

City of Biddeford
Policy Committee
April 25, 2023 6:00 PM Council Chamber & Zoom

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Status: In-Person and via Zoom; Council Chambers; 6:00 p.m.

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustments to the Agenda**
- 4. Acceptance of Minutes**
- 5. Discussion/Review**
 - 5.1. 20230425 Inclusionary Zoning (IZ) - Draft Ordinance
[20230425 Inclusionary Zoning -MEMO](#)
 - 5.2. 20230425 Retail Cannabis/Sale Licensing
[Marijuana Fees- MEMO](#)
[Local Municipal Fees](#)
 - 5.3. 20230425 Flag Policy Review
[20230425 Flag Display Policy -MEMO](#)
[City of Biddeford Flag Display Policy](#)
 - 5.4. 20230425 DDC Ordinance Revision
[DDC Ordinance Revision-MEMO](#)

[20230425 DDC Ordinance Revisions](#)

- 5.5. 20230425 Clifford Park Covenants – Restrictions for Entire Parcel

[Clifford Park Extension- MEMO](#)

[Chapter 46 Sec 46.5 City parks, beaches and athletic fields-facility list](#)

[Map Title-provided by Assessors Office](#)

[Property Record Cards -2](#)

- 5.6. 20230425 Review of Hedge/Line-of-Site Issues - obstructed view

- 5.7. 20230425 Discussion/ Determine A Reoccurring Monthly Meeting Time

6. Adjourn

To: Policy Committee
From: Jim Bennett, City Manager
 Greg Mitchell, Planning & Development Director
Subject: City Staff Recommendation for Proposed Inclusionary Zoning Regulations
Date: April 20, 2023

BACKGROUND

Definition. Inclusionary zoning (IZ) is sometimes known as inclusionary housing, a reference to the desired outcome of the zoning. Simply stated, IZ requires that all new construction of housing units, most especially rentals, must participate in the creation of affordable housing units. Usually, IZ is designed to target community members that are considered to have very low to moderately low incomes.

Mayor's Affordable Housing Task Force Report IZ Regulation Recommendations

The Task Force recommended a tier approach for the IZ Ordinance for Biddeford. The following chart summarizes the recommendation: With an Inclusionary Zoning Ordinance in place, any new housing project within the community would be required to reserve a certain percentage of units to meet affordable housing goals.

NUMBER OF UNITS	AFFORDABILITY LEVEL (RENTAL)	AFFORDABILITY LEVEL (OWNERSHIP)	% OF REQUIRED AFFORDABLE UNITS	TERM
10 or More	80% of AMI	120% of AMI	7.5%	10
	100% of AMI	120% of AMI	10%	15
	120% of AMI	120% of AMI	12.5%	20

Fees to Opt out of Proposed IZ Regulations

In addition, a developer under certain circumstances could seek a waiver to the above requirement. However, that waiver would require payment of ***\$100,000 per unit, using 10% of the total units created***. Those funds would be placed in the Affordable Housing Trust Fund, as outlined in recommendation #3 of the Mayor’s Affordable Housing Task Force Report. The recommendation also includes a provision which would require any ***development between 5 and 9 units to pay a fixed fee of \$7,500 per unit created***. These funds would also be placed in the Affordable Housing Trust Fund. ***Allowing the developer to commit to designating one Affordable unit in the development for a specified term and Affordability level should be considered as an alternative option***. To further clarify the chart above, each developer would choose which level of participation it would desire. The lower the income level (lower income and more Affordable), the required term would be shorter. As a developer chooses a higher level of income (making the unit less Affordable), the longer the required term that the developer would be required for the units to then meet the Affordability standard.

In developing the recommendations that the Task Force considered from August to October 2022, the Task Force made the conscious decision to err on the side of the market, in order to ensure that new units would be constructed. ***Any IZ Ordinance adopted by the City Council should allow adjustments to rental rates based upon market conditions and AMI***. If the recommendation to move forward on the IZ Ordinance for Biddeford is seriously considered, another review of the market should be made to determine if the above recommendations still are viable.

CITY STAFF PROPOSED IZ REGULATION RECOMMENDATIONS

City staff recommendations are the same as presented in the Mayor’s Affordable Housing Task Force Report except that home ownership housing projects are excluded from the Proposed IZ Regulations due to the need to support ownership development consistent with City Council adopted Housing Goals as of November 2020 which include:

- Increase homeownership within the community from 48% to 51% by January 1, 2026.

Proposed IZ Regulations

NUMBER OF UNITS	AFFORDABILITY LEVEL (RENTAL)	REQUIRED AFFORDABLE UNITS	TERM (years)
5 to 9	100% of AMI	1 Unit	15
10 OR MORE	80% of AMI	7.50%	10
	100% of AMI	10%	15
	120% of AMI	12.50%	20

Proposed Fees to opt out of the IZ Regulations remain the same as presented in the Mayor's Affordable Housing Task Force Report which include:

- **\$7,500 per unit** for housing projects which include 5 to 9 units or
- **\$100,000 per unit**, using 10% of the total units created, for projects with ten (10) or more units.

I look forward to discussing this with the Policy Committee at your April 25, 2023 meeting.



Policy Committee

Meeting Date: April 25, 2023

Meeting Time: 6:00 PM

Agenda Item No: 5.2

Item Description: Marijuana Business License Fee's

Submitted by: Roby Fecteau, Director of Code Enforcement

Supporting Information/Documentation:

Local Municipal Fee Attachment

Key Terms:

N/A

Executive Summary:

Staff is seeking permission to establish a business license fee for operating a marijuana establishment.

Detailed Review:

After reviewing several municipalities located in Southern Maine, the following fees are proposed business license fees. Chapter 22 Businesses, Article II Licenses and Permits Generally, Sec 22-11

Marijuana Grow facility License. (Facility Size)

Grow facility Up to 10,000 square feet of floor area= \$1000.00

Grow facility Up to 20,000 square feet of Floor area=\$2000.00

Grow facility Up to 30,000 square feet of Floor area=\$3000.00

- Each additional 10,000 square feet of Floor area=\$1000.00

Marijuana Sales. (Facility Size)

Sales area up to 1000 square feet of floor area = \$500.00

Sales area up to 2000 square feet of floor area = \$1000.00

Marijuana Services

Delivery Service= \$100.00 per vehicle

Manufacturing= \$1000.00 per square foot of floor area

Testing Facility= \$1000.00 per square foot of floor area

Marijuana Commercial Kitchen= \$1000.00

Funding Source:

N/A

Staff Recommendation:

Local Municipal Fees

City of Sanford

	LICENSE TYPE	ANNUAL FEE	EXPIRES
	Hemp Grower	\$ 1,500. ⁰⁰ + \$ 50. ⁰⁰ per acre	March 31 st – Annually
	Adult Use Marijuana Grower / Cultivator	\$ 2,200. ⁰⁰ + Public Hearing	March 31 st – Annually
	Medical Marijuana Grower / Cultivator / Caregiver	\$ 2,200. ⁰⁰ + Public Hearing	March 31 st – Annually
	Marijuana Manufacturing Facility– Tier I	\$ 2,200. ⁰⁰ + Public Hearing	March 31 st – Annually
	(Tier I = possessing up to 40 pounds of cultivated medical marijuana in various stages)		
	Marijuana Manufacturing – Tier II	\$ 3,200. ⁰⁰ + Public Hearing	March 31 st – Annually
	(Tier II = possessing 40-200 pounds of cultivated medical marijuana in various stages)		
	Marijuana Extraction Operation with Hazardous substances	\$ 1,500. ⁰⁰	March 31 st – Annually
	Marijuana Extraction Operation without Hazardous substances	\$ 1,500. ⁰⁰	
	Marijuana Establishment or Operations Property -- Tier I	\$ 5,000. ⁰⁰ + \$ 750. ⁰⁰ per licensed medical marijuana operation on the property	May 31 st – Annually
	(Tier I = Property < 30,000 sq. ft. of total gross living area as defined by City Assessor)		
	Marijuana Establishment or Operations Property -- Tier II	\$ 7,500. ⁰⁰ + \$ 750. ⁰⁰ per licensed medical marijuana operation on the property	May 31 st – Annually
	(Tier II = Property > 30,000 sq. ft. of total gross living area as defined by City Assessor)		

City of Saco

Chapter 135, Cultivation and Distribution of Marijuana Cannabis			
§135-7 Fees	Caregiver Growing – Initial Application	\$100.00	
	Caregiver Growing – Renewal Application	\$50.00	
	Commercial I-1 or I-2 Zones – Initial Application	\$1,000.00	
	Medical Cannabis Caregiver Application/Renewal		
	Registered Dispensary Application/Renewal		\$1,000.00
	Commercial I-1 or I-2 Zones – Renewal Application	\$500.00	

City of Augusta

Medical Marijuana Cultivation Facility	\$ 600.00
Medical Marijuana Manufacturing Facility	\$ 600.00
Medical Marijuana Retail Store	\$ 1,400.00
Medical Marijuana Testing Facility	\$ 300.00
Medical Marijuana Caregiver (home occupation)	\$ 200.00
Medical Marijuana Caregiver	\$400.00
Medical Marijuana Dispensary	\$2,000.00
Late fee will be an additional 10% of the total license fee for 1 to 30 days past the due date, and an additional 10% for every 30 days thereafter the license remains late	

City of Lewiston

Type of License	Type of Use	Price
Marijuana Store	☐ Adult Use ☐ Medical Use	\$5000
Marijuana Cultivation Facility	☐ Adult Use ☐ Medical Use	☐ Tier 1: 0 to 500 SF of plant canopy \$1000 ☐ Tier 2: 501-2,000 SF of plant canopy \$1500 ☐ Tier 3: 2,001-7,000 SF of plant canopy \$2500 ☐ Tier 4: 7,001-20,000 SF of plant canopy \$5000
Marijuana Manufacturing Facility (this includes, but not limited to, facilities that prepare goods containing medical use marijuana intended for ingestion, including tinctures)	☐ Adult Use (manufacturing is prohibited out of a residence) ☐ Medical Use ☐ Commercial Location ☐ Residential Location	\$2500
Marijuana Testing Facility	☐ Adult Use ☐ Medical Use	\$2500
Marijuana Nursery Cultivation Facility— Cultivation of not more than 1,000SF of plant canopy in compliance with 28-B M.R.S. §501.3	☐ Adult Use ☐ Medical Use	\$1000
Registered Dispensary		\$5000
SBI (Background check)	Per applicant	\$21.00
		Total Licensing Fees Due: \$_____

City of South Portland

	Adult Use Marijuana Establishments	
28-B MRSA § 101 <i>et seq.</i> ; § 14-770 <i>et seq.</i>	Adult Use Marijuana Cultivation Facility	\$600.00
28-B MRSA § 101 <i>et seq.</i> ; § 14-770 <i>et seq.</i>	Adult Use Marijuana Products Manufacturing Facility	\$300.00
28-B MRSA § 101 <i>et seq.</i> ; § 14-770 <i>et seq.</i>	Adult Use Marijuana Social Club	Prohibited
28-B MRSA § 101 <i>et seq.</i> ; § 14-770 <i>et seq.</i>	Adult Use Marijuana Retail Store	\$1,400.00
28-B MRSA § 101 <i>et seq.</i> ; § 14-770 <i>et seq.</i>	Adult Use Marijuana Testing Facility	N/A - License not required
	Medical Marijuana Establishments	
22 MRSA § 2421 <i>et seq.</i> ; § 14-770 <i>et seq.</i>	Medical Marijuana Cultivation Facility	\$600.00
22 MRSA § 2421 <i>et seq.</i> ; § 14-770 <i>et seq.</i>	Medical Marijuana Dispensary	\$1,400.00
22 MRSA § 2421 <i>et seq.</i> ; § 14-770 <i>et seq.</i>	Medical Marijuana Products Manufacturing Facility	\$300.00
22 MRSA § 2421 <i>et seq.</i> ; § 14-770 <i>et seq.</i>	Medical Marijuana Retail Store	\$1,400.00
22 MRSA § 2421 <i>et seq.</i> ; § 14-770 <i>et seq.</i>	Medical Marijuana Testing Facility	N/A - License not required

City of Auburn

Application and License Fees

All applications must be submitted with a \$500 fee. If an application is approved, the following license fees must be paid before the City will issue a license:

Marijuana Store: Annual Operation License Fee: \$5,000

Marijuana Manufacturing Facility: Annual Operation License Fee: \$2,500

Marijuana Testing Facility: Annual Operation License Fee: \$2,500

Adult Use Marijuana Cultivation:

Tier 1: 0 to 500 SF of plant canopy: Annual Permit/Licensing Fee: \$1,000.

Tier 2: 501-2,000 SF of mature plant canopy: Annual License Fee: \$1,500.

Tier 3: 2,001-7,000 SF of mature plant canopy: Annual License Fee: \$2,500.

Tier 4: greater than 7,000SF of mature plant canopy: Annual License Fee: \$5,000.

Medical Marijuana Cultivation: Annual Operation License Fee: \$1,000

Adult Use Marijuana Nursery Cultivation: Annual License Fee: \$1,000 (Plant canopies of individual Nursery Cultivations are permanently capped at 1,000 SF.)

Renewal applicants for Adult Use Marijuana Cultivation licenses may seek an increase to a higher tier if they comply with the requirements in this section.

Applicants for Adult Use Marijuana Cultivation licenses may not hold more than three (3) such licenses or a total combined plant canopy in excess of 30,000 SF.

Town of Scarborough

License Fee. Local License fees are set forth below and shall be paid annually:

\$350.00 Due at the time upon submission of application. [Applicants are also responsible for the Town's expenses associated with the review of an application, including the cost of any third-party review if necessary.]

1. Adult Use Marijuana Cultivation Facility:
 - (a) Tier 1: 0 to 500 SF of plant canopy: \$750.
 - (b) Tier 2: 501-2,000 SF of plant canopy: \$3,000.
 - (c) Tier 3: 2,001-7,000 SF of plant canopy: \$7,500.
 - (d) Tier 4: greater than 7,000SF of plant canopy: \$10,000
2. Adult Use or Medical Marijuana Testing Facility: \$1,000
3. Adult Use or Medical Marijuana Products Manufacturing Facility: \$2,500
4. Medical Marijuana Cultivation Facility: \$750



Policy Committee

Meeting Date: April 25, 2023

Meeting Time: 6:00 PM

Agenda Item No: 5.3

Item Description: Flag Policy

Submitted by: Danica Lamontagne, Assistant to the City Manager

Supporting Information/Documentation:

Flag Display Policy (Approved August 10, 2021)

Key Terms:

N/A

Executive Summary:

Staff is seeking clarification on the policy for the display of “Special Flags and Banners” in light of upcoming citizen requests and a recent Supreme Court case.

Detailed Review:

The Policy Committee approved a policy governing the display of “Special Flags and Banners” at their meeting on August 10, 2021. Supreme Court Case *Shurtleff v. Boston*, which was decided in May 2022, asked the Court to answer the question of whether flag-flying outside of a municipal building is an act of the government or of the private parties that ask to raise the flag. The decision hinged on whether the City of Boston had “meaningful involvement” in the selection of the flags or the crafting of their messages. Because it was found that Boston did not, the Supreme Court determined that the flag raising was considered private speech.

Staff’s interpretation of the ruling and its application to our existing process for flying Special Flags and Banners is that the current flag raisings would be classified as private speech. As it stands, the City has an online application to raise a flag that can be submitted by any individual or group, and the City has not denied a request for any reason other than having two conflicting requests on the same date. If the Committee would prefer to have the flags function as government speech, the Council would have to take an active role in the decision of which flags are flown moving forward.

If the Committee prefers to continue to keep flag requests open to the public through the application process, there are several areas of the policy where clarification is needed in order for staff to address upcoming flag requests, including:

- How frequently can one individual submit a request to have their flag flown?
- How frequently can one flag be flown (for instance, if two people request to fly the same flag at different times during the year)
- What should be the process if there are two flag requests for the same time period?

- How early can you submit a request? (This is particularly relevant if the Committee were to add a 'first-come, first-served' provision to the policy)
- Will we accept requests for annual flying of a flag?
- The current policy permits a flag to be flown for up to 30 days. Should this duration be revisited?

Funding Source:

N/A

Staff Recommendation:

Staff recommends that the Committee revisits the policy to provide clarification to the questions above in order to determine how to proceed with upcoming requests.

Staff is neutral on whether the policy should be further revised in such a way to make the flying of flags government speech. This background information is brought forward today to ensure that the Committee is aware of the implications of the Supreme Court case which was decided after the policy was originally adopted.

City of Biddeford Flag Display Policy

1. PURPOSE

It is the intent of the City of Biddeford to establish a citywide policy, which follows the United States and State of Maine provisions governing the display of flags, including the United States flag, the State flag, the City flag, and the POW/MIA flag. Any additions must be approved by the Biddeford City Council as per Section 4.

2. REFERENCE

United States and State of Maine provisions governing the display of flags. These can be found in the United States Code, Title 4, Chapter 1 and the Maine Statutes Annotated, Title 1, Chapter 9 (hereinafter “Flag Code and Protocol”).

3. APPLICATION

This Policy applies to all buildings owned or controlled by the City of Biddeford and all individuals employed by or who volunteer with the City of Biddeford, unless a provision of the policy conflicts with a contract or statute (e.g., Collective Bargaining Agreement, Civil Service Rule, or Memorandum of Understanding, etc.).

4. GUIDANCE

a. Display and Care of Flags:

The City of Biddeford follows the Federal and State of Maine Flag Code and Protocol governing the display and care of flags.

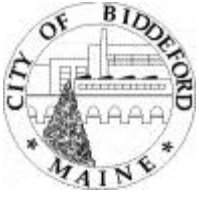
b. Display of Additional Flags Indoors or Outdoors:

- i. In addition to the above flags, other “Special Flags or Banners” may be displayed on either the flagpole located on the left side of City Hall directly outside of the Mayor’s office or other available flagpoles. Such Special Flags or Banners may only be displayed upon approval from the Biddeford City Council.

1. Examples of Special Flags or Banners include, but are not limited to, sister city flags, Heritage Month flags (e.g., Black History Month, Pride Month, Asian/Pacific American History, National Hispanic Heritage, and Indigenous peoples’ heritage), flags received in recognition of awards, flags received from visiting groups, or flags designating an event or accomplishment.
2. When selecting or approving a request for flying a Special Flag, the City Council shall consider and make a determination that the Special Flag meets at least one or more of the following criteria:
 - a. Whether the United States or State of Maine has recognized the flag through statute or proclamation;
 - b. Whether the flag represents an organization dedicated to the public good for the Citizens of Biddeford;

- c. Whether the flag represents a National, State, or City interest;
 - d. Whether the flag is an historic American flag that has or continues to have a primary positive message of American history and unity;
 - e. Whether the flag promotes unity and community with another city, state, country, or other jurisdiction; or
 - f. Whether the flag represents a positive interest or value worthy of public recognition.
- 3. Unless otherwise stated or determined by the City Council, all Special Flags or Banners shall be flown or displayed for a limit of thirty (30) calendar days after their approval or for 30-days after a defined start date.
- 4. The Mayor has the discretion to fly an appropriate flag, as per the criteria listed in 4.b.i.2., above, for a single day if he or she determines that a public purpose is served by flying the flag.
- ii. Any Special Flag or Banner flown from a flagpole at City Hall must not be larger than the flag of the United States of America and must be located beneath the flag of the United States of America when flown on the same staff.
- c. Display of the Flags at Half-Staff
 - i. All flags shall be flown at half-staff as prescribed or consistent with this policy or as directed by the proper federal or state officials.
 - ii. In addition to any federal or state protocols or directions, the Mayor (or designee) or council president in the absence of the mayor, may order the City of Biddeford flag to be flown at half-staff for one week under the following circumstances:
 - 1. On the death of any of the following individuals:
 - a. Biddeford Mayor, ex-Mayor, or Mayor-elect;
 - b. Current member of Biddeford City Council;
 - c. Current head of any City Department or current employee;
 - d. Any other local official, citizen, or other individual deemed by the Mayor to have made significant contributions to the benefit and welfare of the City and citizens of Biddeford.
 - 2. Any instance where a City of Biddeford employee has been killed in the line of duty or has died as a direct result of injuries incurred while in the performance of official duties.
 - iii. The Mayor shall state the reason or name of the individual in whose honor

the flag or flags have been or are to be lowered to half-staff at the first available public meeting of the Biddeford City Council.



Downtown Development Commission

Meeting Date: April 25, 2023

Meeting Time: 6:00 pm

Agenda Item No: 5.4

Item Description: Downtown Development Commission Ordinance Revisions DRAFT

Submitted by: Brad Favreau, Economic Development Coordinator

Supporting Information/Documentation:

Draft Revisions to Existing Downtown Development Commission (DDC) Ordinance

Key Terms:

N/A

Executive Summary:

The Downtown Development Commission was created by City Ordinance in 1975 to oversee economic growth in the downtown area of the city. At that time, there was little city staff to oversee such activities, but over the decades, the increase in city staff and the establishment of the Heart of Biddeford (HOB) has changed the role of the DDC. This new ordinance better reflects its function and purpose today.

Detailed Review:

The administrative sections of this ordinance have remained intact from the original version. However, *Section 2-254 Functions and Purposes* has been revised. Functions that are no longer required of the DDC have been removed. In its place, broader functions have been inserted that allow the DDC flexibility to pursue a variety of projects or programs benefitting downtown as an attractive place to live, do business, or visit. These revisions allow the DDC to more easily carry out discrete projects, such as investigating the feasibility of a farmer's market in the downtown, and are better suited to the purview and authority of the DDC.

Funding Source:

N/A.

Staff Recommendation:

The DDC has reviewed and approved these revisions at its November 21, 2022 meeting. Staff recommends approval of this draft ordinance revision.

Sec. 2-251 Established.

[Code 1975, § 2-212]

The Biddeford Downtown Development Commission is hereby established.

Sec. 2-252 "Commission" defined.

[Code 1975, § 2-210]

Unless otherwise indicated, the term "Commission," as used in this division, shall mean the Biddeford Downtown Development Commission.

Sec. 2-253 Composition; appointment of Commissioners; terms of office; removal of members.

[Code 1975, § 2-213; Ord. No. 99.69, 8-17-1999; amended 3-21-2013 by Ord. No. 2013.13]

(a)

The Commission shall consist of 9 members, referred to in this division as "Commissioners." Such Commissioners shall be nominated by the Mayor and confirmed by the City Council.

[Amended 3-21-2017 by Ord. No. 2017.21]

(b)

Commissioners shall serve for three-year terms. The terms of each Commissioner shall be staggered so that no more than three Commissioners' terms shall expire in the same year. Any Commissioner appointed to fill a vacancy for which more than half of the unexpired term remains shall be deemed to have served one full term.

[Amended 5-7-2019 by Ord. No. 2019.49]

(c)

A Commissioner shall automatically be removed from office in the event that he or she no longer is a resident of the City of Biddeford or is absent for three consecutive regular meetings without being excused by the Chair.

Sec. 2-254 Functions and purposes.

[Code 1975, § 2-211; amended 3-21-2013 by Ord. No. 2013.13]

It shall be the function of the Downtown Development Commission to:

(1)

Encourage and promote the expansion and development of existing commercial firms downtown and to promote and encourage the location of new commercial firms downtown.

-

[Amended 5-7-2019 by Ord. No. 2019.49]

(2)

Review downtown ordinances and recommend revisions to the Policy Committee.

(3)

Serve as coordinator for such boards, merchant groups, commissions and City departments as shall be established from time to time to provide analysis and make policy recommendations to City Council and other City committees, commissions and boards. relating, but not limited to downtown land use, landscape, streetscape and to promote and implement downtown beautification and cleanup projects if needed. Generally, to enhance downtown as a desirable place to live.

[Amended 5-7-2019 by Ord. No. 2019.49]

[Amended 5-7-2019 by Ord. No. 2019.49]

(4)

Promote downtown Biddeford as a destination for visitors, including but not limited to, emphasis upon the arts, history and cultural sectors, especially by cultivating a diverse downtown environment.

(5)

Develop new policies to support the function and purpose of the Downtown Development Commission, for consideration by the Policy Committee and City Council.

(6)

Perform such other functions as may be required or delegated by the Mayor and City Council.

Sec. 2-255 Filling of vacancies.

[Code 1975, § 2-214]

Vacancies on the Commission shall be filled for the remainder of the term in the same manner as original appointments are made.

Sec. 2-256 Quorum.

[Code 1975, § 2-215; amended 3-21-2013 by Ord. No. 2013.13; 5-7-2019 by Ord. No. 2019.49]

A simple majority of Commissioners shall constitute a quorum.

Sec. 2-257 Required vote.

[Code 1975, § 2-216; amended 3-21-2013 by Ord. No. 2013.13; 5-7-2019 by Ord. No. 2019.49]

The Commission shall act by majority vote of those present and voting.

Sec. 2-258 Annual election of Chairman.

[Code 1975, § 2-217; amended 3-21-2013 by Ord. No. 2013.13]

The Commission shall hold a meeting at the beginning of each calendar year for the purpose of electing a Chair. The Chair shall not vote except to break a tie.

Sec. 2-259 Management of Commission.

[Code 1975, § 2-218; amended 3-21-2013 by Ord. No. 2013.13; 5-7-2019 by Ord. No. 2019.49]

The management of the Commission shall be vested in the Commissioners appointed and confirmed in accordance with Section **2-253**. The Commission shall be staffed by the Director of Planning and Development or designee.

Sec. 2-260through Sec. 2-261. (Reserved) ^[1]

[1]

Editor's Note: Former Section 2-260, Nomination of Director, as amended, and former Section 2-261, Director to perform assigned duties, were repealed 3-21-2013 by Ord. No. 2013.13.

Sec. 2-262 Director to supervise Commission activities.

[Code 1975, § 2-221]

The day-to-day operation and administration of the Commission shall be under the supervision of a Director.

Sec. 2-263 Chair to submit budget, reports.

[Code 1975, § 2-222; amended 3-21-2013 by Ord. No. 2013.13]

Annually, the Commission Chair shall, on or before January 1 of each year, submit a budget for the ensuing year and submit reports as requested to the Commission and Council.

Sec. 2-264 Director, Chairman to execute contracts and agreements.

[Code 1975, § 2-223]

All contracts, agreements and other matters entered into under the authority contained in this division shall be executed by the Director and Chairman of the Commission with Mayor and Council approval.

Sec. 2-265 Authority to establish subcommittees.

[Code 1975, § 2-224]

The Commission may from time to time establish subcommittees composed of such persons as the Commission shall desire to provide advice and counsel on downtown matters.

Sec. 2-266 Authority of Council to assign powers, duties.

[Code 1975, § 2-225]

The Council may assign additional powers and duties to the Commission as it deems necessary.

Sec. 2-267 Designation as agent for City.

[Code 1975, § 2-226; amended 5-7-2019 by Ord. No. 2019.49]

The Council may from time to time designate the Commission to serve as agent for the City in matters relating to other cities and towns, persons or corporations.

Sec. 2-268 Expenditures.

[Code 1975, § 2-227; amended 3-21-2013 by Ord. No. 2013.13]

All Commission expenditures shall comply with the City procurement policies established in the City Code of Ordinances, Procurement, Sec. 2-331 et seq.

Sec. 2-269 **through Sec. 2-280. (Reserved)**



Policy Committee

Meeting Date: April 25, 2023

Meeting Time: 6:00 PM

Agenda Item No: 5.5

Item Description: Clifford Park Rules Extended to conveyed property additions.

Submitted by: Carl Walsh, Recreation Director

Supporting Information/Documentation:

1. Chapter 46 Sec 46.5. City parks, beaches and athletic fields. (facility list)
2. Map Title provided by the Assessor's Office.
3. Property Record Cards (2).

Key Terms:

N/A

Executive Summary:

Purpose is to update the park list in Chapter 46 to include the parcel numbers of the property recently conveyed that borders Clifford Park.

Detailed Review:

In order to include current park rules in the newly conveyed properties; the request is to update the park list located in the code of ordinances, Chapter 46 Parks, Sec. 46-5 City parks, beaches and athletic fields to include the newly acquired parcel numbers incorporating them into Clifford Park. Park rules would then apply to the Clifford Park additions as outlined in Chapter 46. Parcels to be added to Clifford Park are; 30-58 (former Dube property conveyed to the city) and 8-3 (the property conveyed by E&R Development).

Funding Source:

N/A

Staff Recommendation:

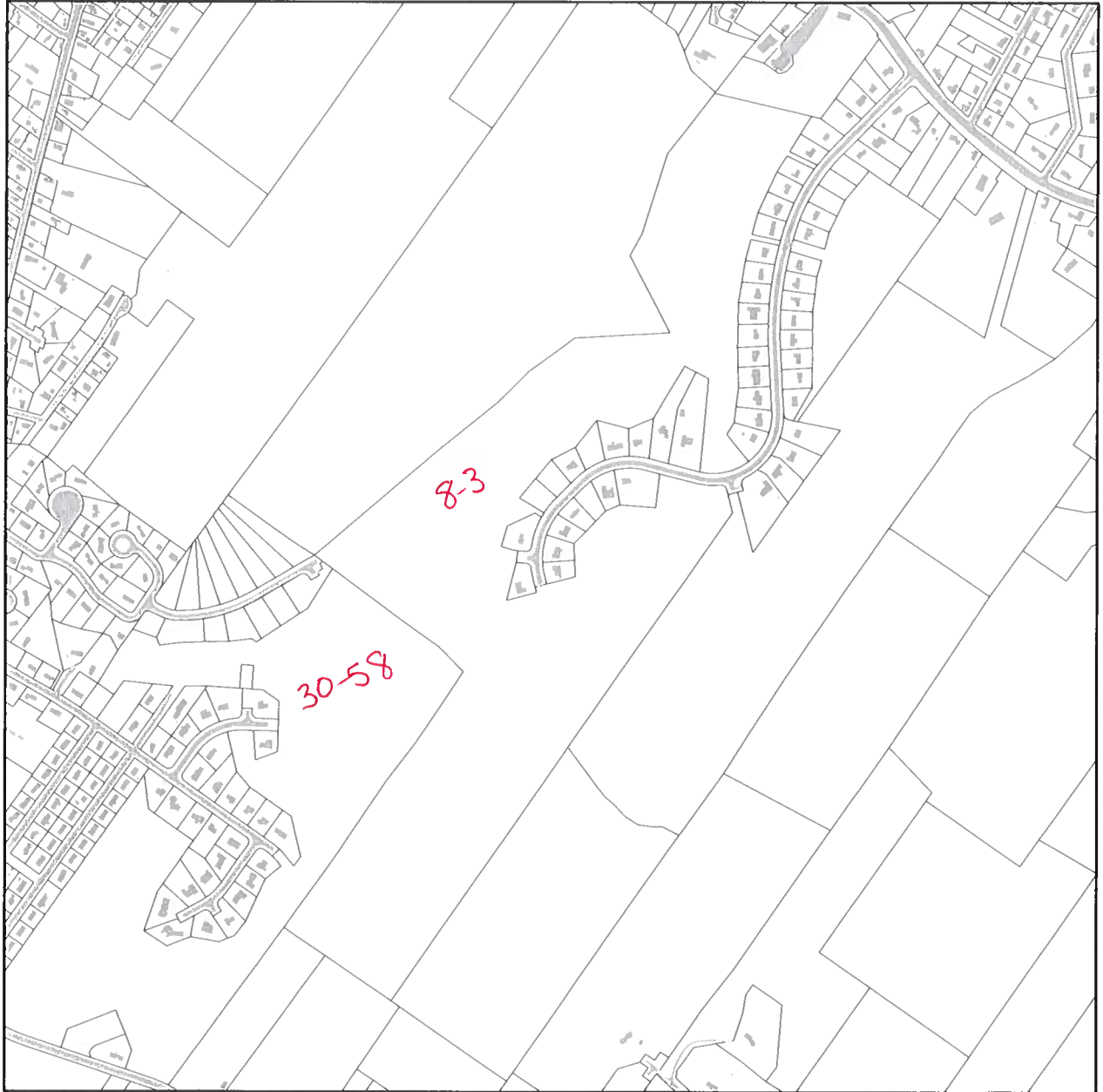
Include the additional property as part of Clifford Park thereby extending the established park rules to the new sections outlined above.

Chapter 46. Parks

Sec. 46-5. City parks, beaches and athletic fields.

Name	Assessor's Map and Lot Numbers
Biddeford Pool Bath House/Gilbert Boucher Park Gilbert Place	GIS
Biddeford Pool Mini-Park 0 Lest B. Orcutt Blvd.	GIS 59-117
Cannon Plaza 59 South Street	GIS 39-201
Canopy Park 65 Bacon Street	GIS 39-129
City Square Park 58 Lincoln Street	GIS 38-132
Clifford Park 130 Pool Street	GIS 39-334, Parcels 8-1 and 8-3-1
Doran Field 314 South Street	GIS 32-4
F.O.A.V. Court Park 2 FOAV Court	GIS 39-137
Fortunes Rocks Beach	
J. Richard Martin Community Center Playground 189 Alfred Street	GIS 34-228
Liberty Park 2 Water Street	GIS 41-129
Pierson's Lane Community Park 40 Pierson's Lane	GIS 39-116 GIS 30-117
Mechanics Park 3 Main Street	GIS 41-1
Memorial Park 130 May Street	GIS 27-34
Middle Beach	
Park in the Pines 194 Hills Beach Road	GIS 55-51
River Walk Plaza/River Walk Phase 2 2 Main Street	GIS 71-11
Rotary Park 550 Main Street	GIS 32-2
St. Louis Field	GIS 28-270
Shevenell Park 149 Main Street	GIS 38-372
Veteran's Memorial Park 2 Pool Street	GIS 38-419
Vines Landing End of Lester B. Orcutt Boulevard	GIS 59-117
Washington Street School Park 75 Washington Street	GIS 38-312-1
Williams Court Park South Street and Green Street	GIS 183, 182 169-1

MAP TITLE



Department 1

Department 2



CURRENT OWNER				TOPO		UTILITIES		STRT / ROAD		LOCATION		CURRENT ASSESSMENT			
CITY OF BIDDEFORD				1	Level	2	Public Water	1	Paved	1	Urban	Description	Code	Assessed	Assessed
						3	Public Sewer	9	Accepted			EXM LAND	9035	63,800	63,800
															Total
PO BOX 586				SUPPLEMENTAL DATA											
BIDDEFORD ME 04005				Alt Prcl ID	Color		H. District		135		VISION				
				Sub-Div	S. District		4								
				Photo	TIF										
				Ward											
Prec.				3		99									
Tract				99											
GIS ID				918		Assoc Pic#									
RECORD OF OWNERSHIP				BK-VOL/PAGE		SALE DATE		Q/U		V/I		SALE PRICE		VC	
CITY OF BIDDEFORD GERVAIS DUBE PROPERTIES INC & C/O GE BIDDEFORD WEST FAMILY BIDDEFORD WEST				19139	932	10-21-2022	U	V	0	1K					
				10746	0109	06-25-2001	U	V	285,000	1					
				8060	0010	11-07-1996	U	V	76,000	1					
				03934	0042				0						
EXEMPTIONS				Amount		Code		Description		Number		Amount		Comm Int	
Total				0.00											
ASSESSING NEIGHBORHOOD				Nbhd		Nbhd Name		B		Tracing		Batch			
0003															
NOTES															
FINAL PLAN: WINDING CREEK SUBD															
FY 08-09															
Appraised Bldg. Value (Card) 0															
Appraised Xf (B) Value (Bldg) 0															
Appraised Ob (B) Value (Bldg) 0															
Appraised Land Value (Bldg) 63,800															
Special Land Value 0															
Total Appraised Parcel Value 63,800															
Valuation Method C															
APPRAISED VALUE SUMMARY															
Total Appraised Parcel Value 63,800															
VISIT / CHANGE HISTORY															
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	FY	Type	Is	Cd	Purpost/Result	
23-07-007	07-19-2022	NCR	NC : Residentia	255,000		0		SFH WITH 2 CAR GAGAGE	10-25-2008	CC	01		14	Reinspect-Taxpayer or aba	
									04-09-2008	FY			03	Outside inspection only	
									01-01-2004	FY			36	UPDATE LAND CURVE 20	
									08-04-1989	TD			00	MEAS & LISTD	
LAND LINE VALUATION SECTION															
B Use Code	Description	Zone	Land Type	Land Units	Unit Price	I. Factor	Site Index	Cond.	Nbhd.	Nbhd. Adj	Location Adjustment		Adj Unit P	Land Value	
1 9035	TOWN-PROP M	SR1		43,560 SF	1.35	1.10000	6	1.00	0003	1.000	UB		0.15	6,500	
1 9035	TOWN-PROP M	SR1		41,700 AC	5,000.00	1.10000	6	1.00	0003	1.000	EX,WT		1.375	57,300	
Total Card Land Units				43,560 SF	Parcel Total Land Area				42.70	Total Land Value		63,800			

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CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)			
Element	Cd	Description	Element	Cd	Description		
Bid Style: Model Grade: Stories: Occupancy Exterior Wall 1 Exterior Wall 2 Roof Structure: Roof Cover Interior Wall 1 Interior Wall 2 Interior Flr 1 Interior Flr 2 Heat Fuel Heat Type: AC Type: Total Bedrooms Total Bthrms: Total Half Baths Total Xtra Fixtrs Total Rooms: Bath Style: Kitchen Style: MH Park	99 00	Vacant Land Vacant					
CONDO DATA							
Parcel Id		C		B	S		
Adjust Type	Code	Description	Factor%				
Condo Flr							
Condo Unit							
COST / MARKET VALUATION							
Building Value New							
Year Built			0				
Effective Year Built			0				
Depreciation Code							
Remodel Rating							
Year Remodeled							
Depreciation %			0				
Functional Obsol			0				
Economic Obsol			1				
Trend Factor							
Condition			0				
Condition %							
Percent Good			0				
RCNLD							
Dep % Ovr							
Dep Ovr Comment							
Misc Imp Ovr							
Misc Imp Ovr Comment							
Cost to Cure Ovr							
Cost to Cure Ovr Comment							
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)							
Code	Description	L/B	Units	Unit Price	Yr Blt		
				Cond.	Cd		
				% Gd	Grade		
				Grade Adj.	Appr. Value		
BUILDING SUB-AREA SUMMARY SECTION							
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost		
					Undeprec Value		
Ttl Gross Liv / Lease Area							
		0	0	0	0		

No Sketch

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)							
Element	Cd	Description	Element	Cd	Description						
Bid Style: Model Grade: Stories: Occupancy Exterior Wall 1 Exterior Wall 2 Roof Structure: Roof Cover Interior Wall 1 Interior Wall 2 Interior Flr 1 Interior Flr 2 Heat Fuel Heat Type: AC Type: Total Bedrooms Total Bthrms: Total Half Baths Total Xtra Fixtrs Total Rooms: Bath Style: Kitchen Style: MH Park	99 00	Vacant Land Vacant									
			CONDO DATA								
			Parcel Id	C	Owne 0.0						
			Adjust Type	Code	Description Factor%						
			Condo Flr								
			Condo Unit								
			COST / MARKET VALUATION								
			Building Value New								
			Year Built								
			Effective Year Built								
			Depreciation Code								
			Remodel Rating								
			Year Remodeled								
			Depreciation %								
			Functional Obsol								
			Economic Obsol								
			Trend Factor								
			Condition								
			Condition %								
			Percent Good								
			RCNLD								
			Dep % Ovr								
			Dep Ovr Comment								
			Misc Imp Ovr								
			Misc Imp Ovr Comment								
			Cost to Cure Ovr								
			Cost to Cure Ovr Comment								
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)											
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond.	Cd	% Gd	Grade	Grade Adj.	Appr. Value
BUILDING SUB-AREA SUMMARY SECTION											
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprac Value					
Ttl Gross Liv / Lease Area		0	0	0	0	0					