



City of Auburn, Maine

Planning & Permitting Department

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Date: 02/20/2024

To: Auburn City Council

From: Auburn Planning Board

Subject: Planning Board Motion on Postponing Applicability Date of Gracelawn GB Zone Change

The following is the report from the Planning Board regarding delayed applicability and effective date for Ordinance # 26-11202023 pursuant to Section 60-1496 of the City of Auburn Ordinances. After notice and Public Hearings held on February 13th, 2024, the Planning Board forwards this report to the City Council.

PUBLIC HEARING/ TEXT AMENDMENT: Consider adding Sec. 60-1383. Effective Date and Applicability Date of Ordinance #26-11202023. This text change would delay the applicability date of amending approximately 60 acres in parts of Parcel ID 289-001, 289-002, and 277-026 from the Agriculture and Resource Protection (AGRP) zoning district to the General Business (GB) zoning district until July 1, 2024. The City Council has proposed this text change to allow residents and the City Council time to determine whether additional amendments related to this item are desirable. The proposal was initiated by the city and is pursuant to Chapter 60, Article XVII, Division 2 Amendment to the Zoning Ordinance or Zoning Map.

Summary and Discussion: Staff provided a written Report recommending that the Planning Board provide a favorable recommendation on the delayed applicability date. The discussion's focus included the prior process of amending the zoning district around the Gracelawn parcels referenced above and the consideration of a delay in the applicability date. Most of the Planning Board indicated that they did not have enough information to forward a different recommendation to the City Council than they did in November, nor to recommend July 1st as the effective date of the zoning map amendment described above. The Planning Board requested a list from City Council summarizing the concerns about applying the General Business zone to the Gracelawn prompting the proposed addition of Sec. 60-1383 and an explanation of reasons for reconsidering the decision and need for the delayed applicability date. As part of this request, the Board would like to understand how the concerns are related to watershed protection and the comprehensive plan.

After discussion about the possibility of postponing the item until March, the Board voted that April 9th allows sufficient time for the information they requested to be provided and for public notice of the discussion.

Motion: Tim DeRoche makes a motion to postpone agenda Item #6 to a date certain in April asking for detailed reasons for the request of delay. **Second:** Amanda Guerrette seconds.

Amendment to Motion: Dave Trask amends the date the postponed item will be heard again to April 9th (the date of the regularly scheduled April PB meeting) **Second:** Tim DeRoche seconds.

Vote: Vote on amendment to original motion to specify a date certain of April 9th. **5-2-0 motion carries.**

Vote: Vote on original motion to postpone the decision to April 9th and ask City Council for a detailed outline of what their concerns are with this zone that they would like planning board to review and consider when we're talking about delaying the applicability dates. **5-2-0 motion carries.**