

**CITY OF BELFAST CITY COUNCIL
SPECIAL COUNCIL MEETING & PUBLIC HEARING
TUESDAY, SEPTEMBER 25, 2018 6:00 PM
TROY HOWARD MIDDLE SCHOOL CAFETERIA**

Notes to Public:

- 1) The Council intends to begin the public hearing at the end of the initial presentation by the Director, Code & Planning, and to end the public hearing no later than 9:00 pm. If it appears that the hearing may go later than 9:00 pm, the Council will decide how to proceed with the hearing. After the Public Hearing ends around 9:00 p.m., the Council intends to begin deliberations on the Ordinance amendment language it will consider at the public hearing scheduled for the October 9th Second Reading, particularly the Option B amendments recommended by the Planning Board.
- 2) Persons who choose to offer public comment at the hearing will be required to observe a 5 minute limit on verbal comments to the Council. If you believe you will need more than 5 minutes to make your comments, you should submit your additional comments in writing.
- 3) This meeting will be streamed live on the City of Belfast website, cityofbelfast.org. The meeting will be aired on Bel-TV a day or two following the hearing date.

AGENDA

1) Call to Order:

- 2) Roll Call:** Samantha Paradis, Mayor, Councilors Mary Mortier, Neal Harkness, Eric Sanders, Mike Hurley and John Arrison, City Manager Joseph Slocum.

3) Adoption of Agenda

- 4) First Reading:** Proposed amendments to City Code of Ordinances regarding establishment of the Route One South Business Park zoning district and associated amendments to Chapter 102, Zoning, Chapter 82, Shoreland and Chapter 66, General Provisions.

a) Presentation: Wayne Marshall, Director, Code & Planning

b) Public Hearing: Reference description of hearing below. Council intends to end hearing by 9:00 pm.

c) Council Deliberations. Discussion of Ordinance amendment language to be considered at the Second Reading scheduled for October 9.

5) Adjournment

Description of Public Hearing on Amendments - Topic 4.b) on Agenda

The City of Belfast City Council, at its meeting of Tuesday, September 25, 2018, beginning at 6:00 pm or as soon as practical thereafter, in the cafeteria of the Troy Howard Middle School, shall conduct a public hearing associated with the First Reading of proposed amendments to the City Code of Ordinances, Chapter 102, Zoning, Chapter 82, Shoreland, and Chapter 66, General Provisions; reference list of proposed amendments below.

Persons who may be affected by the proposed amendments are encouraged to attend the public hearing and to express your comments to the City Council. Comment also may be submitted in writing or via email by the dates of the respective hearings. Written comment to Wayne Marshall, Director, Code & Planning, City of Belfast, 131 Church St, Belfast, ME, 04915. Email comment to **public@cityofbelfast.org**. The proposed language for amendments are posted on the City website, cityofbelfast.org; reference both the Planning and Codes and Economic Development links; information under September 25 and October 9 Council Hearings. A copy of the proposals are available for inspection at the Code and Planning Department offices in City Hall, Monday - Friday, 8:00 am to 5:00 pm. Questions regarding the proposal should be directed to Wayne Marshall at 338-1417 x 125, or at wmarshall@cityofbelfast.org.

The amendments the Council will consider at the First Reading are the amendments that the Council initially adopted at its meeting of April 17, 2018, as such were amended (structure height) by the Council on June 5, 2018, and several amendments that the Planning Board identified at its meeting of September 5, 2018 that it is recommending that the City Council consider. The Planning Board recommendations are being presented as Option B to several sections of the amendments. The Council, at the First Reading, will decide the specific Ordinance language that will be considered at the Second Reading, that is scheduled for the special Council meeting of October 9, 2018 (Troy Howard Middle School at 6:00 pm). Following is a list of the amendments.

- 1) Chapter 102, Zoning, Article V, District Regulations. The proposed amendments include:
 - a) Division 1, Official Zoning Map. Proposal to amend the adopted official zoning map to include elimination of the Industrial IV district and to establish the Route One South Business Park district that includes land that was in the Industrial IV and Residential II districts.
 - b) Division 7, Residential II district. Proposal to allow significant water intake or significant water discharge/outfall pipes in this district.
 - c) Division 18, Industrial IV district. Proposal to eliminate this district and to merge property in this district with the newly created Route One South Business Park district.
 - d) Division 19, Route One South Business Park district. Proposal to create the Route One South Business Park district. District will include the area (about 38 acres) that formerly was in the Industrial IV district and about 62 acres of land that formerly was in the Residential II district. Amendments identify allowed uses (including land based aquaculture and accessory uses to aquaculture), dimensional and lot size requirements and certain performance standards that apply to this District. The amendments the Council will consider include revisions recommended by the Planning Board (Option

- B.1) that would affect Sec. 102-684, b) and c) regarding front setback and bufferyard requirements for structures adjacent to Route One.
- e) Division 20, Protection Rural district. Proposal to allow significant groundwater wells and significant water intake and water discharge/outfall pipes in this district. The amendments the Council will consider include a recommendation from the Planning Board (Option B.2) to not include these amendments as part of the proposal.
- 2) Chapter 102, Zoning, Article IV, Description of Districts. The proposed amendments include:
 - a) Sec 102-256, Residential II district, amend description of district boundaries.
 - b) Sec 102-267, Industrial IV district, eliminate description of district.
 - c) Sec 102-282, Route One South Business Park district, include description of new district.
 - 3) Chapter 102, Zoning, Article IX, Performance Standards, Div 2, Environmental Standards; amendments establish performance standards for significant groundwater wells and significant water intake and significant water discharge/outfall pipes. The amendments the Council will consider include two recommendations (Option B) from the Planning Board. The first, Option B.3. is to establish a specific permit requirement for any significant groundwater well, which is addressed by establishing a new Division in the Code of Ordinances; Chapter 102, Zoning, Article VIII, Supplementary District Standards, Division 7, Significant Groundwater Wells. The Option B.4 amendments identify revisions to the Division 2 performance standards for the location of a Significant Water Intake or Significant Water Outfall/Discharge Pipe.
 - 4) Chapter 82, Shoreland. Amendments include the following:
 - a) Article I, In General, Section 82-1, Definitions: Amendments provide specific definitions for aquaculture uses, significant groundwater wells and significant water intake and significant water discharge/outfall pipes.
 - b) Article IV, Districts, Section 82-131, e): Amendment to Official Shoreland Map that involves reclassifying about .5 (one-half) acre of land from the Resource Protection district to the General Development district. The reclassified land directly abuts an existing area that is in the General Development district.
 - c) Article IV, Districts, Section 82-135, Table of Uses: Amending the current Table of Uses to identify where aquaculture uses are allowed, and to specifically allow significant groundwater wells and significant water intake and significant water discharge/outfall pipes in certain districts.
 - d) Article V, Land Use Standards: Proposal to add two new standards, Div 16. Significant Groundwater Wells, and Division 17. Significant Water Intake and Significant Water Outfall/Discharge Pipes. These amendments will include a recommendation (Options B.3 and B.4) from the Planning Board that are the same as the amendments proposed to the Zoning Ordinance Performance Standards for both significant groundwater wells and significant water intake and significant water discharge/outfall pipes.
 - 5) Chapter 66, General Provisions, amendments clarify current definitions of aquaculture and add new definitions for a significant groundwater well and a significant water intake and a significant water outfall/discharge pipe, as well as a definition for accessory retail sales.