AGENDA FOR THE CITY COUNCIL BUSINESS MEETING
COUNCIL CHAMBERS
THURSDAY, April 20, 2017
7:00 P.M.

There will be a pre-meeting of the City Council at 6:30 p.m. in Conference Room A. No Council actions are taken at pre-meetings. Pre-meetings are open to the public.

PRESENTATION AND PUBLIC HEARINGS:

Public hearing on the JS McCarthy CDBG grant.

PUBLIC COMMENTS ON ITEM LISTED ON THE AGENDA:

CONSENT AGENDA:

17-071 City Manager (Bureau of City Clerk)
ORDERED, that the minutes of the City Council Meeting held April 6, 2017, submitted by the City Clerk’s office be approved.

OLD BUSINESS AND TABLED MATTERS

SECOND READING (Ordinances)

17-067 Mayor and Council
WHEREAS, in keeping with the Comprehensive Plan and complying with state shoreland zoning laws, the City Council finds that amending the Land Use Ordinance is in the best interest of the City;

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta, that the Code of Ordinances, Land Use, be amended as shown in the attached document entitled “Shoreland Zoning Amendments – April 3, 2017” and the attached map entitled Shoreland Zoning April 3, 2017.

17-068 Mayor and Council
WHEREAS, the Planning Board held a public hearing and unanimously recommends the following changes; and,

WHEREAS, the City Council finds that amending the Land Use Ordinance is in the best interest of the City.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta, that the Code of Ordinances, Land Use, be amended as shown in the document entitled “300-515 Setbacks; general requirements”.

Agenda 04/20/2017
WHEREAS, the Planning Board held a public hearing and unanimously recommends the following changes; and,

WHEREAS, the City Council finds that amending the Land Use Ordinance is in the best interest of the City.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta that the Code of Ordinances, Land Use, be amended as shown in the document entitled “General Amendments to Land Use Ordinance 4-3-2017”.

WHEREAS, the City Council finds that the current definition of “Religious Activities and Associated Uses” is outdated and does not provide adequate clarity for religious organizations or citizens regarding accessory activities conducted in relation to such uses; and,

WHEREAS, the City Council finds that clarity of interpretation is critical to creating certainty for residents and others; and,

WHEREAS, the City Council finds that the faith community is a critical part of the fabric of the community, but as the nature of worship changes, certain activities conducted by religious organizations, like their secular counterparts, could have an impact on the health, safety, and general welfare of the neighborhoods where they are located; and,

WHEREAS, the City’s Planning Board reviewed this issue and the proposed amendments at two public hearings, at which residents and business owners voiced concern over the impact of social services, traffic and parking on residential neighborhoods and business districts, and religious entities discussed how activities such as community suppers, clothing drives and educational activities are components of their religious practice; and,

WHEREAS, the City Council respects the needs of all property owners and is interested in limiting traffic, noise, parking, and other impacts of uses in keeping with the nature of the district in which they are located; and,

WHEREAS, in keeping with the Comprehensive Plan, the City Council intends to regulate accessory uses conducted by religious entities only to the extent they are significant in scope and, due to their potential impacts, would not otherwise be allowed as primary uses in the district in which they are located.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta, that the Code of Ordinances, Land Use, be amended to modify the definition of a “Religious Activities and Associated Uses” in Section 300-202 as follows:

RELIGIOUS ACTIVITIES AND ASSOCIATED USES

A structure or place where persons regularly assemble for worship, ceremonies, rituals, education, and related social events pertaining to a particular system of beliefs, and which structure or place, together with its accessory buildings and uses, is maintained and controlled by
a religious body organized to sustain religious ceremonies and purposes. “Religious activities and associated uses” includes but is not limited to churches, religious temples, convents, monasteries, parsonages, rectories, religious camps and retreat sites.

BE IT FURTHER ORDAINED, that Religious Activities and Associated Uses in the Table of Uses (300 Attachment 4) shall be changed to the new use “Religious Activities”; and

BE IT FURTHER ORDAINED, that a new note 19 shall be added to the Table of Uses (300 Attachment 4) as follows:

The following uses accessory to permitted assembly uses shall be subject to conditional use approval unless expressly listed as a permitted use in the Table of Land Uses: Conference center, convention facility, social services, educational services, day care centers, group homes, medical clinic, meal center and food pantry, retail, recreational areas and facilities. Shelter shall also be a conditional use and shall not be with 1,000 feet of another shelter; and,

BE IT FURTHER ORDAINED, that the new use “Religious Activities” be changed from a permitted use to a Conditional Use, designated by a CU{superscript}19 in the Table of Uses (300 Attachment 4,) in the following zoning districts and shall be subject to a new note 19: RA, RB1, RB2, RD, IA, PD, RR, RRES, RV, RR2, MED, KL; and,

BE IT FURTHER ORDAINED, that the new use “Religious Activities” be allowed as a Conditional Use, designated by a CU{superscript}19 in the Table of Uses (300 Attachment 4), in the following zoning districts: KBD2; and,

BE IT FURTHER ORDAINED, that the existing use “Civic, Social, and Fraternal Organizations” shall become subject to the new note 19 by replacing the existing CU or X in the districts where the use is allowed with a CU{superscript}19 or X{superscript}19, as appropriate; and,

BE IT FURTHER ORDAINED, that Section 300-603(E)(e) be added as follows:

Will the proposal cause exterior queuing of vehicles or loitering of pedestrians which would have a negative impact on the surrounding neighborhood?

NEW BUSINESS PART 1

17-072 Mayor and Council
ORDERED, that Council authorizes a grant contribution of $2,500 to the Augusta Downtown Alliance for the purpose of signage upgrades in the downtown district.

BE IT FURTHER ORDERED, that the grant contribution will be charged to the Council Contingency account.

17-073 City Manager
BE IT ORDERED, that the City Council does hereby grant approval pursuant to Title 15 of the Maine Revised Statutes Annotated, section 5824(3) & 5826(6) to the transfer of $780.00, or any portion thereof to the Augusta Police Department, on the grounds that the City of Augusta Police
Department did make a substantial contribution to the investigation of the criminal case, namely, State of Maine vs. Christopher Williams.

17-074  City Manager
ORDERED, in accordance with the City of Augusta Code of Ordinances, Appendix A, Land Use Ordinance Section 5.1.15.1.A.1.o, that the City Council authorizes the City Manager to modify the hours of work of the Greater Augusta Utility District (and companies working for them under contract) to perform construction and maintenance work on their infrastructure such as pipe installation, cleaning and maintaining catch basins and adjusting access points (manhole covers and valve boxes). Areas of work where modified work hours may be needed are throughout the City. Doing this work at night is beneficial to public safety as it minimizes potential disruption to daytime traffic patterns. Times to be determined based on the GAUD's request/schedule and as approved by the City Manager.

NEW BUSINESS  PART 2 - ORDINANCES - FIRST READING
NO VOTE REQUIRED

17-075  Councilor Conti and Elliott
WHEREAS, the City is in the process of reviewing and implementing potential changes to the Mineral Extraction Ordinance, in particular the blasting requirements; and

WHEREAS, mineral extraction licenses which allow blasting will expire in June, 2017 prior to the City having completed its review and implementation of changes to the Ordinance;

NOW THEREFORE be it ORDAINED, by the City Council of the City of Augusta that the Code of Ordinances, Land Use, be amended to add the following subsection to Section 198-5(A):

(3) All mineral extraction licenses which include permission to conduct blasting, and which are valid as of April 20, 2017, shall be automatically extended through December 31, 2017 unless a complete application for renewal licensure has been submitted prior to April 20, 2017. The terms and conditions for any license extended by this subsection shall remain in effect through December 31, 2017. The Planning Board shall not issue renewal licenses for licensees which are subject to this subsection prior to January 1, 2018. Licensees subject to this subsection shall submit an application for renewal licensure to the City not earlier than November 1, 2017 nor later than December 31, 2017. All such renewal applications will be processed according to the terms of the Mineral Extraction Ordinance and Blasting Ordinance in effect at the time the application is deemed complete.

COMMUNICATIONS
Committee Reports
City Manager’s Report

Respectfully submitted,
Roberta L. Fogg, City Clerk
April 18, 2017