



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board

From: Megan Norwood, City Planner

Re: WORKSHOP: Proposed Amendment to Section 60-989 to add language that reflects recent legislature requirements for photographic evidence of the shoreline of all development projects located in the Shoreland Zone.

Date: November 9, 2021

I. PROPOSAL: Staff is using this opportunity to bring a few recent bills passed by the legislature before the Planning Board to initiate amendments to the zoning ordinance.

A change in state statute was made in 2019 (**Sec. 5. 38 MRSA §439-A, sub-§1**) relating to Shoreland Ordinances and now requires municipal ordinances regulating the shoreland zone to adopt language requiring applicants developing within the shoreland zone to provide pre-construction and post-construction photos of the shoreline vegetation and the developed site as part of the permitting process. The additional submission of the pre-construction photos will give property owners and municipal officials an established baseline and the post-construction photos will document the conditions after construction. The addition of this photo requirement should provide a benefit to property owners and municipal officials in achieving desired compliance, as well as give the permitting body a better understanding of the preconstruction site conditions.

Staff recommends the Planning Board initiate a zoning ordinance amendment to add the following language to the Shoreland Zone ordinance under Section 60-989: Land Use Requirements.

Section 60-989. Land Use Requirements. Except as hereinafter specified, no building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, expanded, moved, or altered and no new lot shall be created except in conformity with all of the regulations herein specified for the district in which it is located, unless a variance is granted. **Every applicant for a permit shall submit preconstruction photographs that sufficiently represent the existing site conditions. Additionally, every applicant shall submit post construction photographs to the Code Enforcement Officer no later than 20 days after the completion of the development. Photographs must contain areas of shoreline vegetation and the development site.**

II. DEPARTMENT REVIEW:

- Police - No Comments
- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – No Comments
- Engineering – No Comments
- Public Services - No Comments
- Airport – No Comments
- 911 - No Comments

III. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff recommends the Planning Board schedule a public hearing to initiate this zone change at the December 14, 2021 meeting.