STATE OF MAINE
COUNTY OF YORK
CITY OF SACO

I. CALL TO ORDER – On Monday, October 3, 2011 at 7:01 p.m. a Council Meeting was held in the City Hall Auditorium.

II. ROLL CALL OF MEMBERS – Mayor Roland Michaud conducted a roll call of the members and determined that the Councilors present constituted a quorum. Councilors present: Margaret Mills, Leslie Smith Jr., Marie Doucette, Philip Blood, Arthur Tardif, Eric Cote and Marston Lovell. Acting City Administrator Peter Morelli was also present.

III. PLEDGE OF ALLEGIANCE

IV. GENERAL

V. APPROVAL OF MINUTES: SEPTEMBER 19, 2011 AND SEPTEMBER 26, 2011

The minutes of September 19, 2011 and September 26, 2011 were approved as written.

VI. AGENDA

A. CODE AMENDMENT ARTICLE IV UNDESIGNATED FUND BALANCE POLICY - §15-24 – (SECOND AND FINAL READING)

Code Amendment Article IV Undesignated Fund Balance Policy, §15 – 24, dated 8/22/2011

§ 15-24 Definition and Classification

A. Fund balance is a term used to describe the net assets of governmental funds. It is calculated as the difference between the assets and liabilities reported in a governmental fund.

B. Governmental fund balance is reported in five classifications that comprise a hierarchy based primarily on the extent to which the City is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. The five classifications of fund balance for the General fund are defined as follows.

   a. Non-spendable: resources which cannot be spent because they are either a) not in spendable form or b) legally or contractually required to be maintained intact.

   b. Restricted: resources with constraints placed on the use of resources which are either a) externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments; or b) imposed by law through constitutional provisions or enabling legislation.

   c. Committed: resources which are subject to limitations the government imposes upon itself at its highest level of decision making, and that remain binding unless removed in the same manner.
d. Assigned: resources neither restricted nor committed for which a government has a stated intended use as established by the City Council, or body or official to which the City Council has delegated the authority to assign amounts for specific purposes.

e. Unassigned: resources which cannot be properly classified in one of the other four categories. The general fund should be the only fund that reports a positive unassigned fund balance amount.

C. The committed, assigned, and unassigned classifications are often referred to, in the aggregate, as the unrestricted fund balance.

§ 15-25 Findings.

The City's unassigned fund balance represents those funds held in reserve to cover unexpected expenditure needs and emergencies, revenue shortfalls and seasonal cash flow variations. The City Council has determined that maintenance of an adequate fund balance is essential to the financial health and security of the City of Saco.

§ 15-26 Objective.

It is the policy objective of the City that the audited unassigned fund balance should be a maximum of 10% of the following year's general fund budget as adopted by the Saco City Council. The minimum unassigned fund balance shall be set at one month's budgeted expenditures or 8.33% of the annual budget.

§ 15-27 Shortfalls.

unassigned fund balance identified in the City's audited financial statements shall be raised by the City Council in the next three budget cycles. The minimum revenue requirement shall be the funds needed to bring the unassigned fund balance above the 8.33% established in § 15-26. § 15-28 § 15-27 Surplus.

Any surplus in the unassigned fund balance identified in the City's audited financial statements that exceeds the 10% maximum target shall be made available for Council appropriation. In making said allocation of funds, the City Council shall give priority to the following activities:

A.

Economic development projects, such as industrial park land acquisition, establishment of economic development loan fund programs or the development of infrastructure improvements associated with industrial park priorities.

B.

Replacement of aging capital equipment that carries unusually high costs and has a utility life of 8 years or more.

C.

Specifically targeted infrastructure projects or other capital expenditures required by the City.

§ 15-29 Administration.
Upon acceptance of the City's annual audit by the City Council, the City Administrator shall determine the status of the unassigned fund balance relative to the policy established in § 15-26. At the second City Council meeting in January, the City Administrator shall present his/her evaluation of the current unassigned fund balance and make his/her recommendations regarding the action necessary to either make up any shortfall or appropriate any excesses. The City Council shall act on the City Administrator's recommendations no later than the first City Council meeting in February. § 15-30 Emergency Actions Permitted

Notwithstanding any provision of this ordinance, the City Council may vote at any time to use unassigned fund balance funds to respond to emergency funding needs.

Councillor Tardif moved, Councillor Blood seconded to hereby ordain and approve the Second and Final Reading of the document title, “Code Amendment Article IV Undesignated Fund Balance Policy.”

AMENDMENT – Councillor Cote moved, Councillor Mills seconded ‘to amend section §15-27 by adding the following wording at the beginning of the sentence: ‘It is the goal of the city that’. The motion passed with seven (7) yeas.

The Mayor called for a vote on the main motion. The motion passed with seven (7) yeas.

B. ZONING ORDINANCE AMENDMENT – COMPREHENSIVE PLAN IMPLEMENTATION – DOWNTOWN ZONING – (SECOND AND FINAL READING)

‘Amendments to Zoning Ordinance to Implement the Recommendations of the City’s Adopted Comprehensive Plan with Respect to the Downtown Zoning Districts’

Proposed additions to the ordinance are underlined; proposed deletions are struck through.

1. Amend Section 302. Meaning of Words to add definitions of Adult Day Services and Bedroom in proper alphabetical order to read:

**Adult Day Services:** A group program of care, therapeutic activities and supervision licensed by the State of Maine and maintained or carried out on a regular basis by a person or persons in a private dwelling or other facility, for consideration, for any part of a day, for at least two (2) hours a day, for more than two (2) adults nineteen (19) years of age or older, who are not blood relatives and are coming to the facility for up to seven (7) days a week for the express purpose of participating in this program.

**Bedroom:** A room within a dwelling unit that is arranged or designed to be used for sleeping or that is in fact regularly used for sleeping and that is separated from other rooms by one or more doors. Any room that is suitable to be used as a bedroom and is physically separate from other rooms and that has a closet and an egress window meeting the requirements of the building code is considered to be a bedroom for the purpose of determining the allowed density of development or required minimum lot area.

2. Amend Section 403 in Article 4 District Regulations to read:

**Section 403. Zoning Districts**
The city is divided into the districts stated and described in this Ordinance and as shown by the district boundary lines on the Official Zoning Map. The district classifications are:

**RESIDENTIAL DISTRICTS:**
R-1 Low Density District
R-2 Medium Density District
R-3 High Density District
R-4 General Residential District

MHP Mobile Home Park Overlay District

**MIXED-USE DISTRICTS**
MU-1 Downtown Residential Mixed-Use District
MU-2 Elm Street Gateway District

**BUSINESS DISTRICTS:**
B-1 General Business Scamman Street Shopping Center District
B-2 Highway Business District
B-3 Downtown Business District
B-4 Planned Development District
B-5 Marine Business and Residential
B-6 Highway Business and Commercial District
B-7 Limited Business/Residential District

**BP Business Park District**

**B-8 Front Street Waterfront District**

**INDUSTRIAL DISTRICTS:**
I-1 Industrial Park District
I-2 Industrial Business District

**I-3 Light Industrial-Business Park District**

**CONSERVATION DISTRICT:**
C-1 Conservation District

**NATURAL RESOURCE DISTRICTS:**
RP Resource Protection District

SR Saco River Overlay District
SO Shoreland Overlay District

3. Amend Article 4 District Regulations by adding a new section 405A to create purpose statements for the new mixed-use districts to read as follows:

Section 405A, Mixed-Use Districts: Purposes

Districts designated as mixed-use districts are intended to accommodate both residential uses and a range of non-residential uses depending on the specific purpose of each district. The intention of these districts is to allow for a mix of residential and non-residential activity in a manner that provides a quality environment for all uses. The specific purpose of each of the mixed-use districts is as follows:

405A-1. MU-1 DOWNTOWN RESIDENTIAL MIXED-USE DISTRICT

The MU-1 classification is intended to allow older residential neighborhoods in the downtown area to remain predominantly residential with a mix of housing types while allowing for the reuse of existing buildings as well as limited redevelopment that allows for an increase in the amount of non-residential use such as small-scale specialty retail uses, services, restaurants, and business and professional offices especially on the first floor of mixed-use buildings. At the same time, the amount of residential use in the neighborhood is maintained or increased as a result of more intensive use of existing buildings and limited redevelopment. The overall scale and character of rehabilitated or new buildings should be compatible with the established character of the neighborhood.

405A-2. MU-2 ELM STREET GATEWAY DISTRICT

The MU-2 classification is intended to allow the Elm Street corridor to evolve as a mixed-use area that becomes an attractive gateway to the City. Its role as an auto-oriented commercial area diminishes over time as its residential and local service functions re-emerge. At the same time, the character of the area evolves into a more urban, attractive, pedestrian-friendly environment as existing properties are improved and redevelopment occurs. New buildings and changes to existing buildings are well designed. Buildings are located closer to the street. Where possible, the space between the sidewalk and the building is used for pedestrian amenities or landscaping rather than motor vehicle facilities or parking. Parking and vehicle service areas are located to the side or rear of buildings where feasible.

4. Amend Article 4 District Regulations by revising the purpose statement for the B-1 District in 406-1 to read as follows:

406-1. B-1 SCAMMAN STREET SHOPPING CENTER GENERAL BUSINESS-DISTRICT

The B-1 District is intended to allow the existing shopping center to continue to be a vibrant community/neighborhood retail and service center that complements Downtown and primarily serves residents of the community and neighboring areas while encouraging the center to evolve so that it is better integrated into the larger downtown area with improved pedestrian access. Classification permits uses which would normally require more space than is available in an urban core area. The purpose of this district is to encourage desirable businesses in proximity to the urban core where they may be readily accessible and to provide a variety of lot sizes and building types not generally available in the central business district.

5. Amend Article 4 District Regulations by adding a new section 406-9 to create a purpose statement for the new B-8 District to read as follows:

406-9. B-8 FRONT STREET WATERFRONT DISTRICT

C:\Program Files (x86)\PDFConverter\temp\NVDC079B9A32-146C-4916-85C1-631CB73D4762\234e8821-9483-45ca-9a2c-c3bf8370ea72\file.doc  10/12/2011  Page 5 of 20
The B-8 classification is intended to provide an area in close proximity to Downtown for uses and activities that need access to the waterfront or that serve marine-related activities.

6. Amend Article 4 District Regulations by revising section 410-5. that specifies the allowed uses in the B-1 District to read:

410-5. B-1 SCAMMAN STREET SHOPPING CENTER GENERAL BUSINESS DISTRICT

1. Single family dwellings
2. Two family dwellings
3. Elderly congregate housing
4. Multi-family dwellings
1. Dwelling units above the first floor in a mixed-use building
25. Home occupations
36. Retail businesses excluding outdoor sales
47. Eating establishments, excluding fast food restaurants
58. Eating and drinking establishments
69. Hotels and motels
40. Tourist homes
74. Financial institutions
84. Business offices
9. Professional offices
10. Personal services
11. Business services
12. Repair services
13. Artist or craftsperson studio
148. Health club
159. Office of a contractor or tradesman
20. Funeral homes
162. Health care clinics for humans
171. Veterinarian offices
183. Places of worship
Churches
194. Public and private schools
205. Commercial schools
216. Essential services
227. Accessory uses
238. Municipal uses
249. Any use permitted in the Resource Protection District
2530. Bed and breakfast establishments (Amended 9/5/85)
31. Home babysitting service (Amended 8/1/88)
2643. Day care center (Amended 8/1/88)
2734. Adult day care center, Type 1 and 2 (Amended 7/1/91)
2835. Nursery school (Amended 7/6/93)
36. Nursing homes
292. Quasi-municipal or public uses
38. One accessory apartment in a single family dwelling (Amended 10/20/08)

CONDITIONAL USES

1. Boarding homes
2.     Gas stations (Amended 4/7/03)
3.     Gasoline sales accessory to a retail use (Amended 4/7/03)
4.     Auto repair garages
5.     Car washes
16.    Private clubs
28.    Commercial recreation
3.     Indoor recreation (Amended 4/7/03)
4.     Public utility buildings
5.     Registered dispensary, non-growing
9.     Quasi-public uses
10.    Private clubs
11.    Municipal uses not listed under permitted uses
12.    Public utility buildings
13.    Water recreation including piers, docks, and boathouses related thereto
14.    Commercial recreation
15.    Indoor recreation (Amended 4/7/03)
16.    Marinas
17.    Commercial fisheries and related sales
19.    High Voltage Transmission Lines (Amended 12/15/08)
19.    Registered dispensary (Amended 7/19/10)

7. Amend Article 4 District Regulations by adding a new section 410-4A. MU-1 DOWNTOWN RESIDENTIAL MIXED-USE DISTRICT to read:

410-4A. MU-1 DOWNTOWN RESIDENTIAL MIXED-USE DISTRICT

PERMITTED USES

1.     Single family dwelling (existing as of April 1, 2011)
2.     Two family dwellings
3.     Multi-family dwellings
4.     Elderly congregate housing
5.     Dwelling units above the first floor in a mixed-use building
6.     One accessory apartment in a single family dwelling
7.     Home occupations
8.     Retail businesses excluding outdoor sales and drive-thru service
9.     Eating establishments excluding fast food restaurants
10.    Eating and drinking establishments
11.    Business offices
12.    Professional offices
13.    Financial institutions excluding drive-thru service
14.    Business services
15.    Personal services
16.    Repair services
17.    Artist or craftsperson studios
18.    Commercial schools
19.    Health care clinics for humans
20.    Home babysitting service
21.    Day care home
22.    Bed and breakfast establishments
23. Places of Worship
24. Municipal uses
25. Quasi-municipal or public uses
26. Public utility buildings
27. Essential services
28. Accessory uses
29. Any use permitted in the Resource Protection District

CONDITIONAL USES

1. Offices of contractors and tradesmen
2. Registered dispensary, non-growing
3. Health clubs
4. Private clubs
5. Nursery School
6. Day care center
7. Adult day services
8. Commercial parking lots
9. High Voltage Transmission Lines

Note 1 – Each retail or service establishment or use is limited to a maximum of four thousand five hundred (4,500) square feet of floor area

8. Amend Article 4 District Regulations by adding a new section 410-4B. MU-2 ELM STREET GATEWAY DISTRICT to read:

410-4B. MU-2 ELM STREET GATEWAY DISTRICT

PERMITTED USES

1. Single family dwelling
2. Two family dwellings
3. Multi-family dwellings
4. Elderly congregate housing
5. Dwelling units above the first floor in a mixed-use building
6. One accessory apartment in a single family dwelling
7. Home occupations
8. Retail businesses excluding outdoor sales and drive-thru service
9. Eating establishments excluding fast food restaurants
10. Eating and drinking establishments
11. Business offices
12. Professional offices
13. Financial institutions
14. Business services
15. Personal services
16. Repair services
17. Artist or craftsperson studios
18. Health care clinics for humans
19. Home babysitting service
20. Day care home
21. Bed and breakfast establishments
22. Places of worship
23. Municipal uses
24. Quasi-municipal or public uses
25. Public utility buildings
26. Essential services
27. Accessory uses
28. Any use permitted in the Resource Protection District

CONDITIONAL USES

1. Offices of contractors and tradesmen
2. Registered dispensary, non-growing
3. Adult day services
4. Commercial schools
5. Gas stations (only on lots used for this purpose on April 1, 2011)
6. Gasoline sales accessory to a retail use (only on lots used for this purpose on April 1, 2011)
7. Auto repair garages (only on lots used for this purpose on April 1, 2011)
8. High voltage transmission lines

Note 1 – Each retail or service establishment or use is limited to a maximum of four thousand five hundred (4,500) square feet of floor area

9. Amend Article 4 District Regulations by adding a new section 410-10A. B-8 FRONT STREET WATERFRONT DISTRICT to read:

410-10A. B-8 FRONT STREET WATERFRONT DISTRICT

PERMITTED USES

1. Marinas
2. Boat building and repair facilities
3. Excursion and charter boat terminals
4. Water-based recreation
5. Piers, docks, boathouses, and port facilities
6. Business offices
7. Professional offices
8. Business services
9. Repair services
10. Artist or craftsperson studios
11. Offices of contractors and tradesmen
12. Dwelling units above the first floor in a mixed-use building
13. Home occupations
14. Eating establishments excluding fast food restaurants
15. Eating and drinking establishments
16. Home babysitting service
17. Bed and breakfast establishments
18. Places of worship
19. Municipal uses
20. Quasi-municipal or public uses
21. Public utility buildings
22. Essential services
23. Accessory uses

CONDITIONAL USES
1. Health clubs
2. Private clubs
3. High voltage transmission lines

10. Amend Table 412.1: Minimum Lot and Yard Requirements by revising the column for the B-1 District to read:

<table>
<thead>
<tr>
<th></th>
<th>B-1</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. MINIMUM LOT AREA (Sq. Ft.)(^3)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) sewered</td>
<td>7,500</td>
<td>7,500</td>
</tr>
<tr>
<td>(2) unsewered</td>
<td>N/A20,000</td>
<td>N/A</td>
</tr>
</tbody>
</table>

B1. MINIMUM NET RESIDENTIAL ACREAGE PER DWELLING UNIT IN SUBDIVISIONS (SQ. FT.)\(^7, 13\) (Amended 3/07/05)

<table>
<thead>
<tr>
<th></th>
<th>B-1</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Single Family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>sewered</td>
<td>7,500</td>
<td>7,500</td>
</tr>
<tr>
<td>unsewered</td>
<td>N/A20,000</td>
<td>N/A</td>
</tr>
<tr>
<td>unsewered &amp; on-lot water</td>
<td>N/A40,000</td>
<td>N/A</td>
</tr>
</tbody>
</table>

(2) Two Family

<table>
<thead>
<tr>
<th></th>
<th>B-1</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>sewered</td>
<td>5,000</td>
<td>3,750</td>
</tr>
<tr>
<td>unsewered</td>
<td>N/A12,500</td>
<td>N/A</td>
</tr>
</tbody>
</table>

(3) Multi-family

<table>
<thead>
<tr>
<th></th>
<th>B-1</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>sewered</td>
<td>5,000</td>
<td>1,500</td>
</tr>
<tr>
<td>unsewered</td>
<td>47,500</td>
<td>N/A</td>
</tr>
</tbody>
</table>

C. MINIMUM STREET FRONTAGE\(^4\) (Feet)

<table>
<thead>
<tr>
<th></th>
<th>B-1</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) sewered</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>(2) unsewered</td>
<td>100</td>
<td>N/A</td>
</tr>
</tbody>
</table>

D. MINIMUM DEPTH FRONT YARD (Feet)

<table>
<thead>
<tr>
<th></th>
<th>B-1</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) sewered</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>(2) unsewered</td>
<td>25</td>
<td>25</td>
</tr>
</tbody>
</table>

E. MINIMUM WIDTH SIDEYARD AND REARYARD (Feet)

<table>
<thead>
<tr>
<th></th>
<th>B-1</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) sewered</td>
<td>150</td>
<td>150</td>
</tr>
<tr>
<td>(2) unsewered</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

F. MINIMUM WIDTH SIDEYARD AND REARYARD OF THE FOLLOWING NON-RESIDENTIAL USES ABUTTING LOTS IN RESIDENTIAL OR CONSERVATION DISTRICTS (Feet)\(^6\)

<table>
<thead>
<tr>
<th></th>
<th>B-1</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Churches, day care centers, funeral homes, offices, quasi-public uses, religious conference centers, touri...</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>(2) Commercial greenhouses and nurseries, hospitals and clinics for humans, hotels and motels, non-profit recreational uses, nursing homes, private clubs, private and public schools</td>
<td>50</td>
<td>50</td>
</tr>
</tbody>
</table>

G. MINIMUM SETBACK FROM NORMAL HIGH WATER MARK OF FRESHWATER BODIES; MAXIMUM SPRING HIGH TIDE LEVEL OF TIDAL WATERS; UPLAND EDGE OF WETLANDS (Feet)\(^6\) (Amended 11/7/05)

<table>
<thead>
<tr>
<th></th>
<th>B-1</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) sewered</td>
<td>75</td>
<td>25</td>
</tr>
<tr>
<td>(2) unsewered</td>
<td>50</td>
<td>90</td>
</tr>
</tbody>
</table>

H. MAXIMUM LOT COVERAGE (%)          |     |     |

I. MAXIMUM HEIGHT (Feet)             |     |     |

17. The lot area per dwelling unit requirement varies with the size of the unit. For dwelling units with not more than 2 bedrooms and less than 800 SF of total floor area, the requirement is 3,000 SF of lot area per unit and for dwelling units with more than 2 bedrooms or more than 800 SF of total floor area regardless of the number of bedrooms, the requirement is 4,000 SF of lot area per unit.

11. Amend Table 412.1: Minimum Lot and Yard Requirements by adding columns for the MU-1 and MU-2 Districts to read:

<table>
<thead>
<tr>
<th></th>
<th>MU-1(^15)</th>
<th></th>
<th>MU-2(^16)</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. MINIMUM LOT AREA (Sq. Ft.)(^3)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) sewered</td>
<td>3,000</td>
<td>3,000</td>
<td>7,500</td>
<td></td>
</tr>
<tr>
<td>(2) unsewered</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>#</td>
</tr>
</tbody>
</table>

B. MINIMUM LOT AREA PER DWELLING UNIT (Sq. Ft.)\(^7, 13\)

<table>
<thead>
<tr>
<th></th>
<th>MU-1(^15)</th>
<th></th>
<th>MU-2(^16)</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Single Family</td>
<td>3,000</td>
<td>3,000</td>
<td>7,500</td>
<td></td>
</tr>
<tr>
<td>A. MINIMUM LOT AREA (Sq. Ft.)</td>
<td>B-8</td>
<td>B-3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>(1) sewered</td>
<td>4,000</td>
<td>7,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) unsewered</td>
<td>N/A</td>
<td>#</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>B. MINIMUM LOT AREA PER DWELLING UNIT (Sq. Ft.)</th>
<th>B-8</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Single Family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>sewered</td>
<td>4,000</td>
<td>7,500</td>
</tr>
<tr>
<td>unsewered</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>unsewered &amp; on-lot water</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>(2) Two Family</td>
<td>6,000</td>
<td>3,750</td>
</tr>
<tr>
<td>unsewered</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>(3) Multi-family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>sewered</td>
<td>See Note 16</td>
<td>1,500</td>
</tr>
<tr>
<td>unsewered</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C. MINIMUM STREET FRONTAGE (Feet)</th>
<th>B-8</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) sewered</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>(2) unsewered</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>D. MINIMUM DEPTH FRONT YARD (Feet)</th>
<th>B-8</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) sewerced</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(2) unsewered</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>E. MINIMUM WIDTH SIDEYARD AND REARYARD (Feet)</th>
<th>B-8</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Churches, day care centers, funeral homes, offices, quasi-public uses, religious conference centers, tourist homes</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>(2) Commercial greenhouses and nurseries, hospitals and clinics for humans, hotels and motels, non-profit recreational uses, nursing homes, private clubs, private and public schools</td>
<td>50</td>
<td>50</td>
</tr>
</tbody>
</table>

15. All development in the MU-1 and MU-2 Districts including the alteration, reconstruction, or expansion of existing buildings is subject to the additional requirements of Section 729.

16. The lot area per dwelling unit requirement varies with the size of the unit. For dwelling units with not more than 2 bedrooms and less than 800 SF of total floor area, the requirement is 1,400 SF of lot area per unit and for dwelling units with more than 2 bedrooms or more than 800 SF of total floor area regardless of the number of bedrooms, the requirement is 2,000 SF of lot area per unit.
conference centers, tourist homes 25 25
(2) Commercial greenhouses and nurseries, hospitals and clinics for humans, hotels and motels, non-profit recreational uses, nursing homes, private clubs, private and public schools 50 50
G. MINIMUM SETBACK FROM NORMAL HIGH WATER MARK OF FRESHWATER BODIES; MAXIMUM SPRING HIGH TIDE LEVEL OF TIDAL WATERS; UPLAND EDGE OF WETLANDS (Feet)\(^a\) (Amended 11/7/05) 250\(^a\) 25
H. MAXIMUM LOT COVERAGE (%) 70 90
I. MAXIMUM HEIGHT (Feet) 50 50 60

18. The setback for functionally water-dependent uses is zero and 25\(^\circ\) for all other uses

13. Amend Section 729. Design Standards by amending Subsection B. Applicability to read:

B. Applicability. These design standards shall apply to all building construction or remodeling projects requiring a conditional use permit or site plan review according to requirements found in this Ordinance that are not subject to covenants found in City industrial or business parks. These standards shall not apply to Section 901-12. Minor Conditional Uses, or to properties within the Historic Preservation District subject to design review by the Historic Preservation Commission. In addition, the additional requirements for the MU-1 and MU-2 Districts shall apply to all projects that substantially alter the scale or massing of the building or that change the street façade even if site plan review is not otherwise required. Where a project subject to site plan or conditional use review is associated with an existing building, such as an addition or partial remodeling, these design standards shall apply only to the new construction or the part of the building being remodeled.

14. Amend Section 729. Design Standards by adding a new subsection G. Additional Standards for the MU-1 District to read:

G. Additional Standards in the MU-1 District. All buildings and structures subject to these additional standards shall comply with the following requirements unless the Planning Board finds that a deviation from one or more of these standards will still enable the project to meet the Intent and Purpose of these standards:

a. Scale. The scale of the building must conform to the standard of E.a. above.

b. Location of the Building with Respect to the Front Lot Line. The building must maintain the established relationship of the front walls of buildings to the street for the block in which it is located. The front wall of a new building must be located within +/- five (5) feet of the average of the front setbacks for the existing principal buildings in the same zone facing the same street in the block in which the building is located. Existing buildings that are set back significantly further from the front lot line than the pattern of the block should be excluded from the calculation. If an existing building that is setback more than the desired setback is being reconstructed, the building shall be modified to move the front wall closer to the street if this is feasible.

c. Minimum Building Height. The height of the building must conform to the standard of E.b. New or reconstructed buildings must have a minimum of two useable stories above grade at the front of the building. The total useable floor area of the upper floors must be a minimum of fifty percent (50\%) of the useable floor area of the first or ground floor.

d. Parking and Vehicular Access. Except for single-family and two-family dwellings where parking is provided in a residential driveway, off-street parking must be located to the side or rear of the building. No parking shall be located in the area between the front wall of the principal building and the front property line extending the entire width of the lot. No new vehicular access drives or service areas shall be located between the sidewalk and the front wall of the building unless the Planning Board determines that no reasonable alternative exists for safe traffic flow into and out of the site and within the site. If parking is provided under a
building, the first or ground floor must have habitable space extending the full width of the front of the building except for reasonable provisions for access drives to service parking under the building. If there is a conflict between this provision and flood management requirements, the front of the building must be designed so that the parking area is screened from the street and the front wall is treated as part of the building façade.

e. Connection of the Building to the Sidewalk/Street. The area between the front wall of a new, expanded, or reconstructed building and the public sidewalk or front property line of the lot if there is no sidewalk shall be designed and maintained as a non-vehicular area and shall be either landscaped or improved with pedestrian amenities. Where there is a public sidewalk, a walkway shall be established in accordance with Section 708-3.4.

15. Amend Section 729. Design Standards by adding a new subsection H. Additional Standards for the MU-2 District to read:

G. Additional Standards in the MU-2 District. All buildings and structures subject to these additional standards shall comply with the following requirements unless the Planning Board finds that a deviation from the one or more of these standards will still enable the project to meet the Intent and Purpose of these standards:

a. Scale. The scale of the building must conform to the standard of E.a. above.

b. Location of the Building with Respect to the Front Lot Line. The front wall of a new building must be located within fifteen (15) feet of the front property line unless the Planning Board determines that the reasonable use of the lot requires that the building be located further from the front property line. If an existing building that is setback more than the desired setback is being reconstructed, the building shall be modified to move the front wall closer to the street if this is feasible.

c. Minimum Building Height. The height of the building must conform to the standard of E.b.

d. Parking and Vehicular Access. Except for single-family and two-family dwellings where parking is provided in a residential driveway, off-street parking for new, expanded, or reconstructed buildings must be located to the side or rear of the building unless the Planning Board determines that there is no other option due to the shape of the lot and/or access considerations. No new vehicular access drives or service areas shall be located between the sidewalk and the front wall of the building unless the Planning Board determines that no reasonable alternative exists for safe traffic flow into and out of the site and within the site. Where feasible, vehicular access shall be provided from a street other than Elm Street.

e. Connection of the Building to the Sidewalk/Street. The area between the front wall of a new, expanded, or reconstructed building and the public sidewalk or front property line of the lot if there is no sidewalk shall be designed and maintained as a non-vehicular area and shall be either landscaped or improved with pedestrian amenities. Where there is a public sidewalk, a walkway shall be established in accordance with Section 708-3.4.

f. Streetscape. Landscaping shall be provided between the building and the street to separate the building and site from the public realm where the size and shape of the lot makes this feasible.

16. Amend Section 708-3. PARKING DESIGN CRITERIA so that subsection 9) C. Front Buffers reads:

C. Front Buffers

All parking areas, merchandise display areas, or outdoor storage areas shall be separated from any public road by a landscaped buffer strip at least 15 feet wide, planted with shade trees (minimum 2.5" to 3" caliper, planted at least every 35 feet along the road frontage), ornamental trees (one per 35 feet of road...
frontage), and dense medium height shrubs (three feet in height on maturity to screen parked vehicles) except as follows. The width of the required buffer between a parking area and the front property line shall be not less than five (5) feet in the MU-2 District. The Planning Board may permit the installation of earth berms, boulders, stone walls and other permanent landscape features to achieve the desired screening, and may permit that some of these elements substitute for low plantings, but not for shade trees.


• Proposed B-8 zone instead remains as B-3,
• Gas stations, gasoline sales accessory to a retail use, and auto repair garages will remain as conditional uses in the MU-2 zone, and not be restricted to only those lots used for those purposes on 4/1/11, and
• The Fernleaf bakery lot and the east end of the Saco-Bidd Savings lot will not be rezoned to B-7 or to R-3, respectively, but will instead stay B-3.

1. “Amend the map titled ‘City of Saco Zoning Map, to reflect parcels at 21 Cutts Avenue, 29 Cutts Avenue, and 77 Elm Street remain in the R-3 district and are not rezoned to B-7; adopt the Amendments to Zoning Ordinance, Sections 901-2, 1103.4, and 1403-4, Regarding Notification Requirements for Mixed Use-1 and Mixed-Use 2 Districts’; and,

[UNDERLINE REPRESENTS NEW LANGUAGE, WHILE STRIKETHROUGH REPRESENTS LANGUAGE TO BE DELETED].

901-2. APPLICATION FOR CONDITIONAL USE PERMIT
c. The names and addresses of the owners of all properties within two hundred (200) feet of the property in question when the property is located in the R-3, or business (B) or MU zones and within six hundred (600) feet when the property in question is located in the conservation zone, any industrial district or the R-1, R-2 and R-4 districts, as shown by the most recent tax records of all municipalities in which such properties lie.

1103. Administration
4. Prior to taking final action on a site plan review application, the Planning Board shall hold a public hearing. Property owners shall be notified by first class mail at least seven days prior to a public hearing. Property owners in the Conservation District, any industrial district, the Resource Protection district, or the R-1, R-2, and R-4 districts, shall be notified of the hearing if their property is within six hundred (600) feet of the applicant’s property. Property owners in the R-3 district, or any business district or the MU districts shall be notified if their property is within two hundred (200) feet of the applicant’s property. Failure of any property owner to receive a notice shall not necessitate another hearing or invalidate any action by the Planning Board. The hearing shall also be advertised in a local newspaper at least seven days prior to the public hearing.

1403-4. Hearing and Notice
D. Public hearing notices shall be mailed to the owner of the property to be rezoned and all abutters to that property. Property owners in the Conservation District, any industrial district, the Resource Protection District, or the R-1, R-2, and R-4 districts, shall be notified by mail if their property is within six hundred (600) feet of the applicant's property. Property owners in the R-3 District, or any business district or the MU districts shall be notified by mail when the applicant's property is located within two hundred (200) feet. This notice shall be sent out at least seven (7) days prior to the public hearing.
notice must contain a copy of the proposed conditions and restrictions with a map indicating the property to be rezoned; and

“Amend Item 9 in the document titled ‘Amendments to Zoning Ordinance to Implement the Recommendations of the City’s Adopted Comprehensive Plan with Respect to the Downtown Zoning Districts’ dated July 20, 2011 by deleting “Eating establishments excluding fast food restaurants” and “Eating and Drinking Establishments” as permitted uses in the proposed B-8 district.”

410-10A. B-8 FRONT STREET WATERFRONT DISTRICT

13. Eating establishments excluding fast food restaurants
14. Eating and drinking establishments

2. Amend the document titled, ‘Amendments to Zoning Ordinance to Implement the Recommendations of the City’s Adopted Comprehensive Plan with Respect to the Downtown Zoning Districts’ by deleting references to a new B-8 zone, and

B-8 Front Street Waterfront District

5. Amend Article 4 District Regulations by adding a new section 406-9 to create a purpose statement for the new B-8 District to read as follows:

406-9. B-8 FRONT STREET WATERFRONT DISTRICT

The B-8 classification is intended to provide an area in close proximity to Downtown for uses and activities that need access to the waterfront or that serve marine-related activities.

9. Amend Article 4 District Regulations by adding a new section 410-10A. B-8 FRONT STREET WATERFRONT DISTRICT to read:

410-10A. B-8 FRONT STREET WATERFRONT DISTRICT

PERMITTED USES

1. Marinas
2. Boat building and repair facilities
3. Excursion and charter boat terminals
4. Water-based recreation
5. Piers, docks, boathouses, and port facilities
6. Business offices
7. Professional offices
8. Business services
9. Repair services
10. Artist or craftsperson studios
11. Offices of contractors and tradesmen
12. Dwelling units above the first floor in a mixed-use building
13. Eating establishments excluding fast food restaurants
14. Eating and drinking establishments
15. Home babysitting service
17. Bed and breakfast establishments
18. Places of worship
19. Municipal uses
20. Quasi-municipal or public uses
21. Public utility buildings
22. Essential services
23. Accessory uses

**CONDITIONAL USES**

1. Health clubs
2. Private clubs
3. High voltage transmission lines

12. Amend Table 412.1: Minimum Lot and Yard Requirements by adding a column for the B-8 District to read:

<table>
<thead>
<tr>
<th></th>
<th>B-8</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. MINIMUM LOT AREA (Sq. Ft.)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) sewered</td>
<td>4,000</td>
<td>7,500</td>
</tr>
<tr>
<td>(2) unsewered</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>B. MINIMUM LOT AREA PER DWELLING UNIT (Sq. Ft.)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B1. MINIMUM NET RESIDENTIAL ACREAGE PER DWELLING UNIT IN SUBDIVISIONS (SQ. Ft.)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Single Family</td>
<td>4,000</td>
<td>7,500</td>
</tr>
<tr>
<td>sewered</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>unsewered</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>unsewered &amp; on-lot water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Two Family</td>
<td>6,000</td>
<td>3,750</td>
</tr>
<tr>
<td>sewered</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>unsewered</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>(3) Multi-family</td>
<td>See Note 17</td>
<td>1,500</td>
</tr>
<tr>
<td>sewered</td>
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<td>N/A</td>
</tr>
<tr>
<td>unsewered</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>C. MINIMUM STREET FRONTAGE (Feet)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) sewered</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>(2) unsewered</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>D. MINIMUM DEPTH FRONT YARD (Feet)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) sewered</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(2) unsewered</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>E. MINIMUM WIDTH SIDEYARD AND REARYARD (Feet)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Churches, day care centers, funeral homes, offices, quasi-public uses, religious conference centers, tourist homes</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>(2) Commercial greenhouses and nurseries, hospitals and clinics for humans, hotels and motels, non-profit recreational uses, nursing homes, private clubs, private and public schools</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td><strong>F. MINIMUM WIDTH SIDEYARD AND REARYARD OF THE FOLLOWING NON-RESIDENTIAL USES ABUTTING LOTS IN RESIDENTIAL OR CONSERVATION DISTRICTS (Feet)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Churches, day care centers, funeral homes, offices, quasi-public uses, religious conference centers, tourist homes</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>(2) Commercial greenhouses and nurseries, hospitals and clinics for humans, hotels and motels, non-profit recreational uses, nursing homes, private clubs, private and public schools</td>
<td>50</td>
<td>50</td>
</tr>
</tbody>
</table>

18. The setback for functionally water-dependent uses is zero and 25' for all other uses
3. Amend the document titled, ‘Amendments to Zoning Ordinance to Implement the Recommendations of the City’s Adopted Comprehensive Plan with Respect to the Downtown Zoning Districts’ by amending item #8 to delete references to certain conditional uses in existence on April 1, 2011, and

8. Amend Article 4 District Regulations by adding a new section 410-4B. MU-2 ELM STREET GATEWAY DISTRICT to read:

### 410-4B. MU-2 ELM STREET GATEWAY DISTRICT

#### PERMITTED USES

1. Single family dwelling
2. Two family dwellings
3. Multi-family dwellings
4. Elderly congregate housing
5. Dwelling units above the first floor in a mixed-use building
6. One accessory apartment in a single family dwelling
7. Home occupations
8. Retail businesses excluding outdoor sales and drive-thru service
9. Eating establishments excluding fast food restaurants
10. Eating and drinking establishments
11. Business offices
12. Professional offices
13. Financial institutions
14. Business services
15. Personal services
16. Repair services
17. Artist or craftsperson studios
18. Health care clinics for humans
19. Home babysitting service
20. Day care home
21. Bed and breakfast establishments
22. Places of worship
23. Municipal uses
24. Quasi-municipal or public uses
25. Public utility buildings
26. Essential services
27. Accessory uses
28. Any use permitted in the Resource Protection District

#### CONDITIONAL USES

1. Offices of contractors and tradesmen
2. Registered dispensary, non-growing
3. Adult day services
4. Commercial schools
5. Gas stations (only on lots used for this purpose on April 1, 2011)
6. Gasoline sales accessory to a retail use (only on lots used for this purpose on April 1, 2011)
7. Auto repair garages (only on lots used for this purpose on April 1, 2011)
8. High voltage transmission lines

Note 1 – Each retail or service establishment or use is limited to a maximum of four thousand five hundred (4,500) square feet of floor area
4. Amend the map titled ‘City of Saco Zoning Map, dated October 3, 2011’ to reflect that the parcel at 20 Free Street remains in the B-3 district and not be rezoned to B-7, and the easterly portion of the Middle Street parcel identified as Tax Map 31, Lot 62 remains in the B-3 district and is not rezoned to R-3.

Summary of Proposed Downtown Zoning Map Changes for Sept. 6 Public Hearing

1. **B-1 to R-3** – involving 12 parcels on the north side of Temple Street that are currently lumped into the B-1 zone, this change recognizes that these properties are all residential currently and are perhaps more correctly part of the adjacent (south side of Temple, west side of Spring Street) R-3 district.

2. **B-1 to MU-2** – the B-1 zone currently runs down the westerly side of Elm Street and includes properties that front on Elm, plus a couple more: one on Pleasant Street and one on Lincoln Street. Based largely on public input during the Comprehensive Plan process, both sides of Elm Street would be rezoned to Mixed Use-2 (MU-2) from the river to Cutts Avenue, in order “… to allow the Elm Street corridor to evolve as a mixed-use area that … evolves into a more urban, attractive, pedestrian-friendly environment as existing properties are improved and redevelopment occurs.”

3. **B-3 to MU-2** – lots that front on the easterly side of Elm Street, and other lots that may go one or two properties beyond fronting on Elm, are proposed to be re-zoned to MU-2, promoting residential and pedestrian-friendly uses for the Elm Street neighborhood; see previous item.

4. **B-1 to R-3** – this parcel at 96 Pleasant Street, a single family residence, lies between the existing B-1 to the east along Elm Street and the existing R-3 to the west. It could be rezoned to MU-2, but with no frontage on Elm Street, probably as or more appropriate being “absorbed” into the neighboring R-3 district.

5. **B-3 to MU-1** – the ‘heart’ of the B-3 zone, from the river to Cutts Avenue, but not extending all the way to either Elm Street or Main Street, would become Mixed Use-1 as recommended by the Comprehensive Plan: “The MU-1 classification is intended to allow older residential neighborhoods in the downtown area to remain predominantly residential with a mix of housing types while allowing for the reuse of existing buildings … for an increase in the amount of non-residential use such as small-scale specialty retail uses, services, restaurants, and business and professional offices especially on the first floor of mixed-use buildings.” Also, most non-residential uses would be limited to a maximum of 4,500 SF, and proposed design standards will assure that new development is compatible with the existing neighborhood.

6. **R-3 to B-7** – these 3 parcels – a two-family, a single family and a 4-unit, respectively, along the north side of Cutts Avenue from Elm Street toward City Hall -- are proposed to be rezoned from residential to commercial. The other side of Cutts Avenue is proposed to become MU-1. Each of these residential uses is allowed in the R-3, the B-7, and the MU-1 zones. The thought on the part of the Comprehensive Plan Committee was that Cutts Avenue could become a connection between downtown and the new MU-2 zone and the shopping center.

7. **B-3 to B-7** – these 14 parcels include a mix of residential and commercial uses. The change to B-7 would make the single-family dwelling conforming; it is not an allowed use in B-3. The change to B-7 means a shorter list of allowed commercial uses for these properties, with a greater emphasis on residential while allowing limited commercial uses. Single-, two-, and multi-family dwellings are each allowed uses.
Map 31
Lot  60 – the new Fernleaf Bakery
     75 – office
     90 – single family dwelling
     91 – two-family dwelling
     92 – four-unit dwelling
     93 – office, 2 apartment units
     94 – offices
     200 – B&M RR
     201 – six-unit dwelling
     202 – B&M RR
     203 – two-family dwelling
     203-1 – vacant
     205 – office
     206 -- office

8. **B-3 to R-3** – this is the easterly end of a Saco and Biddeford Savings parking lot. The abutting easterly end of the Most Holy Trinity Church parcel is in R-3, which continues up Middle Street and across Middle Street. A commercial parking lot is an allowed use in the R-3 zone.

9. **B-3 to R-3** – five parcels bounded by the B&M railroad line, Front Street and Wharf Street include RR property, a two-family dwelling, 2 single family dwellings and a vacant lot.

10. **B-3 to B-8** – B-8 is a proposed new zone intended to provide an area in close proximity to Downtown for uses and activities that need access to the waterfront or that serve marine-related activities. Councilor Cote suggested that given proximity to the sewer treatment plant several of the proposed uses might be incompatible in this new zone, so the list of proposed uses has been modified.

11. **R-3 to B-3** – this is a portion of the Trinity Catholic Church parcel at 255-271 Main Street. The existing B-3 zone on each side of Main Street would be maintained but reconfigured under this batch of changes, and extended one parcel further to the north with this change.

12. **R-3 to B-3** – a portion of the parking lot at City Hall; City Hall is in the B-3 zone and would remain so.

13. **R-3 to MU-2** – a portion of the Town and Country Credit Union property. It is subject to a contract zone, but remained in the R-3 zone when that agreement was approved by the Council.

________________________________________________________
End of Amendments to Zoning Ordinance

________________________________________________________

Councilor Lovell moved, Councilor Mills seconded ‘The City of Saco hereby ordains and approves the Second and Final Reading of the document titled, ‘Amendments to Zoning Ordinance to Implement the Recommendations of the City’s Adopted Comprehensive Plan with Respect to the Downtown Zoning Districts, and ‘Proposed Changes Downtown Zoning Map’ dated June 9, 2011,” with the following amendment: 1st Amendment – “That the document titled, ‘Amendments to Zoning Ordinance to Implement the Recommendations of the City’s Adopted Comprehensive Plan with Respect to the Downtown Zoning Districts, and ‘Proposed Changes Downtown Zoning Map’, dated June 9, 2011, “ be amended by rescinding all but the proposed MU-1 zone and references thereto, and, that the Zoning Map be amended such that Item #5, B-3 to MU-1 is itself revised so that the proposed Mixed Use-1 zone would extend north only to the rear boundary of parcels fronting on the northerly side of Pleasant Street, and would include the parcel identified as 12 and 14 Thornton Avenue.”’ The motion passed with four (4) yeas and three (3) nays – Councilors Mills, Tardif and Cote.
C. ZONING ORDINANCE AMENDMENT – PLANNED DEVELOPMENTS – (PUBLIC HEARING)

“Amendment to Zoning Ordinance Section 706-2” dated September 6, 2011

706-2. PERFORMANCE STANDARDS

1) The minimum area of land in a planned development shall be five acres.
2) Each building, parking area, and other facility in the proposed development shall be an element of an overall master plan.
3) Facilities shall be oriented with respect to scenic vistas, natural landscape features, topography, and natural drainage conditions.
4) Where open space is proposed as part of the planned development, it shall be clearly noted on the final subdivision plan.
5) To the extent that they may apply, the planned development shall comply with the requirements of the Saco River Corridor Commission, the Maine Department of Environmental Protection, and the Maine Department of Inland Fisheries and Wildlife.

Councilor Cote moved, Councilor Lovell seconded to open the Public Hearing on the document titled, ‘Amendment to Zoning Ordinance Section 706-2 dated September 6, 2011’. The motion passed with unanimous consent.

There were no comments from the public.

Councilor Cote moved, Councilor Lovell seconded to close the public hearing and ‘Be it ordered that the City Council set the Second and Final Reading of the document titled ‘Amendment to Zoning Ordinance Section 706-2 dated September 6, 2011’ for October 17, 2011. Further move to approve the Order. The motion passed with seven (7) yeas.

D. RENEWAL APPLICATION FOR A SPECIAL ENTERTAINMENT PERMIT, BIDDEFORD SACO COUNTRY CLUB – (PUBLIC HEARING)

Councilor Doucette moved, Councilor Lovell seconded to open the Public Hearing. The motion passed with unanimous consent.

There were no comments from the public.

Councilor Doucette moved, Councilor Smith seconded to close the Public Hearing and be it ordered that the City Council grant the renewal application submitted by the Biddeford Saco Country Club for a Special Entertainment permit for a period of one year concurrent with the establishment’s liquor license’ Further move to approve the Order. The motion passed with seven (7) yeas.

VII. ADJOURNMENT

Councilor Mills moved, Councilor Smith seconded to adjourn at 7:23 p.m. The motion passed with unanimous consent.

ATTEST:____________________________
Michele L. Hughes, City Clerk