



## City of Auburn, Maine

Office of Planning & Permitting

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Date: March 12, 2024

To: Auburn Planning Board

From: The City of Auburn Office of Planning & Permitting

Re: **Staff Report on Text Amendment on Applicability Date of Ordinance #26-11202023**

- I. **Public Hearing/ Text Amendment - Council Initiated:** 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.
- II. **Background:** On December 18, 2023, the City Council proposed delaying the applicability of the zoning map amendment for parts of the Gracelawn gravel pit owned by JIG Aggregates LLC. The City Council held its first reading on ordinance 26-11202023 with favorable vote in the affirmative. On February 13<sup>th</sup>, 2024, the Planning Board held and then closed a public hearing on the text amendment forwarded by the City Council. At this public hearing, 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 did they have enough information to recommend July 1<sup>st</sup> 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 area 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 sought to understand how the concerns are related to watershed protection and the comprehensive plan. The City Council provided answers to the Planning Board's questions in Resolve 01-02042024 attached.
- III. **Planning Board Action:** Review the information provided by City Council (Resolve 01-03042024) and forward a recommendation to City Council to implement an applicability date of July 1, 2024, per Sec. Sec. 60-1383. Effective Date and Applicability Date of Ordinance #26-11202023 and accept public input.
- IV. **Recommended Motion:** I make a motion to recommend/not recommend that the City Council adopt and implement an applicability date of July 1, 2024, per Sec. Sec. 60-1383. Effective Date and Applicability Date of Ordinance #26-11202023. To read as follows:

*The zoning map amendment to this chapter evidenced by Ordinance #26-11202023 relating to the rezoning of approximately 60 acres in parts of City Assessor's 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*

*became effective on December 9, 2023, pursuant to Section 2.6(C) of the City Charter. In order to allow time for residents and property owners to become familiar with this zoning map amendment and for the City Council to further study and determine whether any additional amendments to this chapter related thereto are necessary or desirable, Ordinance #26-11202023 shall not become applicable until July 1, 2024.*