



City Council Workshop & Meeting
Agenda
August 3, 2026
Auburn Hall, Council Chambers

5:30 PM Workshop

- Tax Commitment & Revaluation Update – Karen Scammon, Assessor
- Zoning Map Amendment regarding Pownal Road – DeCarlo Brown, Planning Director
- Discussion of 940 Washington Ave – DeCarlo Brown, Planning Director

7:00 PM Meeting

Pledge of Allegiance & Roll Call - Roll call votes will begin with Councilor Gerry

I. Consent Items – *All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Passage of items on the Consent Agenda requires majority vote.*

II. Minutes – July 20, 2026 Regular Council Meeting & July 28, 2026 Special Meeting

III. Communications, Presentations and Recognitions

- Memo from City Clerk: Business License Denial – Websters Trading Co, 150 Minot Ave

IV. Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

V. Unfinished Business

VI. New Business

- 1) **ORDER 69-08032026**– Initiating zoning text amendment for public hearing and recommendation by the Auburn Planning Board regarding possible amendment to Chapter 60, Article IV, Division 2, Section 145(b)(1) Agriculture and Resource Protection District Use Regulations regarding removing the employee limit for sawmill uses within the district. *Passage requires majority vote.*

- 2) **ORDER 70-08032026** – Approving the Auburn-Lewiston Municipal Airport Master Plan. *Passage requires majority vote.*
- 3) **ORDINANCE 14-08032026** – Amending the City’s Code of Ordinances to adopt a Mobile Home Park Rent Stabilization Ordinance. *First reading. ROLL CALL VOTE. Passage requires majority vote.*

VII. Reports

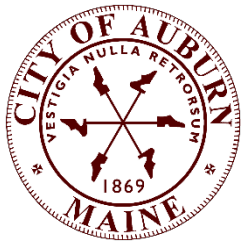
- a. **Mayor’s Report**
- b. **City Councilors’ Reports**
- c. **Student Representative Report**
- d. **City Manager Report**

- VIII. Open Session** - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

IX. Executive Session

- 1) Executive Session pursuant to 1 M.R.S.A. Section 405(6) (D) for discussion of labor union contract negotiations between MSEA and the City of Auburn and Public Works and the City of Auburn. *No action to follow.*
- 2) Executive Session pursuant to 1 M.R.S.A. Section 405(6) (C) for discussion of an economic development matter where premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency. *No action to follow.*
- 3) Executive Session pursuant to 1 M.R.S.A. Section 405(6) (C) for discussion of an economic development matter where premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency. *No action to follow.*

X. Adjournment



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 3, 2026

Author: Karen Scammon & Joseph St. Peter, Assessing

Subject: Tax Commitment and revaluation update

Information: 2026 statistics, mill rate, certified ratio, etc.

City Budgetary Impacts: None

Previous Meetings and History: N/a

City Manager Comments:

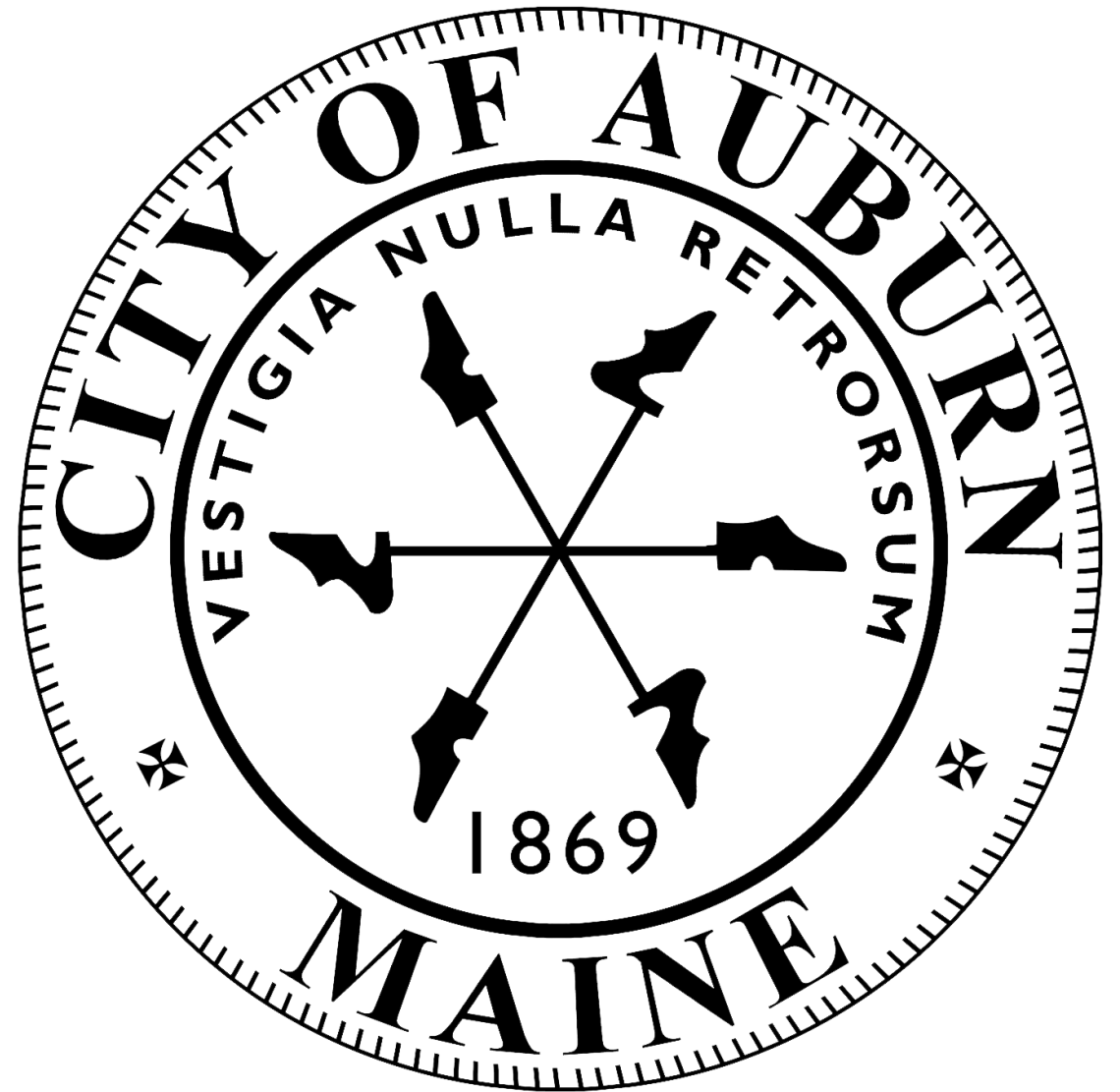
Attachments: Power Point

City of Auburn 2026 Commitment Information

Karen Scammon – City Assessor

Joseph St Peter – Deputy Assessor

City Council Workshop, August 3, 2026



City of Auburn – 2026

Commitment

Tax Year 2026/2027

Assessment Date: April 1, 2026

Commitment Date: July 13, 2026

Certified Ratio: 73%

Mil Rate: 24.50

Market Adjustments Made in 2026

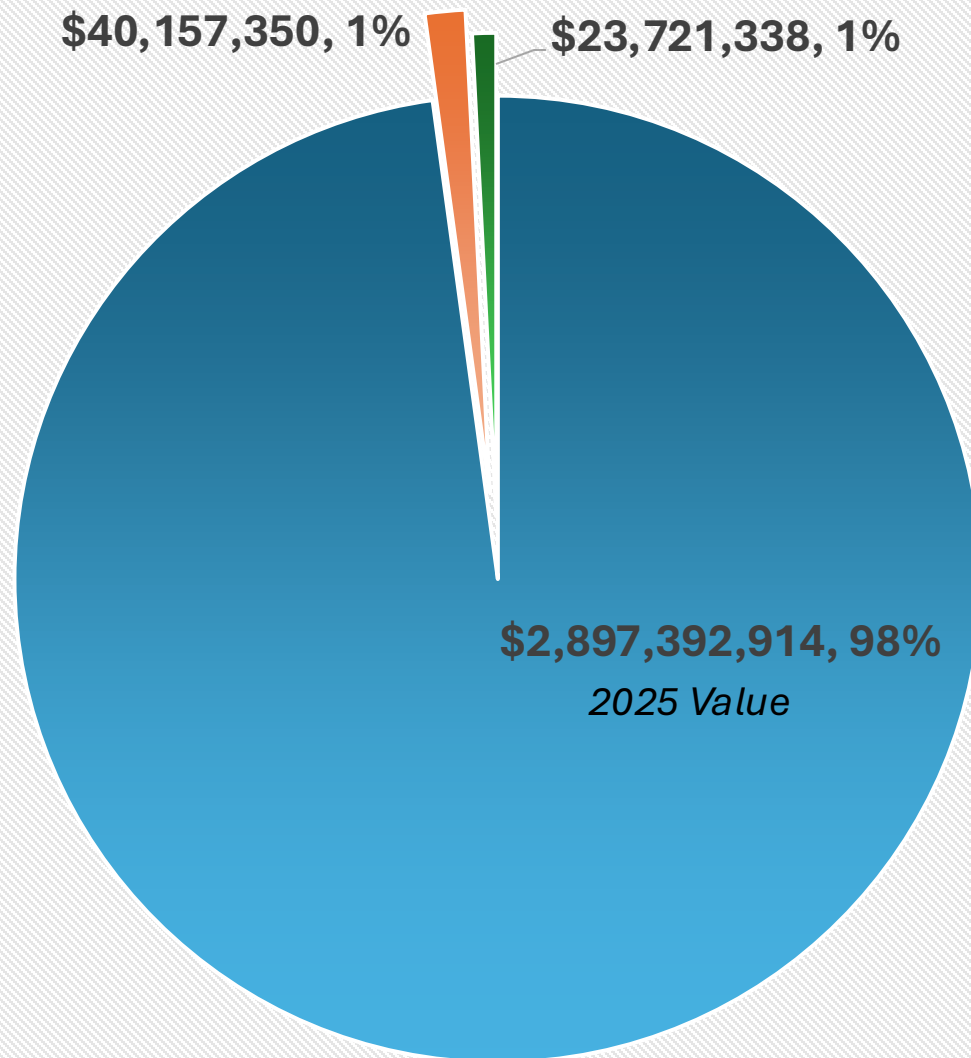
We made several market adjustments to improve equity. These adjustments were made due to overwhelming sales evidence.

Properties (market)adjusted to date:	673
Total city parcels	9506
% of parcels adjusted	7.08%

Note: While we did not make market adjustments to any conventional single-family properties, some may have been updated due to inspection findings.

Property Types	Units
Aux Land	66
Condominiums (partial)	215
Motel/Hotel	6
Large Multi-family	156
AG Land (vacant only)	221
Large Medical	4
Convenience/Mixed	5
	673

2026 Real Estate Valuation Changes



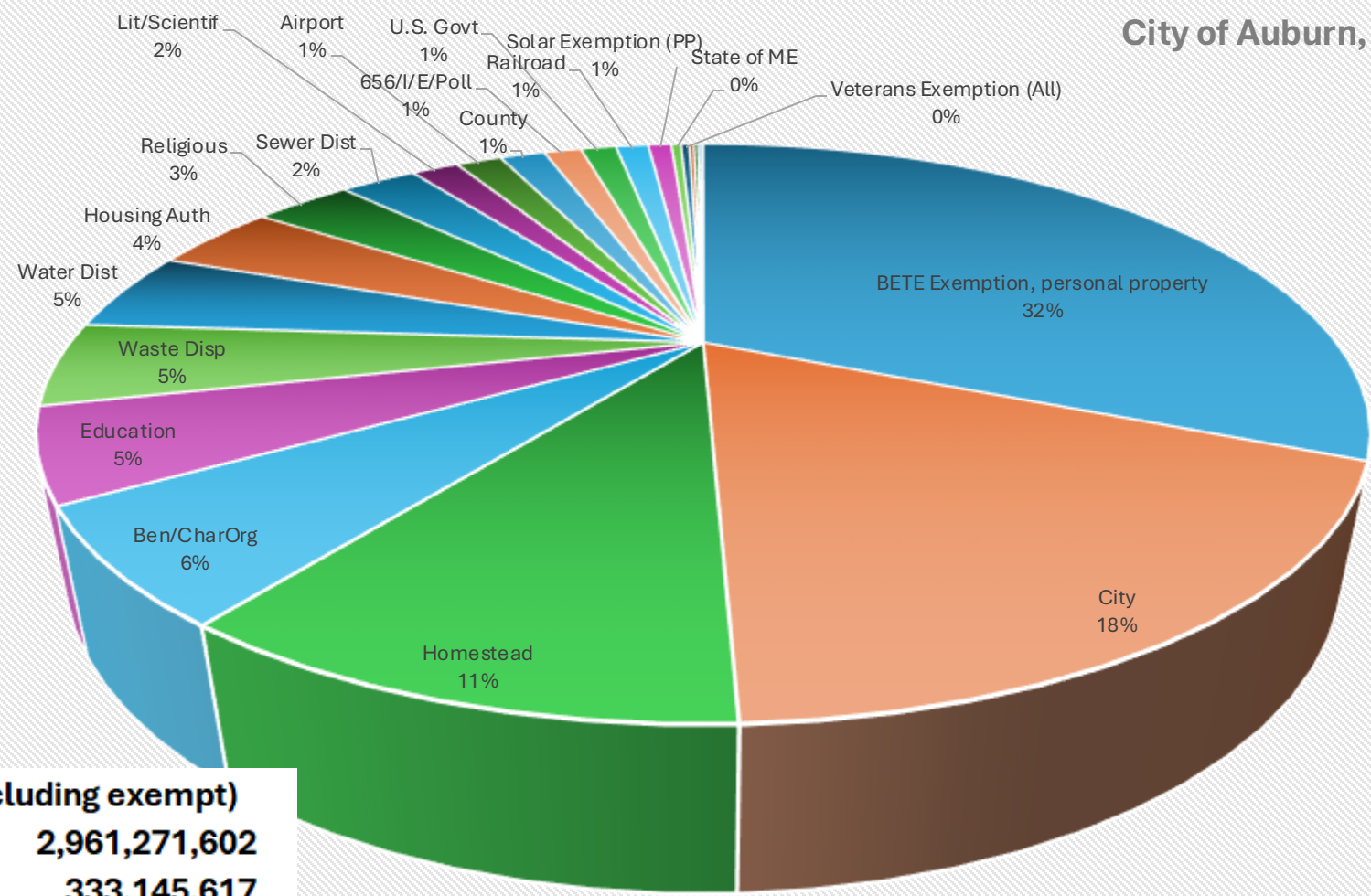
- base starting value
- increase from market adjustments
- net increase due to new growth

Total real estate valuation: \$2,961,271,602 (2026)

2026 Personal Property Valuation

		2026	
		ratio 73%	
Taxable		\$96,023,385	
BETE		\$231,487,459	
BETE reimbursement value		\$129,332,043	Rate 55.87%
Effective Total Personal Property Value		\$225,355,428	

City of Auburn, 2026 Exemptions



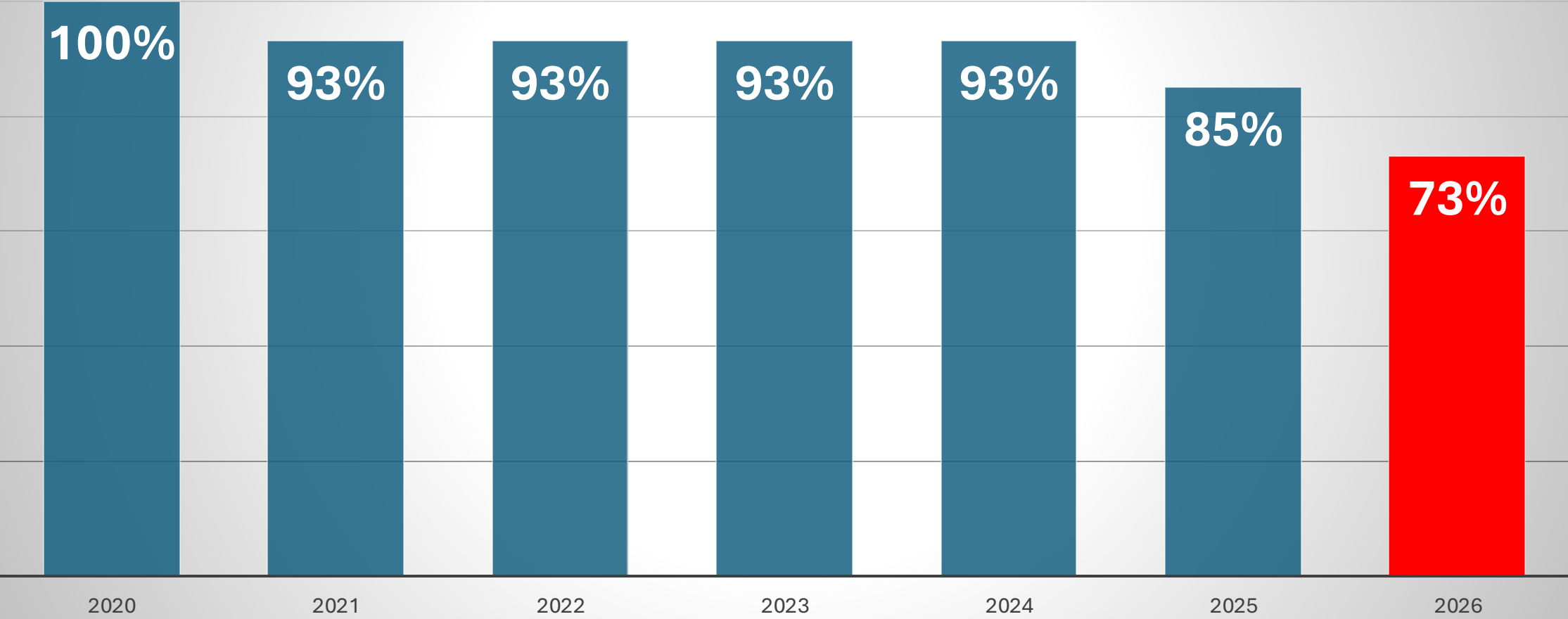
Total Valuation (including exempt)	
Real Estate	2,961,271,602
Personal Property	333,145,617
total assessed value	3,294,417,219
total exempt	734,487,643
percent exempt	22.29%

2026 Certified Ratio: 73%

Why do we declare a certified ratio?

- Maine law requires municipalities to assess property at 100% of market (just) value. If property assessments are below full value, we must adjust the ratio.
- When market sale prices rise faster than assessed values, the certified ratio drops.
- Annual sales-ratio studies show how our assessments compare to full market value.
- These studies use retrospective sales data. For the 2026 ratio, we used sales from July 2023 through June 2024.

City certified ratio trend 2020-2026



2026 Exemptions are ratioed at **73%**

Exemption	100%	73%
Homestead	\$25,000	\$18,250
Veterans	\$6,000	\$4,380
Veterans/Paraplegic	\$50,000	\$36,500
Parsonage	\$20,000	\$14,600
Blind	\$4,000	\$2,920

Other property tax relief programs

The State of Maine offers other tax relief programs. Including:

1) The Property Tax Fairness Credit (PTFC). This tax relief program is available to homeowners AND renters. Eligible Maine taxpayers may receive a portion of the property tax or rent paid during the tax year. This program allows eligible Mainers to claim a maximum benefit up to \$3,300 (as of 2025). The total credit is **capped based on age and income**.

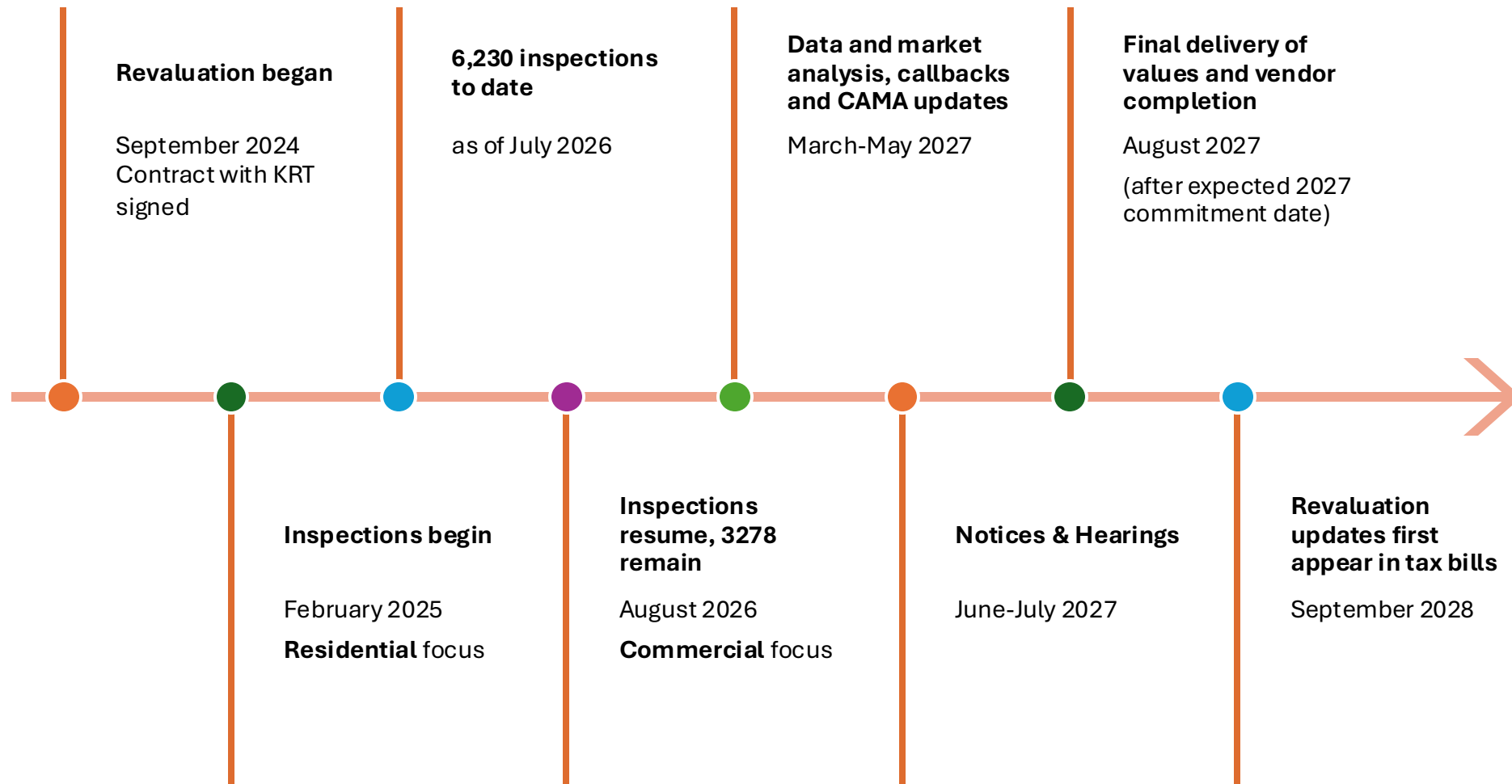
The credit is claimed through your *income* tax return. Even if you are not normally required to file a return, you can claim the credit by filing Form 1040ME and Schedule PTFC/STFC for the tax year during which the property tax *or rent* was paid.

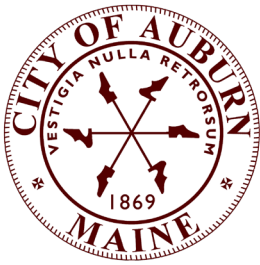
2) The State Property Tax Deferral Program. This is a lifeline loan program that covers the annual property tax bills of Maine seniors who are age 65 and older who cannot afford to pay them on their own. Taxes must be paid back when the home is sold or becomes part of an estate. While not for everyone, this program may be a good option for seniors interested in remaining in their home. Specific income and asset requirements apply.

Pursuant to Title 36, 907-A §6232 §6232. Municipalities in Maine have the authority to implement certain tax relief programs. The City of Auburn has developed such a program:

3) Auburn's Senior Tax Assistance Program – When funded, this program provides tax relief to eligible Auburn residents 65 years+. The program is income based. Applications are generally available January 1 and the deadline to apply is April 15.

Critical Events in City Revaluation





City of Auburn, Maine
Office of Planning & Permitting
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: City of Auburn City Council
From: DeCarlo Brown, Planning Director
Re: Pownal Road Map Amendment -Workshop
Date: August 3, 2026

OVERVIEW

Background

A property owner on Pownal Road has commented on the discrepancies in zoning between like parcels. The property located at 1890 Pownal Road is currently located within the Agricultural and Resource Protection District (AG). The AG District does not allow residential dwellings as a primary use. The parcel is bordered by a split zoned property to the west which is within both the Low Density Rural Residential District (RR) as well as AG.

Prior to beginning the process of a Zoning Map Amendment, staff seeks feedback on the timing of the amendment, and the general will of the council. The City of Auburn is currently completing a Comprehensive Plan for the city. This and like parcels on Pownal Road are proposed to be included in a Land Use category on the Future Land Use Map which would allow residential dwellings as a principal use. Both the current Future Land Use Map included in the active Comprehensive Plan (2021) and the proposed Future Land Use Map support parcels similar to the subject property to be rezoned for residential use.

ZONING PROVISIONS

- **Sec. 60-1445. - Purpose.**

Amendments to the zoning ordinance, including the zoning map, may be initiated by the planning board on its own initiative or upon request by the city council or by a petition signed by not less than 25 registered voters of the city.

(Ord. of 9-21-2009, § 8.1A)

- **Sec. 60-1446. - Proposal made in writing.**

Each proposal to change the zoning map shall be made in writing and shall explicitly state the nature, extent, location and purpose of the map change proposed and shall be accompanied by a black line print of a diagram drawn to scale showing and stating clearly the dimensions in feet, the area, metes and bounds of the land proposed for a change and a sketch or other explicit identification of the

general location and relationship of such land to some major neighborhood or other recognizable geographic segment of the city. Petitions shall be filed not less than 30 days prior to a regularly scheduled meeting.

Planning Board Recommendation Required

Sec. 60-1496. - Report in writing.

The planning board shall, within 30 days of the conclusion of the public hearing, report in writing the results of the hearing and recommendations of the board on the amendment to the city council.

STATE REQUIREMENT FOR CONSISTENCY

30-A §4352. Zoning ordinances

2. Relation to comprehensive plan. A zoning ordinance must be pursuant to and consistent with a comprehensive plan adopted by the municipal legislative body

COMPREHENSIVE PLAN (2021) INFORMATION

The active comprehensive plan separates land into three classifications, Growth Areas, Limited Growth Areas, and Non-Growth Areas. These classifications align with state classifications of Growth, Transition, and Rural Areas respectively. Page 8 of the Comprehensive Plan describes the differences between the two areas present in the area Limited Growth and Non-Growth.

Page 8

2. LIMITED GROWTH AREAS – Areas that are either mostly developed, and therefore have limited development potential; or that have vacant or under-utilized land where the city desires a limited amount of growth and development over the next ten years.

3. RESTRICTED OR NON-GROWTH AREAS – Areas that are unsuitable or are otherwise undesirable for development; in these areas, the city desires to see little or no growth and development over the next ten years.

The attached maps illustrate the specific land use category of the Limited Growth Area which encompasses the majority of parcels west of the subject property. A residential strip is intended to include all parcels on Pownal Road which meet the criteria listed above. The parcels in the subject area appear to meet these criteria but are not included in the Future Land Use Map as illustrated. In this case the lack of illustration on the Future Land Use Plan is not an eliminating factor due to the language of the plan.

3. RURAL RESIDENTIAL ROAD STRIPS The city has historically zoned narrow strips of land along some rural roads for low density residential development. These strips represent a compromise between the City's goal of limiting residential development in rural areas, and existing conditions along these rural roads. As part of the development of the Future Land Use Plan (see Chapter 2), the City conducted a comprehensive review of where residential strips should and should not be created based upon the following set of criteria. The considerations outlined below apply sequentially – first to identify where strips are appropriate based on current land use patterns, and then to work through where residential strips are inappropriate based on a variety of considerations.

Consideration #1 – Established Residential Pattern A residential strip may be provided along a rural road where there is an established pattern of residential uses along the road. An established residential pattern means at least 6-8 homes per half mile counting both sides of the road. In general, both sides of a road should have a residential strip unless there is a significant reason not to allow residential development based on the following considerations.

Consideration #2 – Reserve Area Adjacency A residential strip should not be provided along a rural road if the area adjacent to the road is a “reserve area” where the objective is to maintain the land as undeveloped to allow for its conversion to a different use in the foreseeable future. There should be some realistic expectation that something will occur that will change the desired land use for the area in the future.

Consideration #3 – Natural Resource Adjacency A residential strip should not be provided along a rural road if the area adjacent to the road has significant natural resource value. Areas with significant natural value include areas that are zoned Resource Protection or are high value wetlands, 100 Year floodplains, significant wildlife habitats, and areas with steep slopes (>25%).

Consideration #4 – Conservation/Open Space Adjacency A residential strip should not be provided along a rural road where the adjacent land is protected open space, or where there is a reasonable expectation that the land will be preserved as open space in the foreseeable future, and residential development is inconsistent with that open space use.

Consideration #5 -- Ability to Provide Public Services A residential strip should not be provided along a rural road if residential development will tax the City's ability to provide municipal services as indicated by the following:

- The road is a gravel or dirt road
- The road is a poorly maintained paved road that will need to be improved to support residential development along it

Consideration #6 – Water Quality Protection A residential strip should not be provided along rural roads with undeveloped frontage that are in the watershed of Lake Auburn unless such development will not have an adverse impact on the lake’s water quality.

The Future Land Use Plan (see Chapter 2) shows the areas where low density residential development is proposed to be allowed along rural roads based on these criteria. These criteria should be used in the future to review the areas designated as residential strips as conditions change, or to review property owner-initiated requests for rezoning.

The boundaries of the Rural Residential Road Strips illustrated on the plan are general and are intended to be a guide. If the property can fulfill the listed requirements above the land use can be considered consistent with the plan.

Page 99

The boundaries shown on the Future Land Use Plan are general. They are intended to reflect the general pattern of desired future land use. The allowed uses and development standards set out for each land use designation are intended to serve as guidelines as the zoning ordinance is reviewed and revised. The lists of uses and the discussion of potential development standards are not intended to be all-inclusive. Rather, they are intended to outline the basic character and types of development desired in each land use area to guide the revision of the City’s zoning ordinance and other land use regulations. In the preparation of the revised zoning provisions, some of the designations may be combined or rearranged to create a workable number of zoning districts

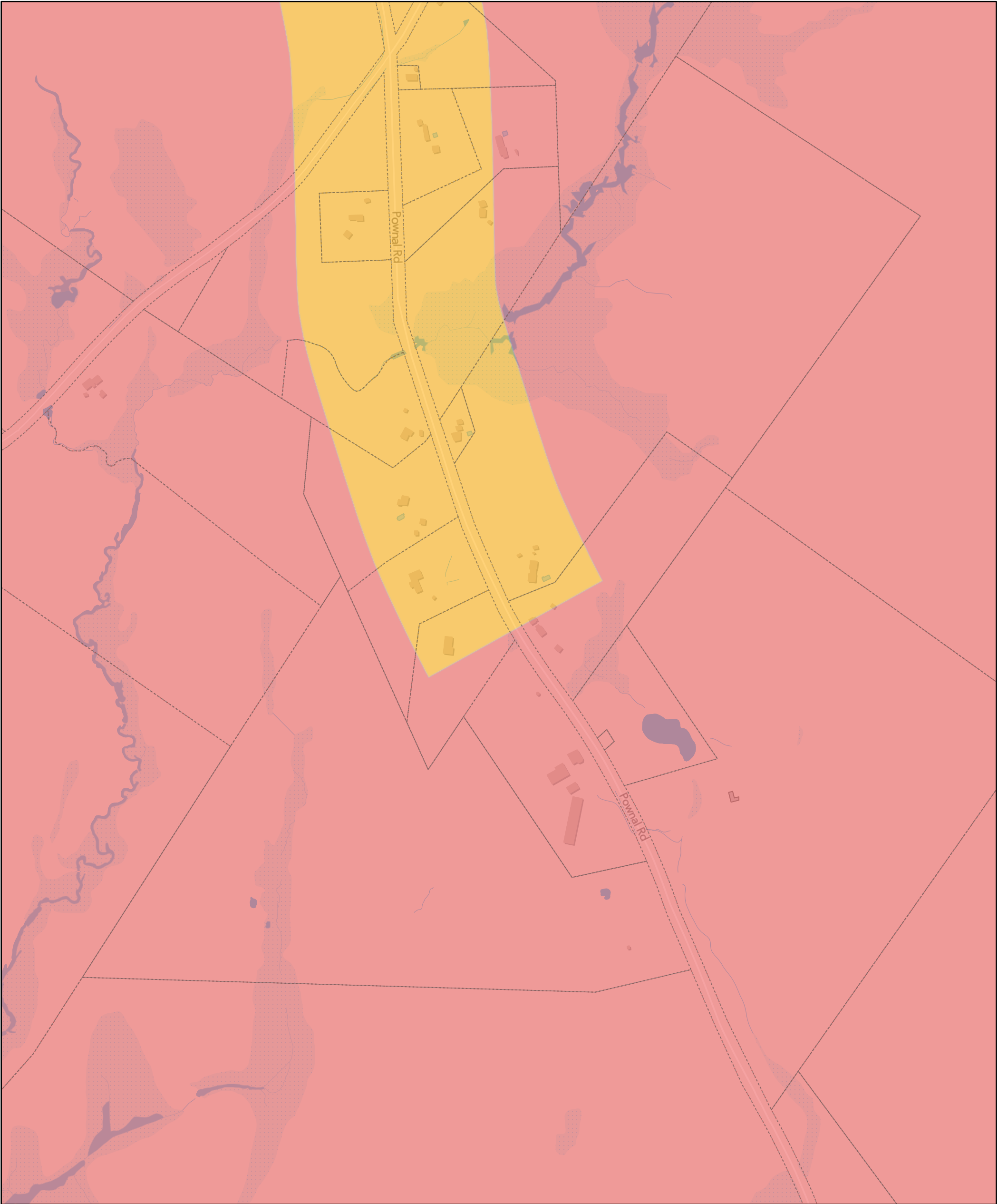
Please see attached pages which discuss the Residential development district and the Agricultural District to frame discussions for appropriateness on the map amendment

Page 109 map Residential development district 120 description

POSSIBLE DIRECTIONS

1. Discuss boundaries of the residential strip and the timing of the Map amendment request.
2. Direct staff to draft an order for the Council requesting the Planning Board conduct a public hearing on a Map Amendment.
3. Direct staff to draft an amendment to coincide with the adoption of the proposed Comprehensive Plan.
4. Direct staff to follow a different path determined by Council discussion.

ArcGIS Web Map



7/27/2026, 10:53:08 AM

-  Current Parcels _ Public
-  Future Land Use_ Growth Area
-  Non-Growth
-  Limited Growth
-  Boundary (for AOI)

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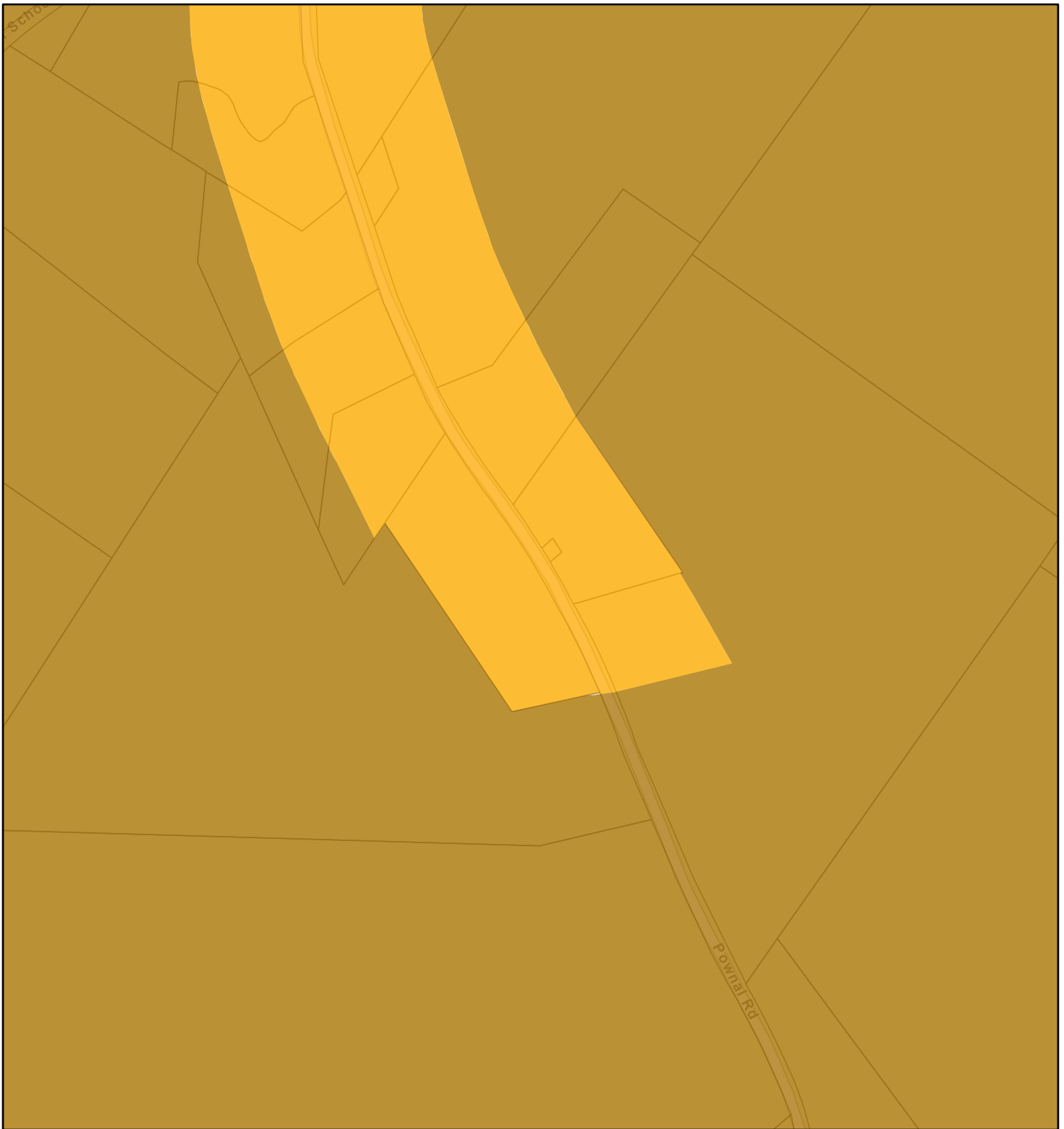
00.050.10.2 mi

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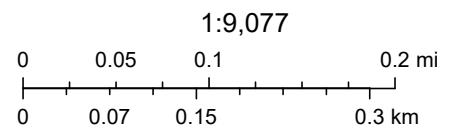
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

AuburnCommitteeMapPackage



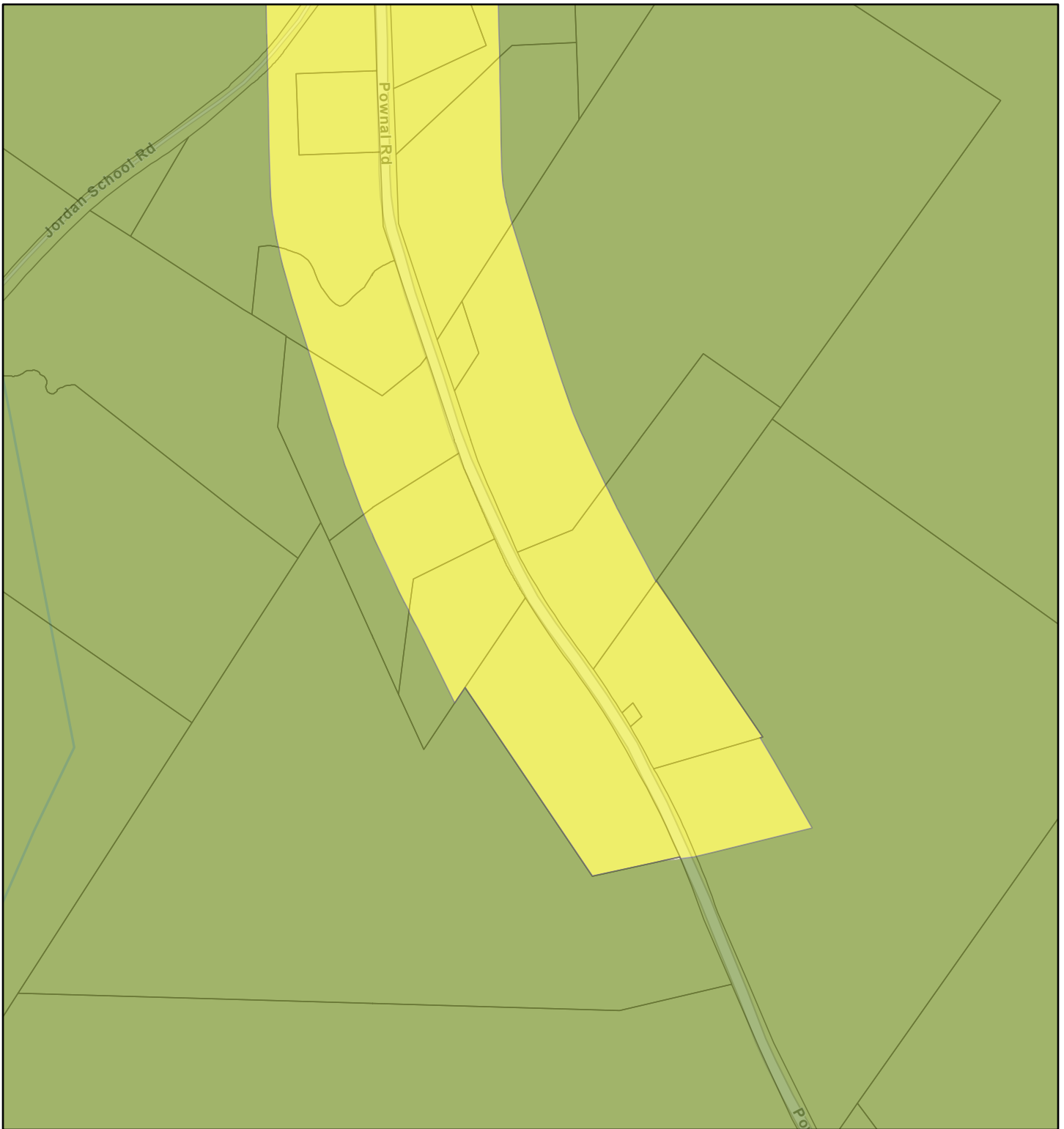
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-  Moderate Growth Area
-  Low Growth Area
-  City Boundary
-  Parcels



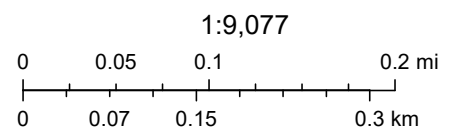
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

AuburnCommitteeMapPackage



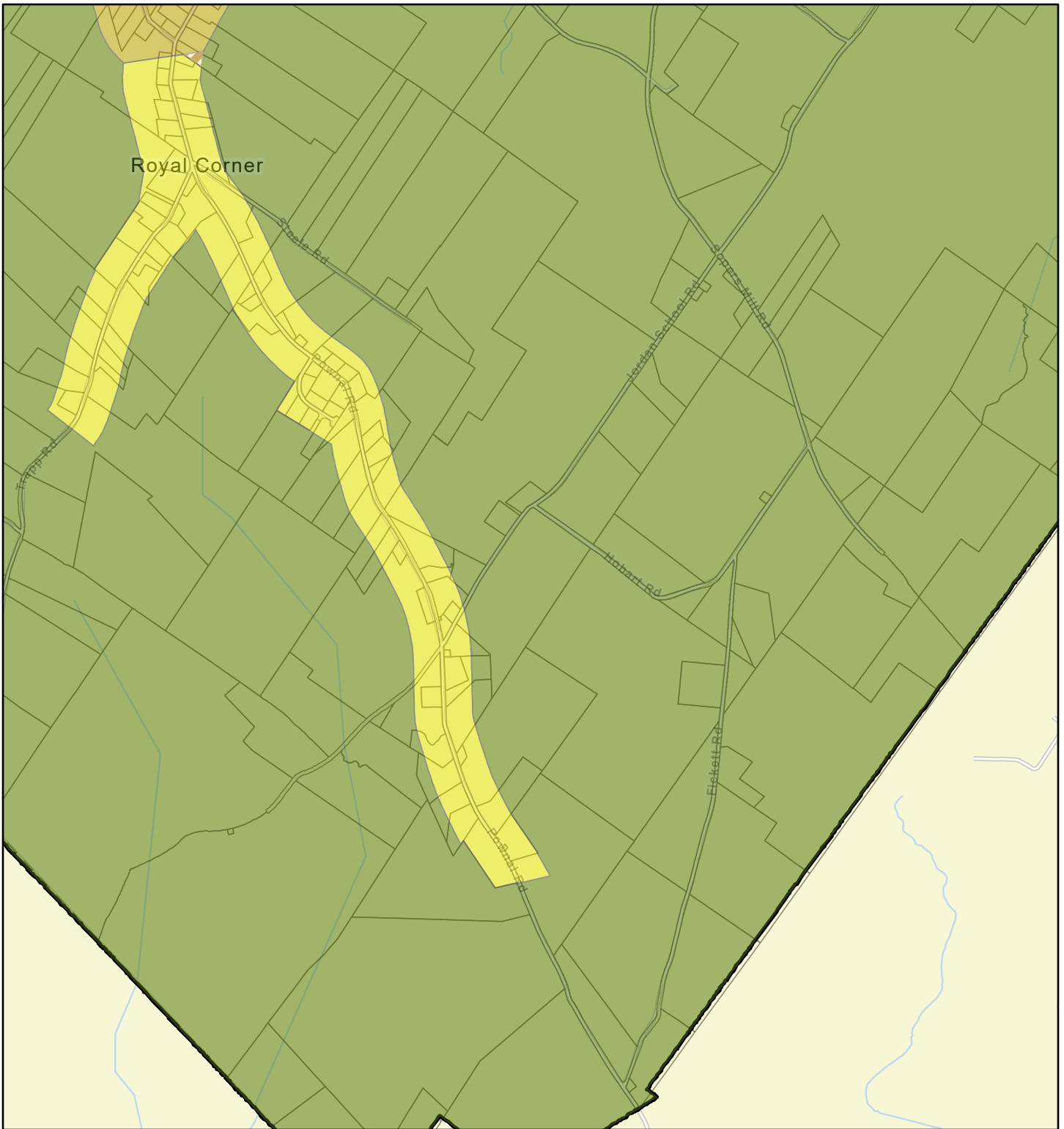
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-  Agriculture Forestry Open Space and Recreation
-  Residential Corridor
-  City Boundary
-  Parcels



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

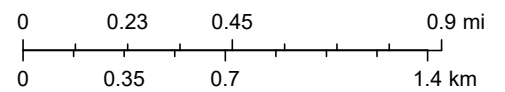
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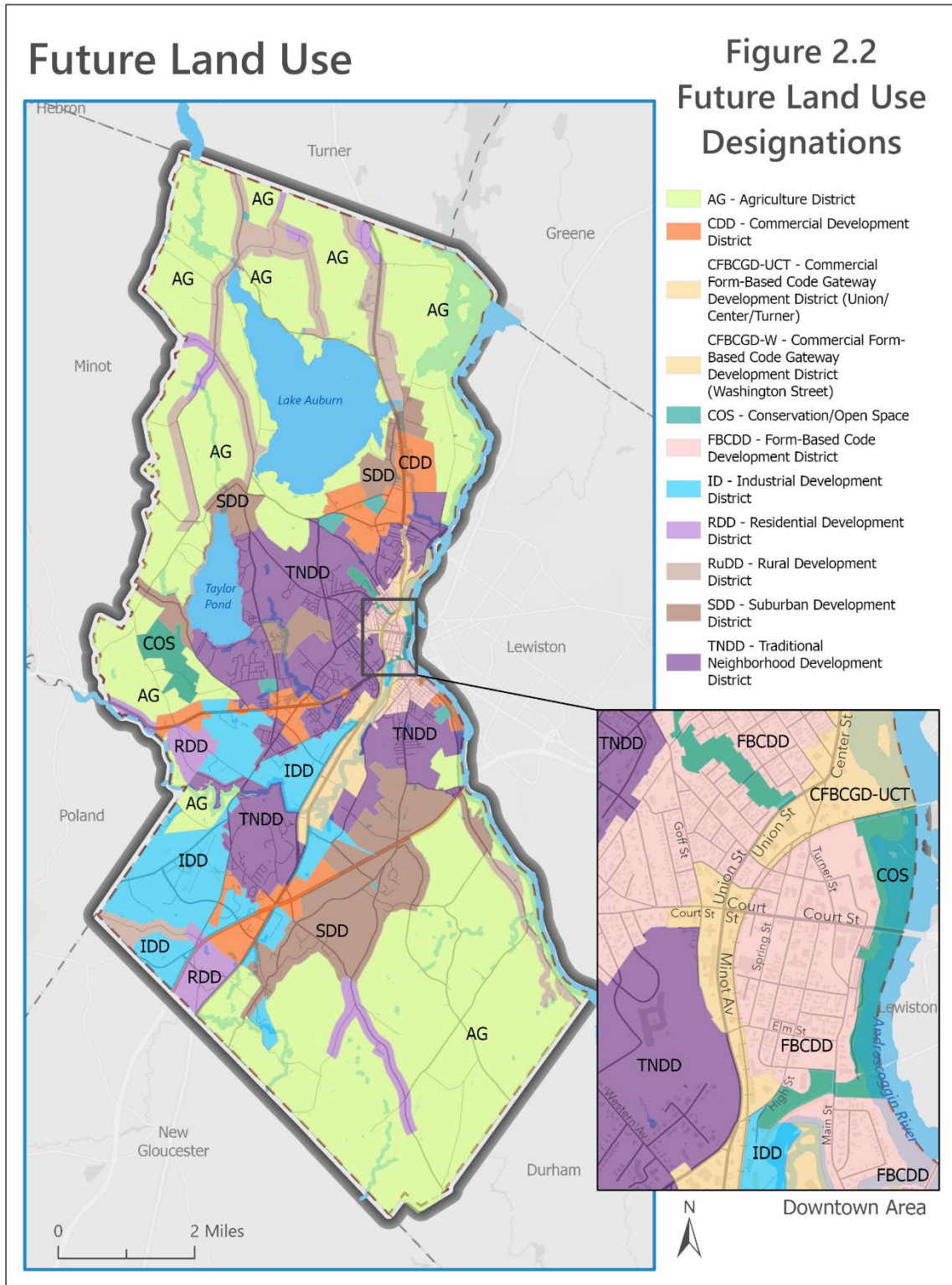
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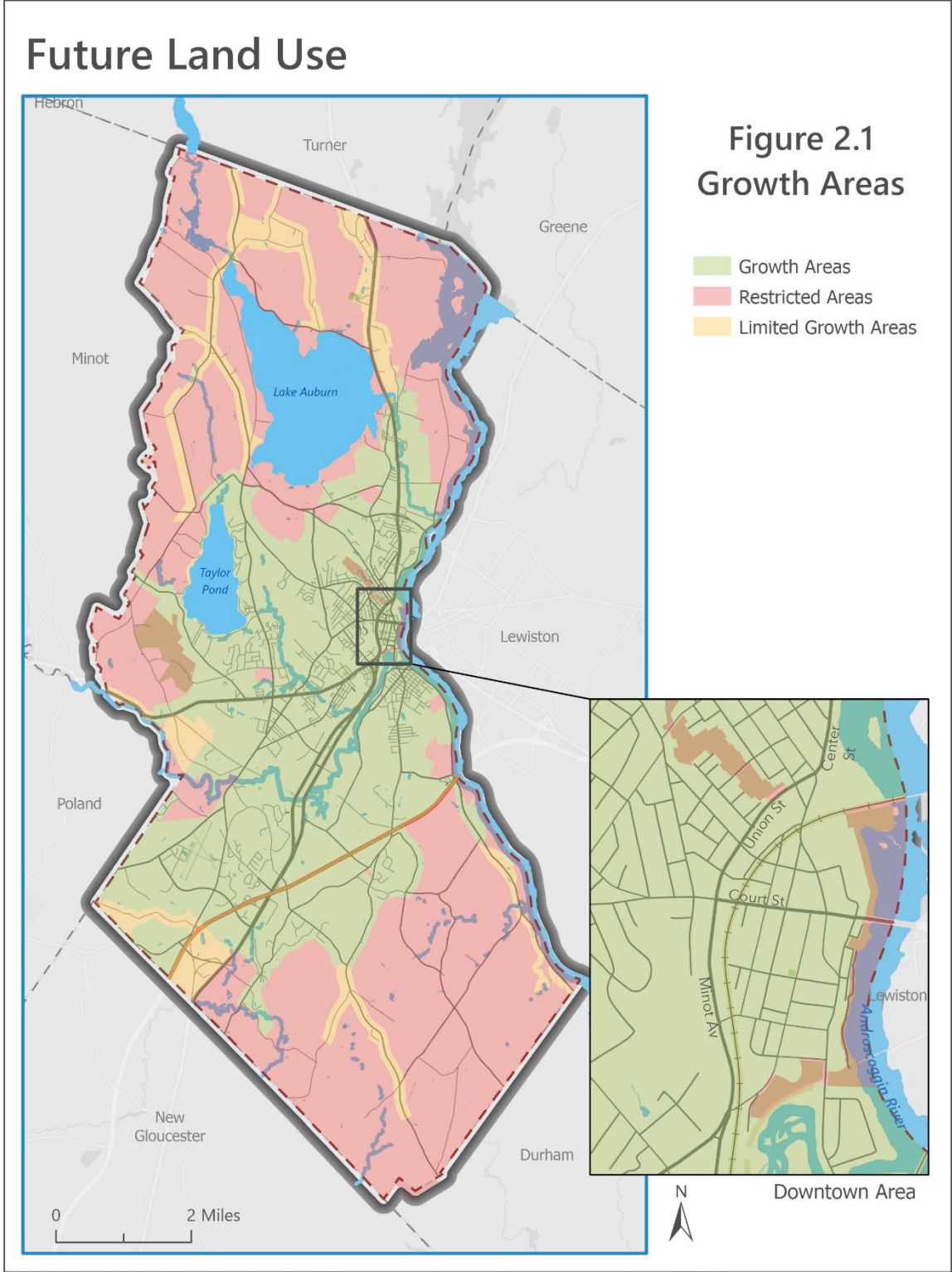
-  To NT
-  Agriculture Forestry Open Space and Recreation
-  Neighborhood Transition
-  Residential Corridor
-  City Boundary
-  Parcels

1:36,309



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community





Chapter 2 - Future Land Use Plan

The Future Land Use Plan shows graphically how the City's land use policies apply to the land area of the community, and where and how growth and development should and should not be accommodated over the next decade. The Future Land Use Plan is not a zoning map. It is intended to show, in a general sense, the desired pattern of future land use and development. The intention is that this Future Land Use Plan will guide near-term revisions to the City's zoning ordinance and maps to assure that the City's land use regulations are consistent with the policies set forth in this *Comprehensive Plan*. In addition, by designating transitional districts, the Future Land Use Plan is designed to guide future zoning changes when the circumstances become appropriate.

This Future Land Use Plan reaffirms the basic objective of land use planning, that development in Auburn should grow out from the historic cores (downtown, Danville, New Auburn, West Auburn and East Auburn) and from older established neighborhoods. This policy was originally set forth in the City's first comprehensive plan over a half century ago and has continued to guide the City's land use planning ever since. We continue to believe that growth out from the downtown core and older established neighborhoods provides the most efficient utilization of city services. This plan does not favor "leapfrog" development in the outlying sections of the city. This pattern is often referred to as "suburban sprawl," and is not considered desirable for Auburn. The effect of continuing this long-standing principle is to guide most new development into the area south of Lake Auburn and Taylor Pond and around potential passenger rail and turnpike exits (**See Section G: Transportation Policies**). Figure 2.1 identifies these areas as the City's Growth Area and Limited Growth Area; they are depicted in the brown and tan colors.

The boundaries shown on the Future Land Use Plan are general. They are intended to reflect the general pattern of desired future land use. The allowed uses and development standards set out for each land use designation are intended to serve as guidelines as the zoning ordinance is reviewed and revised. The lists of uses and the discussion of potential development standards are not intended to be all-inclusive. Rather, they are intended to outline the basic character and types of development desired in each land use area to guide the revision of the City's zoning ordinance and other land use regulations. In the preparation of the revised zoning provisions, some of the designations may be combined or rearranged to create a workable number of zoning districts.

Organization of the Future Land Use Plan

The Future Land Use Plan is organized around the concept of growth and rural (or limited growth) areas set forth in the state's Growth Management Law. The state defines a "growth area" as an area that is designated in the city's comprehensive plan as suitable for orderly residential, commercial, or industrial development, and into which most development projected over ten years is directed. The state defines a "rural area" as an area that is designated in the comprehensive plan as deserving of some level of regulatory protection from unrestricted development for purposes such as supporting agriculture, forestry, mining, open space, habitat protection, or scenic lands, and from which most development projected over ten years is diverted. The state also recognizes the concept of "transitional areas," or areas that are suitable to accommodate a share of projected development, but at lower levels than a growth area, and without the level of protection accorded to rural areas.

The terminology of the state law – growth, rural, and transitional – can lead to confusion. The three terms are used to indicate the desired/anticipated level or share of future growth and development that will occur in the three areas -- but the terms do not indicate that in common usage. For example, an undeveloped floodplain within the built-up area might be identified as a non-growth area but labeling it as “rural” can be misleading. Similarly calling an established residential neighborhood a “transitional” area or a “growth” area can also be misleading if the objective is to maintain the neighborhood “as is”.

Future Land Use Categories

For the Future Land Use Plan, three basic growth categories are used based upon the standards set out by the state and the desired level of future development in the City (see Figure 2.1 following page):

1. **GROWTH AREAS** — Areas where the city wants growth and development to occur. The anticipation is that most residential and non-redevelopment over the next ten years will occur in these growth areas.
2. **LIMITED GROWTH AREAS** — Areas that have limited development potential or that have vacant or under-utilized land where the city desires a limited amount of growth and development over the next ten years.
3. **NON-GROWTH AREAS** — Areas that are either unsuitable for development or in which the city desires to see little growth and development over the next ten years.

PLANNED UNIT DEVELOPMENTS (PUD)

Objective – As part of the comprehensive rezoning process, the City should continue to provide for a greater variety and choice of design for urban and suburban living, to gain efficiencies, to coordinate design development efforts, to consider and make available open space, to utilize new technologies for land development and to offer a flexible alternative to conventional land control regulations by allowing for Planned Unit Developments for residential, commercial and industrial projects. The type and amount of development permitted should continue to be based on the Planning Board's evaluation of the development proposal and the purposes set forth in the 2021 Auburn Code of Ordinances. The city should continue with the four types of Planned Unit Developments: Residential, Recreation/Residential, Commercial and Industrial and apply them to the newly proposed Future Land Use Designations after a comprehensive rezoning has taken place.

2. LIMITED GROWTH AREAS –

Type A: Development Areas

Designation: Residential

RESIDENTIAL DEVELOPMENT DISTRICT (LDD)

Objective – Allow for the development of residential and community uses at a density of up to 2 units per acre in areas on the fringe of the built-up area in the south and north ends of the existing residential strips where public services can be reasonably provided, but where public sewerage is not available and is not likely to be available in the foreseeable future (see Figure 2.2). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads. Shared driveways should be encouraged by providing a 20% reduction in lot size and road frontage. Based on public input, areas in the Auburn Lake Watershed were not included.

Allowed Uses – The Residential Development District generally follows the boundaries of the Rural Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update (see appendix IV). The following general types of uses should be allowed within the Low-Density Development District:

- Low Density Residential Dwellings
- Home occupations
- Community services and government uses
- Agriculture
- Small retail shops less than 3,000 square feet or 1.5 times the average size of the home within Village Overlay Neighborhoods.

Development Standards – Residential uses should be allowed at a density of up to 2 units per acre. Lot frontage requirements on existing collector and other through roads should be around 100 feet but should be reduced for lots that share driveways. In general, the minimum front setback should be 20 feet. Side and rear setbacks should be 15-30 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

RURAL DEVELOPMENT DISTRICT (RD)

Objective – Allow for the development of residential uses (primarily detached single family homes) at a density of up to 1 unit per 3 acres with one additional dwelling unit permitted for each home in areas where public/community sewerage and water are not available and not likely to be available in the foreseeable future. New development should be designed to minimize the number

of vehicular access points to existing collector and other through roads. Shared driveways should be encouraged by providing for a 50-foot driveway frontage bonus. Setbacks within lots should be maintained.

Allowed Uses – The Rural Development district generally follows the boundaries of the Low-Density Country Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update (see appendix IV). The following general types of uses should be allowed within the Rural Development District:

- Low Density Residential Dwellings
- Home occupations
- Community services and government uses
- Agriculture
- Small retail shops less than 3,000 square feet or 1.5 times the average size of the home within Village Overlay Neighborhoods.

Development Standards – The residential density in the Rural District should be one unit per 3 acres. Lot frontage requirements should be around 200 feet but should be reduced for lots that share driveways. In general, the minimum front setback should be 25 feet. Side and rear setbacks should be 15-25 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

3. NON-GROWTH AREAS –

Type C: Protection/Reserve Areas

Designation: Conservation/Open Space

CONSERVATION/OPEN SPACE DISTRICT (COS)

Objective – Formally recognize those parcels that are used for cemeteries, water quality protection or are protected for conservation or open space purposes (see Figure 2.3). The land included within this district will change over time as additional land is conserved. The intent of this designation is to establish a policy that these types of properties/uses should be recognized as important resources and that any significant change in use should be considered a policy decision.

Allowed Uses – The allowed uses within the Conservation/Open Space District should be limited to low intensity recreational facilities and natural resource uses including forestry and food production.

Development Standards – The development standards should provide flexibility for the appropriate use of the land, while protecting its natural resource and ecological values.

AGRICULTURE DISTRICT (AG)

Objective – Preserve and enhance the agricultural heritage of Auburn and protect the City's natural resources and scenic open space while maintaining the economic value of the land (see Figure 2.3). The district is characterized by a rural, very low-density development pattern that limits sprawl and minimizes the City's service costs. The district maintains the current rural development pattern allowing for a broad range of agriculture and natural resource-related uses, while restricting residential development. Recreational development is encouraged both as a means of protecting open space, and to provide reasonable public access to outdoor destinations

such as Lake Auburn and the Androscoggin River. The Agriculture District is intended to serve as a land reserve, protecting valued community open space and rural landscapes, while maintaining the potential for appropriate future development.

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

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

Development Standards – All new development, redevelopment, and expanded uses in the Agriculture District should be required to meet “best management practices” for stormwater management and environmental protection to ensure adequate protection of natural resources. All development activities in the Agricultural District should be subject to low impact development (LID) standards such as limiting impervious surfaces, minimizing lot disturbances, creating natural buffers, and capturing and treating runoff through filtration measures.

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

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

As part of the 2021 Comprehensive Plan update, it is understood that agriculture and forestry **may not** be profitable in some areas of the city and the existing Agriculture and Resource Protection Zoning, in some cases, eliminates the economic use of private land. The city should create a mechanism in which private landowners can petition the city for a change of use based on the individual circumstances of their lot(s).

The city also recognizes differences between Agriculture and Resource Protection, and as such it is recommended that the districts be treated separately within the zoning ordinance

(Agricultural District and Conservation/Open Space District). This committee acknowledges that in practice there is overlap between Agriculture and Resource Protection, and that the conversation about how to distinguish the two should include a broad group of voices including residents, relevant City Committees (Conservation Commission, Agriculture Committee, etc.) and experts who can support the City in meeting its goal to untangle these activities.

Council Approval: December 6, 2021 ORDER 131-12062021

CHAPTER 3 - REGIONAL COORDINATION

PURPOSE

To address areas where the objectives and strategies of the Auburn Comprehensive Plan should extend beyond the municipal boundary and take into consideration a regional perspective.

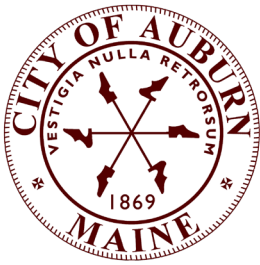
Auburn currently plays a major role in regional activities. The city, in partnership with the City of Lewiston, represents the regional service center for the Androscoggin Valley. The two cities, often referred to as the Twin Cities, have a long history of collaboration and work closely to provide regional social and transit services. They are the employment, industry, and business centers providing most jobs within the region. The Auburn Comprehensive Plan supports continued collaboration with Lewiston to provide appropriate, cost-effective services. The Plan also recognizes the importance of broader county-wide collaboration as necessary to achieve the goals contained in this plan.

The city works closely with regional organizations such as the Androscoggin Valley Council of Governments (AVCOG and individual local municipalities to promote and achieve collaboration with surrounding communities. As these communities continue to grow, it is important for Auburn to maintain active dialogue to ensure that regional service design and costs can be shared where appropriate and feasible

The following identifies some key areas in which the Auburn Comprehensive Plan seeks to promote regional involvement in the Plan's implementation of objectives and strategies.

A. REGIONAL SERVICE DELIVERY

Given Auburn's close ties with the City of Lewiston, the Comprehensive Plan promotes continued exploration and implementation of joint service delivery as a means of ensuring appropriate, cost-effective municipal services that meet the needs of both communities. In addition, the plan encourages the city to explore service partnerships with surrounding communities to maximize resources, streamline delivery and share the costs.



City of Auburn, Maine
Office of Planning & Permitting
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: City of Auburn City Council
From: DeCarlo Brown, Planning Director
Re: 940 Washington Ave – Recycler License Conditions

Date: July 27, 2026

OVERVIEW

A business owner located at 940 Washington Ave has submitted a State Form – Recycler License Zoning Renewal which requires a sworn statement of compliance with all local and state land use regulatory ordinances. In researching the site, Staff has found no original site plan approval and significant aspects of the use which do not align with current local land use regulations. This is not uncommon with older uses which may predate modern regulations. However, staff have also not found adequate documentation outlining details of what the city considers a legal nonconforming use on the subject property. The lack of documentation presents an issue when considering the conditions present on the Business License for the property. Please see below for relevant information on the site, license provisions, enforcement, and possible next steps. Staff seeks feedback on proposed next steps to come to a resolution of the state recycler license and in preparation for the local license renewal for automobile junkyard.

BACKGROUND

The license provisions of Chapter 14 include land use regulations – Supreme Judicial Court has distinguished between a land use regulation and a zoning ordinance. Land use regulations regularly are located outside zoning ordinances.

The site predates the current version of the standards for an automobile graveyard and junkyard (Ord. No. 38-02072011-05, att. § 24-74, 2-7-2011). The most recent prior standards include provisions the site is unlikely to meet.

The site is located completely within a flood zone with the majority of the site in the floodway and a small portion in the 100-year flood zone.

Non anchored vehicles and debris are within the floodway on the site. The floodway is a part of a waterbody.

The site is completely within 300 feet of a waterbody.

The majority of the site is within 100 feet of the property line.

There are 4 known uses of the site – automobile graveyard, automotive towing and storage, automobile repair and service, automobile sales lot.

The automobile graveyard use has intensified in recent years but has not spatially grown in area.

Business owners have been open and responsive to staff inquiry and inspection.

LICENSE PROVISIONS

1. License for automobile graveyard and junkyards may include conditions above and beyond those listed in the section (14-74)

Conditions of approval: The city council may impose conditions on the approval of any permit application under this article to ensure compliance with the provisions of this chapter. Such conditions may include, but are not limited to, the following: (list follows)

2. Current license only includes two named uses: automobile graveyard and automobile sales.
3. Current License includes a number of land use conditions: conditions named in the license and conditions which are requirements in state and local provisions. While the first portion of conditions list conditions less restrictive than those listed in Chapter 14, the second set of conditions are the same as for a new automobile graveyard or junkyard (**14-74(c)**). The third set of regulations are related to the state requirements (<https://legislature.maine.gov/statutes/30-a/title30-Asec3754-A.html>). In accordance with the order, staff must inspect for all of the listed provisions.

The listed provisions include:

(c) *Compliance standards:* The following standards shall govern the issuance of permits under this article and the operation and maintenance of all permitted premises:

(1) An effective visual screen at least six feet in height shall be located and maintained around all sides of the area where vehicles or junk are to be located such that these areas are entirely screened from ordinary view from all directly abutting properties and public ways at all times.

(2) All screening and location requirements of 30-A M.R.S.A. §§ **3754-A** and 3755-A shall be satisfied. There shall be no vehicles or junk stored outside the screened area.

(3) No vehicle or junk shall be stored within 300 feet of any water body, aquifer or classified waterway.

(4) No vehicles or junk shall be stored within 300 feet of any residence, private well or school.

(5) No vehicles or junk shall be stored within a floodplain.

(6) Upon receiving a motor vehicle, the fuel tank and battery shall be removed and the fuel, engine lubricant, transmission fluid, brake fluid and engine coolant shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable federal and state laws, rules and regulations regarding disposal of waste oil and hazardous materials. No discharge of any fluids from any motor vehicle or junk shall be permitted into or onto the ground.

(7) No vehicles or junk shall be located closer than 100 feet from all lot lines of the property.

(8) All dismantling of motor vehicles with power tools shall take place within a building.

(9) All federal and state hazardous waste laws and regulations shall be satisfied.

(10) All vehicular entrances and exits shall be located and constructed in a manner which does not create or aggravate a traffic safety hazard.

(11) No noise, vibration, glare, fumes or odor shall be emitted that is detectable to the normal senses from any abutting property.

(12) Upon recommendation of the director of planning and code enforcement, the city council may waive compliance with any of the above standards when both the director of planning and code enforcement and the city council determine that strict compliance therewith is not necessary to accomplish the purposes of this article.

*Standards in bold are not likely to be met on the current site

The conditions also of note:

MRSA 30-A Section 3754-A 5.C

C. Junk, scrap metal, vehicles or other solid wastes may not be placed or deposited, directly or indirectly, into the inland waters or tidal waters of the State or on the ice of inland waters or tidal waters or on the banks of inland waters or tidal waters in such a manner that they may fall or be washed into these waters;

MRSA 30-A Section 3755-A

B. A vehicle containing fluids may not be stored within 100 feet of any body of water or freshwater wetland, as defined by Title 38, section 436-A, subsection 5

ENFORCEMENT

The current license requires the Director of Planning and Permitting to inspect direct remediation if any violations are present. This conflicts with both state and local provisions:

1. Only a Code Enforcement Officer may enforce land use regulations in the state of Maine (<https://www.mainelegislature.org/legis/statutes/30-a/title30-Asec4451.html>).
2. Locally, Chapter 14 appoints the Code Enforcement Official to commence proceedings:

Sec. 14-47. - City officials to notify police of violators; prosecutions.

Any city official who has knowledge of any person operating any business or activity regulated by this chapter without the required license, or violating any state or local regulations, shall furnish the Planning, Permitting and Code office the name of such person. It shall be the duty of the Code Enforcement official to commence proceedings against the offenders of this chapter.

Sec. 14-48. - Suspensions and revocations; hearings.

(a) Where provided, duly authorized city officials; police chief, fire chief or code enforcement officer; shall have the power to temporarily suspend licenses, upon written notification of violation, for a period of up to five calendar days, when the continued operation of the licensed business or activity presents a danger to the health, safety or general welfare of the public. This temporary suspension can be revoked when the licensed business rectifies the deficiencies which presented the danger.

(b) Any license issued by the city may be suspended or revoked by the city council and any license fees retained by the city, upon a finding by the council that the licensee has violated the ordinances of the city or the laws of the State, or has willfully or persistently failed to comply with any applicable rules and regulations. Any action to suspend or revoke a license may be commenced upon the initiative of the council, upon the recommendation of any city official charged with approving, inspecting or otherwise regulating the licensee's business or activity, or upon complaint from any resident of the city.

(c) Prior to suspending or revoking a license, the city council shall hold a hearing at the regular meeting of the council, or a special meeting thereof called for that purpose. At such a meeting, the licensee shall have the right to be heard. Notice of the hearing for suspension or revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed by the city clerk, postage prepaid, to the licensee at his last known address at least 48 hours prior to the date set for hearing. The decision and order of the city council at such hearings shall be final and conclusive.

Council has final jurisdiction

Sec. 14-4. - Council reservation.

Anything in this chapter to the contrary notwithstanding, the city council hereby reserves sole power to grant or deny licenses or permits. Certifications by officials and any other restriction in this chapter are standards set up for the direction of, and limitations placed upon the authority of the city clerk or designee in the exercise of his powers granted herein as agent of the city council and are not to be construed as limitations on or as delegations of power by the city council. In such specific cases or classes as it may desire at any time, the city council may assume original jurisdiction.

Staff recommendations

1. Amend the license after reviewing the site to include all present uses.
2. Develop a full plan set delineating all associated use areas, zoning, and applicable overlays.
3. Officially determine which uses are legally nonconforming and if these uses can intensify.
4. Amend the enforcement provisions of the license.

ArcGIS Web Map



Sec. 14-74. - Administration.

(c) Compliance standards: The following standards shall govern the issuance of permits under this article and the operation and maintenance of all permitted premises:

(2) All screening and location requirements of 30-A M.R.S.A. §§ 3754-A and 3755-A shall be satisfied. There shall be no vehicles or junk stored outside the screened area.

(3) No vehicle or junk shall be stored within 300 feet of any water body, aquifer or classified waterway.

(5) No vehicles or junk shall be stored within a floodplain.

(7) No vehicles or junk shall be located closer than 100 feet from all lot lines of the property.

(8) All dismantling of motor vehicles with power tools shall take place within a building.

0 50 100 200 300 400 Feet

940
Washington
North
PID 170-020

Floodway

33'
from
center

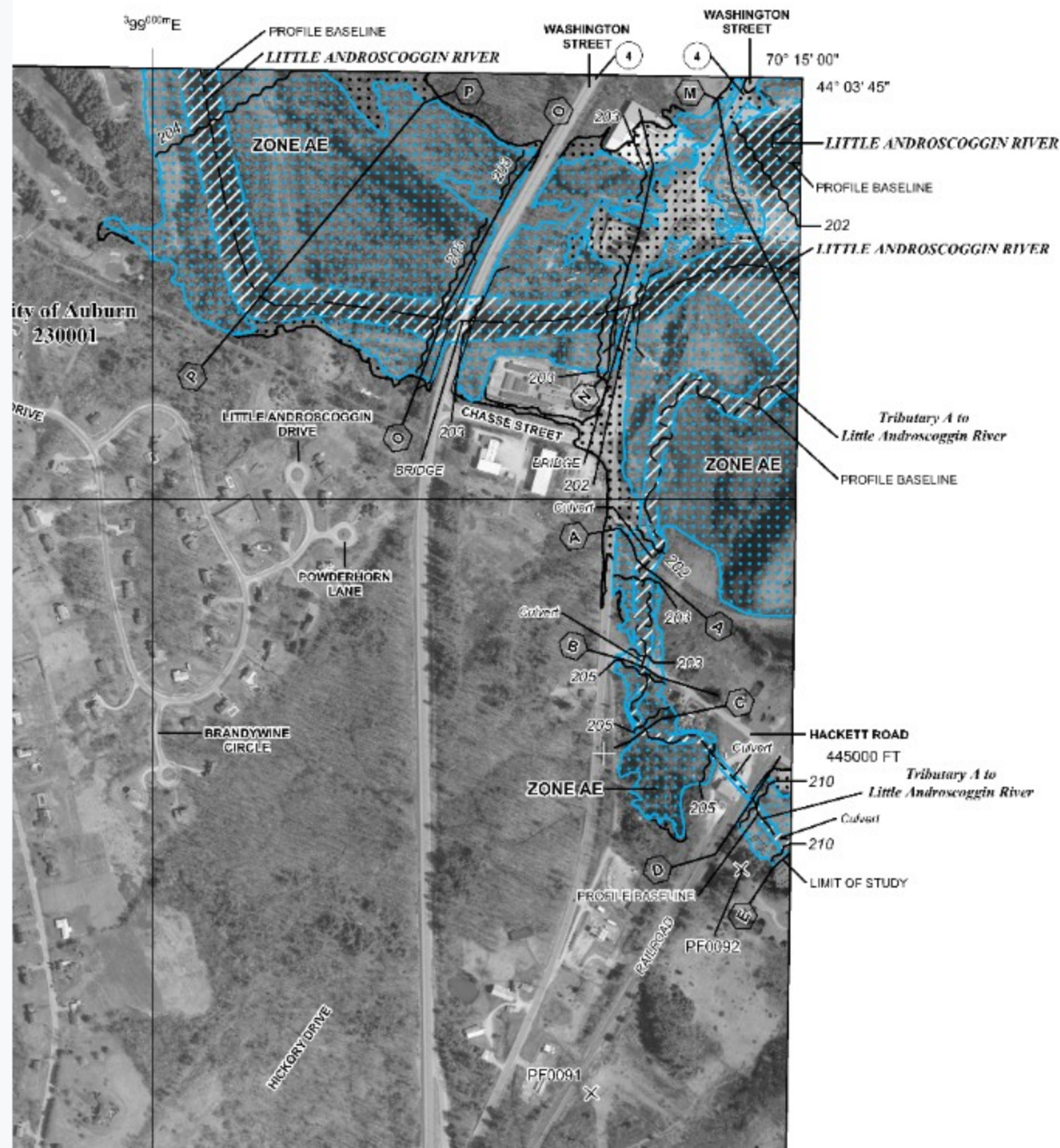
Little Androscoggin River

Storage of vehicles
w/ fluids + batteries limited to this area.

940 Washington Street- 2012 Flood Plain Zones- 2013 Aeria

City of Auburn
60 Court St
Auburn, ME 04210
www.auburnmaine.gov
207-333-6601

This map was created by Auburn's GIS Department. While every effort has been made to ensure that these data are accurate and reliable, the City of Auburn cannot accept any responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Users of the information displayed on this map are strongly cautioned to verify all information before making any decisions.



LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A	No Base Flood Elevations determined.
ZONE AE	Base Flood Elevations determined.
ZONE AH	Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
ZONE AO	Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
ZONE AR	Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
ZONE A99	Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
ZONE V	Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
ZONE VE	Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X Areas determined to be outside the 0.2% annual chance floodplain.

ZONE D Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

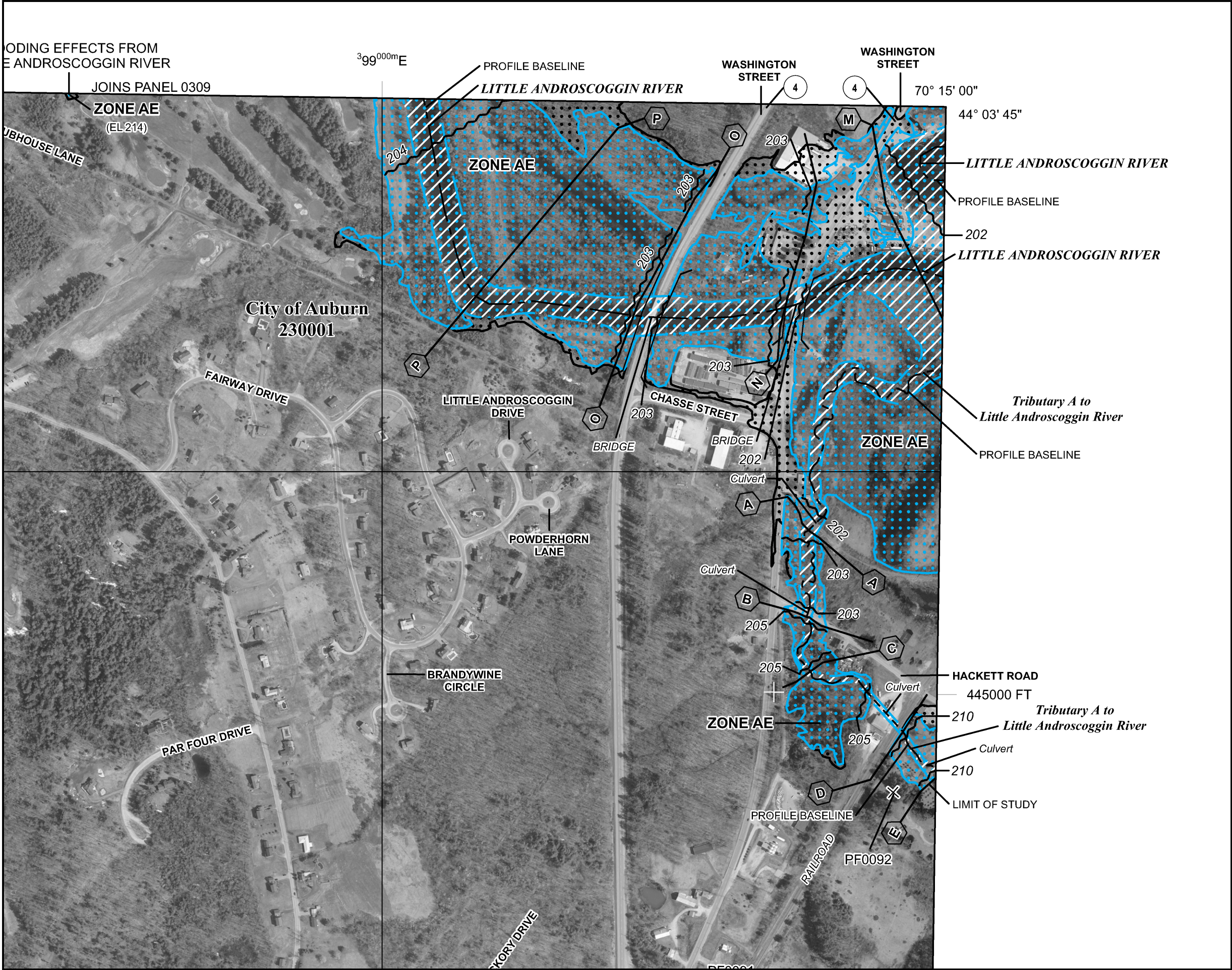
OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

	1% Annual Chance Floodplain Boundary
	0.2% Annual Chance Floodplain Boundary
	Floodway boundary
	Zone D boundary
	CBRS and OPA boundary
	Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities.
	Base Flood Elevation line and value; elevation in feet*
	Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988

Cross section line



MAP SCALE 1" = 500'

250 0 500 1000 FEET

50 0 150 300 MET

PANEL 0317E

FIRM

FLOOD INSURANCE RATE MAP

ANDROSCOGGIN COUNTY, MAINE
(ALL JURISDICTIONS)

PANEL 317 OF 470
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
AUBURN, CITY OF	230001	0317	E

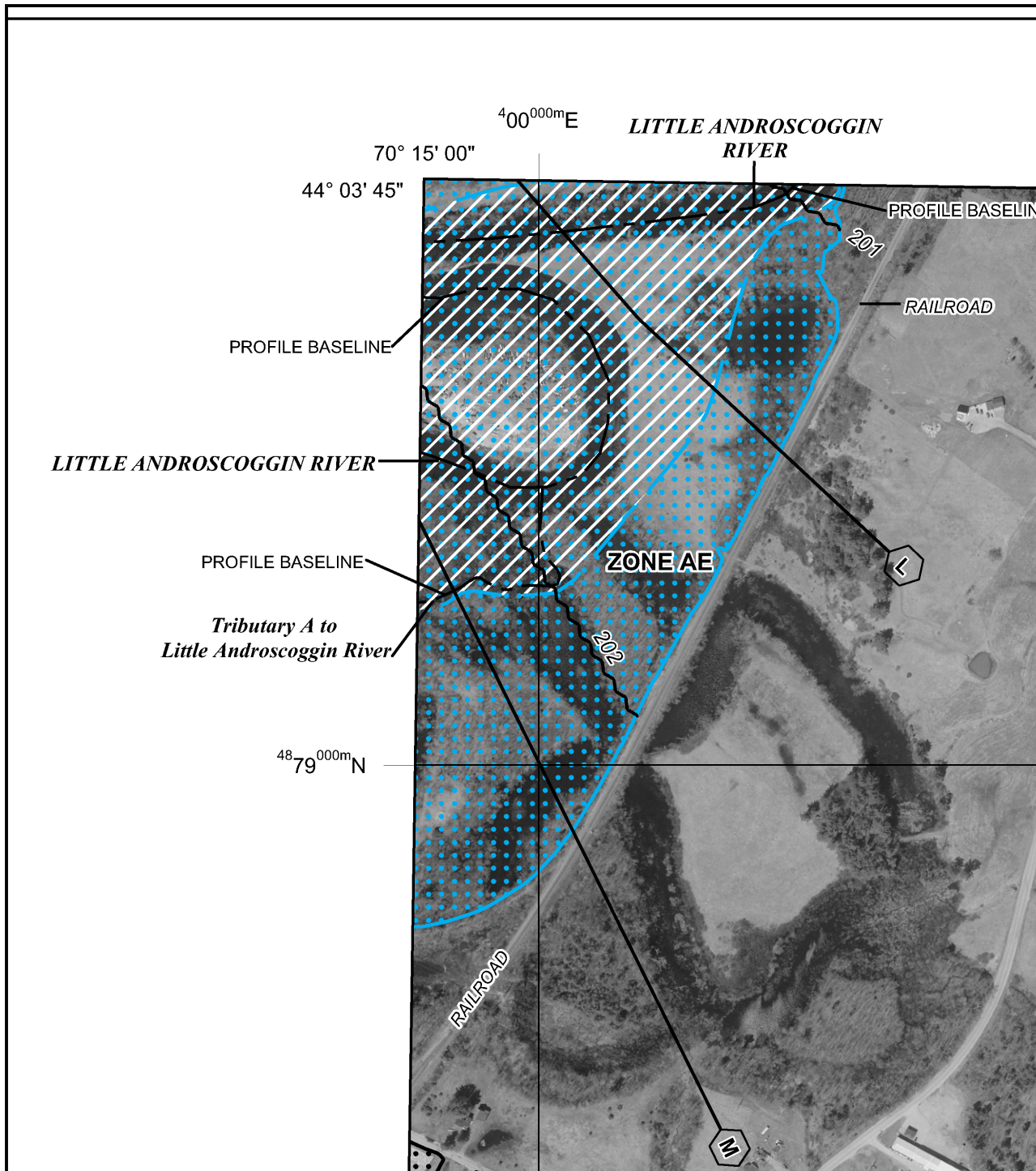
Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
23001C0317E

EFFECTIVE DATE
JULY 8, 2013

Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.





MAP SCALE 1" = 500'

250 0 500 1000 FEET

150 0 150 300 METERS

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0336E

FIRM

FLOOD INSURANCE RATE MAP

ANDROSCOGGIN COUNTY, MAINE

(ALL JURISDICTIONS)

PANEL 336 OF 470
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
AUBURN, CITY OF	230001	0336	E

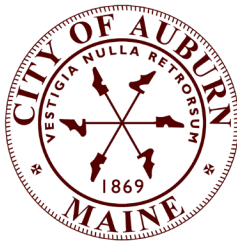
Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

**MAP NUMBER**
23001C0336E

EFFECTIVE DATE
JULY 8, 2013

Federal Emergency Management Agency

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City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby approves the annual renewal request for an Automobile Graveyard/Junkyard permit for Don's No Preference Towing of L/A d/b/a Morris Auto Parts, 940 Washington Street North, subject to the following conditions imposed pursuant to Sec. 14-74(a) of the Code of Ordinances and 30-A M.R.S. § 3751 et seq.:

1. Any vehicle containing fluids or batteries shall only be stored or dismantled within the area shown as "Storage of vehicles w/fluids + batteries limited to this area" on an aerial map entitled "940 Washington Street – 2012 Flood Plain Zones – 2013 Aerial" (the "Compliance Plan"), on file in the City's Planning and Permitting Office, and in no event shall any vehicle containing fluids or batteries be stored or dismantled within 100 feet of the normal high water line of the Little Androscoggin River.
2. No vehicles or junk shall be stored or dismantled within 50 feet of the normal high water line of the Little Androscoggin River.
3. Tires shall be stored at least 100 feet from the normal high water line of the Little Androscoggin River, except that if tires are maintained within a fenced enclosure of sufficient height and durability to contain the tires within the enclosure, they may be stored more than 50 feet but less than 100 feet from the normal high water line of the Little Androscoggin River.
4. The used car display area shall be limited to the area of the premises that is located north of the rectangular building shown on the Compliance Plan.
5. The driveway entrance to the premises and exit onto Washington Street North shall at all times be kept free and clear of dust and debris so that dust and debris is not tracked onto Washington Street North or any other public street.
6. Licensee shall cooperate with the City's Director of Planning and Permitting or their designee, who is to conduct inspections of the premises for compliance with (a) these conditions, (b) Sec. 14-74(c) of the Code of Ordinances, and (c) 30-A M.R.S. § 3751 et seq. no less frequently than quarterly. If any violations are observed as a result of such an inspection, they shall be communicated to the licensee for immediate remediation and, if not immediately remediated, to the City Council for potential suspension or revocation proceedings.

Passed 7-0, 9/15/25.

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

Title 30-A: MUNICIPALITIES AND COUNTIES**Part 2: MUNICIPALITIES****Subpart 6: REGULATION, LICENSES AND PERMITS****Chapter 183: ECONOMIC REGULATION****Subchapter 1: JUNKYARDS AND AUTOMOBILE GRAVEYARDS****§3754-A. Limitations on graveyard, automobile recycling business and junkyard permits**

1. Highways; Interstate System and Primary System. A permit may not be granted for an automobile graveyard or junkyard within 1,000 feet of the right-of-way of any highway incorporated in both the Interstate System and Primary System or within 600 feet of the right-of-way of any other highway, except for:

A. Those automobile graveyards or junkyards that are kept entirely screened from ordinary view from the highway at all times by natural objects, plantings or fences. Screening required by this paragraph must be:

(1) At a height, density and depth sufficient to accomplish complete screening from ordinary view;

(2) Well constructed and properly maintained at a minimum height of 6 feet;

(3) Placed outside of the highway right-of-way; and

(4) Acceptable to the municipal officers or county commissioners; and [PL 2003, c. 312, §9 (NEW) .]

B. Those automobile graveyards or junkyards located within areas that have been zoned for industrial use and located more than 600 feet but less than 1,000 feet from the right-of-way of any highway incorporated in both the Interstate System and Primary System. [PL 2003, c. 312, §9 (NEW) .]

[PL 2003, c. 312, §9 (NEW) .]

2. Limitation on new permits. A permit may not be granted for an automobile graveyard or junkyard established after October 3, 1973 and located within 100 feet of any highway.

[PL 2003, c. 312, §9 (NEW) .]

3. Public facilities. A new permit may not be granted for an automobile graveyard or junkyard that is:

A. Located within 300 feet of a public building, public park, public playground, public bathing beach, school, church or cemetery; and [PL 2003, c. 312, §9 (NEW) .]

B. Within ordinary view from a facility under paragraph A (../30-A/title30-Asec3754-A.html). [PL 2003, c. 312, §9 (NEW) .]

[PL 2003, c. 312, §9 (NEW) .]

4. Public and private water supplies. A permit may not be granted for an automobile graveyard, junkyard or automobile recycling business that handles junk, scrap metal, vehicles or other solid waste within 300 feet of a well that serves as a public or private water supply. This prohibition does not include a private well that serves only the

automobile graveyard, junkyard, automobile recycling business or the owner's or operator's abutting residence. This prohibition does not apply to wells installed after an automobile graveyard, junkyard or automobile recycling business has already received a permit under section 3753 ([../30-A/title30-Asec3753.html](https://legislature.maine.gov/statutes/30-a/title30-Asec3753.html)).

Automobile graveyards, junkyards and automobile recycling businesses operating under the terms of permits issued prior to the effective date of this subsection and handling junk, scrap metal, vehicles or other solid waste within 300 feet of wells that serve as public or private water supplies may continue to operate in those locations under the terms of those permits. Municipal officers or county commissioners may renew a permit allowing the continued handling of junk, scrap metal, vehicles or other solid waste within 300 feet of a well serving as a public or private water supply as long as no further encroachment toward the well occurs. The municipal officers or county commissioners may not renew a permit if there is substantial, credible evidence that the permitted activities have caused contamination of the well.

[PL 2005, c. 424, §3 (AMD).]

5. Operating standards. All automobile graveyards and junkyards permitted pursuant to section 3753 ([../30-A/title30-Asec3753.html](https://legislature.maine.gov/statutes/30-a/title30-Asec3753.html)) are required to comply with the following standards:

A. All fluids, including, but not limited to, engine lubricant, transmission fluid, brake fluid, power steering fluid, hydraulic fluid, engine coolant, gasoline, diesel fuel and oil, must be properly handled in such a manner that they do not leak, flow or discharge into or onto the ground or into a body of water; [PL 2005, c. 247, §1 (AMD); PL 2005, c. 247, §7 (AFF).]

B. A vehicle containing fluids may not be stored or dismantled:

(1) Within 100 feet of any body of water or freshwater wetland, as defined by Title 38, section 436-A, subsection 5 ([../38/title38sec436-A.html](https://legislature.maine.gov/statutes/38/title38sec436-A.html));

(2) Within the 100-year floodplain; or

(3) Over a mapped sand and gravel aquifer; [PL 2003, c. 312, §9 (NEW).]

C. Junk, scrap metal, vehicles or other solid wastes may not be placed or deposited, directly or indirectly, into the inland waters or tidal waters of the State or on the ice of inland waters or tidal waters or on the banks of inland waters or tidal waters in such a manner that they may fall or be washed into these waters; [PL 2005, c. 247, §2 (AMD); PL 2005, c. 247, §7 (AFF).]

D. Junkyard and automobile graveyard owners must demonstrate at the time of licensing that the facility or facilities for which they seek permits are, or are part of, a viable business entity and the facility or facilities are actively engaged in the business of salvaging, recycling, dismantling, processing, repairing or rebuilding junk or vehicles for the purpose of sale or trade; [PL 2005, c. 683, Pt. A, §51 (RPR).]

E. A log must be maintained of all motor vehicles handled that includes the date each vehicle was acquired, a copy of the vehicle's title or bill of sale and the date or dates upon which all fluids, refrigerant, batteries and mercury switches were removed; [PL 2005, c. 247, §3 (NEW); PL 2005, c. 247, §7 (AFF).]

F. All fluids, refrigerant, batteries and mercury switches must be removed from motor vehicles that lack engines or other parts that render the vehicles incapable of being driven under their own motor power or that are otherwise incapable of being driven under their own motor power, appliances and other items within 180 days of acquisition. Motor vehicles, appliances and other items acquired by and on the premises of a junkyard

or automobile graveyard prior to October 1, 2005 must have all fluids, refrigerant, batteries and mercury switches removed by January 1, 2007. Fluids required to be removed under this paragraph must be removed to the greatest extent practicable; [PL 2005, c. 247, §3 (NEW); PL 2005, c. 247, §7 (AFF).]

G. Storage, recycling or disposal of all fluids, refrigerant, batteries and mercury switches must comply with all applicable federal and state laws, rules and regulations; and [PL 2005, c. 247, §3 (NEW); PL 2005, c. 247, §7 (AFF).]

H. All fluids, refrigerant, batteries and mercury switches must be removed from motor vehicles, appliances and other items before crushing or shredding. Fluids required to be removed under this paragraph must be removed to the greatest extent practicable. [PL 2005, c. 247, §3 (NEW); PL 2005, c. 247, §7 (AFF).]

[PL 2005, c. 683, Pt. A, §51 (AMD).]

6. Rules. A permit, other than a limited-term permit as described in this section, may not be granted for an automobile graveyard or automobile recycling business that is not in compliance with all applicable provisions of the automobile dealer or recycler licensing provisions of Title 29-A, chapter 9 ([./29-A/title29-Ach9sec0.html](http://29-A/title29-Ach9sec0.html)). Municipal officers or county commissioners may award a limited-term permit conditioned upon an automobile graveyard's or automobile recycling business's demonstrating compliance with the provisions of Title 29-A, chapter 9 ([./29-A/title29-Ach9sec0.html](http://29-A/title29-Ach9sec0.html)) within 90 calendar days of the issuance of the municipal or county limited-term permit.

[PL 2003, c. 312, §9 (NEW).]

6-A. Relationship to state storm water requirements. After October 30, 2005, municipal officers or county commissioners may reject an application for an automobile graveyard or automobile recycling business if the applicant has not demonstrated that:

A. A notice of intent has been filed with the Department of Environmental Protection to comply with the general permit provisions for storm water discharges; or [PL 2005, c. 247, §4 (NEW); PL 2005, c. 247, §7 (AFF).]

B. The Department of Environmental Protection has determined that a storm water discharge permit is not required. [PL 2005, c. 247, §4 (NEW); PL 2005, c. 247, §7 (AFF).]

[PL 2005, c. 247, §4 (NEW); PL 2005, c. 247, §7 (AFF).]

7. Local ordinances. This subchapter may not be construed to limit a municipality's home rule authority to enact ordinances with respect to automobile graveyards, automobile recycling businesses and junkyards that the municipality determines reasonable, including, but not limited to, ordinances concerning:

A. Compliance with state and federal solid waste and hazardous waste regulations; [PL 2003, c. 312, §9 (NEW).]

B. Fire and traffic safety; [PL 2003, c. 312, §9 (NEW).]

C. Levels of noise that can be heard outside the premises; [PL 2003, c. 312, §9 (NEW).]

D. Distance from existing residential or institutional uses; [PL 2003, c. 312, §9 (NEW).]

E. The effect on groundwater and surface water, as long as municipal ordinances on groundwater are no less stringent than or inconsistent with rules adopted by the Department of Environmental Protection; and [PL

2003, c. 312, §9 (NEW).]

F. Best management practices for automobile graveyards, junkyards and automobile recycling businesses developed by the Department of Environmental Protection. [PL 2003, c. 312, §9 (NEW).]

Municipal officers or county commissioners shall consider compliance with these local ordinances in deciding whether to grant or deny a permit for any automobile graveyard, automobile recycling business or junkyard and in attaching conditions of approval to a permit.

[PL 2003, c. 312, §9 (NEW).]

8. Applicability. Municipalities may apply local ordinances adopted previously under subsection 7 (./30-A/title30-Asec3754-A.html) pertaining to automobile graveyards and junkyards to an automobile recycling business without amending those ordinances to include automobile recycling businesses. A municipality must provide notice of its intent to apply these ordinances at the time an application for an automobile recycling business permit is filed.

[PL 2003, c. 312, §9 (NEW).]

9. Right of entry. Municipal officers or their designees may, to carry out the provisions of this subchapter or to determine compliance with any laws, ordinances, license or permit approvals, decisions or conditions:

A. Enter any automobile graveyard, junkyard or automobile recycling business property and inspect all outside areas, equipment and activities at reasonable hours for compliance with the laws or ordinances set forth in accordance with this subchapter; and [PL 2003, c. 312, §9 (NEW).]

B. Enter any building on the property with the consent of the owner, occupant or agent to inspect the building and activities within the building for compliance with the laws or ordinances set forth in accordance with this subchapter. [PL 2003, c. 312, §9 (NEW).]

A municipal officer's or designee's entry onto property under this subsection is not a trespass.

[PL 2003, c. 312, §9 (NEW).]

10. Standard for permit. The municipal officers or county commissioners may issue a permit to an automobile graveyard or junkyard if that automobile graveyard or junkyard meets the operating standards set forth in subsection 5 (./30-A/title30-Asec3754-A.html).

[PL 2005, c. 424, §5 (NEW).]

For purposes of revocation or suspension of a permit pursuant to section 3758-A, subsection 5 (./30-A/title30-Asec3758-A.html), each of the standards set forth in this section is a condition of a permit. [PL 2005, c. 424, §6 (NEW).]

SECTION HISTORY

PL 2003, c. 312, §9 (NEW). PL 2005, c. 247, §§1-4 (AMD). PL 2005, c. 247, §7 (AFF). PL 2005, c. 424, §§3-6 (AMD). PL 2005, c. 683, §A51 (AMD).

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.

If you need legal advice, please consult a qualified attorney.

Office of the Revisor of Statutes (mailto:webmaster_ros@legislature.maine.gov) · 7 State House Station · State House Room 108 · Augusta, Maine 04333-0007

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City Council Workshop & Meeting
July 20, 2026
Auburn Hall, Council Chambers

Mayor Harmon opened the meeting at 7:00pm and led the assembly in the Pledge of Allegiance. All Councilors were present.

I. Consent Items

1) ORDER 66-07202026– Submitting ballot for the appointment of Matthew Garside, Town of Poland, to serve on the 2026-2028 MMA Legislative Policy Committee (LPC) for District 20.

2) ORDER 67-07202026 – Appointing members to the Parking and Traffic Safety Committee, as nominated by the Appointment Committee.

3) ORDER 68-07202026– Appointing Owen Robinson as the Student Representative to the Council for a term ending June 30, 2028, as nominated by the Appointment Committee.

Councilor Gerry moved for passage, seconded by Councilor Walker. Motion passed 7-0.

II. Minutes – July 6, 2026 Regular Council Meeting

Councilor Walker moved to approve the minutes, seconded by Councilor Cowan 7-0.

III. Communications, Presentations and Recognitions

- Oath of Office for Student Representative to Council

IV. Open Session

None.

V. Unfinished Business

1. ORDINANCE 12- 06152026 - Amending Chapter 14, “Business Licenses and Permits”, of the City’s Code of Ordinances, to adopt regulations regarding syringe service programs. Passed first reading 6/15/26; amended and postponed after public hearing 7/6/26. Continuation of second reading. ROLL CALL VOTE. Passage requires majority vote.

Mayor Harmon recapped the events of this item from July 6, including the public hearing held on July 6, and described the process for the evening. The main motion for passage is on the floor, postponed from July 6.

Councilor Randall moved to suspend the rules and allow public comment. Mayor Harmon noted this was not the time for the motion; motion did not receive a second. Motion failed.

Subject matter experts were asked to approach the Council. Councilor questions from July 6 were asked to the subject matter experts:

Glen Holmes, Community Development Director

Gordon Smith, Esq; Director of Opioid Response

Ann Sites, Director, Infectious Disease Prevention State of Maine

Alana Simon, Viral Hepatitis Harm Reduction

Angela Blier, Spurwink

Councilors asked staff and subject matter experts questions.

Councilor Randall moved to suspend the rules and allow a second public hearing on the item. Seconded by Councilor Gerry. Motion passed 7-0.

Mayor Harmon opened the public hearing.

Councilor Platz asked the public to keep comments under three minutes.

Lisa Jones, Lewiston

Kathy Light, 143 Mill St

Bruce Bickford, 64 Cameron Ln

Stephanie Vail, Saco

Amanda Guerette, 20 Cherry Vale Cir

Holland Michaud, 87 Manley Rd

Thomas Campbell, 1 Fairview Ct

Erin Soule, Lewiston

Peter, Victory Rd

Nancy Sevigny, Orchard St

Matthew Harris, 369 Turner St

Dee Chapman, Vivian St

Melissa Lee, Pownal Rd

Stan Harmon, 435 Court St

Justin Young, Washington St

Jeffrey Walkins, Auburn

Leslie Gary, Pownal Rd

Rudy Wing, Penley Corner Rd

Andrew Jones, Lewiston

Linda Lee, Pownal Rd

Kimberly Craig, Pownal Rd

Steve Milks, Alderwood Rd
Quentin Chapman, Eastman Ln

Mayor Harmon closed the public hearing.

Council discussion continued.

Councilor Cowan moved to amend the ordinance to adopt the redline as shown on the attached draft, impacting Section 8(M) regarding individualized assessments to determine quantity of syringes provided. Seconded by Councilor Randall. Motion passed 5-2 (Gerry, Walker).

Main motion for passage, as amended. Motion passed 5-2 (Gerry, Walker) on a roll call vote.

2. ORDER-64-07062026 – Amending the City’s Master Fee Schedule (APPENDIX A) regarding license fees for Syringe Service Programs. Postponed 7/6/26. Passage requires majority vote.

Motion for passage by Councilor Cowan, seconded by Councilor Platz.

No comment.

Motion passed 6-0 (Walker absent).

VI. New Business

VII. Reports

- a. Mayor’s Report – Gave an update on the Comp Plan and upcoming meeting in July.
- b. City Councilors’ Reports – Councilor Platz welcomed Owen Robinson. Gave a brief update on use of School CIP funds and working together with the City.
- c. Student Representative Report – Rep Robinson thanked Mayor Harmon, City Manager and Council for the appointment. Rep Edwards gave an update on school sports.
- d. City Manager Report – The City of Auburn has rolled out a new automated trash pick up service; this is the second week of collection and it is rolling out well. The public should call Public Works with any questions.

VIII. Open Session

None.

IX. Executive Session was taken up during Workshop.

X. Adjournment

Motion to adjourn by Councilor Walker, seconded by Councilor Randall. Motion passed 6-0 (Gerry absent). Council adjourned at 10:25pm.

A TRUE COPY ATTEST

Emily F. Carrington, City Clerk

City Council Special Meeting
Minutes
July 28, 2026
Auburn Hall, Council Chambers

In Attendance: Mayor Harmon, Assistant City Manager Denis D'Auteuil, Deputy City Clerk Jessica Grover, Councilor Platz, Councilor Gerry, Councilor Randall, Councilor Cowan, Councilor Duvall, Councilor Butler and Councilor Walker

Mayor Harmon called the meeting to order at 5:30pm.

New Business

1) ORDINANCE 13-07282026 – Granting a 45-day moratorium extension prohibiting rent or fee increases at Mobile Home Parks. First reading. Second reading may be waived by unanimous vote of all councilors present and voting. Five (5) affirmative votes shall be required to adopt the ordinance to take effect immediately upon enactment. ROLL CALL VOTE.

Councilor Randall motioned for passage of 1st Reading of Ordinance 13-07282026. Councilor Walker seconded. All were in favor 7-0 motion passed.

No one from the public was present to speak on this item.

There was no discussion from the Council.

Ordinance 13-07282026 passed 1st Reading on a Roll Call Vote, 7-0 in favor.

Councilor Randall motioned to dispense with the 2nd Reading of Ordinance 13-07282026.

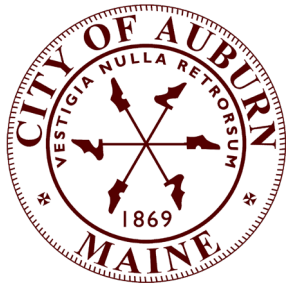
Councilor Walker seconded. All were in favor; 7-0 motion passed.

Councilor Randall motioned for the Ordinance to take effect immediately. Councilor Cowan seconded. All were in favor; 7-0 motion passed.

Councilor Walker motioned to adjourn. Councilor Cowan seconded. All were in favor 7-0 motion passed. Council adjourned at 5:36pm.

A TRUE COPY ATTEST

Jessica Grover, Deputy City Clerk



City of Auburn, Maine

Emily F. Carrington, City Clerk

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

July 20, 2026

Webster's Trading Co
Attn: Shawn Copeland
116 Bog Road
Leeds, ME 04263

Mr. Shawn Copeland,

This letter is to inform you that the PAWNSHOP/PAWNBROKER and SECONDHAND DEALER business licenses applied for on February 12, 2025 to WEBSTER'S TRADING CO, 150 Minot Avenue, Auburn Maine, have been denied by the city clerk under Section 14-38 of the City of Auburn's Code of Ordinances, specifically:

(7) The proposed licensed premises or its use fails to comply with zoning or other land use ordinances;

(8) The proposed licensed premises or its use fails to comply with any municipal ordinance or regulation;

Sec. 14-34 requires certification from city officials in order for a business license to be granted.

(c) The code enforcement officer was not able to certify that the facilities are sanitary and in compliance with the provisions of land use regulations, building standards and codes as well as all state and city rules and regulations for the type of business activities intended to be conducted as of the date of this letter.

(f) The city treasurer was not able to certify that all taxes and any monies due to the city have been paid or are current as of the date of this letter.

This denial comes after a notice of violation was sent on or about March 24, 2025 regarding concerns about the property not being in compliance with code and land use regulations and informing you of the need to have the situation resolved in order for your business license to be renewed by April 25, 2025.

A separate notice of violation was sent on or about June 8, 2026 informing you that the business was operating without the required licenses and giving a correction date of July 8, 2026 to come into compliance. The ongoing property and maintenance issues noted in the notice of violation letter sent in March 2025 were not resolved to satisfaction. In addition, the City is unable to issue the license due to the fact outstanding personal property taxes exist for this business in the amount of \$91.11 (2025) and \$44.15 (2024), as of the date of this letter.

Per ordinance, a refund will be issued to you for the amount paid for both license fees and notice of this denial will be given to the City Council at their next regularly scheduled meeting (August 3, 2026).

You have a right to appeal this denial, as outlined in Sec. 14-39 of the City's Code of Ordinances, below:

Sec. 14-39. - Appeal.

(a) Except as otherwise provided, appeals shall be made by filing a written notice of appeal with the office of the city clerk or designee within 30 days of the date of any such denial (August 19, 2026) to the council in writing, whereupon a hearing will be scheduled, at which time the applicant shall have the right to be heard. It shall be the duty of the city clerk or designee to notify such applicants who have appealed, of the time and place of the hearing.

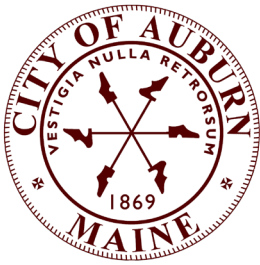
(b) Such notice shall be mailed by the city clerk, postage prepaid, to the applicant at the address furnished on the application form at least 48 hours prior to the date set for hearing. The city council may, at that time, approve any application previously denied by the affirmative vote of five or more members of the council.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily F. Carrington".

Emily F. Carrington
City Clerk
City of Auburn, Maine

Enclosures



City of Auburn, Maine

Office of Planning & Permitting

60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: City of Auburn City Council
From: DeCarlo Brown, Planning Director
Re: Pownal Road Map Amendment -Workshop

Date: August 3, 2026

ORDER 69-08032026

OVERVIEW

A proposed Zoning Text Amendment is scheduled to be discussed at the Planning Board's July 30th meeting. The City Council is being provided with the same information in the eventuality that the Planning Board would like additional information on the will of the Council prior to having a public hearing.

BACKGROUND

A potential wood pellet manufacturer would like to be located on a parcel within the Agricultural and Resource Protection District (AG) at 230 Penley Corner Road. A wood pellet manufacturer is classified as a sawmill within our zoning ordinance in accordance with the definition section 60-2.

Sawmill means a unit designed to saw logs into lumber, firewood or other processed wood products.

This classification interpretation has been confirmed by the City Attorney.

The AG district permits Sawmills as a Special Exception but includes a number of restrictions included below.

60-145(b)

Special exception uses. The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:

(1)Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:

- a.Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.

b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.

c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.

While the majority of the restrictions are based on spatial characteristics, the provisions also include an employee restriction. The prospective applicant contends and staff agrees that including a restriction on the number of employees is not a land use restriction. Accordingly, Planning Staff would like to offer an amendment to the provisions governing Sawmills in the AG district.

STAFF RECOMMENDATION

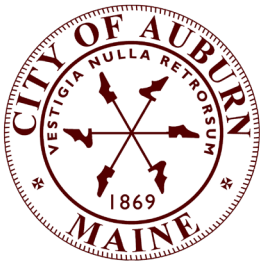
As a zoning text amendment is a general change to any parcel located within the AG zone, the district as a whole must be considered prior to enacting a change. A limit of four employees to a commercial use essentially acts as a capital restriction to new smaller to medium scale companies from becoming established in the AG zone as a principal use. Larger companies that have sufficient capital may not be restricted in the same way. A larger company can invest in automation and purchase services from other companies to complete required tasks. Purchasing a service (drivers, bookkeeping offsite, packaging) will replace hiring employees. In this way, the impact to the land may be the same, as additional employees onsite but without the local economic benefits of long-term employees and growth. In this way, the restriction for employees works against the purpose of including the use in the district.

Staff recommends removing the restriction as it is not a direct spatial regulation and may lead to adverse consequences in the AG zone.

POSSIBLE ACTIONS

Discuss the proposed amendment and take no action

Request the Planning Board conduct a public hearing on the proposed amendment



City of Auburn, Maine

Office of Planning & Permitting

60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: DeCarlo Brown, Planning Director
Re: Sec 60-145 Use Regulations - Sawmills
Date: August 3, 2026

OVERVIEW

The Agriculture and Resource Protection zoning district allows commercial uses to operate that are compatible with traditional agriculture and use of nature resources. This draft ordinance proposes edits that increase the number of employees allowed to operate sawmills in the Agriculture and Resource Protection District in order to strengthen the economic viability of a natural resource processing use.

The current ordinance restricts the number of employees operating a sawmill to 4 people. This includes operators, administrators, mechanics, and drivers. These restrictions would prohibit the establishment of any modern commercial sawmill in the district. The draft ordinance proposes to remove the employee restriction for the operation of sawmills. No additional changes are proposed.

RELEVANT SECTIONS

Chapter 60 Section 145 (b) lists Sawmills as a Special Exception Use which requires a review and approval of any land seeking to establish a sawmill. It lists a number of conditions for the use including the following:

b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.

While the provision includes location and proximity standards of the use, it also includes a user-based restriction. The employee provision is unrelated to the former location and proximity restrictions of land use. The proposed amendment seeks to eliminate the restriction on the number of people employed in sawmills as it has no direct relationship to the use of the land.

There is an expectation that this use is appropriate for the Zone. The current locational restrictions are sufficient to not affect the public health, safety, convenience, or welfare of the City of Auburn

STAFF RECOMMENDATIONS

Staff recommend the Planning Board to review the proposed language and if in agreement with its contents, schedule a public hearing on the amendment to Sawmill use within the Agriculture and Resource Protection District.

Suggested Motion:

I motion to schedule a public hearing for the amendment of Chapter 60 Section 145, Agriculture and Resource Protection Use Regulations on August 25, 2026.

Sec. 60-145. Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-1010, as set forth in division 6 of article XII of this chapter, on parcels containing no less than ten acres, provided that the dwelling is accessory to farming or agricultural operations, recreational uses or natural resource uses and subject to all of the following restrictions:

a. The footprint of residential development associated with the one-family detached dwelling shall comprise no more than 20 percent of the land coverage or two acres, whichever is less, of the lot upon which the dwelling is to be constructed. For purposes of this subsection, "residential development" shall include the following:

1. Residential structures;
2. Impervious and non-vegetated areas accessory to the residential use, such as driveways, parking areas, walkways and patios (areas created using waffle pavers and other semi-impervious surfaces shall be considered non-vegetated surfaces, even if the surface is covered by grass or other similar vegetation;
3. Areas on, over or beneath the surface of the earth devoted to the transmission of water, electricity, telephone or gas to the residential use of pipes, poles, wires, lines, conduits, cables or other devices;
4. Areas on, over or beneath the surface of the earth devoted to the disposal of waste or wastewater generated by the residential use, including, but not limited to, septic tanks, disposal fields, holding tanks, pretreatment filters, and piping;
5. Structures accessory to the residential use; and
6. Uses of the land accessory to the residential use, but not accessory to other allowed uses within the zone.

b. New one-family detached dwellings shall:

1. Not be built within the Lake Auburn Watershed Overlay District;
2. Provide a farm, [agricultural], recreational or natural resource use business or land use plan that has been approved by the planning and permitted director or their designee. The planning and permitting director or their designee must make the following written findings prior to approval of the business plan or land use plan and prior to the issuance of a building permit:
 - (i) The business or proposed land use is feasible, and, if implemented will constitute a bona fide farming, agricultural, recreational or natural resource use allowed under either subsection (a), permitted uses, or subsection (b), special exception uses, of this section.
 - (ii) The parcel can reasonably accommodate an enterprise of the size and scope proposed. Parcel size or other lot limitations often restrict potential uses, and the plan must provide for utilization of the parcel's available potential for a farm, agricultural, recreational or natural resource use.

-
- (iii) The parcel lawfully existed as of October 1, 2017, or meets the dimensional standards of section 60-146, and otherwise meets the requirements of this chapter.
 - 3. Avoid being sited on soils of state significance or prime farmland as defined by the United States Department of Agriculture (USDA) unless it can be demonstrated to the code enforcement officer that non-prime farmland is not available within the building envelope, as determined pursuant to section 60-146 of this chapter, on the subject property;
 - 4. Avoid being sited on land determined to be essential habitat, as defined by the state department of inland fisheries and wildlife unless it can be demonstrated to the code enforcement officer that non-essential habitat is not available within the building envelope, as determined pursuant to section 60-146 of this chapter, on the subject property;
 - 5. Avoid being sited on wetlands;
 - 6. Avoid being sited on slopes greater than 25 percent; and
 - 7. Not be sited on any portion of a parcel that is classified as being:
 - (i) Currently enrolled in the State of Maine Farmland Tax Program;
 - (ii) Currently enrolled in the State of Maine Tree Growth Tax Law Program; or
 - (iii) Currently enrolled in the State of Maine Open Space Tax Program.
 - c. No certificate of occupancy shall be issued for any such residence until satisfactory evidence that the requirement of subsections (a)(1)a. and (a)(1)b.2. above has been met is presented to the municipal official charged with authority to issue the certificate of occupancy.
 - d. In no case shall any residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the lot upon which the residence is constructed fails to meet the requirements set forth in subsections (a)(1)a. and (a)(1)b.2. above.
- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.
 - (3) Forest products raised for harvest, including, but not limited to, maple sugaring, firewood processing, Christmas tree cultivation, or mushroom cultivation.
 - (4) Field crop farms.
 - (5) Row crop farms.
 - (6) Orchard farms.
 - (7) Truck gardens.
 - (8) Plant and tree nurseries.
 - (9) Greenhouses.
 - (10) Handling, storage or processing and sale of forestry products or agricultural products.
 - (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
 - (12) Wayside stands.

-
- (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
 - (14) Adult use and medical marijuana cultivation, but not retail sales of any kind.
 - (15) Marijuana manufacturing accessory to a licensed cultivation site.
 - (16) Ground-mounted and dual-use solar energy generating systems less than one acre in total land area as defined in section 60-1501.
 - (17) Natural resource uses.
 - (18) Small-scale recreational uses of land designed or intended for public use.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:
- (1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:
 - a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.
 - b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, or 250 feet from any zoning district boundary or residential dwelling ~~and shall be limited to four persons employed.~~
 - c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.
 - (2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.
 - (3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
 - (4) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.
 - (5) Non-small scale recreational uses of land intended or designed for public use subject to the following conditions:
 - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
 - (6) Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:

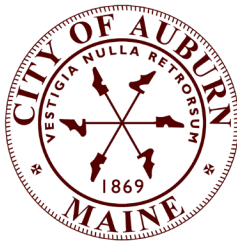
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- a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.
 - b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.
- (7) Rifle, pistol, skeet or trap shooting ranges, public or private.
- (8) Cemeteries, subject to the following conditions:
- a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
 - c. At least ten acres if designated a conservation cemetery.
- (9) Municipal sanitary landfills, subject to the following conditions:
- a. Not located in any environmental overlay district or over any known aquifer.
 - b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
- (10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
- a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
- (11) Wholesale nurseries, subject to the following conditions:
- a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
- a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
 - b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
 - c. An end-use plan must be filed as part of the planning board process.
- (13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (14) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:

-
- a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the watershed of Taylor Pond, the shoreland overlay district or the floodplain overlay district.
 - b. The proposed use shall not occupy more than 10,000 square feet of building area.
 - c. The number of employees shall be limited to not more than 15.
 - d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
 - e. Hours of operation shall limited to between 6:00 a.m. and 8:00 p.m.
- (15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:
- a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
 - b. Provisions shall be made to avoid surface and groundwater pollution.
 - c. Provisions shall be made to counteract vermin, insects and odors.
 - d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
 - e. Shall not be located within the Lake Auburn Watershed Overlay District.
- (16) Adaptive reuse of structures of community significance.
- (17) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings as accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment, subject to the following conditions:
- a. The proposed use is accessory, complementary, or otherwise related to a recreational or agricultural use;
 - b. The recreational or agricultural use has been in existence for at least five years prior to the date of the application for the special exception; and
 - c. The recreational or agricultural use is located on the parcel for which the special exception is requested or is adjacent to the property for which the special exception is requested.
- (18) Reserved.
- (19) Ground-mounted and dual-use solar energy generating systems greater than one acre in total land area as defined in section 60-1501, subject to the following conditions:
- a. Must comply with the provisions of article XVIII under this chapter;
 - b. Setbacks, including appurtenant structures and parking areas, shall be subject to the following yard requirements:
 - 1. *Rear.* There shall be behind every structure associated with a solar energy generating system a rear yard having a minimum depth of 25 feet.
 - 2. *Side.* There shall be a minimum distance of 15 feet between any structure associated with a solar energy generating system and the side property line.

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3. *Front.* There shall be in front of every structure associated with a solar energy generating system a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- c. Lot coverage shall not exceed 30 percent, as defined under subsection 60-1506(a)(2).
 - d. *Total land area.* Once one percent of the agriculture and resource protection district has been developed into solar energy generating systems, the planning board must find that any additional proposed solar energy generating systems will not materially alter the stability of the overall land use pattern of the agriculture and resource protection district. In making this determination, the planning board shall consider the overall effect of existing and potential solar energy generating systems and if it will be more difficult for existing farms in the area to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights, or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the surrounding area. The planning board shall request an assessment of the proposed project based on subsection 60-145(b)(19)d. by the agriculture committee and, if located in the resource protection district, the conservation commission and carefully consider their recommendations.
 - e. All applications shall consider the location of existing grid infrastructure and plan to limit the need to extend the amenities for optimal efficiency.
 - f. If a solar energy generating system is proposed on forestland in the agriculture and resource protection district, on a parcel adjacent to prime farmland or land currently used for farming, clearing of forestland or the use of prime farmland may be permitted under the following conditions:
 1. The presence of the solar energy generating system will not result in unnecessary soil erosion or loss that could limit agricultural productivity on the subject property or abutting properties.
 2. At the time of decommissioning of any solar energy generating system approved by the planning board, the current sitting planning board shall review the site and proposed decommissioning plan for the conversion of the parcel into prime farmland or forestland, as applicable under the current ordinance standards.
 3. A survey of critical wildlife habitat is provided at the time of application, if a project is located in an area determined to be essential habitat, as defined by the state department of inland fisheries and wildlife, an IF&W recommendation shall be secured before a planning board ruling.
 4. A vegetative cover plan is provided that demonstrates, where feasible, the replanting of forested areas disturbed during construction and preservation of prime soils throughout the life of the project.
 - g. *Prime soils.* All solar energy generating systems proposed in the agriculture and resource protection district shall include a soil analysis. Such analysis shall demonstrate if the site proposed for development contains prime farmland as defined by the United States Department of Agriculture (USDA). Least productive agricultural soils shall be considered first for development unless it can be demonstrated to the planning board that:
 1. Non-prime farmland is not reasonably available on the subject property.
 - h. All applications for solar energy generating systems in the agriculture and resource protection district shall be subject to the following provisions:

-
1. Siting of the overall facility and individual panels shall keep with the existing contours of the land;
 2. Only pile driven, or ballast block footing shall be used so as to minimize the disturbance of soils during installation;
 3. To the extent possible, infrastructure shall not be located on steep slopes; and
 4. A plan for topsoil maintenance shall be provided at the time of application to the planning board.
- i. All operations and maintenance plans shall also include:
 1. A plan prioritizing the ability to co-mingle agricultural and energy generation land uses including but not limited to: apiaries, grazing or handpicked crops.
 2. A plan that provides habitat for native plants and animals and native pollinators.
- (20) Municipal or public utilities and communication facilities.
- (21) Municipal uses.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 06-06052017, 6-19-2017; Ord. No. 04-05202019, 6-3-2019; Ord. No. 17-11182019, 12-9-2019; Ord. No. 05-05182020, 6-1-2020; Ord. No. 11-03012021, §§ 5, 6, 3-15-2021; Ord. No. 02-02132023, 2-17-2023; Ord. No. 03-04182023, 5-1-2023; Ord. No. 10-06202023, 7-10-2023; Ord. No. 17-09052023, 9-18-2023)



ORDER 69-08032026

City Council Order

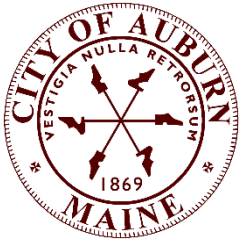
IN COUNCIL

ORDERED, that the Auburn City Council directs staff to prepare a zoning text amendment for Public Hearing and a Recommendation by the Auburn Planning Board pursuant to Chapter 60, Article XVII, Division 2, Amendment to the Zoning Ordinance or Zoning Map. The intent is to amend Chapter 60, Article IV, Division 2, Section 145 (b)(1) Agriculture and Resource Protection District Use Regulations. The purpose of this proposal is to remove the employee limit for Sawmill uses within the district to ensure a Sawmill remains a viable commercial use.

Rachel B. Randall, Ward One
Kelly L. Butler, Ward Four
Belinda A. Gerry, At Large

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

Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 3, 2026

ORDER 70-08032026

Author: Jonathan P. LaBonte, Transportation Systems Director

Subject: Auburn Lewiston Municipal Airport Order Supporting Airport Master Plan Implementation

Information:

The proposed Order formally supports implementation of the completed Auburn-Lewiston Municipal Airport Master Plan and Airport Layout Plan and directs the preparation of a coordinated five-year implementation plan for Fiscal Years 2028 through 2032. The Order was drafted under the direction of the Auburn-Lewiston Municipal Airport Board following completion of the Airport Master Plan.

The Cities of Auburn and Lewiston jointly sponsor the Auburn-Lewiston Municipal Airport and have accepted continuing federal obligations related to its operation, maintenance, property management, revenue use, compatible land-use protection, and preservation for airport purposes. The 1979 Interlocal Agreement delegates responsibility for Airport operations, property, facilities, leases, accounts, and revenues to the Airport Board on behalf of both municipal sponsors.

The completed Master Plan and Airport Layout Plan provide the long-term framework for safety, compliance, capital investment, aviation development, revenue development, compatible land-use protection, and financial sustainability.

The Order provides clear sponsor direction following completion of the Airport Master Plan and creates a defined process for translating the plan into actionable projects, funding strategies, and sponsor decisions. The order also affirms the responsibilities of continued airport sponsorship, including timely support for safe operations, capital renewal, local grant match, federal compliance, compatible land-use protection, and preservation of Airport revenue for Airport purposes.

Timely implementation is important because the Airport has continuing federal obligations and deadlines, including a commitment to address approximately 2,700 identified obstructions. Failure to meet those commitments could affect future FAA funding eligibility.

City Budgetary Impacts: No operating budget impacts

Staff Recommended Action: Passage of this Order

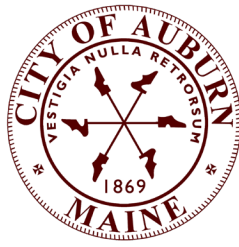
Previous Meetings and History:

City Manager Comments:

I concur with the recommendation. Signature:



Attachments:



City Council Order

IN COUNCIL

Joint Order Supporting Implementation of the Auburn-Lewiston Municipal Airport Master Plan and Five-Year Sponsor Commitment, ORDERED:

WHEREAS, under the Federal Surplus Property Act of 1944, the Cities of Auburn and Lewiston accepted transfer of the Auburn-Lewiston Municipal Airport from the United States and accepted the restrictions, covenants, and obligations associated with that transfer; and

WHEREAS, in 1979, the Cities of Auburn and Lewiston entered into an Interlocal Agreement establishing the Auburn-Lewiston Municipal Airport Board for the purpose of operating, maintaining, and improving the Auburn-Lewiston Municipal Airport, providing air transportation service for Auburn, Lewiston, and the surrounding region, and supporting industrial, manufacturing, and business development at the Airport and Industrial Airpark; and

WHEREAS, the Interlocal Agreement delegates management of Airport property, facilities, leases, accounts, revenues, operations, and related assets to the Airport Board on behalf of the two municipal sponsors; and

WHEREAS, the Auburn-Lewiston Municipal Airport is a federally obligated public-use airport, and continued sponsorship carries obligations related to safe and serviceable operation, airport property management, compatible land use, proper use of airport revenue, grant compliance, and preservation of the Airport for airport purposes; and

WHEREAS, in 2022, the FAA New England Compliance Office conducted a Land Use Inspection of the Airport and identified a significant number of compliance violations relating to property management, revenue diversion, and leases, some of which had been in place for more than two decades; and

WHEREAS, in 2025, the Airport completed its FAA-approved Corrective Action Plan, but continuing sponsor commitments remain for obstruction removal, wildlife management, updating the Exhibit "A" property record, and maintaining long-term compliance with federal obligations under the Grant Assurances; and

WHEREAS, in order to be offered the FAA grants associated with the T-hanger construction project, the Airport was required to commit to the removal of approximately 2,700 obstructions within a defined period, with future FAA funding at risk if that commitment is not met; and

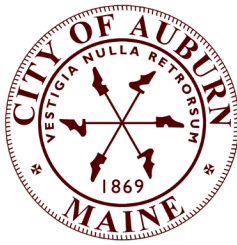
WHEREAS, the Airport has completed a new Airport Master Plan and Airport Layout Plan to guide the next phase of airport compliance, capital investment, obstruction mitigation, aviation development, non-aeronautical revenue development, compatible land-use protection, and long-term sustainability; and

WHEREAS, implementation of the Master Plan requires clear, timely, and binding sponsor direction over the next five-year period, including local grant match for FAA entitlement and discretionary funding, pavement and capital repair, obstruction mitigation, wildlife management, property and title

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Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



City Council Order

documentation, operational support, and protection of Airport revenues and assets for Airport purposes, and delay in that direction places FAA grant eligibility, obstruction mitigation deadlines, and both Cities' compliance standing at risk;

NOW, THEREFORE, BE IT ORDERED by the Auburn City Council as follows:

1. Master Plan Support

The Councils support implementation of the Auburn-Lewiston Municipal Airport Master Plan and Airport Layout Plan as the planning framework for Airport safety, compliance, capital investment, aviation development, revenue development, compatible land-use protection, and long-term sustainability.

2. Independent Effect of Adoption

The commitments and directions in this Order, including support for the Master Plan and participation in the five-year implementation plan take effect upon adoption of this Order by either City Council and are not contingent upon adoption of this Order by the other Airport Sponsor.

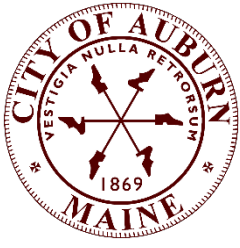
3. Five-Year Implementation Plan

The Airport Board, Airport Director, Auburn City Manager, and Lewiston City Administrator are directed to prepare a five-year Airport implementation plan for Fiscal Years 2028 through 2032.

The plan shall identify major capital projects, FAA and MaineDOT grant opportunities, required local match, obstruction mitigation needs, wildlife management commitments, Exhibit "A" and property documentation needs, state-of-good-repair priorities, operating support assumptions, revenue-development opportunities, and required sponsor actions. The plan shall be completed and presented to both Councils no later than November 30th, 2026.

4. Sponsor Commitment and Protection of Airport Revenue

The Councils affirm that continued sponsorship of the Airport requires active, timely, and adequately funded support for the Airport's federal and state obligations, including safe and serviceable operation, local grant match, obstruction mitigation, wildlife management, capital renewal, airport property documentation, compatible land-use protection, and preservation of Airport revenue for Airport purposes.



**City of Auburn
City Council Information Sheet**

ORDINANCE 14-08032026

Council Workshop or Meeting Date: August 3, 2026

Author: Eric J. Cousens, Executive Director of Public Services

Subject: Mobile Home Rent Stabilization Ordinance - First Reading

Information: On February 2, 2026 the City Council adopted Ordinance 04-01202026, a moratorium on rent increases in mobile home parks, to allow time to develop a draft ordinance (extended on July 28, 2026). In response to constituent concerns, Councilors and the Mayor held a public forum on March 17, 2026, where mobile home park residents and owners discussed recent rent increases, their impacts on both residents and park owners, and shared information to help guide potential ordinance options. After workshop discussions at the June 15th meeting and July 6 meeting, revisions related to capital improvement and records/written decision for consideration were submitted to legal for review and the draft included in the July 20, 2026 Council workshop packet. The draft ordinance brought forward for first reading is designed to protect mobile home park residents from unreasonable lot rent and fee increases, recognizing that mobile home parks provide an important source of unsubsidized affordable housing.

City Budgetary Impacts: Potential staff time and legal fees for managing a new board and enforcement of the ordinance if voluntary compliance cannot be achieved.

Previous Meetings and History: January 20, 2026 City Council, February 2, 2026 City Council and March 17, 2026 Public Forum. Workshopped on June 15, 2026 and July 6, 2026.

City Manager Comments: *Philip Crowell Jr.*

Attachments: Mobile Home Rent Stabilization Ordinance

MOBILE HOME PARK RENT STABILIZATION ORDINANCE

Sec. 1.- Purpose

The purpose of this ordinance is to protect residents living in mobile home parks from unreasonable lot rent and fee increases. Mobile home parks represent a source of unsubsidized affordable housing, and mobile home park residents are particularly vulnerable to unreasonable rent and fee increases. This ordinance establishes a review process to ensure that rent and fee increases are reasonably tied to increases in the Consumer Price Index and a mobile home park's increased costs in maintaining and improving the park.

Sec 2.- Definitions

- **Additional Fees:** "Additional Fees" means any charges not included in the definition of base rent that a mobile home park demands of a mobile home resident, or that a mobile home resident pays to a mobile home park. This includes charges for services other than water, sewer, solid waste disposal or grounds maintenance costs.
- **Administrator:** "Administrator" means the municipal official responsible for the administration and enforcement of this mobile home park rent stabilization ordinance. The Administrator shall be the City Manager or the City Manager's designee.
- **Base Rent:** "Base Rent" means the total amount of rent and fees charged by a mobile home park for any mobile home park lot as of a specific date. Base rent shall include rent and fees regardless of whether the fees are described as a lump sum or itemized separately.
- **Capital Expense:** Any expenditure made by a mobile home park owner to fund the cost of a capital improvement.
- **Capital Improvement:** Any permanent addition, renovation, or structural improvement to the mobile home park that is properly capitalized under generally accepted accounting principles (GAAP) rather than expensed as a routine operating cost, and that (1) materially extends the useful life of the park or its infrastructure, (2) increases the value or functionality of the park as a whole, or (3) adds a new amenity or facility.

A capital improvement does not include routine maintenance; replacement of individual components due to normal wear and tear; work necessitated, in whole or in material part, by the park owner's failure to perform timely and adequate maintenance; repairs that restore an item to its prior condition without extending its useful life; administrative or overhead expenses; or any cost the mobile home park

owner is already legally obligated to bear as a condition of maintaining a habitable premises under state law or city ordinance.

- **Consumer Price Index (CPI):** “Consumer Price Index” or “CPI” means the Consumer Price Index for All Urban Consumers: Rent of Primary Residence in Northeast (CPI-U RPR Northeast Index), as published by the U.S. Department of Labor, Bureau of Labor Statistics.
- **Fees:** “Fees” means charges to a mobile home resident by a mobile home park for water, sewer, solid waste disposal or grounds maintenance costs.
- **Mobile Home:** “Mobile Home” means a structure, transportable in one or more sections, which is 8 body feet or more in width and 32 body feet or more in length, is built on a permanent chassis, is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained in the structure.
- **Mobile Home Park:** “Mobile Home Park” means any parcel(s) of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate, two or more mobile homes.
- **Mobile Home Park Lot:** “Mobile Home Park Lot” means the area of land on which an individual mobile home is situated within a mobile home park and which is reserved for use by the occupants of that home.
- **Mobile Home Resident:** “Mobile Home Resident” means an occupant of a mobile home who rents a mobile home park lot.
- **Park Owner:** “Park Owner” means a person, corporation or other entity that owns a mobile home park.
- **Rent:** “Rent” means charges to a mobile home resident by a mobile home park for the temporary use of a mobile home park lot.
- **Rent Increase:** “Rent Increase” means any additional base rent or additional fees demanded of, or paid by, a mobile home resident, and includes any reduction in services without a corresponding reduction in the amount demanded or paid for in base rent or additional fees.
- **Rent Stabilization Board:** “Rent Stabilization Board” means the municipal body appointed to hear and decide petitions for additional base rent or additional fee increases and other matters.

Sec. 3.- Rent Stabilization Board.

- A. Creation.** A Rent Stabilization Board shall be created and shall have the duties and authorities conferred by this ordinance.
- B. Membership.** The Rent Stabilization Board shall be comprised of three regular members, including the City Finance Director, the Auburn Housing Authority Finance Director, and a City resident nominated by the City appointments committee and appointed by the City Council, and two alternate members who are City residents nominated by the City appointments committee and appointed by the City Council. Two of the City resident members must have expertise in business or financial matters and one must have expertise in affordable housing, housing policy, housing planning, or housing stability.

No person having a conflict of interest may serve as a regular member or alternate member of the Board. A conflict of interest precluding service on the Board shall include having an ownership interest or employment role for any mobile home park or being a tenant in any mobile home park. In the event that the current City Finance Director or Auburn Housing Authority Finance Director is disqualified from serving on the Board under this paragraph, the City Manager shall appoint another City or Auburn Housing Authority staff member with expertise in business or financial matters to serve in place of the disqualified individual.

All appointed members of the Board, other than the City Finance Director and Auburn Housing Authority Finance Director, shall serve staggered three-year terms from the date of their appointment and thereafter until their successors are appointed. At the time the initial appointments are made, the City Council shall assign each member to a term with one member appointed to a one-year term; one to a two-year term; and one to a three-year term.

Alternate members of the Board may participate and vote in Board proceedings if a regular voting member is incapable or unavailable to serve in regard to a particular matter or is disqualified from participation because of a conflict of interest with respect to a particular matter. The alternate member designated to participate and vote on a matter shall be selected by the chair of the Board.

- C. Officers.** At an organizational meeting to be held annually, or at any other time by majority vote of its membership, the Board shall select a Chair and Vice Chair.
- D. Bylaws.** The Board shall have authority to adopt bylaws governing submission requirements and rules of procedure related to its review of petitions for base rent or additional fee increases.
- E. Annual Report.** The Board shall submit a written report of its activities for the

preceding year to the City Council on or before January 31 of each year.

- F. Staff Support.** The Administrator shall assist the Board with the preparation and posting of meeting agendas, the taking of minutes, and the drafting of correspondence or reports to the city council as needed.

Sec. 4.- Base Rent and Additional Fees Increase Limitations

- A. Limitation on number of base rent and additional fee increases:** A park owner may not implement an increase in base rent or additional fees more than once in any 12-month period. Any increase in base rent or additional fees shall be effective on January 1.
- B. Base Rent Calculation:** Except as provided herein, a park owner shall not demand, accept or retain base rent for a mobile home park lot that exceeds the base rent in effect for that lot on February 2, 2026.
- C. Additional Fees Calculation:** Except as provided herein, a park owner shall not demand, accept or retain additional fees that exceed the additional fees in effect for that lot on February 2, 2026. A park owner shall not demand, accept or retain additional fees after December 31, 2026, unless such additional fees have been approved by the Rent Stabilization Board.
- D. Maximum Annual Increase formula:** Any annual increase in base rent or additional fees is limited to the lesser of (1) the posted annual percentage change in the CPI for the 12-month period ending on the June 30 preceding the January 1 effective date of the increase, or (2) five percent (5%) (Maximum Annual Increase).
- E. Greater Base Rent and Additional Fees Increase:** A mobile home park owner may petition the Rent Stabilization Board for approval of an increase in base rent or additional fees in excess of the maximum annual increase to cover (1) the cost of increased operating expenses such as taxes, insurance, utility charges and maintenance costs, and (2) the cost of capital improvements, in excess of those accounted for in the base rent, that directly benefit mobile home residents.
- F. Petition Requirements:** A park owner seeking to impose a base rent increase or additional fees increase greater than the maximum annual increase must submit a petition to the Rent Stabilization Board. The petition must be filed by the August 1 prior to the January 1 effective date of the proposed increase and contain documentation that the increase is necessary to cover increased operating expenses or the cost of eligible capital improvements.
- G. Standards for Petition Review:** A mobile home park owner petitioning for a base rent increase or additional fees increase in excess of the maximum annual increase

based on increased operating expenses must demonstrate to the Rent Stabilization Board that there are actual and reasonable operating expenses in excess of the maximum annual increase allowed that are necessary to maintain the existing level of services to the mobile home park residents or that are necessary to implement an increase in services that will have a direct benefit to the mobile home park residents.

A mobile home park owner petitioning for a base rent increase or additional fees increase in excess of the maximum annual increase based on increased eligible capital expenses must demonstrate to the Rent Stabilization Board (1) that the requested increase is not accounted for in the base rent; (2) that the capital improvement will have a direct benefit to the mobile home park residents; (3) the total capital outlay required for the capital improvement; (4) the useful life of the capital improvement, as determined by generally accepted accounting principles or IRS depreciation schedules; (5) the total rate of return on the capital outlay over the useful life of the improvement calculated as the prevailing yield on ten-year U.S. Treasury securities plus two (2) percentage points, as published by the Federal Reserve at the time petition is filed; (6) the proposed increase in the base rent calculated as the total capital outlay plus the total rate of return on capital divided by the useful life of the capital improvement divided by the number of sites in the mobile home park specified in the park's license issued pursuant to 10 M.R.S. §9082 of the Manufactured Housing Act.

Every final decision of the Rent Stabilization Board shall include written findings of fact.

H. Notice Requirements: A park owner shall provide notice of any increase in base rent or additional fees to the affected mobile home residents after the Board acts on any petition and no less than 90 days before the effective date of the increase. The notice must include:

1. The name, address, telephone number and e-mail address of the park owner; and
2. The amount of the increase separated by base rent and additional fees, in dollars, and the type of any increase.

I. Vacancy Base Rent: A park owner shall be permitted to increase base rent for a lot whenever a lawful vacancy occurs, and this amount shall be considered the new base rent for that mobile home park lot. Any new base rent set pursuant to this subsection shall be subject to all limitations, formulas, and procedural requirements for future base rent increases contained in this Section, including but not limited to the maximum annual increase, petition requirements, and standards for review.

J. Fees Allowed: Fees charged by a mobile home park owner to a park resident shall be limited to charges for water, sewer, solid waste disposal or grounds maintenance

costs. A park owner that seeks to impose a charge for other costs (Additional Fees) shall petition and obtain advance approval for the fee from the Rent Stabilization Board. The park owner shall have the burden of demonstrating to the Rent Stabilization Board that any additional fee is directly related to and proportionate to costs incurred by the mobile home park owner for providing the service funded by the additional fee.

- K. Notices of Violation:** A mobile home park owner may not implement a base rent increase or additional fees increase at any time that the mobile home park is subject to a land use notice of violation issued by an applicable enforcement authority that has become final following an appeal or expiration of the time for filing an appeal.

Sec. 5.- Applicability

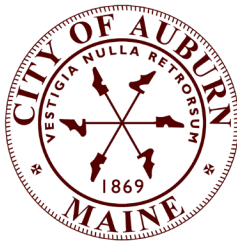
This ordinance applies to every mobile home park within the City except for mobile home parks owned by a cooperative or other entity in which membership is limited to mobile home park residents.

Sec. 6.- Appeals

Decisions of the Rent Stabilization Board may be appealed to Superior Court by:

- A.** Park owners; or
- B.** Affected mobile home residents.

Appeals as described herein shall be filed with the Superior Court in accordance with Maine Rule of Civil Procedure 80B within 45 days of the decision made by the Rent Stabilization Board. Appeals must be based solely on the record of the proceedings before the Rent Stabilization Board. The record on appeal shall include the petition; the minutes and any audio or video recordings of Board meetings related to the petition; all exhibits, papers, applications, and requests submitted to the Board; and the final written decision of the Board.



ORDINANCE 14-08032026

City Council Ordinance

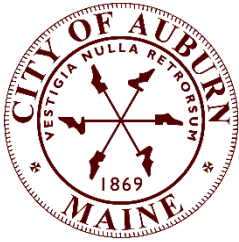
IN CITY COUNCIL

BE IT ORDAINED, that THE CITY OF AUBURN hereby amends Auburn's Code of City Ordinances to adopt the Mobile Home Park Rent Stabilization Ordinance, as seen on the attached.

Rachel B. Randall, Ward One
Kelly L. Butler, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
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Jeffrey D. Harmon, Mayor

Mathieu L. Duvall, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: August 3, 2026

Subject: Executive Session

Information: Pursuant to 1 M.R.S.A. Section 405(6) (D) for discussion of labor contracts and negotiations between MSEA and the City of Auburn and Public Works and the City of Auburn.

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
 - (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
 - (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
 - (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.
- This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

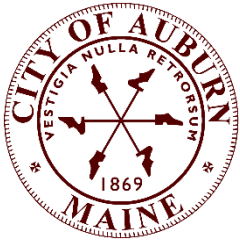
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: August 3, 2026

Subject: Executive Session

Information: Pursuant to 1 M.R.S.A. Section 405(6) (C) for discussion of an economic development matter where premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency.

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

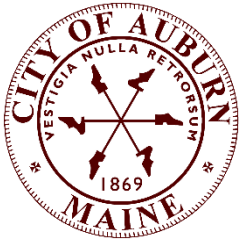
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



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