and adhere to latest policies, procedures, and best practices. A top priority of the new president should be the development of an organizational plan that addresses these issues and provides details on plans going forward for staffing, management, board composition, roles and responsibilities, communications and financing. No amount of rearranging the service pieces can insure an effective, high performing organization over the long-term. Working together to address these issues can result in a new culture to make this a high performing economic development organization for years to come.

Funding for LAEGC

Beyond this transitional year, funding for LAEGC from Cities should be multi-year – 3-year to create stable environment for implementation of policies and actions. This should include annually reporting on performance and strategic focus.

LAEGC is potentially interested in expanding loans and loan pool to generate additional revenues and reduce reliance on property taxes. This could be accomplished through bonding by cities to expand loan pool but the challenge is that both cities have high debt. Accordingly, LAEGC should identify and pursue alternative funding sources and mechanisms for both loan programs and for the organization as a whole.

With a renewed trust between the Cities and LAEGC, the completion of an Economic Development Strategy, and Organizational Plan, LAEGC should then development a three year operating budget and financing plan that includes increases in non-property tax revenues by considering:

- Operations campaign (appeal to private sector)
- Increases in revenues from loan management and financial programs
- Increased us of TIF including a joint TIF
- Fees for services

Economic Development Corporations

Currently there are two-separate development corporations, one for each City. Both are separate legal entities from their perspective cities. They are asset-based private, non-profit corporations who purchase and own properties for development including individual properties purchased or obtained through foreclosure, the Auburn Industrial Park, and the Auburn Enterprise Center. Each has board has representation on LAEGC, each has City representatives on their boards. Each contracts with LAEGC for administration services. There has been some discussion of the merits ort merging the two organizations but since these are separate entities from the Cities and LAEGC the advisory committee is not offering a recommendation as part of this process for LAEDC scope of services.

Downtown Development

A previous draft of the scope of services included a section that tasked LAEGC with actively, through staff resources, supporting downtown development of the two cities and becoming more active in joint downtown economic development. Auburn wanted these services and role removed from the scope. Auburn recently hired a staff person in their planning department with downtown expertise and felt the LAEGC services were unnecessary. Lewiston is still in need of additional downtown services. It is recommended that Downtown strategies be considered within the Economic Development Strategy. From this a discussion can emerge on how best to carry-out those strategies. The following are a summary of issues that emerged in this process.

Common areas of interest:

- Improving quality of life through healthy downtowns
- Maine Street Program currently there is none in either City

Functions of common interest include:

- Event coordination
- Walkability
- Trails
- Housing
- Store fronts
- Arts and culture
- Investment and business attraction

There are only a few organizations involved in Downtown issues in LA

- United New Auburn neighborhood group in Auburn
- LA Arts
- AVCOG

It is unclear to some as to who has roles/oversight of downtown issues

Downtown efforts must involve downtown business and property owners to take ownership of process and improvements

Economic Development Services Plan for Lewiston Auburn Growth Council -Final DRAFT - May 8, 2014 - Page - 4

Community Transformation and Future of Economic Development

As presented in the Joint workshop on economic development in March 2014, our economic system is a period of rapid transformation and economic development services delivery must adapt. The following are offered as issues which should be addressed for transforming the economic development system in Lewiston and Auburn:

- Building capacity for functioning within a system among many networks and building leadership capacity for economic and community development among organizations and networks
- Building capacity and resources for business intelligence, working smarter data, research, digital technologies and information resources.
- Incorporating new funding models and reducing reliance on government entities
- Building capacity for understanding emerging trends and adapting accordingly
- Greater focus on workforce
- Greater focus on place based economic development and include worker and resident recruitment and retention among strategies

It is recommended that the Cities, LAEGC, and stakeholders develop a process for scanning, assessing, and addressing these and other issues related to transformation and change in the economy and economic development systems over time. This could be coordinated as part of the LA Futures Forum effort.

Priorities

The work and recommendations covered as part of this process cannot all be completed at once. There is simply not enough time and resources collectively. To help with implementation the following prioritization of key activities/initiatives is offered.

Level I

- Hire new president
- Economic Development Strategy (EDS)
- Organization Plan including staffing, management, financing, and communications

Level II

- Hiring of additional staff to carry out work and organizational plan
- Marketing plan
- Business visitation program
- 3-year operating budget FY 2015, 2016, 2017

Additionally LAEGC and the Cities should work with economic development stakeholders including the Future Forum and Benchmark LA as part of cooperative process to assess future changes and transformation in the economy and economic development and work to build capacity to adapt to those changes over time.

ATTACHMENT A - LAEGC SCOPE OF SERVICES BY SERVICE AREA

The following is a scope of services designed to guide the operations of LAEGC for the 2014-2015 fiscal year.

1. ECONOMIC DEVELOPMENT STRATEGY

Recommended Scope of Services Language

Description: The Cities are interested in developing and adopting an Economic Development Strategy (EDS). The EDS should be L-A focused and not focused on the whole region/county. The EDS will reflect the economic development vision, goals, and strategies of the Cities as a whole and identify and prioritize initiatives and projects for achieving them. The EDS should not focus on detailed operational and organizational plans of the Cities, the LAEGC, or related economic development entities.

Several plans related to economic and community development were completed in the past five to ten years. Findings from these plans should be incorporated by reference rather than seeking to redo their efforts. The EDS should focus on economic development (growth in employment, income, and investment) but take into account the finding related to economic development in the existing plans for community development and other related areas such as transportation, housing, workforce development, education and environment. Previous efforts have incorporated considerable public engagement processes so the EDS should focus specifically on engaging economic development stakeholders for the development of a focused, coordinated strategy.

The EDS should be the top priority for the LAEGC in 2014-15. Completing such a plan will typically require a 4-6 month effort. Once adopted the EDS will need to be implemented and annually reviewed/updated to reflect progress, changing priorities, goals and economic conditions. The LAEGC will contract for an experienced consultant to assist in the development of the EDS

FUNCTIONS/SERVICES:

- * Collaborate with the Cities, economic development stakeholders, and partner organizations
- ❖ Monitor economic trends (local, state and national) to assess opportunities and priorities
- ❖ Coordinate the development of the joint Economic Development Strategy (EDS) (note a suggested outline is included in Attachment A)
- ❖ Integrate with and clarify roles of Future Forum and Benchmark L/A with regard to the EDS
- Track and measure progress of strategic goals and initiatives and communicate progress with the Cities, stakeholders, and public
- Periodically coordinate a review of the EDS

Anticipated Activities:

- 1. Annual EDS implementation
- 2. Annual EDS progress/results report to Cities
- 3. Annual review of EDS goals, priorities and initiatives

Tasks/Projects:

- 1. Development of a joint Lewiston-Auburn Economic Development Strategy
 - A. Establish, in consultation with the JEDC and LAEGC Board, and EDS Steering Committee
 - B. Solicit and contract, in consultation with the Steering Committee, an independent, qualified economic development strategy consultant to provide research, analysis, and development support of the EDS
 - C. Identify and engage stakeholders
 - D. LAEGC to assist EDS process with administrative, coordination and committee support services
 - E. Develop Draft EDS
 - F. Review/adopt EDS by LAEGC Board, and City Councils

Expected Outcome(s):

• Adoption of Joint Economic Development Strategy for Lewiston and Auburn

Note: Funding for Economic Development Strategy Consultant will be separately identified and budgeted within LAEGC contracted services.

2. JOINT ECONOMIC DEVELOPMENT COORDINATION

Recommended Scope of Services Language

Description: LAEGC shall facilitate and promote the joint approach, appearance and implementation of the "public sector side" of economic development in the cities. LAEGC will work to coordinate efforts on projects, interests and/or issues that are deemed to be of a joint nature. LAEGC will act as steward of and monitor the application of the Joint Economic Development Protocol.

FUNCTIONS/SERVICES:

- ❖ Lead and support cities in joint economic development activities
- ❖ Establish a protocol and process for efficiently handling business inquiries. This should foster a "no wrong door" procedure for handling business and investor inquiries that recognizes that inquiries will come in from many sources/directions but need to be effectively referred to the persons(s) best in a position to address.
- ❖ Administer, Facilitate and Maintain the Joint Economic Development Protocol and TIF Policies

Anticipated Activities:

- 1) Facilitate periodic review of Joint Economic Development Protocol and TIF Policy
- 2) Lead implementation of Joint Economic Development Protocol
- 3) Track client contacts and results
- 4) Recommendation to Cities of issues, projects, processes or policies that would enhance joint economic development

Tasks/Projects:

- A. Review of Joint Economic Development Protocol and TIF Policy
- B. Work with Cities' economic development staff to develop clear, efficient process for business referrals

Expected Outcome(s):

 Revised Joint Economic Development Protocol and TIF Policy including process for handling business inquiries

3. MARKETING and PROMOTION

Recommended Scope of Services Language

Description: LAEGC shall be responsible for marketing and promotion of Lewiston and Auburn for economic development including business retention, expansion and attraction. Many entities and individuals play a part in marketing the Cities. Much of this is out of the direct control of one entity including the Cities, the Chamber, and the LAEGC. Therefore is essential that the LAEGC play a convening role in coordinating the multiple efforts and helping to present a series of messages that complement each other. The LAEGC will act as a clearinghouse for other community marketing efforts seeking to support, coordinate and reduce duplication in the collective efforts. LAEGC shall be vested with maintaining the branding of the Cities for economic development and work collaboratively to establish and promote the "brand" with stakeholders.

Business, site locators, investors, and citizens are all using digital and social media in personal and business information gathering, engagement and transactions. In its marketing and promotion activities that the LAEGC shall employ traditional media as appropriate but move toward increasing use of digital mediums. The LAEGC will promote and represent the communities locally, regionally, statewide, and beyond. The LAEGC will also work to recognize and celebrate the economic achievements of the cities, businesses and citizens.

FUNCTIONS/SERVICES:

- ❖ Marketing and promotion of the communities and their assets
 - Develop and promote marketing and collateral materials which promote the cities and their economic growth – with emphasis on web, digital, and social media
 - Coordinate with and support Visitor/Tourism promotion efforts within and outside of the community.
 - Assist in the marketing and promotion of the cities industrial/commercial parks, Auburn-Lewiston Municipal Airport, and key properties for redevelopment
 - o Assist/support marketing and promotion activities of the Cities' downtowns
- Share information which recognizes and celebrates the Cities' economic progress
- * Maintenance of Economic Development/Community Promotion website and social media sites
- ❖ Actively lead/coordinate community branding "image" efforts
- ❖ Collaborate/Participate with other community promotion efforts
- Create an Advisory Group for Economic Development Marketing and Promotion and engage stakeholders, interested business representatives and marketing professionals to provide advice and guidance in marketing/promotion efforts

❖ Better utilize Great Falls TV for economic development communications, marketing, and promotion

Anticipated Activities:

- 1) Development of annual marketing and promotion plan
- 2) Maintenance and publication of joint marketing materials
- 3) Creation and maintenance of websites and social media sites
- 4) Development of and attendance at marketing and promotion events
- 5) Facilitate/organize the annual business to business trade show, Annual Dinner, and Business Forum
- 6) Preparation and issuance of media releases/events
- 7) Creation and staff support for an economic development marketing advisory group

Tasks/Projects:

A. Cities will discuss and consider consolidating the services and resources of Great Falls TV (GFTV) under the LAEGC to provide for additional marketing, business and community promotion.

Expected Outcome(s):

Annual Marketing and Promotion plan with results tracked and reported annually

Note: LAEGC currently budgets approximately \$15,000 for Marketing and Promotion beyond staff costs. This level of funding is insufficient to fully implement the activities specified above.

4. BUSINESS DEVELOPMENT - RETENTION, EXPANSION, AND ATTRACTION

Recommended Scope of Services Language

Description: LAEGC shall be responsible for leading, coordinating and supporting public sector and private sector efforts to grow, improve, retain, and attract businesses in Lewiston-Auburn. LAEGC will focus on helping to create a positive business and community friendly environment which encourages the growth and location of business in the cities. LAEGC will monitor, track and assess economic development trends, issues, and resources to guide the Cities in overall economic development efforts. LAEGC will actively perform services to retain, grow, and attract businesses, employment and investment in the Cities.

FUNCTIONS/SERVICES:

- ❖ Assist existing business with retention and/or expansion
- ❖ Lead the development, coordination, and support of a business visitation program to identify existing businesses needs and concerns − This should be a formalized business visitation process/program that focuses on obtaining strategic information, utilizing that information for business assistance and support services, and improving the planning and delivery of economic development including revising economic plan as needed. This effort should be done collaboratively with the Cities' economic development staff and Chamber of Commerce. (Note: a list of process components to include in a business visitation program is included in Attachment B. It should also be noted that since a formal program currently does not exist the first year should focus on developing a framework and testing the implementation and identification of revenues for full implementation. Revenues beyond those in the current operating budget will likely be insufficient to implement and affective business visitation program)
- ❖ Lead the provision and coordination of services and activities to support business attraction to the Cities' including:
 - O In coordination and cooperation with commercial brokers, private landowners and the Cities, maintain database of potential development sites and real estate properties and make available electronically through the LAEGC's website. It should be stressed that this should be a coordinated and cooperative approach with the commercial real estate community and the Cities. Some of the brokers may choose not to list their properties though such a system, but LAEGC can proceed and work with those willing to cooperate.
 - Assist clients in conducting site searches and facilitate tours of the community
 - Serve as agent/administrator of the commercial/industrial parks controlled by local development corporations
 - O Provide and maintain up-to-date data and information on the LAEGC website that assists business in making location decisions including data related to workforce; taxes and fees; development review, approval, permitting, and licensing,; infrastructure, utility and transportation availability and costs; demographic and market data; incentive and support programs; and community amenities.

- Conduct activities to support business attraction in targeted industries and opportunities that emerge for the Economic Development Strategy
- ❖ Work with workforce development partners (education, workforce, labor, and training stakeholders) to develop, support, and implement programs, policies, and services to meet the workforce needs to grow the economy in the two Cities
- Work with local, state, and regional partners/stakeholders for support of entrepreneurs and business start-ups
- Encourage the involvement of the private and non-governmental sectors in economic development efforts

Anticipated Activities:

- 1) Seek and support new business development. Track #'s of businesses assisted, outcomes, common trends and noted community needs/issues
- 2) Jointly maintain and update inventory of developable properties (land and buildings) in the industrial, commercial and downtown sectors of the cities and make information available through the LAEGC website
- 3) Lead the development, coordination, and support of a Business Visitation Program
- 4) Provide an Annual Report of Business Development
- 5) Lead the provision and coordination of services, activities, and information to support business attraction to the Cities'
- 6) Provide information and links to resources on the LAEGC website to support workforce, entrepreneurial, and business start-up development

Tasks/Projects:

- A. Business Visitation Program (see Attachment B)
- B. Business Attraction Strategy linked to EDS
- C. Update to website to support business expansion, retention, and attraction

Expected Outcome(s):

Annual Report of Business Development

5. TARGETED GROWTH OPPORTUNITIES

Recommended Scope of Services Language

Description: The Cities of Lewiston and Auburn have numerous economic, geographic, and social strengths in the pursuit of economic development. In order to maximize economic growth potential the cities seek to target specific growth opportunities. LAEGC will work jointly with the Cities, business community and stakeholders to lead, promote and support the growth efforts of targeted economic opportunities. Targeted opportunities shall be identified in the Economic Development Strategy and/or as determined to be in the best interests of the communities. LAEGC efforts will include the employment of industry/sector specific marketing plans and methods, identification and pursuit of specific businesses and/or business growth. Efforts to increase targeted growth areas will include a mix of expansion of existing businesses and new business.

FUNCTIONS/SERVICES:

- ❖ Include a targeted industry and opportunity analysis as part of Economic Development Strategy (EDS) that identifies, assesses, and develops strategies for targeted industry sectors and economic growth opportunities. This should include assessment of:
 - Industrial, Trade, Logistics and Transportation (ITLT) including consideration of port related opportunities and the need to coordinate strategies and services with regional and state port related resources including the Maine Port Authority and Maine International Trade Center.
 - o The Downtowns as a targeted opportunity
 - Healthcare
 - Manufacturing
 - o Call centers/back-end operations
 - o Business, professional, and technical services
 - Others as evident from the data analysis
- ❖ Based on Targeted Industry and Opportunity Analysis develop strategies in core economic develop service areas to support their growth and development including:
 - Business expansion
 - Business attraction
 - Workforce development
 - o Entrepreneurship/business Start-ups

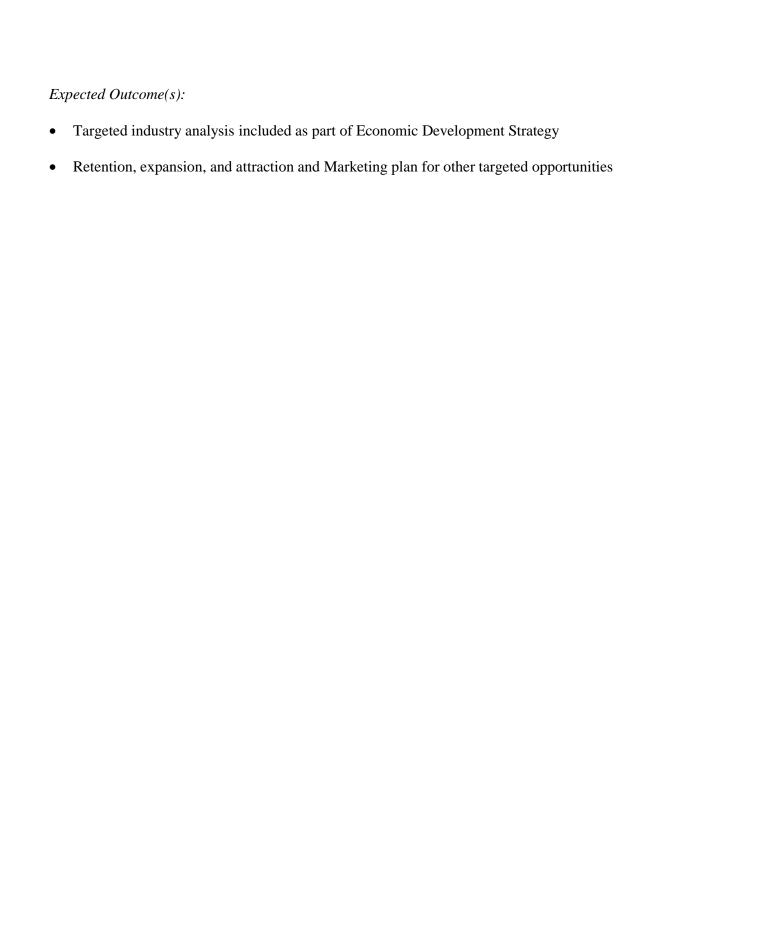
Anticipated Activities:

- 1) Create advisory committee(s) to oversee the EDS for targeted opportunities
- 2) Selection of and working with professional consultant as part of the EDS

Task/Projects:

A. EDS Strategy including strategies for targeted industries and opportunities (See Attachment A)

Economic Development Services Plan for Lewiston Auburn Growth Council - Final DRAFT - May 8, 2014 - Page - 13



6. PROJECT FINANCING AND PORTFOLIO MANAGEMENT

Recommended Scope of Services Language

Description: The LAEGC shall develop and manage financing resources and programs designed to provide "gap" and other financing for businesses locating or expanding in Lewiston-Auburn. The LAEGC shall act as a clearinghouse for entrepreneurs and businesses seeking business financing. The LAEGC shall coordinate/collaborate with public and private lending organizations and programs to provide assistance and guidance to clients. The LAEGC shall administer and manage the cities business lending/grant programs, as assigned. The LAEGC will endeavor to identify, develop and expand the amount and availability of business support resources in the community.

FUNCTIONS/SERVICES:

- ❖ Act as a business financing clearinghouse for the Cities
- Serve as a navigator to businesses seeking financial resources in support of growth or development
- Seek and advocate for additional community resources, including private and/or grant funding, targeted for economic development financing and projects.
- Manage assigned loan/grant programs from the Cities, development corporations, State/Federal agencies or private institutions
- ❖ Staff support of LAEGC Loan Committee/Business Financing Advisory group

Anticipated Activities:

- 1) Staff and support creation and appointment of Joint LAEGC Loan Committee/Business Financing Advisory group
- 2) Loan program and portfolio management and administration
- 3) Monitor other 'public' financing programs and coordinate services delivery to minimize duplication

Tasks/Projects:

A. Creation and Recruitment of Joint LAEGC Loan Committee/Business Financing Advisory group (Mark – I can't recall if we were supposed to keep or delete this)

Expected Outcome(s):

- Annual Report of loan program(s) activity and results
- Review and recommendation (as appropriate) to Cities of Loan Program Guidelines

7. ADMINISTRATION, ADVOCACY and GOVERNANCE

Recommended Scope of Services Language

Description: LAEGC shall provide staff support and administration to the overall economic development (in addition to and in support of the services described above) program of the Cities and the community as a whole. Additionally, it is recognized that LAEGC has certain administrative responsibilities associated with the management, operation and governance of the organization. Similarly, the LAEGC serves as the administrative support for other development related agencies serving Lewiston-Auburn including, but not limited to, the Auburn Business Development Corporation (ABDC), Lewiston Development Corporation (LDC), and the Lewiston and Auburn Railroad Company (LARR). LAEGC provides support services to these entities as requested and upon mutually agreed terms and conditions. This area of service is meant to encompass these administrative functions and responsibilities, as well as unanticipated and miscellaneous services, needs and projects which may arise from time to time.

FUNCTIONS/SERVICES:

- Provide logistical support (meetings/agendas/minutes/accounting, etc.) to the LAEGC and development corporations
 - Auburn Business Development Corporation, Lewiston Development Corporation, Lewiston-Auburn Railroad Company
 - Staff and support numerous (currently 10) standing committees of the LAEGC and Development Corporations
- ❖ Provide technical assistance/support to city staff and airport manager in negotiating incentives/lease terms relating to economic development projects
- ❖ Administer the Foreign-Trade Zone (F-TZ)
- Serve as Liaison for economic development to the Auburn-Lewiston Airport Committee
- ❖ Support and coordinate the goals and efforts of L/A Future Forum and Benchmark L/A
- Support other economic/community development-related issues, initiatives and projects that arise and as requested by the Cities
- Monitor regional and state policies and inform Cities on issues that may impact economic development

Anticipated Activities:

- 1) Coordinated and efficient administration of the Cities joint economic development programs, development corporations and activities
- 2) Conduct annual briefing to Cities and stakeholders on regional, state, and federal issues and policies that may impact economic development in the Cities

Expected Outcome(s):		
•	Annual reporting to the Cities on LAEGC operations, use of funds, and outcomes	

Economic Development Services Plan for Lewiston Auburn Growth Council – Final DRAFT – May 8, 2014 - Page - 17

ATTACHMENT B - OUTLINE OF ECONOMIC DEVELOPMENT STRATEGY

Identification and assessment of opportunities, related strategies, and priority projects/actions around:

- Overview from existing plans and identification of gaps
- Vision, goals/objectives
- Identification, assessment, and strategy development of targeted industry sectors and opportunities
- Entrepreneurship/innovation/small business ecosystem
- Workforce development
- Business retention, expansion, attraction
- Key development sites
- Other key factors impacting investment and economic growth
 - Housing
 - o Transportation
 - Land use/zoning/planning/permitting/approval process
 - o Energy/utilities/telecommunications
 - o Education
 - Quality of place
- Marketing and communications
- Implementation:
 - o Strategy/action
 - o Timeframe
 - o Roles/responsibilities
 - Costs/needed resources
 - o Evaluation/measurement

ATTACHMENT C- COMPONENTS OF A BUSINESS VISITATION PROGRAM

This process should include written strategy regarding:

- Persons conducting visitation
- Training for conducting visitation
- Questionnaire for businesses being visited
- Selection of businesses
- Follow-up to specific business if warranted
- Tabulation and assessment of findings
- Use of information including tying into strategic planning
- On-going data management



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: May 19, 2014 **Order** 41-05192014*

Author: Sue Clements-Dallaire, City clerk			
Item(s) checked below represent the subject matter related to this workshop item.			
□Comprehensive Plan □Work Plan □Budget □Ordinance/Charter □Other Business* □Council Goals**			
**If Council Goals please specify type:			
Subject : Setting the time to open the polls for the 6/10/2014 Election			
Information: State law requires the Municipal Officers to set the time to open the polls for each election. It is recommended that the polls open at 7:00 A.M. in Auburn for the June 10, 2014 Election. All five polling places will be open.			
Financial: N/A			
Action Requested at this Meeting: Recommend setting the time for the polls to open at 7:00 A.M.			
Previous Meetings and History: N/A			
Attachments: Order 41-05192014			

^{*}Agenda items are not limited to these categories.

Tizz E. H. Crowley, Ward One Robert Hayes, Ward Two Mary Lafontaine, Ward Three Adam R. Lee, Ward Four



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

IN CITY COUNCIL

ORDER 41-05192014*

ORDERED, that the City Council hereby sets the time for opening the polls at 7:00 A.M. for the June 10, 2014 Election. All five polling places will be open for this election.

Mayor LaBonté called the meeting to order at 7:07 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

I. Consent Items* - NONE

II. Minutes

April 22, 2014 Regular Council Meeting

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine to accept the minutes of April 22, 2014 with the addition of the subject for each person who spoke during the open session. Passage 7-0.

III. Reports

Mayor's Report - No report

City Manager's Report

Business licensing – pre-packaged foods

City Committee Reports – Councilor Crowley will provide a written report in a follow up packet.

Councilor Reports- Councilor Crowley reported.

IV. Communications, Presentations and Recognitions

- Recognition Central Maine Community College Women's Basketball Team
- Recognition Central Maine Community College Men's Basketball Team

V. Open Session

- Robert Spencer, 79 year resident of Auburn possible donation of land for a new high school
- Joe Gray, Sopers Mill Road business licensing on pre packaged foods
- Bettyann Sheats Flag retirement ceremonies throughout the city for damaged flags
- Diana Sanzone supports the Auburn Fire Department proposal on EMS transport

VI. Unfinished Business

1. Order 34-04222014

Authorizing the City Manager to expend an additional amount up \$150,000 (from TIF revenue) for the Transportation Center to be built on Spring Street.

Motion was made by Councilor Crowley and seconded by Councilor Walker to postpone this item until the June 2, 2014 meeting. Passage 6-1 (Councilor Gerry opposed).

Motion was made by Councilor Hayes and seconded by Councilor LaFontaine to take out of order item number 6 and place it as the first item under new business. Passage 7-0.

VII. New Business

2. Order 40-05052014

Approving to vacate the paper street known as Foss Street.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker approving to vacate the paper street known as Foss Street.

Public comment – none, Councilor Crowley requested the manager provide an update when this has been recorded with the Registry of Deeds. Passage 7-0.

3. Public Hearing - Municipal Budget

Resolve 06-05052014

Draft Annual Appropriation

Motion was made by Councilor LaFontaine and seconded by Councilor Walker on resolve 06-05052014.

Public hearing:

Dan Herrick, 470 Hatch Road – City cell phones, credit cards, percentage of the City Manager's pay that comes out of the TIF, firefighter physicals, negotiations.

Nancy Greene, Granite St-Supports recycling.

Dave Sawicki, Lake Shore Drive—School and City Health care costs, fringe benefits. Dennis Bergeron, Dexter Avenue—Supports recycling, budget concerns, road service maintenance not adequate, building maintenance in school budget missing, supports the City Managers original budget.

Doris Bonneau, 85 West Auburn Road-Supports the school budget and Library budget.

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley to accept the Annual Appropriation resolve (amendments) as presented by the City Manager with a reduction of expenditures by \$167, 604 with additional revenue stated of \$1,134,271 with a net change of a reduction of \$1,301,875 which equates to a total tax increase of 1.22% with School, City, and County combined.

Motion was made by Councilor Hayes and seconded by Councilor Young striking the EMS implementation items pending Council deliberation on the item later in the meeting. Passage 6-0-1 (Councilor Lee abstained).

Motion was made by Councilor Crowley and seconded by Councilor Walker to postpone until May 19th meeting. Motion failed 3-4 (Councilors Lee, Young, Hayes, and LaFontaine opposed).

Councilor Crowley moved the question on the amendment to the motion. Mayor LaBonté ruled the question out of order seeing Council was willing to debate.

Motion on the amendment to the budget Resolve failed 2-5 (Councilors Crowley, Hayes, Lee, Walker, and Gerry all opposed).

Motion was made by Councilor Walker and seconded to Councilor Crowley to postpone until May 19. Passage 6-1 (Councilor LaFontaine opposed).

4. Order 37-05052014

Adopting the Community Development Block Grant Budget for FFY14.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker to adopt the Community Development Block Grant Budget for Federal Fiscal Year 2014 (Order 37-05052014).

Public comment – no one from the public spoke. Passage 6-1 (Councilor Crowley opposed).

5. Order 38-05052014

Adopting the School Budget for Fiscal Year 2015.

Motion was made by Councilor Crowley and seconded by Councilor LaFontaine.

Public comment;

Jaime Thibodeau, 256 Beech Hill Road in support of the school budget. Joe Gray, Sopers Mill Road with a question on one of the figures listed on the Resolve (line 17 under crossing guards had a typing error).

Motion was made by Councilor Young and seconded by Councilor Lee to postpone this item until the May 19, 2014 meeting. Passage 7-0.

6. Order 39-05052014

Approving the Auburn Fire Department based Emergency Medical Services (EMS) transport services.

Motion was made by Councilor LaFontaine and seconded by Councilor Walker on Order 39-05052014 approving the Auburn Fire Department based Emergency Medical Services transport services.

Public comment;

Sherry, 40 Damy Drive - supports EMS transport, Larry Pelletier, 129 Second Street - supports EMS transport

Mike McKay, resident of Calais Maine but spends much of his time in Auburn - supports Fire based EMS transport.

Dan Herrick, 470 Hatch Road - does not support EMS transport, concerns with 24 hour shifts.

Joe Gray, Sopers Mill Road – stated the City should not rush into the EMS transport, discussed Firefighters base pay and take home pay that was provided in the budget packet, and also stated the City should have a professional negotiator.

Wayne Werts, 556 Pownal Road – supports EMS transport.

Seth Robbins, 1606 Minot Avenue - supports EMS transport.

Frank Roma, West Shore Road (Fire Chief) – he is always available to the public and anyone who would like to express concerns or suggestions regarding the Fire Department. He stated that the City has an excellent Fire Department serving this community.

Passage 6-0-1 (Councilor Lee abstained).

- VIII. Executive Session None
- **IX.** Open Session No one from the public spoke.
- X. Adjournment

Motion was made by Councilor LaFontaine and seconded by Councilor Crowley with a unanimous vote to adjourn. Time 9:13 P.M.

A True Copy.

ATTEST <u>Susan Clements Dullavil</u> Susan Clements-Dallaire, City Clerk

City of Auburn, Maine

"Maine's City of Opportunity"

Office of the City Council

ATTACHMENT TO WARD 1 REPORT FOR MEETING MONDAY MAY 19, 2014 CROWLEY MOTIONS ON FY 2015 BUDGET ITEMS

I tried to present these motions to amend the City Manager's budget at the last City Council meeting on May 5th, but was not successful; in part due to my lack of experience with Roberts' Rules. I expect to present each of these amendments, if not already proposed by Councilor Walker, for consideration. The rest of this report is identical to what was given to the members of the Council. The Mayor has offered his assistance to review the process under Roberts' Rules prior to Monday, May 19th's meeting.

It is important that Auburn residents see that I have heard your concerns on particular department expenses. These are not a perfect solution, but may result in a compromise on what programs we value more or less.

The City Manager stated several times that the budget authority of the City Council is at the program level, so I present program and department level limits for the budget amounts.

Each of the following are separate motions I will present, and if seconded, will need some action by the City Council. At the May 5th meeting, it is likely we will move and second the motion and then table with little discussion; otherwise we will be here all night. One way to reduce this time-consuming process would be to have input before the City Manager's budget is presented.

- 1. I move that no final vote on the budget by the City Council be taken until there is a single published document showing each department's budget amount. *By published I mean printed and electronic versions available to the public prior to the day of the vote.*
- 2. For the coming year FY16, I move that a draft of the City Manager's budget be published at least 30 days before he/she presents the City Manager's budget. *This will permit Councilors and the public to make recommendation to the City Manager before the Manager's budget is presented as directed by City Charter*.
- 3. As payments are received by the City for outside services (ex-LAWPC contracting for police and police car), the expense account is credited with the payment. No longer will monies sit in special revenue accounts while the taxpayer dollars in the general fund pay the costs.
- 4. I move to amend the City Manager's FY2015 budget amount for expenditures for the **Assessing Department** be \$142373. Outsourcing the services or reducing hours open should result in at least 10% savings.
- 5. I move the FY2015 budget amount for City Clerk's Elections- program expenditures not exceed \$66,500.

- 6. I move the FY2015 budget amount for City Clerk's Records Management program expenditures not exceed \$70,000.
- 7. I move the FY2015 budget amount for City Clerk's Licensing program expenditures not exceed \$27,000.
- 8. I move the FY2015 budget amount for City Clerk's Information/Switchboard program expenditures not exceed \$24,795.
- 9. I move to amend the City Manager's FY2015 budget amount for expenditures for the **City Clerk Department** be \$118,807.
- 10. I move the FY2015 budget amount for City Manager's operations program expenditures not exceed \$96.654.
- 11. I move the FY2015 budget amount for City Manager's policy implementation program expenditures not exceed \$53,138.
- 12. I move the FY2015 budget amount for City Manager's Labor and Employee Relations program expenditures not exceed \$ 24,273.
- 13. I move the FY2015 budget amount for City Manager's Fiscal Responsibility program expenditures not exceed \$ 24,272.
- 14. I move the FY2015 budget amount for City Manager's Strategic Planning program expenditures not exceed \$9,621.
- 15. I move the FY2015 budget amount for City Manager's Coordination and Planning program expenditures not exceed \$9,621.
- 16. I move to amend the City Manager's FY2015 budget amount for expenditures for the **City Manager Department** be \$242,725.
- 17. I move to amend the City Manager's FY2015 budget amount for expenditures for the **Recreation Department** be \$250,678.
- 18. I move to amend the City Manager's FY2015 budget amount for expenditures for the **Economic Development Department** be \$324,036 which is to be offset by TIF(100%) and that the Department of Economic Development will prepare an annual report to the citizens of Auburn, within 90 days of the end of the fiscal year, outlining the success and plans for Economic Development in Auburn.
- 19. I move the FY2015 budget amount for Finance Department Administration program expenditures not exceed \$118,600.
- 20. I move the FY2015 budget amount for Finance Department Accounting program expenditures not exceed \$94,055.

- 21. I move the FY2015 budget amount for Finance Department Tax program expenditures not exceed \$158,686.
- 22. I move the FY2015 budget amount for Finance Department Facilities program expenditures not exceed \$39,047.
- 23. I move to amend the City Manager's FY2015 budget amount for expenditures for the **Finance Department** be \$412,472.
- 24. I move to amend the City Manager's FY2015 budget amount for expenditures for the **Human Resources Department** be \$139,578.
- 25. I move the FY2015 budget amount for ICT Department Support program expenditures not exceed \$269,625.
- 26. I move the FY2015 budget amount for ICT Department GIS program expenditures not exceed \$82,295. I would recommend we look at TIF for some funding as this is a key economic development tool.
- 27. I move the FY2015 budget amount for ICT Department Security program expenditures not exceed \$37,500.
- 28. I move the FY2015 budget amount for ICT Department Website program expenditures not exceed \$50,569. Look at CDBG or TIF for monies as this is part of our plans to increase services for each of these areas.
- 29. I move to amend the City Manager's FY2015 budget amount for expenditures for the **ICT Department** be \$384,629.
- 30. I move to amend the City Manager's FY2015 budget amount for expenditures for the **Legal Services** be \$65,000.
- 31. I move to amend the City Manager's FY2015 budget amount for expenditures for the **Mayor and City Council** be \$72,216.
- 32. I move the FY2015 budget amount for Health and Social Service Department Public Health program expenditures not exceed \$1700.
- 33. I move the FY2015 budget amount for Health and Social Service Department General Assistance program expenditures not exceed \$214,000.
- 34. I move the FY2015 budget amount for Health and Social Service Department Emergency Assistance program expenditures not exceed \$22,655.
- 35. I move the FY2015 budget amount for Health and Social Service Department Work Ready program expenditures not exceed \$6,793.

- 36. I move to amend the City Manager's FY2015 budget amount for expenditures for the **Health and Social Service Administration** be \$48,573.
- 37. I move to amend the City Manager's FY2015 budget amount for expenditures for the **Health and Social Services Assistance** be \$140,000.
- 38. I move the FY2015 budget amount for Planning Department Planning program expenditures not exceed \$108,384.
- 39. I move the FY2015 budget amount for Planning Department Permits, Inspections; Code Compliance program expenditures not exceed \$196,425.
- 40. I move the FY2015 budget amount for Planning Department Municipal Electrical, Maintenance, and Utilities program expenditures not exceed \$386,380.
- 41. I move the FY2015 budget amount for Planning Department Administration program expenditures not exceed \$ 54,000.
- 42. I move the FY2015 budget amount for Planning Department Service other dept/towns program expenditures not exceed \$21,700.
- 43. I move to amend the City Manager's FY2015 budget amount for expenditures for the **Planning and Permitting Department** be \$777,634.
- 44. I move to amend the City Manager's FY2015 budget amount for expenditures for the **Public Library** be \$912,020.
- 45. I move to amend the City Manager's FY2015 budget amount for expenditures for the **Debt Service** be \$6,263,936.
- 46. I move to amend the City Manager's FY2015 budget amount for expenditures for the **Emergency Reserve** be \$375,289.
- 47. I move to amend the City Manager's FY2015 budget amount for expenditures for **Facilities** be \$698,335.
- 48. I move to amend the City Manager's FY2015 budget amount for expenditures for **Fringe Benefits** be \$4,467.946.
- 49. I move the FY2015 budget amount for expenditures for **Workers' Compensation** be \$388,081.
- 50. I move the FY2015 budget amount for Fire Administration program expenditures not exceed \$220,124.
- 51. I move the FY2015 budget amount for Fire Operations program expenditures not exceed \$3,483,912.

- 52. I move the FY2015 budget amount for Fire Prevention program expenditures not exceed \$81,211.
- 53. I move the FY2015 budget amount for Fire Logistics program expenditures not exceed \$394,326.
- 54. I move the FY2015 budget amount for expenditures for the **Fire Department** be \$4,010,133.
- 55. I move the FY2015 budget amount for police administration program expenditures not exceed \$358,566 and that no administration resources be used at the PAL Center that are not specifically identified in the proposed budget. As an example, if any staff is working on fundraising projects, these staff hours are to be paid by PAL revenues.
- 56. I move the FY2015 budget amount for police patrol program expenditures not exceed \$2,076,768 and that no patrol resources be used at the PAL Center that are not specifically identified in the proposed budget. As an example, if any staff is working on patrol and spends the hours at the PAL Center, these staff hours are to be paid by PAL revenues.
- 57. I move the FY2015 budget amount for police support program expenditures not exceed \$415815 and that no patrol resources be used at the PAL Center that are not specifically identified in the proposed budget. As an example, if any staff is working on patrol and spends the hours at the PAL Center, these staff hours are to be paid by PAL revenues.
- 58. I move the FY2015 budget amount for police criminal investigation program expenditures not exceed \$483,451.
- 59. I move the FY2015 budget amount for police training and resource program expenditures not exceed \$305,351 and that no training or resources be used for the PAL Center that are not specifically identified in the proposed budget.
- 60. I move the FY2015 budget amount for expenditures for the **Police Department** be \$3,647,016.
- 61. I move the FY2015 budget amount for Public Services administration program expenditures not exceed 1.6% of FY14 budget or the actual amount (as determined by taking the average month expenditure at April 30th and multiple by 12), whichever is lower. The budget book materials did not indicated FY2014 approved amount. It is the intention not to exceed last year by more than 1.6% and to recognize any savings found during the FY14 year. As an example, if the YTD amount on April 30th is \$1,000,000; then the average month would be \$100,000, resulting in an FY15 annual amount of \$1.2M. I would ask the City Manager to provide these numbers before we vote on this amendment.
- 62. I move the FY2015 budget amount for Public Services highway maintenance program expenditures not exceed 1.6% of FY14 budget or the actual amount (as determined by taking the average month expenditure at April 30th and multiple by 12), whichever is lower. The budget book materials did not indicated FY2014 approved amount. It is the intention not to exceed last year by more than 1.6% and to recognize any savings found during the FY14 year. As an example, if the YTD amount on April 30th is \$1,000,000; then the average month would be \$100,000, resulting in an FY15 annual amount of \$1.2M. I would ask the City Manager to provide these numbers before we vote on this amendment.

- 63. I move the FY2015 budget amount for Public Services engineering program expenditures not exceed 1.6% of FY14 budget or the actual amount (as determined by taking the average month expenditure at April 30th and multiple by 12), whichever is lower. The budget book materials did not indicated FY2014 approved amount. It is the intention not to exceed last year by more than 1.6% and to recognize any savings found during the FY14 year. As an example, if the YTD amount on April 30th is \$1,000,000; then the average month would be \$100,000, resulting in an FY15 annual amount of \$1.2M. I would ask the City Manager to provide these numbers before we vote on this amendment.
- 64. I move the FY2015 budget amount for Public Services facilities program expenditures not exceed 1.6% of FY14 budget or the actual amount (as determined by taking the average month expenditure at April 30th and multiple by 12), whichever is lower. The budget book materials did not indicated FY2014 approved amount. It is the intention not to exceed last year by more than 1.6% and to recognize any savings found during the FY14 year. As an example, if the YTD amount on April 30th is \$1,000,000; then the average month would be \$100,000, resulting in an FY15 annual amount of \$1.2M. I would ask the City Manager to provide these numbers before we vote on this amendment.
- 65. I move the FY2015 budget amount for Public Services cemeteries and open spaces program expenditures not exceed 1.6% of FY14 budget or the actual amount (as determined by taking the average month expenditure at April 30th and multiple by 12), whichever is lower. The budget book materials did not indicated FY2014 approved amount. It is the intention not to exceed last year by more than 1.6% and to recognize any savings found during the FY14 year. As an example, if the YTD amount on April 30th is \$1,000,000; then the average month would be \$100,000, resulting in an FY15 annual amount of \$1.2M. I would ask the City Manager to provide these numbers before we vote on this amendment.
- 66. I move the FY2015 budget amount for Public Services environmental program expenditures not exceed 1.6% of FY14 budget or the actual amount (as determined by taking the average month expenditure at April 30th and multiple by 12), whichever is lower. The budget book materials did not indicated FY2014 approved amount. It is the intention not to exceed last year by more than 1.6% and to recognize any savings found during the FY14 year. As an example, if the YTD amount on April 30th is \$1,000,000; then the average month would be \$100,000, resulting in an FY15 annual amount of \$1.2M. I would ask the City Manager to provide these numbers before we vote on this amendment.
- 67. I move the FY2015 budget amount for Public Services fleet services program expenditures not exceed 1.6% of FY14 budget or the actual amount (as determined by taking the average month expenditure at April 30th and multiple by 12), whichever is lower. The budget book materials did not indicated FY2014 approved amount. It is the intention not to exceed last year by more than 1.6% and to recognize any savings found during the FY14 year. As an example, if the YTD amount on April 30th is \$1,000,000; then the average month would be \$100,000, resulting in an FY15 annual amount of \$1.2M. I would ask the City Manager to provide these numbers before we vote on this amendment.
- 68. I move the FY2015 budget amount for Public Services **recycling program** expenditures be at least \$100,000 for contracted recycling services throughout the City of Auburn.

- 69. I move the FY2015 budget amount for expenditures for the **Public Services Department** be \$5,598,179 plus any monies, added for a city-wide recycling program.
- 70. I move the FY2015 budget amount for expenditures for **Water and Sewer services** be \$567,776.
- 71. I move the FY2015 budget amount for expenditures for the CIP items in City Clerk Department be \$0.00
- 72. I move the FY2015 budget amount for expenditures for the CIP items in Engineering Department for paving be \$0.00.
- 73. I move the FY2015 budget amount for expenditures for the CIP items in Fire Department be \$83,000.
- 74. I move the FY2015 budget amount for expenditures for the CIP items at Lewiston-Auburn 911 Communication Center be \$0.00.
- 75. I move the FY2015 budget amount for expenditures for the CIP items in Planning Department be \$98.000.
- 76. I move the FY2015 budget amount for expenditures for the CIP items in Public Service Department for public works be \$63,700.
- 77. I move the FY2015 budget amount for expenditures for the CIP items in Recreation Department be \$20,500.
- 78. I move the FY2015 budget amount for expenditures for the CIP items at the Airport be \$25,000.
- 79. I move the FY2015 budget amount for expenditures for the CIP items at the Libary be \$45,227.
- 80. I move as part of the FY2015 budget work we budget **miscellaneous staff reduction** amount to be \$301,019.
- 81. I move as part of the FY2015 budget work we budget **June staff reduction** amount to be \$29,000.
- 82. I move the FY2015 budget amount for expenditures for **County Taxes** be \$2,046,880 and that at least \$800,000 of this amount not be distributed until the City of Auburn gets a satisfactory solution to the unfair cost allocation to Auburn for dispatch services. *Yes, I understand the County can take legal actions, including seize of assets. It's time to draw the line in the sand and get some movement.*
- 83. I move the FY2015 budget amount for expenditures for **tax sharing** obligation be \$270,000.
- 84. I move the FY2015 budget amount for expenditures for the **Auburn-Lewiston Municipal Airport** be \$105,000.
- 85. I move the FY2015 budget amount for expenditures for the **Community Little Theater** be \$10,000.

- 86. I move the FY2015 budget amount for expenditures for an **Arts and Culture program** be \$17,000. I could not find a breakdown in the budget showing LA Arts detail, so want to reserve the funds for Arts and Culture activities/projects specifically in Auburn.
- 87. I move the FY2015 budget amount for expenditures for **Museum LA** be \$500.
- 88. I move the FY2015 budget amount for expenditures for **Lewiston-Auburn Economic Growth Council** be the FY2014 amount reduced by \$27,564 and that no funds be distributed until there is a signed contract for services with the City of Auburn; for each month, or part thereof, that the contract is delayed, the total contract amount due will be reduced by one-twelfth (1/12) of the total contract amount. *Based on our experience this year, once the majority of the Council agreed to release funds, no additional movement was made to complete the contract.*
- 89. I move that no additional funds beyond the contract amount be paid to LAEGC without a public vote for any additional dollars regardless of the amount requested.
- 90. I move the FY2015 budget amount for expenditures for the **Lewiston-Auburn Transit Committee** be \$235,373.
- 91. I move the FY2015 budget amount for expenditures for the **Lewiston-Auburn 911 Communication Center** be \$1,052,992.
- 92. I move the FY2015 budget amount for expenditures for the **School Department** be \$38,241,323.
- 93. I move the school portion of the FY2015 tax rate be at least 42% amount approved by the City Council.
- 94. I move that all city services (staff, equipment, etc) used by the Norway Arena be charged out at the overtime rate for that person or machine. It is not reasonable to expect the municipal side to pay OT when work is being done for the Business. Already, the Business (the enterprise account) gets a special deal by being able to use City resources whenever needed.
- 95. I move that no monies be spent in any enterprise account until the year's budget is passed by the Council after two readings and a public hearing. The enterprise accounts should include an incentive component in the compensation package for all employees who work at the enterprise.



"Maine's City of Opportunity"

Financial Services

TO: Clinton Deschene, City Manager

FROM: Jill Eastman, Finance Director

REF: April 2014 Financial Report

DATE: May 14, 2014

The following is a discussion regarding the significant variances found in the City's April 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 tenth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 83.3% 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 April 30th including the school department were \$65,942,132, or 91.08%, of the budget. The municipal revenues including property taxes were \$48,545,791, or 92.92% of the budget which is more than the same period last year by 3.42%. The accounts listed below are noteworthy.

- A. March 15th the second installment for real estate taxes were due. The current year tax revenue is at 95.01% as compared to 91.59% last year. Courtesy notices were sent out in April for those taxpayers that hadn't paid their taxes. The lien process will begin mid May.
- B. Excise tax for the month of April is at 90.83%. This is a \$165,475 increase from FY 13. Our excise revenues for FY14 are 7.5% above projections as of April 30, 2014. I believe that we will exceed our estimate by the end of the fiscal year.

C. State Revenue Sharing for the month of April is 75.91% or \$1,252,188. This is a32.7% decrease from FY 13.

Expenditures

City expenditures through April 2014 were \$31,149,042 or 86.19%, of the budget. Noteworthy variances are:

- A. Tax Sharing: Tax sharing is currently at 15.09%. The tax sharing will be calculated and paid to the City of Lewiston in May.
- B. Health and Social services continues to exceed expectations and is at 97.52% of the total budget at the end of April. The Administration portion of the budget is at 71.7% of the total budget, where the Assistance portion is at 102.0% of its \$105,982 budget, or over budget by \$2,087.

Investments

This section contains an investment schedule as of April 30th. Currently the City's funds are earning an average interest rate of .19%.

Respectfully submitted,

eem Castran

Jill M. Eastman Finance Director

CITY OF AUBURN, MAINE BALANCE SHEET - CITY GENERAL FUND, WC AND UNEMPLOYMENT FUND AS of April 2014, March 2014, and June 2013 (audited)

ASSETS	UNAUDITED April 30 2014	ţ	JNAUDITED March 31 2014	Increase (Decrease)	AUDITED JUNE 30 2013
CASH RECEIVABLES ACCOUNTS RECEIVABLES TAXES RECEIVABLE-CURRENT DELINQUENT TAXES TAX LIENS NET DUE TO/FROM OTHER FUNDS	\$ 17,619,286 700,339 1,761,104 538,972 503,972 7,477,661	\$	17,373,908 791,153 2,973,144 545,224 541,784 6,334,762	\$ 245,378 - (90,814) (1,212,040) (6,252) (37,812) 1,142,899	\$ 11,268,551 1,178,345 89,723 543,772 1,267,670 1,602,354
TOTAL ASSETS	\$ 28,601,334	\$	28,559,974	\$ 41,360	\$ 15,950,415
LIABILITIES & FUND BALANCES					
ACCOUNTS PAYABLE PAYROLL LIABILITIES ACCRUED PAYROLL STATE FEES PAYABLE ESCROWED AMOUNTS DEFERRED REVENUE	\$ (17,978) (195,511) (4,655) (67,383) (41,865) (2,677,801)	\$	50,263 215,959 (4,655) (22,054) (41,865) (3,933,431)	\$ (68,241) (411,470) - (45,330) - 1,255,630	\$ (536,867) (93,082) (1,066,178) - (41,865) (1,832,681)
TOTAL LIABILITIES	\$ (3,005,194)	\$	(3,735,783)	\$ 730,589	\$ (3,570,673)
FUND BALANCE - UNASSIGNED FUND BALANCE - RESTRICTED FOR WORKERS COMP & UNEMPLOYMENT	\$ (24,730,308) 1,001,137	\$	(23,958,358) 1,001,137	\$ (771,950)	\$ (8,775,150) (2,450,020)
FUND BALANCE - ASSIGNED	(1,866,970)		(1,866,970)	-	(1,154,572)
TOTAL FUND BALANCE	\$ (25,596,140)	\$	(24,824,190)	\$ (771,950)	\$ (12,379,742)
TOTAL LIABILITIES AND FUND BALANCE	\$ (28,601,334)	\$	(28,559,974)	\$ (41,360)	\$ (15,950,415)

CITY OF AUBURN, MAINE REVENUES - GENERAL FUND COMPARATIVE THROUGH April 30, 2014 VS April 30, 2013

DEVENUE SOURCE		FY 2014 BUDGET		ACTUAL REVENUES	% OF		FY 2013 BUDGET		ACTUAL REVENUES	% OF	.,	ADIANCE
REVENUE SOURCE TAXES		BUDGET	15	IRU APR 2014	BUDGET		BUDGET	III	RU APR 2013	BUDGET	V.	ARIANCE
PROPERTY TAX REVENUE-	\$	42,844,641	\$	40,707,246	95.01%	\$	42,121,141	\$	38,576,919	91.59%	¢	2,130,327
PRIOR YEAR REVENUE	\$	-2,044,041	\$	830,129	93.0170	φ		Ψ	898,510		\$	(68,381)
HOMESTEAD EXEMPTION REIMBURSEMENT	\$	482,575	\$	371,573	77.00%	\$	514,584	\$	377,311	73.32%		(5,738)
ALLOWANCE FOR ABATEMENT	\$	402,373	\$	-	77.0070	\$	514,504	\$	377,311		\$	(3,730)
ALLOWANCE FOR UNCOLLECTIBLE TAXES	\$	_	\$	_		\$	_	\$	_		\$	_
EXCISE	\$	3,068,500	\$	2,787,143	90.83%	\$	3,018,500	\$	2,621,668		\$	165,475
PENALTIES & INTEREST	\$	140,000	\$	102,334	73.10%	\$	140,000	\$	119,679		\$	(17,345)
TOTAL TAXES	\$	46,535,716	\$	44,798,426	96.27%	\$	45,794,225	\$	42,594,087	93.01%	\$	2,204,339
LIGHNOSO AND DEDMITO												
LICENSES AND PERMITS	•	47.000	Φ.	40.040	404.000/	Φ.	00.000	Φ.	04.000	450.500/	Φ	(44.044)
BUSINESS	\$	47,300	\$	49,349	104.33%	\$	39,900 260.700		61,260 305.311	153.53%	*	(11,911)
NON-BUSINESS TOTAL LICENSES	\$	338,300 385,600	\$	281,469 330,818	83.20% 85.79%	\$ \$	300,600	\$ \$	366,571	117.11%	_	(23,842)
TOTAL LICENSES	Φ	303,000	Ф	330,010	65.79%	Ф	300,000	Ф	300,571	121.93%	Φ	(33,733)
INTERGOVERNMENTAL ASSISTANCE												
STATE-LOCAL ROAD ASSISTANCE	\$	440,000	\$	473,451	107.60%	\$	378,000	\$	342,034	90.49%	\$	131,417
STATE REVENUE SHARING	\$	1,649,470	\$	1,252,188	75.91%	\$	2,400,000	\$	1,860,323	77.51%		(608,135)
WELFARE REIMBURSEMENT	\$	53,000	\$	53,969	101.83%	\$	53,083	\$	64,877	122.22%		(10,908)
OTHER STATE AID	\$	22,000	\$	3,025	13.75%	\$	21,000	\$	20,742	98.77%		(17,717)
CITY OF LEWISTON	\$	155,000	\$	-	0.00%	\$	158,362	\$	-	0.00%		-
TOTAL INTERGOVERNMENTAL ASSISTANCE	Ξ\$	2,319,470	\$	1,853,871	79.93%	\$	3,010,445	\$	2,287,976	76.00%	\$	(434,105)
CHARGE FOR SERVICES												
GENERAL GOVERNMENT	\$	140,240	\$	104,565	74.56%	\$	130,955	\$	111,672	85.28%	\$	(7,107)
PUBLIC SAFETY	\$	366,152	\$	277,166	75.70%	\$	263,102	\$	107,342	40.80%	\$	169,824
EMS AGREEMENT	\$	100,000	\$	83,333	83.33%	\$	100,000	\$	83,333	83.33%	\$	0
TOTAL CHARGE FOR SERVICES	\$	606,392	\$	465,064	76.69%	\$	494,057	\$	302,347	61.20%	\$	162,717
FINES												
PARKING TICKETS & MISC FINES	\$	40,000	\$	23,223	58.06%	\$	45,000	\$	24,465	54.37%	\$	(1,242)
MISCELLANEOUS												
INVESTMENT INCOME	\$	20,000	\$	1,439	7.20%	\$	30,000	\$	13,917	46.39%	\$	(12,478)
INTEREST-BOND PROCEEDS	\$	2,000	\$	-	0.00%	\$	2,000	\$	-	0.00%	\$	-
RENTS	\$	122,000	\$	121,827	99.86%	\$	122,000	\$	122,027	100.02%	\$	(200)
UNCLASSIFIED	\$	17,500	\$	106,499	608.56%	\$	5,150	\$	57,793	1122.19%	\$	48,706
SALE OF RECYCLABLES	\$	4,800	\$	-	0.00%	\$	-	\$	-		\$	-
COMMERCIAL SOLID WASTE FEES	\$	-	\$	41,621		\$	-	\$	42,622		\$	(1,001)
SALE OF PROPERTY	\$	20,000	\$	69,728	348.64%	\$	20,000	\$	16,694		\$	53,034
RECREATION PROGRAMS/ARENA	\$	-	\$	-		\$	43,275	\$	-		\$	-
MMWAC HOST FEES	\$	204,000	\$	171,494	84.07%	\$	197,400	\$	168,255	85.24%		3,239
9-1-1 DEBT SERVICE REIMBURSEMENT	\$	-	\$	-		\$	-	\$	(20)	0.00%		20
TRANSFER IN: TIF	\$	520,000	\$	520,000	100.00%	\$	324,212	\$	324,212	100.00%	*	195,788
ENERGY EFFICIENCY	\$	2,000	\$	279	13.96%	\$	2,000	\$	1,233	61.65%		(954)
CDBG	\$ \$	58,000	\$	20,443	35.25%	\$	8,000	\$	1,334	16.68%		19,109
UTILITY REIMBURSEMENT CITY FUND BALANCE CONTRIBUTION	\$ \$	37,500	\$ \$	21,058	56.16% 0.00%	\$ \$	37,500	\$ \$	26,786	71.43% 0.00%		(5,728)
TOTAL MISCELLANEOUS	\$	1,350,000 2,357,800	•	1,074,390	45 570/	φ \$	1,350,000	\$	774,853	00.400/	φ.	299,537
TOTAL MISSELLANEOUS	Ψ	2,357,800	Ψ	1,074,330	45.57%	Ψ	2,141,537	\$		36.18%	Ψ	299,001
TOTAL GENERAL FUND REVENUES	\$	52,244,978	\$	48,545,791	92.92%	\$	51,785,864	\$	46,350,299	89.50%	\$	2,195,492
SCHOOL REVENUES												
EDUCATION SUBSIDY	\$	17,942,071		16,889,074	94.13%	\$	17,942,071	\$	14,288,084	79.63%	\$	2,600,990
EDUCATION	\$	1,358,724		507,266	37.33%	\$	1,358,724		481,748	35.46%		25,518
SCHOOL FUND BALANCE CONTRIBUTION	\$	855,251		-	0.00%	\$	855,251	\$		0.00%	\$	
TOTAL SCHOOL	\$	20,156,046	\$	17,396,340	86.31%	\$	20,156,046	\$	14,769,832	73.28%	\$	2,626,508
CRAND TOTAL DEVENUES	_	72 404 024	¢	65 042 422	04.099/	•	71 041 040	•	61 120 121	94.068/	¢	4 922 004
GRAND TOTAL REVENUES	\$	72,401,024	\$	65,942,132	91.08%	\$	71,941,910	\$	61,120,131	84.96%	Ф	4,822,001

CITY OF AUBURN, MAINE EXPENDITURES - GENERAL FUND COMPARATIVE THROUGH April 30, 2014 VS April 30, 2013

DEPARTMENT	(38,186) (354,583
MAYOR AND COUNCIL \$ 71,079 \$ 64,918 91.33% \$ 99,690 \$ 85,144 85.41% \$ CITY MANAGER \$ 238,903 \$ 201,941 84.53% \$ 343,296 \$ 240,127 69.95% \$ ECONOMIC DEVELOPMENT \$ 318,933 \$ 254,583 78,82% \$ - \$ - \$ - \$ ASSESSING SERVICES \$ 172,277 \$ 141,938 82.39% \$ 183,801 \$ 135,773 73.87% \$ CITY CLERK \$ 162,045 \$ 139,139 85.86% \$ 150,676 \$ 109,589 72.07% \$ HUMAN RESOURCES \$ 405,976 \$ 326,040 80.31% \$ 419,539 \$ 327,016 77.95% \$ HUMAN RESOURCES \$ 139,566 \$ 105,995 75.95% \$ 137,836 \$ 105,770 76.74% \$ 100,000 \$ 50,076 \$ 0.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 \$ 0.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 \$ 0.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 \$ 0.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 \$ 0.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 \$ 0.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 \$ 0.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 \$ 0.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 \$ 0.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 \$ 0.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 \$ 0.08% \$ 85,000 \$ 12,650 90.04% \$ 100,000	(38,186) (354,583
CITY MANAGER \$ 238,903 \$ 201,941 84,53% \$ 343,296 \$ 240,127 69,95% \$ ECONOMIC DEVELOPMENT \$ 318,933 \$ 254,583 79.82% \$ - \$ - \$73.67% \$ CITY CLERK \$ 162,045 \$ 139,139 85,86% \$ 150,676 \$ 108,589 72,07% \$ FINANCIAL SERVICES \$ 1405,976 \$ 326,040 80.31% \$ 419,539 \$ 327,016 77.95% \$ 105,0995 75,95% \$ 137,836 \$ 105,770 76,74% \$ 105,000 \$ 139,566 \$ 105,995 75,95% \$ 137,836 \$ 105,770 76,74% \$ 105,000 \$ 105,095 75,95% \$ 137,836 \$ 105,770 76,74% \$ 105,000 \$ 105,095 75,95% \$ 137,836 \$ 105,770 76,74% \$ 105,000 \$ 105,095 75,95% \$ 137,836 \$ 105,770 76,74% \$ 105,000 \$ 105,000 \$ 105,095 75,95% \$ 137,836 \$ 105,770 76,74% \$ 105,000 \$	(38,186) (354,583
ECONOMIC DEVELOPMENT \$ 318,933 \$ 254,583 79,82% \$ - \$ - \$	254,583
ASSESSING SERVICES \$ 172,277 \$ 141,938 82.39% \$ 183,801 \$ 135,773 73.87% \$ CITY CLERK \$ 162,045 \$ 139,139 85.86% \$ 150,676 \$ 108,589 72.07% \$ FINANCIAL SERVICES \$ 405,976 \$ 326,040 80.31% \$ 419,539 \$ 327,016 77.95% \$ HUMAN RESOURCES \$ 139,566 \$ 105,995 75.95% \$ 137,836 \$ 105,770 76.74% \$ INFORMATION COMMUNICATION TECHNOLOGY \$ 395,350 \$ 334,478 84.60% \$ 386,632 \$ 290,241 75.07% \$ LEGAL SERVICES \$ 100,000 \$ 50,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ TOTAL ADMINISTRATION \$ 2,004,129 \$ 1,619,108 80.79% \$ 1,806,470 \$ 1,324,463 73.32% \$ COMMUNITY SERVICES ENGINEERING \$ 280,188 \$ 205,909 73.49% \$ 320,370 \$ 250,376 78.15% \$ COMMUNITY PROGRAMS \$ 775,230 \$ 642,902 82.93% \$ 776,532 \$ 577,073 74.31% \$ PARKS AND RECREATION \$ 567,334 \$ 418,614 73.79% \$ 602,191 \$ 460,543 76.48% \$ PLANNING & PERMITTING \$ 567,334 \$ 418,614 73.79% \$ 602,191 \$ 460,543 76.48% \$ PUBLIC LIBRARY \$ 946,737 \$ 782,447 82.65% \$ 968,292 \$ 806,910 83.33% \$ TOTAL COMMUNITY SERVICES \$ 1,759,028 \$ 2,234,712 81.00% \$ 2,858,002 \$ 2,296,935 80.37% \$ FISCAL SERVICES DEET SERVICE \$ 6,321,584 \$ 6,158,796 97.42% \$ 6,682,797 \$ 6,408,733 95.90% \$ FISCAL SERVICES \$ 34,446 \$ 434,446 \$ 493,407 68.94% \$ 699,114 \$ 560,589 80.19% \$ WAGES & BENEFITS \$ 4,397,585 \$ 3,688,350 83.87% \$ 4,602,545 \$ 3,524,377 76.57% \$ EMERGENCY RESERVE (10108062-670000) \$ 375,289 \$ - 0.00% \$ 333,818 \$ - 0.000% \$ EMERGENCY RESERVE (10108062-670000) \$ 375,289 \$ - 0.00% \$ 333,818 \$ - 0.000% \$ EMERGENCY RESERVICES \$ 12,241,571 \$ 10,771,999 88.00% \$ 12,733,274 \$ 10,493,699 82.41% \$ 10,493,699	,
CITY CLERK \$ 162,045 \$ 139,139	
FINANCIAL SERVICES \$ 405,976 \$ 320,040 80.31% \$ 419,539 \$ 327,016 77.95% \$ HUMAN RESOURCES \$ 139,566 \$ 105,995 75.95% \$ 137,836 \$ 105,770 76.74% \$ INFORMATION COMMUNICATION TECHNOLOGY \$ 395,350 \$ 334,478 84.60% \$ 386,632 \$ 290,241 75.07% \$ 126AL SERVICES \$ 100,000 \$ 50,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 105,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 105,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 105,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 105,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 105,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 105,076 50.08%	,
HUMAN RESOURCES INFORMATION COMMUNICATION TECHNOLOGY INFORMATION COMMUNICATION TECHNOLOGY INFORMATION COMMUNICATION TECHNOLOGY S395,350 \$ 334,478 84.60% \$ 386,632 \$ 290,241 75.07% \$ 100,000 \$ 50,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 50.08% \$ 85,000 \$ 1,806,470 \$ 1,324,463 73.32% \$ 1,806,470 \$ 1,4050 \$ 1,2650 90.04% \$ 1,4050 \$ 1,2650 90.04% \$ 1,4050 \$ 1,4	,
INFORMATION COMMUNICATION TECHNOLOGY 395,350 \$ 334,478 84.60% \$ 386,632 \$ 290,241 75.07% \$ 100,000 \$ 50,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 50,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 100,000 \$ 1,324,463 73.32% \$ 100,000 \$ 1,324,463 73.32% \$ 100,000 \$ 1,324,463 73.32% \$ 100,000 \$ 10,000 \$, ,
LEGAL SERVICES \$ 100,000 \$ 50,076 50.08% \$ 85,000 \$ 31,803 37.42% \$ 1,619,108 80.79% \$ 1,806,470 \$ 1,324,463 73.32% \$	
TOTAL ADMINISTRATION \$ 2,004,129 \$ 1,619,108 80.79% \$ 1,806,470 \$ 1,324,463 73.32% \$ COMMUNITY SERVICES ENGINEERING \$ 280,188 \$ 205,909 73.49% \$ 320,370 \$ 250,376 78.15% \$ COMMUNITY PROGRAMS \$ - \$ - \$ 14,050 \$ 12,650 90.04% \$ PLANNING & PERMITTING \$ 775,230 \$ 642,902 82.93% \$ 776,532 \$ 577,073 74.31% \$ PARKS AND RECREATION \$ 567,334 \$ 418,614 73.79% \$ 602,191 \$ 460,543 76.48% \$ PUBLIC LIBRARY \$ 946,737 \$ 782,447 \$ 2.65% \$ 968,292 \$ 806,910 83.33% \$ FISCAL SERVICES DEBT SERVICE \$ 6,321,584 \$ 6,158,796 97.42% \$ 6,682,797 \$ 6,408,733 95.90% \$ PROPERTY \$ 715,667 \$ 493,407 68.94% \$ 699,114 \$ 560,589 80.19% \$ WORKERS COMPENSATION \$ 431,446 \$ 431,446 100.00%<	,
COMMUNITY SERVICES ENGINEERING \$ 280,188 \$ 205,909 73.49% \$ 320,370 \$ 250,376 78.15% \$ COMMUNITY PROGRAMS \$ - \$ - \$ 14,050 \$ 12,650 90.04% \$ PLANNING & PERMITTING \$ 775,230 \$ 642,902 82.93% \$ 776,532 \$ 577,073 74.31% \$ PARKS AND RECREATION \$ 567,334 \$ 418,614 73.79% \$ 602,191 \$ 460,543 76.48% \$ HEALTH & SOCIAL SERVICES \$ 189,539 \$ 184,840 97.52% \$ 176,567 \$ 189,383 107.26% \$ PUBLIC LIBRARY \$ 946,737 \$ 782,447 82.65% \$ 968,292 \$ 806,910 83.33% \$ TOTAL COMMUNITY SERVICES \$ 2,759,028 \$ 2,234,712 81.00% \$ 2,858,002 \$ 2,296,935 80.37% \$ PISCAL SERVICES DEBT SERVICE \$ 6,321,584 \$ 6,158,796 97.42% \$ 6,682,797 \$ 6,408,733 95.90% \$ PROPERTY \$ 715,667 \$ 493,407 68.94% \$ 699,114 \$ 560,589 80.19% \$ WORKERS COMPENSATION \$ 431,446 \$ 431,446 100.00% \$ 415,000 \$ - 0.00% \$ WAGES & BENEFITS \$ 4,397,585 \$ 3,688,350 83.87% \$ 4,602,545 \$ 3,524,377 76.57% \$ EMERGENCY RESERVE (10108062-670000) \$ 375,289 \$ - 0.00% \$ 333,818 \$ - 0.00% \$ 70.00% \$ 12,241,571 \$ 10,771,999 88.00% \$ 12,733,274 \$ 10,493,699 82.41% \$ 10,	
ENGINEERING \$ 280,188 \$ 205,909 73.49% \$ 320,370 \$ 250,376 78.15% \$ COMMUNITY PROGRAMS \$ - \$ - \$ - \$ \$ 14,050 \$ 12,650 90.04% \$ PLANNING & PERMITTING \$ 775,230 \$ 642,902 82.93% \$ 776,532 \$ 577,073 74.31% \$ PARKS AND RECREATION \$ 567,334 \$ 418,614 73.79% \$ 602,191 \$ 460,543 76.48% \$ HEALTH & SOCIAL SERVICES \$ 189,539 \$ 184,840 97.52% \$ 176,567 \$ 189,383 107.26% \$ 194,737 \$ 782,447 82.65% \$ 968,292 \$ 806,910 83.33% \$ 107.26% \$ 2,759,028 \$ 2,234,712 81.00% \$ 2,858,002 \$ 2,296,935 80.37% \$ 10,493,699 82.41% \$ 10,493,699 82.4	294,645
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PLANNING & PERMITTING \$ 775,230 \$ 642,902 82.93% \$ 776,532 \$ 577,073 74.31% \$ PARKS AND RECREATION \$ 567,334 \$ 418,614 73.79% \$ 602,191 \$ 460,543 76.48% \$ 189,539 \$ 184,840 97.52% \$ 176,567 \$ 189,383 107.26% \$ 946,737 \$ 782,447 82.65% \$ 968,292 \$ 806,910 83.33% \$ 946,737 \$ 782,447 82.65% \$ 968,292 \$ 806,910 83.33% \$ 80,37% \$ 80,321	. , ,
PARKS AND RECREATION \$ 567,334 \$ 418,614 73.79% \$ 602,191 \$ 460,543 76.48% \$ HEALTH & SOCIAL SERVICES \$ 189,539 \$ 184,840 97.52% \$ 176,567 \$ 189,383 107.26% \$ PUBLIC LIBRARY \$ 946,737 \$ 782,447 82.65% \$ 968,292 \$ 806,910 83.33% \$ TOTAL COMMUNITY SERVICES \$ 2,759,028 \$ 2,234,712 81.00% \$ 2,858,002 \$ 2,296,935 80.37% \$ PISCAL SERVICES DEBT SERVICE \$ 6,321,584 \$ 6,158,796 97.42% \$ 6,682,797 \$ 6,408,733 95.90% \$ PROPERTY \$ 715,667 \$ 493,407 68.94% \$ 699,114 \$ 560,589 80.19% \$ WORKERS COMPENSATION \$ 431,446 \$ 431,446 100.00% \$ 415,000 \$ - 0.00% \$ WAGES & BENEFITS \$ 4,397,585 \$ 3,688,350 83.87% \$ 4,602,545 \$ 3,524,377 76.57% \$ EMERGENCY RESERVE (10108062-670000) \$ 375,289 \$ - 0.00% \$ 333,818 \$ - 0.00% \$ TOTAL FISCAL SERVICES \$ 12,241,571 \$ 10,771,999 88.00% \$ 12,733,274 \$ 10,493,699 82.41% \$ \$ 10,493,699 82.41% \$ 10,493	. , ,
HEALTH & SOCIAL SERVICES \$ 189,539 \$ 184,840 97.52% \$ 176,567 \$ 189,383 107.26% \$ PUBLIC LIBRARY \$ 946,737 \$ 782,447 82.65% \$ 968,292 \$ 806,910 83.33% \$ TOTAL COMMUNITY SERVICES \$ 2,759,028 \$ 2,234,712 81.00% \$ 2,858,002 \$ 2,296,935 80.37% \$ PISCAL SERVICES DEBT SERVICES DEBT SERVICE \$ 6,321,584 \$ 6,158,796 97.42% \$ 6,682,797 \$ 6,408,733 95.90% \$ 97.42% \$ 6,682,797 \$ 6,408,733 95.90% \$ 97.42% \$ 6,682,797 \$ 6,408,733 95.90% \$ 97.42% \$ 6,682,797 \$ 6,408,733 95.90% \$ 97.42% \$ 6,682,797 \$ 6,408,733 95.90% \$ 97.42% \$ 6,682,797 \$ 6,408,733 95.90% \$ 97.42% \$ 6,89,114 \$ 560,589 80.19% \$ 97.42% \$ 6,89,114 \$ 560,589 80.19% \$ 97.42% \$ 6,89,114 \$ 560,589 80.19% \$ 97.42% \$ 6,89,114 \$ 560,589 80.19% \$ 97.42% \$ 6,89,114 \$ 560,589 80.19% \$ 97.42	,
PUBLIC LIBRARY \$ 946,737 \$ 782,447 82.65% \$ 968,292 \$ 800,910 83.33% \$ 80.37% TOTAL COMMUNITY SERVICES \$ 2,759,028 \$ 2,234,712 81.00% \$ 2,858,002 \$ 2,296,935 80.37% \$ 80.408 \$ 80.99 \$ 80.19%	. , ,
FISCAL SERVICES \$ 2,759,028 \$ 2,234,712 81.00% \$ 2,858,002 \$ 2,296,935 80.37% \$ FISCAL SERVICES DEBT SERVICE \$ 6,321,584 \$ 6,158,796 97.42% \$ 6,682,797 \$ 6,408,733 95.90% \$ PROPERTY \$ 715,667 \$ 493,407 68.94% \$ 699,114 \$ 560,589 80.19% \$ WORKERS COMPENSATION \$ 431,446 \$ 431,446 100.00% \$ 415,000 \$ - 0.00% \$ WAGES & BENEFITS \$ 4,397,585 \$ 3,688,350 83.87% \$ 4,602,545 \$ 3,524,377 76.57% \$ EMERGENCY RESERVE (10108062-670000) \$ 375,289 - 0.00% \$ 333,818 - 0.00% \$ TOTAL FISCAL SERVICES \$ 12,241,571 \$ 10,771,999 88.00% \$ 12,733,274 \$ 10,493,699 82.41%	. , ,
FISCAL SERVICES DEBT SERVICE \$ 6,321,584 \$ 6,158,796 97.42% \$ 6,682,797 \$ 6,408,733 95.90% \$ 9ROPERTY \$ 715,667 \$ 493,407 68.94% \$ 699,114 \$ 560,589 80.19% \$ 431,446 100.00% \$ 415,000 \$ - 0.00% \$ 435,446 100.00% \$ 415,000 \$ - 0.00% \$ 445,000 \$ -	/
DEBT SERVICE \$ 6,321,584 \$ 6,158,796 97.42% \$ 6,682,797 \$ 6,408,733 95.90% \$ PROPERTY PROPERTY \$ 715,667 \$ 493,407 68.94% \$ 699,114 \$ 560,589 80.19% \$ 431,446 WAGES & BENEFITS \$ 4,397,585 \$ 3,688,350 83.87% \$ 4,602,545 \$ 3,524,377 76.57% \$ 437,289 \$ - 0.00% \$ 333,818 \$ - 0.00% \$ 243,417 \$ 10,493,699 82.41% \$ 2241,571 \$ 10,771,999 88.00% \$ 12,733,274 \$ 10,493,699 82.41% \$ 341,446 \$ 3,524,377 \$ 3,524,377 \$ 6,500,589 \$ 3,524,377 \$ 6,500,589 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 3,524,377 \$ 6,576 \$ 6,5	(- , - ,
PROPERTY \$ 715,667 \$ 493,407 68.94% \$ 699,114 \$ 560,589 80.19% \$ WORKERS COMPENSATION \$ 431,446 \$ 431,446 100.00% \$ 415,000 \$ - 0.00% \$ - 0.00% \$ 431,446 </td <td></td>	
WORKERS COMPENSATION \$ 431,446 \$ 431,446 100.00% \$ 415,000 \$ - 0.00% \$ 0.00%	(249,937)
WAGES & BENEFITS \$ 4,397,585 \$ 3,688,350 83.87% \$ 4,602,545 \$ 3,524,377 76.57% \$ 5,524,377 \$ 0.00% \$ 375,289 - 0.00% \$ 333,818 \$ - 0.00% \$ 2,241,571 \$ 10,771,999 88.00% \$ 12,733,274 \$ 10,493,699 82.41% \$ 3,524,377 \$ 2,241,571 \$ 2,241,571 \$ 10,771,999 88.00% \$ 12,733,274 \$ 10,493,699 82.41% \$ 2,241,571	(67,182)
EMERGENCY RESERVE (10108062-670000) \$ 375,289 \$ - 0.00% \$ 333,818 \$ - 0.00% \$ 12,733,274 \$ 10,493,699 \$ 82.41% \$	431,446
TOTAL FISCAL SERVICES \$ 12,241,571 \$ 10,771,999 88.00% \$ 12,733,274 \$ 10,493,699 82.41% \$	163,973
, , , , , , , , , , , , , , , , , , ,	-
PUBLIC SAFETY	278,300
PUBLIC SAFETY	
FIDE DEDARTMENT	100.010
FIRE DEPARTMENT \$ 4,024,789 \$ 3,361,614 83.52% \$ 3,904,344 \$ 3,231,668 82.77% \$,
POLICE DEPARTMENT \$ 3,589,583 \$ 2,934,606 81.75% \$ 3,439,583 \$ 2,732,164 79.43% \$	
TOTAL PUBLIC SAFETY \$ 7,614,372 \$ 6,296,220 82.69% \$ 7,343,927 \$ 5,963,832 81.21% \$	332,388
PUBLIC WORKS	
PUBLIC WORKS DEPARTMENT \$ 4,730,432 \$ 3,877,436 81.97% \$ 4,617,744 \$ 3,767,107 81.58% \$	110,329
WATER AND SEWER \$ 558,835 \$ 576,219 103.11% \$ 558,835 \$ 553,446 99.0% \$	
TOTAL PUBLIC WORKS \$ 5,289,267 \$ 4,453,655 84.20% \$ 5,176,579 \$ 4,320,553 83.46% \$	
1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	100,102
INTERGOVERNMENTAL PROGRAMS	
AUBURN-LEWISTON AIRPORT \$ 105,000 \$ 105,000 \$ 105,000 \$ 105,000 \$ 105,000 \$ 100.00% \$	-
E911 COMMUNICATION CENTER \$ 1,036,409 \$ 777,638 75.03% \$ 1,035,381 \$ 1,034,616 99.93% \$	(256,978)
LATC-PUBLIC TRANSIT \$ 235,496 \$ 235,373 99.95% \$ 235,548 \$ 176,635 74.99% \$	58,738
LAEGC-ECONOMIC COUNCIL \$ - \$ - \$ 160,687 \$ 120,515 75.00% \$	(120,515)
COMMUNITY LITTLE THEATER \$ - \$ - \$ 20,160 \$ 9,671 47.97% \$	(9,671)
TAX SHARING \$ 270,000 \$ 41,793 15.48% \$ 289,000 \$ 43,602 15.09% \$	(1,809)
TOTAL INTERGOVERNMENTAL \$ 1,646,905 \$ 1,159,804 70.42% \$ 1,845,776 \$ 1,490,039 80.73% \$	(330,235)
COUNTY TAX \$ 2,029,513 \$ 2,029,512 100.00% \$ 2,006,244 \$ 2,006,244 100.00% \$	
TIF (10108058-580000) \$ 2,555,723 \$ 2,584,032 101.11% \$ 2,619,142 \$ 2,590,947 98.92% \$	
OVERLAY \$ - \$ - \$ - 0.00% \$	
TOTAL CITY DEPARTMENTS \$ 36,140,508 \$ 31,149,042 86.19% \$ 36,389,414 \$ 30,486,712 83.78% \$	
EDUCATION DEPARTMENT \$ 37,128,028 \$ 26,980,368 72.67% \$ 34,705,246 \$ 22,309,964 64.28% \$	4,670,404
TOTAL GENERAL FUND EXPENDITURES \$ 73,268,536 \$ 58,129,410 79.34% \$ 71,094,660 \$ 52,796,676 74.26% \$	

CITY OF AUBURN, MAINE INVESTMENT SCHEDULE AS Of April 30, 2014

INVESTMENT		FUND		BALANCE April 30, 2014		BALANCE March 31, 2014	INTEREST RATE	WEIGHTED AVG YIELD
	24 4242024	GENERAL FUND	¢	EE 207.12	¢	FF 200 20	0.450/	
BANKNORTH MNY MKT			Þ	55,397.12	•	55,390.29	0.15%	
BANKNORTH MNY MKT	24-1745910	GF-WORKERS COMP	\$	49,274.28	\$	49,271.04	0.08%	
BANKNORTH MNY MKT	24-1745944	GF-UNEMPLOYMENT	\$	66,978.38	\$	66,970.53	0.15%	
BANKNORTH CD	7033	GF-UNEMPLOYMENT	\$	95,171.30	\$	95,171.30	0.15%	
BANKNORTH MNY MKT	24-1809302	SPECIAL REVENUE	\$	52,618.39	\$	52,611.90	0.15%	
BANKNORTH MNY MKT	24-1745902	SR-PERMIT PARKING	\$	198,221.48	\$	198,197.04	0.15%	
BANKNORTH MNY MKT	24-1745895	SR-TIF	\$	1,119,116.17	\$	1,118,978.21	0.15%	
BANKNORTH MNY MKT	24-1746819	CAPITAL PROJECTS	\$	11,771,729.23	\$	11,770,278.10	0.20%	
BANKNORTH MNY MKT	24-1745928	ICE ARENA	\$	249,582.23	\$	249,551.46	0.15%	
GRAND TOTAL			\$	13,658,088.58	\$	13,656,419.87		0.19%

"Maine's City of Opportunity"

Financial Services

To: Clinton Deschene, City Manager From: Jill Eastman, Finance Director

Re: Arena Financial Reports for April 30, 2014

Attached you will find a Statement of Net Assets and a Statement of Activities for the Ingersoll Arena and the Norway Savings Bank Arena as of April 30, 2014.

INGERSOLL ARENA

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets.

Current Assets:

As of the end of April 2014 the total current assets of Ingersoll were \$164,813. These consisted of cash and cash equivalents of \$249,551, and an interfund payable of \$84,738, which means that Ingersoll owes the General Fund \$84,738, so net cash available to Ingersoll is \$164,813 at the end of April.

Noncurrent Assets:

Ingersoll's noncurrent assets are the building, equipment and any building and land improvements, less depreciation. There will be an adjustment to the equipment, since some of this has been transferred to Norway Savings Bank Arena. The total value of the noncurrent assets as of April 30, 2014 were \$630,402.

Liabilities:

Ingersoll had no liabilities as of April 30, 2014.

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 Arena through April 2014, are \$53,941. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating and ice rentals.

The operating expenses for Ingersoll Arena through April 2014, were \$166,559. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of April 2014 Ingersoll Arena has an operating losses of \$112,618.

Non-operating revenue and expenses consist of interest income and debt service payments. The interest income to date is \$849 and debt service expense to date is \$89,864.

As of April 30, 2014 Ingersoll Arena has a decrease in net assets of \$201,633.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets.

Current Assets:

As of the end of April 2014 the total current assets of Norway Savings Bank Arena were \$117,491. These consisted of cash and cash equivalents of \$225, accounts receivable of \$430 and an interfund receivable of \$116,836, which means that the General Fund owes Norway \$116,836 at the end of April.

Noncurrent Assets:

Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). There will be an adjustment to the equipment to account for the equipment that was transferred from Ingersoll Arena. The total value of the noncurrent assets as of April 30, 2014 were \$234,395.

Liabilities:

Norway Arena had accounts payable of \$414 as of April 30, 2014.

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 April 2014 are \$770,650. 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 April 2014 were \$419,178. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of April 2014 Norway Arena has an operating gain of \$351,472.

As of April 30, 2014 Norway Arena has a increase in net assets of \$351,472.

CITY OF AUBURN, MAINE Statement of Net Assets Proprietary Funds April 30, 2014

Business-type Activities - Enterprise Funds

		ı	ngersoll	Norway		
				Savings	(Combined
ASSETS						
Current assets:						
Cash and cash equivalents		\$	249,551	\$ 225	\$	249,776
Interfund receivables		\$	(84,738)	\$ 116,836		32,098
Accounts receivable			-	430		430
	Total current assets		164,813	117,491		282,304
Noncurrent assets:						
Capital assets:						
Buildings			18,584			18,584
Equipment			672,279	234,395		906,674
Land improvements			826,911			826,911
Less accumulated depreciation			(887,372)			(887,372
	Total noncurrent assets		630,402	234,395		864,797
	Total assets		795,215	351,886		1,147,101
LIABILITIES						
Accounts payable				\$ 414		414
Total liabilities			-	414		414
NET ASSETS						
Invested in capital assets		\$	630,402	\$ 234,395		864,797
Unrestricted		\$	164,813	\$ 117,077		281,890
Total net assets		\$	795,215	\$ 351,472	\$	1,146,687

CITY OF AUBURN, MAINE

Statement of Revenues, Expenses and Changes in Net Assets

Proprietary Funds

Business-type Activities - Enterprise Funds Statement of Activities April 30, 2014

	Ingersoll Ice Arena	Norway Savings Arena	Total
Operating revenues:			
Charges for services	\$ 53,941	\$ 770,650 \$	824,591
Operating expenses:			
Personnel	70,717	150,098	220,815
Supplies	6,799	74,396	81,195
Utilities	57,928	73,290	131,218
Repairs and maintenance	27,398	2,307	29,705
Depreciation	-	-	-
Capital expenses		4,500	4,500
Other expenses	3,717	114,587	118,304
Total operating expenses	166,559	419,178	585,737
Operating gain (loss)	(112,618)	351,472	238,854
Nonoperating revenue (expense):			
Interest income	849	-	849
Interest expense (debt service)	(89,864)	-	(89,864)
Total nonoperating expense	(89,015)	-	(89,015)
Gain before transfer	(201,633)	351,472	149,839
Transfers out	-	-	
Change in net assets	(201,633)	351,472	149,839
Total net assets, July 1	996,848	-	996,848
Total net assets, April 30, 2014	\$ 795,215	\$ 351,472 \$	1,146,687

Office of the Mayor

CITY OF AUBURN



PROCLAMATION- MAINE ARBOR WEEK

Whereas; In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and this holiday called Arbor Day

was first observed with the planting of a million trees in Nebraska, and

Whereas, May 18th to May 24th, 2014 is Maine Arbor Week

Whereas, Trees can reduce the erosion of our precious topsoil, cut heating and cooling cost,

moderate the temperature, clean the air, provide life-giving oxygen and provide

habitat for wildlife.

Whereas, Trees are a renewable resource giving us paper, wood for our homes, fuel for our

fires, and beautify our community.

Whereas, Trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, therefore, I, Jonathan P. LaBonté, Mayor of the City of Auburn, by virtue of the authority vested in me, do hereby proclaim May 18th to May 24th, 2014 as the celebration of Maine Arbor Week in the City of Auburn, and I urge all citizens to celebrate Maine Arbor Week and support efforts to protect our trees and woodlands.

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Auburn, Maine to be fixed this 19th day of May, 2014.

Jonathan P. LaBonté, Mayor of Auburn



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date:

May 19, 2014

Order

38-05052014

Author: Sue Clements-Dallaire, City Clerk
Item(s) checked below represent the subject matter related to this workshop item.
□Comprehensive Plan □Work Plan □Budget □Ordinance/Charter □Other Business* □Council Goals**
**If Council Goals please specify type:
Subject: Adopting the School Budget for Fiscal Year 2015
Information : M.R.S.A. Title 20-A requires municipalities to conduct a school budget validation referendum election each year and it must be held on or before the 30 th calendar day following the scheduled date that the City Council approves the school budget. The election date has been scheduled for June 10, 2014 and the soonest date Council can approve the school budget is May 12, 2014.
Financial: N/A
Action Requested at this Meeting: Passage of the FY14-15 School Budget as presented and approved by the School Committee.
Previous Meetings and History : 3/20/2014 Joint meeting, 4/28/2014 workshop, postponed at the 5/5/2014 Council Meeting.

Attachments:

- Notice to voters
- Expenditure Article Detail
- Order 38-05052014

^{*}Agenda items are not limited to these categories.

NOTICE OF AMOUNTS ADOPTED AT AUBURN CITY COUNCIL MEETING FOR VOTERS AT SCHOOL BUDGET VALIDATION REFERENDUM

TO: Clerk of City of Auburn, State of Maine

Pursuant to 20-A M.R.S.A. §§ 1486(2) and 2307 this Notice is to be displayed at all polling places for the school budget validation referendum to be held on <u>June 10, 2014</u>, to assist the voters in voting on whether to ratify the school budget as adopted by City Council.

	Amount	Amount Approved and
Cost Center Summary	Recommended by	Adopted by
Budget Category	School Committee	City Council Meeting on
	April 30, 14	May 19, 2014
Regular Instruction	\$15,246,432	\$15,246,432
Special Education	\$ 7,962,668	\$ 7,962,668
Career and Technical Education	\$ -0-	\$ -0-
Other Instruction	\$ 752,692	\$ 752,692
Student and Staff Support	\$ 4,402,306	\$ 4,402,306
System Administration	\$ 842,216	\$ 842,216
School Administration	\$ 1,284,149	\$ 1,284,149
Transportation and Buses	\$ 1,108,321	\$ 1,108,321
Facilities Maintenance	\$ 3,512,020	\$3,512,020
Debt Service and Other Commitments	\$ 2,707,131	\$ 2,707,131
All Other Expenditures	\$ 423,388	\$ 423,388
Summary of Total	\$38,241,323	\$38,241,323
Authorized Expenditures	φ <u>υσμ41,υμυ</u>	φ <u>υσ,μ41,υμυ</u>

EXPENDITURES What the Auburn City Council Proposed to Spend on Education from July 1, 2014 to June 30, 2015 Updated 4/30/14

Updated 4/30/14										
ARTICLE #	1	ARTICLE #		ARTICLE #3	ARTICLE #4		ARTICLE #	5	ARTICLE #6	
To see what sum the	e District	To see what sum th	e District	To see what sum the District	To see what sum the I	District	To see what sum the District		To see what sum the	District
will be allowed to EXI	PEND for	will be allowed to EX	(PEND for	will be allowed to EXPEND for	will be allowed to EXPEND for		will be allowed to EX	PEND for	will be allowed to EXP	END for
REGULAR INSTRI	UCTION	SPECIAL EDUC	ATION	CAREER & TECHNICAL	OTHER INSTRUCT	TION	STUDENT & STAFF	SUPPORT	SYSTEM ADMINIST	RATION
Board of Directors Red	commends	Board of Directors Re	commends	Board of Directors Recommends	Board of Directors Reco	mmends	Board of Directors Red	commends	Board of Directors Reco	ommends
\$15,246,432	2	\$7,962,66	8	\$0	\$752,692		\$4,402,306	6	\$842,216	
The REGULAR INSTRUCTION	N article	The SPECIAL EDUCATION	article	The CAREER & TECHNICAL EDUCATION	The OTHER INSTRUCTION art	icle	STUDENT & STAFF SUPPO	RT includes	The SYSTEM ADMINISTRATIO	N article
includes costs directly related t	to the	includes costs for students re	eceiving	article includes costs for instructional	includes costs to provide studer	nts with	costs to facilitate and enhanc	e instruction.	includes costs for activities cond	erned
interaction between teachers a	and	services other than those pro	ovided by	activities designed to prepare students	learning experiences not include	ed under	Guidance Services		with establishing and administer	ing policy
students in a learning environn	nent for	regular programs.		for careers and further education beyond	other educational programs.		Salaries & Benefits	856,706	and operation of the school	
purposes of the delivery of inst	ruction.			high school.			Purchased Services	2,950	administrative unit.	
							Supplies & Equipment	2,580		
Regular Programs		Special Education Prog	rams	Career & Technical	Co-Curricular Programs		Health Services		Board of Education	
Salaries & Benefits	9,736,774	Salaries & Benefits	5,854,675	Student Support Services 0	Salaries & Benefits	86,253	Salaries & Benefits	276,513	Salaries & Benefits	4,522
Substitutes	184,508	Purchased Services	2,094,385	Instruction 0	Purchased Services	34,546	Purchased Services	5,675	Purchased Services	96,011
Purchased Services	330,700	Supplies & Equipment	13,608	Operation & Maintenance 0	Supplies & Equipment	19,352	Supplies & Equipment	8,775	Supplies & Equipment	6,446
Supplies & Equipment	355,301			School Administration 0	Extra-Curricular Programs		Other Student Support S	ervices	Superintendent's Office	
K-2 Programs					Salaries & Benefits	311,139	Salaries & Benefits	6,460	Salaries & Benefits	463,462
Salaries & Benefits	2,954,912				Purchased Services	69,747	Purchased Services/SROs	206,834	Purchased Services	5,400
Supplies & Equipment	44,019				Supplies & Equipment	166,102	Supplies & Equipment	4,071	Supplies & Equipment	7,224
English-Second Language	е				Other Instructional Program	ms	Improve of Instruction/St	aff Training	Business Office	
Salaries & Benefits	599,234				Salaries & Benefits	54,053	Salaries & Benefits	1,202,222	Salaries & Benefits	200,973
Purchased Services	7,000				Purchased Services	11,000	Purchased Services	110,876	Purchased Services	46,690
Supplies & Equipment	1,540				Supplies & Equipment	500	Supplies & Equipment	35,616	Supplies & Equipment	11,488
Alternative Education					Post Secondary Instruction	n	Library Services		Other Central Services	
Salaries & Benefits	734,878				Salaries & Benefits		Salaries & Benefits	370,159	Salaries & Benefits	0
Purchased Services	8,706				Supplies & Equipment		Supplies & Equipment	38,472	Purchased Services	0
Supplies & Equipment	8,495						Instructional Technology		Supplies & Equipment	0
Gifted & Talented Program							Salaries & Benefits	647,368		
Salaries & Benefits	258,424						Purchased Services	80,195		
Purchased Services	5,350						Supplies & Equipment	451,167		
Supplies & Equipment	16,591						Student Assessment			
							Salaries & Benefits	57,867		
							Supplies & Equipment	37,800	<u>.</u>	
	15,246,432		7,962,668	0		752,692		4,402,306		842,216

ARTICLE #7	ARTICLE #8	ARTICLE #9	ARTICLE #10	ARTICLE #11	SUMMARY ARTIC	CLE
To see what sum the District	To see what sum the District	To see what sum the District	To see what sum the District	To see what sum the District	To see what sum the I	District
will be allowed to EXPEND for	will be allowed to EXPEND for	will be allowed to EXPEND for	will be allowed to EXPEND for	will be allowed to EXPEND for	will be allowed to EXPE	ND for
SCHOOL ADMINISTRATION	TRANSPORTATION & BUSES	FACILITIES MAINTENANCE	DEBT & OTHER COMMITMENTS	ALL OTHER	TOTAL PRE-K - 12 EDI	JCATION .
Board of Directors Recommends	Board of Directors Recommends	Board of Directors Recommends	Board of Directors Recommends	Board of Directors Recommends	Board of Directors Recor	mmends
\$1,284,149	\$1,108,321	\$3,512,020	\$2,707,131	\$0	\$37,817,935	
The SCHOOL ADMINISTRATION article	The TRANSPORTATION AND BUS article	The FACILITIES MAINTENANCE article	The DEBT SERVICE AND OTHER	The ALL OTHER article includes costs for	The TOTAL PRE-KINDERGARTE	EN TO
includes costs for the administrative	includes costs for conveying students	includes costs for keeping the physical	COMMITMENT article includes costs for the	obligations that arise from fulfilling the purpos	GRADE 12 EDUCATION article is	s the
responsibility of individual schools.	to and from school.	plant open, comfortable and safe for use.	principal and interest payments on long	of the school administrative unit. These costs	total budget article that authorize	s the
		It also includes keeping the grounds,	term debt of the school administrative unit	may include a school nutrition program or	school administration to raise and	d expend
		buildings and equipment in working	and payment of new school construction.	support of such, support of community service	for the school year.	
		condition.		programs, private school services		
School Administration	Transportation	Maintenance/Custodial	Debt Service	All Other	Total Expenses	
Salaries & Benefits 1,208,886	Salaries & Benefits 1,525	Salaries & Benefits 1,219,738	Principal 2,288,060	Food Service Transfer 0	Regular Instruction	15,246,432
Purchased Services 18,965	Purchased Services 783,870	Purchased Services 973,995	Interest 419,071	School Nutrition Expenses 0	Special Education	7,962,668
Supplies & Equipment 56,298	Supplies & Equipment 312,926	Supplies & Equipment 1,318,287	Other Commitments	Community Service 0	CTE Instruction	0
	Out of District Transportation	Capital Enhancement & Improvement	Salaries & Benefits 0	Non Public School Services 0	Other Instruction	752,692
	Salaries & Benefits	Salaries & Benefits 0	Purchased Services 0		Student & Staff Support	4,402,306
	Purchased Services 10,000	Purchased Services 0	Supplies & Equipment 0		System Administration	842,216
	Supplies & Equipment	Supplies & Equipment 0			School Administration	1,284,149
		Capital Renewal & Renovation			Transportation & Buses	1,108,321
		Salaries & Benefits 0			Facilities Maintenance	3,512,020
		Purchased Services 0			Debt & Other Commitments	2,707,131
		Supplies & Equipment 0			All Other Expenditures	0
1,284,149	1,108,321	3,512,020	2,707,131	0		37,817,935
					Plus Adult Ed & Crossing Guide	423,388
4/30/2014 4:50 PM					Total Budget	38,241,323



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

IN CITY COUNCIL

ORDER 38-05052014

Ordered that the Auburn City Council hereby adopts and approves the following School Budget articles for Fiscal Year 2014/2015.

- 1. That \$15,246,432.00 be authorized to be expended for Regular Instruction;
- 2. That \$7,962,668.00 be authorized to be expended for Special Education;
- 3. That \$-0- be authorized to be expended for Career and Technical Education;
- 4. That $\frac{\$}{752,692.00}$ be authorized to be expended for Other Instruction;
- 5. That \$4,402,306.00 be authorized to be expended for Student and Staff Support;
- 6. That \$ 842,216.00 be authorized to be expended for System Administration;
- 7. That \$1,284,149.00 be authorized to be expended for School Administration;
- 8. That <u>1,108,321.00</u> be authorized to be expended for Transportation and Buses;
- 9. That \$3,512,020.00 be authorized to be expended for Facilities Maintenance;
- 10. That \$ 2,707,131.00 be authorized to be expended for Debt Service and Other Commitments;
- 11. That \$- 423,388.00- be authorized to be expended for All Other Expenditures;
- 12. That \$37,817,935.00 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$14,329,818.00 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688;

Statutory Recommendation \$ 15,935,333 City Council Adopted \$14,329,818

Explanation: The city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.

13. That \$1,587,224.00 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects or non-state-funded portions of school construction projects, in addition to the funds appropriated as the local share of the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12;

Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the city's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.

14. That \$0.00 be raised and appropriated in additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, \$15690;

Explanation: The additional local funds are those locally raised funds over and above the municipality's local contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the school department budget for education programs.

- 15. That the school committee be authorized to expend \$37,817,935.00 for the fiscal year beginning July 1, 2014 and ending June 30, 2015 from the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, fund balances, state subsidy and other receipts for the support of schools;
- 16. That the City of Auburn appropriate \$380,880.00 for adult education and raise \$189,080.00 as the local share, with authorization to expend any additional incidental or miscellaneous receipts in the interest and for the well-being of the adult education program;
- 17. That the City of Auburn raise and appropriate \$42,508.00 for the services of Community Services-Crossing Guards.
- 18. That in addition to amounts approved in the preceding articles, the school committee be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated;



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: May 19, 2014 Resolve 06-05052014

Author: Jill M. Eastman, Finance Director

Subject: Resolve adopting the 2014-2015 Annual Appropriation and Revenue Resolve (First Reading)

Information: In accordance with the City Charter, Article 8, Section 8.6, prior to the fiscal year the City Council shall adopt an annual appropriation resolve making appropriations by department, fund, services, strategy or other organizational unit and authorizing an allocation for each program or activity.

The Council has been supplied with a resolve to adopt the annual appropriations for the City of Auburn, which includes final figures for revenue, total appropriation and municipal budget.

The school appropriation resolve has been incorporated into this annual appropriation resolve for the City of Auburn.

Two readings are required for passage of this resolve. The second reading will be scheduled at the next Council meeting on June 2, 2013.

Financial: n/a

Action Requested at this Meeting: Yes-Approve the resolve adopting Annual Appropriation Resolve FY 2012-2013 (first reading)

Why? It is necessary to adopt the annual appropriation resolve, this is the first reading

Previous Meetings and History: Annual

Attachments: (in order of appearance in packet)

- Resolve for the 2012-2013 Annual Appropriation and Revenue
- Proposed City Manager's Amendments

Revised: 1/13/11 Page 1 of 1



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

IN CITY COUNCIL

RESOLVE 06-05052014

RESOLVED, that the following be, and hereby is the Annual Appropriation and Revenue Resolve of the City of Auburn for the fiscal year 2014-2015, which includes the amounts appropriated herein and revenues from all sources beginning July 1, 2014 and ending June 30, 2015.

The estimated aggregate amount of non-property tax revenue is \$33,349,006 with a municipal revenue budget of \$11,256,313 and a School Department revenue budget of \$22,092,693.

The aggregate appropriation for the City of Auburn is \$76,126,790, with a municipal budget of \$35,838,587 County budget of \$2,046,880 and a School Department budget of \$38,241,323 which received School Committee approval on April 30, 2014, and school budget approved at the May 19, 2014 Council Meeting pursuant to the School Budget Validation vote on June 10, 2014, in accordance with Maine Revised Statues, Title 20-A § 1486 and based on the budget submitted to the Auburn City Council on April 7, 2014, by the City Manager, and notification was posted on the City of Auburn website on May 2, 2014 that a public hearing would be held on May 5, 2014 at 7:00 p.m. and said hearing having been held on that date, and as amended by the City Council, the same is hereby appropriated for the fiscal year 2014-2015 beginning July 1, 2014 for the lawful expenditures of the City of Auburn and the County of Androscoggin taxes, and said amounts are declared not to be in excess of the estimated revenue from taxation and sources other than taxation for the fiscal year of 2014-2015.

SCHOOL BUDGET ARTICLES

- 1. That \$15,246,432.00 be authorized to be expended for Regular Instruction;
- 2. That \$7,962,668.00 be authorized to be expended for Special Education;
- 3. That \$-0- be authorized to be expended for Career and Technical Education;
- 4. That \$752,692.00 be authorized to be expended for Other Instruction;
- 5. That \$4,402,306.00 be authorized to be expended for Student and Staff Support;
- 6. That \$842,216.00 be authorized to be expended for System Administration;
- 7. That \$1,284,149.00 be authorized to be expended for School Administration;
- 8. That \$1,108,321.00 be authorized to be expended for Transportation and Buses;
- 9. That \$3,512,020.00 be authorized to be expended for Facilities Maintenance;
- 10. That \$2,707,131.00 be authorized to be expended for Debt Service and Other Commitments;
- 11. That \$423,388 be authorized to be expended for All Other Expenditures;

12. That \$37,817,935.00 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$14,329,818.00 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statues, Title 20-A, section 15688;

Statutory Recommendation \$15,935,333 City Council Adopted \$14,329,818

Explanation: The city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.

13. That \$1,587,224.00 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12;

Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the city's long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.

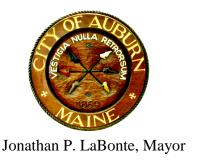
14. That \$0.00 be raised and appropriated in additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690;

Explanation: The additional local funds are those locally raised funds over and above the municipality's local contributions to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the school department budget for education programs.

- 15. That the school committee be authorized to expend \$37,817,935.00 for the fiscal year beginning July 1, 2013 and ending June 30, 2014 from the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, fund balances, state subsidy and other receipts for the support of schools;
- 16. That the City of Auburn appropriate \$380,880.00 for adult education and raise \$189,080.00 as the local share, with authorization to expend any additional incidental or miscellaneous receipts in the interest for the well-being of the adult education program;

- 17. That the City of Auburn raise and appropriate \$42,508.00 for the services of Community Services-Crossing Guards.
- 18. That in addition to amount approved in the preceding articles, the school committee be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated;

BE IT FURTHER RESOLVED that the City Council deems it necessary to adopt a budget which exceeds the percent increase of the Consumer Price Index Urban as of December 31, 2013, and hereby waives the provisions of Section 2-485 of the City Code of Ordinances.



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

IN CITY COUNCIL

RESOLVE 06-05052014 (Amendment 1)

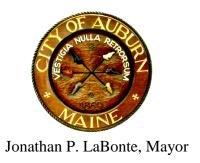
Whereas the City Manager has presented the Fiscal Year 2015 City Manager Recommended Budget on April 7th, 2014; and

Whereas the City Council has held the charter required Public Hearing on May 5th, 2014; and

Whereas the City Manager is proposing the following amendment to the fiscal year 2015 budget;

We the Council of the City of Auburn adopt and approve the following items to the City Budget:

Amend the Department of Fire to expand into the program of EMS transport by increasing expenditures by \$720,468 to implement EMS transport and increase revenue by \$987,551 for EMS transport collections;



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

IN CITY COUNCIL

RESOLVE 06-05052014 (Amendments 2)

Whereas the City Manager has presented the Fiscal Year 2015 City Manager Recommended Budget on April 7th, 2014; and

Whereas the City Council has held the charter required Public Hearing on May 5th, 2014; and

Whereas the City Manager is proposing the following amendments to the fiscal year 2015 budget;

We the Council of the City of Auburn adopt and approve the following items to the City Budget:

Amend the Department of Fire by decreasing expenditures by \$73,000 to fire operations;

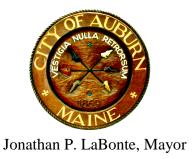
Amend the Parking Program of the City and Police Budget to initiate greater use of revenues by \$55,000 and institute a non-sworn model for parking enforcement;

Amend Police Department Budget to eliminate the shared funding with Lewiston for Animal Control decreasing expenses by \$15,142;

Amend the Vehicle Purchases for the Police department to only one new cruiser purchased in this budget, decreasing expenses by \$94,000;

Amend the Police Department to delay purchases of special equipment (radar) decreasing expenses by \$49,500;

Amend Police Department revenues to utilize \$45,000 of federal drug seizure money;



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

IN CITY COUNCIL

RESOLVE 06-05052014 (Amendments 3)

Whereas the City Manager has presented the Fiscal Year 2015 City Manager Recommended Budget on April 7th, 2014; and

Whereas the City Council has held the charter required Public Hearing on May 5th, 2014; and

Whereas the City Manager is proposing the following amendments to the fiscal year 2015 budget;

We the Council of the City of Auburn adopt and approve the following items to the City Budget:

Amend the Department of Finance, Administration Program to reduce training by \$500;

Amend the Revenues of the City of Auburn, Department of Finance, to increase revenues by \$5,000 for new required fees for lien fillings at Androscoggin County registry of deeds;

Amend the Department of City Clerk to decrease expenditures by \$23,946 eliminating the switchboard information position;

Amend the Department of City clerk to decrease expenditures by \$5,650 to reduce training, mileage reimbursement, office supplies, and records restoration;

Amend Health and Social Services to last year's funding level a decrease of expenditures of \$38,399 (this does intentionally under budget but per statute overages are allowed);

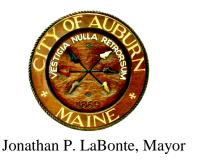
Amend Fringe Benefits for Medical consulting to decrease expenditures by \$30,000; this sustains investing in a medical consultant at a reduced rate that will yield long-term health savings;

Amend the ICT budget to decrease expenditures by \$4,500 to eliminate Council laptop initiative;

Amend the Library budget to reduce annual expenditures by \$12,846;

Amend Public Services Budget to reduce operating expenditures by \$99,300, leaving money in the budget for spring clean up, herbicide program and mowing at Oak Hill Cemetery;

Amend the Revenues from Recreation Program Fund to increase by \$41,720 to fund the cost of the recreation program leader from program income;



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

IN CITY COUNCIL

RESOLVE 06-05052014 (Amendment 4)

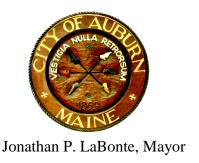
Whereas the City Manager has presented the Fiscal Year 2015 City Manager Recommended Budget on April 7th, 2014; and

Whereas the City Council has held the charter required Public Hearing on May 5th, 2014; and

Whereas the City Manager is proposing the following amendments to the fiscal year 2015 budget;

We the Council of the City of Auburn adopt and approve the following items to the City Budget:

Amend the following intergovernmental departments as follows: reduce Airport by \$8,750, reduce LATC by \$1,648 and reduce LA911 by \$12,535;



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

IN CITY COUNCIL

RESOLVE 06-05052014 (Amendment 5)

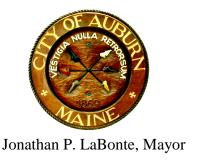
Whereas the City Manager has presented the Fiscal Year 2015 City Manager Recommended Budget on April 7th, 2014; and

Whereas the City Council has held the charter required Public Hearing on May 5th, 2014; and

Whereas the City Manager is proposing the following amendments to the fiscal year 2015 budget;

We the Council of the City of Auburn adopt and approve the following items to the City Budget:

Amend all City Departments decreasing expenditures by \$335,000 for staff reductions, attrition, or retirements to be implemented by the City Manager;



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

IN CITY COUNCIL

RESOLVE 06-05052014 (Amendment 6)

Whereas the City Manager has presented the Fiscal Year 2015 City Manager Recommended Budget on April 7th, 2014; and

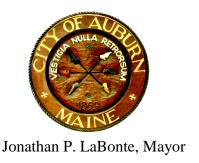
Whereas the City Council has held the charter required Public Hearing on May 5th, 2014; and

Whereas the City Manager is proposing the following amendments to the fiscal year 2015 budget;

We the Council of the City of Auburn adopt and approve the following items to the City Budget:

Amend the Department of Public Services, Environmental Program to increase expenditures by \$102,000 to sustain and expand curbside recycling;

Be it further amended to state that it is the policy of the City of Auburn to implement a curbside automated recycling and solid waste program with a City Ordinance of solid waste and recycling no later than June 30th, 2015.



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

IN CITY COUNCIL

RESOLVE 06-05052014 (Amendment 7)

Whereas the City Manager has presented the Fiscal Year 2015 City Manager Recommended Budget on April 7th, 2014; and

Whereas the City Council has held the charter required Public Hearing on May 5th, 2014; and

Whereas the City Manager is proposing the following amendments to the fiscal year 2015 budget;

We the Council of the City of Auburn adopt and approve the following items to the City Budget:

Amend the operational CIP requested items to decrease expenditures by \$187,427, leaving a total of \$165,863.



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: May 19, 2014

Author: Jill M. Eastman, Finance Director

Subject: Amendment 8 to the 2014-2015 Annual Appropriation and Revenue Resolve

Information: In order to address COLA's it is recommended by the manager to add the attached amendment to the resolve:

There is no financial impact to this amendment for the FY 15 budget as this was addressed in the manager's proposed budget.

Since the pay scale was adopted in 2007 no one has been updating the scale annually, this will not impact the budget but is a maintenance item to keep the pay scale up to date.

Financial: n/a

Action Requested at this Meeting: Yes-Approve the amendment to add the above items to the Annual Appropriation Resolve FY 15

Why? This amendment has no financial impact to the budget, but is a maintenance item.

Previous Meetings and History: Annual

Attachments: (in order of appearance in packet)

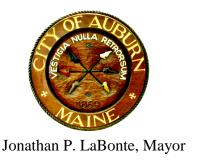
• Resolve for the Amendment 8 to the Annual Appropriation Resolve.

Revised: 1/13/11 Page 1 of 2

City Council Agenda Information Sheet

City of Auburn

Revised: 1/13/11 Page 2 of 2



Leroy Walker, Ward Five Belinda Gerry, At Large David Young, At Large

IN CITY COUNCIL

RESOLVE 06-05052014 (Amendment 8)

Whereas the City Manager has presented the Fiscal Year 2015 City Manager Recommended Budget on April 7th, 2014; and

Whereas the City Council has held the charter required Public Hearing on May 5th, 2014; and

Whereas the City Manager is proposing the following amendments to the fiscal year 2015 appropriation resolve;

We the Council of the City of Auburn adopt and approve the following items to the Appropriation Resolve:

Amend the FY 2015 Appropriation Resolve to include the following statements: the FY15 budget implements up to a 2% COLA for employees.

The City Manager is authorized to update the 2007 Pay Scales for the City of Auburn by the CPI-U for each year through 2014.



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date:

May 19, 2014

Ordinance 03- 05192014

Author: Douglas Greene; AICP, RLA; City Planner
Item(s) checked below represent the subject matter related to this workshop item.
□Comprehensive Plan □Work Plan □Budget □Ordinance/Charter □Other Business* □Council Goals**
**If Council Goals please specify type:
Subject: Zoning Text amendment to the Agricultural and Resource Protection Zone (ZOMA 1180-2013)
Information: The Planning Staff received a citizen petition from over 25 registered voters requesting to amend the City of Auburn's zoning ordinance to allow for a residential unit to be transferred from a residentially zoned portion of a parcel to the Agricultural and Resource Protection portion of the property. The proposed change would apply to properties that contain either Low Density Country Residential District or Low Density Rural Residential District zoning along road frontage and Agricultural and Resource Protection District Zoning on the rear portion of the property. At its February 11, 2014 meeting, the Planning Board voted 4-2-1 to recommend approval of the Zoning Ordinance Tex Amendment. The Board also voted to change the sponsorship of the Text Amendment from a citizen based petition to a Planning Board sponsored one. Some Councilor's have expressed concern addressing this issue apart from an overall review of the Agriculture and Resource Protection District.
Financial: None
Action Requested at this Meeting: The Council can either approve or disapprove the Resolution.
Previous Meetings and History : The citizen initiated petition for the Text Amendment was heard by the Planning Board on December 10 th (Public Hearing and Board Discussion), January 14 th (Board Discussion and Citizen Input) and February 11 th . (Board Discussion and Action). The Text Amendment then was forwarded to a City Council Workshop on March 3 rd , where the item was tabled to a future date to be determined.

Attachments:

- 1. Ag Text Amd. Staff Report 5-19-14
- 2. Scan of Ag Text Amd. Petition
- 3. 12-10-13 Ag Text Amd. Staff Report #1
- 4. Planning Board Minutes 12-10-13
- 5. 1-14-14 Ag Text Amd. Staff Report #2
- 6. Planning Board Minutes 1-14-14
- 7. Planning Board Minutes 2-11-14
- 8. 2010 Comp Plan Ag Memos

- 9. Reardon Prop Case Study Mapping
- 10. Review Ordinances
- 11. Final Staff Recommendations 2-11-14
- 12. Final Ag Text Amendment
- 13. Ag Text Amd. Map
- 14. LDCR Parcels over 10 ac.
- 15. LDRR Parcels over 10 ac.

^{*}Agenda items are not limited to these categories.

"Maine's City of Opportunity"

Office of Planning & Permitting

Agricultural Text Amendment Staff Report Summary

To:

Auburn City Council

From:

Douglas M. Greene, AICP, RLA; City Planner

Re:

Agricultural Zoning Text Amendment

Date: May 19, 2014

- I. PROPOSAL- A citizen petition was filed with the Planning Office in November of 2013 that requested a change be made to Auburn's Zoning Ordinance that would allow a residential unit to be transferred from either a Low Density Country Residential District (LDCR) or Low Density Rural Residential (LDRR) District portion of a property to the Agricultural and Resource Protection (AG/RP) District portion of the property. The petition did not include specific language for the text amendment, but instead was based on a concept from the 2010 Comprehensive Plan that included 4 parts:
 - Allow the transfer of a residential unit from LDCR or LDRR area to the AG/RP area of a property.
 - The new residence allowed in this area would not change the current AG/RP zoning restriction of one unit per 10 acres (i.e. there would be no net increase in density).
 - Best management practices for storm water management and environmental protection would be maintained to ensure that the relocation adequately protects the natural resources and/or the agricultural potential of the land.
 - The proposed change would require the land in the residential zone from which a residential unit is transferred would be permanently protected from development through a legally binding preservation measure, such as a conservation easement.
- II. BACKGROUND- The Staff reviewed the proposed text amendment and evaluated how it related to the 2010 Comprehensive Plan and the current Zoning Ordinance. The Comprehensive Plan does make a recommendation:

"Where a parcel that is located in the Agriculture/Rural District land also includes residentially zoned land, a residential unit should be allowed to be transferred from the residentially zoned portion of the parcel to the Agriculture/Rural portion as long as the relocation does not negatively impact natural resources or the agricultural potential of the land. As with other residential development in the Agriculture/Rural District, the development standards should encourage flexibility in the location and size of the lot, allow for a waiver of road frontage requirements, and allow access from a private driveway. When a transfer occurs, the land in the residential zone from which a residential unit is transferred must be permanently protected from development through a legally binding preservation measure, such as a conservation easement." (pg. 109-110)

Conversely, the Comprehensive Plan also states "The Agriculture/Rural District is intended to serve as a land reserve, protecting valued community open space and rural landscapes, while maintaining the potential for appropriate future development." (pg. 108)

Low Density Country Residential and Low Density Rural Residential zoning allows single family. Land zoned Agricultural and Resource Protection is much more restrictive in allowing new residences by requiring the owner(s) to generate 50% of their gross income from livestock or agricultural products generated on the property.

III. ISUUES DISCUSSED- The Planning Board considered the text amendment over the course of 3 meetings, December 10, 2013, January 14 and February 11, 2014. The December 10th meeting was a public hearing and public comments were allowed at the other two meetings.

By Staff- At these 3 meetings, the Staff presented Pros and Cons of the proposal:

Pros-

- Greater flexibility in locating a new home.
- The Comprehensive Plan recommends the text amendment.
- No net density increase in rural Auburn.

Cons-

- Potential impacts on future land use recommendations of the 2010 Comprehensive Plan.
- Potential impacts on adjacent farming operations.
- Concerns for provision of public safety due to long private drives.
- No established criteria for determining impacts of new home on Ag or Natural Resources.
- Concern about using conservation easements as the method of achieving permanent protection for the area where the transfer came from.
- Concern about how Site Plan conditions (restrictions) would be enforced.
- The Text Amendment does not address the overall future status of the AG/RP zone.

By Planning Board- The Planning Board's initial reaction to the text amendment was that it is straightforward and simple. As they listened to Staff reports and public comment, other issues were identified and discussed. They were concerned about:

- How many properties and acreage would this affect?
- If approved, would this be a motivation for additional 10 lot splits for new homes?
- How would they determine if the relocated residence had a detrimental impact on the Agricultural and Natural Resources of the AG/RP area?
- Would there be unintended consequences of opening up more AG/RP land for residences?
- What is the best way to permanently protect areas determined to be non-buildable?
- IV. PLANNING BOARD DECISION- At the January 14 meeting, the Planning Board asked the staff to draft specific text that would allow the text amendment to be implemented as a Special Exception (and Site Plan Review) in the AG/RP zone. The Staff recommended disapproval at all 3 meetings. At their February 11th meeting, the Board voted to recommend approval of the text amendment by a 4-2-1 vote and also voted to make the Planning Board the sponsor of the text amendment as it moved forward to the City Council for their consideration. The findings for their approval can be summarized in two parts.
 - 1. The proposed text amendment is substantial agreement with the 2010 Comprehensive Plan.
 - 2. The proposed text amendment, treated as a Special Exception and Site Plan Review, will provide the Planning Board discretion in ensuring the relocated residence will be compatible with Ag and Natural Resources and Future Land Use Plan.

ZOMA-1180-2013

REZONING PETITION

27 signatures.

We, the undersigned registered voters of the City of Auburn, do herein petition the City of Auburn to amend the Agricultural/Rural zoning portion of the zoning ordinance to allow for a residential unit to be transferred from the residentially zoned portion of a parcel to the Agriculture/Rural portion, where a parcel that is located in the Agriculture/Rural District land also includes residentially zoned land. New development would be allowed in this area understanding that the current AG/RP zoning of one unit per 10 acres would be maintained. Also the "best management practices" for storm water management and environmental protection would be maintained to ensure adequate protection of natural resources to ensure that the relocation does not negatively impact natural resources or the agricultural potential of the land. This proposed change would require the land in the residential zone from which a residential unit is transferred to be permanently protected from development through a legally binding preservation measure, such as a conservation easement.

This petition refers to the proposals stated in the "Future Land Use Plan, Agricultural/Rural District (AG) section" of the City of Auburn Comprehensive Plan: 2010 Update and the attached proposed text amendment.

Signature	Printed Name	Street Address	
Ben L. Lebrus	Box behous	78 So. WiTh An Ad	1
Amelda Luay	I MELDA GUAY	334 Se WITHAM RD	2
Frem Guas	LUCIEN GUAY	336 SO. WITHAM RD	3
Quaith Vardamis	Judith L. VARDAMIS	349 So. Witham Rd	4
Well Thronk	Dale Berjault	349 Su. Withon Pol.	5
Thermande Cina	Fernande Cimon	330 HARMON'S Con. Rd.	6
Hour Cino	HENRY CIMON	330 HARNIONS COR. RD.	7
Tran L. Mancacur	DIANE L. FRANCOEUR	287 Mill ST - Aub.	8
Dwickt I Libby	Dwight L. I. bby	275 S. W. Houn Rd - Hack	9
laney M. felletier	Nancy M. Pelletier	405 South Witham Rd. Aub.	10
Rald IR allie	Roland Pelhetico	405 Sowithan Rd Ach	11
Holland Chireault	Holland Wireault	857.8. Witham RD	12
Carrel Mireeres	NAUID MINENEUT	857 S. W. tum	13
Fexoh Fight	Derek Fickett	126 South Witham	14
	<u>.</u>		

Note: Registered Auburn voters' signatures are required on the petition

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Signature ,	Printed Name	Street Address
G-71000	Savah Skettan Brad PEW	224 South William Rd 230 South 4111 Ko.
8.2	BRAD PELL	230 Stely 4111 Ko.

Note: Registered Auburn voters' signatures are required on the petition

22

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Signature	Printed Name	Street Address	
Laura Travers woodman	Laura Travers - Wood man	271 Court St. #4	2
Garile Cuein	Suranne Po Travers	271 Court St. #4 Adows A ME 0420	2
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Note: Registered Auburn voters' signatures are required on the petition

24

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This petition refers to the proposals stated in the "Future Land Use Plan, Agricultural/Rural District (AG) section" of the City of Auburn Comprehensive Plan: 2010 Update and the attached proposed text amendment.

Signature	Printed Name	Street Address	Section 2
Linna & Marston	Liana L Marston	364 S Witham Rd	26
Muelia Chux	Michael Marston	384 S Witham Rd	2
			-
			1
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Note: Registered Auburn voters' signatures are required on the petition

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Permitting

PLANNING BOARD REPORT

To:

Auburn Planning Board

From:

Douglas M. Greene, A.I.C.P., City Planner

Re:

Citizen Initiated Zoning Text Amendment (ZOMA-1180-2013)- Public Hearing for a recommendation to the City Council on a proposal to amend the City Of Auburn Zoning Ordinance, Chapter 60, Section 60-172.a (1) to modify the restriction on residential homes in the Agriculture and Resource Protection District pursuant to Article IV, Division 3- Use Regulations of the City of Auburn Ordinances.

Date:

December 10, 2013

STAFF REPORT:

- 1. **Text Amendment Overview-** The Staff received a citizen petition from over 25 registered voters requesting to amend the City of Auburn's zoning ordinance to allow for a residential unit to be transferred from the residentially zoned portion of a parcel to the Agricultural and Resource Protection portion of the property. The proposed change would apply to properties that contain either Low Density Country Residential District or Low Density Rural Residential District zoning along road frontage and Agricultural and Resource Protection District Zoning on the rear portion of the property.
- 2. **Relation to Comprehensive Plan-** The City of Auburn Comprehensive Plan 2010 Update contains numerous references to the importance designating areas for development and areas to limit or prohibit development. The most relevant language that relates to the proposed text amendment is found in Chapter 2- Future Land Use Plan as follows:

"This Future Land Use Plan reaffirms the basic objective of land use planning, that <u>development in Auburn should grow out from the core</u> and from older established neighborhoods. This policy was originally set forth in the City's first comprehensive plan over a half century ago, and has continued to guide the City's land use planning ever since." (pg. 73)

"The boundaries shown on the Future Land Use Plan are general. They are intended to reflect the general pattern of desired future land use. The allowed uses and development standards set out for each land use designation are intended to serve as guidelines as the zoning ordinance is reviewed and revised. The lists of uses and the discussion of potential development standards are not intended to be all-inclusive. Rather, they are intended to outline the basic character and types of development desired in each land use area to guide the revision of the City's zoning ordinance and other land use regulations." (pg. 73)

Page 74 of the plan describes how the Comprehensive Plan's future land use plan is organized:

- 1. Growth Areas
- 2. Limited Growth Areas and
- 3. Restricted or No-Growth Areas

The zones affected by the text amendment petition would be found in the Limited Growth (#2), and the Restricted or No-Growth Areas (#3). Any change to these growth area types and zones should not allow any increase in development or density.

Additional guidance from the 2010 Comprehensive Plan Update is found in the future land use descriptions. On pages 107-110, are the following recommendations that relate to the text amendment.

RESTRICTED/NON-GROWTH AREAS- (pg. 107)

TYPE D- PROTECTION/RESERVE AREAS (pg. 108)

Agricultural/Rural District (AG) (pg. 108)

Objective— Preserve and enhance the agricultural heritage of Auburn and protect the City's natural resources and scenic open space while maintaining the economic value of the land (see Figure 2.3). The district is characterized by a rural, very low density development pattern that limits sprawl and minimizes the City's service costs. The District maintains the current rural development pattern allowing for a broad range of agriculture and natural resource-related uses, while restricting residential development. Recreational development is encouraged both as a means of protecting open space, and as a means to provide reasonable public access to outdoor destinations such as Lake Auburn and the Androscoggin River. The Agriculture/Rural District is intended to serve as a land reserve, protecting valued community open space and rural landscapes, while maintaining the potential for appropriate future development.

Allowed Uses – The Agriculture/Rural District should continue to include the uses allowed in the existing AG/RP zoning district. In addition, a broader range of rural uses should be allowed. Agriculturally-related businesses including retail and service activities and natural resource industries should be permitted. The reuse of existing agricultural buildings should be allowed for low intensity non-agriculture related uses.

Residential uses should continue to be limited to accessory residential development as part of a commercial agriculture or natural resource use, not just traditional farms. The criteria for determining when an accessory residential use is permitted should be based on updated standards that take into account the economic realities of today's commercial agricultural activities, including outside sources of income and part-time and small-scale commercial operations. Residential development may also be part of a commercial recreational use as part of a planned development in which the recreational open space is permanently preserved.

Development Standards – All new development, redevelopment, and expanded uses in the Agriculture/Rural District should be required to meet "best management practices" for stormwater management and environmental protection to ensure adequate protection of natural resources. All development activities in the Agricultural/Rural District should be subject to low impact development (LID) standards such as limiting impervious surfaces, minimizing lot

disturbances, creating natural buffers, and capturing and treating runoff through filtration measures.

The City should continue to encourage a very low density development pattern as a means of protecting natural resources and preserving the rural character. The basic residential density standard for the current AG/RP zoning district should be maintained. The standards for the development of accessory residential units should provide greater flexibility in the siting of those units. In an effort to place accessory residential development in areas where it will have the least impact on natural resource and/or the agricultural value of the land, the standards should allow for a waiver or elimination of road frontage requirements and access from a private driveway.

Residential development that is proposed as part of a master planned commercial recreational development should be limited to the same density standard (one unit per 10 acres) as other accessory residential uses. A recreational master plan should be required outlining the scope, scale, and location of residential units and ensuring a cluster development pattern in which the majority of the land is retained as recreation/open space. A conservation easement, or other legally binding preservation measure, should be required to permanently conserve the recreation/open space areas.

Where a parcel that is located in the Agriculture/Rural District land also includes residentially zoned land, a residential unit should be allowed to be transferred from the residentially zoned portion of the parcel to the Agriculture/Rural portion as long as the relocation does not negatively impact natural resources or the agricultural potential of the land. As with other residential development in the Agriculture/Rural District, the development standards should encourage flexibility in the location and size of the lot, allow for a waiver of road frontage requirements, and allow access from a private driveway. When a transfer occurs, the land in the residential zone from which a residential unit is transferred must be permanently protected from development through a legally binding preservation measure, such as a conservation easement.

Staff Conclusion on the Comprehensive Plan's (CP) relation to the petition's request-

- 1. The CP continues to limit residential development in the Agricultural/Rural District.
- 2. The CP does suggest greater flexibility in the siting of residential units in the Agricultural/Rural District.
- 3. The CP recommends the transfer of residential units from the residentially zoned portion of a parcel to the Agricultural/Resource portion as long as the relocation does not impact natural resources or the agricultural potential of the land.
- 4. The CP recommends that if a transfer is allowed, the land in the residential zone from which a residential unit is transferred from must be permanently protected through a legally binding preservation measure, such as a conservation easement.
- 5. The 2010 Comprehensive Plan is in general agreement with the petition's request.

3. Relation of the Petition's Request to Existing Zoning-

The petition's request involves 3 zones.

- A. Agriculture and Resource Protection District- (very stringent restrictions on new residential units),
- B. Low Density County Residential District- (new residential units allowed, 3 ac. Min. lot size w/ 325' frontage) and
- C. Low Density Rural Residential District- (new residential units allowed, 1 ac. Min. lot size w/ 250' frontage)

As you can see, the Ag and Resource Protection District is the most restrictive, followed by the Low Density Country Residential District then the Low Density Rural Residential District being the least restrictive.

A. Agriculture and Resource Protection District-

The basis of the restriction on residential units in the Agricultural/Resource is found in the definition of Farm: (Auburn Zoning Ordinance, Chapter 60, Article I, Section 60-2, pg. 5)

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 foul and the term "livestock" means no fewer than 20 cattle or other animals being raised for commercial purposes.

The definition of *Farm* is then is applied in the Agricultural and Resource Protection Zone by allowing One-family, detached dwellings in the Permitted Uses but only as accessory to farming operations. (Article IV- District Regulations, Division 3- Use Regulations, Section 60-172-Permitted Uses a, 1, a)

Sec. 60-172. Permitted uses; exceptions. (For Agriculture and Resource Protection District)

- (a) Permitted uses. The following uses are permitted:
 - (1) <u>One-family detached dwellings</u>, including manufactured housing subject to all the design standards, except the siting requirements of <u>section 60-173</u>, as set forth in article XII of this chapter, <u>accessory to farming operations</u> subject to the following restrictions:
 - a. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are substantially completed.
 - b. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - c. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.

The restriction and limitation of a one family residence as accessory to farming operations is the key element to implementing the City's Comprehensive Plan's future land use policy and the Zoning Ordinance's regulation in restricting growth in the Agricultural/Resource Protection District.

B. Low Density County Residential District- (Sec. 60-200)

"Purpose- The purpose of this zone is to maintain and promote the rural/agricultural character of the land within this zone. This zone is composed of those areas in the city whose predominant land use is rural, wooded and agricultural. The regulations for this zone are designed to protect and stabilize these predominant land uses which are the essential characteristics of these areas and to minimize conflicting land uses detrimental to agricultural enterprises. Since residences are only incidental to this zone's development, the densities which require improved roads and

expanded municipal services, in excess of those required by the present agricultural-oriented uses, shall not be permitted."

C. Low Density Rural Residential 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."

4. Agricultural Text Amendment to the Zoning Ordinance Issues to Consider-

- a. The Comprehensive Plan supports the proposed text amendment.
- b. What specific standard(s) would be needed to qualify for the transference of the residential development right from the road frontage area to the Agricultural and Resource Protection area?
- c. Would the text amendment apply to existing lots of record that meet these standards or could newly created qualified lots be allowable.
- d. How will siting of the residential unit in the Ag and Resource Protection be reviewed and administrated?
- e. If the text amendment is successful, what options are there to meet the intent of the Comprehensive Plan's for permanent protection of the property? Conservation Easements, deed restrictions? Conservation easements, if done in perpetuity, would prevent any development from ever happening on the property for example.

5. Possible Options for the Text Amendment-

- a. Allow single family dwellings, limited exclusively to parcels that are split by residential and agricultural/resource protection zoning, subject to specific conditions as a **Permitted Use**.
- b. Allow single family dwellings, limited exclusively to parcels that are split by residential and agricultural/resource protection zoning, subject to specific conditions, site plan review as a **Special Exception**.
- c. Other methods?

STAFF RECOMMENDATION: While the 2010 Comprehensive Plan supports the concept contained in the Text Amendment Petition, the petition did not contain suggested language or text on how to implement the proposal. If the City Planning Board supports the concept of Text Amendment Petition, they should direct staff to:

- Explore what "best management practices" and siting criteria would be applied to locating the transferred residential unit.
- Research different methods of protecting and/or conserving the agricultural and natural resource assets of the property.
- Research and report how many properties, total acres and number of units would be eligible under the proposed text amendment.
- Evaluate who would hold the conservation easement if used.
- Work with the applicant to develop specific language for a text amendment for each possible option.
- Any other items desired by the Planning Board.

The Staff will then report back to the Planning Board in a month or two.

Douglas M. Greene, AICP

City Planner

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Auburn Planning Board Meeting Minutes December 10, 2013

(04:00 on DVD)

Roll Call

Full Members present: Robert Gagnon, Evan Cyr, Emily Mottram, Robert Bowyer Presiding, Dan Philbrick, Dan Bilodeau and Marc Tardif.

Associate Members present: Mia Poliquin Pross and Kenneth Bellefleur

Also present representing City staff: Eric Cousens, Director of Planning & Permitting and Douglas Greene, City Planner.

Minutes

No minutes were presented for approval at this time.

Public Hearings:

Christopher C. Branch, P.E., from Sebago Technics, Inc., agent for the Lewiston Auburn Water Pollution Control Authority is seeking an amendment to the existing special exception and site plan approval to modify the conditions of approval for the property located at 230 Penley Corner Road (PID# 137-032), pursuant to Sections 60-172 (b) 12, 60-1305 and 60-1335 (c) of the City of Auburn Ordinances. This item was tabled at the November 12, 2013 meeting and will be considered at this meeting.

<u>A motion</u> was made by Evan Cyr and seconded by Dan Philbrick to remove this item from the table. After a vote of 7-0-0, the motion carried.

(05:00 on DVD)

Chairperson Bowyer explained that at the last meeting, it was the drafting of the wording of the conditions that was referred back to City staff of which has now been provided for the Board to review and act upon.

(07:40 on DVD)

Douglas Green mentioned that the conditions of approval could be listed on the site plan as a way to better track them in the future or they can be documented in the approval letter as is policy.

Chairperson Bowyer referred to the language located at special condition N on page 10 which states the applicant shall comply with all applicable Federal, State and local laws.... He said this language is not needed because whether it's in the document or not, the applicant still has an obligation to comply.

(10:38 on DVD)

Dan Philbrick commented that he did not understand why removing any of the language is necessary for the operation of the facility other than cleaning up the document. He said it did not matter to him whether or not the language remained.

Robert Gagnon stated he preferred to leave the language in.

Chairperson Bowyer asked the remaining members if they thought the language should remain or be omitted. There was no response from any other member so Chairperson Bowyer stated that he is taking this as a consensus of the Board to leave in the language. Douglas said he would adjust all of the lettering to reflect the Board's decision.

(12:00 on DVD)

<u>A motion</u> was made by Robert Gagnon and seconded by Dan Philbrick to approve this as presented by the Planning staff but with the lettering adjusted. After a vote of 7-0-0, the motion carried.

George S. Bouchles, P.L.S. agent for B & M Builders, is seeking approval of a minor modification to Hickory Ridge Subdivision, Lots 10 & 11, pursuant to Chapter 60, Article XVI, Division 4 – Subdivision of the City of Auburn Ordinances.

(13:50 on DVD)

The applicant submitted an updated site plan showing both lots affected. Douglas said the lot in question still meets the lot frontage, and the changing of the side lot line does not occur until you meet the building line so they are well over the lot size. He added the lot is in the Rural Residential zone which requires a minimum 250 ft of frontage and 150 ft of depth with a minimum lot size of 1 acre.

(16:35 on DVD)

Chairperson Bowyer explained the procedure of the Planning Board meetings.

(17:18 on DVD)

Douglas went over the staff report.

(20:55 on DVD)

George S. Bouchles, P.L.S. agent for B & M Builders gave a brief explanation as to what caused the error and why the minor modification is being requested.

Board members questioned the procedures that are typically followed for builders utilizing surveyors, the procedures for permitting and whether surveys are required prior to issuance and the frontage requirements for this lot. Eric responded saying surveys are not required for permitting but a plot plan showing where the building is being placed on the lot is required. He added that initially in Phase 1, the Board approved the reduction on frontage in the cul-de-sac.

Open Public Hearing

(31:50 on DVD)

Page 2 of 4

<u>A motion</u> was made by Robert Gagnon and seconded by Dan Bilodeau to close the Public Hearing. After a vote of 7-0-0, the motion carried.

<u>A motion</u> was made by Dan Bilodeau and seconded by Robert Gagnon to approve a minor modification to Hickory Ridge Subdivision, Lots 10 & 11, pursuant to Chapter 60, Article XVI, Division 4 – Subdivision of the City of Auburn. After a vote of 7-0-0, the motion carried.

(33:50 on DVD)

Public Hearing for a recommendation to the City Council on a proposal to amend the City Of Auburn Zoning Ordinance, Chapter 60, Section 60-172.a (1) to modify the restriction on residential homes in the Agriculture and Resource Protection District pursuant to Article IV, Division 3- Use Regulations of the City of Auburn Ordinances.

Douglas went over the staff report.

(53:00 on DVD)

Michael Reardon, applicant, stated that he and his wife Darlene are retiring from the farming business but would like to stay in Auburn. He explained their situation and why they are bringing this petition forward.

(55:25 on DVD)

Open Public Hearing

Chris Carson stated that this should be dealt with through a variance because it's an individual situation. He said he lives in the Agricultural zone and is concerned about the ramifications that this might bring to the City.

(58:30 on DVD)

Chairperson Bowyer asked Mr. Reardon if he was actively farming and if there was a residence in conjunction with the farm. Mr. Reardon replied yes to both questions.

Douglas laid out the current conditions to better explain Mr. & Mrs. Reardon's situation.

(1:02:12 on DVD)

Mrs. Reardon pointed out that there is only enough road frontage for one house on that 16 acres.

Chairperson Bowyer stated that the Board has the dilemma of needing to think about the effects on numerous parcels throughout the city while on the other hand trying to think about how it works in the applicants' particular situation. He said there needs to be a heavy dose of research to recognize how many other lots there are in the City that are potentially affected before having some language discussed.

(1:08:30 on DVD)

A lengthy discussion followed amongst the Planning Board members, City staff and the Applicants.

(1:21:08 on DVD)

Eric stated for the record of disclosure that he would not participate in forming a recommendation for this one because he had purchased a property earlier in the summer that has Rural Residential and Agricultural zoning and asked that all correspondence relating to this topic be handled by Douglas.

Douglas suggested looking at the last page of the staff report which shows several recommendations by staff on how the Board could proceed.

(1:23:51 on DVD)

The discussion continued amongst the Board members about land banks, the language that is being sought and potentially bringing this back for a work shop.

(1:28:01 on DVD)

<u>A motion</u> was made by Evan Cyr and seconded by Dan Philbrick to close the Public Hearing. After a vote of 7-0-0, the motion carried.

<u>A motion</u> was made by Evan Cyr and seconded by Robert Gagnon to table this item. After a vote of 7-0-0, the motion to table carried.

OLD BUSINESS:

None at this time.

MISCELLANEOUS

None at this time.

(1:29:10 on DVD)

<u>ADJOURNMENT</u>

<u>A motion</u> was made by Evan Cyr and seconded by Emily Mottram to adjourn. After a vote of 7-0-0, the motion carried

Page 4 of 4

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Permitting

REVISED STAFF REPORT

To:

Auburn Planning Board

From:

Douglas M. Greene, A.I.C.P., City Planner MG

Re:

Citizen Initiated Zoning Text Amendment (ZOMA-1180-2013)- Planning Board Workshop for a proposal to amend the City Of Auburn Zoning Ordinance, Chapter 60, Section 60-172.a (1) to modify the restriction on residential homes in the Agriculture and Resource Protection District pursuant to Article IV, Division 3- Use

Regulations of the City of Auburn Ordinances.

Date:

January 14, 2014

Staff Evaluation of Text Amendment:

Last month, the Staff submitted a background summary of the text amendment proposed for Agricultural and Resource Protection (AG/RP), Low Density Rural Residential (RR) and Low Density County Residential (CR) zones. The review explained how the text amendment relates to the 2010 Comprehensive Plan and Zoning Ordinance and also raised some issues to consider, possible ways to implement the proposal and finally made some preliminary staff recommendations.

This revised staff report will:

- I. Break down the text amendment into its major features followed by staff comments.
- II. Report on the size and impact of the text amendment on land area and lots.
- III. Raise questions and concerns about the text amendment.
- IV. Offer possible options on how to proceed.
- V. Final Staff Comments
- I. The text amendment was broken down into it major features and numbered with (#).

"We, the undersigned registered voters of the City of Auburn, do herein petition the City of Auburn to amend the Agricultural/Rural Zoning portion of the zoning ordinance (1) to allow for a residential unit to be transferred from the residentially zoned portion of a parcel to the Agricultural/Rural portion, where a parcel that is located into the AG district land also included residentially zoned land. (2) New development would be allowed in this area understanding that the current AG/RP zoning of one unit per 10 acres would be maintained. Also, the (3) "best management practices" for storm water management and environmental protection would be maintained to ensure adequate protection of natural

resources to ensure that the relocation does not negatively impact natural resources or the agricultural potential of the land. (4) This proposed change would require the land in the residential zone from which a residential unit is transferred to be permanently protected from development through a legally binding preservation measure, such as a conservation easement."

The major points of the text amendment are numbered, then followed by staff comments:

1. For lots in the City of Auburn that have split zoning with rural type residential zoning along the road frontage either zoned Low Density County Residential (LDCR) or Low Density Rural Residential (LDRR) and Agricultural/Resource Protection (AG/RP) zoning to the rear, the current right to construct a residential unit in the CR or RR area could be moved to the rear AG/RP portion of the property.

STAFF COMMENTS- This part of the text amendment is seeking flexibility in locating homes on lots with split CR/RR and AG/RP zoning. Currently a residence could only be allowed to be built in the AG/RP zone if the owner meets the 50% income threshold from farming or agricultural activities¹.

Positive Issues-

- Allowing this text amendment would not increase the density currently allowed under the current zoning.
- Would allow the property owner to be "away from the road" and have more flexibility in siting a residence.

Negative Issues-

- Allowing the text amendment may lead to an increased number of lot splits in the AG/RP zone.
- Potential conflicts of new residences in the AG/RP zone with adjacent farming operations.
- Could potentially create unintended negative environmental or agricultural impacts.
- Would ultimately weaken the current restriction limiting residences in the AG/RP zone.
- 2. The AG/RP zoned portion of the property where the residential unit was moved to would have to contain over 10 acres.

STAFF COMMENTS- This a reasonable restriction, which coincides with the current AG/RP minimum lot size. If the proposed text amendment is successful, all the other dimensional requirements for the AG/RP zone should apply. A land survey might be required if there is a question as to whether the AG/RP land contains at least 10 acres.

3. If allowed, the siting and construction of the residential unit would be required to use "best management practices" and not cause storm water problems and the siting of the relocated residence would not negatively impact natural resources or agricultural potential.

STAFF COMMENTS- Best management practices or low impact development techniques would be required for the relocated residences, using techniques like bio-swales and rainwater collection or retention containers, which should eliminate storm water problems. A

As per Definition of Farming, Zoning Ordinance, pg. 16, and AG/RP Permitted Uses, Sec. 60-172, (a),(1) a-c. pg. 42

thorough site analysis, using criteria for environmental factors such as slope, soils, agricultural values, woodlands, wetlands or rock outcrops; and development factors such as: location, construction and design of driveways, the amount of disturbed areas and grading would all be used in siting the relocated residence. This review process could limit or mitigate negative impacts with regards to the residence and accessory structures. However, the clearing, grading and construction of a long driveway could create potential negative impacts. The longer driveway, while being a privately maintained, could create challenges for emergency vehicles (fire and ambulances) depending on the width of the driveway, its maintenance and weather conditions.

4. The residential portion of the lot that the unit was being transferred from would have to be permanently protected from development by a legally binding preservation measure, such as a conservation easement.

STAFF COMMENTS- The intent of this provision of the text amendment is worthwhile, but the implementation and long term maintenance of a legally binding preservation measure such as conservation easements or deed restrictions would be difficult to manage. Here are some options and associated concerns:

Conservation Easement- This option is the most long term and protective of all land protection techniques. Conservation easements generally are used to permanently protect agricultural land and/or environmentally sensitive areas or areas of high aesthetic values and they tend to be used to protect land that is under development pressure. They are complicated and generally require a Conservation Board or other decision making body to approve the specifics of the proposed easement. A conservation easement program needs a qualified easement holder such as the Land and Nature Trust, American Farmland Trust or local land trust to manage and hold the easement. The easement holder would be responsible for monitoring the easement for the duration of the easement. There would need to be a process of valuing the easement through an appraisal and the value of the easement would have to be donated. The City would not be a good choice to act as a land trust.

<u>Deed Restrictions</u> are restrictions placed the property and recorded on a deed that stays with the property and is privately enforced. In this case, the residentially zoned road frontage would have a deed restriction placed on it prohibiting any future development. Enforcing this restriction could be difficult and could not be done by the city.

Special Exception Conditions- This option would make the proposal a Special Exception in the AG/RP zone and require the applicant to file an application that the Planning Board would then make a decision on. Besides reviewing the normal criteria for Special Exception, additional requirements would be needed to document that the proposed residence relocation would not negatively impact the agricultural potential or natural resources of the property. If approved, the Planning Board would put conditions on the plan to meet the intent of the "permanent preservation measure" of the text amendment.

<u>Site Plan Conditions-</u> One option might be to allow the relocation of the residence as a permitted use in the AG/RP zone. This approach would be the most permissive option and a proposed application would be administrated at through a Staff level, Site Plan review. The Staff would be responsible to review the Site Plan and apply conditions; such as designating non-buildable areas, and other site situations, which could be enforced by the City.

II. How many properties, total acres and number of units would be eligible under the proposed text amendment?²

Preliminary GIS mapping data indicate that the following statistics for these zones-Low Density Country Residential Zoning with AG/RP in the rear & 10 acres AG/RP land*

68 parcels

3,190.04 acres total

25 parcel w/no residences

846.04 acres w/ no residences

Low Density Rural Residential Zoning with AG/RP in the rear & 10 acres AG/RP land*

110 parcels total

4,722.42 acres total

27 parcels w/ no residences

1,630.40 acres w/ no residences

III. Staff questions and concerns to consider on the Text Amendment.

- What impacts would allowing homes into the AG/RP zone have on existing farming operations?
- What impacts would allowing homes into the AG/RP zone have on the property's future land use designation or future development in general?
- Will this text amendment motivate new lot splits in the LDCR and LDRR zones?
- Does this text amendment circumvent the intent of the AG/RP zone?
- Is the impetus and relevance for the text amendment a community-wide concern or an individual property concern?
- What is the purpose of the AG/RP zone restrictions on new home construction? Is it to promote agriculture or to reserve land for future development?
- Should both rural residential zones (LDCR, LDRR) be considered or applied equally under the proposed text amendment?

IV. Possible options or alternatives for the Planning Board to consider

- A. Recommend disapproval. Do nothing. The option would keep things as they are. Make changes to the Comprehensive Plan if necessary.
- B. Planning Board decides the text amendment is worth pursuing as a permitted use. This approach would make the proposal a Staff responsibility to administer. Recommend staff develop more details and report back to Planning Board.
- C. Planning Board decides the text amendment is worth pursuing as a special exception and site plan review. This would involve a stringent application and review process. Recommend Staff develop more details and report back to Planning Board.
- D. Planning Board needs more information to make a decision on what to do with the text amendment and directs the Staff to research other planning tools that limit development and to develop specific text to meet the intent of the petition

^{*}Estimating potential new lots and/or eligible units will require further research.

² Agriculture/Resource Protection (AG/RP) zone requires 10 ac. minimum lot size, 250' frontage Low Density Country Residential (LDCR) zoning requires 3 acre minimum lot size, 325' frontage Low Density Rural Residential (LDRR) zoning requires 1 acre minimum lot size, 250' frontage

V. Final Staff Comments and Recommendation- The main focus of the proposed text amendment is to allow flexibility in locating a site for a residence in an AG/RP zone.

Staff Recommends DISAPPROVAL due to:

- The amount of information required for an individual application for Staff and Planning Board to make a reasonable decision.
- The Staff time needed to properly analyze and evaluate where a residence would be located in the AG/RP zone without negatively impacting agricultural or environmental assets.
- Concerns of potential conflicts with adjacent agricultural operations.
- Potential problems in delivering fire and emergency services for residences with long private driveways.
- Not consistent with the 2010 Comprehensive Plan and would weaken the City's policy on protecting against sprawl in the AG/RP zone.
- The current depth of most LDCR and LDRR type residential zones is 450 feet from a road, which is an adequate area to locate a residence.

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Auburn Planning Board Workshop Minutes January 14, 2014

(01:23 on DVD)

Roll Call

Full Members present: Robert Gagnon, Evan Cyr, Emily Mottram, Robert Bowyer Presiding, Dan Philbrick and Dan Bilodeau.

Full Member absent: Marc Tardif

Associate Members present: Mia Poliquin Pross and Kenneth Bellefleur

Also present representing City staff: Eric Cousens, Director of Planning & Permitting and Douglas Greene, City Planner.

Minutes

A request to approve the minutes of the November 12, 2013 and December 10, 2013 Planning Board meetings was made by staff.

<u>A motion</u> was made by Robert Gagnon and seconded by Dan Bilodeau to approve the minutes of the November 12, 2013 and December 10, 2013 Planning Board meetings as presented. After a vote of 6-0-0, the motion carried.

(03:49 on DVD)

Chairperson Bowyer stated that because Marc Tardif was absent, the Associate member elevated to Full member status for this meeting would be Mia Poliquin Pross.

Public Hearings:

Planning Board Workshop on a proposal to amend the City Of Auburn Zoning Ordinance, Chapter 60, Section 60-172.a (1) to modify the restriction on residential homes in the Agriculture and Resource Protection District pursuant to Article IV, Division 3- Use Regulations of the City of Auburn Ordinances. This item was originally considered at the December 10, 2013 meeting and was tabled.

Chairperson Bowyer stated that the remainder of this meeting would be conducted as a workshop so therefore would be a more informal meeting but explained that the Board would accept public comment at some point.

<u>A motion</u> was made by Evan Cyr and seconded by Robert Gagnon to remove this item from the table. After a vote of 7-0-0, the motion carried.

(08:23 on DVD)

Douglas gave a summary of the Agricultural Zone Text Amendment and then proceeded to read the staff report.

(33:00 on DVD)

A lengthy discussion ensued amongst the Board members and City staff regarding clarification of some of the items in the staff report. The meeting was then opened up for public comment.

(57:50 on DVD)

Open Public Input

Joe Gray of Sopers Mill Road gave an example of people living near his farm not liking the odors being caused by his farm animals. He said it can be a problem for residents living near farming operations and said the City is causing the problem by strip zoning near the road instead of keeping the population more toward the middle of the city. Mr. Gray also spoke about the tax revenue being lost when placing LDCR land into conservation.

(1:02:50 on DVD)

Bently Rathbun of North River Road said he was confused about the switching of zones on a single property. Chairperson Bowyer explained what they were talking about was a person exercising their right to build a home in the Ag and Resource Protection zone by giving up their right for any further development on the Low Density Residential land. The discussion continued between Mr. Rathbun, City staff and Planning Board members.

(01:11:35 on DVD)

Chairperson Bowyer closed the public input portion of the workshop.

A long conversation occurred amongst the Board members and City staff about the different options that could be used for this proposal. Each member stated their opinion on how the Board should proceed. The majority of Board members liked the idea of doing a case by case basis and having to come up with the language for a Special Exception. A few members stated they were happy leaving the Agricultural Zoning District the way it was because they felt that was the intent of the recently adopted Comprehensive Plan.

(01:25:05 on DVD)

Chairperson Bowyer stated that the difficulty with going the Special Exception route is we don't have a mechanism for enforcement. He said if you are going to have easements, you are going to have to have a second party that's capable of policing it. He added the City doesn't seem to have a good mechanism for keeping track of restrictive provisions of exceptions. Douglas replied conditions that are placed on Special Exceptions and generated by complaints are enforced by the City's Code Enforcement. Chairperson Bowyer stated that there needs to be another mechanism other than being generated by complaints such as a record popping up that indicates there is a recorded set of conditions that needs to be honored if someone takes out an application for a particular parcel. He ended by saying his general reaction is not to proceed as this has raised a number of complicating issues and hopes that the owners in question who are petitioning have enough flexibility within their own parcel to accommodate their needs.

(01:30:42 on DVD)

George Dycio of Lewiston stated that it might be more beneficial if the petitioners were available to answer questions from the Board. Chairperson Bowyer responded saying there

was a public hearing in which the petitioners were here and gave the Board a full exposition of what they were trying to do.

The discussion continued between Board members and City staff.

(01:36:20 on DVD)

Douglas stated the Comprehensive Plan specifically says this should happen but says as staff has evaluated this, we are all discovering this is not that easy to achieve. He said it helps to narrow the focus to a Special Exception and will work to bring something back to the Board at a future meeting.

(1:38:40 on DVD)

Chairperson Bowyer called a halt to this part of the workshop and said there would be a brief recess after which Alan Manoian would lead the Board on a discussion on Form Based Code.

(1:41:55 on DVD)

Douglas introduced Alan Manoian, Economic Development Specialist for the City of Auburn. Mr. Manoian spoke about Form Based Codes and presented some slides on the projector showing Yarmouth, Maine's Character Based Codes.

(3:08:55 on DVD)

OLD BUSINESS:

None at this time.

MISCELLANEOUS

None at this time.

ADJOURNMENT

Auburn Planning Board Meeting Minutes February 11, 2014

(02:30 on DVD)

Roll Call

Full Members present: Robert Gagnon, Evan Cyr, Emily Mottram, Robert Bowyer Presiding, Dan Philbrick and Dan Bilodeau.

Full Member absent: Marc Tardif

Associate Members present: Mia Poliquin Pross and Kenneth Bellefleur

Also present representing City staff: Eric Cousens, Director of Planning & Permitting and Douglas Greene, City Planner.

Minutes

No minutes available for approval at this time.

Planning Board discussion on a proposal to amend the City Of Auburn Zoning Ordinance, Chapter 60, Section 60-172.a (1) to modify the restriction on residential homes in the Agriculture and Resource Protection District pursuant to Article IV, Division 3- Use Regulations of the City of Auburn Ordinances. This item was originally considered at the December 10, 2013 and January 14, 2014 meetings and tabled.

Chairperson Bowyer stated that this meeting would proceed more as a workshop than as a Public Hearing but would accept public comment. Because the item for discussion may have been tabled at the last meeting, he asked for one of the members to make a motion to take it off the table.

<u>A motion</u> was made by Dan Philbrick and seconded by Emily Mottram to remove this item from the table. After a vote of 6-0-0, the motion carried.

(04:35 on DVD)

Douglas gave a summary of what had transpired in the last few meetings regarding the proposed text amendment and then proceeded to read the staff report.

(25:05 on DVD)

A discussion ensued between Board members and City staff about the wording of the text amendment. They spoke about the recently adopted Comprehensive Plan and that committee's decisions regarding the Rural and Agricultural zoning districts. The meeting was then opened up for public comment.

(49:50 on DVD)

Open Public Input

Mike and Darlene Reardon of 272 South Witham Road explained why they decided to bring forth the petition.

Robert Gagnon suggested that the zoning be swapped on the Reardon's property to give them the ability to accomplish their goal of building a home in the pasture land area of the Agricultural zone. The Board members continued discussing this option and other possible solutions.

(57:57 on DVD)

Michael Lyons of 35 Goulding Lane in Danville spoke about issues that people in Danville have had over the years losing members of the community. He said land could not be passed on for family members to build upon so sons and daughters of the older people in the area could only come back to Danville when there was a house up for sale. He explained the original intent of the Ag zone in 1960 (when farming was flourishing) was to keep growth under control and lesson the tax burden to those owning large parcels of land. He said times have changed and people in Danville have noticed that the Agricultural land around them, especially near the turnpike, has been identified by the City as prime commercial land. He said as citizens, they feel that when the City needs their commercial land it's ok to convert Agricultural land into commercial land but the City services will be there regardless. He gave the example of logging which is an accepted use in the Ag Zone, as still needing the services of fire, police and road maintenance. He stated it is a political process because most of the amendments to the Ag and Resource Protection Zone occur when it is feasible for the city but not when a resident asks for an amendment. He ended by asking if it's really agricultural land we are protecting or are we protecting certain corridors for commercial/industrial development.

(01:05:50 on DVD)

The Board members discussed some of the issues that were brought up by Mr. Lyons. Dan Bilodeau suggested that the Board start meeting twice a month to help accomplish some of the goals listed in the Comprehensive Plan.

(01:11:20 on DVD)

Douglas read a draft of the findings for approval and a draft of the findings for non approval.

(01:16:50 on DVD)

Chairperson Bowyer stated that because Marc Tardif was absent, the Associate member elevated to Full member status for this meeting would be Kenneth Bellefleur.

<u>A motion</u> was made by Robert Gagnon and seconded by Dan Bilodeau to close the public input part of the meeting. After a vote of 7-0-0, the motion carried.

Chairperson Bowyer asked each Board member individually whether or not they were in favor of sending a favorable recommendation to the City Council. Those in favor: Ken Bellefleur, Dan Bilodeau, Dan Philbrick and Chairperson Bowyer. Those opposed: Emily Mottram and Evan Cyr. Robert Gagnon said he was still on the fence and wanted to hear from Police, Fire and Assessing Departments before making a decision.

(01:20:43 on DVD)

RMR

Chairperson Bowyer stated that before sending specific language to the Council, a draft should be circulated to the various departments for their input as Mr. Gagnon suggested.

A lengthy discussion on the proposed language transpired between Board members and City staff.

(01:46:00 on DVD)

<u>A motion</u> was made by Robert Gagnon and seconded by Dan Bilodeau to forward a favorable recommendation to the City Council. After a vote of 4-2-1, the motion carried. (Evan Cyr and Emily Mottram opposed and Robert Gagnon abstained)

Chairperson Bowyer suggested that City staff draft up specific wording of the amendment to pass around to Board members for review prior to sending to the Council.

OLD BUSINESS:

None at this time.

MISCELLANEOUS

Discussion on Revised Planning Board By-Laws and Procedures.

(01:49:20 on DVD)

After a general concensus, the Board members decided to name the new Planning Board workbook Policies and Procedures. Douglas told the Board members that what they had before them were examples of several compilations and said he was totally open to whatever direction the Board wanted to go. He talked about what other Planning Boards use as their rules and regulations and mentioned that this was just an introductory to get the process started for Auburn. Chairperson Bowyer stated that this was long overdue and mentioned that it was almost embarrassing that Auburn did not have one already. He said it serves multiple purposes with one being the Board's responsibility to the public to have rules and procedures and make those known.

The Board members discussed the possibility of having more than one meeting per month so they could begin working on the document and have it completed as soon as possible.

(01:59:20 on DVD)

Chairperson Bowyer mentioned that the Planning Board doesn't do much planning and said he was pleased that this gives a broader sense of the Board's responsibilities than simply waiting until someone files an application. Several members proposed ways to go through the process of working through the document. Chairperson Bowyer listed a few of the items he wanted to see changed in the workbook document. A lengthy discussion continued amongst Board members and City staff regarding language in the new Planning Board Policies and Procedures draft document.

(02:26:20 on DVD)

ADJOURNMENT

SECTION I.

To: Comprehensive Plan Committee
From: Mark Eyerman - MEMO # |
Subject: Thoughts on the AG/RP Issue

Date: April 3, 2009

Here are a number of thoughts on the AG/RP issue. They are somewhat free-standing pieces that all tie back into the core issue:

1. What are the City's long term objectives with respect to the AG/RP areas?

I have heard two different visions for the AG/RP areas over the long term which I have tried to lay out below. Depending on the City's objective, the appropriate course of action may be very different.

- At out last meeting Roland very articulately described the AG/RP District as sort of a land bank where a supply of land is held until it is needed for another use. When it is needed, it is then rezoned. Under this vision, open agricultural land is really something of an interim use. It is a way to keep a supply of vacant land available for future use. At the same time, this approach allows people who want to use the land for agricultural use to minimize their carrying costs as a result of low property taxation. An important corollary is that the AG/RP Zone keeps the land from being developed in a way that may compromise or limit its future use when it is needed for something else. For example, the Witham Road area of New Auburn was designated for future industrial use in the current Comprehensive Plan but has remained zoned as Rural Residential and Low Density Country Residential. As a result, a few new homes have been developed along Witham Road which may make it difficult to include that area as part of a new industrial/business park. However, if this area had been zoned AG/RP, it would remain available for future industrial development
- A second, different vision has emerged during the discussion of the North River Road AG/RP area. That vision is that some or all of the AG/RP area would be permanently preserved as open space and conservation land. Under this vision, some limited residential development may be OK if it doesn't compromise the overall character of the area and allows most of the land to be preserved as open space. This is a final use decision and isn't subject to the land being converted to something else when it is needed in the "future". If the objective is to create a "land bank", it may actually be counter productive to have pieces of land permanently preserved as open land unless that fits in with the long term use.

The following 4 memos chronicle the 2010 Comp. Plan Committee's discussion on the treatment and policies of the AGIRP zoning district.

1

How do these two visions fit with the current AG/RP area? Maybe both visions are appropriate in different parts of the district?

2. Is strip residential development along rural roads good or bad?

The "historic" pattern at least in some of the outlying areas has been to zone the land along the road for residential development (RR or LDCR) with the backland included in the AG/RP District. Since many lots are split between the two districts, this gives a property owner in this situation some limited development potential by creating lots along the existing road frontage. Is that good or bad long-range policy? Here are some thoughts on that.

On the positive side, allowing for some development along the road maintains the interior of the property in a block. Many of these areas are identified as large unfragmented habits that are capable of supporting a diversity of wildlife. By keeping development along existing roads, it minimizes the encroachment on the habit block. From the property owner's perspective, these are easy lots to create. They don't require the construction of roads or utilities so the land owner can create a lot incrementally often without subdivision review and with limited out-of-pocket costs. This allows the property owner to raise cash when they need it while retaining the balance of the property.

On the negative side, stripping off lots along these rural roads can change the character from rural to suburban, especially if the houses are close to the road or can be easily seen from the road. Seeing lot after lot being created along a road is often cited as being a constant reminder of the suburbanization of rural areas – it changes how people feel about the area. In addition, as we discussed when we talked about rural roads, creating driveways every 200 feet along these roads limits their future potential as collectors to move traffic. It sets up the potential for residential neighborhood versus through traffic conflict. Finally, if the AG/RP District really is intended to be a land reserve that may be converted to other uses in the future, allowing residential development along the road frontage makes that transition more difficult if not impossible.

3. Does rezoning AG/RP land create an unfair "windfall" for property owners?

It appears that the lack of development potential in the AG/RP District has been "internalized" into the market value of land. Land in the AG/RP sells for less than comparable land in other zones. If the AG/RP zone is changed or the land is rezoned to create residential development potential, the land may become substantially more valuable. In very simple terms, if someone owns 50 acres in the AG/RP district with say

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1000 feet of road frontage, its market value may be \$50,000 or \$60,000. But if it is rezoned to RR and the property owner can easily cut-off 4 or 5 lots along the rod that are each worth say \$50,000, the value of that land may now be \$200,000-250,000. That increased value is a "windfall" to the property owner that has resulted from the change in the zoning. Some land economists suggest that the community should get something in return for creating that increased value. This is a somewhat controversial position but one that is worth considering in this situation

4. What do we mean by rural?

Different people mean different things by the term "rural" or even "agriculture". Some people think of mowed fields, white fences, and scenic views when they say rural. Rural is almost a synonym for open space. But "working rural" is very different from that or at least has been. That rural involves farm dumps, equipment repair, noises and smells, and related uses. There has been some discussion in the committee about how broadly or narrowly the types of non-residential uses allowed in the AG/RP should be drawn.

5. What is a farm in today's terms?

This is a key issue. The current ordinance defines farm as having a minimum lot of 10 acres, devoting at least 10 acres to the production of field crops or the grazing of at least 20 head of livestock, and from which the occupant and his or her spouse derives at least 50% of their income. This definition is somewhat dated. In the today's world, this definition excludes many of the things that might be considered to be commercial agriculture such as:

- a horse stable/farm
- commercial greenhouses
- an organic vegetable or flower operation on less than 10 acres
- a Christmas tree farm
- a cranberry bog

It also excludes many agricultural businesses based upon the 50% of income test. My sense is that many "commercial" farms rely on an outside source of income to allow the agricultural business to continue. It also excludes the "hobby farm" in which the agricultural activity is only an incidental portion of the household's income. In some communities, horses have become a major agricultural use that allows people who own horses for their own use to stable, breed, and train other people's horses but this is probably not the majority of the household's income.

If the objective of the AG/RP is to encourage agricultural use of land as an interim use, any and all of these types of uses may be valuable in doing that. But the next question becomes - and when is that enough use to justify allowing them to construct a home in conjunction with that use? The objective probably needs to be to avoid creating a loophole that allows residential development that really isn't related to the use of the land for agricultural or other natural resource purposes.

To: Comprehensive Plan Committee From: Mark Eyerman – **MEMO # Z**

Subject: Possible Approaches for Revising the AG/RP District

Date: April 6, 2009

I have outlined three alternative approaches for revising the requirements of AG/RP District to provide the committee with a starting point for our discussion at Tuesday's meeting. As you think about these alternatives, it is important to keep in mind two things:

- 1. What is the City's objective for the AG/RP District (see my other email)?
- 2. In some areas the AG/RP District is coupled with an RR or LDCR District along the road frontage to create some development potential for the owners of large parcels that have road frontage. As we think about these alternatives, we need to keep this concept in mind since a fourth alternative in some areas could be to establish or re-establish a strip of RR or LDCR where it does not currently exist in conjunction with an updated AG/RP District.

Alternative #1 Update the AG/RP Provisions Without Changing the Basic Intent

There has been discussion that the current provisions of the AG/RP District are outdated and difficult to use. There seems to be four issues with the current provisions:

- 1. The name of the district
- 2. The limited range of agricultural activities that meet the definition of farm
- 3. The 50% of income provision
- 4. The treatment of related rural uses

Here are some ideas for how these four issues could be addressed. This assumes that the basic purpose of the zone remains unchanged and that a residential use is permitted only in conjunction with "commercial agricultural" operation on a parcel that has at least 10 acres.

1. **Name** – I'm not sure I understand the issue with the current name but maybe the committee could propose changing it to something like Rural Resource Protection District.

- 2. **Definition of Farm** While the AG/RP District allows a wide range of agricultural uses, the current definition of farm that is used to determine if a house is allowed is much more restrictive. The farm for purposes of the AG/RP District must use at least 10 acres for the production of field crops or the grazing of livestock. If strictly applied, this precludes a house in connection with many commercial agricultural operations. One possibility is to change the requirement so that a house has to be accessory to a "commercial agricultural use" rather than a farm and to eliminate the 10 acre of use requirement. A commercial agricultural use could be defined broadly to include the full range of agricultural activities that are carried out on a commercial basis.
- 3. **Income Test** This is a tough issue since the objective is to limit the ability to build a house to those situations where there truly is or will be a commercial agricultural use. The current definition is worded "will be derived" recognizing the prospective nature of this. It also talks in terms of annual income to the farm occupant which to me implies the "net profit" from the farm. Realistically, a start-up operation or even a buy-out of an existing operation may not be profitable for a significant period. Here are a couple of possible ways to revise the current provision:
 - change the test from annual income of the farmer to a revenue based requirement how much revenue does the operation create
 - reduce the percentage of household income that must be derived from commercial agricultural to better reflect the possibility for outside employment by members of the household
 - tie the requirement to the filling of a Schedule F (or farm partnership or corporation schedules) for federal income tax purposes or some other evidence of a commercial agricultural activity such as a loan commitment. Schedule F is the farm income schedule that is typically filed by small farmers.
- 4. **Related Uses** The permitted uses and special exception uses in the AG/RP District allow a wide range of agricultural and related activities. A number of the uses do include some type of limitation related to activities that occur on the property. The agricultural produce item j. limits this to "produce grown on the premises". The definition of "wayside stand" limits products to those "primarily grown or produced on the premises . . ." Sawmills are allowed "incidental to the harvesting of forest products" which implies that you can have a sawmill only in conjunction with a harvest. We could consider modifying the permitted uses to allow more rural related uses on free-standing basis or with fewer "locally produced" limitations. For example, many communities have

struggled with the issue of "traditional farm stands" versus retail outlets that include items produced off the premises in addition to home-grown/produced items.

Alternative #2 Create a New Zone with Very Limited Residential Development Potential

In a sense, the current coupling of the AG/RP District with a strip of RR or LDCR along the road frontage does this. It allows the road frontage to be developed as house lots while the backland is "protected" from development. The overall residential density that is allowed under this arrangement is a function of the percentage of the parcel in AG/RP and the zoning of the road frontage. The percentage of a lot that is in RP is a function of its size, depth, and amount of road frontage. In reality, the development potential of a parcel is controlled by its road frontage not its size. Here are a couple of simple examples based on a 50 acre parcel under a few different scenarios. These do not include any consideration of farm housing – if one or more homes were allowed under that provision, the overall density would increase accordingly.

- 50 acre parcel with 1000' of road frontage that is zoned RR

RR allows 1 acre lots with a minimum of 250' of road frontage or lot width therefore 4 lots could potentially be developed along the frontage resulting in a gross density of 4 units on 50 acres or 1 unit per 12.5 acres

- 50 acre parcel with 2000' of road frontage that is zoned **RR**

If the lot configuration changes to a wider, shallower parcel and the parcel has 2000' of frontage in the RR District, 8 lots could potentially be developed along the road frontage resulting in a gross density of 8 units on 50 acres or 1 unit per 6.5 acres

- 50 acre parcel with 500' of road frontage that is zoned RR

Or if the lot has limited road frontage, only 2 lots could be created resulting in a density of 2 lots on 50 acres or 1 unit per 25 acres

- 50 acre parcel with 1000' of road frontage that is zoned LDCR

LDCR allows 3 acre lots with a minimum of 325' of road frontage or lot width therefore 3 lots could potentially be developed resulting in a gross density of 3 units on 50 acres or 1 unit per 16.7 acres. As the frontage

increases or decreases, the density would change the same way as if the frontage is zoned RR.

Rather than creating one zone along the road frontage and the AG/RP District behind it, the Committee could consider creating a revised zone that allows very low density residential development (say 1 unit per 10 acres) and creates flexibility for how residential development could occur. Here are some ideas for how that might work:

- the gross density would be 1 unit per 10 acres (or whatever is decided) but individual lots could be as small as 40,000 SF
- there would be no street frontage/lot width requirement so that lots could be created wherever it makes sense and access could utilize private drives or private ways
- lots would need to be located where it makes sense in terms of the natural characteristics of the land away from land with agricultural potential or with natural resource constraints
- if development along existing rural roads is a concern, it could include a requirement for limiting direct vehicle access to certain roads and/or a provision for retaining/creating a natural buffer along these roads

In addition to these basic provisions, there could be a requirement that an amount of land equal to the difference between the 10 acre/unit density requirement and the actual lot size be set aside as permanent open space through a conservation easement or similar mechanism if this in an area where the City's objective is to create permanent conservation rather than a land bank.

This approach would accomplish a couple of things:

- 1. It would equalize the development potential for property owners that now is a function of frontage on existing roads every property owner with 50 acres would potentially have the same development potential.
- 2. It would provide more flexibility in how the residential development that does occur can be located and laid out as opposed to the existing system that essentially requires that it be strung out along the road to meet the large lot width requirements.
- 3. If it was coupled with a land conservation requirement, it could allow significant areas to be permanently conserved over the long term while providing the property owners with some development potential.

Alternative #3 Revise the AG/RP District to Create Limited Residential Development Potential

The concept of Alternative #2 could be extended to areas where there is only AG/RP zoning without a strip of RR or LDCR along the road by allowing a property owner limited development potential that is not associated with "commercial agriculture" in return for doing something that benefits the City. The concept here is that allowing very limited development potential creates value for the property owner and that increased value could be shared between the property owner and the larger community. Here are some ideas along that line:

- 1. The City could allow property owners to buy the right to develop in the AG/RP District at the 1 unit per 10 acre or whatever density by paying the City a development offset fee. This fee would go into a dedicated account to purchase land in areas where the City wants to permanently conserve open space such as along the rivers or in the Lake Auburn or Taylor Pond watersheds.
- 2. Similarly, the City could allow property owners the right to develop in return for conserving 10 acres of land per unit either on the parcel or in other areas where the City wants land conservation. This might be granting a conservation easement to a land trust or watershed protection group. For example, a property owner who owns land on both sides of North River Road could create a small number of lots on the land away from the river in return for permanently conserving land on the riverside of the road by granting a conservation easement to a land trust or state agency.

This approach would give property owners of AG/RP only land some very limited development potential but only as a trade-off for doing something the City wants. The downside is that it would potentially result in some residential development in these areas that would reduce the value of the AG/RP District as a "land bank" since it could make the future conversions of the land to other uses more problematic. On the other hand, it would allow property owners some residential use and potentially create a mechanism for conserving the open space that the City is interested in.

To: Auburn Comprehensive Plan Committee

From: Mark Eyerman - MEMO # 3

Subject: Rural Land Use Policy

Date: April 15, 2009

I have prepared two pieces for the Committee for Thursday's meeting. The first is Eyerman's "TRIAL BALLOON". In this trial balloon, I tried to synthesize the discussions of the last two meetings into a somewhat comprehensive set of policy directions for managing land use in the rural parts of the City. Most of this comes from what I think I heard from the <u>committee members</u> during our discussions but in a few places I filled in the blanks. I think it is important that we see the big picture before we "vote" on the pieces.

In the second piece, I have broken out the policy concepts that are embedded in the "trial balloon" and have put together a set a questions dealing with the components that we can vote on.

Eyerman's Trial Balloon

Here is my take on a comprehensive land use policy for the rural areas. I have laid this out as a list of components to help us work through them but there is no particular significance to the order. As you look at this remember that we are working on the Comprehensive Plan not actual zoning provisions. The plan needs to establish the general policy directions for what the City wants to have happen with the understanding that the details will need to be worked out by the Planning Board or other implementation group.

1. Create a separate Shoreland Resource Protection District—The State Shoreland Zoning Law requires the City to zone areas in proximity to certain waterbodies and wetlands in accordance with state requirements. Shoreland Zoning mandates that undeveloped 100 Year floodplains adjacent to the rivers and great ponds/lakes be zoned resource protection that essentially is a non-development zone. The state also requires that an area 250' in width around freshwater wetlands with high/moderate waterfowl habitat value be designated resource protection. The City has used the AG/RP District to address this requirement in the past. The City is updating its Shoreland Zoning to meet new state requirements and is working on creating a separate Shoreland RP District that would apply only to these very limited areas identified by the state. These areas would essentially be "pulled out" from

the AG/RP District. This is a sound concept and should be supported in the Comp Plan. This district could also be used to protect other specific "high value" natural resource areas if the City ever wanted to do that.

- 2. Maintain the basic concept of having two approaches for managing land use in the Rural Area one that allows for limited residential development potential independent of agriculture and one that allows for residential development potential only in conjunction with a bona fide commercial rural use The City currently has two situations, one where there is a strip of RR or LDCR along the road with the backland zoned AG/RP and the other where there is no strip of residential zoning. This item proposes that as an organizational approach, this basic concept remain in place.
- 3. Rename/Re-characterize the AG/RP District as a "Rural Conservation" District With the creation of a separate Shoreland RP District, the AG/RP District could be renamed to better reflect what its purpose is. I picked "Rural Conservation District" but there is no magic in that name. The purpose statement for the district could reinforce that the objective of the City is that this area remain essentially as a rural area that accommodates rural and agricultural uses but does not allow for residential development. It could also include the idea that rural land owners are provided with opportunities to make economic use of their property that does not include residential development.
- 4. Update the requirements for the Rural Conservation District Within this area, a wide range of agricultural and "rural" uses would be allowed. This would include a variety of commercial "natural resource based" or agricultural activities such as farm markets that sell both home grown/made and non-local items, processing and manufacturing of natural resource based products, agricultural related businesses (equipment supply, feed, tack shops, etc.), and land intensive commercial recreational uses. In addition, existing agricultural buildings and structures that are no longer used would be allowed to be reused for low-intensity non-residential uses (storage, tradesman/contractor/landscaping businesses, etc.).

Residential uses would be permitted only in the following situations:

- in conjunction with a bona fide commercial agricultural use
- in conjunction with a bona fide commercial natural resource use

- in conjunction with a pre-existing commercial recreational uses (golf course, ski area, etc.) where the residential use is an integral part of a planned development

To accommodate accessory residential uses, the income/revenue requirements for commercial agricultural uses or natural resource uses would be updated to recognize the potential for outside sources of income.

- 5. Continue to have shallow strips of low density residential use along certain rural roads but allow some flexibility where the units are built Where there is a desire to recognize existing development patterns or to provide rural property owners with limited independent residential development potential, a strip of low-density residential zoning would be maintained/established along the road similar to the current pattern. This residential strip would be used to determine the number of residential units that could be built based upon the density, lot size, and frontage requirements of that zone. Property owners would be given a range of options for how and where those units are developed including:
 - creating lots along the road frontage in conformance with the residential zoning requirements
 - creating lots on other areas of the parcel that are zoned Rural Conservation with reduced lot size and access/frontage requirements to allow "rural" development without creating paved streets
 - creating lots on other parcels in the Rural Conservation District that are owned by the same owner (mini development transfer)
 - selling the development right to another property owner to allow higher density development in residential districts (transfer of development rights)

If residential development is moved from the residential strip to a Rural Conservation area, the owner would need to demonstrate that the location is appropriate and consistent with the rural objective – doesn't negatively impact natural resources or agricultural potential. In addition, if units are moved from the residential strip, an area of land within the strip would need to be permanently protected by a conservation easement or similar method to prevent it from being developed in the future.

6. Establish objective criteria for determining which roads should have a residential strip – Under the two area model (with and without a residential

strip), the key policy issue becomes where residential strips should be provided. Here are some ideas for possible criteria but this is just a starting point:

Where residential strips could be provided

- where there is existing residential development along the road
- where the area is adjacent to a developed area or residentially zoned areas and could potentially develop for residential use in the future (an area that might be withdrawn from the land bank in the future for residential uses)
- where fire protection can be provided within the existing service area
 reasonable response time, available water supply
- where police protection can be reasonably provided with the current patrol system
- where there is active agricultural use of the property (as a way of subsidizing agricultural income)

Where residential strips should not be provided

- if the road will evolve as a rural collector where roadside development and additional driveways are not desired
- where the area may potentially develop as a non-residential area in the future (the holding zone concept)
- where the land along the road is not suitable for low density residential development
- where the land along the road has significant natural resource value or is adjacent to land with significant value
- where the current road system/condition cannot accommodate increased traffic
- where the area is beyond reasonable public safety response
- 7. Review where residential strips should be provided based on the criteria as part of the land use area discussions Assuming that we can agree on some broad criteria for where residential strip should and should not be allowed, we can then look at the existing AG/RP zones as we finish going through the various geographic areas as to see if any changes should be proposed as to where residential strips should be located.

Questions/Voting

I have put together a set of questions that address many of the policy issues embedded in my "trial balloon". I have tried to structure these as yes-no or either-or questions so we can go through them simply and quickly. As you look at the questions, refer back to the discussion in the trial balloon for the context and details.

- 1. Does the Committee support creating a separate Shoreland Resource Protection District that would apply only to areas mandated by the state law?
 - a. YES
 - b. NO
- 2. Does the Committee support retaining the basic approach for managing land use in rural areas having two situations, one with just the rural zone and one with a strip of residential land along the road?
 - a. YES
 - b. NO
- 3. Does the Committee support renaming the AG/RP Zone?
 - a. YES
 - b. NO
 - 3.1 Is Rural Conservation an appropriate name to use in the Comp Plan?
 - a. YES
 - b. NO
 - 3.2 Do you have a suggestion for a more appropriate way to refer to this area in the Comp Plan?
- 4. Should the updated Rural Conservation designation allow property owners to have a broader range of <u>non-residential</u> agriculture and natural resource related uses?
 - a. YES
 - b. NO
 - 4.1 Should quasi-industrial type uses be allowed if they relate to agriculture or natural resource activities (see discussion in Trial Balloon)?

- a. YES
- b. NO
- 4.2 Should existing agricultural buildings be allowed to be reused for low-intensity nonresidential uses?
 - a. YES
 - b. NO
- 5. Which of the following statements should be the City's policy on residential uses in the Rural Conservation area?
 - a. Residential uses should only be permitted in conjunction with a commercial agricultural or natural resource use (specifics to be determined)

OR

- b. Property owners should be allowed very limited residential development potential in addition to homes permitted in conjunction with a commercial agriculture or natural resource use
- 6. Should residential uses be allowed <u>in conjunction</u> with the following types of activities in the Rural Conservation area?
 - 6.1. an agriculturally related business (a tack shop or a feed supply operation)?
 - a. YES
 - b. NO
 - 6.2. an agricultural or natural resource based processing or manufacturing use (a sawmill for example)?
 - a. YES
 - b. NO
 - 6.3. an existing commercial recreational use as part of an overall plan?
 - a. YES
 - b. NO
- 7. Should the Comp Plan recommend that the way of determining if a rural use should be allowed to have an accessory residential unit be updated to revise the income requirement to take into account part time operations and the potential for outside income?
 - a. YES
 - b. NO
 - 7.1. If yes, does the Committee agree that working out the details should be the responsibility of another group?
 - a. YES

b. NO - the Committee should work out the details

- 8. Where there is a strip of residentially zoned land along the road, should the property owner be given flexibility to locate the units outside of the residential strip?
 - a. YES
 - b. NO
 - 8.1 If yes, should the unit be allowed to be built?
 - 8.1.1 Somewhere else on the same parcel in the Rural Conservation area?
 - a. YES
 - b. NO
 - 8.1.2 On another lot owned by the same person in the Rural Conservation area?
 - a. YES
 - b. NO
 - 8.1.3 Sold to be used to increase the density in residentially zoned areas?
 - a. YES
 - b. NO
 - 8.2 If lots can be created elsewhere on the same parcel or on another parcel in the Rural Conservation area, should they be allowed to be laid out so they don't have frontage on a street?
 - a. YES
 - b. NO
- 9. Should the Committee establish criteria for evaluating where residential strips are located and where they are not?
 - a. YES
 - b. NO
 - 9.1 If the answer is yes, which of the following describes how the criteria should be treated:
 - a. They should be informal criteria that are just used by the Committee OR
 - b. They should be formal criteria that get included in the Comp Plan to guide future rezoning discussions

10. If the Committee decides that criteria should be created, should the Committee defer
consideration of specific situations/roads and do that as part of the area by area land
use discussion?

- a. YES
- b. NO
- 11. The trial balloon lays out some possible criteria (see above). Thinking about where residential strips should be located, should we consider the following?
 - 11.1 Where there is existing residential development along the road?
 - a. YES
 - b. NO
 - 11.2 Where the area is adjacent to a developed area or residentially zoned areas and could potentially develop for residential use in the future (an area that might be withdrawn from the land bank in the future for residential uses)?
 - a. YES
 - b. NO
 - 11.3 Where fire protection can be provided within the existing service area reasonable response time, available water supply?
 - a. YES
 - b. NO
 - 11.4 Where police protection can be reasonably provided with the current patrol system?
 - a. YES
 - b. NO
 - 11.5 Where there is active agricultural use of the property (as a way of subsidizing agricultural income)?
 - a. YES
 - b. NO
 - 11.6 Are there other criteria that should be considered?

- 12. And then thinking about where residential strips should not be located, should we consider the following:
 - 12.1 If the road will evolve as a rural collector where roadside development and additional driveways are not desired?

- a. YES
- b. NO
- 12.2 Where the area may potentially develop as a non-residential area in the future (the holding zone concept)?
 - a. YES
 - b. NO
- 12.3 Where the land along the road is not suitable for low density residential development?
 - a. YES
 - b. NO
- 12.4 Where the land along the road has significant natural resource value or is adjacent to land with significant value?
 - a. YES
 - b. NO
- 12.5 Where the current road system/condition cannot accommodate increased traffic?
 - a. YES
 - b. NO
- 12.6 Where the area is beyond reasonable public safety response?
 - a. YES
 - b. NO
- 12.7 Are there other criteria that should be considered?

April 29, 2009

To: Auburn Comprehensive Plan Committee

From: Antje Kablitz - MEMO # 4 Subject: Rural Land Use Vote Outcome

On April 16, the Auburn Comprehensive Plan Committee voted on a set of questions that addressed many of the rural policy issues outlined in the "Trial Balloon" included Rural Land Use Memo prepared by Mark (see Appendix page 9).

The following is a tabulation of the vote from this meeting as well as a summation of the key policy directions.

The policy directions will guide the continued discussion of future land use in the Agriculture/Rural District.

DETAILED VOTING TABULATION

The eligible voters included the twenty active committee members in attendance. An eligible voter was defined as a committee members whose name appeared on the official comprehensive plan member list provided by the City as well as additional individuals who were added to the committee in the fall of last year. The committee chair as well as City and municipal staff did not vote.

When answering questions, the committee referred back to the discussion in the "trial balloon" for the context and details.

All votes were counted by a show of hands. In some instances, eligible voters chose to abstain from voting on specific questions.

1. Does the Committee support creating a separate Shoreland Resource Protection District that would apply only to areas mandated by the state law?

YES 15 No 1 Abstain 4

2. Does the Committee support retaining the basic approach for managing land use in rural areas – having two situations, one with just the rural zone and one with a strip of residential land along the road?

YES 8 No 6 Abstain 6

3. Doe	es the Committee support r	enaming the AG/RP	Zone?
	YES 12	No 0	Abstain 8
		an appropriate name	e to use in the Comp Plan?
	YES 7	No 5	Abstain 8
	3.2 Do you have a sugges the Comp Plan?	tion for a more appi	ropriate way to refer to this area in
	The committee was in fav	or of keeping the wo	ord "Agriculture" in the name
	Others were interested in future use.	"Land Reserve" to	indicate that the land is held for
	-	•	on allow property owners to have a atural resource related uses? Abstain 3
	4.1 Should quasi-industria natural resource activities	• •	wed if they relate to agriculture or rial Balloon)?
			eciding to revisit the topic after a al" agriculture or natural resource
	4.2 Should existing agricintensity nonresidential us	_	e allowed to be reused for low-
	YES 17	No 0	Abstain 3
	ich of the following statem		City's policy on residential uses in

- - A. Residential uses should only be permitted in conjunction with a commercial agricultural or natural resource use (specifics to be determined).
 - B. Property owners should be allowed very limited residential development potential in addition to homes permitted in conjunction with a commercial agriculture or natural resource use

- 6. Should residential uses be allowed <u>in conjunction</u> with the following types of activities in the Rural Conservation area?
 - (6.1.) Allow residential uses in conjunction with agriculturally related business (a tack shop or a feed supply operation).

YES 12

No 0

Abstain 8

(6.2.) Allow residential uses in conjunction with an agricultural or natural resource based processing or manufacturing use (a sawmill for example)

Yes 8

NO 10

Abstain 2

(6.3.) Allow residential uses in conjunction with an existing commercial recreational use as part of an overall plan

YES 9

NO9

Abstain 4

The committee chose to reframe this question to include both new and existing commercial recreational uses and to require that the potential for residential development in a commercial recreational area to be dependent on:

- a) Scale of residential uses
- b) Size of the development
- c) Location of development
- d) The development of a planned development
- e) Recreation/open space easement protecting recreational land from future development

6.4 below reflects this change.

(6.4.) Allow residential uses in conjunction with a any commercial recreational use as part of an overall plan

YES 12

No 4

Abstain 4

7. Should the Comp Plan recommend that the way of determining if a rural use should be allowed to have an accessory residential unit be updated to revise the income requirement to take into account part time operations and the potential for outside income?

YES 17

No 0

Abstain 3

7.1. If yes, does the Committee agree that working out the details should be the responsibility of another group?

YES 17

No 0

Abstain 3

	is a strip of reside ven flexibility to l	-		-	ad, should the property sidential strip?
YES 12		No 6		Abstain 2	
units co	uld be allowed to	be built			ked to define where the
	YES 12	N	No 6	Ab	stain 2
8.1.2	Allow units on Conservation are		lot owned l	by the sar	ne person in the Rural
	YES 7	ľ	NO 10	Ab	stain 3
8.1.3	Allow property o		-	•	ts to be used to increase
	YES 12	N	No 2	Ab	stain 6
Rural Co					on another parcel in the d out so they don't have
YES 11		No 7		Abstain 2	
	ommittee establis where they are no		for evaluati	ng where	residential strips are
YES 14		No 1		Abstain 5	
	clude formal cri ons regarding resi				guide future rezoning
YES 14	:	No 1		Abstain 5	
	on of specific situa				d the Committee defer of the area by area land
YES 16		No 0		Abstain 4	

11.1 Allow residenti	al strips where th	ere are existing residen	tial development
YES 12	No 4	Abstain 4	
residentially zoned a	reas and could po	e area is adjacent to a d tentially develop for resi wn from the land bank	dential use in the
Yes 4	NO 12	Abstain 4	
existing service area YES 10	with reasonable re No 6 Il strips where pol	e protection can be pro esponse time and availal Abstain 4 ice protection can be rea	ble water supply.
YES 10	No 6	Abstain 4	
11.5 Allow residentia as a way of subsidizing	•	e is active agricultural usome.	se of the property
YES 13	No 4	Abstain 3	
11.6 Other criteria tha	s and capacity	red include:	
Recreation im	<u> </u>	with the state of	
mm 1 11 - *	on/public works im		

12. When thinking about where residential strips should **NOT** be located, should we consider the following:

12.1 Residential strips should NOT be allowed if the road will evolve as a rural collector . YES 13 $${\rm No}\,0$$ Abstain 7

12.2 Residential strips should NOT be allowed where the area may potentially develop as a non-residential area in the future (the holding zone concept).

YES 9

No 4

Abstain 7

12.3 Residential strips should NOT be allowed where the land along the road is not suitable for low density residential development.

YES 10

No 5

Abstain 5

12.4 Residential strips should NOT be allowed where the land along the road has significant natural resource value or is adjacent to land with significant value.

YES 11

No 1

Abstain 4

12.5 Residential strips should NOT be allowed where the current road system/condition cannot accommodate increased traffic.

YES 10

No 6

Abstain 4

12.6 Where the area is beyond reasonable public safety response? Question removed by the committee, addressed in question 11 above.

12.7 Other criteria that could be considered in determining where residential development should not take place:

Within the Lake Auburn watershed where land may have a potential negative impact on the City's public water supply.

KEY POLICY DIRECTION

- 1. **Create a separate Shoreland Resource Protection Zone** that includes the areas of the existing AG/RP District that are mandated by State Shoreland Zoning to be zoned Resource Protection.
- 2. **Maintain an AG/Rural District** in which there is no independent residential development potential. Require all residential uses to be accessory to another allowed rural use.
- 3. Allow accessory residential uses in the AG/Rural District in conjunction with:
 - a commercial agriculture or natural resource use
 - agriculturally related businesses (tack shops, feed supply operations)
 - a commercial recreational use as part of a planned development that protects the recreation/open space portion of the project from future development.
 - 3.a Update the criteria for what constitutes a rural use that can have an accessory residential use.
- 4. Allow a broader range of nonresidential agriculture and natural resource related uses in the AG/Rural District (details to be determined)
- 5. Continue the concept of zoning "residential strips" along selected rural roads and base the determination of which roads should have a residential strip on criteria to be included in the Comprehensive Plan.
 - 5.a Allow residential development that can occur in these "residential strips" to be:
 - Developed within the residential zone
 - Transferred and developed on a portion of the same parcel that is in the AG/Rural District
 - Transferred to another residential district to allow higher density development than is otherwise allowed
 - 5.b If a residential unit is transferred from the residentially zoned portion of the a parcel to the AG/Rural portion, the development standards should allow reduced lot sizes and reduced frontage/access requirements as long as the lot location does not negatively impact natural resources or agricultural

- potential and the land in the residential strip from which the units is transferred is permanently protected from development.
- 5.c Similarly is a residential unit is transferred to another residential district, the land in the residential strip from which the unit is transferred is permanently protected from development
- 5.d The specific criteria for determining where residential strips should be allowed needs to be developed.

APPENDIX: Trial Balloon used as Basis for Voting

- 1. Create a separate Shoreland Resource Protection District—The State Shoreland Zoning Law requires the City to zone areas in proximity to certain waterbodies and wetlands in accordance with state requirements. Shoreland Zoning mandates that undeveloped 100 Year floodplains adjacent to the rivers and great ponds/lakes be zoned resource protection that essentially is a non-development zone. The state also requires that an area 250' in width around freshwater wetlands with high/moderate waterfowl habitat value be designated resource protection. The City has used the AG/RP District to address this requirement in the past. The City is updating its Shoreland Zoning to meet new state requirements and is working on creating a separate Shoreland RP District that would apply only to these very limited areas identified by the state. These areas would essentially be "pulled out" from the AG/RP District. This is a sound concept and could be supported in the Comp Plan. This district could also be used to protect other specific "high value" natural resource areas if the City ever wanted to do that.
- 2. Maintain the basic concept of having two approaches for managing land use in the Rural Area one that allows for limited residential development potential independent of agriculture and one that allows for residential development potential only in conjunction with a bona fide commercial rural use The City currently has two situations, one where there is a strip of RR or LDCR along the road with the backland zoned AG/RP and the other where there is no strip of residential zoning. This item proposes that as an organizational approach, this basic concept remain in place.
- 3. Rename/Re-characterize the AG/RP District as a "Rural Conservation" District With the creation of a separate Shoreland RP District, the AG/RP District could be renamed to better reflect what its purpose is. I picked "Rural Conservation District" but there is no magic in that name. The purpose statement for the district could reinforce that the objective of the City is that this area remain essentially as a rural area that accommodates rural and agricultural uses but does not allow for residential development. It could also include the idea that rural land owners are provided with opportunities to make economic use of their property that does not include residential development.
- 4. **Update the requirements for the Rural Conservation District** Within this area, a wide range of agricultural and "rural" uses would be allowed. This would include a variety of commercial "natural resource based" or agricultural activities such as

farm markets that sell both home grown/made and non-local items, processing and manufacturing of natural resource based products, agricultural related businesses (equipment supply, feed, tack shops, etc.), and land intensive commercial recreational uses. In addition, existing agricultural buildings and structures that are no longer used would be allowed to be reused for low-intensity non-residential uses (storage, tradesman/contractor/landscaping businesses, etc.).

Residential uses would be permitted only in the following situations:

- in conjunction with a bona fide commercial agricultural use
- in conjunction with a bona fide commercial natural resource use
- in conjunction with a pre-existing commercial recreational uses (golf course, ski area, etc.) where the residential use is an integral part of a planned development

To accommodate accessory residential uses, the income/revenue requirements for commercial agricultural uses or natural resource uses would be updated to recognize the potential for outside sources of income.

- 5. Continue to have shallow strips of low density residential use along certain rural roads but allow some flexibility where the units are built Where there is a desire to recognize existing development patterns or to provide rural property owners with limited independent residential development potential, a strip of low-density residential zoning would be maintained/established along the road similar to the current pattern. This residential strip would be used to determine the number of residential units that could be built based upon the density, lot size, and frontage requirements of that zone. Property owners would be given a range of options for how and where those units are developed including:
 - creating lots along the road frontage in conformance with the residential zoning requirements
 - creating lots on other areas of the parcel that are zoned Rural Conservation with reduced lot size and access/frontage requirements to allow "rural" development without creating paved streets
 - creating lots on other parcels in the Rural Conservation District that are owned by the same owner (mini development transfer)
 - selling the development right to another property owner to allow higher density development in residential districts (transfer of development rights)

If residential development is moved from the residential strip to a Rural Conservation area, the owner would need to demonstrate that the location is appropriate and consistent with the rural objective – doesn't negatively impact natural resources or agricultural potential. In addition, if units are moved from the residential strip, an area of land within the strip would need to be permanently protected by a conservation easement or similar method to prevent it from being developed in the future.

6. Establish objective criteria for determining which roads should have a residential strip – Under the two area model (with and without a residential strip), the key policy issue becomes where residential strips should be provided. Here are some ideas for possible criteria but this is just a starting point:

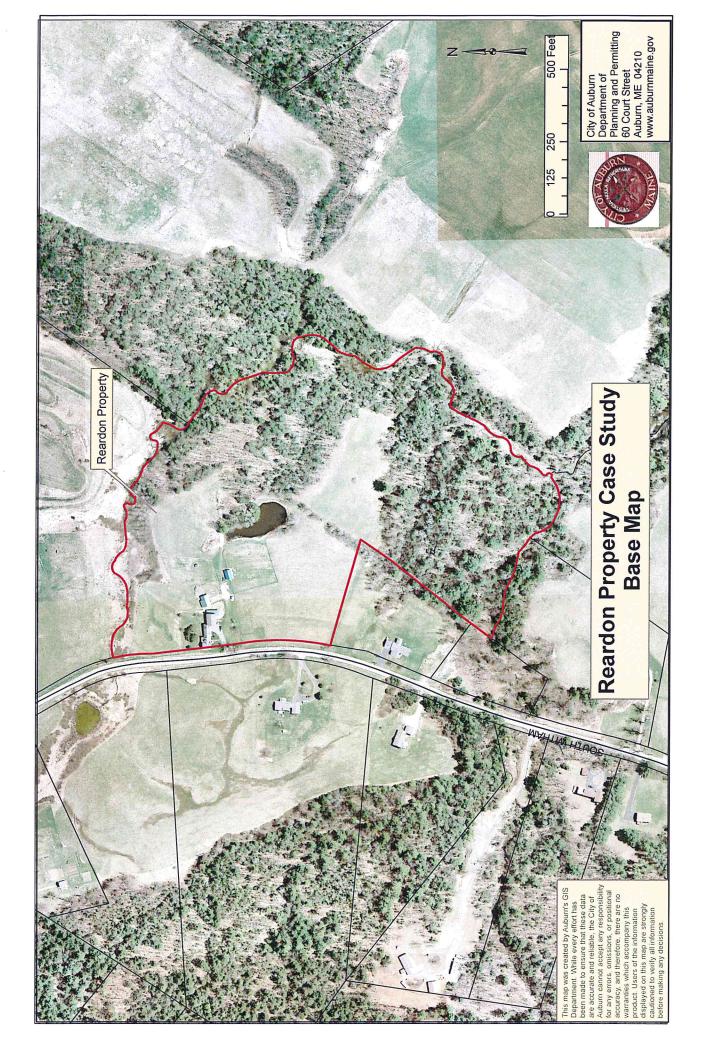
Where residential strips could be provided

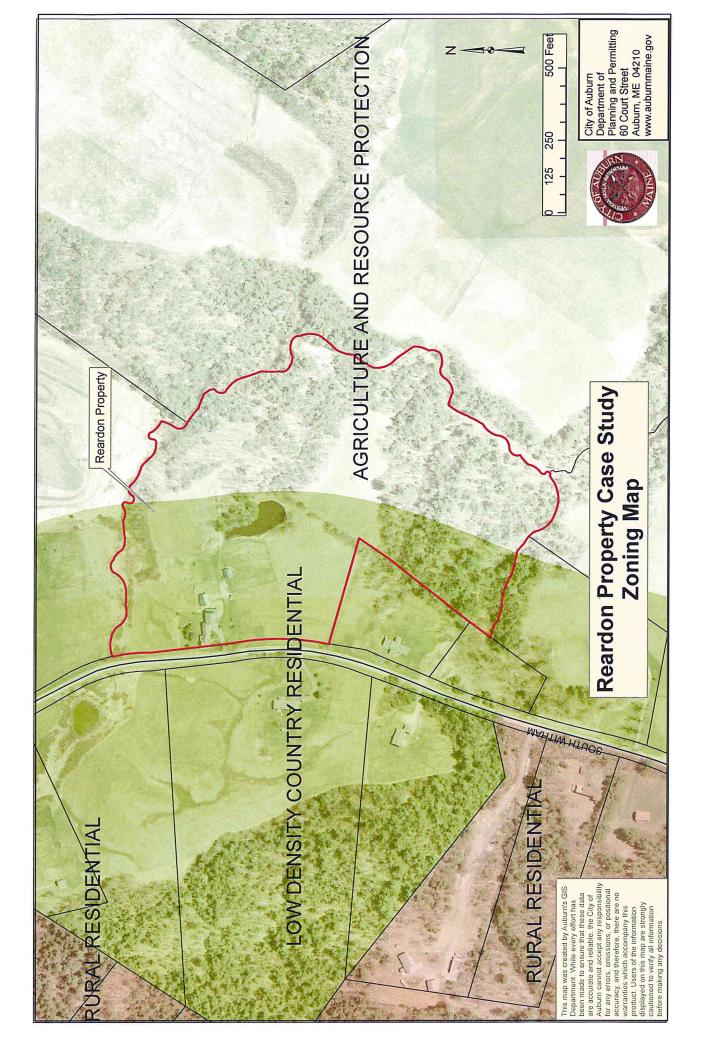
- where there is existing residential development along the road
- where the area is adjacent to a developed area or residentially zoned areas and could potentially develop for residential use in the future (an area that might be withdrawn from the land bank in the future for residential uses)
- where fire protection can be provided within the existing service area reasonable response time, available water supply
- where police protection can be reasonably provided with the current patrol system
- where there is active agricultural use of the property (as a way of subsidizing agricultural income)

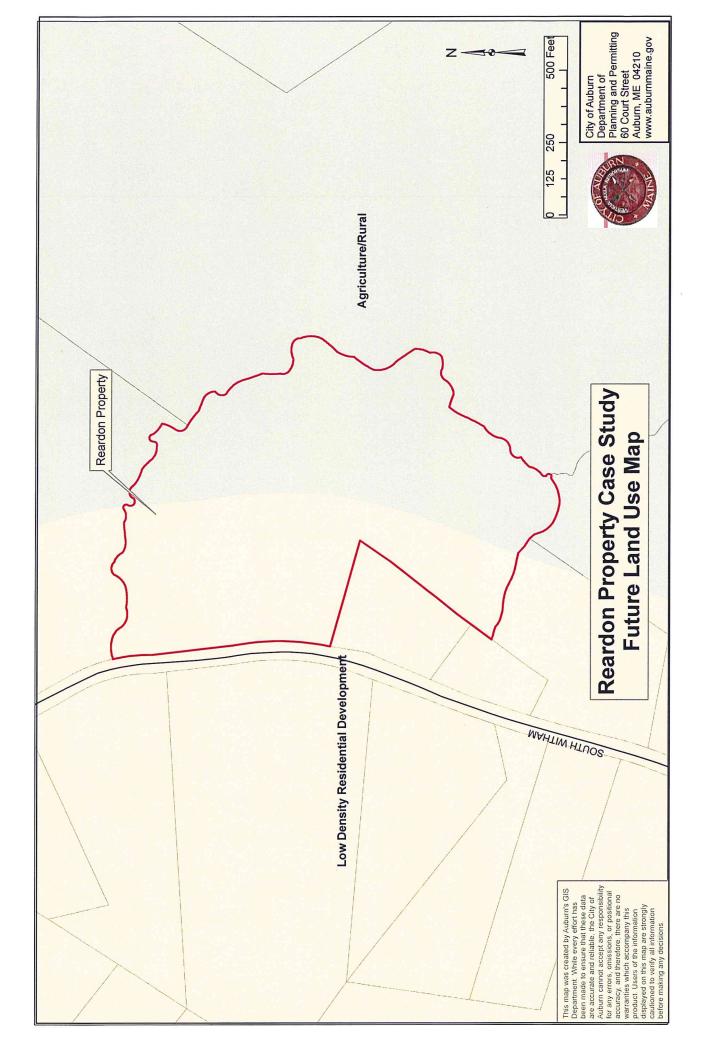
Where residential strips should not be provided

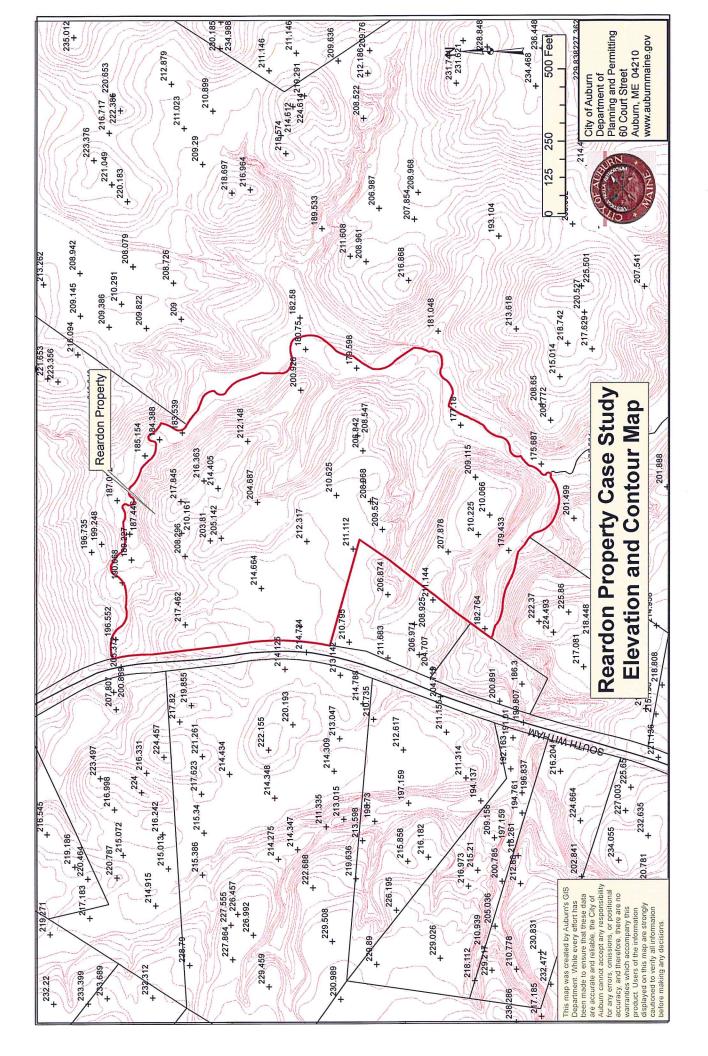
- if the road will evolve as a rural collector where roadside development and additional driveways are not desired
- where the area may potentially develop as a non-residential area in the future (the holding zone concept)
- where the land along the road is not suitable for low density residential development
- where the land along the road has significant natural resource value or is adjacent to land with significant value
- where the current road system/condition cannot accommodate increased traffic
- where the area is beyond reasonable public safety response
- 7. Review where residential strips should be provided based on the criteria as part of the land use area discussions Assuming that we can agree on some broad criteria

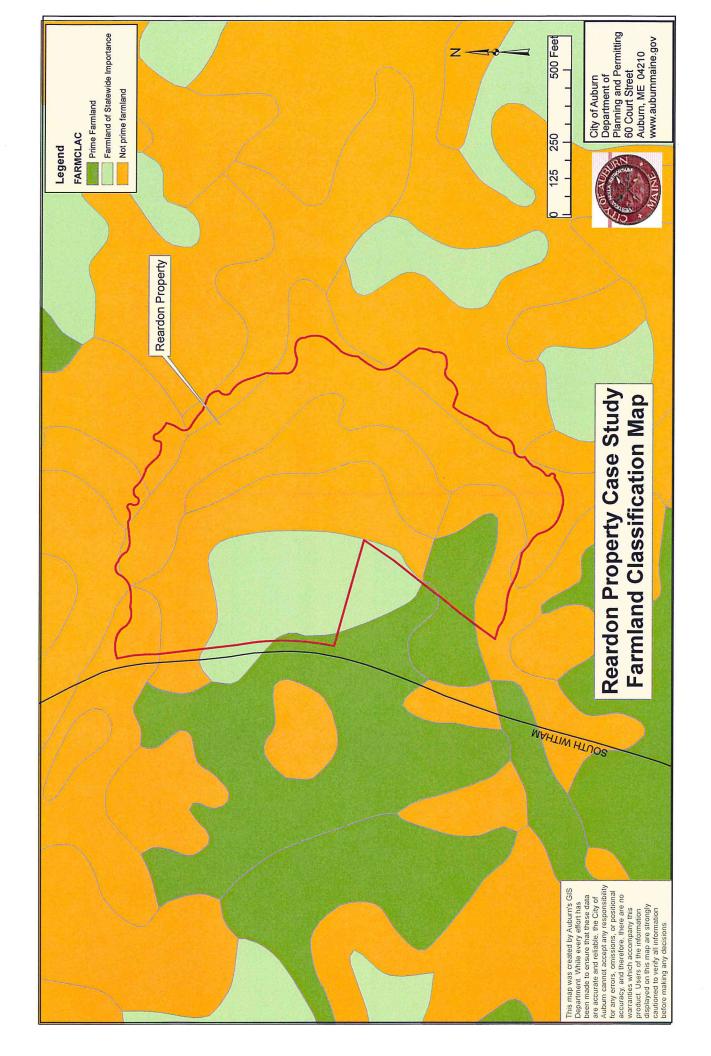
for where residential strip should and should not be allowed, we can then look at the existing AG/RP zones as we finish going through the various geographic areas as to see if any changes should be proposed as to where residential strips should be located.

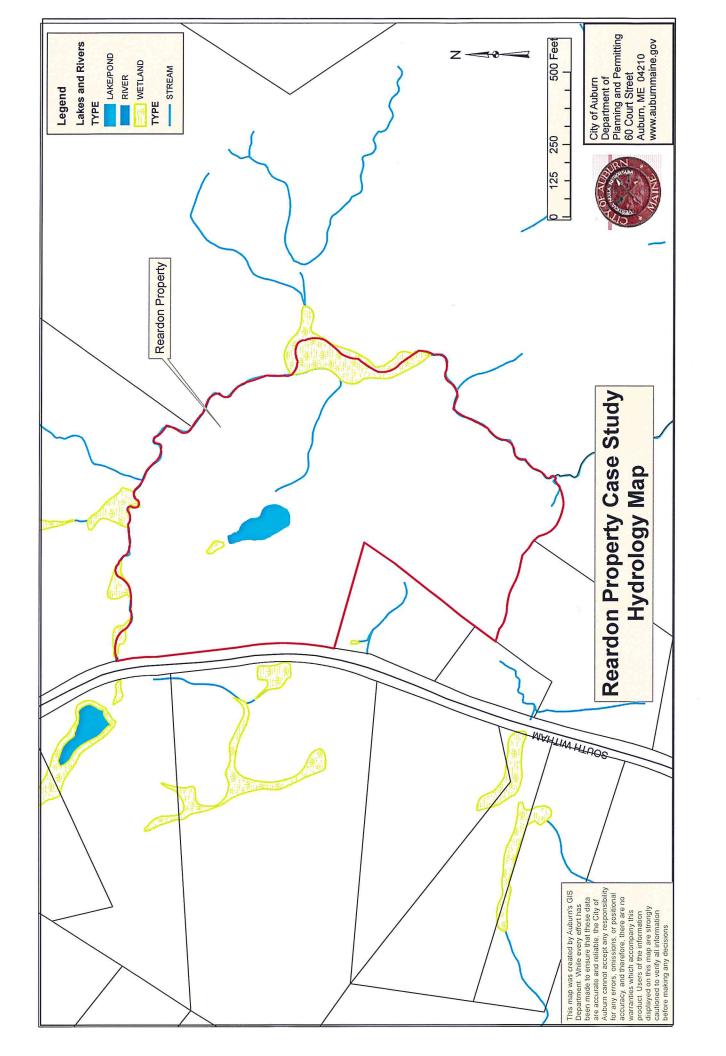












SECTION III

PART II - CODE OF ORDINANCES Chapter 60 - ZONING ARTICLE XVI. - ADMINISTRATION AND ENFORCEMENT DIVISION 2. - SITE PLAN REVIEW

Subdivision I. In General

Subdivision I. In General

Sec. 60-1276. Purpose.

Sec. 60-1277. Objective.

Sec. 60-1278. Applicability.

Secs. 60-1279-60-1299. Reserved.

Sec. 60-1276. Purpose.

The purpose of site plan review is to ensure that the design and layout of certain developments permitted by special exceptions, or other developments noted herein, will constitute suitable development and will not result in a detriment to city, neighborhood or the environment.

(Ord. of 9-21-2009, § 7.1A)

Sec. 60-1277. Objective.

In considering a site plan, the planning board shall make findings that the development has made provisions for:

- (1) Protection of adjacent areas against detrimental or offensive uses on the site by provision of adequate surface water drainage, buffers against artificial and reflected light, sight, sound, dust and vibration; and preservation of light and air;
- (2) Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas;
- (3) Adequacy of the methods of disposal for wastes; and
- (4) Protection of environment features on the site and in adjacent areas.

(Ord. of 9-21-2009, § 7.1B)

Sec. 60-1278. Applicability.

A site plan review shall be required for the following projects:

- (1) All uses permitted by special exception.
- (2) Any other uses for which site plan review is required by any other provision contained in this or other ordinances.

(Ord. of 9-21-2009, § 7.1C)

Secs. 60-1279-60-1299. Reserved.

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Subdivision II. Procedure

Subdivision II. Procedure

Sec. 60-1300. File for site plan review.

Sec. 60-1301. Scale; required information.

Sec. 60-1302. Exemption for information.

Sec. 60-1303. Approval—Time line for review.

Sec. 60-1304. Same—Public hearing; findings.

Sec. 60-1305. Same—Subject to conditions, modification, restrictions, etc.

Sec. 60-1306. Signed copies.

Sec. 60-1307. Findings in writing.

Sec. 60-1308. Expiration of approval.

Sec. 60-1309. No building permitted without approval.

Sec. 60-1310. Certificate of occupancy.

Sec. 60-1311. Deposit of surety.

Sec. 60-1312. Review of planning board needed for variance.

Sec. 60-1313. Correction of off-site deficiencies.

Secs. 60-1314-60-1334. Reserved.

Sec. 60-1300. File for site plan review.

An applicant for site plan review shall file with the department of community development and planning a completed site plan application along with an original and 20 copies of the site plan and the required processing fee. Such plans shall be filed not less than 30 days prior to a regularly scheduled meeting. Plans shall be folded at a size not to exceed 8½ inches by 11 inches.

(Ord. of 9-21-2009, § 7.1D(1))

Sec. 60-1301. Scale; required information.

The original plan shall be drawn on reproducible Mylar at a scale of no more than 100 feet to the inch. Each site plan shall contain the following information:

- (1) Name and address of owner and developer and interest of the applicant if other than the owner or developer.
- (2) Name of development, scale and meridian arrow, with specific definition of representation, date of plan and legend.
- (3) Names and addresses of all owners of record of all adjacent property as appear on assessor's records.

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- (4) Current zoning boundaries and 100-year floodplain boundaries including surrounding areas to a distance of 300 feet from the perimeter of the site.
- (5) Easements; rights-of-way, existing, planned or proposed; or other reservations adjacent to or intersecting the property.
- (6) Topographic map of the site, containing the following:
 - a. Existing contours, where the slope of existing ground surface is generally two percent or more, the topographic map shall show contours at intervals of five feet of elevation (or lesser intervals as the planning board or engineering department may prescribe). Where the slope of the existing ground surface is generally less than two percent, contour intervals of one foot shall be shown. These contours shall not be copied from the city topographic maps and shall be determined from an on-site survey certified by a registered land surveyor.
 - b. Proposed contours shall be shown at intervals to be determined by the city engineer.
- (7) Location of watercourses, wetlands, marshes, surface water, rock outcroppings, wooded areas, single trees with a diameter of ten inches measured three feet from the base of the trunk.
- (8) Location of buildings existing on the tract to be developed and on adjacent tracts within a distance of 100 feet from the property line, indicating whether existing buildings on the tract are to be retained, modified or removed.
- (9) Locations of water mains, sewer mains, wells, fire hydrants, culverts, drains, pipe sizes, grades and direction of flow, existing within 200 feet of the subject property.
- (10) Existing soil conditions and soil suitability test results.
- (11) Locations of proposed buildings and uses thereof.
- (12) Proposed traffic circulation system including streets, parking lots, driveways and other access and egress facilities, curblines, sidewalk lines and existing streets, including the projected traffic flow patterns into and upon the site for both vehicles and pedestrians and an estimate of the projected number of motor vehicle trips to and from the site for an average day and for peak hours.
- (13) Location of existing and proposed public utility lines, indicating whether proposed lines will be placed underground.
- (14) Site developments requiring stormwater permits pursuant to 38 M.R.S.A. § 420-D shall include the required plan and to the extent permitted under 38 M.R.S.A. § 489-A, be reviewed under the procedures of article XVI of this chapter; and they shall meet and comply with 38 M.R.S.A. § 484(4-A) and those Rules promulgated by the Maine Department of Environmental Protection pursuant to the Site Law and section 420-D, specifically Rules 500 and 502, as last amended December 21, 2006. Adopted September 22, 2005, said Rules taking effect November 16, 2005, as enacted by Legislative Resolve, chapter 87, Public Laws of 2005 (LD 625/HP 458), amended March 20, 2006. If a project proposes infiltration and the standards in Rule 500, appendix D are not met, then a waste discharge license may be required from the Maine Department of Environmental Protection. An infiltration system serving a development regulated under the Site Location of Development Act may be required to meet standards in addition to those in appendix D.
- (15) Location and design of proposed off-street parking and loading areas indicating number and size of stalls.

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DIVISION 2. - SITE PLAN REVIEW

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- (16) Proposed location and direction of and time of use of outdoor lighting.
- (17) Existing and proposed planting, fences and walls, including all landscaping and screening and indicating existing trees to be retained and areas to be left undisturbed, including design features intended to integrate the proposed new development into the existing landscape to enhance aesthetic assets and to screen objectionable features from neighbors.
- (18) Location, size, design and manner of illumination of signs.
- (19) Disposal of sewage, trash, solid waste, oil waste, hazardous waste or radioactive waste showing disposal facilities, receptacles or areas.
- (20) Perimeter boundaries of the site giving complete descriptive lot data by bearings, distances and radii of curves including the name and seal of the registered land surveyor who prepared the plan.
- (21) Description and plan of capacity and location of means of sewage disposal together with approval of sewer district engineer or evidence of soil suitability for such disposal (test pit locations shall be shown on the plans) similarly approved by the city engineer department.
- (22) A statement of the amount of area of land involved in the site, the percentage of the site proposed to be covered by buildings, the total number of dwelling units proposed per acre, the area proposed to be devoted to open space, the area proposed to be paved for parking, driveways, loading space and sidewalks, the total number of parking spaces required by the zoning chapter for the uses proposed, the number of employees expected per shift and the total floor area of proposed commercial or industrial uses.
- (23) Description and plan of a phase development concept detailing the areas and sequence of phasing.
- (24) A statement by the developer assuring that he has the financial capabilities to fully carry out the project and to comply with the conditions imposed by the planning board.

(Ord. of 9-21-2009, § 7.1D(2))

Sec. 60-1302. Exemption for information.

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.

(Ord. of 9-21-2009, § 7.1D(3))

Sec. 60-1303. Approval—Time line for review.

The planning director shall, within five days of receipt, transmit copies of the application and site plan to the department that in his view requires such information. The agencies receiving these copies shall have up to 15 days to make recommendations to the planning board.

(Ord. of 9-21-2009, § 7.1D(4))

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Sec. 60-1304. Same—Public hearing; findings.

The planning board shall, within 30 days of receipt of a completed application, hold a public hearing. Notice of a hearing shall be given in the manner provided for in division 3 of article XVII of this chapter. The planning board will take final action on the site plan within 60 days of receiving a completed application, or within such other time limit as may be mutually agreed to. Such final action shall consist of either:

- A finding and determination that the proposed project will constitute a suitable development and will not result in a detriment to the neighborhood or the environment; or
- (2) A written denial of the application stating the reasons for such denial, upon a finding that:
 - The provisions for vehicular loading, unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets will create hazards to safety.
 - b. The bulk, location or operation of proposed buildings and structures will be detrimental to and adversely affect the use and values of existing development in the neighborhood or the health or safety of persons residing or working therein.
 - c. The provisions for on-site landscaping are inadequate to screen neighboring properties from unsightly features of the development.
 - d. The site plan does not adequately provide for the soil and drainage problems which the development may give rise to in accordance with section 60-1301(14).
 - e. The provisions for exterior lighting create safety hazards for motorists traveling on adjacent streets, or are inadequate for the safety or occupants or users of the site, or will create a nuisance affecting adjacent properties.
 - f. The proposed development will unduly burden off-site sewer drainage or water systems.
 - g. The proposed development will create a fire hazard by failing to provide adequate access to the site, or to buildings on the site, for emergency vehicles.
 - h. The proposed development violates provisions of the zoning regulations applicable to the site or other applicable laws, regulations or ordinances.
 - i. The proposed development will unduly impact the ability to provide municipal services.

(Ord. of 9-21-2009, § 7.1D(5))

Sec. 60-1305. Same—Subject to conditions, modification, restrictions, etc.

Approval may be made subject to conditions, modifications and restrictions as the planning board may deem necessary; and any construction, reconstruction, alteration or addition shall be carried on only in conformity to such conditions, modifications or restrictions and in conformity with the application and site plan.

(Ord. of 9-21-2009, § 7.1D(6))

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Sec. 60-1306. Signed copies.

If no action is taken within 60 days after submittal of a completed application, the site plan shall be deemed to have been approved. An original of the approved plan signed by the planning board and one signed copy shall be delivered to the applicant, the assessor's department, the engineering department and to the building inspector on which basis building permits may be issued when all other required plans have been approved.

(Ord. of 9-21-2009, § 7.1D(7))

Sec. 60-1307. Findings in writing.

The findings of the planning board shall be in writing with a copy being forwarded to the applicant. The planning board's written report shall also include a statement as to how any deficiencies in the site plan might be resolved and what conditions, modifications and restrictions are to be complied with in executing the plan.

(Ord. of 9-21-2009, § 7.1D(8))

Sec. 60-1308. Expiration of approval.

Approval of a site plan shall expire one year after the date of approval unless all building permits have been obtained to begin construction in accordance with the approved site plan. Any site plan that contains a phase concept approved by the planning board shall not be required to obtain all building permits within the time sequence established for completion of each phase. No building permits or other permits shall be issued until all improvements are substantially completed for the preceding phase. A single one-year extension may be given upon a showing of good cause in writing by the applicant to the planning board not less than 30 days before the expiration of approval of his existing plan. The planning board shall approve or disapprove the requested extension at its next regular meeting.

(Ord. of 9-21-2009, § 7.1D(9))

Sec. 60-1309. No building permitted without approval.

No permit shall be issued for the construction of any building in an area included in the site plan or in any development for which a site plan is required until such site plan has been approved by the planning board and unless the construction plans and specifications presented to the building inspector with the application for the permit are consistent with the approved site plan.

(Ord. of 9-21-2009, § 7.1D(10))

Sec. 60-1310. Certificate of occupancy.

No certificate of occupancy shall be issued with respect to any building until all construction called for by the site plan is completed, except by special permission of the planning board granted upon a showing of special circumstances warranted the issuance of the certificate and that the remaining construction will be completed within a reasonable time.

(Ord. of 9-21-2009, § 7.1D(11))

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Subdivision II. Procedure

Sec. 60-1311. Deposit of surety.

The planning board may require the applicant with the submission of the site plan to tender a certified check payable to the city and issued by a surety company or secured by deposits issued by institutions authorized to issue the same by the laws of the state or the United States or irrevocable letters of credit issued by said banking institutions in an amount of money determined by the city planner, with the advice of the various city departments and agencies concerned, to be sufficient to ensure compliance with the approved site plan.

(Ord. of 9-21-2009, § 7.1D(12))

Sec. 60-1312. Review of planning board needed for variance.

For those developments subject to site plan review (division 2 of article XVI of this chapter) the relaxation of the dimensional requirements of any use district shall be reviewed by the planning board. The modifications of the dimensional requirements shall be allowed as the planning board may deem necessary to carry out the objectives and intent of site plan review as specified in division 2 of article XVI of this chapter.

(Ord. of 9-21-2009, § 7.1D(13))

Sec. 60-1313. Correction of off-site deficiencies.

The planning board shall have the right to require the developer, at his expense, to correct any offsite deficiencies either created or aggravated by the developer's proposed project.

(Ord. of 9-21-2009, § 7.1D)

Secs. 60-1314-60-1334. Reserved.



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DIVISION 3. SPECIAL EXCEPTION

DIVISION 3. SPECIAL EXCEPTION

Sec. 60-1335. Approval required.

Sec. 60-1336. Conditions.

Sec. 60-1337. Procedures.

Secs. 60-1338-60-1358. Reserved.

Sec. 60-1335. Approval required.

The planning board may approve for development those land uses listed as special exceptions under the terms of the zoning ordinance. The determinations of the board shall be in harmony with the expressed intent of the zoning ordinance and with the expressed major purpose of the city master development plan. Special exceptions shall be allowed only when they will substantially serve public convenience and welfare and will not involve dangers to health or safety.

(Ord. of 9-21-2009, § 7.2A)

Sec. 60-1336. Conditions.

- (a) As conditions prerequisite to the granting of any special exceptions, the board shall require evidence of the following:
 - (1) That the special exception sought fulfills the specific requirements, if any, set forth in the zoning ordinance relative to such exception.
 - (2) That the special exception sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard.
 - (3) That the special exception sought will not block or hamper the master development plan pattern of highway circulation or of planned major public or semipublic land acquisition.
 - (4) That the exception sought will not alter the essential characteristics of the neighborhood and will not tend to depreciate the value of property adjoining and neighboring the property under application.
 - (5) That reasonable provisions have been made for adequate land space, lot width, lot area, stormwater management in accordance with section 60-1301(14), green space, driveway layout, road access, off-street parking, landscaping, building separation, sewage disposal, water supply, fire safety, and where applicable, a plan or contract for perpetual maintenance of all the common green space and clustered off-street parking areas to ensure all such areas will be maintained in a satisfactory manner.
 - (6) That the standards imposed are, in all cases, at least as stringent as those elsewhere imposed by the city building code and by the provisions of this chapter.
 - (7) That essential city services which will be required for the project are presently available or can be made available without disrupting the city's master development plan.
- (b) As part of the granting or the denial of any such petition for a special exception, the board shall show by written statements filed in its records of such application and by a statement in the minutes of the

PART II - CODE OF ORDINANCES Chapter 60 - ZONING ARTICLE XVI. - ADMINISTRATION AND ENFORCEMENT

DIVISION 3. SPECIAL EXCEPTION

board how the special exception sought fulfills the foregoing conditions. An applicant may request the board to make a statement as to how the special exception may be granted without danger to health and safety and without substantially derogating from the essential intents and purposes of the zoning ordinance or of the city master development plan.

(c) Approval of a special exception may be made subject to such conditions, modifications and restrictions on the proposed land use as the planning board may deem necessary to carry out the foregoing objectives and conditions. Any development of the land uses allowed by special exception shall be carried out only in conformity to such conditions, modifications and restrictions in addition to those that may be called for by an approved site plan for the same site and shall be enforced by the municipal officer charged with enforcement in the same manner as specified for approved site plans. Any change, addition or enlargement of a use allowed by special exception shall require approval of the planning board in the same manner as specified for the original special exception.

(Ord. of 9-21-2009, § 7.2B)

Sec. 60-1337. Procedures.

Special exceptions shall be subject to the site plan review procedure specified in subdivision II of division 2 of article XVI of this chapter. The planning board shall, within 30 days of receipt of a completed application, hold a public hearing. Notice of a hearing shall be given in the manner provided for in division 3 of article XVII of this chapter. The planning board will take final action on the special exception within 60 days after its submittal or within such other time limit as may be mutually agreed to. The applicant shall accompany the application with the required fee in the amount provided in the city fee schedule.

(Ord. of 9-21-2009, § 7.2C)

Secs. 60-1338-60-1358. Reserved.

SECTION IV

III. Final Staff Comments and Recommendation- The proposed text amendment was prepared as a Special Exception/Site Plan Review at the request of the Planning Board at its January 14, 2014 meeting. The focus of the proposed text amendment is to allow flexibility in locating a site for a residence in an AG/RP zone. The 2010 Comprehensive Plan contained language that supports this flexibility yet, other parts of the plan support a policy of using the AG/RP zone as a holding area for future development. These are conflicting directives.

Staff Recommends DISAPPROVAL due to:

- a) The Planning Board's decision to allow where a residence would be located in the AG/RP zone without negatively impacting agricultural potential or environmental assets would be based in great part on a staff recommendation. The staff feels this recommendation should involve more than one or two staff, within a one or two month review period to properly analyze and evaluate an application that could permanently effect future development potential for large areas.
- b) Concerns of potential conflicts with adjacent agricultural operations.
- c) The ability to allow the relocation of a residence from the Rural Residential Strip to the rear AG/RP portion of a property as a Special Exception is not difficult to achieve. Doing this however, is not consistent with the 2010 Comprehensive Plan's policy for using the AG/RP zone protect against sprawl and hold land in reserve for future development.
- d) The Staff wonders how an applicant would be able to meet all the conditions of approval of a Special Exception (Section 60-1336), especially conditions 1, 2, 3 and 6:
 - (1) That the special exception sought fulfills the specific requirements, if any, set forth in the zoning ordinance relative to such exception.
 - (2) That the special exception sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard.
 - (3) That the special exception sought will not block or hamper the master development plan pattern of highway circulation or of planned major public or semipublic land acquisition.
 - (6) That the standards imposed are, in all cases, at least as stringent as those elsewhere imposed by the city building code and by the provisions of this chapter.
- e) The current depth of most LDCR and LDRR type residential zones is 450 feet from a road, which is an adequate area to locate a residence.

DIVISION 3. AGRICULTURAL AND RESOURCE PROTECTION USE REGULATIONS

DIVISION 3. AGRICULTURAL AND RESOURCE PROTECTION USE REGULATIONS

Sec. 60-172. Permitted uses; exceptions.

Sec. 60-173. Dimensional regulations.

Secs. 60-174—60-199. Reserved.

Sec. 60-172. Permitted uses; exceptions.

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

DIVISION 3. AGRICULTURAL AND RESOURCE PROTECTION USE REGULATIONS

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

DIVISION 3. AGRICULTURAL AND RESOURCE PROTECTION USE REGULATIONS

- (8) Cemeteries, subject to the following conditions:
 - a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aguifer.
- (9) Municipal sanitary landfills, subject to the following conditions:
 - a. Not located in any environmental overlay district or over any known aquifer.
 - b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
- (10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
 - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
- (11) Wholesale nurseries, subject to the following conditions:
 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
 - a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
 - b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
 - c. An end-use plan must be filed as part of the planning board process.
- (13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (14) One-family detached dwellings, including manufactured housing subject to the following conditions:
 - a. The lot shall contain a minimum 10 acres and a combination of either Low Density Country Residential (LDCR) or Low Density Rural Residential (LDRR) zoning and Agricultural and Resource Protection (AG/RP) zoning.
 - b. The existing right to residential development from the residentially zoned portion of the property may be transferred to the Agricultural Resource Protection portion of the property based on a Site Plan Review application that includes all the requirements of Site Plan Review, (Article XVI, Division 2) plus the following:
 - i. USDA Farmland classifications for the entire property
 - ii. An approved Site Plan shall indicate graphically and by note any non-buildable areas designated as a condition of approval.

DIVISION 3. AGRICULTURAL AND RESOURCE PROTECTION USE REGULATIONS

c. All conditions prerequisite to the granting of any Special Exception (Sec. 60-1336) shall be met including the following condition:

<u>i. The applicant shall demonstrate that granting of the special exception will still allow</u> the natural resources to be protected or agricultural potential of the property to continue.

(Ord. of 9-21-2009, § 3.31B)

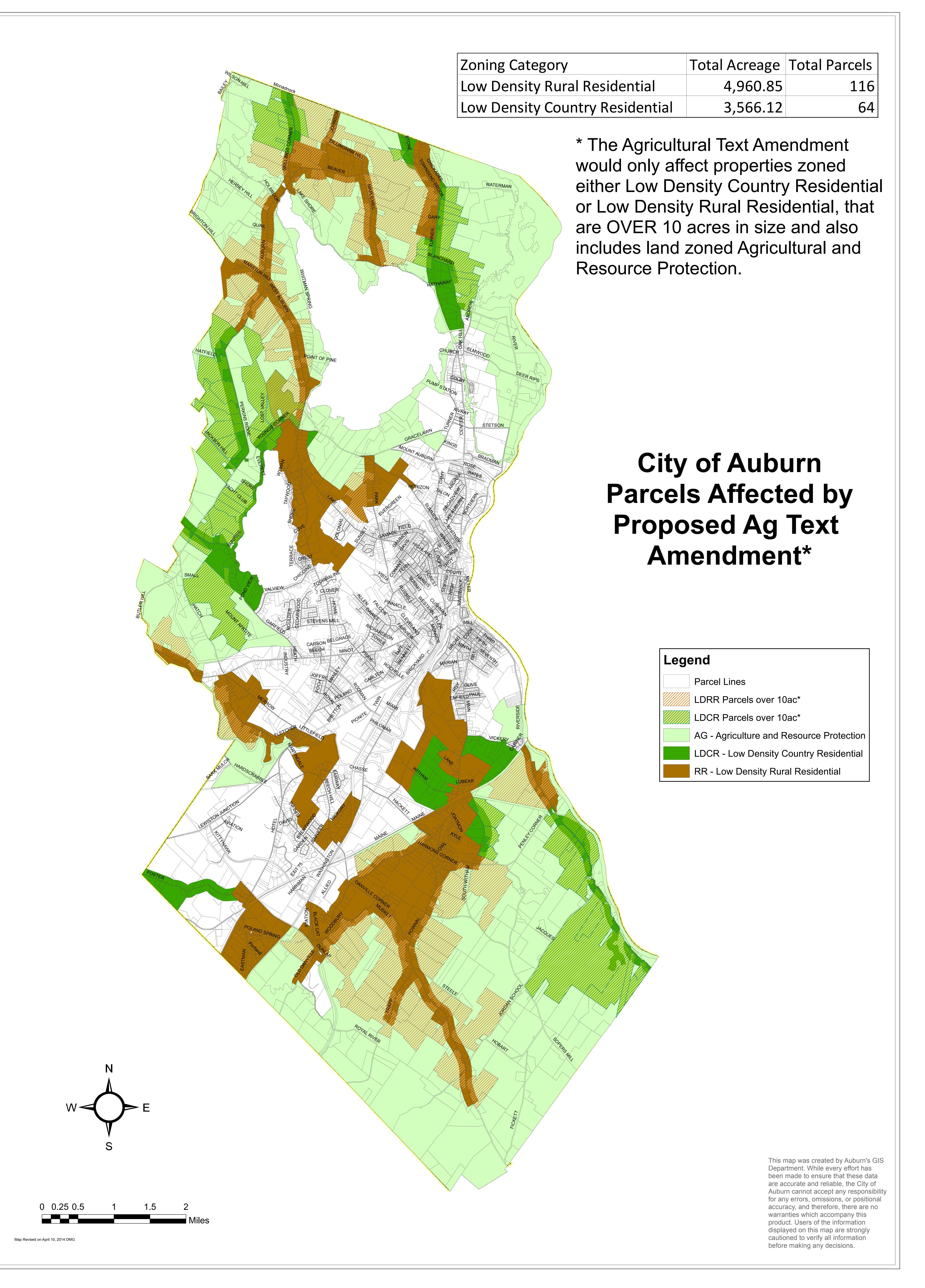
Sec. 60-173. Dimensional regulations.

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 ten acres, exclusive of any bodies of water having a surface area of one-fourth of an acre or more, and measuring not less than 250 feet in width at the street frontage, and 200 feet in depth.
 - a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.
 - b. On legally nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2
- (2) Density. The density of yearround dwelling units shall not exceed an average of one dwelling per ten acres.
- (3) Yard requirements.
 - a. Rear. There shall be behind every building a rear yard having a minimum depth of 25 feet.
 - b. Side. There shall be a minimum distance of 15 feet between any building and the side property line.
 - c. Front. There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) Height. The height of all dwelling structures shall be limited to two and one-half stories of 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) Off-street parking. Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.31C)

Secs. 60-174—60-199. Reserved.



DamasliD	Las	0	1116	V	S:14	TatalAanaa
ParcelID	Loc	Owner1	LUC	Year		TotalAcres
139-004	1471 RIVERSIDE DR	KRONGOLD SUSAN		1	1850	
233-016	832 HATCH RD	WILLETTE KIMBERLY D		52		11.32
411-014	SKILLINGS CORNER RD	SCHOTT GEORGE		52		11.44
411-013	SKILLINGS CORNER RD	COOK JAMES		58		12.40
089-001-001	2333 RIVERSIDE DR	MCGUINNESS DANIEL J		1	2002	
411-010	184 SKILLINGS CORNER RD	ROWE SYDNEY A		1	1890	
367-032	2767 TURNER RD	COOPER THEODORE T		1	1920	
233-019	911 GARFIELD RD	BOWIE ADDISON W		1	1999	
391-073	2895 TURNER RD	CROOK GARY W		52		14.00
367-005	2560 TURNER RD	ROY MICHAEL G		27		14.03
139-008	68 PENLEY CORNER RD	KEACH RICHARD M		1	2004	14.25
275-024	368 YOUNGS CORNER RD	MURPHY JOHN F HOMES INC		1	1996	15.31
137-025-001	386 SOUTH WITHAM RD	LIBBY ALFRED T		1	1999	16.00
275-025	380 YOUNGS CORNER RD	WALLINGFORD MARGARET E		1	1959	16.34
139-020	1474 RIVERSIDE DR	LONGCHAMPS AND SONS INC		59		16.48
367-030	2841 TURNER RD	HUNTER JUDITH A		29	1986	17.09
391-015	STONE RD	ROBINSON ARTHUR M		58		17.30
411-018	490 SKILLINGS CORNER RD	SALBERG JOEL L		1	2000	17.65
367-005-001	2656 TURNER RD	ROY JEANNINE R		29	2001	18.00
255-005	WEST SHORE RD	WEST SHORE PROPERTIES LLC		58		21.33
347-002	BLANCHARD RD	SAUCIER WILLIAM R		58		21.69
345-015	2514 TURNER RD	ROY JONATHAN		29	1826	21.73
115-005	1733 RIVERSIDE DR	WHEELER JOHN		2	1700	22.69
233-018	931 GARFIELD RD	DANIELSON MARK D		1	1997	22.82
367-031	2803 TURNER RD	144 OLD TURNER ROAD REALTY TR		52		24.21
233-022-001	HATCH RD	SAMSON IRENE C		52		25.00
137-023	272 SOUTH WITHAM RD	REARDON MICHAEL S		1	1880	25.71
245-005-002	96 SUNRISE LN	CYR GREGORY A		29	1920	25.94
275-017	401 YOUNGS CORNER RD	SACH LLC		1	1800	26.00
275-005	JACKSON HILL RD	BENNETT STEPHEN		58		26.62
391-071	21 EAST WATERMAN RD	CROOK GARY W		45		27.52
275-006	60 JACKSON HILL RD	WARD THOMAS R		1	1987	
063-001	RIVERSIDE DR	SCRIBNER NORMAN L		58		29.42

139-003	1481 RIVERSIDE DR	HARMON PAUL A	1	2006	29.79
255-008	411 PERKINS RIDGE RD	NELSON JANET C	58		29.85
139-019	1408 RIVERSIDE DR	LONGCHAMPS REALTY LLC	1	1879	30.90
255-010	351 PERKINS RIDGE RD	RICHARD R LEBRUN & MYRNA G LE	50	2012	31.28
411-015	400 SKILLINGS CORNER RD	PULKKINEN DARREN	52		32.74
347-003	150 ANDREW DR	REEDER JOHN D	58		37.94
345-018	170 BLANCHARD RD	SAUCIER JOAN B	1	1911	38.54
411-009	SKILLINGS CORNER RD	LAKE AUBURN WATERSHED PROTECTI	61		40.00
089-003	RIVERSIDE DR	CENTRAL MAINE POWER COMPANY	41		40.19
139-022	1552 RIVERSIDE DR	BELL FARMS INC	54	1958	41.00
255-007	231 YACHT CLUB DR	TAYLOR POND YACHT CLUB	27	1960	44.40
367-034	2649 TURNER RD	PETERSON JAMES I	52		46.83
295-001	928 PERKINS RIDGE RD	LEE WILLIAM M	1	1840	50.03
295-004	1040 PERKINS RIDGE RD	APPLE RIDGE FARMS INC	29	1956	56.98
115-019	1871 RIVERSIDE DR	ORESTIS DORIS LIANE FAMILY TR	1	1920	57.41
295-002	968 PERKINS RIDGE RD	NAUM JEFFREY L	1	1986	58.58
275-011	876 PERKINS RIDGE RD	KEITH JACK P	2	1840	64.18
319-006	1470 PERKINS RIDGE RD	APPLE RIDGE FARMS INC	12	1958	64.91
137-022	224 SOUTH WITHAM RD	SKELTON WILLIAM K	2	1920	65.74
139-005	1425 RIVERSIDE DR	SKILLING BARRY	1	1989	68.24
255-010-001	PERKINS RIDGE RD	WEST BROADWAY HOLDINGS LLC	50		78.23
319-001	1240 PERKINS RIDGE RD	WALLINGFORD REALTY LLC	29	1810	80.49
275-001	540 PERKINS RIDGE RD	DAVIS ARLENE E	1	1800	80.90
367-035	16 BLANCHARD RD	THE JOSE FELICIANO & KWANZA J	1	1984	89.70
139-002	1553 RIVERSIDE DR	BELL FARMS INC	1	1920	99.49
089-004	2209 RIVERSIDE DR	BENJAMIN RUTH S	1	1790	105.44
295-010	205 YOUNGS CORNER RD	MCGOVERN SHAW KELLY	1	1941	121.68
411-019	SKILLINGS CORNER RD	LAKE AUBURN WATERSHED PROTECTI	61		133.16
295-008	150 LOST VALLEY RD	LOST VALLEY INC	27	1966	194.04
213-014	106 SMALL RD	AUBURN CITY OF	61	1970	344.33
089-005	2175 RIVERSIDE DR	ROBERT E FOSS LIVING TRUST	1	1987	685.01
					3 566 12 Acr

3,566.12 Acres 64 Parcels

ParcelID	Loc	Owner1	LUC	YearBuilt	TotalAcres
021-010	1850 POWNAL RD	PROVOST SCOTT N	1	1982	10.00
365-031-001	314 MAPLE HILL RD	ARMSTRONG CHARLES S	52		10.00
363-006	208 NORTH AUBURN RD	FERENCE DONALD	1	1850	10.00
389-046	183 JOHNSON RD	WILSON JOHN P	1	1840	10.00
321-015	305 WEST AUBURN RD	COTE MAURICE R	58		10.00
021-007	1680 POWNAL RD	SHAUGHNESSY KEVIN M	1	1996	10.04
413-006	494 JOHNSON RD	LEE MELANIE A	1	1920	10.10
341-050	WEST AUBURN RD	TIBBETTS MAUREEN M	52		10.15
365-031	370 MAPLE HILL RD	EMERSON JAMES C	1	2007	10.52
057-004	243 TRAPP RD	CHABOT JOHN A	1	1900	10.85
297-003	168 WEST AUBURN RD	BORN DOUGLAS J	1	1898	10.86
037-010	1359 POWNAL RD	BAKER WESTON	1	1983	10.99
162-003	1065 RIVERSIDE DR	SPENCER CARLTON P	1	1985	11.00
163-001-001	RIVERSIDE DR	STEVENS DAVID C	52		11.01
341-008	1700 PERKINS RIDGE RD	VYE RICHARD A	1	1969	11.03
389-028	545 MAPLE HILL RD	CORP OF PRES BISHOP OF THE	67	1986	11.59
111-058	500 POWNAL RD	CURRIER HENRY S	1	1978	11.79
113-013	551 PENLEY CORNER RD	FOX RIDGE LLC	27		11.84
321-001	280 WEST AUBURN RD	COTE MAURICE R	1	1943	12.15
363-035-002	135 NORTH AUBURN RD	JOSEPH MICHAEL P TRUSTEE	1	2008	12.29
319-013	525 WEST AUBURN RD	KNAPP SCOTT E	1	1825	12.32
135-107	HACKETT RD	CONGREGATION BETH ABRAHAM	66		12.48
367-003	115 MAPLE HILL RD	TAYLOR JOAN MCGUCKIN TRUST	1	1963	12.57
365-030	280 MAPLE HILL RD	LATKOVICH PREDRAG M	1	1967	13.00
341-052	621 WEST AUBURN RD	PARENT ROBERT R	1	2001	13.00
319-020	598 WEST AUBURN RD	MILEIKIS JOHN C	1	1820	13.49
277-030-001	712 PARK AV	AUBURN CITY OF	1	2008	13.57
319-010	1560 PERKINS RIDGE RD	GARDNER ROGER G	1	1986	13.60
194-004	1701 MINOT AV	WITHEE CHRISTOPHER	1	1968	14.57
341-056	616 WEST AUBURN RD	GILBERT PATRICIA	1	1840	15.50
319-017	520 WEST AUBURN RD	THERIAULT EDWARD J	1	1780	15.94
341-037	34 RYANS WY	JENKINS JOHN	2	1900	15.98
057-041	999 POWNAL RD	TALPEY KATHY A	1	1982	16.00

Low Density Rural Residential

Parcels over 10 ac. Affected by Text Amendment

363-034	207 NORTH AUBURN RD	BILODEAU STACEY L	2	2005	16.22
113-010	255 HARMONS CORNER RD	BOWEN ROBERT P	1	1879	16.39
363-022	41 HERSEY HILL RD	ROBBINS DANIEL E	1	1987	16.68
021-006	1675 POWNAL RD	FOURNIER EDWARD	1	1900	16.88
391-003	50 TOWNSEND BROOK RD	HANSON JAMES H JR	52		17.21
057-018	1116 POWNAL RD	AUDET LAURA L TRUSTEE OF THE	1	1805	17.65
295-011	177 YOUNGS CORNER RD	KINNEY STEPHEN J	1	1927	18.39
057-052	298 TRAPP RD	DEMERS MARC A	1	1978	18.86
037-011	1345 POWNAL RD	MICHAUD SUSAN R	1	1940	18.87
389-041	50 BEAVER RD	BENNETT JEREMY J	1	1967	19.83
365-022	477 LAKE SHORE DR	DH & EH LLC	27		20.00
037-013	1237 POWNAL RD	ROTH KIM M	58		20.00
097-002	525 DANVILLE CORNER RD	RANUCCI PAUL J	1	1995	20.50
341-048	49 SUNVIEW TERR	POTVIN RICHARD III	1	1971	20.60
111-011	473 OLD DANVILLE RD	LINDKVIST RICHARD C	1	1973	22.60
389-022	85 DILLINGHAM HILL RD	WEISS SUSAN C	1	1987	23.10
057-018-002	POWNAL RD	MALLOY TRISHA	52		26.30
057-018-002	POWNAL RD	MALLOY TRISHA R	52		26.30
185-002	454 FLETCHER RD	JORDAN MICHAEL R	1	2004	28.18
135-102	327 OLD DANVILLE RD	ROZANSKI STEPHEN A	1	1959	28.65
389-029	505 MAPLE HILL RD	WALTON ELLEN M	1	1978	28.67
185-001	400 FLETCHER RD	MACDONALD CHARLES E III	1	2001	29.10
122-009	603 OLD DANVILLE RD	ST HILAIRE DANIEL J	1	1986	29.58
363-004	112 NORTH AUBURN RD	GOULD ERIC L	1	1800	32.12
095-034	1016 OLD DANVILLE RD	DAVIS JR LELAND C REALTY L L C	52		32.70
345-008	LAKE SHORE DR	LAKE AUBURN WATERSHED	61		33.69
341-006	1660 PERKINS RIDGE RD	BENNER THOMAS N	1	2002	33.86
389-032-000-001	393 MAPLE HILL RD	GENDRON & GENDRON INC	59		35.37
097-014	POWNAL RD	HEARN ANGIE R	58		35.72
083-010	725 DANVILLE CORNER RD	BRADSHAW KAREN	1	1940	35.93
389-042	128 BEAVER RD	RANDALL JANET B	1	1968	35.95
321-003	352 WEST AUBURN RD	HOLLER FREDERICK C	2	1800	36.00
178-002	314 FLETCHER RD	CYR JUDY H	2	2010	38.00
297-001	120 WEST AUBURN RD	BRUSHWEIN CHERYL	1	1880	38.60

Low Density Rural Residential

Parcels over 10 ac. Affected by Text Amendment

037-016	POWNAL RD	RANDALL LLEWELLYN A SR	52		38.80
387-049	SKILLINGS CORNER RD	COBB POLLY H	58		39.96
097-001	575 DANVILLE CORNER RD	GERRY JON MICHAEL	1	1840	41.41
162-001	1115 RIVERSIDE DR	GAUTHIER ROGER G JR	1	1979	42.09
163-005	1128 RIVERSIDE DR	SYLVESTER WILLIAM C	1	1935	42.54
096-005	WOODBURY RD	POULIN RICHARD N	52		42.89
195-001-001	FLETCHER RD	NORRIS BRUCE L	52		43.30
096-004	144 WOODBURY RD	DRINKWATER RUTH S	1	1779	43.91
135-098	399 OLD DANVILLE RD	CHAPMAN EDWARD W	1	1795	44.25
389-005	334 JOHNSON RD	CANDIA GUILLERMO AND MORELIA R	1	1958	45.76
319-016	480 WEST AUBURN RD	HAYDEN JOHN A	1	1780	47.09
389-030	MAPLE HILL RD	BENNETT JOHN	52		47.14
389-030-001	MAPLE HILL RD	BENNETT JEREMY J	52		47.45
387-043	44 SKILLINGS CORNER RD	LAKE AUBURN WATERSHED PROTECTI	61		47.47
389-053	LAKE SHORE DR	LAKE AUBURN WATERSHED	61		48.00
057-050	196 TRAPP RD	JONES PAUL F	1	1920	48.07
413-010	275 DILLINGHAM HILL RD	HORIE TSUKASA	1	1977	49.00
095-033	998 OLD DANVILLE RD	POULIN JEAN L	1	1942	49.23
365-029	208 MAPLE HILL RD	HOLMGREN DANIEL W	1	1786	50.00
057-005	197 TRAPP RD	ROY LISA M	1	2001	50.63
083-013	790 POWNAL RD	ESTES CURTIS B	2	1910	53.11
341-002	1630 PERKINS RIDGE RD	SPOFFORD MATTHEW L	1	1971	56.65
341-019	PERKINS RIDGE RD	BENNER THOMAS N	45		57.08
113-002	703 SOUTH WITHAM RD	DAMIEN STEVEN J	1	1952	59.88
389-045	199 JOHNSON RD	OSWALD KURT M	1	1995	60.52
057-003	285 TRAPP RD	WHITNEY TODD C	1	1920	60.77
021-009	1792 POWNAL RD	ST DENIS GERARD R	1	1991	61.00
387-046	86 SKILLINGS CORNER RD	LIDSTONE DAVID	1	1825	61.41
097-013	684 POWNAL RD	HEARN ROBERT V	1	1976	61.62
098-004	600 POWNAL RD	GIROUARD JOHN A, TRUSTEE	10		64.80
111-056	440 POWNAL RD	HART THOMAS E	2	1925	65.91
057-036	1175 POWNAL RD	FOURNIER EDWARD F JR	2	1994	66.42
057-001	355 TRAPP RD	HUNNEWELL DAVID N	1	1800	66.50
081-002	1201 OLD DANVILLE RD	REDMUN THELMA R	1	1900	67.08

				1	16 Parcels
			То	tal	4,960.85
391-001	2872 TURNER RD	SSR LLC	59		228.97
059-002	JORDAN SCHOOL RD	CLEAVES BRADFORD	58		208.00
113-027	550 PENLEY CORNER RD	FOX RIDGE LLC	27	2002	183.23
389-032	393 MAPLE HILL RD	LAKE AUBURN WATERSHED PROTECTI	61		167.06
174-001	963 RIVERSIDE DR	SCHERKENBACH FRANK	3	1920	163.85
295-010	205 YOUNGS CORNER RD	MCGOVERN SHAW KELLY	1	1941	121.68
413-005	JOHNSON RD	LAKE AUBURN WATERSHED PROTECTI	61		119.15
268-003	560 PARK AV	EAST AUBURN BAPTIST CHURCH OF	67	2007	101.68
193-008	1871 MINOT AV	BARBARICK HELEN K	1	1981	99.50
095-036	1044 OLD DANVILLE RD	GOODWIN JAY B	2	1870	98.46
057-010	67 TRAPP RD	HILL RODNEY L JR	1	1860	85.92
037-001	TRAPP RD	DEMERS PIERRE P	52		85.08
039-002	1495 POWNAL RD	BAUER JOHN J	1	1998	80.70
341-032	76 NORTH AUBURN RD	HUTCHINSON JOAN PRINCE	1	1800	80.50
341-075	PERKINS RIDGE RD	DAMON BRUCE C	52		78.60

Acres

Tizz E. H. Crowley, Ward One Robert Hayes, Ward Two Mary Lafontaine, Ward Three Adam R. Lee, Ward Four



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

IN CITY COUNCIL

ORDINANCE 03-05192014

ORDERED, that, whereas a petition (ZOMA-1180-2013) was filed with the Auburn Planning Board to allow the transfer of residential development rights for properties contained in the Low Density County Residential and Low Density Rural Residential Zone Districts, to an Agricultural and Resource Protection Zone District within the same parcel as a Special Exception and Site Plan Review.

And whereas the Auburn City Council reviewed the record of the Planning Board's recommendation to forward the text amendment with a positive vote of 4-2-1,

And whereas, the Auburn City Council finds that:

- 1. The proposed text amendment is in substantial agreement with the 2010 Comprehensive Plan and
- 2. The proposed text amendment, treated as a Special Exception and Site Plan Review will allow the Planning Board discretion in ensuring that the relocated residence will be compatible with and protect the Agricultural potential, Environmental resources and future land use recommendations of the 2010 Comprehensive Plan.

Therefore, the Auburn City Council approves the Zoning Ordinance Text Amendment (ZOMA-1180-2014).



City Council Information Sheet

City of Auburn

Council Meeting Date:

Subject: Executive Session

Information: Discussion regarding economic development, pursuant to 1 M.R.S.A. §405(6)(C)

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 Council Information Sheet

City of Auburn