

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning and Development

To: Auburn Planning Board

From: Douglas M. Greene, AICP, RLA; City Planner

Date: October 9, 2015

RE: Work Session on Form Based Code

This work session will be devoted almost entirely on a review of the final draft of the proposed Form Based Code. The final draft contains a great deal of material and most of it has been reviewed at previous meetings. I encourage you to please go over the entire document and bring your notes of any corrections, changes or omissions to the meeting. If you'll submit them to me at the meeting, I'll be able to incorporate them into the draft and if time permits, discuss them during the work session.

The staff would like to use your time during the work session to focus on a number of "major" questions that, if resolved, will allow the draft to be revised and made ready for a public hearing at your November 10th meeting.

Here are the staff items to be discussed:

1. Quick review of definitions.
2. Go over all "Building Placement and Configuration" dimensions.
3. Go over all "Building Placement and Configuration" diagrammatic drawings for clarity, graphics and coordination with the dimensions.
4. Discuss Front Yard Fences.
5. Discuss Ground Story Finished Floor Elevation requirements. Can there be a middle ground between residential vs. commercial height requirements? How will this affect mixed uses, conversions from one use type to another?
6. Discuss parking lot location and/or layout for commercial development (T-4.2 through T-6)
7. Discuss Lot Width, Building Lot Coverage.
8. Should there be graphics for parking and building placement on lots?
9. Further discussion of parking requirements. (Reduction in parking rates, downtown area parking)
10. Discuss architectural standards, guidelines, appearance, etc. Does this need to be addressed? If so, where should this be addressed? Require elevations?
11. Final thoughts on streetscape elements, street trees, other details.
12. Quick look at Development Review Application and Checklist.

City of Auburn, Maine

"Maine's City of Opportunity"

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PLANNING BOARD AGENDA

Downtown Auburn/New Auburn FBC Workshop

Auburn City Hall, Council Chambers 2nd Floor

Tuesday, October 13, 2015 6:00PM

1. ROLL CALL:

2. MINUTES: Approval request of the August 11th and September 15th meeting minutes.

3. NEW BUSINESS and PUBLIC HEARING: NONE

4. OLD BUSINESS:

A. Final Work Session on Form Based Code

B. Discuss November 10th Planning Board public hearing for Form Based Code and Council Action

5. MISCELLANEOUS:

6. PUBLIC COMMENT:

7. AJOURNMENT:

Next Planning Board Meeting is on November 10, 2015

Chapter 60 - ZONING^[1]

Footnotes:

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State Law reference— Municipal planning and land use regulation generally, 30-A M.R.S.A. § 4301 et seq.; land use regulation, 30-A M.R.S.A. § 4351 et seq.; zoning ordinances, 30-A M.R.S.A. § 4352; regulation of manufactured housing, 30-A M.R.S.A. § 4358; enforcement of land use regulations generally, 30-A M.R.S.A. § 4451 et seq.; subdivisions, 30-A M.R.S.A. § 4401 et seq.; fences and fence viewers generally, 30-A M.R.S.A. § 2951 et seq.; local growth management programs, 30-A M.R.S.A. § 4321 et seq.; Airport Zoning Act, 6 M.R.S.A. § 241 et seq.

ARTICLE I. - IN GENERAL

Sec. 60-1. - Terms.

For the purpose of this chapter, certain terms or words used herein shall be interpreted as follows:

Lot. The term "lot" includes the words plot or parcel.

Person. The term "person" includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.

Shall/may. The term "shall" is mandatory, the term "may" is permissive.

Tense. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

Used or occupied. The term "used" or "occupied" includes the words intended, designed, or arranged, to be used or occupied.

(Ord. of 9-21-2009, § 2.1)

Sec. 60-2. - Definitions.

For the purposes of this chapter, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned:

Accessory structure or building means an uninhabited building, at least five feet in distance from the principal building, used for a purpose which is customarily subordinate and incidental to that of the principal building or to the principal use of the land and which is located on the same lot as the principal building use. The term "accessory buildings," in residential districts, includes tool sheds, wood sheds, detached garages and swimming pools. No accessory building shall house a home occupation or professional office or be used as a sales outlet in a residential district.

Accessory use means a subordinate use of land or building which is customarily incidental and subordinate to the principal building or to the principal use of the land and which is located on the same lot with the principal building or use.

Adult day center means a supervised facility providing a program of education, crafts or recreation for adults over the age of 55 years.

Animal unit means one living animal of any species.

Antique shop means a building, or portion of building, where artifacts from generally recognized previous eras are sold or traded as the primary commercial activity.

Apartment. See the term Dwelling unit.

Architectural Features means exterior building elements intended to provide ornamentation to the building massing, including but not limited to, eaves, cornices, bay windows, window and door surrounds, light fixtures, canopies, and balconies.

Art galleries means a building or place where works of art or other objects of value are kept, displayed, produced and offered for sale to the general public.

Automobile means a passenger vehicle propelled by a self-contained motor. The term "automobile" also includes motorcycles, all-terrain vehicles, trucks and recreation vehicles (RVs).

Automobile and marine paint and body shops means a building in which the business of automobile and marine paint and bodywork is conducted. Such use may also include as an accessory use a facility for the orderly display and sale of vehicles which have undergone substantial body repair on the premises. No such facility shall display, outdoors or indoors, or offer for sale more than ten vehicles at any one time.

Automobile and marine repair and service station means a building, lot or both in or upon which the business of general motor repair and vehicle service is conducted, but excluding junk and/or wrecking businesses.

Automobile, commercial, means a vehicle the primary use of which is commercial in character.

Automobile filling station means a building or lot having pumps and storage tanks at which fuel, oil or accessories for the use of motor vehicles are dispensed, sold or offered for sale at retail, where repair service is incidental and no vehicle storage or parking space is offered for rent.

Automobile garage, private, means an accessory building or portion of a main building designed, arranged or used for housing of private motor vehicles, only one of which may be a commercial vehicle. Not more than 50 percent of the space in such a garage shall be used for housing vehicles other than those owned by occupants of the premises.

Automobile parking lot, private, means a parcel of land, lot or portion thereof required, in accordance with these regulations, for off-street automobile parking.

Automobile repair and service station means a building, lot or both in or upon which the business of general motor vehicle repair and service is conducted, but excluding junk and/or wrecking business.

Automobile sales lot means a lot arranged, designed or used for the storage and display of motor vehicles or any unoccupied trailer for sale.

Automobile scrap yard means any land or building used for the dismantling, storage and salvaging for reuse of automobiles or other vehicles not in running condition.

Automotive towing and storage means a business engaged in/or offering the services of a towtruck or towing service whereby motor vehicles are towed or otherwise removed from one place to another by the use of a motor vehicle specifically designed for that purpose. Storage of towed vehicles is considered to be the keeping of vehicles in a secured yard for not more than 120 days until claimed or disposed of in accordance with the laws of the state.

Basement means that portion of a building below the first floor joists having at least one-half of its clear ceiling height above the main level of the adjacent ground.

Bed and breakfast home means an accessory use to a single-family dwelling involving the renting of four or fewer guestrooms to transient guests who are staying for a limited duration (seven consecutive days and/or 60 accumulated days in a calendar year) and the serving of breakfast only to house guests. Such establishment shall be owned and operated by the resident of the dwelling. The term "bed and breakfast home" also includes a tourist home.

Bed and breakfast inn means a dwelling involving the renting of more than four but fewer than ten guestrooms to transient guests who are staying for a limited duration (seven consecutive days and/or 60 accumulated days in a calendar year) and the serving of breakfast to house guests only. Such use may provide a restaurant, function rooms and places of public assembly.

Boardinghouse or lodginghouse means a dwelling which, for compensation, lodging, or lodging and meals are provided to more than four persons and where a proprietor or owner resides in the building. No provisions for cooking in individual rooms other than a main kitchen is allowed.

Building means a structure having one or more stories and a roof, designed primarily for the shelter, support or enclosure of persons, animals or property of any kind. (See the term Structure.)

Building Form means the overall shape and dimensions of a building.

Building height means the vertical distance from the grade of the top of the highest roof beams of a flat roof, or to the mean level of the highest gable or slope of a hip roof. When a building faces on more than one street, the height shall be measured from the averages of the grades at the center of each street front.

Building inspector means the building inspector of the City of Auburn, Maine, or his duly authorized agent.

Building line means a line beyond which the foundation wall and/or any enclosed porch, vestibule of other enclosed portion of a building shall not project. Also called "Build-to-Line" in Form Based Code.

Building, principal, means a building in which is conducted the principal use of the lot on which it is situated.

Care home means a rest, nursing, or convalescent home established to render domiciliary nursing care and board for chronically ill or convalescent patients, or persons who are infirm because of mental or physical conditions, but excluding a child care home or one for the care of mentally retarded patients, alcoholics, psychotics or drug addicts.

Cellar means that portion of a building below the first floor joists having at least one-half of its clear ceiling height below the mean level of the adjacent ground. A cellar shall not be used for habitation.

Cemetery means a place used for the permanent interment of dead bodies or cremated remains thereof. A cemetery may be a burial park of earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination of one or more thereof.

Child care home means a child boarding home, summer camp, foster family home or other place providing domiciliary arrangements for compensation, of three or more children, unrelated to the operator by blood, marriage or adoption, under 18 years of age. A facility providing child day care less than 24 hours per day, per child, to more than five children shall not be considered a child care home. The term "child care home" includes any family-type facility which provides child care to children placed by order of any court of competent jurisdiction, or by any public welfare department, or other governmental agency having responsibility for placing children for care, or placed by child-placing agency licensed under state law.

Child day care center means a facility conducted or maintained by anyone who provides, for consideration, care and protection for more than 12 children under 16 years of age, unrelated to the day care center operator, who are unattended by parents or guardians, for any part of the day. Any facility, the chief purpose of which is to provide education, shall not be considered to be a day care center, but is classified as a nursery school.

Child day care home means an accessory use of a residence by a person residing on a premises to provide on a regular basis, and for consideration, care and protection for up to 12 children under 16 years of age, unrelated to the day care home operator, who are unattended by parents or guardians, for any part of the day. Any facility, the chief purpose of which is to provide education, shall not be considered to be a day care home, but is classified as a nursery school. A child day care home shall not be located closer to another child day care home than 500 feet measured along the street frontage. Child day care

homes shall be reviewed under the city's home occupation regulations (article IX of this chapter) and shall meet the following:

- (1) All outdoor play areas, used in conjunction with the day care operation, shall be fully enclosed by a fence, a minimum of four feet in height.
- (2) If the property utilizes a private sewerage disposal/septic system a written verification from a site evaluator, stating that the current system can handle the change of use to include the children in the proposed day care, shall be submitted.

Church means a building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which buildings, accessory buildings and uses are maintained and controlled by a religious body organized to sustain public worship.

Clinic means an establishment where patients are accepted for treatment by a group of physicians practicing medicine together, but shall not offer domiciliary arrangements; medical and dental.

Club, private, means any building or rooms, which serve as a meeting place for an incorporated or unincorporated association for civic, social, cultural, religious, literary, political, recreational or like activities, operated for the benefit of its members and not open to the general public.

Community based residential facilities (CRF) means dwelling units providing communal domiciliary arrangements for a group of unrelated persons under supervision of the state government human service agencies, for the transition of formerly institutionalized persons back into the mainstream community living and participation, a halfway house, or a group home.

Comprehensive plan means the master development plan of the City of Auburn, Maine, any amendments or additions thereto, part or portion thereof adopted by the city council upon recommendations of the planning board of Auburn, Maine, pursuant to 30-A M.R.S.A. § 4323.

Convenience store means a business establishment having an interior selling space of less than 3,000 square feet where general food supplies for the table, other articles of household use and gasoline pump service is offered for sale. Such a use may include the sale of food vended in disposable containers for consumption on or off the premises.

Court means an open, unoccupied space, other than a yard, on the same lot with a building or group of buildings which is bounded on two or more sides by such building or buildings and every part of which is clear and unobstructed from its lowest point to the sky.

Dental clinic means an establishment where patients are accepted for treatment by a group of dentists practicing dentistry together.

Development Standard(s) means building standards that establish basic parameters governing building form, including the envelope for building placement in three dimensions and certain permitted and required building elements such as storefronts, balconies, street walls, etc. The Development Standards establish both boundaries within which development may take place and what requirements apply. The intent of the Development Standards is to shape vital public space throughout the Downtown Auburn Form-Based Code District through placement and envelope controls on buildings that frame the street space.

Director or PACE director means the ~~PAGE-d~~Director of Planning and any successor or other official designated from time to time by the city council to enforce the provisions of this chapter.

District or zone means an area within which certain uses of land and buildings are permitted or denied pursuant to municipal review, and certain others are prohibited.

District, overlay, means a special district or zone which addresses special land use circumstances and environmental safeguards and is superimposed over the underlying existing zoning districts. Permitted uses in the underlying zoning district shall continue subject to compliance with the regulations of the overlay zone or district.

Dormitory means a building or portion thereof used for sleeping purposes in connection with a school, college or other educational institution.

Driveway means private ways intended for internal vehicular circulation on a lot or within an automobile parking lot.

Dump means any premises used primarily for disposal by abandonment, discarding, dumping, reduction, burial, incineration or any other means and for whatever purpose of garbage, trash, refuse, dead animals, waste materials of any kind, junk; but not untreated sewage, animal waste, discarded machinery, or vehicles or parts thereof. The establishment of any dump shall be approved by the city council of the City of Auburn.

Dwelling or dwelling unit means a building or portion thereof arranged or designed to provide living facilities for one or more families.

Dwelling, multifamily, means a residence designed for or occupied by three or more families with separate housekeeping and cooking facilities for each.

Dwelling, one-family detached, means a dwelling unit singly and apart from any other building and intended and designed to be occupied and used exclusively for residential purposes by one family only, excluding those forms of temporary housing permitted by section 60-666. Each one-family detached dwelling shall contain not less than 700 square feet of net floor area of habitable space.

Dwelling, seasonal, means a dwelling occupied for not more than six months of any year.

Dwelling, two-family, means a freestanding building intended and designed to be occupied and used exclusively for residential purposes by two families only, with separate housekeeping and cooking facilities for each.

Dwelling unit means a room or group of rooms located within a building and forming a single habitable unit, physically separated from any other rooms or dwelling units which may be in the same structure, with facilities which are used for or intended to be used for independent living, sleeping, cooking and eating purposes. Dwelling units available for rental or occupancy for periods of less than one week shall be considered boarding/lodging units.

Eave means the edge of a roof which projects beyond the wall.

Encroachment means any architectural feature, structure or structural element, such as a gallery, fence, garden wall, porch, stoop, balcony, bay window, terrace, or deck that breaks the plane of a vertical or horizontal regulatory limit exceeding into a setback, beyond the Build-to-Line, into the public frontage, or above a height limit.

Erected includes the terms "built," "constructed," "reconstructed," "enlarged" and/or "retained on."

Facade means the vertical surface of a building.

Family means one or more persons occupying a single housekeeping unit and using common cooking facilities, provided that unless all members are related by blood or marriage, no such family shall contain over four persons.

Farm means any parcel of land containing more than ten acres which is used in the raising of agricultural products, livestock or poultry, or for dairying. The term "farm," under the Agricultural and Resource Protection District, shall be further defined as meeting the following criteria:

- (1) At least 50 percent of the total annual income of the farm occupant and his spouse living in the farm residence will be derived from such uses; and
- (2) At least ten acres of the farm will be devoted to the production by the occupant of field crops or to the grazing of the occupant's livestock. For purposes of this definition, the term "poultry" means no fewer than 100 fowl and the term "livestock" means no fewer than 20 cattle or other animals being raised for commercial purposes.

Farm, animal, means any parcel of land that contains at least the following land area used for the keeping of horses, mules, cows, goats, sheep, hogs and similar sized animals for the domestic use of the residents of the lot, provided that adequate ~~land area~~ for each animal unit ~~contains at least the following~~, excluding water bodies of one-quarter acre surface area or larger:

- (1) Cattle: One bovine animal unit per acre of cleared hay-pasture land.
- (2) Horse: 1.5 animal units per acre of cleared hay/pasture land.
- (3) Sheep: Three animal units per acre of cleared hay/pasture land.
- (4) Swine: Two animal units per acre of cleared land.
- (5) Other animal farms: The required lot size shall be determined by municipal officer charged with enforcement and shall conform to the lot size for similar sized animals.

Floodplain overlay means those areas of the city which are directly affected by flooding as shown on the flood insurance rate maps (FIRM) as established by the Federal Emergency Management Agency and that shall comply with the pertinent regulations found in division 2 of article XII of this chapter pertaining to the Floodplain Overlay District.

Floor area of building means the total number of square feet of floor area of all stories in a building, excluding cellars, uncovered steps and uncovered porches. All horizontal measurements shall be made between exterior faces of walls.

Frontage means the length of a lot extending between the side lot lines of a lot which borders an accepted portion of a street. Maine Turnpike frontage does not apply to this definition.

Frontage Line means the lot line(s) of a lot fronting a street or other public way.

Frontage, Private means the area between the building façade and the shared lot line between the public right-of-way and the lot.

Frontage, Public means the area between the curb of the vehicular lanes and the edge of the right-of-way.

Greenhouse means an enclosed structure where trees, shrubs, vines and plants are propagated, grown or maintained. Activities associated with a greenhouse include:

- (1) The sale of greenhouse products and related supplies; and
- (2) The storage of material used in the maintenance of plants and growing items sold.

Grocery store means a small retail establishment having an interior selling space of less than 3,000 square feet where general food supplies for the table and other articles of household use are offered for sale. Such a use may include the sale of food vended in disposable containers for consumption on or off the premises; a corner market, a mom and pop store.

Ground area of building means the total number of square feet of horizontal surface covered by a building, including covered porches and accessory buildings. All measurements shall be made between exterior faces of walls, foundation, piers or other means of support.

Group home. See the term Community based residential facilities.

Guesthouse means a detached dwelling that is intended, arranged or designed for occupancy by transient, nonpaying visitors.

Habitable space means that area within a dwelling which has headroom of not less than seven feet when measured vertically upward from the finished floor, provided that any such area next below the roof of a dwelling shall be counted only if it is connected with the story next below by a permanent inside stairway. The floor area of any porch, cellar room, garage or shed attached to such dwelling shall not be counted in any measure of habitable space.

Half-story means a story directly under a sloping roof in which the points of intersection of the bottom of the rafters with the interior faces of the walls are less than three feet above the floor level.

Historic site means a parcel of land, a particular building, or a group of buildings that have played a significant role in the history of the community, and identified as such by the state historic preservation committee.

Historic or archaeological resources means areas identified by a governmental agency such as the state historic preservation commission as having significant value as historic or archaeological resources and any areas identified in the municipality's comprehensive plan.

Hog farm means any land or building used for the purpose of keeping, feeding or raising 20 or more swine per piggery. Establishment of this use requires approval from the city health department.

Home occupation means the accessory use of a dwelling unit for a business or commercial venture engaged in, by the person residing in the dwelling unit, and which allows up to one person who does not reside on the premises to be employed by that home occupation.

Hospital means any institution receiving inpatients and rendering medical, surgical and/or obstetrical care. The term "hospital" includes general hospitals and institutions in which service is limited to special fields such as cardiac, eye, nose and throat, pediatric, orthopedic, skin, cancer, mental health, tuberculosis, chronic disease and obstetrics. The term "hospital" also includes sanitariums, including those wherein mentally retarded and mental patients, epileptics, alcoholics, senile psychotics or drug addicts are cared for or treated.

Hotel means a building in which the primary use is transient lodging accommodations offered to the public on a daily rate of compensation and where ingress and egress to the sleeping rooms is primarily through an inside lobby or office, supervised by a person in charge at all hours. Such facilities may include accessory uses such as restaurants, bars, nightclubs, function rooms, places of public assembly and/or recreational facilities.

Household pet means any animal kept as a pet and normally housed at night within the owner's dwelling or an accessory building on the same lot, including laying hens, but not including any animal normally raised as livestock or poultry or any animal raised for commercial gain. No household pet shall be kept that creates a public nuisance by reason of:

- (1) Objectionable effects perceptible outside the owner's property, such as excessive or untimely noise or offensive odors; or
- (2) Being a hazard to the health, safety and welfare of neighbors, invited guests or public servants visiting the property in the pursuit of their normal duties.

***Illustrative Plan* means a plan or map that depicts (i.e. illustrates but does not regulate) the streets, lots, buildings and general landscaping of the proposed Downtown Auburn/New Auburn Form-Based Code District.**

Industrial use, heavy, means the use of real estate, building or structure, or any portion thereof, for assembling, fabricating, manufacturing, packaging or processing operations.

Industrial use, light, means the use of real estate, building or structure, or any portion thereof, the main processes of which involve the assembly of prefabricated parts and which will not create a nuisance by noise, smoke, vibration, odor or appearance.

Institution means any building or open area used only by an educational, religious, medical, charitable, philanthropic, or nonprofit organization, either public or private.

Institution, philanthropic, means a private, nonprofit organization that is not organized or operated for the purpose of carrying on a trade or business, no part of the net earnings of which inures to the benefit of any member of said organization and which either:

- (1) Provides volunteer aid to the sick and wounded of the armed forces in time of war and relief services to victims of natural or manmade calamities; or

- (2) Provides all or any of the following: religious, social, physical, recreational and benevolent service.

Institution, private educational, means any private school or educational institution, however designated, which offers an academic curriculum of college, professional, preparatory, high school, middle school, elementary, kindergarten or nursery school instruction, or any combination thereof; but not a training program of trade, craft, technical or artistic instruction operated by a governmental entity. No private educational institution shall be deemed a home occupation. (See the terms Training school and School.)

Institution, research, means an agency for scientific research of technical development including offices, libraries, laboratories, testing facilities and equipment incidental to such research and development.

Junkyard or automobile graveyard means any land or building used for the abandonment, storage, keeping, collecting or bailing of paper, rags, scrap metal, other scrap or discarded material, or for the abandonment, demolition, dismantling, storage or salvaging of automobiles or other vehicles not in running condition, machinery or parts thereof. Establishment and operation of this use requires annual approval from the City Council of Auburn, Maine.

Kennel means any building and/or land used, designed or arranged for the boarding, breeding or care of dogs, cats, pets, fowl or domestic animals, kept for purposes of show, hunting or as pets, except horses.

Land use permit means a permit required for the use of property that is legally permitted under the provisions of this chapter.

Landscape services means the actual planting, bed preparation, installation of landscape materials and maintenance of the landscape, planting and materials. Activities associated with landscaping include: the storage of materials and equipment related to the performance of landscaping, the temporary storage of trees, shrubs and plants pending installation in an existing landscape plan and the application and storage of pesticides and fertilizers by a licensed person.

Lawn maintenance service means the care and upkeep of the landscape after its installation and consists of such activities as mowing of the lawn, pruning of trees and shrubs, application by hand of fertilizer and weed control, insect and disease control, planting and care of flower beds, replacement of dead plants, incidental repairing of walls and paved surfaces, cleaning of fountains and pool basins, irrigation of lawns, cultivation of soil around trees and shrubs, rolling and reseeded of lawns, raking of leaves, winterization of trees and shrubs and snow removal.

Library means a place containing books and other material for reading, study or reference, provided that no such material is offered for sale.

Livestock means domestic animals kept, used or raised on a farm for the production of income.

Lodge, private. See the term Club, private.

Lot means for zoning purposes, as covered by this chapter, a lot is a parcel of land under one ownership or joint ownership of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an accepted public street and may consist of:

- (1) A single lot of record;
- (2) A portion of a lot of record;
- (3) A combination of complete lots of record;
- (4) A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residential lot or parcel be created which does not meet the requirements of this chapter;
- (5) Lots shown on a plan approved by the planning board of the City of Auburn.

Lot frontage/width means the front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements or corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under the definition of yards in this section.

Lot line, rear, means the lot line generally opposite or parallel to the front lot line, except in a through lot. If the rear lot line is less than ten feet long or the lot comes to a point at the rear, said rear lot line is assumed to be a line not less than 20 feet long, lying wholly within the lot, parallel to the front lot line, or in the case of a curved front lot line, parallel to the chord of the arc of said front lot line.

Lot measurements means the following measurements:

- (1) The depth of a lot shall be considered to be the uninterrupted distance between the midpoints of ~~lot frontage straight lines connecting the foremost points of the side lot lines in front~~ and the ~~midpoint of the rearmost points of the side lot lines in the rear unless a rear lot line~~ meets the exception provided for by section 60-39.
- (2) The width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided, however, that the width between the side lot lines at their foremost points (where they intersect the street line) shall not be less than 80 percent of the required lot width except in the case of a lot on the turning circle of a cul-de-sac, where the 80 percent requirement shall not apply.

Lot of record means a lawfully laid out lot which is part of a subdivision recorded in the proper office of the registry of deeds, or a lawfully laid out lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot types means the diagram which follows illustrates terminology used in this chapter with reference to corner lots, interior lots, reversed frontage lots and through lots. In the diagram above, the lots designated by letters are defined as follows:

- (1) Corner lot, defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees. (See lots marked A(1) in diagram)
- (2) Interior lot, defined as a lot other than a corner lot with only one frontage on a street other than an alley.
- (3) Through lot, defined as a lot other than a corner lot with frontage on more than one street other than an alley. Through lots with frontage on two streets may be referred to as double frontage lots.
- (4) Reversed frontage lot, defined as a lot in which the frontage is at right angles or approximately right angles to the general pattern in the area involved. A reversed frontage lot may also be a corner lot or an interior lot. (See A-D and B-D in diagram.)

Lot, undersized, means for zoning purposes, as covered by this chapter, an undersized lot is a parcel of land of insufficient size to meet minimum zoning requirements for area or width or depth.

Major or principal arterial highway means the highway that:

- (1) Serves the major traffic movements within urbanized areas such as between central business districts and outlying residential areas, between major intercity communities, or between major suburban centers;
- (2) Serves a major portion of the trips entering and leaving the urban area, as well as the majority of the through traffic desiring to bypass the central city;
- (3) Provides continuity for all rural arterials which intercept the urban area. The term "major or principal arterial highways" includes Washington Street (State Routes 4 and 100, U.S. 202), Minot Avenue (State Routes 11 and 121), Union Street/Center Street/Turner Road (State Route

4), Veterans Memorial Bridge and approaches (State Routes 11 and 100, U.S. Route 202), North Bridge/Court Street to in town Minot Avenue Intersection (Turner Street), Court to Center Street (State Route 4).

Major retail development means a single building in excess of 100,000 square feet of new ground floor retail space.

Manufactured housing means a structural unit designed for occupancy, and constructed in a manufacturing facility and then transported by the use of its own chassis, or placed on an independent chassis, to a building site. The term "manufactured housing" includes any type of building which is constructed at a manufacturing facility and then transported to a building site where it is utilized for housing and may be purchased or sold by a dealer in the interim. The term "manufactured housing" includes newer mobile homes and modular homes.

Mining, quarrying, or earth removing means the excavation of any earth materials.

Minor arterial highway means the highway that:

- (1) Serves trips of moderate length at a somewhat lower level of travel mobility than principal arterials;
- (2) Provides access to geographic areas smaller than those served by the major arterial highway system; and
- (3) Provides intra-community continuity but does not penetrate identifiable neighborhoods. Examples are Riverside Drive, Mill Street, South Bridge (Broad Street to Mill Street), Main Street, Mechanics Row, High Street (Minot Avenue to Academy Street), Academy Street (High Street to Main Street), Elm Street, Spring Street (Minot Avenue to Court Street), Turner Street (Union Street to Turner Road), Mount Auburn Avenue (Center Street to Turner Street), Lake Street, Court Street (Union Street to in town Minot Avenue Intersection), Hotel Road (Manley Road to Poland Spring Road).

Mobile home development, intended to be generic, includes mobile home parks, mobile home subdivisions, and mobile home condominiums.

Mobile home park means a parcel of land under single ownership in rural residence and suburban residence districts which has been planned and improved for the placement of not less than three mobile homes for nontransient use.

Mobile homes, newer, means those units constructed after June 15, 1976, commonly called "newer mobile homes," which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures, transportable in one or more sections, which, in the traveling mode, are 14 body feet or more in width and are 700 or more square feet, and which are built on a permanent chassis and designed to be used as dwellings on foundations when connected to the required utilities, including the plumbing, heating, air conditioning and electrical system contained therein; except that the term "newer mobile homes" includes any structure which meets all the requirements of this definition, except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban development and complies with the standard established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, 42 USC 5401 et seq.

Mobile homes, older, means any factory-built home which fails to meet the definition of manufactured housing and more specifically, the term "older mobile homes" means any mobile home constructed prior to June 15, 1976. These units shall be restricted to approved mobile home parks.

Modular homes means those units which the manufacturer certifies are constructed in compliance with the state's Manufactured Housing Act and regulations, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air conditioning or electrical systems contained therein.

Motel means a building or group of detached buildings intended primarily to provide sleeping accommodations to the public on a daily rate of compensation and having a parking space generally located adjacent to a sleeping room. Such facilities may include a main kitchen or snack bar for the use of motel guests only.

Municipal sanitary landfill means a disposal site for household, commercial and industrial wastes, sludge or incinerator ash operated or controlled for operation by the city in a controlled manner involving the covering of deposited wastes with layers of earth so as to reduce health hazards and public nuisances from vermin, insects, odors and wind-borne debris. The location and design of sanitary landfills also require precautions against ground and surface water contamination through clay lining, water impoundment, aquifer avoidance and similar techniques.

Municipal uses means any lawful use of a building or of land carried on by the city sanitary landfill shall not be deemed a municipal use.

Museum means a building or place where works of art or other objects of permanent value are kept and displayed, provided such objects are not offered for sale.

Nonconforming building means a building lawfully existing at the time this or any previous zoning ordinance became effective and which does not conform to the dimensional regulations of the district in which it is located.

Nonconforming lot means a lot lawfully existing at the time this or any previous zoning ordinance became effective and which does not conform to the dimensional regulations of the district in which it is located.

Nonconforming use means a use of a building or of land lawfully existing at the time this or any previous zoning ordinance became effective and which does not conform with the use regulations of the district in which it is located.

Nursery means an outdoor place where live trees, shrubs, vines and plants are propagated, grown or maintained before permanent planting. Activities associated with nursery a business include: the sale of nursery products and related gardening supplies, the storage of material used in the maintenance of plants and growing items sold and the use of power-motorized equipment required by the nursery.

Nursery, child, means a facility providing a program less than 24 hours per day per child for the care of infants up to the age of 2½ years.

Nursery, wholesale, means a nursery where plants, trees, shrubs and vines are propagated and/or grown and sold only at wholesale to industry related buyers such as retail nurseries, greenhouses and landscape contractors. A wholesale nursery may also provide landscape services accessory to the nursery use provided.

- (1) At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner; and
- (2) The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.

Office means a building, or portion of a building wherein services are preformed involving predominantly administrative, professional or clerical operations.

Office trailer means a movable vehicle or structure designed for yearround or temporary occupancy for purposed of supervising construction; for business actually engaged in the business of selling manufactured housing, mobile homes and trailers; and as temporary office space for a business during the period in which permanent office space is being constructed.

Outpatient addiction treatment clinic means a program or facility operated for the purpose of and specializing in the care, treatment and/or rehabilitation of persons suffering with addictions, including but not limited to gambling addition, alcohol or controlled substance addictions. The term "outpatient addiction treatment clinic" includes, but is not limited to, substance abuse treatment programs licensed by the State of Maine Department of Behavioral and Developmental Services Office of Substance Abuse. An outpatient addiction treatment clinic shall not be located within 2,000 feet of any property that is occupied

by a church, school, family day care home, small day care facility, day care center, or public park or playground on the date of application for a license for such a facility. The term "outpatient addiction treatment clinic" does not include an inpatient or residential addiction treatment program, or a program consisting solely of support group activities without treatment by licensed health practitioners, such as Alcoholics Anonymous, Narcotics Anonymous, and similar programs.

PACE means the city's planning, accessing, code, and economic development department.

Parapet means a low wall along the edge of a roof or the other portion of a wall that extends above the roof line.

Parking space, off-street, means a rectangular area, not less than nine feet by 18 feet, forming a parking stall within or without a structure, not located in any public right-of-way.

Performing arts center means a public or private space used to create and present various performing and visual arts. For the purposes of this definition, the term "performing arts center" also includes educational and training uses associated with the various performing and visual arts.

Planning board means the planning board of the City of Auburn, Maine.

Planning director means the director of the city department of Planning and Development community development and planning.

Primary Entrance means a section of building elevation which contains the street level principal entrance of the business, including the businesses on upper floors or in a basement.

Primary street means the street that is considered to be superior to the another on a corner or double sided lot.

Principal use means the principal use for which a lot or main building thereon is designed, arranged or intended and for which it is or may be used, occupied or maintained.

Professional office means rooms and/or buildings used for office purposes as the principal use by members of any recognized profession, including doctors, dentists, lawyers, accountants, engineers, architects, veterinarians, etc.

Public Realm means the physical and social domain of the public that is held in common either by their physical presence or visual association. This includes but is not limited to sidewalks, plazas, squares, parks, streets, public frontages, private frontages, civic buildings and civic spaces.

Recreational uses of land means permanent uses of outdoor space which are intended or designed for public use and include but are not limited to ski areas, golf courses (both public and private), driving ranges, horse boarding and riding facilities, miniature golf, paintball, horse and dog racing, snowmobile races and facilities for mass gatherings when used for two or more events during a calendar year.

Regulating Plan means the adopted map that shows the transect zoning districts, which correspond to the special requirements of the Form Based Code.

Residential artist studio means a dwelling where up to 50 percent of the total floor space can be used for the production of art and/or craft products. The term "residential artist studio" shall not include galleries or studios open to the public for display or sales. All artist studios shall be designed to meet all residential safety and occupancy requirements and shall be considered to be accessory to the residential use.

Restaurant means an eating place in which food is prepared and vended for immediate consumption on the premises without further preparation by the customer. The takeout of food on an infrequent basis is not prohibited.

Restaurant, carry-out, means an eating place in which all food is vended in disposable containers for consumption on or off premises at the customer's choice; a fast-food restaurant.

Restaurant, drive-in, means an eating place in which the business transacted is conducted by a customer from within his automobile or in which consumption of goods sold normally takes place within the customer's automobile on the establishment's premises.

Retail means a principal use encompassing the sale of commodities or goods in small quantities directly to the consumer. The term "retail" sales does not include sales of professional, financial and governmental services and personal services, including but not limited to a hotel and its accessory uses (restaurants, salons, gift shops, recreational facilities, convention space, etc.).

Retail space means the areas of a building, within a climate controlled environment, devoted to the display of commodities or goods for sale directly to the consumer and including customer sales transaction areas and areas associated with customer access.

Rifle, pistol, skeet or trap shooting range means a rifle, pistol, skeet or trap shooting range operated by an individual or club. Such a range may be opened to the general public or developed for the exclusive use of the individual, or club and invited guests.

Road means any public or private traveled way or any portion thereof.

Roof means the covering for a building which is an integral part of the structure for the purpose primarily of protecting the interior of the building or covering a porch or other similar permanent portion thereof, excluding awnings, stoop coverings, or similar additions which are removable without substantially impairing the original structure.

Sawmill means a unit designed to saw logs into lumber, firewood or other processed wood products.

School means an educational institution offering an academic curriculum; not the teaching of the crafts or a training school offering a program of trade, technical instruction or physical education. (See the term Training school.)

Shared housing means housing consisting of two or more families occupying a single dwelling and using common cooking facilities. Shared housing shall permit the same number of families at the same density as allowed in the zoning district where the property is located subject to all applicable codes relating to building, housing, life safety, health and zoning as would be applied to independent living units located in the same structure. Approval for shared housing shall be secured from the department of community development and planning subject to the codes and ordinances indicated in this definition, prior to establishing a shared housing arrangement in any building.

Shelter for abused persons means dwelling facilities complying with the laws administered by the state government human services agencies, providing temporary domiciliary arrangements for children and adults unable to protect their own interest and welfare because of critical family circumstances.

Shopping center or office mall means a planned integrated complex of three or more retail stores and/or offices sharing a common structure and developed according to a unified plan. Such uses may include a common pedestrian circulation system and off-street automobile parking facilities.

Sign means any device, display surface, structure or object in public intended for visual communications.

Sign, mobile mounted, means a temporary sign which is mounted or for mounting on wheels or a mobile platform or which is portable.

Sign, official business directional, means any off-premise sign permitted to be erected pursuant to article II of chapter 42.

Sign, on-premises, means any sign that advertises, calls attention to, or indicates the person occupying the premises on which the sign is erected or maintained or the business transacted thereon, or advertises the property itself or any part thereof as for sale or rent, and which contains no other matter.

Sign, standing, means any sign that is not attached to a building.

Sign, temporary, means any movable sign, including its supporting structure, intended to be maintained for not more than 90 days in any calendar year.

Site-built home means a building constructed on-site which is designed to be used as a dwelling on foundations, when connected to the required utilities.

Slaughterhouse (abattoir, dressing plant) means any building, place or establishment in which is conducted the slaughtering of livestock and/or poultry for commercial purposes.

Special exception means a use that would not be appropriate generally or without restriction throughout the district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, order, comfort, convenience, appearance, prosperity, or general welfare. Such a use may be permitted in such district as a special exception, if specific provision for such special exception is made in this zoning chapter and reasonable restrictions imposed by the planning board are complied with.

Specialty shop means a retail business offering products of a similar kind and nature designed for a particular use, purpose or occasion and distinguished from a store offering the same type of product together with other products of a non-homogeneous quality.

Stable, riding, means any building or structure used or designed for boarding, breeding or care of horses, other than horses used for farming or agricultural purposes.

Standing means a person who holds title, right or interest in a property which may include a written option, contract to purchase the property or a leasehold interest or may be a person who can show how his actual use or enjoyment of property will be adversely affected by the proposed decision as an abutter as defined in section 60-1473.

Story means that portion of a building between the surface of any floor and the surface of the other floor or roof next above it, but not including the lowest portion so contained if more than one-half of such portion vertically is below the mean finished grade of the ground adjoining such building unless such space is used for business or as habitable space, in which case it shall count as a story.

Story, half, means a story under the gable, hip or gambrel roof, the plates of which on at least two opposite exterior walls are more than two feet above the floor of such story.

Street means the following:

- (1) A public way laid out and established by the state, county commissioners of the County of Androscoggin;
- (2) A way accepted by the municipal officers of the city;
- (3) A way as to which a petition for improvements has been allowed under the provisions of this chapter for which the cost of the improvements has been provided for by the developer in either a cash amount or as provided for in this chapter; or
- (4) A way on a plan of a subdivision duly approved by the planning board.

Street frontage. See the term Frontage.

Street line means a line defining the edge of a street right-of-way separating the street from abutting property or lots.

Secondary Street means the street that is considered to be inferior to the another on a corner or double sided lot.

Structure or building means a combination of materials to form a construction that is safe and stable including, among other things: stadia, reviewing stands, platforms, automobile parking garages, stagings, windmills, observation towers, trestles, sheds, coal bins, shelters and display signs, but not fences of any kind.

Subdivision means a division of land as defined in 30-A M.R.S.A. § 4401.

Summer camps means seasonal dwelling units intended for and actually used for single-family dwellings only during the months of May, June, July, August, September and October or weekends or other periods of vacations not exceeding 30 days.

Supermarket means a retail establishment having an interior selling space of 3,000 square feet or more where general food supplies for the table and other articles of household use are offered for sale.

Swimming pool means any manmade receptacle or excavation housing a surface area of 250 square feet, or more, designed to hold water to a depth of at least 24 inches, primarily for swimming or bathing whether in the ground or above the ground.

Theater, indoor, means a building designed and/or used primarily for the commercial exhibition of motion pictures or plays to the general public.

Theater, outdoor, includes only those areas, buildings or structures designed and used for the commercial outdoor exhibition of motion pictures to passengers in parked motor vehicles.

Tourist home. See the term Bed and breakfast home.

Townhouse means a single-family dwelling unit that is one of two or more residential buildings having a common or party wall separating the units.

Trailer or RV means any vehicle or structure, except a device exclusively used upon stationary rails or tracks, mounted on wheels for use on highways and streets; propelled or drawn by its own or other motor power; and designed and constructed to provide living and/or sleeping quarters for one or more persons or for the conduct of a business, profession, trade or occupation for use as a selling or advertising device. If the wheels of a trailer are removed, except for repairs, it is deemed a building subject to all the regulations thereof. A trailer shall not be considered an accessory building.

Trailer home means a travel trailer, camping trailer or other similar vehicle capable of being hauled by a passenger automobile or light truck and designed primarily for temporary occupancy for recreational purposes or other seasonal use. A trailer home shall not be considered an accessory building.

Training school means a public or private school or training institution which offers a training program of trade, technical instruction, or physical education. A training school shall not be deemed a home occupation.

Transect (Rural-to-Urban) means a cross-section of the environment showing a range of different building development zones. The Rural-to-Urban Transect of the human environment is divided into multiple transect zones that describe the physical form and character of a place according to the intensity of its land use and building development pattern.

Transect Zoning District means one of the several areas on the Regulating Plan, including T4.1, T4.2, T5.1, T5.2, T6.

Transmission towers means a structure that has the sole purpose of transmitting radio, television, cellular telephone or telephone waves from one location to another.

Variance means a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. The term "variance" is authorized for only dimensional and supplemental regulations. Establishment of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the district or adjoining districts.

Wayside stand means a structure designed, arranged or used for the display and sale of agricultural products primarily grown or produced on the premises upon which such stand is located. A wayside stand may be located on premises that the products are not grown upon provided such premises is owned by the grower.

Wholesale means sales chiefly to retailers, other merchants, industrial and/or commercial users mainly for resale or business use.

Yard means a required open space on a lot unoccupied and unobstructed by any principal structure or portion of a principal structure.

Yard, front, means the open space extending across the full width of lot between the front lot line and nearest line of the principal building or any enclosed portion thereof. The depth of such yard shall be the shortest horizontal distance between the front lot line and the nearest point of the building or any enclosed portion thereof.

Yard, rear, means the open space extending across the full width of lot between the rear line of the lot and the nearest line of the building or any enclosed portion thereof. The depth of such yard is the shortest horizontal distance between the rear lot line and the nearest point of the building. When the rear lot line is less than ten feet long or if the lot comes to a point at the rear, the depth of the rear yard is measured to an assumed rear lot line as follows, the lot line generally opposite or parallel to the front lot line, except in a through lot. If the rear lot line is less than ten feet long or the lot comes to a point at the rear, said rear lot line is assumed to be a line not less than 20 feet long, lying wholly within the lot, parallel to the front lot line, or in the case of a curved front lot line, parallel to the chord of the arc of said lot line.

Yard, side, means the open space between the side lot line, the side street line, or the proposed side street line and the principal buildings, or any portion thereof, extending from the front yard to the rear yard, or, in the absence of either of such yards, to the front lot line and/or rear lot line. The width of a side yard shall be the shortest distance between the side lot line and the nearest point of the principal building or any portion thereof.

Zone. See the term District.

Sec. 60-4. - Zoning districts.

- (a) For the purposes in section 60-3, the use, construction and alteration of buildings and structures and the use and alteration of land in the city are hereby restricted and regulated according to the provisions of this chapter.
- (b) The city is hereby divided into zoning districts designated as follows and more fully described on the official zoning map:

District title	Classification	Short title
Agriculture and Resource Protection	Resource	AG
Low Density Country Residential	Resource/Residential	LDCR
Rural Residence	Residential	RR
Suburban Residence	Residential	SR
Urban Residence	Residential	UR
Multifamily Suburban	Residential	MFS
Multifamily Urban	Residential	MFU
Planned Unit Development	Residential/Commercial	PUD
Downtown Enterprise Zone	Residential/Commercial	DEZ
General Business	Commercial	GB
Neighborhood Business	Commercial	NB
Central Business Form Based Code Regulating Plan	Commercial	CB
Traditional Main Street Neighborhood (T-4.1)	Residential/Commercial	T-4.1
Traditional Downtown Neighborhood (T-4.2)	Residential/Commercial	T-4.2
Downtown Traditional Center (T-5.1)	Residential/Commercial	T-5.1
Downtown City Center (T-5.2)	Residential/Commercial	T-5.2
Great Falls Metropolitan (T-6)	Residential/Commercial	T-6

Industrial	Industrial	ID
Floodplain Overlay District	Environmental	FPO
Taylor Pond Overlay District	Environmental	TPO
Lake Auburn Watershed Overlay District	Environmental	LAO
Shoreland Overlay District	Environmental	SLO
Manufacturing Housing Overlay District	Residential	MHO

(Ord. of 9-21-2009, § 1.2)

Sec. 60-5. - Zoning map.

- (a) The location and boundaries of the zoning districts and Form Based Code Regulating Plan in section 60-4 are as shown on the map entitled City of Auburn, Maine, Zoning Map, dated ~~March 2004~~, revised through its current date and revisions, is hereby adopted by reference and declared to be a part of this chapter.
- (b) As zoning district and form based code boundaries are amended from time to time in accordance with article XVII of this chapter, such changes shall be entered on the official zoning map promptly after final approval of the amendment and the date following "revised through" appearing on the map shall be changed to match the effective date of the latest amendment. All previous editions of the zoning map shall thereupon become obsolete, null and void.
- (c) The official zoning map, revised according to the most recent amendment, shall be located in the office of the department of community development and planning and shall be the final authority on current zoning district and form based code locations and boundaries. It shall be the responsibility of the city planning director to see that the official map is kept current and accurate.

(Ord. of 9-21-2009, § 2.2; Ord. No. 13-09062011-05, 9-6-11; Ord. 12-09062011-04, 9-19-2011)

Sec. 60-6. - Zone boundaries.

In the interpretation of the exact boundaries of zoning districts and form based code as shown on the official zoning map, the following rules shall apply:

- (1) Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines;
- (2) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
- (3) Boundaries indicated as approximately following city or county limits shall be construed as following city or county limits;
- (4) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- (5) Boundaries indicated as approximately following the centerlines of streams, lakes or other bodies of water shall be construed to follow such centerlines;

- (6) Boundaries indicated as parallel to or extensions of features indicated in subsections (1) through (5) of this section indicated on the official zoning map shall be determined by the measurements using the scale of the map;
- (7) Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections (1) through (6) of this section, the planning board shall interpret the zone boundaries.

(Ord. of 9-21-2009, § 1.4)

DRAFT

Sec. 60-35. - Conversion of one-family dwellings.

In all residential, general business and ~~central-business-form based code~~ districts, one-family dwellings erected prior to January 1, 1958, may be converted to two-family dwellings provided that:

- (1) Any floor space created by additions to the existing structure after January 1, 1958, shall not be converted to a second dwelling.
- (2) There will not be less than one accessible off-street parking place of 200 square feet in area, exclusive of driveways, per dwelling unit resulting from such conversion.
- (3) Stairways leading to any floor above the first floor will be enclosed within the exterior walls of the dwelling and any fire escapes required will be on the rear or one side of the dwelling and not on any wall facing a street.
- (4) After such conversion, the building converted will retain substantially the appearance and character of a one-family dwelling.

(Ord. of 9-21-2009, § 3.1C)

DRAFT

Sec. 60-40. - Reduction in dimensional regulations.

No lot (except as allowed by the planning board at the time of final approval of a subdivision or development plan) shall be reduced, subdivided, conveyed, divided or otherwise transferred that violates, or creates a lot that violates, any minimum or maximum dimensional regulation of this chapter. No building permit or other municipal permit or license shall be issued to any of the land so transferred or to the land retained until all of such land or lots are in conformance with all dimensional regulations. If a serious health or safety issue with the property should arise, the director of planning and permitting services shall determine if a permit should be issued to correct the problem. This provision shall not allow further nonconformity to occur in order to achieve the corrective action necessary. Any land taken by eminent domain or conveyed for a public purpose shall not be deemed in violation of this provision. Any setback or lot that is reduced below the minimum or extended beyond the dimensional requirements as a result of land taken by eminent domain or conveyed for a public purpose shall not be deemed nonconforming. Setbacks for the enlargement of any existing building located on such a lot shall be referenced to the property line as it was located prior to the eminent domain action or the conveyance for a public purpose.

(Ord. of 9-21-2009, § 3.1H)

DRAFT

Sec. 60-47. - Corner lots.

There shall be a front yard along the street line as provided for under yard requirements, front in the district where located. all other yards shall be considered as side yards and measured as provided for under yard requirements, side in the district where located. On corner lots within the Form Based Code Districts, there shall be a Primary Street front yard and a Secondary Street front yard with minimum and maximum building setback requirements.

(Ord. of 9-21-2009, § 3.10)

DRAFT

DIVISION 14. - ~~CENTRAL BUSINESS DISTRICT~~¹- FORM BASED CODE

Sec. 60-546. – PURPOSE:

The purpose of the Form Based Code is to provide a simple, concise, contextual, visually oriented alternative to traditional Euclidian zoning. The Form-Based Code is designed and formatted to be graphically oriented for ease of understanding by the general public and property-owners interested in developing orredeveloping properties within the designated Downtown Auburn and New Auburn Form-Based Code district.

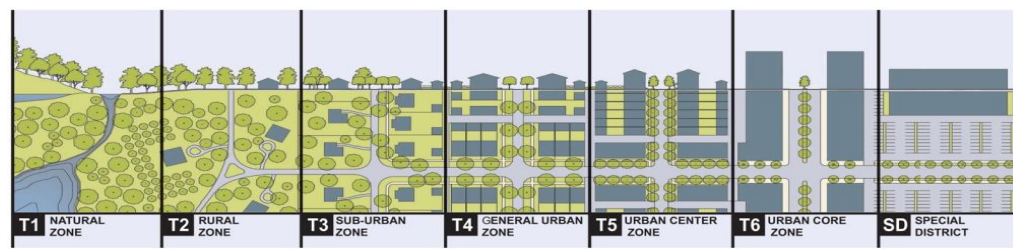
The Form Based Code is presented in a simple color-coded Regulating Plan, keyed to a range of Transect-based development zones (T-4.1, T-4.2, T-5.1, T-5.2, & T-6), which prescribe fundamental minimum and maximum building development parameters such as building placement, height, width, window & door proportionality, on-site parking locations and appropriate building frontage types. The Form-Based Code utilizes the form and character that was established in traditional New England towns and cities prior to adoption of complex, exclusive use-based zoning.

The Form Based Code is formulated to provide a more accelerated building design, review, approval and development process, and to deliver a more predictable building development outcome that is consistent with the traditional pedestrian-oriented street-building development pattern. This traditional development pattern supports and generates a high-quality Public Realm, and therefore more vibrant social, cultural and economic urban districts in Downtown Auburn and New Auburn.

The “Code” emphasizes traditional building & street form and places less emphasis on conventional land use. The primary intent of the Code is to advance and establish a building development pattern that is based upon the physical relationship and interaction between the Public Realm of the sidewalk and street, and the Private Realm of building frontages and private property. Flexibility is designed into the prescribed built-form parameters to provide variation, diversity and a range of new construction options.

This district is intended to provide for the diversity of uses appropriate and compatible with the city's historic center and central business district. It seeks to preserve and promote the variety of interrelated uses present in or appropriate to the district; a city-wide and regional marketplace, medium to high density residential environment and major focus of governmental, civic, meeting, entertainment and culture activity.

Sec. 60-547. – TRANSECTS- -The Form Based Code uses transects as a way to describe the areas to be regulated under the Regulating Plan. A Transect is a system of ordering human habitats in a range from the most natural to the most urban. Transects are *organized* using 6 Transect Zones which, describe the physical character of a place at any scale, according to the density and intensity of land use and urbanism.



¹ NOTE: All text from the Central Business District has been deleted and replaced with the new Form Based Code

Sec. 60-548 TRADITIONAL MAIN STREET NEIGHBORHOOD T- 4.1



Illustrative View of T-4.1

Intent and Purpose:

Traditional Main Street Neighborhood (T- 4.1)

The Main Street Neighborhood zone is characterized by a pattern of large, architecturally prominent houses set back from the busy urban neighborhood street by front lawns. Both projecting and recessed front porches serve to form a connection to and relationship with the Public Realm of the street and sidewalk, and the Private Realm of the residential front yard and primary entrance to the building. The minimum & maximum lot widths, building widths and frontage build-out percentage form a lower-density and less concentrated street-wall pattern while maintaining a pleasing, connective and compact pedestrian and multi-modal urban environment.

Sec. 60-548 TRADITIONAL MAIN STREET NEIGHBORHOOD T-4.1



Key Features

- Front facade detailing
- Porches
- Bay windows
- Planter Boxes
- Foundation planting and yard landscaping
- Elevated 1st floor for residences (2' min. to 6' max.)
- Front yard fences



Examples of Main Street Neighborhood - T- 4.1

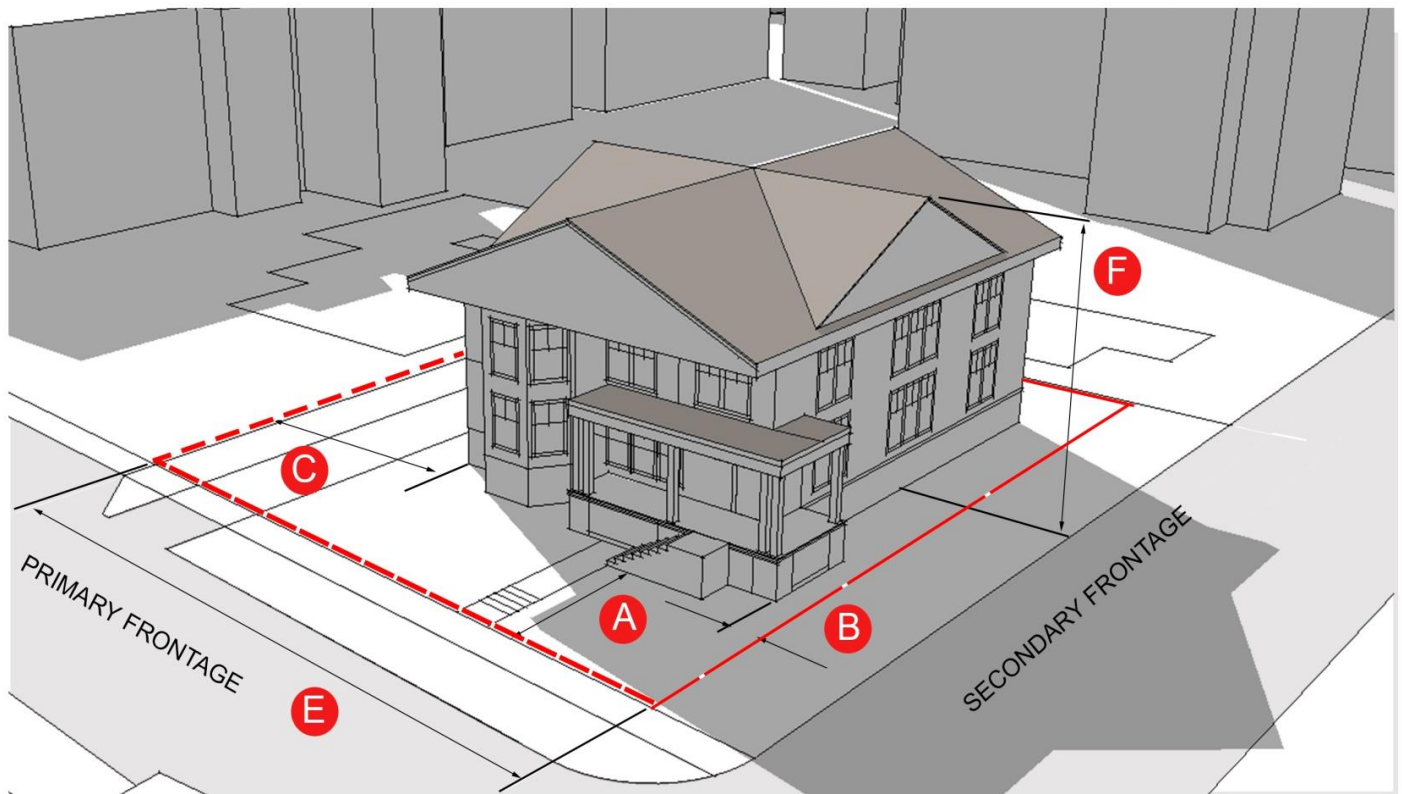
Sec. 60-548.1 BUILDING PLACEMENT & CONFIGURATION T- 4.1

PRINCIPAL BUILDING PLACEMENT:

Front Setback, Principal:	15 ft Min, 25 ft Max	(A)
(Corner Lot) Front Setback, Secondary:	15 ft Min, 25 ft Max	(B)
Side Setback:	5 ft Min	(C)
Rear Setback:	10 ft Min	(D)
Building Lot Coverage:	60% Max	
Open Space Lot Coverage:	20% Min	
Frontage Build-Out:	40% Min (along Front Setback, Primary)	
Lot Width:	50 ft Min, 120 ft Max	(E)

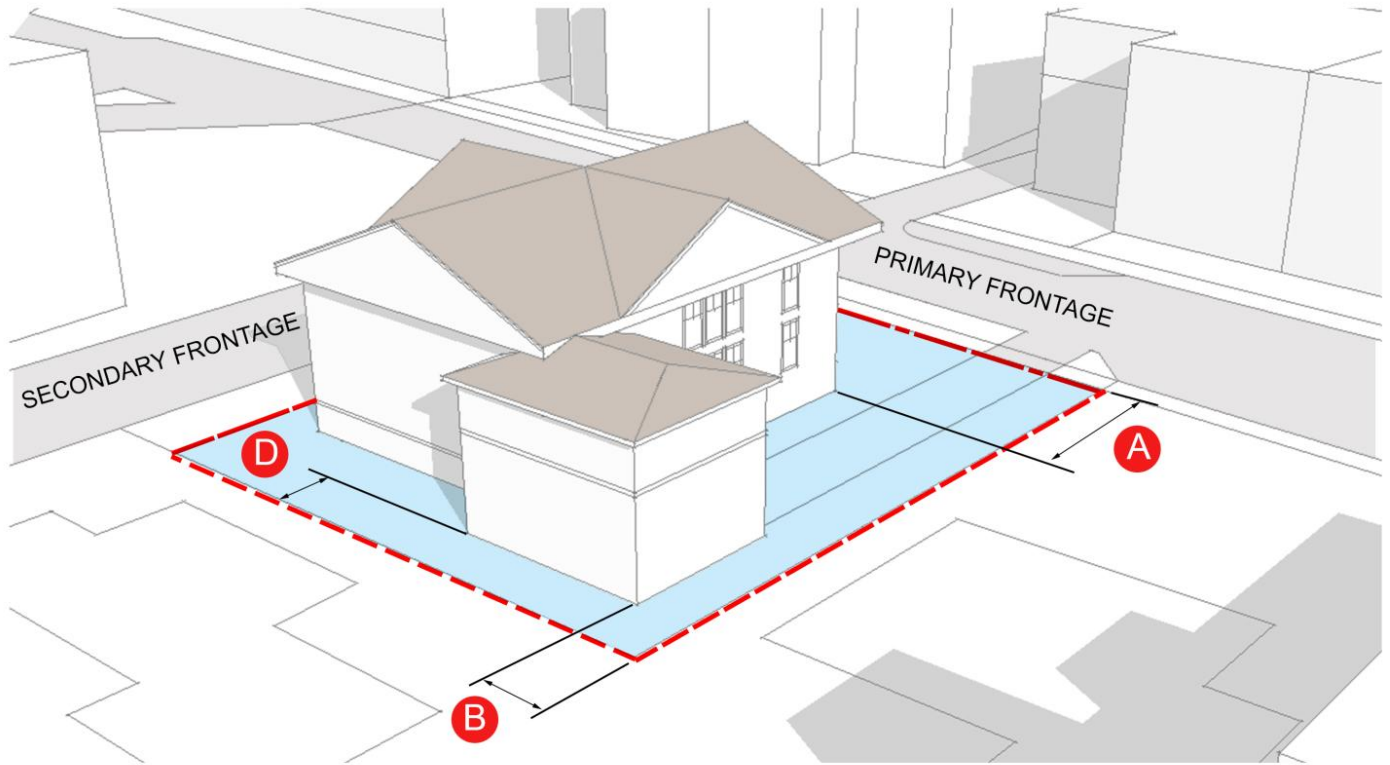
PRINCIPAL BUILDING CONFIGURATION:

Building Width:	24 ft Min, 64 ft Max	
Building Height Minimum:	2 Story Min	(F)
Building Height Maximum:	2 Story Max (excluding attic story)	(F)



Building Placement- Front View

Sec. 60-548.1 BUILDING PLACEMENT & CONFIGURATION T- 4.1



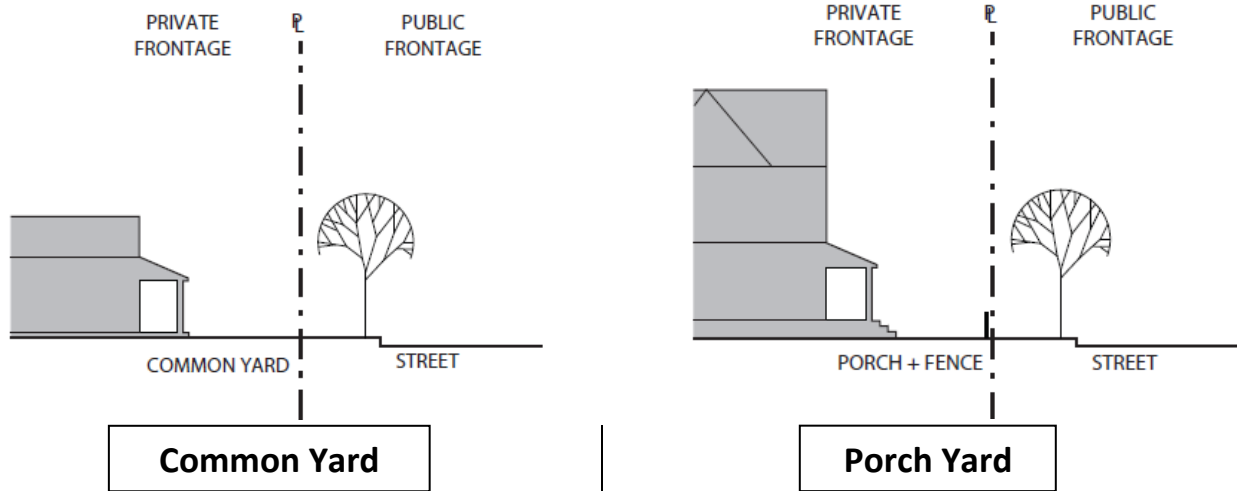
Building Placement- Rear View

PRINCIPAL BUILDING PLACEMENT:

Front Setback, Principal:	15 ft Min, 25 ft Max	(A)
(Corner Lot) Front Setback, Secondary:	15 ft Min, 25 ft Max	(B)
Side Setback:	5 ft Min	(C)
Rear Setback:	5 ft Min	(D)
Building Lot Coverage:	60% Max	
Open Space Lot Coverage:	20% Min	
Frontage Build-Out:	40% Min (along Front Setback, Primary)	
Lot Width:	50 ft Min, 120 ft Max	(E)

PRINCIPAL BUILDING CONFIGURATION:

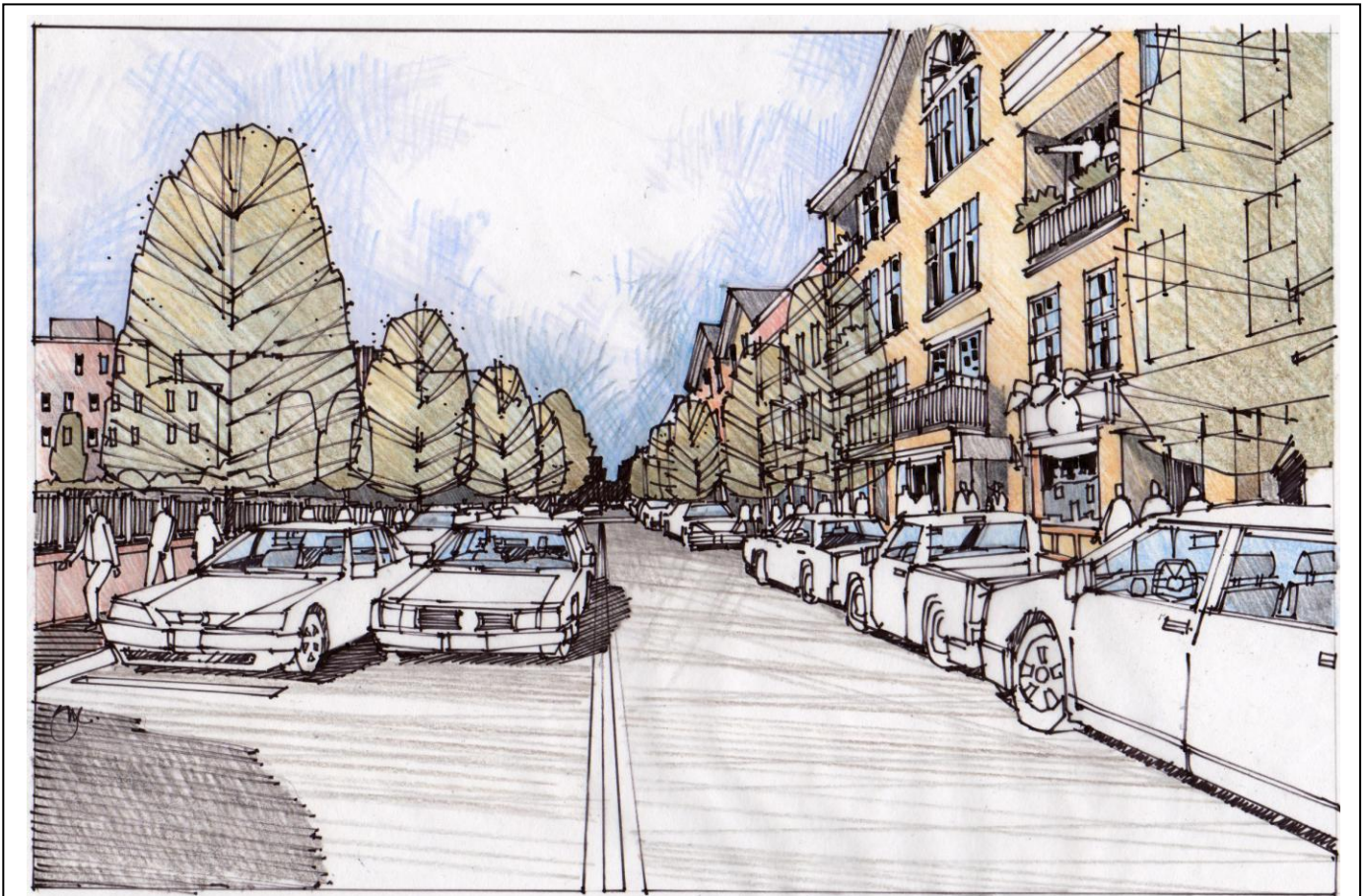
Building Width:	24 ft Min, 64 ft Max	
Building Height Minimum:	2 Story Min	(F)
Building Height Maximum:	2 Story Max (excluding attic story)	(F)



BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard
BUILDING ENTRIES:	Primary entry door shall be provided along ground story front façade.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Facade:	Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story facade frontage.
Upper Story Windows	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story facade frontage.
Ground Story Finished Floor Elevation	The ground story shall be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade).
Front Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

Front Yard Fence:	A front yard fence a minimum of 3 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street.
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows and other architectural features shall encroach beyond the minimum or maximum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the Min front setback line by the following distances: Front Setback, Principal Frontage 10 ft Max; Front Setback, Secondary Frontage 10 ft Max.
Garages	Detached garages shall be located a minimum of 20 feet from any street right of way.
Driveways	Driveways shall be located on the secondary street if possible. Driveways to be a minimum of 8 feet wide and a maximum of 20 feet wide. Driveways are to be paved.
Parking -	Vehicle parking shall only be located on driveways and shall not extend into the street right of way or sidewalk.
Accessory Structures	Accessory structures shall be located a minimum of 20 feet from any street right of way and 5 feet from either side or rear property line.
Landscaping	Landscaping is encouraged but shall not extend into any sidewalk or travel way. . Street trees are encouraged.
Foundation Planting	Foundation plantings are encouraged but should be pruned and maintained to have a 1 foot clearance from building façade to encourage air circulation.

Sec. 60.549 TRADITIONAL DOWNTOWN NEIGHBORHOOD T-4.2



Illustrative View of T-4.2

Intent and Purpose:

Traditional Downtown Neighborhood (T- 4.2)

The Traditional Downtown Neighborhood zone is characterized by a pattern ranging from small to medium sized buildings in a more connective and compact urban environment, and placed to engage in more direct contact between the Public Realm of the street and sidewalk, and the Private Realm of front porches, front stoops and traditional neighborhood-scaled storefronts. The minimum and maximum lot widths, building widths and frontage build-out percentage form a more moderate density and more concentrated street-wall pattern, sustaining increased architectural and social variety, diversity and sidewalk pedestrian vibrancy.

Sec. 60.549 TRADITIONAL DOWNTOWN NEIGHBORHOOD T- 4.2



Key Features

- Front facade detailing
- Bay windows
- Planter Boxes
- Elevated 1st floor for residences (2' minimum to 6' maximum)
- Storefront 1st floor elevation (at grade minimum to 2 foot maximum)
- Storefront window and door coverage (40% to 90%)
- Residential window and door coverage (25% to 60%)

Examples of Traditional Downtown Neighborhood – T-4.2

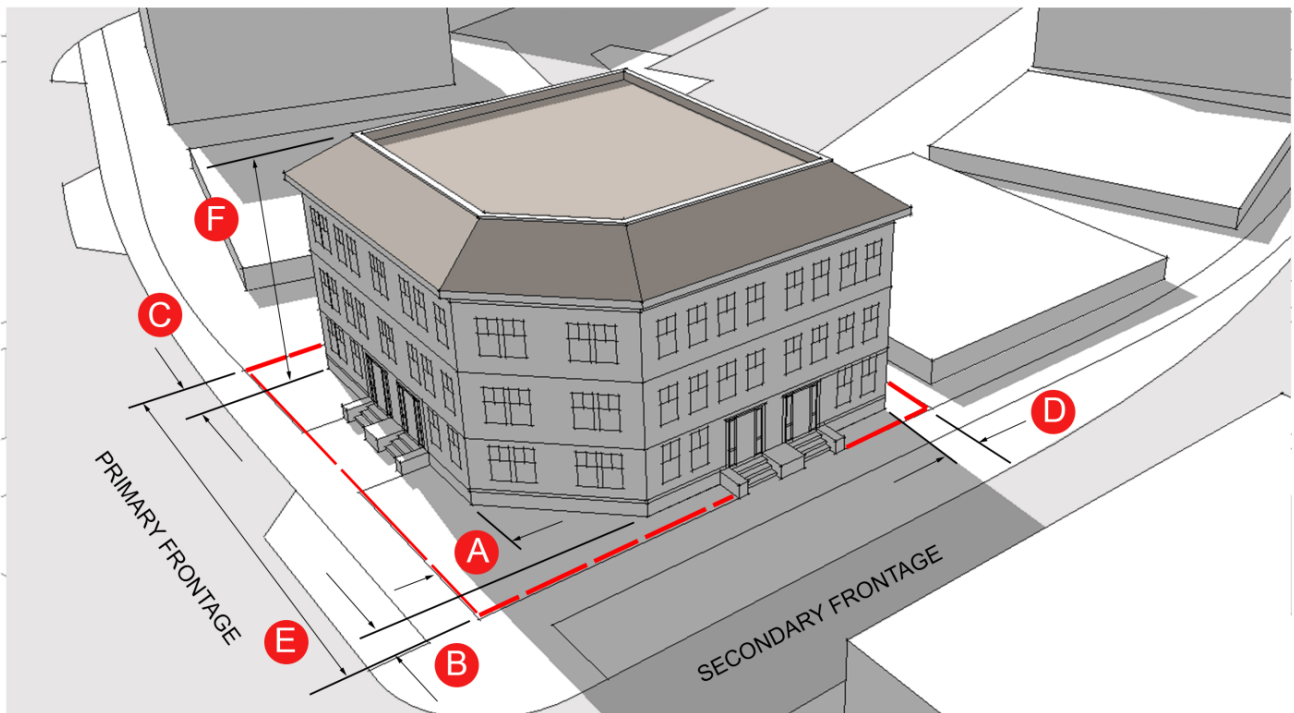
Sec. 60-549.1 BUILDING PLACEMENT & CONFIGURATION T-4.2

PRINCIPAL BUILDING PLACEMENT:

Front Setback, Primary:	5 ft Min, 15 ft Max	(A)
(Corner Lot) Front Setback, Secondary:	5 ft Min, 15 ft Max	(B)
Side Setback:	5 ft Min	(C)
Rear Setback:	10 ft Min	(D)
Building Lot Coverage:	70% Max	
Open Space Lot Coverage:	10% Min	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft Min, 120 ft Max	(E)

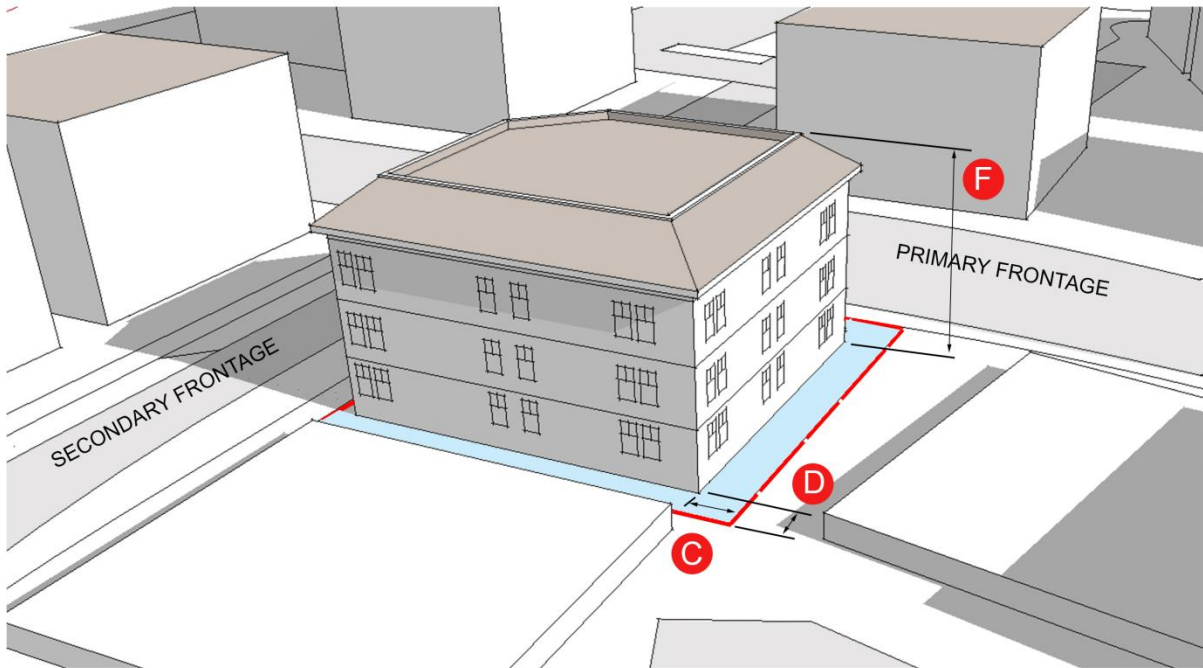
PRINCIPAL BUILDING ONFIGURATION:

Building Width:	12 ft Min, 96 ft Max	
Building Height Minimum:	1 Story Min	(F)
Building Height Maximum:	3 Story Max (excluding attic story)	(F)



Building Placement- Front View

Sec. 60-549.1 BUILDING PLACEMENT & CONFIGURATION T-4.2



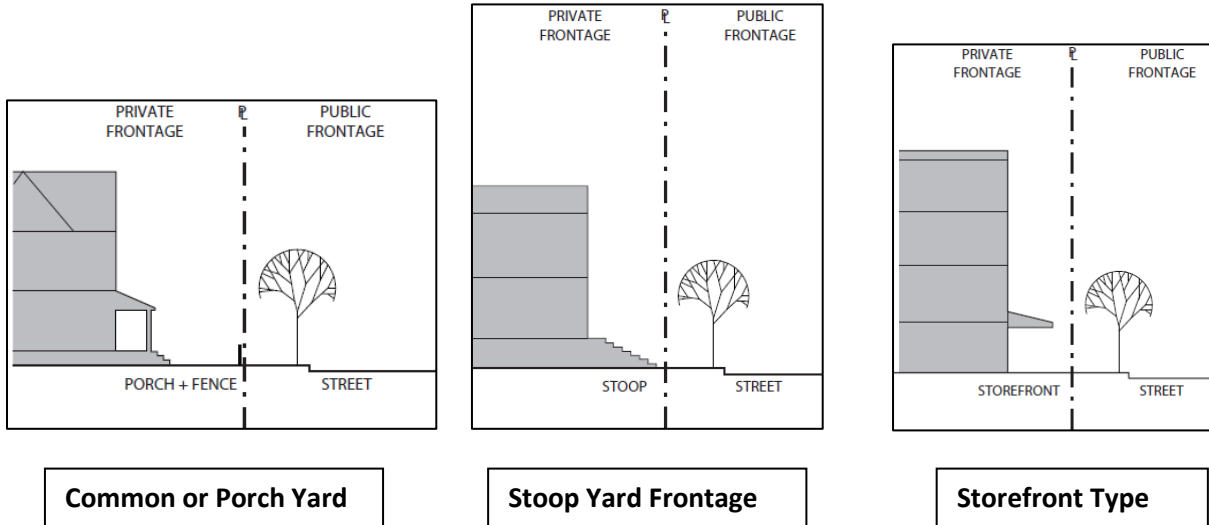
Building Placement- Rear View

PRINCIPAL BUILDING PLACEMENT:

Front Setback, Primary:	5 ft Min, 15 ft Max	(A)
(Corner Lot) Front Setback, Secondary:	5 ft Min, 15 ft Max	(B)
Side Setback:	5 ft Min	(C)
Rear Setback:	10 ft Min	(D)
Building Lot Coverage:	70% Max	
Open Space Lot Coverage:	10% Min	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft Min, 120 ft Max	(E)

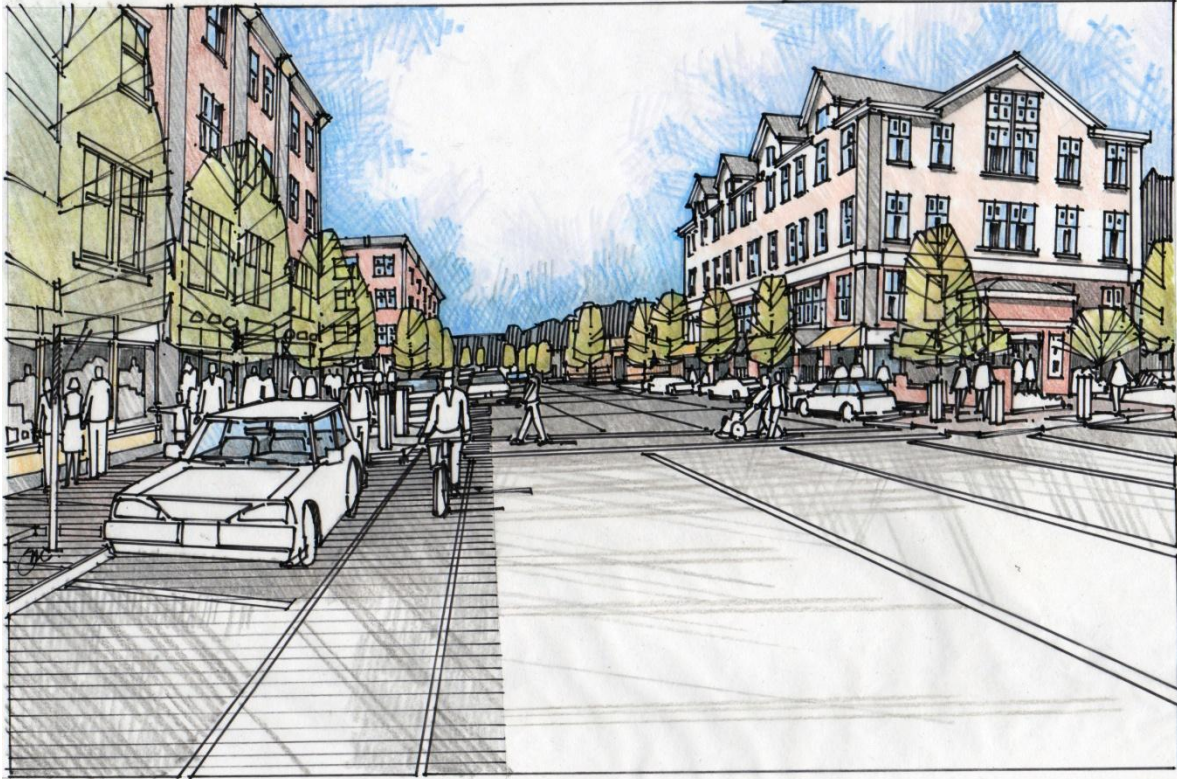
PRINCIPAL BUILDING CONFIGURATION:

Building Width:	12 ft Min, 96 ft Max	
Building Height Minimum:	1 Story Min	(F)
Building Height Maximum:	3 Story Max (excluding attic story)	(F)



BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
BUILDING ENTRIES:	Primary entry door shall be provided along ground story front facade.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Facade:	<u>Residential</u> - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story facade frontage. <u>Commercial</u> - Windows and doors shall comprise a minimum of 40% and maximum of 90%.
Upper Story Windows	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story facade frontage.
Ground Story Finished Floor Elevation	<u>Residential</u> - must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). <u>Commercial</u> - minimum at sidewalk grade to maximum of 2 feet.
Front Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

Front Yard Fence:	A front yard fence a minimum of 3 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street.
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the Min front setback line by the following distances: Front Setback, Principal Frontage 10 ft Max; Front Setback, Secondary Frontage 10 ft Max.
Garages	Detached garages shall be located a minimum of 20 feet from any street right of way.
Driveways	Driveways shall be located on the secondary street if possible. Driveways to be a minimum of 8 feet wide and a maximum of 20 feet wide. Driveways are to be paved.
Parking -	Vehicle parking shall only be located on driveways or designated parking areas and shall not extend into the street right of way or sidewalk. Commercial Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required.
Accessory Structures	Accessory structures shall be located a minimum of 20 feet from any street right of way and 5 feet from either side or rear property line.
Landscaping	Landscaping is encouraged but shall not extend into any street right of way or sidewalk. . Street trees are encouraged.
Foundation Planting	Foundation plantings are encouraged but should be pruned and maintained to have a 1 foot clearance from building façade to encourage air circulation.



Illustrative View of T- 5.1

Intent and Purpose:

Downtown Traditional Center (T- 5.1)

The Downtown Traditional Center zone is characterized by a pattern ranging from medium to larger sized buildings in a more intensely connective and traditionally compact urban environment, and placed to generate constant and direct contact and interplay between the Public Realm of the busy street and large sidewalk, and the Private Realm of the residential building stoops, commercial storefronts and gallery building fronts. The minimum and maximum lot widths, building widths and frontage build-out percentage form a more solid and compact street wall pattern, generating energized, spontaneous and vibrant 18-hour street-life.



Key Features

- Front facade detailing
- Bay windows
- Balconies
- Elevated 1st floor for residences (2' to 6') with stoop frontage and primary entrance
- Residential window and door coverage (25% to 60%)
- Storefront window and door coverage (40% to 90%)



Examples of Downtown Traditional Center – T- 5.1

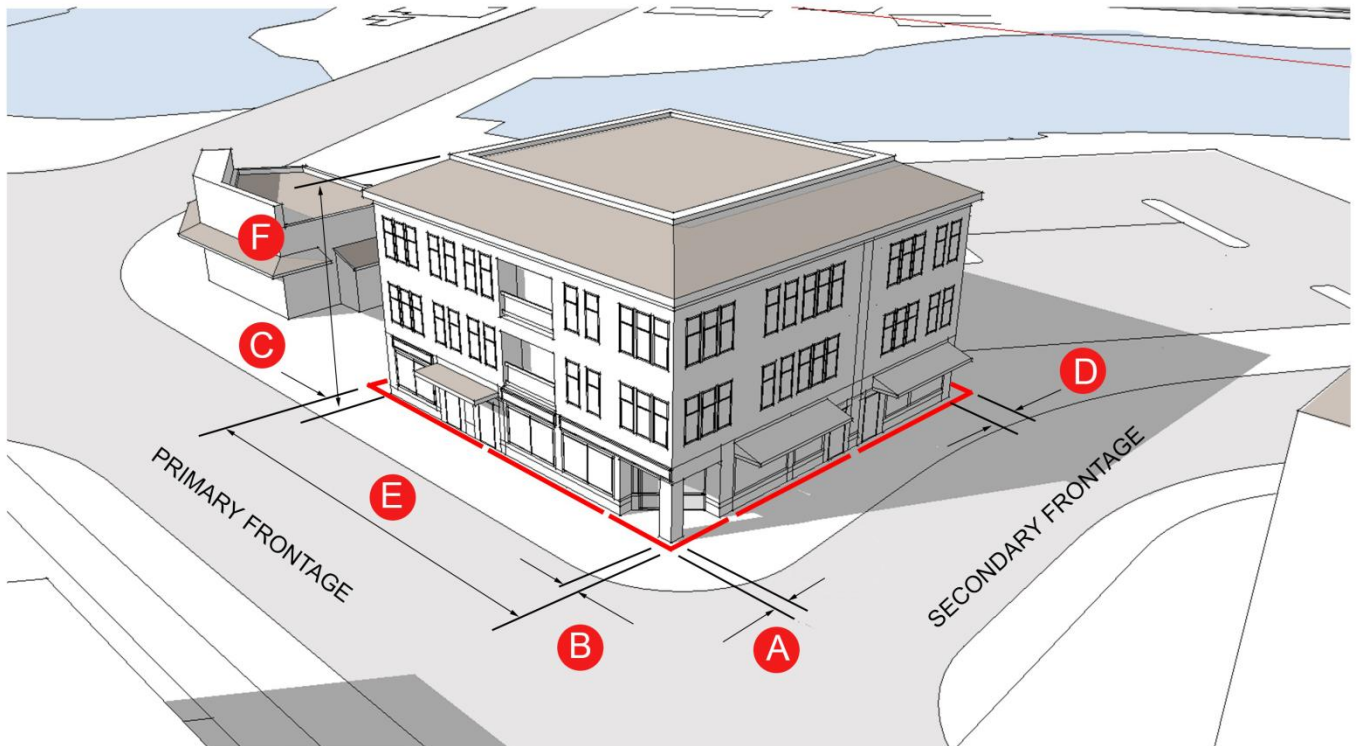
Sec. 60-550.1 BUILDING PLACEMENT & CONFIGURATION T-5.1

PRINCIPAL BUILDING PLACEMENT:

Front Setback, Primary:	0 ft Min, 10 ft Max	(A)
(Corner Lot) Front Setback, Secondary:	0 ft Min, 10 ft Max	(B)
Side Setback:	5 ft Min	(C)
Rear Setback:	10 ft Min	(D)
Building Lot Coverage:	75% Max	
Open Space Lot Coverage:	5% Min	
Frontage Build-Out:	75% Min (along Front Setback, Primary)	
Lot Width:	24 ft Min, 160 ft Max	(E)

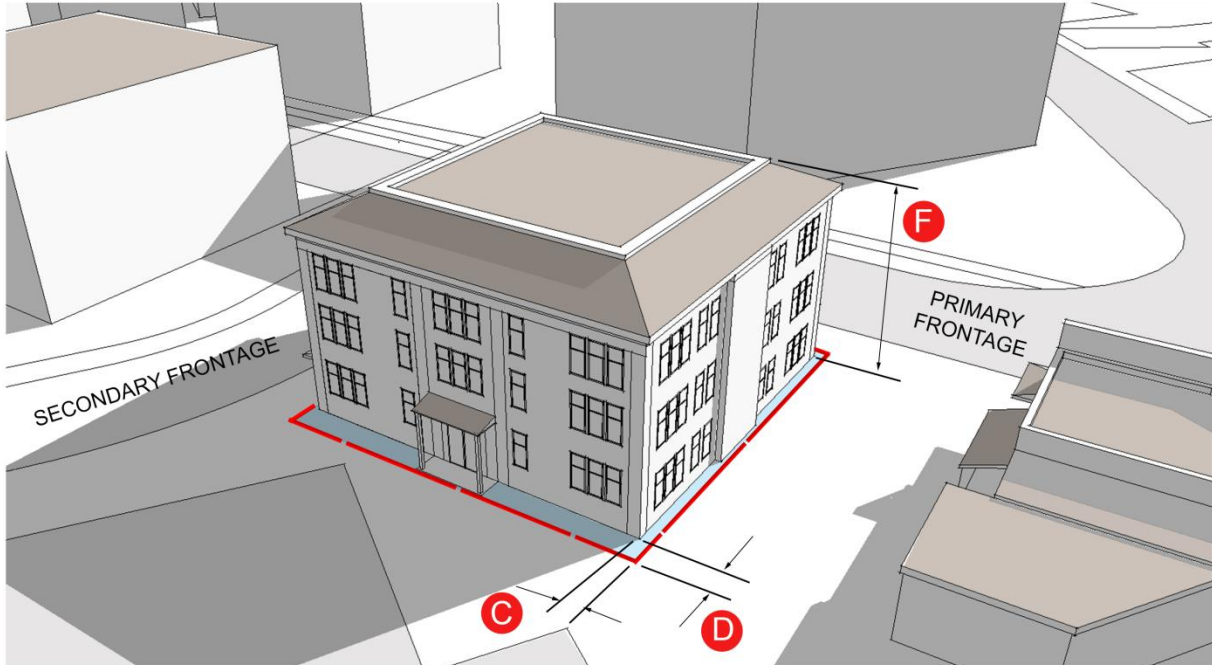
PRINCIPAL BUILDING CONFIGURATION:

Building Width:	12 ft Min, 144 ft Max	
Building Height Minimum:	2 Story Min	(F)
Building Height Maximum:	4 Story Max (excluding attic story)	(F)



Building Placement- Front View

Sec. 60-550.1 BUILDING PLACEMENT & CONFIGURATION T- 5.1



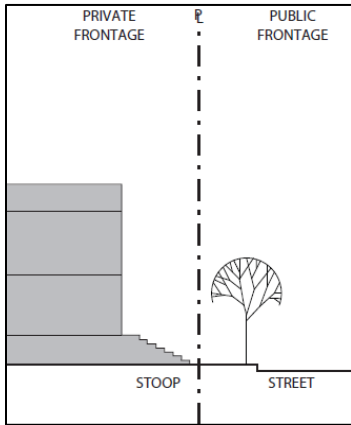
Building Placement- Rear View

PRINCIPAL BUILDING PLACEMENT:

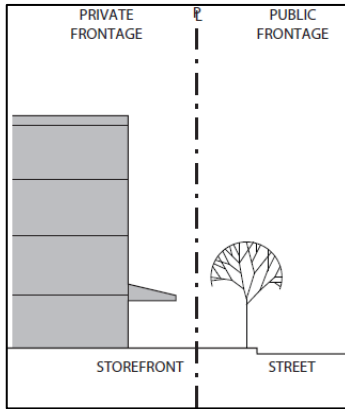
Front Setback, Primary:	0 ft Min, 10 ft Max	(A)
(Corner Lot) Front Setback, Secondary:	0 ft Min, 10 ft Max	(B)
Side Setback:	5 ft Min	(C)
Rear Setback:	10 ft Min	(D)
Building Lot Coverage:	95% Max	
Open Space Lot Coverage:	5% Min	
Frontage Build-Out:	75% Min (along Front Setback, Primary)	
Lot Width:	24 ft Min, 160 ft Max	(E)

PRINCIPAL BUILDING CONFIGURATION:

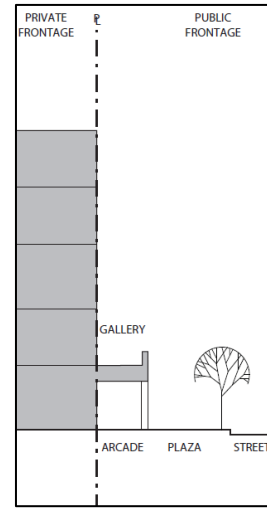
Building Width:	12 ft Min, 144 ft Max	
Building Height Minimum:	2 Story Min	(F)
Building Height Maximum:	4 Story Max (excluding attic story)	(F)



Stoop Frontage Yard



Storefront Frontage



Gallery Frontage

BUILDING FRONTAGE TYPES:	Stoop, Storefront and Gallery
BUILDING ENTRIES:	Primary entry door shall be provided along ground story front façade.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Facade:	Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story facade frontage.
Upper Story Windows	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story facade frontage.
Ground Story Finished Floor Elevation	The ground story must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade).
Front Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

Front Yard Fence: (Residential)	A front yard fence a minimum of 3 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street.
Street Wall/Wall Opening:	A vehicle entry way, as part of a street wall, shall be a maximum width of 20 feet (residential) and 24 feet (commercial); a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows and other architectural features shall encroach beyond the minimum front setback line.
Stoop Encroachments:	Stoops may encroach upon the front setback line by the following distances but not encroach in the street right of way.
Garages	Detached garages shall be located a minimum of 20 feet from any street right of way.
Driveways	Driveways shall be located on the secondary street if possible. Driveways to be a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking -	Vehicle parking shall only be located on driveways or designated parking areas and shall not extend into the street right of way or sidewalk. Commercial Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required.
Accessory Structures	Accessory structures shall be located a minimum of 20 feet from any street right of way and 5 feet from either side or rear property line.
Landscaping	Landscaping is encouraged but shall not extend into any street sidewalk or travel way. Street trees are encouraged.
Foundation Planting	Foundation plantings are encouraged and should be pruned and maintained to have a minimum 1 foot clearance from building facade to encourage air circulation.



Illustrative View of T- 5.2

**Intent and Purpose:
Downtown City Center (T- 5.2)**

The Downtown City Center zone is characterized by a pattern ranging from medium to large sized buildings in an intensely connective and highly compact urban environment, and placed to generate dynamic social, cultural and economic exchange, experiences, encounters and enterprise between the Public Realm of the primary transportation corridors and large sidewalks, and the Private Realm of the large residential and commercial building frontages and blocks. The minimum and maximum lot widths, building widths, frontage build-out percentage, and minimum and maximum building heights form a solid, compact and massive street wall pattern generating strong regional social and economic attraction, urban lifestyle options and urban architectural prestige.



Key Features

- Front facade detailing.
- Window box planters.
- Balconies.
- Elevated 1st floor for residences (2' to 6') with stoop frontage and primary entrance.
- Articulated storefront entrance at street level to 2 feet.
- Residential window and door coverage (25% to 60%)
- Storefront window and door coverage (40% to 90%)
- Awnings for storefronts.
- Wide sidewalks.



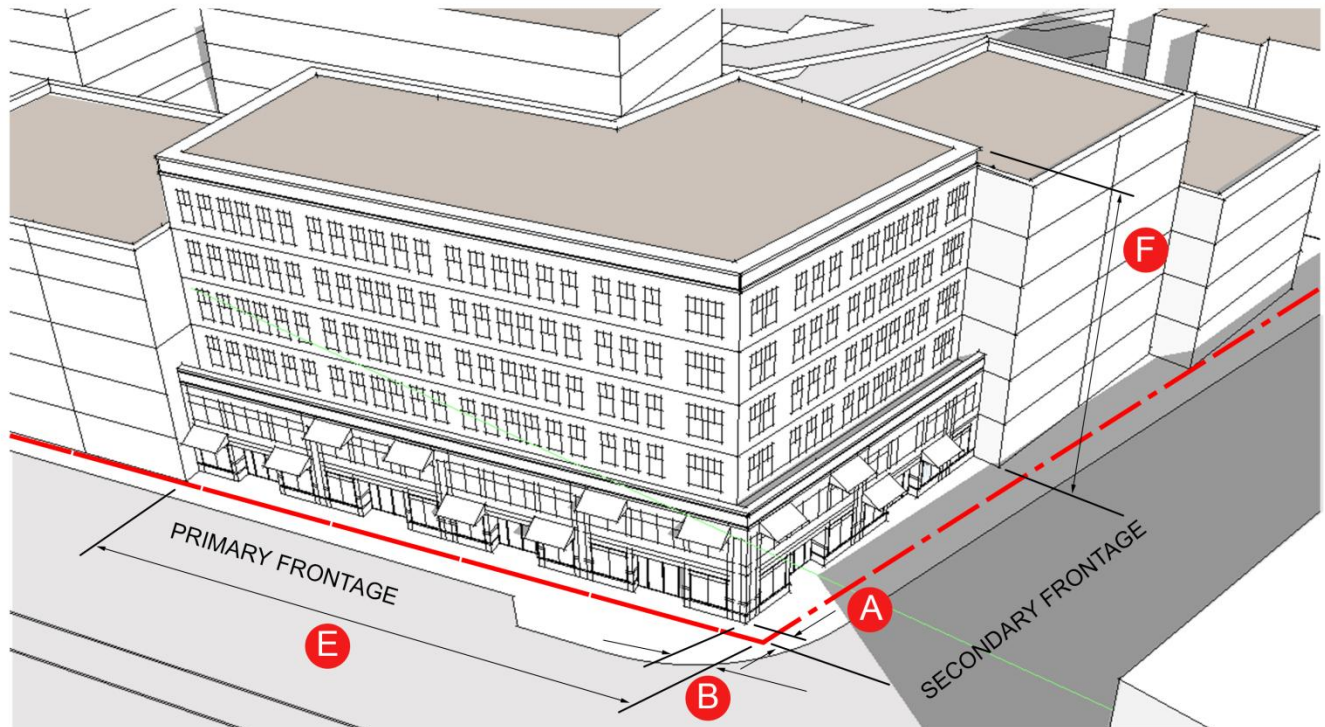
Examples of Downtown City Center- T- 5.2

PRINCIPAL BUILDING PLACEMENT:

Front Setback, Primary:	0 ft Min, 10 ft Max	(A)
(Corner Lot) Front Setback, Secondary:	0 ft Min, 10 ft Max	(B)
Side Setback:	5 ft Min	(C)
Rear Setback:	10 ft Min	(D)
Building Lot Coverage:	80% Max	
Open Space Lot Coverage:	5% Min	
Frontage Build-Out:	85% Min (along Front Setback, Primary)	
Lot Width:	24 ft Min, 240 ft Max	(E)

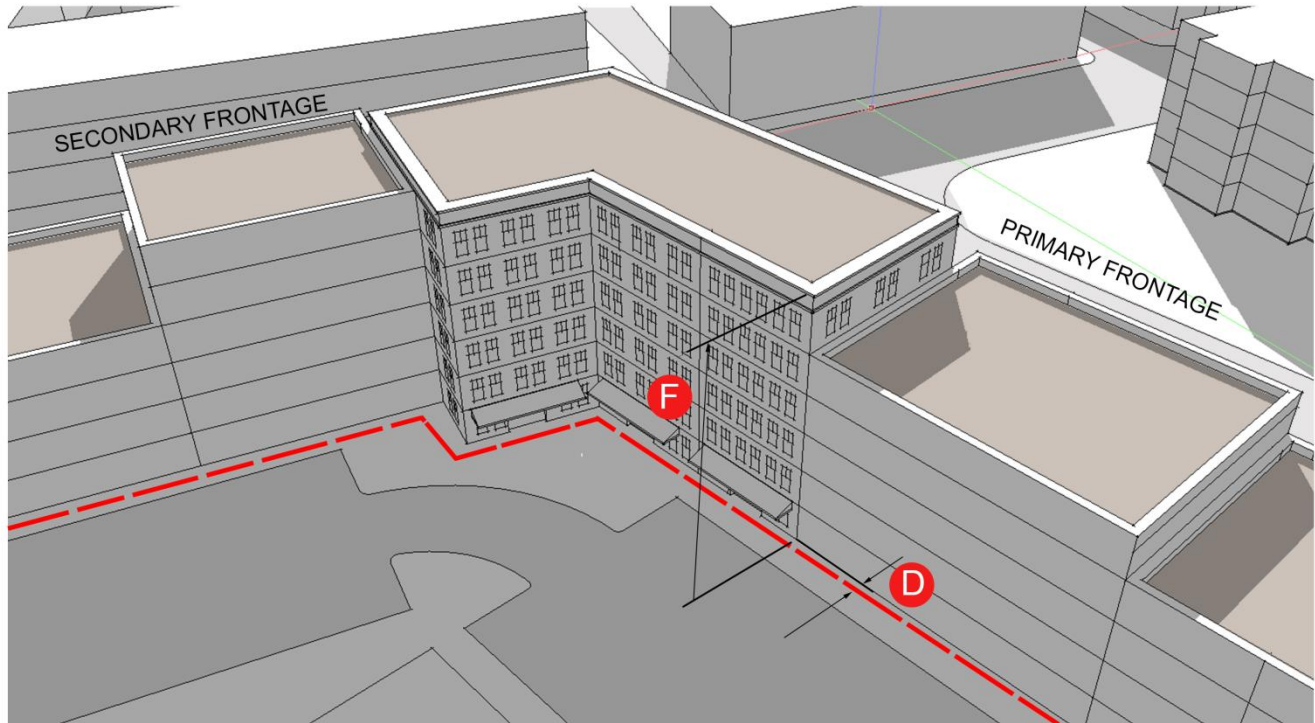
PRINCIPAL BUILDING CONFIGURATION:

Building Width:	12 ft Min, 200 ft Max	
Building Height Minimum:	2 Story Min	(F)
Building Height Maximum:	6 Story Max (excluding attic story)	(F)



T- 5.2 Building Placement- Front View

Sec. 60-551.1 BUILDING PLACEMENT & CONFIGURATION T- 5.2



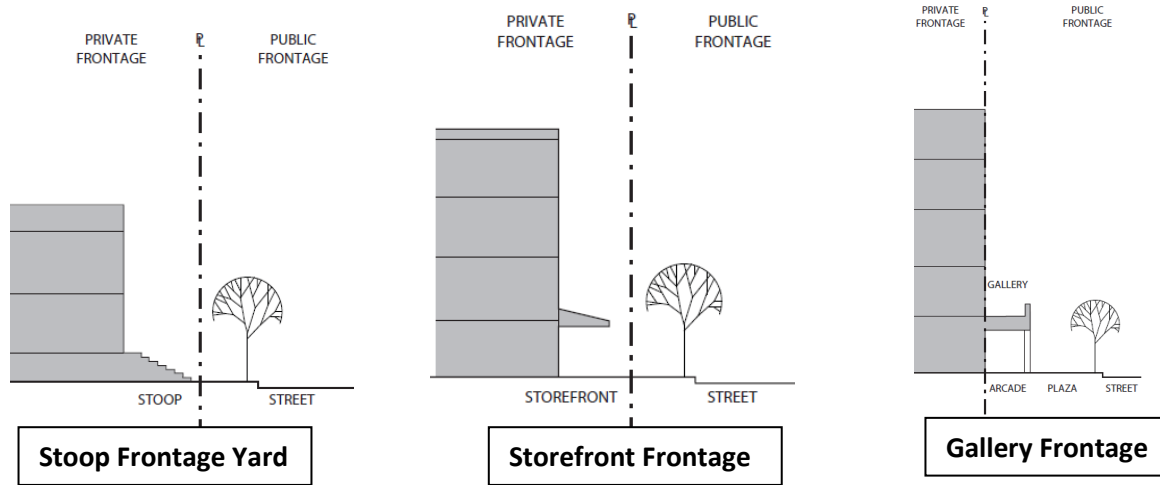
T-5.2 Building Placement- Rear View

PRINCIPAL BUILDING PLACEMENT:

Front Setback, Primary:	0 ft Min, 10 ft Max	(A)
(Corner Lot) Front Setback, Secondary:	0 ft Min, 10 ft Max	(B)
Side Setback:	5 ft Min	(C)
Rear Setback:	10 ft Min	(D)
Building Lot Coverage:	85% Max	
Open Space Lot Coverage:	5% Min	
Frontage Build-Out:	80% Min (along Front Setback, Primary)	
Lot Width:	24 ft Min, 240 ft Max	(E)

PRINCIPAL BUILDING CONFIGURATION:

Building Width:	12 ft Min, 200 ft Max	
Building Height Minimum:	2 Story Min	(F)
Building Height Maximum:	6 Story Max (excluding attic story)	(F)



BUILDING FRONTAGE TYPES:.....	Stoop, Storefront and Gallery
BUILDING ENTRIES:.....	Primary entry door shall be provided along ground story front facade.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Facade:	<u>Residential:</u> Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story facade frontage. <u>Storefront:</u> Windows and doors shall comprise a minimum 60% and maximum 90% coverage of the total ground story facade frontage.
Upper Story Windows	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story facade frontage.
Ground Story Finished Floor Elevation	<u>Residential:</u> Must be a minimum of 2 feet minimum and 6 feet maximum above the average front yard elevation. <u>Storefront:</u> Must be a minimum of at the average sidewalk elevation and maximum of 2 feet.
Front Facade Wall:	Blank lengths of wall exceeding 15 linear feet are prohibited.

<p>Front Yard Fence: (Residential)</p>	<p>A front yard fence a minimum of 3 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street.</p>
<p>Front Yard Fence/Wall Opening:</p>	<p>A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.</p>
<p>Required Street Wall Height:</p>	<p>A street wall a minimum of 4 feet and maximum of 6 feet shall be required along the building line frontage that is not otherwise occupied by the principal building on the lot. The height of the street wall shall be measured from the adjacent public sidewalk or from the adjacent ground elevation once construction is complete.</p>
<p>Building Projections:</p>	<p>No part of any building, except overhanging eaves, awnings, balconies, bay windows, and other architectural features shall encroach beyond the minimum front setback line.</p>
<p>Stoop Encroachments:</p>	<p>Stoops may encroach upon the front setback line by the following distances but not encroach in the street right of way.</p>
<p>Parking -</p>	<p>Vehicle parking shall only be located on driveways or designated parking areas and shall not extend into the street right of way or sidewalk. Commercial Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required.</p>
<p>Landscaping</p>	<p>Landscaping is encouraged but shall not extend into any street sidewalk or travel way. Street trees are encouraged.</p>



Illustrative View of T-6

Intent and Purpose: Great Fall Metropolitan (T-6)

The Great Falls Metropolitan zone is characterized by a pattern of large metropolitan buildings placed to contain and define the City of Auburn's emerging preeminent downtown central square, "Great Falls Square" at the intersection of Turner Street & Hampshire Street. Great Falls Square would provide a dominant metropolitan focal point and identifiable urbane center for professional enterprise, institutional concentration, and metropolitan commerce. The Great Falls Metropolitan urban form shall generate strong regional socio-economic gravitational pull, corporate attraction, regional visitor experience, 18-hour social gathering opportunities, and urbane prestige contained within a vibrant downtown destination district.

Key Features

- Front facade detailing.
- Balconies.
- Elevated 1st floor for residences (2' to 6') with stoop frontage and primary entrance.
- Articulated storefront entrance at street level to 2 feet.
- Storefront window and door coverage (40% to 90%)
- Awnings for storefronts.
- Wide sidewalks.



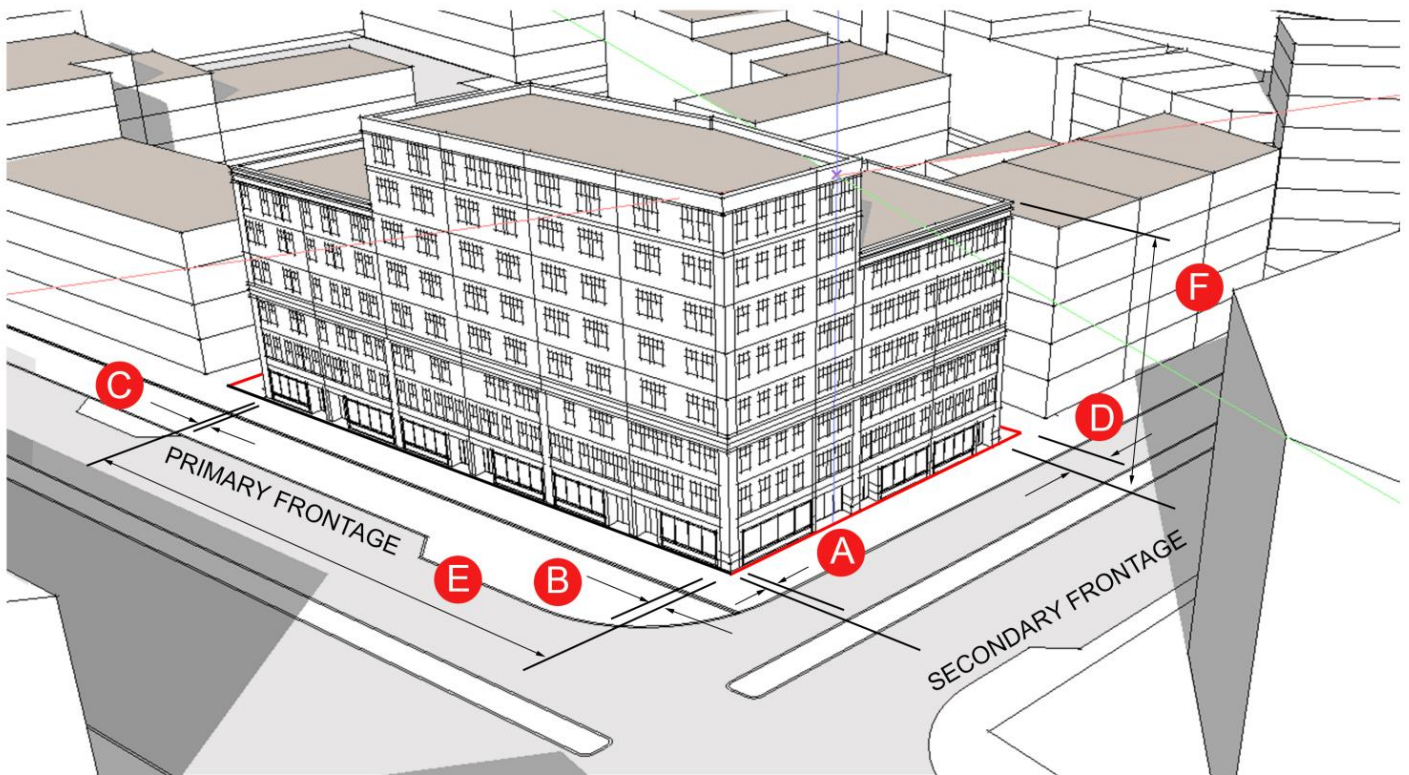
Examples of Great Falls Metropolitan T-6

(Corner Lot) Front Setback, Secondary:

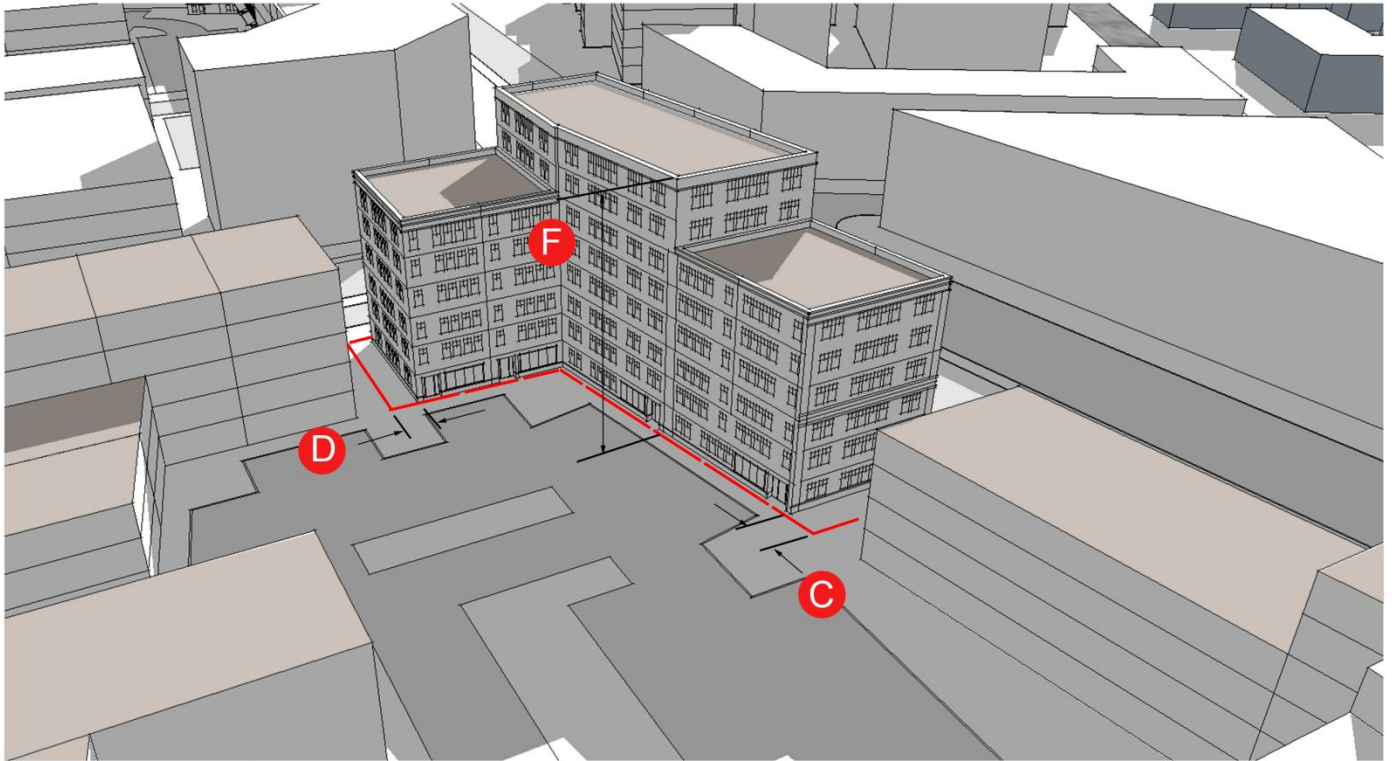
- Side Setback: 0 ft Min, 10 ft Max (A)
- Rear Setback: 0 ft Min, 10 ft Max (B)
- Building Lot Coverage: 5 ft Min (C)
- Open Space Lot Coverage: 10 ft Min (D)
- Frontage Build-Out: 90% Max
- Lot Width: 5% Min

PRINCIPAL BUILDING CONFIGURATION:

- 80% Min (along Front Setback, Primary)
- Building Width: 24 ft Min, 240 ft Max (E)
- Building Height Minimum: 16 ft Min, 224 ft Max
- Building Height Maximum: 4 Story Min (F)
- 8 Story Max (F)



T-6 Building Placement- Front View



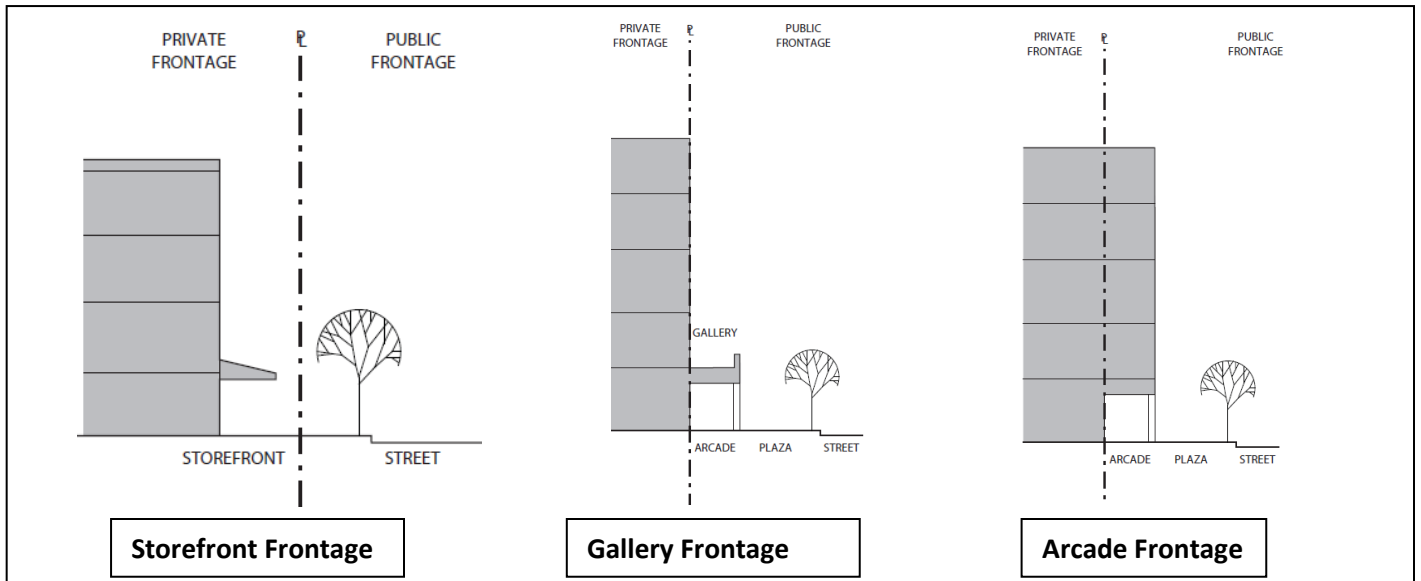
T-6 Building Placement- Rear View

PRINCIPAL BUILDING PLACEMENT:

Front Setback, Primary:	0 ft Min, 10 ft Max	(A)
(Corner Lot) Front Setback, Secondary:	0 ft Min, 10 ft Max	(B)
Side Setback:	5 ft Min	(C)
Rear Setback:	10 ft Min	(D)
Building Lot Coverage:	90% Max	
Open Space Lot Coverage:	5% Min	
Frontage Build-Out:	80% Min (along Front Setback, Primary)	
Lot Width:	24 ft Min, 240 ft Max	(E)

PRINCIPAL BUILDING CONFIGURATION:

Building Width:	16 ft Min, 224 ft Max	
Building Height Minimum:	4 Story Min	(F)
Building Height Maximum:	8 Story Max	(F)



BUILDING FRONTAGE TYPES:	Storefront, Gallery and Arcade
BUILDING ENTRIES:	Primary entry door shall be provided along ground story front facade.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Facade:	Windows and doors shall comprise a minimum 60% and maximum 90% coverage of the total ground story facade frontage.
Upper Story Windows	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story facade frontage.
Ground Story Finished Floor Elevation	Must be a minimum of the average sidewalk elevation and maximum of 2 feet.
Front Facade Wall:	Blank lengths of wall exceeding 15 linear feet are prohibited. Architectural jogs of up to 18 inches in depth are permitted.

<p>Street Wall Opening:</p>	<p>A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 18 feet; a pedestrian entry way shall be a maximum width of 6 feet.</p>
<p>Required Street Wall Height:</p>	<p>A street wall a minimum of 4 feet and maximum of 6 feet shall be required along the building line frontage that is not otherwise occupied by the principal building on the lot. The height of the street wall shall be measured from the adjacent public sidewalk or from the adjacent ground elevation once construction is complete.</p>
<p>Building Projections:</p>	<p>No part of any building, except overhanging eaves, awnings, balconies, bay windows, and other architectural features shall encroach beyond the minimum front setback line.</p>
<p>Stoop Encroachments:</p>	<p>Stoops may encroach upon the front setback line by the following distances but not encroach in the street right of way.</p>
<p>Parking -</p>	<p>Residential parking shall only be located on driveways or parking areas and shall not extend into the street right of way or sidewalk. Commercial parking shall be located as per the parking areas diagram.</p>
<p>Landscaping</p>	<p>Landscaping is encouraged but shall not extend into any street sidewalk or travel way. Street trees are encouraged.</p>

Sec. 60-554 FORM BASED CODE USE and PARKING MATRIX

USE	PARKING REQUIREMENT	* * *				
		T-4.1	T-4.2	T 5.1	T-5.2	T-6
Residential Type Use						
Single Family	1 sp/DU	P	P	P		
Duplex	1 sp/DU	P	P	P	P	P
Townhouse	1 sp/DU	P	P	P	P	P
Multi-Family	1 sp/DU plus 1 guest space/4 units	P	P	P	P	P
Bed & Breakfast < 4 Rooms	1 sp/employee and 1 sp/guest	S	P	P	P	P
Bed & Breakfast > 4 Rooms	1 sp/employee and 1 sp/guest	S	S	P	P	P
Hotel	1/2 sp /employee plus 1 sp /room			S	S	P
Elderly/Child Care Facility	1/2 sp /employee plus 1 sp/ 8 users	S	S	S	S	P
Home Occupation	Based on Use Type	P	P	P	P	P
Office/Service Type Use						
Financial/Professional Offices	1 sp/400 sf	S	S	P	P	P
Medical and Dental Clinics	1 sp./400 sf	S	S	P	P	P
Personal Services	1 sp./400 sf	P	P	P	P	P
Retail Type Use						
General Retail	1 sp/400 sf	S	S	P	P	P
Age Restricted Retail (1)	1 sp/400 sf	S	S	S	S	S
Specialty Shops	1 sp/400 sf	S	P	P	P	P
Restaurant up to 30 seats w/16 outdoor	1 sp/4 seats		S	P	P	P
Restaurant over 30 seats w/16 outdoor	1 sp/4 seats		S	S	P	P
Halls, Private Clubs, Indoor Amusement	1 sp/400 sf	S	S	S	P	P
Artist Studios, Performing Art Center	1 sp/400 sf	S	S	P	P	P
Civic						
Places of Worship	1 sp/5 seats	S	S	P	P	_P
Government Offices	1 sp/400 sf			P	P	P
Art Galleries	1 sp/400 sf	S	P	P	P	P
Transportation Facilities	1 sp/400 sf			S	S	S

Notes:

(1) Where more than 50% of floor space is devoted to Age Restricted Goods

* Parking requirements in T-5.1, T- 5.2 and T-6 may be provided by the municipality or private parking resources within 1,000 feet of the principal building, subject to Planning Board approval.

Sec. 60-555 – Form Based Code Administration and Review Process- Purpose.

The purpose of Form-Based Code Administration and Review Process is to:

1. Ensure that the design and built form of development located within the adopted Form Based Code Regulating Plan Boundaries are in compliance with purpose and requirements of Division 14, Form Based Code and Chapter 60, Zoning of the Auburn Code of Ordinance.
2. To facilitate an efficient and timely review and approval of development applications that meets the requirements of the Form Based Code.
3. To ensure that approved development projects will meet the purpose of the Form Based Code, which is “To encourage and reinforce a traditional, contextual, sustainable and multi-modal urban building and street form in Downtown Auburn and the Village Center of New Auburn.”

Sec. 60-556 – Applicability-

Any Administrative (Types 2 and 3) Plan and/or Discretionary Plan, as defined in Section 60-557, located within the Based Code district, shall be required to submit a development application prior to any development activity.

Sec. 60-557. Form Based Code Plan Types-A. Administrative Types-

1. By Right- No Permits Required- Projects such as normal maintenance and for new structures under 200 sq. ft.
2. Minor Administrative- Projects requiring a building permit that comply with all Form Based Code or Zoning regulations, may be approved and permitted by the appropriate City Departmental Staff and will not require Planning Board approval. These projects can be applied for at any time.
3. Major Administrative- Projects that comply with all Form Based Code or Zoning regulations and do not qualify as a Special Exception or Site Plan Review but due to multiple issues, will require review by the appropriate Departments or Agencies.

B. Discretionary Type Plans- The following plan types require review and action by the Plan the Planning Board.

1. Subdivisions of 3 or more lots over a 5 year period or a project creating more than 3 dwelling units. (Subdivision Review)
2. Any project listed as Special Exception or “S” on the Use and Parking Matrix Chart. (Special Exception and Site Plan Review)
3. Any project over a total of 12,000 sf. of new construction. (all floors included) (Special Exception and Site Plan Review)

4. Any amendment to an existing discretionary plan that increases existing development over 25%. (Special Exception and Site Plan Review)

Sec. 60-558 – Form Based Code Development Application Procedure

A. Administrative Project Application Process-

1. Applicant identifies the subject property's zoning/transect district and determines what plan type the project is.
2. Applicant reviews the project's compliance for Form Based Code Development Standards Chapters 60-548 through 551; including all sections on Purpose, Building Placement & Configuration, Building Frontages, External Elements, Lot Layout, and the Parking & Use Matrix Chart; along with any other applicable Zoning Development Regulations.
3. Pre-Development Consultation- All potential development and project applicants are encouraged to contact the Auburn Planning Office for a pre-development consultation to confirm the zoning and discuss the form based code requirements and related zoning and/or other regulatory items. Failure to consult with the Planning Office may result in the delay of acceptance, review and approval of the application.
4. Any Minor or Major Administrative Plan or Discretionary Plan applicant in a Form Based Code district shall complete and submit a Development Review Application, a Form Based Code Development Checklist and the appropriate application fee to the Planning Office.
5. All Form Based Code applications will be reviewed by the Planning Staff for completeness and applicant will be notified within 5 working days if the plan is deemed complete and whether the plan is Administrative or Discretionary. The applicant is responsible for working with the Planning Staff to correct any deficiencies needed to be accepted for further review.
6. Type 2 and 3 Administrative Plans will be reviewed by the appropriate City Departmental Staff who will recommend approving, disapproving or postponing in order to allow time to correct the application. The Director of Planning will notify the applicant of the decision in writing within 15 calendar days of its receipt of a completed application.

B. Discretionary Project Application Process-

1. Applicant Identifies Subject Property's Zoning/Transect and determines what plan type the project is.
2. Applicant reviews the project's compliance for the applicable Form Based Code Development Standards Chapters 60-548 through 551; including all sections on Purpose, Building Placement & Configuration, Building Frontages, External Elements,

Lot Layout, and the Parking & Use Matrix Chart; along with any other applicable Zoning Development Regulations.

3. Pre-Development Consultation- All potential development and project applicants are encouraged to contact the Auburn Planning Office for a pre-development consultation to confirm the zoning and discuss the form based code requirements and related zoning and/or other regulatory items.
4. Discretionary Plans will apply for review and consideration by the Planning Board according to their normal submission requirements, deadline and meeting schedule.
5. Applications not meeting all the requirements of the Form Based Code may include waiver requests as part of their application.

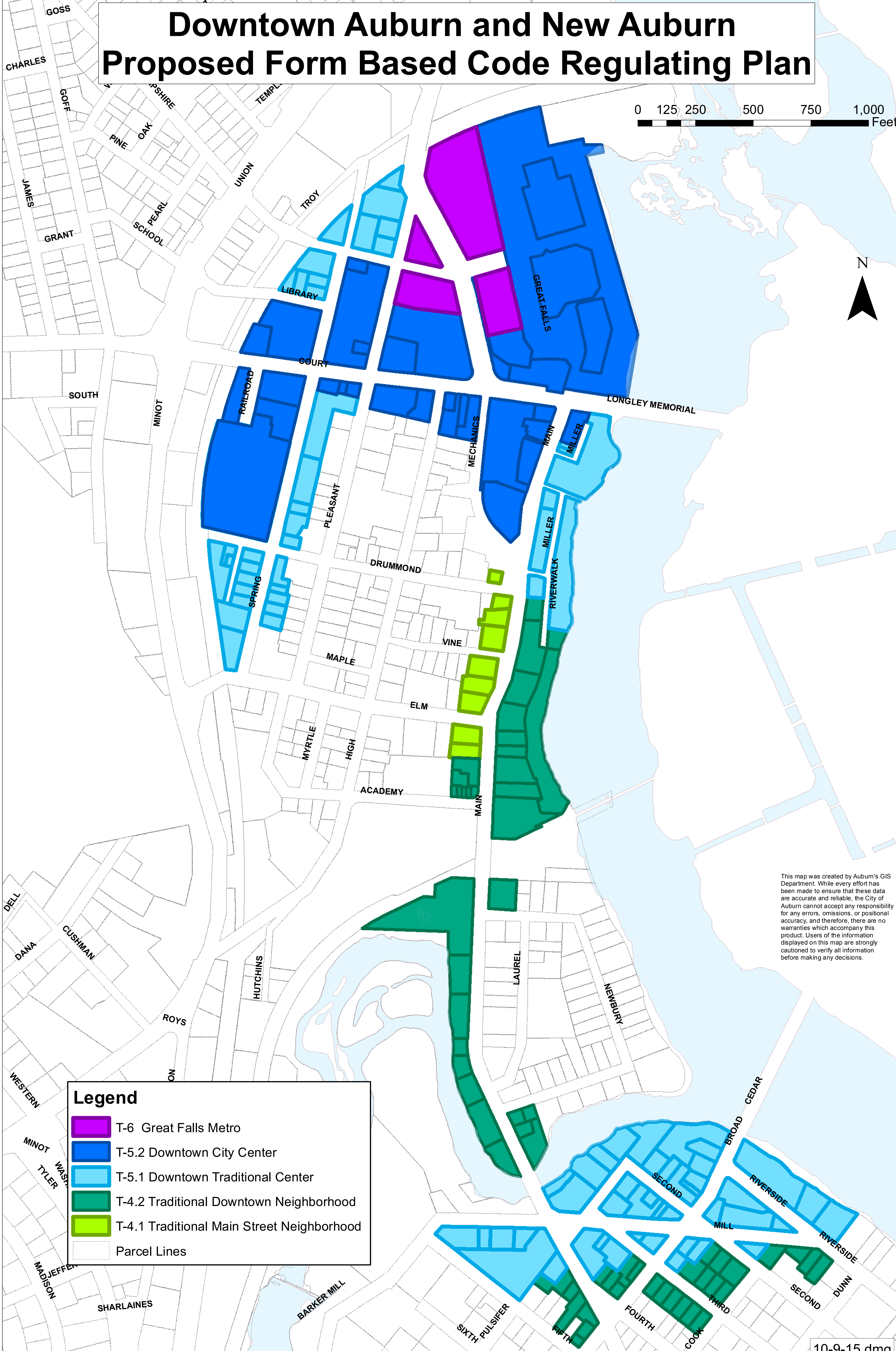
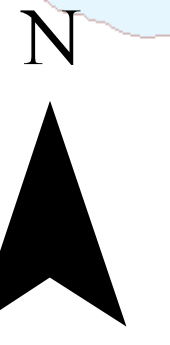
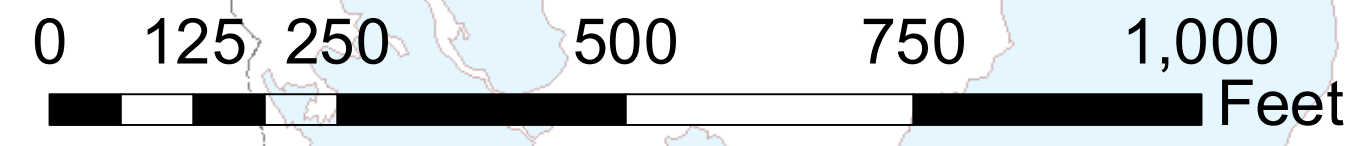
C. Waiver Requests-

1. Any waiver request of Form Based Code standards and requirements must identify what is being requested for the waiver and include a narrative explaining how the waiver, if approved, will allow the project to still meet the purpose of the Form Based Code and the objective of Site Plan Law.

D. Planning Board Approval-

1. The Planning Board shall approve, approve with conditions, disapprove or postpone based on its review of the application meeting all existing requirements, conditions, criteria and provisions of Special Exception, Site Plan Review, Subdivision Law and any other relevant procedural requirement of Chapter 60, Zoning, as part of its consideration of a Form Based Code application.
2. The Planning Board shall provide findings for approval or disapproval based on the application's meeting the purpose of the Form Based Code.

Downtown Auburn and New Auburn Proposed Form Based Code Regulating Plan



This map was created by Auburn's GIS Department. While every effort has been made to ensure that these data are accurate and reliable, the City of Auburn cannot accept any responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Users of the information displayed on this map are strongly cautioned to verify all information before making any decisions.

Legend

- T-6 Great Falls Metro
- T-5.2 Downtown City Center
- T-5.1 Downtown Traditional Center
- T-4.2 Traditional Downtown Neighborhood
- T-4.1 Traditional Main Street Neighborhood
- Parcel Lines



Development Review Application

City of Auburn Planning and Permitting Department
City of Lewiston Department of Planning and Code Enforcement



PROJECT NAME: _____

PROPOSED DEVELOPMENT ADDRESS: _____

PARCEL ID#: _____

REVIEW TYPE: Site Plan Site Plan Amendment Special Exception
 Subdivision Subdivision Amendment Form Based Code Plan

PROJECT DESCRIPTION: _____

CONTACT INFORMATION:

<u>Applicant</u>	
Name:	
Address:	
Zip Code	
Work #:	
Cell #:	
Fax #:	
Home #:	
Email:	
<u>Project Representative</u>	
Name:	
Address:	
Zip Code	
Work #:	
Cell #:	
Fax #:	
Home #:	
Email:	

<u>Property Owner</u>	
Name:	
Address:	
Zip Code	
Work #:	
Cell #:	
Fax #:	
Home #:	
Email:	
<u>Other professional representatives for the project (surveyors, engineers, etc.),</u>	
Name:	
Address:	
Zip Code	
Work #:	
Cell #:	
Fax #:	
Home #:	
Email:	

PROJECT DATA

The following information is required where applicable, in order complete the application

IMPERVIOUS SURFACE AREA/RATIO

Existing Total Impervious Area sq. ft.
Proposed Total Paved Area sq. ft.
Proposed Total Impervious Area Proposed sq. ft.
Impervious Net Change sq. ft.
Impervious surface ratio existing % of lot area
Impervious surface ratio proposed % of lot area

BUILDING AREA/LOT COVERAGE

Existing Building Footprint sq. ft.
Proposed Building Footprint sq. ft.
Proposed Building Footprint Net change sq. ft.
Existing Total Building Floor Area sq. ft.
Proposed Total Building Floor Area sq. ft.
Proposed Building Floor Area Net Change sq. ft.
New Building ? (yes or no)
Building Area/Lot coverage existing % of lot area
Building Area/Lot coverage proposed % of lot area

ZONING or FORM BASED CODE DISTRICT

Existing
Proposed, if applicable.....

LAND USE

Existing
Proposed.....

RESIDENTIAL, IF APPLICABLE

Existing Number of Residential Units
Proposed Number of Residential Units
Subdivision Proposed Number of Lots

PARKING SPACES

Existing Number of Parking Spaces.....
Proposed Number of Parking Spaces
Number of Handicapped Parking Spaces
Proposed Total Parking Spaces.....

ESTIMATED COST OF PROJECT

DELEGATED REVIEW AUTHORITY CHECKLIST

SITE LOCATION OF DEVELOPMENT AND STORMWATER MANAGEMENT

Existing Impervious Area sq. ft.
Proposed Disturbed Area sq. ft.
Proposed Impervious Area sq. ft.

1. *If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with MDEP.*
2. *If the proposed impervious area is greater than one acre including any impervious area created since 11/16/05, then the applicant shall apply for a MDEP Stormwater Management Permit, Chapter 500, with the City.*
3. *If total impervious area (including structures, pavement, etc) is greater than 3 acres since 1971 but less than 7 acres, then the applicant shall apply for a Site Location of Development Permit with the City. If more than 7 acres then the application shall be made to MDEP unless determined otherwise.*
4. *If the development is a subdivision of more than 20 acres but less than 100 acres then the applicant shall apply for a Site Location of Development Permit with the City. If more than 100 acres then the application shall be made to MDEP unless determined otherwise.*

TRAFFIC ESTIMATE

Total traffic estimated in the peak hour-existingpassenger car equivalents (PCE)
(Since July 1, 1997)

Total traffic estimated in the peak hour-proposed (Since July 1, 1997).....passenger car equivalents (PCE)
If the proposed increase in traffic exceeds 100 one-way trips in the peak hour then a traffic movement permit will be required.

Zoning Summary

1. Property is located in the _____ zoning/form based code district.
2. Parcel Area: _____ acres / _____ square feet(sf).

Regulations	<u>Required/Allowed</u>	<u>Provided</u>
Min Lot Area	_____ / _____	
Street Frontage	_____ / _____	
Min Front Yard	_____ / _____	
Min Rear Yard	_____ / _____	
Min Side Yard	_____ / _____	
Max. Building Height	_____ / _____	
Use Designation	_____ / _____	
Parking Requirement	1 space/ per _____ square feet of floor area <u>or dwelling unit</u>	
Total Parking:	_____ / _____	
Overlay zoning districts_(if any):	_____ / _____ / _____	
Urban impaired stream watershed?	YES/NO If yes, watershed name _____	

DEVELOPMENT REVIEW APPLICATION SUBMISSION_

Submissions shall include fifteen (15) complete packets containing the following materials:

1. 5 Full size plans and 10 smaller (no larger than 11" x 17") plans containing the information found in the attached sample plan checklist.
2. Application form that is completed and signed by the property owner or designated representative.
(NOTE: All applications will be reviewed by staff and any incomplete application will not be accepted until all deficiencies are corrected.
3. Cover letter stating the nature of the project.
4. All written submittals including evidence of right, title and interest.
5. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
6. Any additional materials as required by the Form Based Code (Chapter 60-546).

Refer to the application checklist for a detailed list of submittal requirements.

L/A's development review process and requirements have been made similar for convenience and to encourage development. Each City's ordinances are available online at their prospective websites:

Auburn: www.auburnmaine.org under City Departments/ Planning and Permitting/Land Use Division/Zoning Ordinance

Lewiston: <http://www.ci.lewiston.me.us/clerk/ordinances.htm> Refer to Appendix A of the Code of Ordinances

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, I certify that the City's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for development review only; a Performance Guarantee, Inspection Fee, Building Permit Application and other associated fees and permits will be required prior to construction.

Signature of Applicant:	Date:
-------------------------	-------

4.5-2 CHECK LIST

		Complies	Complies with Administrative Deviation	Does Not Comply	N/A
VISION & INTENT	Statement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DEVELOPMENT STANDARDS					
Existing Conditions	Topography	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Existing Trees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	100-Year Flood Lines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	500-Year Flood Lines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Environmental and Archaeological	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Block Layout	Block Size	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Building Lines:				
	-- River Buffer Setback	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	-- Stream Buffer Setback	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Proposed Subdivision & Phasing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Buildings Siting & Configuration	Principal Building Siting:				
	-- Front Setback	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	-- Frontage at Setback	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	-- Side Setback	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	-- Rear Setback	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	-- Lot Size	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	-- Building Coverage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	-- Open Space Coverage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Principal Building Configuration:				
	-- Building Height Min	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	-- Building Height Max	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Footprint / Floor Plate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Floor Area Ratio (FAR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ancillary Structures & Outdoor Spaces	Outdoor Space Types	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4.5-3 CHECK LIST

	Complies	Complies with Administrative Deviation	Does Not Comply	N/A
Building Frontages				
Building Frontages	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Building Entries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Building Envelope Articulation:				
-- Ground Level	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-- Facade Openings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-- Roofs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-- Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Off Street Parking & Loading				
Parking Types	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parking Spaces, Reserved & Shared Pavements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Garage Location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Screening & Shading	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Accessible Spaces & Routes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Driveways & Curb Cuts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Garage Entry	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Service Loading	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bicycle Parking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
External Elements				
Proposed Typography Grades	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Side or Rear Privacy Fence or Wall	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Front Fence or Wall	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Landscaped Vegetation				
-- Trees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-- Shrubs & Groundcover	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Slopes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trash Storage & Recycling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
External Mechanical & Electrical Units	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Signage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lighting Trespass	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stormwater Systems				
Piped Roof Water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ground Surface Runoff in Areas with Subsoil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ground Surface Runoff in Areas of Rock and/or Contamination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sustainability				
Green Building & Landscape Reflectivity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Parking Requirements from Current Zoning Ordinance (2015)

FROM: Downtown Enterprise Zone

- (5) Parking and loading. All uses shall be subject to the off-street parking and loading regulations as listed in this subsection (5). Sections 60-607(7), (8), (12) and (15) shall also be followed.
 - a. For all uses, no portion of the front yard, other than driveways, shall be used for off-street parking.
 - b. One-unit dwellings: two spaces; two- and three-unit dwellings: one space per unit.
 - c. Residential artist studio: one space for one- and two-bedroom units; two spaces for residential artist studio with three or more bedrooms.
 - d. Townhouses: one space per unit.
 - e. Multifamily buildings: same as townhouses.
 - f. Retail businesses: one space per 400 feet of net floor area.
 - g. Office uses: one space per 400 feet of net floor area.
 - h. Medical or dental clinics: one space per 200 feet of net floor area.
 - i. Restaurants, cafes and diners: one space per four seats or bench equivalent capacity.
 - j. Off-street parking provided as a private or municipal facility, within 500 feet of any use allowed in the DEZ may be included in the calculation of off-street parking requirements, if written documentation is provided indicating the permanent availability of off-street parking for the use in question. Parking areas may or may not be within the same zoning district.
 - k. One parking space may be eliminated from the total off-street parking requirement if two trees and flowering shrubs (or similar planting scheme) are provided and maintained along the lot frontage or within the lot so as to minimize views of the parking area and/or improve the streetscape.
 - l. One parking space may be eliminated from the total off-street parking requirement if a publicly accessible walkway is provide connecting two streets in the instance where a lot has the minimum required frontage on two parallel streets or where the lots are back to back and have the minimum required frontage on two parallel streets.
 - m. One parking space may be eliminated from the total off-street parking requirement if a significant and permanent public art contribution is provided.
 - n. Subsections (5)j, k, and l of this section may be combined resulting in a reduction of up to two parking spaces. A developer shall be eligible for parking reductions in subsections (5)k, l, and m of this section if all requirements in the subsections are met and the proposal has been reviewed by the city planning department.
 - o. For projects subject to special exception review, the planning board may reduce the total required off-street parking by up to 30 percent. Off-street parking is required to be met on site to the extent practicable based on the characteristics and use of the property. On-street parking may be allowed within 500 feet if no other off-street parking is available, subject to the approval of the community development department.

ARTICLE V. - OFF-STREET PARKING AND LOADING

Sec. 60-607. - General provisions and design standards.

Development of the parking and loading spaces required by this section is subject to the following general provisions and design standards:

- (1) There shall be provided, at the time of erection of any main building or structure or development of a site in its permitted use, the minimum number of off-street parking and loading spaces specified in the following subsections, within or without a structure. In calculating the spaces, any fractions shall be rounded to the nearest whole number.
- (2) Each individual parking space shall consist of an effective area of nine feet by 18 feet in dimension and shall be accessible to a public way, except for residential uses in Multifamily Urban Districts (MFU) containing five or more dwelling units. Such uses may develop tandem parking spaces but shall be limited to not more than two vehicles in depth.
- (3) Loading spaces shall have the following dimensions:
 - a. Buildings having a gross floor area of 10,000 square feet or less: 25-foot length, 20-foot width;
 - b. Buildings having a gross floor area of greater than 10,000 square feet: 50-foot length, ten-foot width. Each loading space shall have a vertical clearance of at least 14 feet. Required loading spaces shall not be counted as meeting part of the parking space requirements.
- (4) Interior driveways and ingress and egress points serving parking areas shall be at least 20 feet in width to allow safe and expeditious movement of vehicles. Ingress and egress points shall be separated wherever possible and so signed. Ingress and egress points for one-way vehicular movement only, may be reduced to not less than 14 feet for angle parking areas or 12 feet for perpendicular parking areas.
- (5) The required parking and/or loading spaces shall be provided on the same lot as the principal use, building or structure they are required to serve. For buildings other than dwellings, parking spaces may be located not more than 300 feet there from should practical difficulties prevent their provision on the same lot.
- (6) No required parking area or driveways servicing same shall be used for the sale, repair, dismantling or servicing of any vehicle, equipment, material, supplies or merchandise.
- (7) In any residential district, off-street parking may include the parking or storage of not more than one inoperable motor vehicle per lot. If also unlicensed, the vehicle must be stored within a building.
- (8) In any residential district, off-street parking may include not more than one commercial vehicle per lot.
- (9) In any residential district, no portion of the front yard space, other than the driveway, shall be utilized for off-street parking.
- (10) Any parking or loading space serving a business or industrial use which abuts the side or rear lot line of a lot in a residential district or use shall be screened from said lot by a tight evergreen shrub hedge or similar landscaping, a fence, a solid wall or a combination of two or more of the foregoing. The screen landscaping, wall or fence shall be at least six feet high and may be extended no closer than 15 feet from the street line.
- (11) Exterior lighting provided in any parking or loading area shall be arranged and shielded so that it is deflected away from adjacent properties used for residential purposes and from any public highway.
- (12) All uses containing over five parking and/or loading spaces shall either contain such spaces within structures or be subject to the following requirements:

Reference Material on Parking for Form Based Code Review-

- a. All access drives, parking, loading and service spaces shall be graded and surfaced with a solid paving material that is impermeable to water and so as to be dust free and properly drained. Materials which satisfy this criteria include but are not limited to: bituminous pavement, concrete, geotextiles and brick or cobblestone or other paving block provided that it is mortared.
 - b. Parking and loading spaces shall be suitably marked by painted lines or other appropriate markings.
 - c. A substantial bumper of concrete, masonry, steel or heavy timber or a curb of similar material or an earthen berm shall be placed at the head of each parking or loading stall that abuts a structure, rear or side setback or property line, sidewalk, street right-of-way, or landscaped area to prevent vehicles from rolling into such areas.
 - d. Where, in nonresidential districts, parking is planned to occupy a portion of the required front yard area, parking shall not be placed nearer than ten feet from the street right-of-way line. The area between the parking area and the street right-of-way line shall be landscaped.
- (13) Parking and loading spaces shall be so arranged as not to require backing of vehicles onto any public street. No loading platforms or receiving doors shall be located on the street side of any retail store or other commercial building unless such platforms or receiving doors be located not less than 60 feet from the sideline of any street right-of-way lines.
- (14) No portion of any entrance or exit driveway serving a residential use or building shall be closer than 50 feet from the nearest public street intersection unless prevented by dimensional or physical difficulties. No portion of any entrance or exit driveway serving a commercial or industrial use of building shall be closer than 100 feet from the nearest public street intersection unless prevented by dimensional or physical difficulties.
- (15) On lots where one entrance and exit driveway or curb-cut is constructed, the curb-cut shall not exceed 32 feet in width. Where two or more driveways or curb-cuts are constructed, the curb cuts shall not exceed 20 feet in width. For automotive service stations, the curb cut widths may be increased to 32 feet for each driveway or access, but shall not exceed two driveways. These widths may be increased up to a maximum of 44 feet on arterial roads if required by the city engineering department or the state department of transportation.
- (16) A parking lot cluster containing more than 80 stalls shall contain landscaped areas within the perimeter of the overall lot, in the form of landscaped perimeter and islands.
- (17) For those developments subject to site plan review (division 2 of article XVI of this chapter) the relaxation of the requirements of this section shall be reviewed by the planning board.
- (18) Required off-street parking in the Auburn Downtown Action Plan for Tomorrow area for lots which cannot provide their own parking because of location, lot size or existing development may be substituted by parking facilities which, in the public's interest may be provided for by the municipality or private parking resources. No such public or private off-street parking shall be considered as a substitute unless located within 1,000 feet of the principal building or use as measured along lines of public access.
- (19) In calculating the required number of off-street parking spaces, the gross leasable area shall be used.

(Ord. of 9-21-2009, § 4.1A)

Sec. 60-608. - Parking requirements.

A minimum number of off-street parking spaces shall be provided with each use permitted, erected, altered or changed, in accordance with the following standards:

Reference Material on Parking for Form Based Code Review-

Off-Street Land Use	Minimum Number of Parking Spaces
Residential	
Single-family; farm	Two per each dwelling unit
Multifamily; two-family	1½ per dwelling unit
Elderly**	One-half per dwelling unit
Commercial	
Retail, business or institution	One per 300 square feet of gross floor area
Office, business, medical or dental	One per 200 square feet of gross floor area plus one per each doctor
Wholesale, warehouse	One per 1,200 square feet of storage gross floor area
Industrial or Manufacturing	One-half per employee for combined employment of the two largest overlapping shifts.
Hotel, motel, boarding and lodging and lodginghouses, tourist homes	One per guestroom plus one-half per employee
Places of assembly	
Restaurants	One per each three seats or equivalent bench seating capacity
Stadiums, outdoor amphitheaters	One per each four seats or equivalent bench seating capacity
Churches, temples, synagogues	One per each five seats or equivalent bench seating capacity

Reference Material on Parking for Form Based Code Review-

Indoor theaters	One per each five seats
Auditoriums	One per each ten seats
Meeting halls, convention exhibition halls	One per 100 square feet of floor area and floor area used for assembly
Hospitals	One per bed
Nursing homes	One-half per bed
Educational institutions	
Elementary/middle	One per classroom
High school	Four per classroom
College, business, vocational schools	One per 200 gross square feet of classroom area
Dormitories	One-third per bed
Home Occupation	One per 50 square feet of gross floor area used for home occupation
Recreational Uses	
Golf course	Six per green
Tennis court	Three per court
Swimming pool	One per 100 square feet of gross area per facility
Skating rink	One per 100 square feet of gross area of facility
Ranges (golf, skeet)	1½

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Campgrounds	1½ per campsite
Ski areas	50 percent of the lift capacity
Shopping centers	4½ per 1,000 square feet of gross leasable floor area
Mixed uses	Sum of various uses computed separately unless it can be demonstrated to the planning board's satisfaction that the need for parking by each occurs at different times.
Uses not listed or	The required number of similar to those parking spaces shall be noted above determined by the municipal officer charged with enforcement and shall conform to the number of spaces for similar uses as listed in the latest planning publication on file in the office of community development and planning.
**Applies to elderly housing as constructed under special local, state or federal guidelines restricting occupancy to elderly persons.	

(Ord. of 9-21-2009, § 4.1B)

Sec. 60-609. - Off-street loading space requirements.

Loading and unloading from a public street is prohibited except in permitted loading and unloading areas. Each building hereafter erected and every use hereafter established in an existing building or area shall be provided with a minimum number of loading space located at the rear of the building as follows:

Land Use	Minimum Number of Off-Street Loading Spaces
All uses under 5,000 square feet of gross floor area	No minimum
All buildings	Sufficient provisions to eliminate all loading on the street pursuant to

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	normal economic activity
<p>Retail trade, manufacturing and hospital establishment with over 5,000 square feet of gross</p>	<p>One per 20,000 square feet or fraction thereof of gross floor area up to two spaces; one additional space for each 60,000 square feet or fraction thereof of gross floor area over 40,000 square feet used for ambulance receiving at a hospital is not to be used to meet these loading requirements</p>
<p>Business services, other services, community facilities (schools, church, municipal building, recreation, etc.) or public utility establishment with over 5,000 square feet of gross floor area</p>	<p>One per 75,000 square feet or fraction thereof of gross floor area up to two spaces; one additional space for each 20,000 square feet or fraction thereof of gross floor area over 150,000 square feet</p>