AGENDA
CITY COUNCIL OF THE CITY OF BATH, MAINE

Special Meeting
Wednesday, January 18, 2023, 6:00pm
City Council Chambers, Bath City Hall

A. Pledge of Allegiance

B. Roll Call

C. Public Hearing:

1) ORDINANCE: LUC Amendment to Article 9, Section 9.02-10.4, related to Mobile Food Vending *(second passage)*

D. Resolutions, Orders, and Ordinances:

2) ORDER: Bid Approval for South End Park Stabilization Contract

3) ORDER: Memorandum of Understanding Approval with the Bath Charter Boat Captain's Association

4) ORDINANCE: Authorizing up to $330,000 of the City's general obligations bonds to finance the purchase and upgrade of LED streetlights *(first passage)*

ADJOURN TO WORKSHOP

WORKSHOP

Auditorium

Bath City Council 2023 Goals & Priorities

C1

Sustainability & Environment
55 Front Street
Bath, Maine 04530
(207) 443-8363

MEMORANDUM

To: Members of the Bath City Council
From: Rod Melanson, Director of Sustainability & Environment
Date: November 30, 2022
CC: Marc Meyers – City Manager
Re: Food Truck Ordinance

Attached you will find the land use ordinance amendments associated with the allowance of "food trucks" – Mobile Food Vending. This is in front of the Council as a second reading.

These amendments are part of multiple code amendments:

- Chapter 5 Article 14 – Sidewalk Vending (attached)
- Land use Code Article 14 Section 11.41 (attached)
- Land Use Code Article 14 Section 11.22 (attached)
- Land Use Code Article 9 Section 9.02-10.4 (attached)

Background:
This has been through a first reading by the Council with the following review comments.

1. Food containers…do we need to specify the type of container (no plastic, Styrofoam)
    a. Chapter 13 Section 13-95 & 13-97 address the requirements and prohibitions of plastic and polystyrene usage.
2. Do we need to align the times of the land use code for food trucks with the sidewalk vending chapter?
    a. We have aligned the times to account for public events 6am-11pm, this is reflected in the sidewalk vending chapter 5, and land use code article 14.
3. Reference to council setting fees.
    a. Current Mobile Food Vending license application fees are $50, we have referenced this and added a $200 location "license/ spot" fee to the Section 5-418. Fees language…consistent with the sidewalk vending fees.

The land use table within Article 9 was omitted in the first read by error. It was part of the Planning Board recommended amendment package, and is attached for your review.

There have been no significant edits to the document, those that have been made are associated with the comments from the Council and are tracked edits in the attached documents.

The Planning Board reviewed and recommended this language be forwarded to the Council at their October 4th meeting. Review and amendments were also developed through the Sidewalk Vending Committee and are a part of the overall amendment package.

Staff will be present to answer any questions regarding the recommended Amendments.

ARTICLE 9: USES

SECTION 9.01 COMPLIANCE REQUIRED

All land and water areas, structures, and buildings in the City of Bath must be used in accordance with the standards set forth for the zoning district in which the land or water area, structure, or building is located.

Uses in all districts must conform to all applicable requirements and performance standards of this Code. A building permit, plumbing permit, or Certificate of Occupancy also may be required.

SECTION 9.02 LAND USE TABLE

The following Land Use Table indicates which uses of land or structures are allowed with no review, allowed with review by only the CEO, allowed after Site Plan Approval, or not allowed in the various zones. The most specific land use category always controls. It is the responsibility of the CEO to determine the land use category of any new or existing use.

KEY:
R1 - High-density Residential District
R2 - Medium-density Residential District
R3 - Low-density Residential District
R4 - Waterfront High-density Residential District [amended May 16, 2001]
R5 - Waterfront Activity District
R6 – Waterfront Medium-density Residential District [added May 16, 2001]
C1 - Downtown Commercial District
C2 - Mixed Commercial and Residential District [amended September 22, 2010]
Neighborhood Commercial District – NC [added May 26, 2010]
C3 - Business Park District
C4 - Route 1 Commercial Contract District
C5 - Marine Business District
I - Industrial/Shipyard District
GC - Golf Course District
PH – Plant Home District [added March 24, 2010]
M – Museum District [added August 25, 2010]
RP - Resource Protection District
NRPO - Natural Resource Preservation Overlay District
TMC - Trufant Marsh Contract District
S – School District [added May 24, 2017]

"A" = the use is allowed with no review
"C" = the use is allowed with review by and approval from the CEO
"S" = the use may require Site Plan Approval. See Article 12.
"N" = the use is not permitted; therefore, prohibited in that zone

LAND USE CATEGORY	ZONING DISTRICTS																		
	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S
1.0 Residential																			
1.1 Single-family dwelling																			
1.1.1 Site-built	C	C	C	C	C	C[1]	C	N	N	N	C[1]	N	N	C	N	S[2]	C	N	N
1.1.2 Mobile home on individual lot	N	N	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1.2 Two-family dwelling	C	C	C	C	C	C[1]	C	N	N	N	C[1]	N	N	C	N	N	C	N	N
1.3 Multi-family dwelling	S	S	N	N	S	S	S	N	S	N	N	N	S	S	N	N	N	N	N
1.4 Cluster development	S	S	S	S	S	N	S	N	N	N	N	N	S	S	N	N	S	N	N
1.5 In-home lodging	A	A	A	A	A	N	A	N	N	N	N	N	N	A	N	N	A	N	N
1.6 Home occupations																			
1.6.1 Home occupation-A	C	C	C	C	C	C	C	N	N	N	N	N	N	C	N	N	C	N	N
1.6.2 Home occupation-B	S	S	S	S	S	N	S	N	N	N	N	N	N	S	N	N	N	N	N
1.7 Garage and yard sales	A	A	A	A	A	N	A	N	A	A	N	N	A	A	N	N	A	N	N
1.8 Accessory Dwelling Unit																			
1.8.1 Accessory Dwelling Unit- Attached	C	C	C	C	C	C	C	N	N	N	C	N	N	C	N	C	C	N	N
1.8.2- Accessory Dwelling Unit- Detached	S	S	S	S	S	S	S	N	N	N	S	N	N	S	N	S	S	N	N
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S

LAND USE CATEGORY	ZONING DISTRICTS																		
	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S
2.0 Sales or Rental of Goods, Merchandise, or Equipment																			
2.1 No storage and only incidental display of goods outside fully enclosed building																			
2.1.1 High-volume traffic generation, no drive-up window																			
2.1.1.1 Miscellaneous																			
2.1.1.1.1 With less than 5,000 sq. feet of gross floor area	N	N	N	N	N	S	S	N	S	N	S	N	N	N	N	N	N	N	N
2.1.1.1.2 With 5,000 sq. feet or more of gross floor area	N	N	N	N	N	S	N	N	S	N	N	N	N	N	N	N	N	N	N
2.1.1.2 Convenience store	N	N	N	N	N	S	S	N	S	N	S	N	N	N	N	N	N	N	N
2.1.2 High-volume traffic generation, with drive-up window	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
2.1.3 Low-volume traffic generation																			
2.1.3.1 With less than 5,000 sq. feet of gross floor area	N	N	N	N	N	S	S	N	S	N	S	N	N	N	N	N	N	N	N
2.1.3.2 With 5,000 sq. feet or more of gross floor area	N	N	N	N	N	S	N	N	S	N	N	N	N	N	N	N	N	N	N
2.2 With storage and display outside fully enclosed building	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
2.3 Medical marijuana dispensary and medical marijuana storefront																			
2.3.1 with less than 5,000 sq. foot of floor area	N	N	N	N	N	S	N	N	S	N	N	N	N	N	N	N	N	N	N
2.3.2 with 5,000 sq. feet of floor area or more	N	N	N	N	N	S	N	N	S	N	N	N	N	N	N	N	N	N	N
2.4 Marijuana retail store																			
2.4.1 With less than 5,000 sq. foot of floor area	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
2.4.2 With 5,000 sq. feet or more of gross floor area	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S

LAND USE CATEGORY	ZONING DISTRICTS																		
	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S
3.0 Office, Clerical, Research, or Services																			
3.1 All operations conducted entirely within fully enclosed building																			
3.1.1 Operations designed to attract and serve numerous customers or clients on the premises, such as the offices of attorneys, physicians, dentists, other professions, travel agents, banks, or government office buildings	N	N	N	N	N	S	S	N	S	N	S	S	N	N	N	N	N	N	N
3.1.2 Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use	N	N	N	N	N	S	S	S	S	N	N	S	N	N	N	N	N	N	N
3.2 Operations such as banks with drive-up windows	N	N	N	N	N	S	N	N	S	N	N	S	N	N	N	N	N	N	N
4.0 Manufacturing, Processing, Creating, Repairing, Renovating, or Assembling of Goods, Merchandise, or Equipment																			
4.1 All operations conducted entirely within fully enclosed building	N	N	N	N	N	S[3]	N	S	S	S	N	S	N	N	N	N	N	N	N
4.2 Operations conducted within or outside fully enclosed building	N	N	N	N	N	N	N	N	N	S	N	S	N	N	N	N	N	N	N
4.3 Marijuana manufacturing/ testing	N	N	N	N	N	N	N	S	S	N	N	N	N	N	N	N	N	N	N
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S

LAND USE CATEGORY	ZONING DISTRICTS																		
	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S
5.0 Painting or Cleaning of Goods, Merchandise, or Equipment																			
5.1 All operations conducted entirely within fully enclosed building	N	N	N	N	N	N	N	S	S	N	N	S	N	N	N	N	N	N	N
5.2 Operations conducted within or outside fully enclosed building	N	N	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N
6.0 Educational, and Cultural Use																			
6.1 Schools																			
6.1.1 Public or private elementary or secondary schools	S	S	N	N	N	S	S	N	N	N	N	N	N	S	N	N	N	N	S
6.1.2 Public or private post-secondary schools	S	S	N	N	N	S	S	N	N	N	N	N	N	S	N	N	N	N	S
6.1.3 Special-purpose schools	N	N	N	N	N	S	S	S	S	S	S	S	N	N	S	N	N	N	S
6.1.4 Special education schools	N	S	N	N	N	S	S	N	N	N	N	N	N	S	N	N	N	N	S
6.2 Libraries and museums, including associated educational and instructional activities	S	N	N	N	N	S	S	N	N	S	N	S	N	S	S	N	N	N	S
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S

LAND USE CATEGORY	ZONING DISTRICTS																		
	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S
7.0 Assembly or Meeting Facility																			
7.1 Private meeting facility	N	N	N	N	N	S	S	N	S	N	N	S	N	N	N	N	N	N	N
7.2 Function or assembly facility	N	N	N	N	N	S	S	N	S	N	N	N	N	N	S	N	N	N	N
7.3 Community activity center	S	S	S	N	N	S	S	N	N	N	N	N	N	N	S	N	N	N	N
7.4 Place of Assembly																			
7.4.1 With seating for fewer than 200 persons	S	S	S	N	N	S	S	N	N	N	N	N	N	S	S	N	N	N	N
7.4.2 With seating for 200 or more persons	N	N	S	N	N	S	N	S	N	N	N	N	N	N	S	N	N	N	N
7.5 Soup kitchen	N	N	N	N	N	S	S	N	N	N	S	N	N	N	N	N	N	N	N
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S

LAND USE CATEGORY	ZONING DISTRICTS																		
	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S
8.0 Recreation, Amusement, Entertainment																			
8.1 Activity conducted entirely within building or roofed structure																			
8.1.1 Bowling alleys; indoor skating rink, swimming pool, or tennis court; billiard and pool halls; athletic and exercise facilities; and similar uses	N	N	N	N	N	S	S	S	S	N	S	N	N	N	N	N	N	N	N
8.1.2 Movie theater or live performance hall	N	N	N	N	N	S	N	N	S	N	N	N	N	N	N	N	N	N	N
8.2 Activity conducted primarily outside enclosed buildings or roofed structures																			
8.2.1 Facilities such as athletic fields, golf courses, tennis courts, and swimming pools.	N	N	S	N	N	N	S	N	N	N	N	N	S	N	N	N	N	N	N
8.2.2 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature-golf courses, waterslides, and similar uses	N	N	S	N	N	N	N	N	S	N	N	N	S	N	N	N	N	N	N
8.2.3 Nonmotorized mountain bike, paint-ball course, ski area, or similar facility.	N	N	S	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N
8.2.4 Horseback-riding ring or stables, including the boarding or breeding of horses.	N	N	S	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N
8.2.5 Automobile or motorcycle racing tracks	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S

	ZONING DISTRICTS																		
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S
9.0 Institutional Residence, Care, Confinement Facilities																			
9.1 Hospitals	N	S	N	N	N	N	S	N	S	N	N	N	N	N	N	N	N	N	N
9.2 Nursing home, child-care facility, or assisted residential facility	S	N	N	N	N	S	S	N	S	N	N	N	N	S	N	N	N	N	N
9.3 Correctional facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
10.0 Restaurants																			
10.1 Carry-out, delivery service, and consumption outside fully enclosed structure allowed. Service to customers remaining in vehicles not allowed.	N	N	N	N	N	S	S	N	S	N	S	S	S	N	N	N	N	N	N
10.2 Carry-out, delivery service, service to customers remaining in vehicles, and consumption outside fully enclosed structure allowed.	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
10.3 A restaurant whose principal business is the sale of beverages, including liquor, at counters or tables and where food may or may not be served, and there is no carry-out or delivery service, no service to customers remaining in vehicles, no consumption outside fully enclosed structure	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N	N	N	N
10.4 Mobile food vending	N	N	N	N	N	C	C	N	C	N	C	C	C	N	C	N	N	N	C
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S

LAND USE CATEGORY	ZONING DISTRICTS																		
	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S
11.0 Accommodations																			
11.1 Hotel, motel, inn, tourist cabins, or similar business providing overnight accommodations																			
11.1.1 Those businesses that: may include accessory uses such as a restaurant, meeting facilities, a swimming pool, or exercise facilities; or have more than 40 rental rooms.	N	N	N	N	N	S	N	N	S	N	N	N	S	N	N	N	N	N	N
11.1.2 Those businesses that do not include accessory uses that serve customers who are not also renting a room and have no more than 40 rental rooms.	N	N	S	N	S	S	S	N	S	N	N	N	S	N	N	N	N	N	N
11.3 Rooming house	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
11.4 Bed and Breakfast	S	S	S	S	S	N	S	N	N	N	N	N	N	S	N	N	N	N	N
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S

	ZONING DISTRICTS																		
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S
12.0 Motor Vehicle-related Sales and Service Operations																			
12.1 Motor vehicle, snow-mobile, or mobile home sales and service, including motor vehicle or snowmobile repair and fuel sales as accessory uses.	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
12.2 Motor vehicle or snowmobile repair facility	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
12.3 Motor vehicle fuel sales	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
12.4 Car wash	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
12.5 Sales and installation of motor vehicle parts, such as mufflers, tires, or brakes	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
12.6 Sale of motor scooters or small ATVs	N	N	N	N	N	S	N	N	S	N	N	N	N	N	N	N	N	N	N
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S

LAND USE CATEGORY	ZONING DISTRICTS																		
	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S
13.0 Storage and Parking																			
13.1 Automobile parking lot not located on a lot on which there is another principal use to which the parking is accessory[4]	N	N	N	N	N	S	N	N	N	N	N	S	N	N	N	N	N	N	N
13.2 Parking garage not located on a lot on which there is another principal use to which the parking is accessory	N	N	N	N	N	S	S	N	N	N	N	S	N	N	N	N	N	N	N
13.3 Shared Parking	N	N	N	N	N	S	S	S	S	S	S	S	N	N	S	N	N	N	S
13.4 Storage: in a fully enclosed building of goods not related to sale or use of those goods on the same lot where they are stored	N	N	N	N	N	N	N	S	N	N	N	S	N	N	N	N	N	N	N
13.5 Storage: in a fully enclosed building or outdoors of goods not related to sale or use of those goods on the same lot where they are stored	N	N	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N
13.6 Storage combined with wholesale items	N	N	N	N	N	N	N	S	N	N	N	S	N	N	N	N	N	N	N
14.0 Scrap Materials Storage, Salvage yards, Junkyards, or Automobile Graveyards	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
15.0 Service and Businesses Related to Animals																			
15.1 Animal-care facility	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
15.2 Kennel	N	N	S	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S

LAND USE CATEGORY	ZONING DISTRICTS																		
	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S
16.0 Agriculture, Livestock, Forestry, Mining																			
16.1 Agricultural operations and farming	N	S	A	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N
16.2 Timber-harvesting	N	S	A	N	N	N	N	N	N	N	N	N	N	N	N	A	N	N	N
16.3 Mineral extraction, with or without on-site sales of products	N	N	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
16.4 Sawmill	N	N	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
16.5 Farmstand	N	C	C	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
16.6 Community Garden	C	C	A	C	C	N	C	N	N	N	N	N	C	C	N	N	C	N	C
16.7 Livestock	N	N	A	N	N	N	N	N	N	N	N	N	N	N	N	N	C[5]	N	N
16.8 Small-Scale Chicken Flock	A	A	A	N	N	N	A	N	N	N	N	N	N	N	N	N	N	N	N
16.9 Marijuana Cultivation Facility	N	N	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
17.0 Transportation and Safety Facilities																			
17.1 Airport	N	N	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
17.2 Public works facilities	N	S	N	N	N	N	N	N	S	N	N	S	N	N	N	N	N	N	N
17.3 Public safety facilities	S	S	N	N	N	S	S	N	S	S	N	S	N	N	N	N	N	N	N
17.4 Transportation terminal	N	N	N	N	N	S	N	N	S	S	N	S	N	N	N	N	N	N	N
17.5 Truck Terminal	N	N	N	N	N	N	N	S	N	N	N	S	N	N	N	N	N	N	N
18.0 Dry Cleaner, Laundromat	N	N	N	N	N	S	S	N	S	N	S	S	N	N	N	N	N	N	N
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S

LAND USE CATEGORY	ZONING DISTRICTS																		
	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S
19.0 Utility Facilities																			
19.1 Other than the collection or treatment of sewage, or recycling or waste-transfer station																			
19.1.1 Small-scale utility facility	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	C	N	C
19.1.2 Other utility facilities	N	N	N	N	N	N	N	N	S	S	N	S	N	N	N	N	N	N	N
19.2 Public sewage treatment facility	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N
19.3 Recycling or waste-transfer station, sanitary land fill	N	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
20.0 Towers																			
20.1 Towers less than 50 feet tall	C	C	C	N	N	C	C	C	C	C	C	C	N	N	C	N	N	N	N
20.2 Towers 50 feet tall and taller	N	N	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
20.3 WCFs, as defined in Article 17	N	S	S	N	N	S	S	S	N	N	N	S	S	S(*)	S(*)	N	N	N	N
21.0 Open-air Market																			
21.1 Craft and flea markets	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
21.2 Craft and flea markets operated for not more than 3 consecutive days by a non-profit organization	C	C	C	N	N	C	C	N	N	C	N	N	N	N	N	N	N	N	A
21.3 Farmers' markets	N	N	N	N	N	C	N	N	C	N	N	N	N	N	N	N	N	N	N
LAND USE CATEGORY	R1	R2	R3	R4 & R6	R5	C1	C2	C3	C4	C5	NC	I	GC	PH	M	RP	NRPO	TMC	S

	ZONING DISTRICTS																		
LAND USE CATEGORY	**R1**	**R2**	**R3**	**R4 & R6**	**R5**	**C1**	**C2**	**C3**	**C4**	**C5**	**NC**	**I**	**GC**	**PH**	**M**	**RP**	**NRPO**	**TMC**	**S**
22.0 Funeral Home	N	N	N	N	N	N	S	N	S	N	N	N	N	N	N	N	N	N	N
23.0 Cemetery and Crematorium																			
23.1 Public cemetery	N	S	S	N	N	N	S	N	N	N	N	N	N	N	N	N	N	N	N
23.2 Family cemetery	N	N	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
23.3 Crematorium	N	N	N	N	N	N	S	N	S	N	N	N	N	N	N	N	N	N	N
24.0 Day-care Uses																			
24.1 Day-care home	C	C	C	C	N	N	C	N	N	N	N	N	N	C	N	N	N	N	N
24.2 Day-care facility	S	S	S	S	N	S	S	S	S	S	S	N	N	S	S	N	N	N	N
25.0 Temporary Uses	C	C	C	C	C	C	C	C	C	C	C	C	C	S	C	N	C	N	C
26.0 Commercial Greenhouse Operations																			
26.1 No on-premises sales	N	S	C	N	N	N	N	N	S	N	N	N	N	N	N	N	N	N	N
26.2 With on-premises sales	N	N	S	N	N	N	N	N	S	N	S	N	N	N	N	N	N	N	N
27.0 Camping Areas																			
27.1 Campgrounds	N	N	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
27.2 Individual private camp sites	N	N	C	N	N	N	N	N	N	N	N	N	N	N	N	C	C	N	N
28.0 ATM, Not Attached to a Bank or Other Building	N	N	N	N	N	N	N	N	S	N	N	S	N	N	N	N	N	N	N
29.0 Marina	N	N	N	N	S	S	N	N	N	S	N	S	N	N	S	N	N	N	N
30.0 Art Studio	C	C	C	C	C	C	C	N	C	N	C	N	N	C	N	N	N	N	N
31.0 City Park	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
LAND USE CATEGORY	**R1**	**R2**	**R3**	**R4 & R6**	**R5**	**C1**	**C2**	**C3**	**C4**	**C5**	**NC**	**I**	**GC**	**PH**	**M**	**RP**	**NRPO**	**TMC**	**S**

[1]Allowed with permit from the CEO as part of a mixed-use development.

[2] See performance standard in Section 11.27.

[3] See performance standard in Section 11.36.

[4] Lot must have been vacant for 10 years prior to construction of the parking lot.
(*) must be placed within an existing or proposed non-tower structure

[5]Only of allowed in the underlying district.

[Land Use Table amended May 5, 2004, February 24, 2010, August 25, 2010, February 22, 2012, September 25, 2013, June 22, 2016, May 24, 2017, April 25, 2018, October 23, 2019 and March 23, 2022]

SECTION 9.03 MOBILE HOME PARK

Mobile home parks are allowed only in the Mobile Home Park Overlay District. (See Section 11.20.)

SECTION 9.04 USES ALLOWED IN THE PARK AND OPEN SPACE DISTRICT

The uses allowed in the Park and Open Space District are those described in Section 8.16. [amended May 16, 2001]

SECTION 9.05 PROVISIONAL USE PERMITS

The City Council has the authority to issue Provisional Use Permits (see Section 11.24).

SECTION 9.06 PROHIBITED USES

Uses that are not included in the Land Use Table or in Sections 9.03, 9.04, or 9.05 are prohibited.

* * *

D2.

MEMORANDUM

TO: BATH CITY COUNCIL
FROM: STEVE BALBONI, PARKS & RECREATION DIRECTOR
SUBJECT: BID APPROVAL FOR SOUTHEND PARK STABILIZATION CONTRACT
DATE: 1/13/23

The City has been working with Wright Pierce on the stabilization of Southend Park shoreline. The City received 3 bids and has chosen St. Laurent & Son, Inc. St. Laurent & Son, Inc was the lowest bid and has done work for the City previously. You have before you the order approving the bid from St. Laurent & Son, Inc.

ORDER
APPROVING BID

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE BID FROM ST. LAURENT & SON, INC., FOR IMPROVEMENTS TO SOUTH END PARK IN THE AMOUNT OF $162,300.00 IS ACCEPTED, AND THE CITY MANAGER IS AUTHORIZED TO ACCEPT SAID BID AND ANY OTHER DOCUMENTS NECESSARY ON BEHALF OF THE CITY OF BATH.

Section 14. That any suit questioning the validity of this Ordinance shall be barred unless commenced within forty-five (45) days following publication of the Ordinance in accordance with Section 805 of the City Charter.

D3

BATH
MAINE *City of Ships*

OFFICE of the CITY MANAGER
Emily Ruger
Community and Economic Development Director
eruger@cityofbath.com

To: Chair Bell, Vice Chair Ambrosino, and members of the City Council

CC: Marc Meyers, City Manager

Date: December 21, 2022

From: Emily Ruger, Director of Community & Economic Development

RE: Small Harbor Improvement Program

In fall 2022, City Council approved a Memorandum of Understanding with the Bath Charter Boat Captain's Association ("Association") to partner with the organization to bring a dock to the Guildford Lot.

Over the past two years, the Guildford Lot has transformed from an empty, dirt lot into a vibrant and activated corner of Bath: there is now a small park, a 16-space parking lot, the new riverwalk, a concrete bulkhead for a future dock, and, most recently, the City Council approved food trucks to operate in select parking spaces along Commercial Avenue.

The Kennebec River is one of the Bath's most significant natural resource assets. Charter boats are one of the best ways for residents and visitors alike to explore the River. The Charter Boat Captain Dock Project will support economic development and grow our outdoor recreation industry.

Two months ago, the Small Harbor Improvement Program through the Maine Department of Transportation was brought to our attention as an opportunity that could support the Bath Charter Boat Dock Project. The grant could cover 50% of project costs. City staff and members of the Association met with the Director of the grant program to learn more about the opportunity and see if our dock project was a fit. The City was encouraged to submit an application.

City staff would like to submit an application to the Small Harbor Improvement Program in January 2023. A 50% match is required, which will be provided to the City by the Charter Boat Association.

ORDER APPROVING APPLICATION TO THE MAINE DEPARTMENT OF TRANSPORTATION SMALL HARBOR IMPROVEMENT PROGRAM

WHEREAS, the City of Bath has approved a Memorandum of Understanding with the Bath Charter Boat Captains Association for the installation and operation of a dock along the Kennebec River between the Sagadahoc Bridge and Bath Freight Shed; and

WHEREAS, The opportunity to apply for a grant through the Small Harbor Improvement Fund was identified by the Bath Charter Boat Captains Association; and

WHEREAS, the grant will support the dock project and provide capital needed to successfully complete the project; and

WHEREAS, the local match for the grant will be provided from the Charter Boat Captains Association and there will be no financial impact on the City; and

WHEREAS, this project will contribute to economic development within the City and support the local outdoor recreation industry; and

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath approve the submission of a grant request to the Maine Department of Transportation Small Harbor Improvement Program for funding support for the City of Bath & Bath Charter Boat Captains Association Dock Project.

D4

FINANCE DEPARTMENT
Juli Millett
Finance Director/Asst. City Manager
jmillett@cityofbath.com

January 10, 2023

To: Chair Bell and Bath City Council Members
From: Juli Millett – Finance Director/ Assistant City Manager
CC: City Manager Marc Meyers

Re: LED Street Light Bond $330,000

Bond Ordinance: Authorizing issuance of a General Obligation Bond in the amount not to exceed $330,000 for the purpose of the purchase and upgrade of LED Street Lights. (First Passage). The bond will be used for purchasing of the City Street Lights from CMP and then an upgrade to LED. The bond is anticipated for 7 years, with payments estimated at approximately $55,000 a year. These payments will be paid with the Utility Cost Savings.

Council is seeing this Bond Ordinance for a second time because a full copy of the text of the ordinance was not printed in the newspaper. The City Charter section 805 requires within ten (10) days after its final enactment, an ordinance authorizing the issuance of serial bonds or notes shall be published in a newspaper having a general circulation in the City and posted in at least one public place.

Going forward to prevent this from happening again, staff has modified a Bond Ordinance checklist to include dates for each step of the process. The finance director will complete the dates on the checklist and make electronic reminders for all time sensitive items.

Staff will also be reviewing the City charter for all bond ordinance requirements to determine if they are state requirements or City Charter requirements and if changes to the charter are warranted.

BOND ORDINANCE

AUTHORIZING UP TO $330,000 OF THE CITY'S GENERAL OBLIGATION BONDS TO FINANCE THE PURCHASE AND UPGRADE OF LED STREET LIGHTS

IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH, AS FOLLOWS:

Section 1. That a sum of up to, but not to exceed, $330,000, plus the sale premium of and investment earnings on the bonds authorized in Section 2 below, is hereby appropriated for the purpose of funding the following municipal purchase and improvements, including issuance costs therefor:

- Purchase and upgrade LED Street Lights

Section 2. That, for the purpose of funding the aforesaid appropriation, the City Treasurer, with the approval of the Chair of the City Council and the City Manager, is hereby authorized, in the name of and on behalf of the City, to issue the City's bonds or notes in anticipation thereof, in the stated principal amount of up to, but not to exceed, $330,000 under and pursuant the City Charter and Title 30-A, Section §5772 of the Maine Revised Statutes.

Section 3. That any and all bonds or notes in anticipation thereof issued pursuant to this Ordinance are issued pursuant to Chapter 8 of the City Charter and shall be signed by the City Treasurer and countersigned by the Chair of the City Council and the City Manager.

Section 4. That any and all bonds issued pursuant to this Ordinance shall be payable in annual installments, which need not be equal, the total amount of which shall extinguish the entire debt at maturity pursuant to the requirements of 30-A M.R.S.A. Section 5772(3), pursuant to Section 807 of the City Charter.

Section 5. That the term of any bonds issued pursuant to this Ordinance shall not exceed seven (7) years.

Section 6. That the City Treasurer, with the approval of the Chair of the City Council and the City Manager, shall determine the date or dates, maturities (not to exceed the maximum term specified above), denominations, interest rate or rates and any other details of any bonds or any notes in anticipation thereof to be issued pursuant to this Ordinance, such approval to be conclusively evidenced by the execution thereof.

Section 7. That the City Treasurer, with the approval of the Chair of the City Council and the City Manager, is hereby authorized to make any bonds or notes in anticipation thereof issued pursuant to this Ordinance subject to prepayment and call for redemption with or without premium prior to the stated maturity date at the election of the City.

Section 8. That the City Treasurer is hereby authorized to take all such action as may be necessary to designate any bonds or notes in anticipation thereof issued pursuant to this Ordinance (to the extent such designation is available) as qualified tax-exempt obligations for purposes of Section 265(b) of the Code.

Section 9. That the bonds or notes in anticipation thereof issued pursuant to this Ordinance shall be general obligations of the City, backed by the full faith and credit and taxing power of the City.

Section 10. That in the event the City Treasurer elects to issue such bonds or notes in anticipation thereof through the Maine Municipal Bond Bank (the "Bond Bank"), that the City Treasurer and the Chair of the City Council and the City Manager be and hereby are authorized, on behalf of the City, to enter into a loan agreement with the Bond Bank in conjunction with the issuance of the bonds or notes, in the aggregate principal amount not to exceed $330,000 with a term not to exceed the term of the bonds or notes, said loan agreement to be in the usual and ordinary form utilized by the Bond Bank in connection with its General Resolution Program, which is hereby approved, and to contain such other terms and provisions, not contrary to the general tenor hereof, as the Treasurer, the Chair of the City Council and the City Manager may approve, their approval to be conclusively evidenced by the execution thereof.

Section 11. That the City Treasurer is authorized to do or cause to be done all such acts and things, and to execute and deliver any and all contracts, agreements, certificates, and other documents as may be necessary or advisable, including but not limited to an Arbitrage and Use of Proceeds Certificate and a Continuing Disclosure Certificate, to carry out the provisions of this Ordinance in connection with the issuance and delivery by the City of the bonds or notes in anticipation thereof.

Section 12. That if the City Treasurer, Chair of the City Council, City Manager, or Clerk are for any reason unavailable to approve and execute the bonds or notes in anticipation thereof issued pursuant to this Ordinance, any loan agreement or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

Section 13. That during the term any of the bonds authorized hereby are outstanding, the City Treasurer is hereby authorized, in the name and on behalf of the City, to issue and deliver refunding bonds on either a current or advance refunding basis, to refund some or all of the bonds then outstanding, and to determine the date, form, interest rate, maturities (not to exceed 7 years from the date of issuance of the original bonds) and all other details of such refunding bonds, including the form and manner of their sale and award. The City Treasurer is hereby further authorized to provide that any of such refunding bonds hereinbefore authorized be made callable, with or without premium, prior to their stated date(s) of maturity, and each refunding bond issued hereunder shall be signed by the City Treasurer and countersigned by the Chair of the City Council and the City Manager, sealed with the seal of the City, and attested by its Clerk.

Workshop

CITY OF BATH, MAINE

City Hall, 55 Front Street
Bath, Maine 04530

OFFICE OF CITY COUNCIL

(207) 443-8332

Hello fellow Councilors,

Immediately following the agenda items on our January 18, 2023 Special Meeting, we will adjourn to the Auditorium for an hour long goals & priorities setting workshop.

It has been a couple years, at least, since the City Council has done goal setting. My understanding is that this process can help guide our Council work, but also help give guidance to our committees and to city staff.

Please do a little thinking ahead of time about what you think are already goals and priorities and what you think should be goals and priorities. Included in your notebook are some past Council goals from 2014 and 2016. I encourage you to review them as a way to get started.

The Workshop format will be structured and timed to keep us on task and productive.

As always, let me know if you have any questions or thoughts on this topic. Thank you for all you do.
Best,
Mary Ellen

Council Goal Setting Meeting
2014

Communication
Election Agendas/Department Mail
Projects /Incidents
Newsletter – Council Section
Utilize BCTV
Council Comment

Education
Trolley Tour – BWD, BFD
New Councilor Training
School/Outreach
Non-Profits

Policies/Procedures
Performance Reviews
Charter/Working Rules
Tsugaru Travel

Projects
Green
South End Park
Committee Overhaul
Parking
AV for Chamber

Loose Ends
BIW
Comcast
Vehicle Inventory List (compared to other communities)
Record Budget Meetings.

2016 City Council Goals

- Lighting – City Hall Second Floor Conference Room & Auditorium
- Finish Projects – Ex. North Street, High Street "Mae's Café"
- Spending procedure review (further discussion required)
- Leeman Highway fence – Viaduct?
- Should the Council embrace/publicize local issues? Ex. Community Hunger, Multi-generationally concerned community
- Consider "green" projects
- Green space under bridge/Riverwalk
- Pedestrian focus/"arteries"
- New Councilor Orientation
- Trolley tours/Council
- Energy audit workshop/review
- Landfill & Wastewater looming large
- "86" Nunnery
- More Public Participation