

City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED by the Auburn City Council, that Chapter 60, Zoning, of the Code of Ordinances be amended as follows:

Chapter 60 ZONING

• • •

ARTICLE XVI. ADMINISTRATION AND ENFORCEMENT

• • •

DIVISION 5. APPEALS AND APPLICABILITY

• • •

Sec. 60-1382. Applicability.

The provisions of this article shall apply to any development subject to review under division 2 of article XVI of this chapter, the construction of which has not been commenced on the date on which they become effective.

(Ord. of 9-21-2009, § 7.4B)

Sec. 60-1383. Effective Date and Applicability Date of Ordinance #26-11202023.

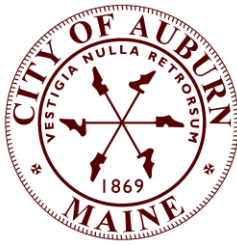
The zoning map amendment to this chapter evidenced by Ordinance #26-11202023 relating to the rezoning of approximately 60 acres in parts of City Assessor's Parcel ID 289-001, 289-002, and 277-026 from the Agriculture and Resource Protection (AGRP) zoning district to the General Business (GB) zoning district 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.

Secs. 60-138~~43~~—60-1400. Reserved.

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Passage of first reading on 1/2/2024 6-0 (Councilor Milks absent).

Failed second reading on 3/18/2024 3-4 (Councilors Milks, Weisner, Walker, and Gerry opposed).



City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED by the Auburn City Council, that Chapter 60, Zoning, of the Code of Ordinances be amended as follows:

Chapter 60 ZONING

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ARTICLE XVI. ADMINISTRATION AND ENFORCEMENT

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DIVISION 5. APPEALS AND APPLICABILITY

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Sec. 60-1382. Applicability.

The provisions of this article shall apply to any development subject to review under division 2 of article XVI of this chapter, the construction of which has not been commenced on the date on which they become effective.

(Ord. of 9-21-2009, § 7.4B)

Sec. 60-1384. Effective Date and Applicability Date of Ordinance #28-11202023.

The zoning text amendment to this chapter evidenced by Ordinance #28-11202023 relating to Chapter 60, Article XII, Division 4- Lake Auburn Watershed Overlay District pertaining to agricultural farms, agricultural buffer strips, subsurface wastewater disposal system setbacks from resources/buffer strips, private sewage disposal systems and subsurface wastewater standards and requirements 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 text 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 #28-11202023 shall not become applicable until July 1, 2024.

Secs. 60-138~~53~~—60-1400. Reserved.

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Failed. This item was tabled on 1/2/2024 with no motion to take off the table to take this item up again.



City Council Order

IN CITY COUNCIL

AMENDING ARTICLE V, DIVISION 2, SECTIONS 2-430, 2-431, 2-433, 2-434, 2-435, AND 2-441 OF THE AUBURN CODE OF ORDINANCES STRIKING ALL LANGUAGE REFERENCING THE REGISTRATION BOARD OF APPEALS.

Be it Ordained, that the City Council hereby amends the code of ordinances Article V, Division 2, Sections 2-430, 2-431, 2-433, 2-434, 2-435, and 2-441 of the Auburn Code of Ordinances striking all language referencing the registration board of appeals as seen below.

Sec. 2-430. Membership; responsibility.

~~A board of regulatory advisory shall be appointed by the city council, consisting of seven members.~~

~~The purpose of the regulatory advisory board is to perform the responsibilities of the board of assessment review, board of appeals, and all other regulatory review functions as directed by the city council. The board shall develop such rules to govern its meetings (to include meetings dates and times) and operations as it deems advisable.~~

~~Persons appointed by the city council to serve on other boards, agencies, panels, and or commissions shall not serve concurrently on the regulatory advisory board.~~

(Code 1967, § 5-2.1; Ord. No. 04-02162021, 3-1-2021; Ord. No. 02-01032022, 1-18-2022)

Editor's note(s)—Ord. No. 04-02162021, adopted March 1, 2021 changed the title of § 2-430 from "membership; compensation of members" to "membership; responsibility."

Sec. 2-431. Term of members.

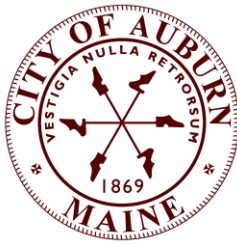
~~The initial terms of office of the members of the regulatory advisory board shall be staggered terms. The city council shall annually appoint one member to serve on the board for a three year term. Their successors shall be appointed for three year terms.~~

(Code 1967, § 5-2.2; Ord. No. 05-02162021, 3-1-2021)

Sec. 2-433. Quorum.

~~The regulatory board shall take no official action unless at least three members are present; provided, however, that a lesser number may adjourn the proceedings to a later time. When a regular member of the board is unable to participate in an appeal, the chair shall designate one of the alternate members to replace him.~~

(Code 1967, § 5-2.4; Ord. No. 07-02162021, 3-1-2021)



City Council Order

Sec. 2-434. Rules and regulations for conduct of hearings.

~~The regulatory board may establish such rules and regulations governing the conduct of hearings before it as it may deem necessary consistent with this Code and with state law.~~

(Code 1967, § 5-2.5; Ord. No. 08-02162021, 3-1-2021)

Sec. 2-435. Legal counsel.

~~The regulatory board may have legal counsel present during any appeal hearing to advise on points of law and to assist the board in drafting its final decision.~~

(Code 1967, § 5-2.6; Ord. No. 09-02162021, 3-1-2021)

~~Sec. 2-441. Compensation of the regulatory board.~~

~~All members of the regulatory board shall receive annually \$600.00, payable quarterly.~~

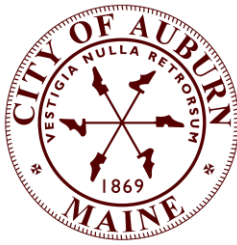
(Ord. No. 41-11152021, 12-6-2021)

Passage of first reading on 1/16/2024 6-0-1 (Councilor Milks abstained).
Passage of second reading on 2/5/2024 7-0.

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



City Council Order

IN CITY COUNCIL

AMENDING THE AUBURN CODE OF ORDINANCES, ARTICLE V, DIVISION 2, SEC. 2-430, 2-431, 2-432, 2-433, 2-434, 2-438, 2-441 TO REINSTATE THE BOARD OF ASSESSMENT REVIEW

BE IT ORDAINED, that the City Council hereby amends the Auburn Code of Ordinances, Article V, Division 2, sec. 2-430, 2-431, 2-432, 2-433, 2-434, 2-438, 2-441 to reinstate the Board of Assessment Review

DIVISION 2. - BOARD OF ASSESSMENT REVIEW

State Law reference— Board of assessment review, 36 M.R.S § 471-A and § 844-N.

Sec. 2-430. - Membership; responsibility.

A board of assessment review (the Board) shall be appointed by the city council, consisting of five regular members and three alternate members, to serve without compensation.

The purpose of the board of assessment review is to hear property tax appeals pursuant to Maine Statute. The Board shall develop such rules to govern its meetings (to include meetings dates and times) and operations as it deems advisable.

Sec. 2-431. - Term of members.

The initial terms of office of the members of the board of assessment review shall be staggered terms. The city council shall annually appoint members to serve on the board for three-year terms. Their successors shall be appointed for three-year terms.

Sec. 2-432. - Assessment review appeals procedure.

When written application is made by a taxpayer for a review of a refusal by the tax assessor to grant a request for an abatement, the board of assessment review shall, within 14 days of the receipt of such request, set a date for hearing, of which the applicant shall receive at least seven days' written notice. In its conduct of the hearing the Board shall act as an impartial panel to receive evidence from the appellant and the assessor, advocating for neither party in rendering a decision. The Board shall conform that decision to all applicable statutes. At such hearing the applicant shall have the right to be heard in person, to present witnesses, to examine the tax assessor and any witnesses presented on behalf of the Assessing Department, and to be represented by counsel. Upon the evidence presented, the Board shall determine whether the applicant has met their burden of proof and may grant such reasonable abatement of their assessment as it determines to be proper.

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



City Council Order

The board of assessment review must provide written notice of the decision on an appeal within 60 days of receiving the appeal unless the taxpayer agrees to an extension of the decision deadline.

Sec. 2-433. - Quorum.

The board of assessment review shall take no official action unless at least three members are present; provided, however, that a lesser number may adjourn the proceedings to a later time. When a regular member of the board is unable to participate in an appeal, the chair shall designate one of the alternate members to serve in place of any absent member.

Sec. 2-434. - Rules and regulations for conduct of hearings.

The board of assessment review may establish such rules and regulations governing the conduct of hearings before it as it may deem necessary consistent with this Code and with state law.

Sec. 2-435. - Legal counsel.

The board of assessment review may have legal counsel present during any appeal hearing to advise on points of law and to assist the board in drafting its final decision.

(other sections edited)

Passage of first reading on 1/16/2024 6-0-1 (Councilor Milks abstained).

Passage of second reading on 2/5/2024 7-0.

Richard S. Whiting, Ward One
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Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



Ordinance 05-01162024

City Council Order

IN CITY COUNCIL

Amending Chapter 60, Article XV reinstating the Zoning Board of Appeals ordinance

Be it ordained, that the City Council hereby amends Chapter 60, Article XV by reinstating the Zoning Board of Appeals ordinance (attached).

Passage of first reading on 1/16/2024 6-0-1 (Councilor Milks abstained).

Passage of second reading on 3/04/2024 6-0 (Councilor Milks absent).

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

ARTICLE XV. - BOARD OF APPEALS

DIVISION 1. - GENERALLY
DIVISION 2. - ORGANIZATION
DIVISION 3. - APPEALS PROCEDURE
DIVISION 4. - POWERS AND DUTIES
DIVISION 5. - JUDICIAL APPEAL
DIVISION 6. - SPECIAL APPEAL

DIVISION 1. - GENERALLY

[Secs. 60-1116—60-1129. - Reserved.](#)

Secs. 60-1116—60-1129. - Reserved.

DIVISION 2. - ORGANIZATION

[Sec. 60-1130. - Membership.](#)
[Sec. 60-1131. - Term of office.](#)
[Sec. 60-1132. - Associate members.](#)
[Sec. 60-1133. - Jurisdiction.](#)
[Sec. 60-1134. - Board rules.](#)
[Sec. 60-1135. - Quorum.](#)
[Secs. 60-1136—60-1150. - Reserved.](#)

Sec. 60-1130. - Membership.

There shall be a board of appeals consisting of up to seven members and two associate members appointed by the city council. Each member shall be at all times a resident of the city.

(Ord. of 9-21-2009, § 6.1A)

Sec. 60-1131. - Term of office.

The members and associate members of the board shall serve ~~no more than three consecutive~~ three-year terms.

(Ord. of 9-21-2009, § 6.1B)

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Sec. 60-1132. - Associate members.

An associate member shall have a vote only in the event that one or more regular members of the board are absent or are disqualified from serving on a particular matter because of a conflict of interest.

(Ord. of 9-21-2009, § 6.1C)

Sec. 60-1133. - Jurisdiction.

The board of appeals shall have jurisdiction over:

- (1) Interpretation of provisions of the zoning chapter called into question;
- (2) Administrative appeals from decisions or lack thereof of the building inspector or code enforcement officer in regard to an application for a permit under the zoning chapter;
- (3) The granting of variances from the requirements of the zoning chapter would cause undue hardship.

(Ord. of 9-21-2009, § 6.1D)

Sec. 60-1134. - Board rules.

The board shall adopt, and may from time to time amend, rules and regulations to govern the conduct of its business. The tape recording of the board's proceedings, the transcript of testimony, if any, and exhibits, together with all papers and requests filed in the proceedings, shall constitute the record. All decisions shall become a part of the record and shall include a statement of findings and conclusion and the appropriate order, relief or denial thereof.

(Ord. of 9-21-2009, § 6.1E)

Sec. 60-1135. - Quorum.

~~Five~~ A majority of appointed members (minimum of 3) shall constitute a quorum at any meeting.

(Ord. of 9-21-2009, § 6.1F)

Secs. 60-1136—60-1150. - Reserved.

DIVISION 3. - APPEALS PROCEDURE

[Sec. 60-1151. - Petition.](#)

[Sec. 60-1152. - Public hearing.](#)

[Sec. 60-1153. - Decision.](#)

[Secs. 60-1154—60-1184. - Reserved.](#)

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Sec. 60-1151. - Petition.

Written petitions for appeal signed by any party in interest shall be filed in duplicate in the office of the municipal officer charged with enforcement of the zoning ordinance, together with the fee in the amount provided in the city fee schedule, within 30 days from the date of the decision or order. The municipal officer shall forward to the board of appeals, planning director, the chairman of the planning board and the city solicitor, one copy of such petition. The planning director, or in his absence, the chairman of the planning board, shall forward to the board of appeals as soon as possible any pertinent city planning information in his possession bearing on such appeal. The city solicitor shall forward to the board of appeals as soon as possible any pertinent legal information bearing on such appeal. Where no such information is received by the board of appeals by the time of the meeting at which such appeal is scheduled to be heard, it shall be presumed that none was available at that time. In any case in which such planning and legal information is received, it shall be summarized at the public hearing and an opportunity afforded for comment by those interested in the appeal.

(Ord. of 9-21-2009, § 6.2A)

Sec. 60-1152. - Public hearing.

(a) On each such petition, the board shall hold a public hearing, within 65 days of the filing of the appeal petition. Notice of the time, date, place, appellant name and subject of each such hearing shall be given by publication in a newspaper of general circulation in the city on two separate dates not more than 12 nor less than three days before the date of such hearing. Notification of the public hearing shall also be sent to the appellant, the planning director, the building inspector, the city manager and all owners of abutting property and property located directly across the street from the site of the property which is the subject of the appeal by mailing to them copies of such notice as published. Notices shall be mailed to such property owners at the addresses appearing for them in the then current property tax listing of the city. Failure of any property owner to receive such mail notice of any such public hearing shall not necessitate another hearing and shall not constitute grounds for objection by such property owner and shall not invalidate any action by the board of appeals on such appeal or application for variance.

(b) The chairman, or in his absence the acting chairman, shall preside at the public hearing. All hearings of the board of appeals shall be open to the public.

(c) The chairman shall open the hearing and determine whether a quorum of the board of appeals is present. For each appeal heard, the chairman shall summarize the nature of the appeal, identify all relevant information submitted, determine the board's jurisdiction and the appellant's standing, determine the parties to the action and proceed to accept oral and written testimony from the appellant and the public for and against the appeal. When all parties have been heard, the chairman shall close the hearing or, if additional time is needed, continue it to a later date.

(d) The chairman shall determine that the appellant has standing, that is, the right to appear as an appellant before the board. An appellant must hold title to the land, be part owner or have an option to buy or lease property and/or building, in order to have standing.

(e) The chairman shall determine the parties to the action. The appellant, municipal officers, planning board, abutting property owners, individuals who might be adversely affected by any decision and any member of the general public attending the meeting who has made specific statements concerning terms of the appeal, may be made party to the action.

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(Ord. of 9-21-2009, § 6.2B)

Sec. 60-1153. - Decision.

(a) The decision of the board shall be made as soon as possible, but not later than 30 days of the public hearing, unless extended by mutual agreement of the board and appellant. Failure of the board to act within 30 days shall be deemed to be the denial of the petition sought, subject to judicial appeal.

(b) The board of appeals may by an affirmative vote of a majority of those members present amend or revise a decision of the building inspector, code enforcement officer or of any other municipal officer acting under the zoning ordinance. The board of appeals may permit variances from literal application of the zoning ordinance in accordance with the principles, conditions and procedures set forth in this chapter, subject to the duty of the board to promote the public health, safety, convenience and welfare and to adhere to the central intents and purposes of this chapter. Approval may be subject to conditions, modifications and restrictions as the board of appeals may deem necessary.

(c) The board shall keep a record of each appeal entertained, noting the date when received from the building inspector or code enforcement officer, the date of hearing, the applicant or appellant and the date of the decision. The board shall record by resolution the final disposition of every appeal. All of the foregoing shall be public records filed with the office charged with enforcement of the zoning ordinance. Notice of the decision shall be mailed within seven days to the applicant or appellant. Each notice shall specify that judicial appeals shall be made pursuant to the terms of section 60-1208

(d) The right to proceed under any variance or petition granted under the terms of this chapter, voted by the board of appeals, or under change in a decision of the building inspector, code enforcement officer or other municipal official voted by the board of appeals, shall expire if such right be not exercised beginning within six months from the date of such vote. If such right is not exercised within six months of the date of the vote, the board may grant a six-month extension without having to make another finding of hardship provided that:

- (1) Conditions upon which the appeal was granted have not changed; and
- (2) The appellant can show just cause for the delay in beginning the project.

(Ord. of 9-21-2009, § 6.2C)

Secs. 60-1154—60-1184. - Reserved.

DIVISION 4. - POWERS AND DUTIES

[Sec. 60-1185. - Interpretation.](#)
[Sec. 60-1186. - Administrative appeals.](#)
[Sec. 60-1187. - Variance.](#)
[Secs. 60-1188—60-1207. - Reserved.](#)

Sec. 60-1185. - Interpretation.

(a) Except as otherwise provided in this chapter, the board of appeals shall interpret provisions of the zoning ordinance which are called into question. Only persons with standing may appeal the denial of a permit which was based on provisions of the zoning ordinance.

(b) Where there is no evidence to the contrary, zoning ordinance language should be given its ordinary meaning. Statements of purpose may provide a key to the intent of zoning provision. In interpreting the ordinance, the board may request the advice of the city solicitor, the planning director or qualified experts in zoning law.

(Ord. of 9-21-2009, § 6.3A)

Sec. 60-1186. - Administrative appeals.

(a) The board of appeals may hear appeals in the administration of the zoning chapter in order to determine if the building inspector or code enforcement officer erred in granting or denying a permit. An applicant who is given no decision on a permit request, or who is denied a permit may appeal.

(b) If the board of appeals finds that the building inspector or code enforcement officer acted in error, it should order the error to be corrected.

(Ord. of 9-21-2009, § 6.3B)

Sec. 60-1187. - Variance.

(a) The board of appeals may grant a variance from the dimensional regulations and supplementary district regulations contained in the zoning chapter where the strict application of the ordinance, or a provision thereof, to the petitioner or property would cause undue hardship based on:

- (1) The land in question cannot yield a reasonable return unless the variance is granted;
- (2) The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;
- (3) The granting of a variance will not alter the essential character of the locality; and
- (4) The hardship is not the result of action taken by the appellant or a prior owner.

Variances granted under this subsection (a) shall be the minimum necessary to relieve hardship. The burden of proof is on the applicant to prove undue hardship.

(b) The board of appeals may grant a variance for the expansion, extension or enlargement of nonconforming buildings or uses provided that:

- (1) The use being requested shall be approved by a majority of those members present (not less than a quorum being present).
- (2) The board of appeals shall make findings that the requirements of subsection (a) of this section have been met.

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(c) In addition to the criteria in this section, in determining whether or not to grant a variance, the board shall also take into consideration the following:

- (1) Fire, electrical and police safety requirements;
- (2) The adequacy of the traffic circulation system in the immediate vicinity;
- (3) The availability of an adequate water supply;
- (4) The availability of adequate sewerage facilities;
- (5) Would not violate the environmental standards or criteria contained in the Overlay Zoning Districts;
- (6) Would not adversely affect property adjoining the premises under appeal or nearby in the same neighborhood or in the same zoning district;
- (7) Would not endanger the public health, safety or convenience; and
- (8) Would not impair the integrity of the zoning chapter.

(d) Wherever necessary to meet the criteria or consideration listed in this division, the board, when granting a variance, may attach such conditions or restrictions as are in accordance with the objectives and purposes of this zoning chapter.

(e) The planning director, or his representative, shall be responsible for reviewing the records of hearings of the board of appeals. Such review shall be conducted on a monthly basis and shall be for the purpose of maintaining the zoning ordinance. The ordinance may be deemed to be in need of amendment when variances for identical purposes or reasons are applied for in a single zoning district or regarding a specific section of this chapter on three or more occasions within a given calendar year. In any case in which the zoning ordinances are deemed to be in need of amendment, the planning director or his representative shall prepare a report indicating whether the variances applied for suggest that the ordinance or the description of the zoning districts should be amended. Such reports shall be forwarded to the planning board for its review and recommendation.

(Ord. of 9-21-2009, § 6.3C)

Secs. 60-1188—60-1207. - Reserved.

DIVISION 5. - JUDICIAL APPEAL

[Sec. 60-1208. - Superior court.](#)
[Secs. 60-1209—60-1234. - Reserved.](#)

Sec. 60-1208. - Superior court.

Appeals from decisions of the city planning board or of the city zoning board of appeals or on account of the failure of any municipal official or board to comply with the order of the board of appeals shall be taken to the

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superior court within 30 days of such decision or action in accordance with Rule 80B of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 2691(3). Except as otherwise provided by statute, every person shall have the right to inspect and copy any record of the board's proceedings, provided that, the inspection be scheduled to occur during regular hours and at such a time as will not inconvenience the regular activities of the office having custody of the record and provided further that the cost of copying the recorded or, if necessary, the translation of mechanical or electronic data compilations into some other form, shall be paid by the person requesting the copy.

(Ord. of 9-21-2009, § 6.4)

Secs. 60-1209—60-1234. - Reserved.

DIVISION 6. - SPECIAL APPEAL

[Sec. 60-1235. - Floodplain district variances.](#)

[Sec. 60-1236. - Shoreland zone variance.](#)

[Sec. 60-1237. - Lake Auburn Watershed zone variance.](#)

[Secs. 60-1238—60-1255. - Reserved.](#)

Sec. 60-1235. - Floodplain district variances.

The board of appeals may grant a variance from strict compliance with requirements of division 2 of article XII of this chapter after public notice and public hearing as provided in this article, provided the following conditions are met:

- (1) The applicant can show that a failure to grant a variance would result in undue hardship as defined in 30-A M.R.S.A. § 4353.
- (2) A determination made by the board with a certification from a registered professional engineer provided by the applicant, if need be, that the granting of the variance will not result in increased flood heights. The professional engineer shall include the following information within their certification: criteria on which the certification was based; any assumptions that were made; source of data for those assumptions; and references to the research material that was relied upon in making the certification. In addition, the board shall determine as a condition for the granting of the variance that it will not result in threats to public safety, extraordinary public expense, create a nuisances, causes fraud on or victimization of the public or conflict with existing local laws or ordinances.
- (3) A determination by the board that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (4) The applicant shall be notified in writing that the issuance of a variance to building a structure below the base flood level will result in increased premium rates for flood insurance and such construction below the base flood level increases risks to life and property.

(Ord. of 9-21-2009, § 6.5A)

Sec. 60-1236. - Shoreland zone variance.

When by reasons of extraordinary physical conditions peculiar to the land or building under appeal but not to other land or buildings adjoining or nearby, an owner of land would be subject to unusual difficulty or special hardships (not mere financial hardship or hardships caused by reason of the literal application and rigorous enforcement of the terms of this chapter), the board of zoning appeals may grant a variance from strict compliance with the requirements of division 2 of article XII of this chapter after notice and public hearing as provided in this article. No such variance shall be granted unless the board is satisfied that the variance applied for will not adversely affect the quality of the adjacent water body. In granting any such variance application, the board may also impose reasonable conditions upon the use of the land in question which shall be reduced to writing and made a part of the permanent records of the board.

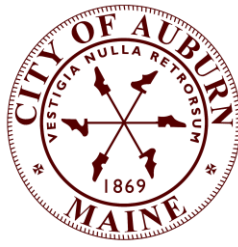
(Ord. of 9-21-2009, § 6.5B)

Sec. 60-1237. - Lake Auburn Watershed Overlay District variance.

When by reason of extraordinary physical conditions peculiar to the land or buildings under appeal but not to other land or buildings adjoining or nearby, an owner of land would be subject to unusual difficulty or special hardships (not mere financial hardship or hardships caused by rigid subsurface wastewater disposal regulations) by reason of the literal application and rigorous enforcement of the terms of this chapter, the board of zoning appeals may grant a variance from strict compliance with the requirements of division 4 of article XII of this chapter after notice and public hearing as provided in this article. No such variance shall be granted unless the board is satisfied that the variance applied for will not adversely affect the quality of the Lake Auburn water supply. When an application for a variance is filed, it shall be forwarded to the Auburn Water District with a request for an informational report and a recommendation to the board regarding the disposition of the requested variance application. In any case in which a variance request is granted, despite the recommendation of the Auburn Water District that it be denied, the board of appeals shall make part of its permanent records a written statement of its reasons for taking such action. In granting any such variance application, the board may also impose reasonable conditions upon the use of the land in question which shall be reduced to writing and made a part of the permanent records of the board.

(Ord. of 9-21-2009, § 6.5C)

Secs. 60-1238—60-1255. - Reserved.



City Council Order

IN CITY COUNCIL

Amending Chapter 2, Article V, Division 4, Sec. 2-433 (a) of the Auburn Code of Ordinances striking the language regarding compensation

Be it ordained, that the City Council hereby amends Chapter 2, Article V, Division 4, Sec. 2-433 (a) of the Auburn Code of Ordinances striking the language regarding compensation as shown below.

Sec. 2-466. Membership: appointment, removal, terms, vacancies.

- (a) There shall be a planning board of seven regular and two associate members. Members of the planning board shall be residents of the city. Persons appointed by the city council to serve on other boards, agencies, panels, and or commissions shall not serve concurrently on the planning board. ~~Members shall serve without compensation.~~
- (b) Regular members of the planning board shall be appointed by the city council for terms of three years. Such terms shall be staggered so that the term of not more than three members shall expire in any calendar year. Incumbent members of the planning board shall serve for the balance of their terms and thereafter until their successors are appointed.
- (c) The city council shall appoint two associate members for a term of three years each. Such terms shall be staggered so that the terms of not more than one associate member, expires in any calendar year. Associate members may participate in deliberations of the planning board but shall not vote unless temporarily acting on behalf of a regular member who is absent or has been recused.
- (d) Permanent vacancies on the planning board shall be filled by the city council for the unexpired term of the former member.
- (e) Any member of the planning board may be removed for cause by the city council at any time; provided, however, that before removal such members shall be given an opportunity to be heard in his own defense at a public hearing before the city council.
- (f) The planning board may appoint a high school student advisory representative who is a high school student residing in Auburn for a one year term. The student advisory representative may participate in deliberations of the planning board but shall not be entitled to vote.
- (g) All members of the planning board, regular and associate, shall receive annually \$1,200.00, payable quarterly, with an effective date of January 1, 2022.

Passage of first reading on 1/2/2024 7-0.

Passage of second reading on 2/5/2024 7-0.

Richard S. Whiting, Ward One
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Belinda A. Gerry, At Large

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Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



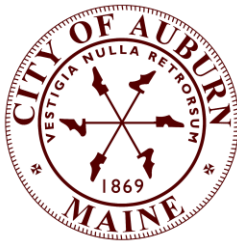
Ordinance 06-01162024

City Council Order

Richard S. Whiting, Ward One
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Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
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Phillip L. Crowell, Jr., City Manager



City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED by the Auburn City Council that Chapter 1, General Provisions, of the Code of Ordinances be amended as follows:

Chapter 1 GENERAL PROVISIONS

Sec. 1-2. Definitions and rules of construction.

In the construction of this Code, and of all ordinances, the rules and definitions set out in this section shall be observed, unless such construction would be inconsistent with the manifest intent of the city council. The rules of construction and definitions set out in this section shall not be applied to any section of this Code which shall contain any express provision excluding such construction, or where the subject matter or context of such section may be repugnant thereto.

Fee schedule or schedule of fees and charges. The term "fee schedule" or "schedule of fees and charges" means the official consolidated list maintained in the city clerk's office that lists rates for utility or other public enterprises, fees of any nature, deposit amounts and various charges as determined from time to time by the city council by council order.

Sec. 1-10. Form of Code; repository; maintenance; fee schedule.

A copy of this Code shall be kept on file in the office of the city clerk, preserved in looseleaf form, or in such other form as the clerk may consider most expedient. It shall be the express duty of the clerk or his designee to insert in their designated places all resolutions, general resolutions and ordinances that indicate the intention of the city council to make the same a part of this Code, when the same have been printed or reprinted in page form, and to extract from this Code all provisions that may be from time to time repealed by the city council. A copy of this Code shall be available in the office of the city clerk for examination by all persons.

A copy of the fee schedule, as established and amended by council order, shall be kept on file in the office of the city clerk and may be appended to the Code for ease of reference, but the fee schedule is not itself an ordinance.

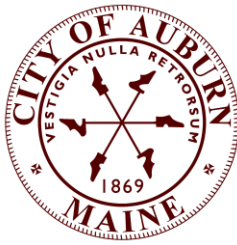
Passage of first reading on 3/4/2024 6-0 (Councilor Milks absent).

Passage of second reading on 3/18/2024 6-0 (Councilor Platz absent).

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Ordinance 08-02052024

City Council Ordinance

IN CITY COUNCIL

TITLE: Planning Board-Initiated Zoning Map Amendment Near Riverside Drive

BE IT ORDAINED, that the City Council hereby approves the amendment of Chapter 60, Zoning, of the Code of Ordinances as follows:

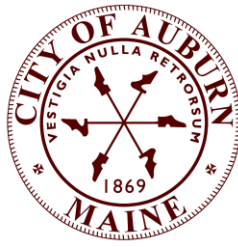
Amend the official zoning map of the City of Auburn entitled “City of Auburn, Zoning Map, dated May 16, 2016,” revised through its current date and revisions, as provided under Sec. 60-5 of the Zoning Ordinance, to amend City Assessor’s Parcel I.D.s 174-004, 174-004-001 and 174-004-002, located on Riverside Drive, from the Agriculture and Resource Protection (AGRP or AG) zoning district to the Low-Density Rural Residence or Rural Residence (RR) zoning district following the 1% Chance FEMA Flood Hazard Line.

Failed (Postponed indefinitely) on 2/5/2024 6-1 (Councilor Walker opposed).

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Phillip L. Crowell, Jr., City Manager



City Council Order

IN CITY COUNCIL

Adopting Ordinance Language in Chapter 52, Traffic and Vehicles, Sections 52-238 and 52-239

Be it ordained, that the City Council hereby adopts ordinance language in Chapter 52, Traffic and Vehicles, Sections 52-538 and 52-539 that was inadvertently removed in March of 2021. The language to be reinstated as follows:

Sec. 52-238. - Limitation of 8,000 pounds: No vehicle weighing more than 8,000 pounds, vehicle and load combined, nor any vehicle imparting to the road surface a pressure exceeding 400 pounds per inch of tire width (manufacturer's rating) shall be permitted on the streets, roads and highways of the city listed in a schedule on file and available in the city clerk's office between March 1 and May 31 of each year, except when the surface of the road is solidly frozen, in which case permission from the highway superintendent shall be obtained.

Sec. 52-239. - Limitation of 23,000 pounds: No vehicle weighing more than 23,000 pounds, vehicle and load combined, nor any vehicle imparting to the road surface a pressure exceeding 400 pounds per inch of tire width (manufacturer's rating) shall be permitted on the streets, roads and highways of the city listed in a schedule on file and available in the city clerk's office, between March 1 and May 31, except when the surface of the road is solidly frozen, in which case permission from the highway superintendent shall be obtained.

This ordinance will take effect immediately following the affirmative vote of the City Council.

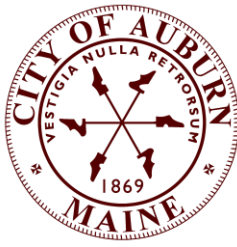
**Passage of first and second reading as amended on 08-03042024 6-0 (Councilor Milks absent).*

** The requirement of a reading on two separate days was dispensed by unanimous vote of the Councilors present and voting, pursuant to Auburn's City Charter.*

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Phillip L. Crowell, Jr., City Manager



City Council Ordinance

IN CITY COUNCIL

Creating the Maine Bioproducts Advanced Manufacturing Tech Hub Overlay District Map

Be it ordained, by the Auburn City Council, that Chapter 60 Article IV, Division 12 General Business District be amended by including “manufacture, compounding and assembling of articles using Maine derived forest products, agricultural products, or other natural resource inputs” as a Special Exception use with a condition that the site must be located within the Maine Forest Bioproducts Advanced Manufacturing Tech Hub Overlay District. The text shall appear under Sec. 60-499(b)(24) as follows:

DIVISION 12. GENERAL BUSINESS DISTRICT

Sec. 60-499. Use regulation.

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

(24) Manufacture, compounding or assembling of articles using Maine derived forest products, agricultural products or other natural resource inputs.

a. The property is located in the Maine Forest Bioproducts Advanced Manufacturing Tech Hub Overlay District.

Passed first reading on 5/6/24 5-2 (Milks, Walker opposed).
Passed second reading on 5/20/24 7-0.



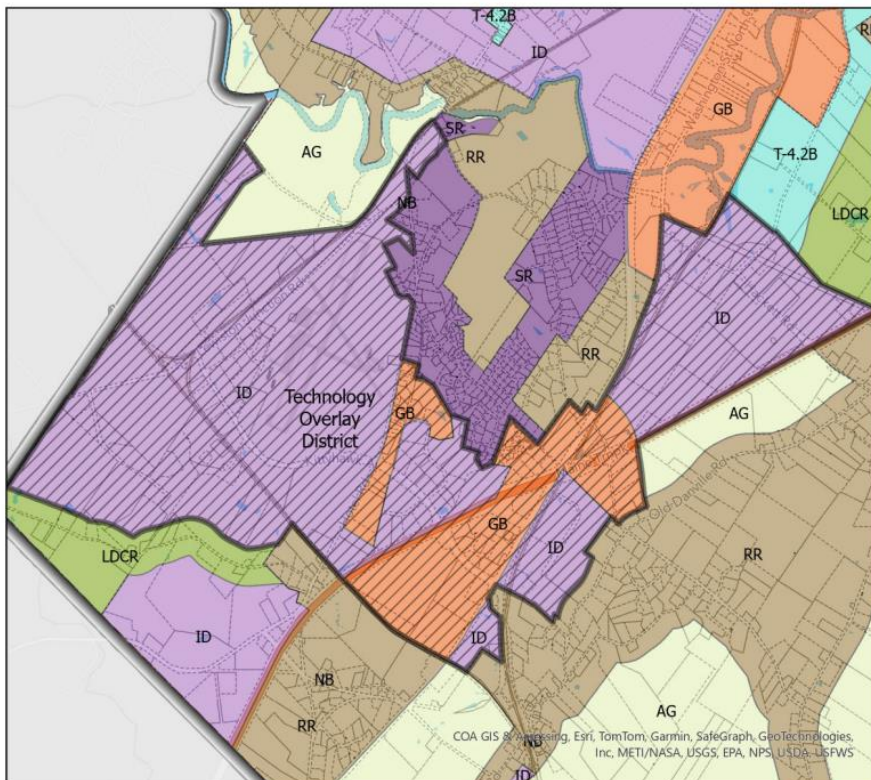
City Council Ordinance

IN CITY COUNCIL

Creating the Maine Bioproducts Advanced Manufacturing Tech Hub Overlay District Map

Be it ordained, by the Auburn City Council, that the Official Zoning Map of the City of Auburn to be amended to create the Maine Forest Bioproducts Advanced Manufacturing Tech Hub Overlay District. This zoning map overlay is generally located near Lewiston Junction Road, Kittyhawk Ave, and the southerly half of Washington Street and appears as follows:

Maine Forest Bioproducts Advanced Manufacturing Tech Hub Overlay District



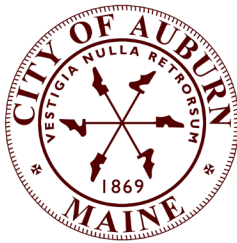
0 0.25 0.5 1 Miles

Passed first reading on 5/6/24 5-2 (Milks, Walker opposed).
Passed second reading on 5/20/24 7-0.

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Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED by the Auburn City Council, that Chapter 60, Zoning, of the Code of Ordinances be amended as follows:

Chapter 60 ZONING

• • •

ARTICLE XIII. ENVIRONMENTAL PERFORMANCE STANDARDS

• • •

DIVISION 2. PHOSPHOROUS CONTROL

• • •

Sec. 60-1065. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Acceptable increase in lake phosphorus concentration (C) is based upon water quality and the city's selected level of protection. For Taylor Pond the number is 0.75; for Lake Auburn the number is .080-5.

Direct watershed means any land area which contributes storm-water runoff by either surface or subsurface flow to Taylor Pond or Lake Auburn without such runoff first passing through an upstream lake.

Future area to be developed (D) means an estimate of the acreage in the city's share of the direct watersheds that will be developed during the planning period of 50 years. For Taylor Pond, the estimated future developed acreage is 715.3; for Lake Auburn, the estimated future developed acreage is 435 1,180.0-.

Lake Auburn means the Lake Auburn Watershed regulated by this chapter, which is all land areas within the direct watershed of Lake Auburn as defined on the attached map entitled Lake Auburn Watershed Overlay District Map.

Per-acre phosphorus allocation (P) means the acceptable increase of phosphorus export per acre in the watershed as determined by solving the following equation $(P) = (FC)/(D)$. For Taylor Pond, the phosphorus allocation is 0.0365; for Lake Auburn, the phosphorus allocation is 0.04720.

Phosphorus export coefficient (F) means the amount of phosphorus export from the watershed each year that will produce a one ppb increase in the lake's phosphorus concentration. For Taylor Pond, the phosphorus coefficient is 35.26 lbs/ppb/year; for Lake Auburn, the phosphorus coefficient is 109.9 lbs/ppb/year.

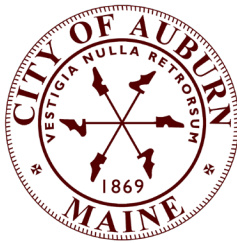
Taylor Pond means the Taylor Pond Watershed regulated by this chapter, which is all land areas within the direct watershed of Taylor Pond as defined on the attached map entitled "Taylor Pond Watershed Map".

(Ord. of 9-21-2009, § 5.7B; Ord. No. 28-11202023, 12-4-2023)

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City Council Ordinance

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Sec. 60-1069. Erosion and sedimentation controls.

A comprehensive erosion and sedimentation control plan, including a proposed program for the maintenance and periodic inspection of all control facilities which will remain after the project is completed and a designation of the responsible party, shall be submitted [to the city planning, permitting, and code department](#) as follows:

- (1) [In the](#) Taylor Pond Watershed ~~-, A-a~~ plan designed in accordance with the applicable sections of ~~chapter 8 of the~~ [latest edition of Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual, Volume II & Technical Design Manual Volume III, March 2016. DEP Phosphorous Control and Lake Watersheds: A Technical Guide to Evaluating New Development](#), the latest edition of the Maine Erosion and sediment Control Handbook and all building and environmental protection requirements of this Code. [For dwelling units, the Basic Single Family Residential \(SFR\) Lot Standards of the latest edition of Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual, Volume II shall be used.](#)
- (2) [In the](#) Lake Auburn Watershed [Overlay District](#) ~~-, A-a~~ plan designed in accordance with the applicable sections of ~~chapter 8 of the~~ [latest edition of Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual, Volume II & Technical Design Manual III, March 2016. DEP Phosphorous Control and Lake Watersheds: A Technical Guide to Evaluating New Development](#), the latest edition of the Maine Erosion and Sediment Control Handbook, and all building and environmental protection requirements of this Code ~~and criteria of the city water district or commission.~~ [For dwelling units, the Basic Single Family Residential \(SFR\) Lot Standards of the latest edition of Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual, Volume II shall be used.](#)

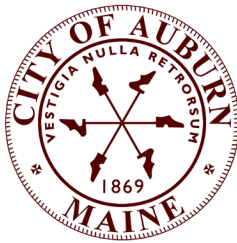
(Ord. of 9-21-2009, § 5.7F)

• • •

Sec. 60-1070. Submission requirements.

All projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016.

- (1) *Plan submission.* Plans shall be submitted and processed in accordance with article XVI of this chapter. In addition to the requirements for submission under this article, the following instructions shall be provided:

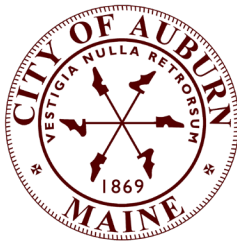


City Council Ordinance

- a. A long-term maintenance plan for all phosphorus control measures including provisions for inspection and repair, designation of responsible parties, contractual obligations and proposed deed restrictions.
 - b. Hydrologic soil class of all areas to be cleared or where clearing will be permitted, with the area indicated in square feet of each lot using the appropriate method as described in the phosphorus control manual.
 - c. All calculations and worksheets in the format of those contained in the phosphorus control manual and detailed construction specifications and diagrams for all control measures.
 - d. A comprehensive erosion and sedimentation control plan, designed in accordance with the latest version of Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, March 1991 October 2016, and all building and environmental protection requirements of this Code.
- (2) *Review method.*
- a. All projects shall use the standard review method and shall conform to the Phosphorus Allocation standard set forth in this division including the following: Expansions of four lot subdivisions which were previously approved using the simple review method.
 - b. Projects meeting the following criteria may employ the simple review method:
 1. Minor subdivisions with four or fewer lots provided that these developments contain less than 200 feet of new or upgraded roads and/or all driveways serving residential uses are less than 150 feet in length.
 2. Activity which includes less than 200 feet of new or upgraded road construction.
- (3) *Commercial and industrial development and expansions.* Commercial and industrial development and expansions of commercial and industrial developments and the expansion of multifamily dwelling units, which involve less than 15,000 square feet of disturbed area. All other subdivisions including expansions of previously approved four-lot subdivisions which were reviewed using the simple review method and all other projects shall utilize the standard review method.

(Ord. of 9-21-2009, § 5.7G; Ord. No. 11-03012021, § 81, 3-15-2021; Ord. No. 10-03072022, 3-21-2022)

Amended and passed first reading 7-1-24, 7-0.
Passed public hearing & second reading 7-15-24, 7-0.



City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED by the Auburn City Council, that Chapter 60, Zoning, of the Code of Ordinances be amended as follows:

Chapter 60 ZONING

• • •

ARTICLE IV. DISTRICT REGULATIONS

• • •

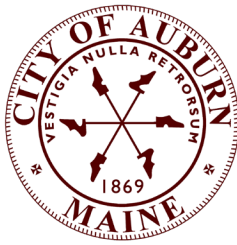
DIVISION 3. LOW DENSITY COUNTRY RESIDENTIAL DISTRICT

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Sec. 60-202. Dimensional requirements.

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

- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than three acres and measuring less than 325 feet in width. No lot shall be less than 200 feet in depth. The keeping of horses, mules, cows, goats, sheep, hogs and similar size animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit forms to the definition of farm, livestock contained in section 60-2.
- (2) *Density.* The density of dwelling units shall not exceed an average of one dwelling per three acres.
- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot, whichever is less.
 - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 25 feet for side yard setback.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot whichever is less, unless the lot is in the Lake Auburn Watershed Overlay District in which case the front yard shall have 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 2½ stories or 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard, and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.



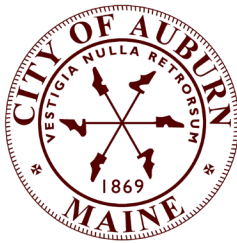
City Council Ordinance

- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in article V of this chapter.

(Ord. of 9-21-2009, § 3.32C; Ord. No. 11-03012021, §§ 10, 11, 3-15-2021)

Passed first reading 7-1-24, 7-0.

Passed public hearing & second reading 7-15-24, 7-0.



City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED by the Auburn City Council, that Chapter 60, Zoning, of the Code of Ordinances be amended as follows:

Chapter 60 ZONING

• • •

ARTICLE XII. ENVIRONMENTAL REGULATIONS

• • •

DIVISION 4. LAKE AUBURN WATERSHED OVERLAY DISTRICT

• • •

Sec. 60-951. Boundaries and definitions.

(a) *Boundaries.* The Lake Auburn Watershed Overlay District is that section of the city in which surface and subsurface waters ultimately flow or drain into Lake Auburn as such section is delineated on a watershed map and survey by the Auburn Water District on file in the office of the Auburn Water District, the city ~~planning, permitting and code department~~~~department of planning and permitting services~~ and the city clerk. The Lake Auburn Watershed Overlay District shall be superimposed over underlying zoning districts within ~~such section the city~~. Permitted uses in the underlying districts shall continue subject to compliance with the provisions of the Lake Auburn Watershed Overlay District.

(b) *Definitions.* For purposes of this division, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned.

Building has the same meaning as in section 60-2.

Curtain drain means a ~~franch-trench~~ to intercept laterally moving ground water and divert it away from a septic system disposal field.

Dwelling Unit has the same meaning as in section 60-2.

Hobby agricultural use means uses of land for chicken farms, cattle farms, horse farms, egg farms, piggeries, sheep farms, stables, crop farming and other agricultural purposes where:

- (1) The products produced through such use of the land is for personal consumption, pleasure or sustenance by those occupying the land and does not involve the sale of the products produced through such use of the land for profit; and
- (2) The allowances set forth in section 60-2 regarding "farm, livestock" of this chapter and the allowances set forth in article VII, division 4 of chapter 8 of this Code are not exceeded.

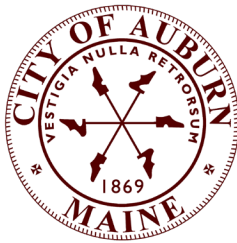
Lake Auburn Watershed Protection Commission or *LAWPC* means the commission formed through an interlocal cooperation agreement between and among the Auburn Water District, City of Lewiston, and the Town of Turner, consisting of three commissioners appointed by the Auburn Water District, three commissioners appointed by the City of Lewiston, one commissioner appointed by the Town of Turner, one commissioner appointed by the Towns of Hebron, Minot and Buckfield, and one commissioner appointed by the Androscoggin Valley Council of Governments.

Local plumbing inspector means a plumbing inspector or alternate plumbing inspector as defined in Section 12-22.

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City Council Ordinance

Non-hobby agricultural use means uses of land for chicken farms, cattle farms, horse farms, egg farms, piggeries, sheep farms, stables, crop farming and other agricultural purposes where the products produced through such use of the land are sold for profit.

Normal high-water line and Normal high-water mark means that line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land.

Soil horizon means a layer within a soil profile differing from the soil above or below it in one or more soil morphological characteristics. The characteristics of the layer include the color, texture, rock-fragment content, and ~~consistence~~consistency of each parent soil material.

Soil horizon, limiting or limiting soil horizon means any soil horizon or combination of soil horizons, within the soil profile or any parent material below the soil profile, that limits the ability of the soil to provide treatment or disposal of septic tank effluent. Limiting horizons include bedrock, hydraulically restrictive soil horizons and parent material excessively coarse soil horizons and parent material, and the seasonal groundwater table. Any of these limiting horizons may from time to time be ~~Also sometimes~~ referred to as a "limiting factor."

Soil profile means a vertical cross section of the undisturbed soil showing the characteristic soil horizontal layers or soil horizons that have formed as a result of the combined effects of parent material, topography, climate, biological activity, and time.

Soil filter media means a soil mixture that consists of a loamy sand lower fill layer meeting the following lower fill layer specifications, plus a minimum of six inches of upper fill layer meeting the following upper fill layer specifications.

Soil Filter Media Specifications

Upper fill layer	
Sieve #	% passing by weight
No. 4	75—95
No. 10	60—90
No. 40	35—85
No. 200	20—40
200 (clay size)	< 2.0

Lower fill layer	
Sieve #	% passing by weight
No. 10	85—100
No. 20	70—100
No. 60	15—400
No. 200	6—8
200 (clay size)	< 2.0

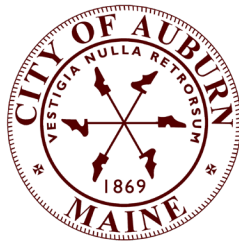
State licensed site evaluator means a person licensed by the Maine Department of Health and Human Services to evaluate soils for the purpose of designing subsurface wastewater disposal systems.

Stream or Brook means a channel between defined banks as depicted as a solid or broken blue line on the most recent edition of the U.S. Geological Survey 7.5-minute series topographic map.

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City Council Ordinance

Subsurface wastewater disposal system inspector means a person who holds a current certification issued by the Maine Department of Health and Human Services, Division of Environmental and Community Health as a Subsurface Wastewater Disposal System Inspector.

(Ord. of 9-21-2009, § 5.3B; Ord. No. 28-11202023, 12-4-2023)

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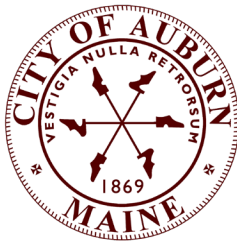
Sec. 60-952. Use and environmental regulations.

1. Subsurface Wastewater Disposal Systems.

(~~ba~~) ~~Residential-d~~welling units in the agriculture and resource protection zoning district. Notwithstanding the provisions of subsections 60-145(a)(1), 60-145(b)(18) and 60-146(1)c., new dwelling units are prohibited in ~~the that part of the~~ Lake Auburn Watershed Overlay District which overlies the Agriculture and Resource Protection Zone. Pursuant to 30-A M.R.S.A. §§ 4364(9), 4364-A(1-A), and 4364-B(1-A), each as may be amended from time to time, the affordable housing density, residential density and accessory dwelling unit provisions of P.L. 2021, ch. 672, "An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions" and any related state regulations do not apply in the Lake Auburn Watershed Overlay District.

(~~fb~~) Private subsurface wastewater disposal systems. Each new building, or any existing building for which there is any addition, alteration, or change of use, each new dwelling unit, or any existing dwelling unit for which there is an addition or alteration thereto that includes the addition of one or more bedrooms, in the Lake Auburn Watershed Overlay District, not served by public sewer, shall, in the development of a private subsurface wastewater disposal system, adhere to the requirements of this section as well as the requirements of the latest version of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241. Notwithstanding any provision of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241 the Rule shall be applied regardless of whether the addition or alteration is an initial or subsequent addition or alteration. The following regulations shall be adhered to in the development of private subsurface wastewater disposal systems in the Lake Auburn Watershed Overlay District:

- (1) Disposal fields are prohibited on sites with less than 12 inches to the limiting soil horizon. In addition to having at least 12 inches to the limiting soil horizon, disposal fields shall have at least 24 inches of suitable natural soil or soil filler media below the bottom of the disposal field, such that there is at least a 36-inch separation between the bottom of the disposal field and the limiting soil horizon. The local plumbing inspector shall require that a state licensed site evaluator affirm that these design ~~criteria~~ requirements are met before the ~~LP~~ local plumbing inspector finds the design or installation of the system to comply with this section.
- (2) ~~No new (first use), expanded, or replacement~~ disposal fields shall be ~~set back from~~ installed closer than 400 feet to the normal high-water mark of any lake, pond, ~~or year-round or intermittent stream~~ stream, or brook (as depicted on a 7.5 minute series USGS topographic map, dated 1981). Where the daily wastewater flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or year-round or intermittent stream ~~as follows:~~
 - a. ~~Where the daily wastewater flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or year-round or intermittent stream.~~
 - a. Where the daily wastewater flow is, or is reasonably likely to be, 2,000 gallons or less, the system shall be set back at least 400 feet from the normal high-water mark of any lake, pond, stream, or brook.



City Council Ordinance

b. Where the daily wastewater flow is, or is reasonably likely to be, in excess of 2,000 gallons, the system shall be set back at least 1,000 feet from the normal high-water mark of any lake, pond, stream, or brook.

~~(3)~~ All disposal fields, replacement or new, shall meet the design criteria set forth in subsection (f)(1) above, except that if a replacement system disposal field cannot meet the design criteria set forth in subsection (f)(1) above, the local plumbing inspector must, in consultation with and the concurrence of the Auburn Water District, or its designee, evaluate the design and then require the disposal field to meet as much of the design criteria as is physically possible under the site-specific circumstances.

~~(43)~~ All new (first use), expanded, or replacement private subsurface wastewater disposal systems; ~~replacement or new;~~ shall include one of the two following design elements. The selection of which design element is most appropriate shall be determined by a state licensed site evaluator based upon the evaluation of the groundwater conditions, soils, and slopes present at the site where the system is to be installed. either have:

a. ~~A~~Curtain drain installed per Section ~~1112~~ (H) of the Maine Subsurface Wastewater Disposal Rules, 10-144 C.M.R. ch. 241 (~~2015~~2023), as may be amended from time to time; or

b. ~~A~~Diversion ditch, upslope of the disposal field, installed for the disposal field's entire length ~~(including fill extensions, and constructed so that the curtain drain or diversion ditch is located to prevent any under-drain short circuiting of the disposal field);~~

~~whichever installation is determined to be the most appropriate based on the evaluation of groundwater conditions on the site by a state licensed site evaluator.~~

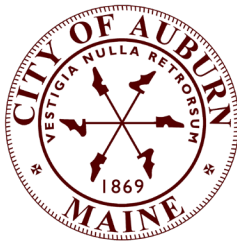
~~The local plumbing inspector shall require that a state licensed site evaluator affirm that one of these two types of installation is part of the design of the system before the LPI finds the design or installation of the system to comply with this section.~~

~~(54)~~ All new (first use), expanded, or replacement private subsurface wastewater disposal systems; ~~replacement or new;~~ shall be installed on the same lot as the building or dwelling unit being served by the system, unless the system can be developed outside of the Lake Auburn Watershed Overlay District or, in the case of an expanded or replacement system, the property owner can demonstrate to the local plumbing inspector that it is physically impossible for the replacement system to be located on the same lot, in which case the local plumbing inspector may approve all or a portion of the expanded or replacement system's location on adjacent lots if the property owner holds a perpetual easement from the adjacent lot owner allowing the installation and maintenance of the system.

~~(56)~~ Commencing July 1, 2024, ~~LAWPC or its designee shall have the right to inspect all private subsurface wastewater disposal systems in the Lake Auburn Watershed Overlay District every five years and/or at the time that a property sold, whichever time frame is deemed most appropriate by LAWPC or its designee.~~ the owner of each building or dwelling unit in the Lake Auburn Watershed Overlay District, not served by public sewer, shall have their private subsurface wastewater disposal system inspected to ensure continuing compliance with this section and the latest version of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241.

a. Inspections. An initial inspection shall be completed by the completion date specified in the Lake Auburn Watershed Overlay District Septic Systems Inspection Map, dated March 19, 2024, which is on file in the office of the city planning, permitting and code department.

Subsequent inspections shall be completed within five years of the initial inspection and every subsequent inspection, unless the property is sold, in which case a subsequent inspection shall be conducted at the time of sale.



City Council Ordinance

Such inspections shall be completed by a certified subsurface wastewater disposal system inspector. Such inspector shall inspect the private subsurface wastewater disposal system using the minimum requirements established by the Maine Department of Health and Human Services, Division of Environmental and Community Health for evaluating and reporting on existing subsurface wastewater disposal systems.

b. *City record keeping and notifications.* The city planning, permitting and code department shall maintain, within the city GIS system, a record of each subsurface wastewater disposal system within the Lake Auburn Watershed Overlay District that requires inspection. The record must include, at a minimum, the city parcel identifier, date the next inspection is due, and date of the last inspection. The city planning, permitting and code department shall provide the owner of each building or dwelling unit written notices by regular mail, to the address shown on the city property tax records, of the date by which the inspection of the subsurface wastewater disposal system must be completed. The first notice shall be mailed 12 months prior to each required completion date and the second notice six months prior to each required completion date.

c. *Reporting and reviewing of results of inspections.* Reporting shall be made utilizing the latest version of the HHE-240 reporting form, for initial inspections, and the Supplement HHE-240 reporting form, for subsequent inspections, as published by the Maine Department of Health and Human Services, Division of Environmental and Community Health. Such reports shall be submitted to the local plumbing inspector.

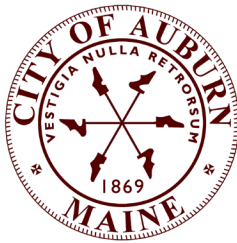
The local plumbing inspector shall review the report and determine if corrective action is required to ensure that;

1. for subsurface wastewater disposal systems for which a design is on file with the planning, permitting and code department, the system is functioning per the design on file,
2. for subsurface wastewater disposal systems for which there is no design on file with the planning, permitting and code department, the system is functioning as built.

d. *Alternative design for replacement subsurface wastewater disposal systems.* For buildings or dwelling units that exist in the Lake Auburn Watershed Overlay District as of July 1, 2024, should the local plumbing inspector determine, upon review of the report from the subsurface wastewater disposal system inspector, through personal observation, or through independent means, that the subsurface wastewater disposal system is not functioning as designed or built and a replacement system is required, and:

1. a state licensed site evaluator informs the local plumbing inspector that the parcel on which the building or dwelling unit is situated is not suitable to site a replacement subsurface wastewater disposal system that meets the requirements of this section and the latest version of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241; and
2. the local plumbing inspector determines that the replacement subsurface wastewater disposal system cannot be sited pursuant to Subsection 4;

then a state licensed site evaluator may propose, and the local plumbing inspector may approve, after consultation with the Lake Auburn Water Protection Commission, an alternative subsurface wastewater design that does not meet the requirements of this section and the latest version of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241 but which meets as many of the requirements as possible, and for those requirements that cannot be met, includes design elements that maximize the efficacy of the treatment of the wastewater.

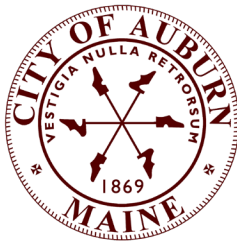


City Council Ordinance

- (76) ~~The Auburn Water District~~In coordination with the local plumbing inspector, LAWPC, or its designee, shall have the right to inspect any subsurface wastewater disposal system within the Lake Auburn Watershed Overlay District during its construction and operation and may notify the City of Auburn health officer, police chief, local plumbing inspector or ~~housing inspector~~code enforcement officer of any observed defects or malfunction that require ~~abatement~~corrective action by the property owner or operator.
- (87) The local plumbing inspector shall furnish a copy of all site evaluation and inspection reports in the Lake Auburn Watershed Overlay District to ~~the Auburn Water District or its designee~~LAWPC.
- 8) Commencing on July 1, 2024, a maximum of three new dwelling units per calendar year are permitted in that part of the Lake Auburn Watershed Overlay District in which new dwelling units are permitted. The city planning, permitting, and code department shall, on an annual basis, provide a report to the Planning Board as to the extent and effect of the construction of new dwelling units in the Lake Auburn Watershed Overlay District. The report shall include, at a minimum, the number of new dwelling units constructed in the past year, the cumulative number of new dwelling units constructed since July 1, 2024, and the effect of such construction on the Lake Auburn water quality. Should the Planning Board conclude, based on the city planning, permitting and code department report that the construction of new dwelling units has had an adverse effect on the Lake Auburn water quality, the Planning Board shall consider what action is to be taken to prevent further degradation of Lake Auburn water quality from the construction of new dwelling units.

2. Agricultural, Forestry, and Erosion Control.

- (a) *Agricultural uses.* Non-hobby agricultural uses not in existence as of January 1, 2024 are prohibited, and expansions of non-hobby agricultural uses in existence as of December 31, 2023 are prohibited. As of January 1, 2024, new hobby agricultural uses or expansions of hobby agricultural uses in existence as of December 31, 2023 are only allowed if:
- (1) The owner or operator first demonstrates to LAWPC's watershed manager that such use or expansion will not cause groundwater contamination and will not contaminate or disturb the normal course of surface water runoff; and
 - (2) LAWPC's watershed manager approves such use or expansion in writing and so notifies the code enforcement officer.
- (c) *Agricultural buffer strip.* Where land adjoining Lake Auburn or its perennial tributaries (as depicted on a 7.5 minute series USGS topographic map, dated 1981) is tilled for agricultural purposes, an untilled buffer strip 100 feet wide shall be retained between the tilled area and the normal high-water mark. This subsection (c) shall not be interpreted as permitting agricultural tillage in any zoning district in which it is not otherwise permitted.
- (d) *Manure and sludge disposal.* Spreading and disposal of sludge is prohibited. All spreading and disposal of manure shall be accomplished in conformance with the then-current edition of the Maine Department of Agriculture, Conservation and Forestry's rules, regulations and guidelines for manure spreading and disposal.
- (e) *Erosion control.* The following provisions shall be observed for the control of erosion in the Lake Auburn Watershed:
- (1) Any earth cutting, moving or removal activities that will result in erosion or runoff which is likely to increase sedimentation of Lake Auburn, or any tributaries or other water bodies in the watershed are prohibited.
 - (2) Vegetative cover shall not be removed except in a manner which will minimize erosion. Harvesting of trees shall be permitted only after a plan prepared by a qualified forester is submitted to and approved



City Council Ordinance

- by the Auburn Water District. Such plan will be approved or disapproved on the basis of its conformance with good watershed management practice for domestic water supplies.
- (3) Trees may be cleared, provided the cleared areas are covered with other vegetation, for approved construction and landscaping. Where such clearing is extended to the shoreline, a cleared opening or openings not greater than 30 feet in width for every 100 feet of shoreline (measured along the high-water mark) may be created in the strip extending 50 feet inland from the normal high-water mark. For purposes of this section, clearing is the removal of adjacent dominant trees which extend into the canopy and shrubs within ten feet of the shoreline. Where natural vegetation is removed, it shall be replaced with other vegetation which is equally effective in retarding erosion and preserving natural beauty. When the vegetative cover is changed in areas greater than three acres, a plan shall be filed with the Auburn Water District indicating the changes so that a record can be maintained of watershed water yields to the system.

3. Enforcement

The city planning, permitting and code department shall have authority to enforce all requirements of this Division in accordance with section 60-1403.

(Ord. of 9-21-2009, § 5.3C; Ord. No. 19-12022019, 12-9-2019; Ord. No. 10-06202023, 7-10-2023; Ord. No. 28-11202023, 12-4-2023)

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Sec. 60-953. Dimensional regulations; building setbacks.

~~All~~ Any new or expanded buildings ~~and or~~ structures, except those requiring direct access to the water as an operational necessity, shall be constructed not less than ~~75~~ 100 feet inland from the normal high-water mark ~~of Lake Auburn~~. Operational necessity shall include private docks, but shall not include boathouses, storage sheds, garages, or other structures. Marinas and boat rental facilities shall not be permitted within ~~75~~ 100 feet of the normal high-water mark of Lake Auburn.

(Ord. of 9-21-2009, § 5.3D)

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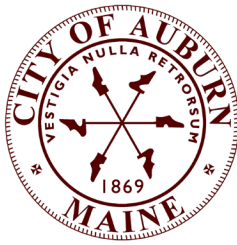
Passed first reading 7-1-24, 7-0.

Passed public hearing & second reading 7-15-24, 7-0.

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



Ordinance #14-07102024

City Council Ordinance

IN CITY COUNCIL

Creating the Lake Auburn Watershed Overlay District Septic Inspection Map

Be it ordained, by the Auburn City Council, that the Official Zoning Map of the City of Auburn to be amended to create the Lake Auburn Watershed Overlay District Septic Inspection Map. This map will be referred to in Chapter 60 Article XII Division 4 Lake Auburn Watershed Overlay District and appears as attached.

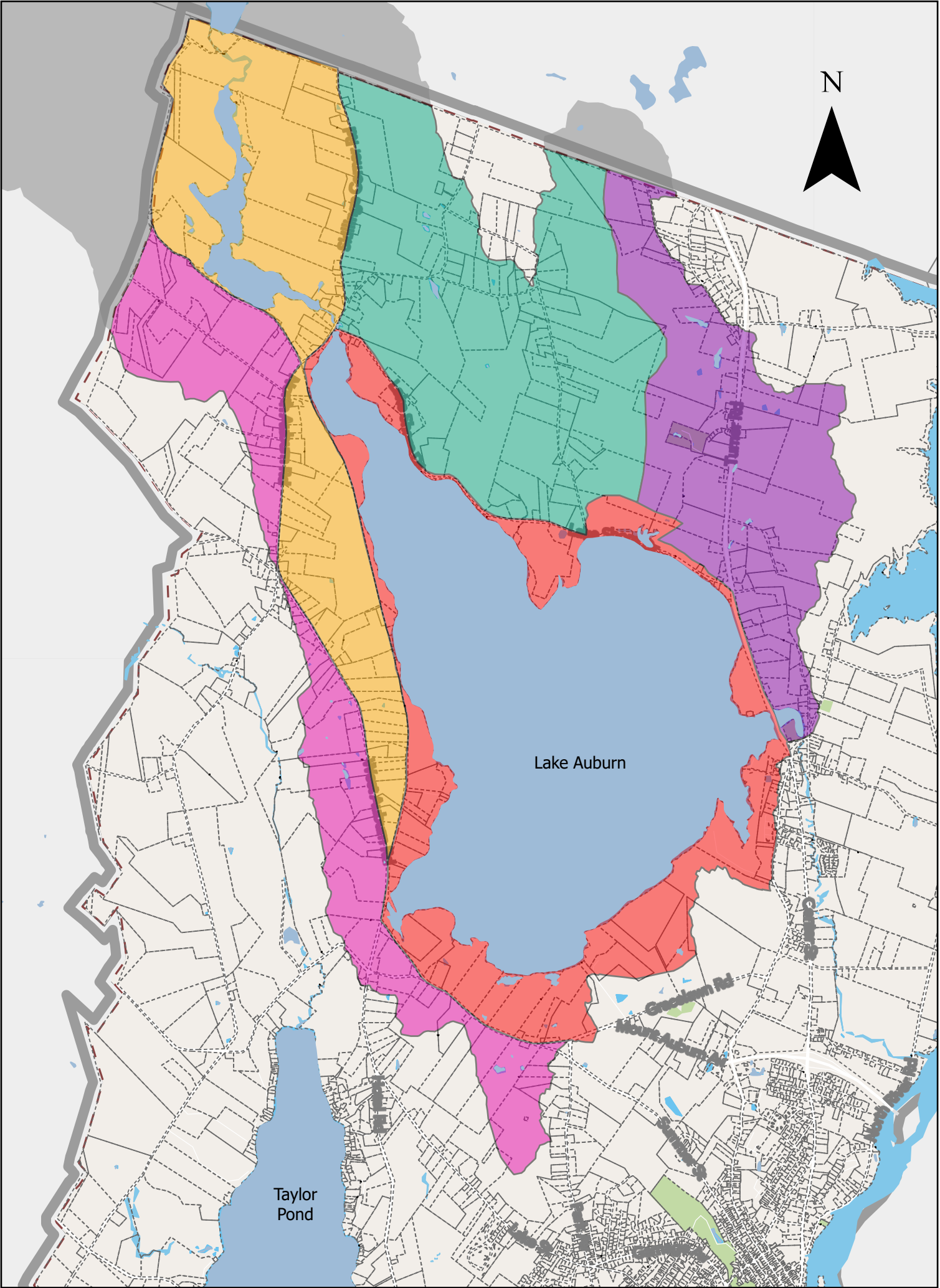
Amended and passed first reading 7-1-24, 7-0.
Passed public hearing & second reading 7-15-24, 7-0.

Richard S. Whiting, Ward One
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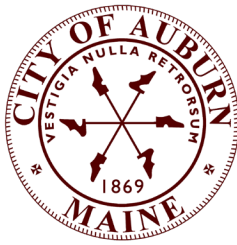
Lake Auburn Watershed Overlay District Septic System Inspection Map



Septic Inspection Areas by Year

- Year 1
- Year 2
- Year 3
- Year 4
- Year 5
- Remaining Area





Ordinance #15-07012024

City Council Ordinance

IN CITY COUNCIL

Creating the Official Lake Auburn Overlay District 400-foot Setback to Lake, Stream, and Brook for Subsurface Wastewater Fields:

Be it ordained, by the Auburn City Council, that the Official Zoning Map of the City of Auburn to be amended to create the Official Lake Auburn Overlay District 400 ft. Setback to Lake, Stream, and Brook for Subsurface Wastewater Fields map in accordance with Chapter 60 Article XVII Division 2- and appears as follows:

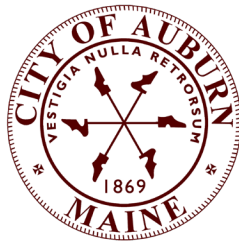
Passed first reading 7-1-24, 7-0.

Passed public hearing & second reading 7-15-24, 7-0.

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

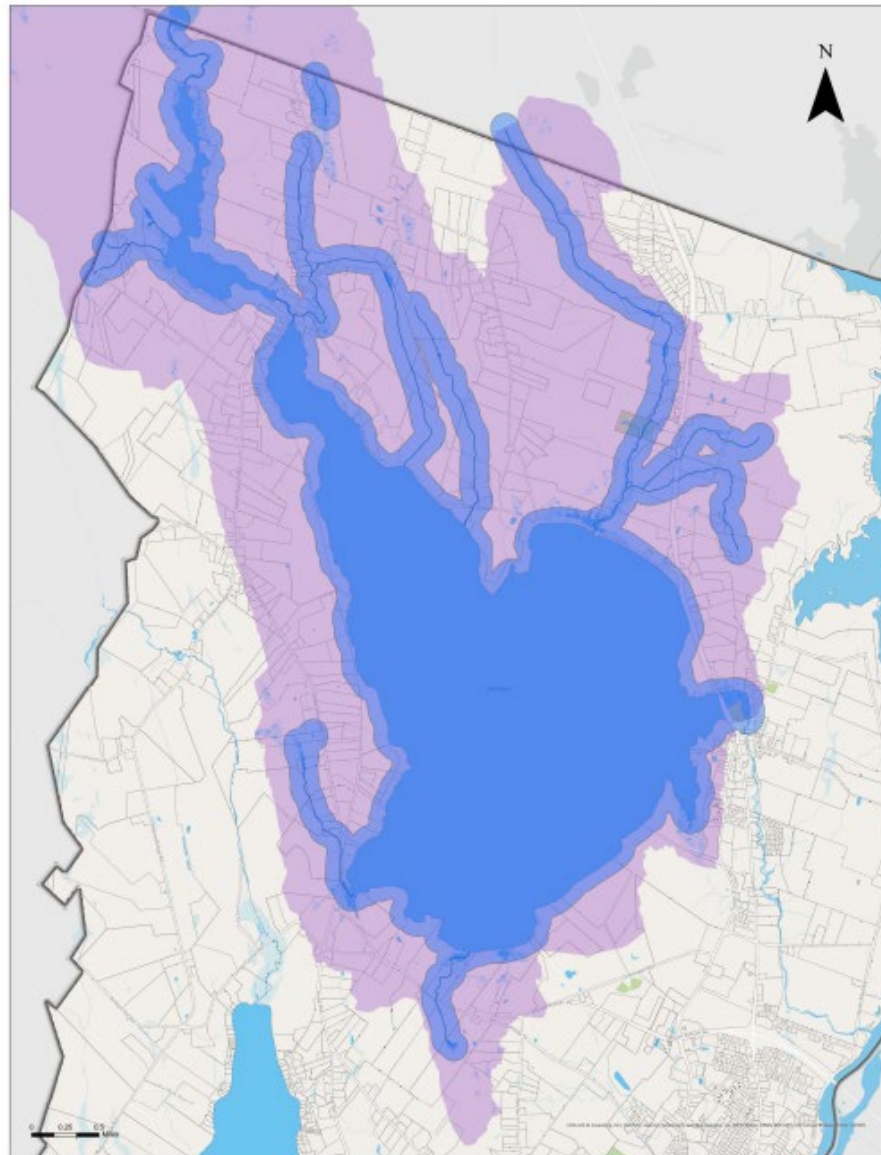
Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



City Council Ordinance

Official Lake Auburn Overlay District 400' setback to
Lake, Stream, and Brook for Subsurface Wastewater Fields



— Lake Auburn Watershed
— USGS 7.5 Minute Streams
— Lake Auburn Watershed Streams Buffer 400 ft
— Wetlands

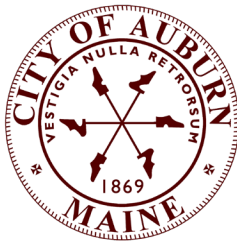
* This Map was created on April 23, 2024 using USGS 7.5 minute lakes and streams



Richard S. Whiting, Ward One
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Phillip L. Crowell, Jr., City Manager



City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED by the Auburn City Council, that Chapter 60, Zoning, of the Code of Ordinances be amended as follows:

Chapter 60 ZONING

• • •

ARTICLE XVI. ADMINISTRATION AND ENFORCEMENT

• • •

DIVISION 2. SITE PLAN REVIEW

• • •

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

An applicant for site plan review shall file with the ~~department of community development and planning~~planning, permitting and code department a completed site plan application along with an original and 15 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); Ord. No. 11-03012021, 3-15-2021)

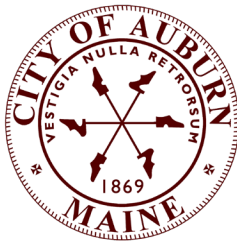
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Sec. 60-1303. Approval—Time-line for review.

The ~~planning, permitting and code enforcement~~ director shall, within ~~five~~10 business days of receipt, review the application and notify the applicant that either:

- 1.) The application is not accepted for processing, as it has not met the requirements of Sec. 60-1300 and 60-1301, and shall enumerate the materials that are missing; or
- 2.) The application has been conditionally accepted for processing as one or more required minor elements, as required by Sec. 60-1300 or 60-1301, are missing or inadequate and must be submitted within five business days or the application will not be accepted for processing; or
- 3.) The application has met the requirements of Sec. 60-1300 and 60-1301 and is accepted for processing.

The planning, permitting and code enforcement director shall, at the time of notification to the applicant that the application is accepted for processing, transmit copies of the application and site plan to those city departments that, in his-the director's view-opinion, requires such information to provide recommendations regarding the application to the planning board. The ~~agencies-departments~~ receiving these copies shall have up to



City Council Ordinance

15 business days to make-provide their recommendations to the planning, permitting and code enforcement director.

The planning, permitting and code enforcement director shall review the submitted site plan and any recommendations made by the city departments and may:

- 1.) -Request additional information from the applicant in to order assist with the director's review of the submitted site plan.
- 2.) Make recommendations to the applicant for changes to the submitted site plan that, in the director's opinion, will cause the site plan to conform to city requirements.

The planning, permitting and code enforcement director shall, upon completion of the director's review of the site plan, but not later than 60 days after notification to the applicant that the application is accepted for processing, request the planning board chair to schedule a public hearing by the planning board at a regularly scheduled planning board meeting.

(Ord. of 9-21-2009, § 7.1D(4))

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

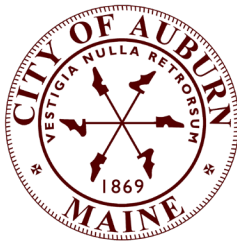
The planning, permitting and code enforcement director shall, within five-10 business days of receipt, review the application and notify the applicant that either:

- 1.) The application is not accepted for processing, as it has not met the requirements of Sec. 60-1300 and 60-1301, and shall enumerate the materials that are missing; or
- 2.) The application has been conditionally accepted for processing as one or more required minor elements, as required by Sec. 60-1300 or 60-1301, are missing or inadequate and must be submitted within five business days or the application will not be accepted for processing; or
- 3.) The application has met the requirements of Sec. 60-1300 and 60-1301 and is accepted for processing.

The planning, permitting and code enforcement director shall, at the time of notification to the applicant that the application is accepted for processing, transmit copies of the application and site plan to those city departments that, in his-the director's view-opinion, requires such information to provide recommendations regarding the application to the planning board. The agencies-departments receiving these copies shall have up to 15 business days to make-provide their recommendations to the planning, permitting and code enforcement director.

The planning, permitting and code enforcement director shall review the submitted site plan and any recommendations made by the city departments and may:

- 1.) -Request additional information from the applicant in to order assist with the director's review of the submitted site plan.
- 2.) Make recommendations to the applicant for changes to the submitted site plan that, in the director's opinion, will cause the site plan to conform to city requirements.



City Council Ordinance

The ~~planning, permitting and code enforcement~~ director shall, upon completion of the director's review of the site plan, but not later than 60 days after notification to the applicant that the application is accepted for processing, request the planning board chair to schedule a public hearing by the planning board at a regularly scheduled planning board meeting.

(Ord. of 9-21-2009, § 7.1D(4))

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

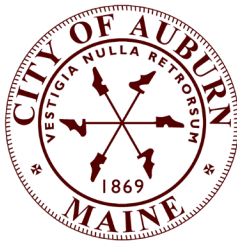
The planning board chair shall, upon request of the ~~planning, permitting and code enforcement~~ director, schedule a public hearing at the next regularly scheduled planning board meeting that occurs at least 16 days after receipt of the request from the director within 30 days of receipt of a completed application, hold a public hearing. Notice of a public hearing shall be given in the manner provided for in division 3 of article XVII of this chapter. The planning board will not unreasonably delay the taking of 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 after the public hearing. Such final action shall consist of either:

- (1) 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:
 - a. 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.

Richard S. Whiting, Ward One
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Belinda A. Gerry, At Large

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Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
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Phillip L. Crowell, Jr., City Manager



City Council Ordinance

(Ord. of 9-21-2009, § 7.1D(5))

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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 chair, on behalf of 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))

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Sec. 60-1307. Findings in writing.

The findings of the planning board shall be in writing, signed by the planning board chair on behalf of the planning board, 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.

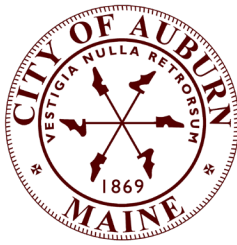
(Ord. of 9-21-2009, § 7.1D(8))

• • •

Sec. 60-1308. Expiration of approval.

Approval of a site plan shall expire one year after the date of approval, except for approved site plans for solar energy generating systems, which shall expire in two years after the date of approval, unless all building permits have been obtained to begin construction in accordance with the approved site plan. If a development is contested with litigation, the approval period of this section shall not commence until a final, nonappealable court judgment is issued or until the litigation has been dismissed with prejudice. This provision shall apply retroactively to all projects approved after January 1, 2007. 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~~ the applicant's existing plan. ~~—~~ The planning board shall approve or disapprove the requested extension at its next regular meeting.

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City Council Ordinance

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

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

(Ord. of 9-21-2009, § 7.1D)

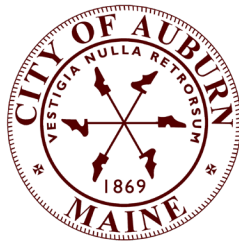
Passed first reading 7-1-24, 7-0.

Passed public hearing & second reading 7-15-24, 7-0.

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

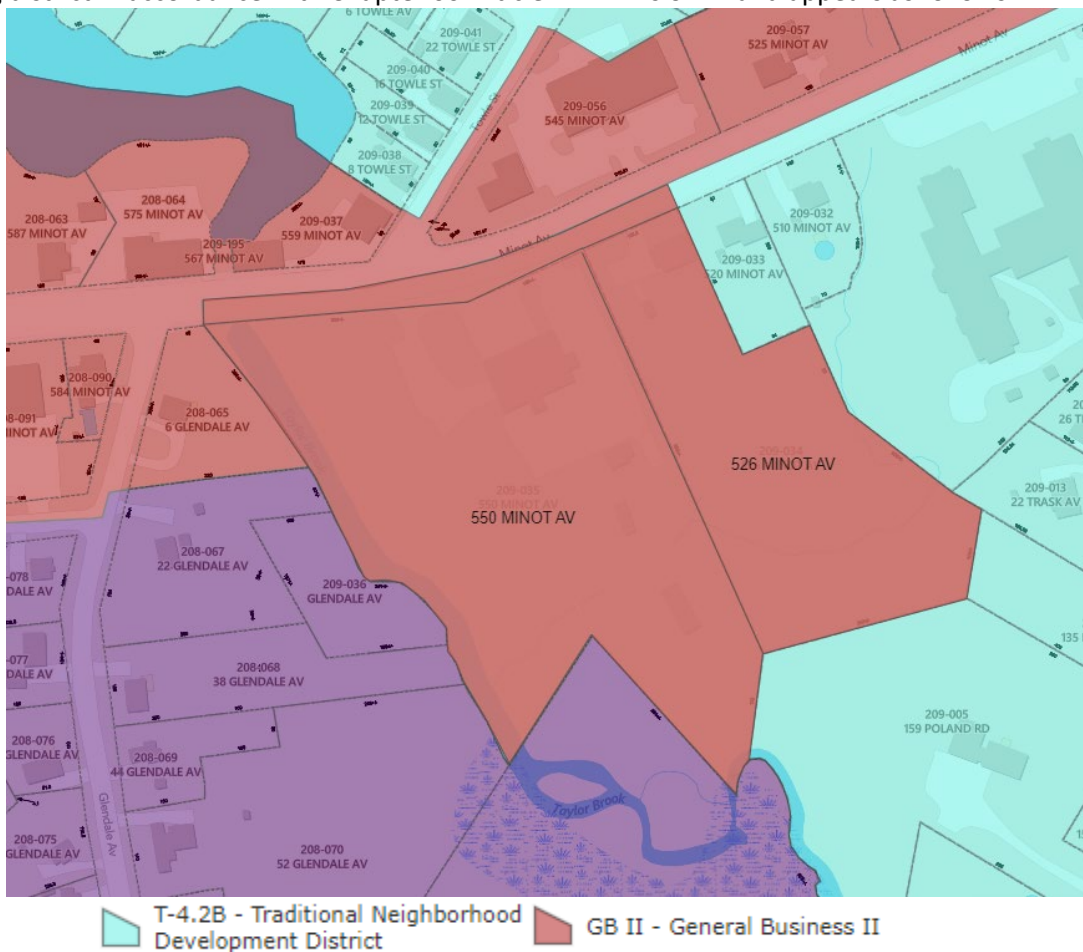


City Council Ordinance

IN CITY COUNCIL

Amending the Zoning District at 526 and 550 Minot Ave from T-4.2B to GBII:

Be it ordained, by the Auburn City Council, that the Official Zoning Map of the City of Auburn to be amended to convert City Assessor's Parcel I.D.s 201-034 and 209-035 with addresses of 526 and 550 Minot Ave from T-4.2B- Traditional Neighborhood Development zoning district to General Business II zoning district in accordance with Chapter 60 Article XVII Division 2- and appears as follows:



Passed first reading 7-1-24, 7-0.
Passed public hearing & second reading 7-15-24, 7-0.

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
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