



# **AUBURN PLANNING BOARD MEETING**

**March 10, 2015**  
**Agenda**

**6:00 P.M. - City Council Chambers (Auburn Hall)**

**1. ROLL CALL**

**2. MINUTES**

Review and approval request of the February 10, 2014 Meeting Minutes

**3. PUBLIC HEARINGS**

- A. George Bouchles, Surveyor, and agent for Bouffard and McFarland Builders, is seeking approval for a 5 lot, minor subdivision at property located at 113 Woodbury Road, pursuant to Chapter 60, Sections 1359 and 1360, Division 4 Subdivision of the Auburn Code of Ordinances.

**4. OLD BUSINESS:**

- A. Continued discussion of a draft Zoning Text Amendment to the City of Auburn's Zoning Ordinance to facilitate the implementation of the 2010 Comprehensive Plan's recommendation for Moderate Density Residential Development.
- B. Continued Planning Board discussion and review of the 1<sup>st</sup> Draft Form Based Code- Alan Manoian

**5. NEW BUSINESS:**

**6. PUBLIC COMMENT:**

**7. MISCELLANEOUS:**

**8. ADJOURNMENT:**

Next scheduled meeting is on April 14, 2015 6 p.m. Council Chambers

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Office of Planning & Development

### **PLANNING BOARD STAFF REPORT**

To: Auburn Planning Board

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

Re: Woodbury Heights Subdivision

Date: March 6, 2015

#### I. PROPOSAL-

George Bouchles, Surveyor, and agent for Bouffard and McFarland Builders, is seeking approval for a 5 lot, minor subdivision at property located at 113 Woodbury Road (PID # 110-009), pursuant to Chapter 60, Sections 1359 and 1360, Division 4 Subdivision of the Auburn Code of Ordinances.

This property recently had a Comprehensive Plan Map Amendment approved by the Planning Board and City Council to change its Future Land Use from Agriculture/Rural to Low Density Residential. The property is entirely zoned Low Density Rural Residential.

Of the 5 proposed lots, 4 are located along Danville Corner Road and one on Woodbury Road. A 60 foot space has been reserved for a possible future road, which could serve the interior part of the site.

#### PROPERTY DESCRIPTION-

The 57 acre property has road frontage on Danville Corner Road and Woodbury Road. Danville Corner Road is straight, improved road while Woodbury Road is a lesser quality road with portions being gravel and parts paved. There are steeper slopes on the rear western portion of the property, a cleared former pasture in the center and the rest of the property being wooded. A petroleum pipeline transects the property as well. The property is vacant.

#### II. DEPARTMENT REVIEW-

A Plan Review Committee meeting was held on February 19<sup>th</sup>.

a. Police- No comments were received from Police.

- b. Auburn Water and Sewer District- John Storer, Director of the Auburn Water and Sewer District had no concern with the proposed subdivision and added that City water and sewer were within 2,000 feet of the property.
- c. Fire Department- David O'Connell, Fire Safety Inspector had no specific concern but added that that the development is not served by public water and therefore did not have a fire hydrant available. This condition might affect new home owner cost of insurance.
- d. Engineering-
  - Proposed Lot 5 may not meet all of the requirements for a lot as defined in Sec. 60-2 of the Code of Ordinances; particularly the depth of lot and width of lot. This should be checked and confirmed. (Note: This item has been addressed and lot 5 now meets the definition of lot depth)
  - The plan shows what appears to be a 50 foot setback from the petroleum pipe line where it crosses some of the proposed lots. It is labeled 50' on Lots 2 and 5, but not on Lot 3. This is apparently a self imposed setback since there appears to be no defined width to the petroleum pipe line easement. (Note: This item has been addressed in a revised plan and by note 8)
  - There is a recently installed Unitil natural gas line on the northeasterly side of the Danville Corner Rd that runs the entire length of this project. This should be shown on the plans. (This has been addressed on the revised plan)
  - There has been discussion regarding the condition of the Woodbury Road and the impact this development may have on the City's future maintenance obligation. At this time there are no plans to make any capital improvements to the road.
  - The areas designated buffer areas for the stormwater management plan need to be protected by deed restrictions and covenants. It is recommended that they be delineated in the field to ensure they are not disturbed during lot development. (This should be clarified on a plan note)
  - With the vertical grade changes on Woodbury Rd, driveway location on lots 5 could possibly have limited sight distance. Difficult to make an accurate assessment with the current site condition. (Developer will address this at the meeting)
- e. Lewiston Auburn Airport- A portion of the property is included in an "Area of Influence", that is a property within 10,000 feet of the airport. Rick Lanman, LA Airport Manager requested that no structures be constructed over 50 feet in height. The Rural Residential zoning on the property only allows a maximum height of 35 feet so the staff is comfortable with the proposed subdivision.
- f. Planning and Development-
  - The applicant originally submitted a 9 lot subdivision, which would qualify as a major subdivision which would require a 2 month Planning Board review



process. Subsequently, the applicant reduced the number of lots to 5, which now makes it a minor subdivision, which is a month long review.

- The Staff worked with the application bring lot 5 into conformance to meet the definition of lot measurement. From the Definition Section: Article I (page 8)

*Lot measurements means the following measurements: (1) The depth of a lot shall be considered to be the uninterrupted distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear unless a lot meets the exception provided for by section 60-39. See attachment:*

III. PLANNING BOARD ACTION- The Planning Board is being asked to review this application using Chapter 60- Sections 1359 and 1360, Division 4 Subdivision of the Auburn Code of Ordinances.

A. Sec. 60-1359. - Guidelines.

When reviewing any subdivision for approval, the planning board shall consider the following criteria, and before granting either approval or denial, shall determine that the proposed subdivision:

- (1) Will not result in undue water, air or noise pollution. In making this determination it shall at least consider:
  - a. The elevation of land above sea level and its relation to the floodplains, the nature of soils and subsoils and their ability to adequately support waste disposal;
  - b. The slope of the land and its effect on effluents;
  - c. The availability of streams for disposal of effluents; and
  - d. The applicable state and local health and water resources regulations, including stormwater management requirements in accordance with section 60-1301(14);
- (2) Has sufficient water available for the reasonably foreseeable needs of the subdivision;
- (3) Will not cause an unreasonable burden on an existing water supply, if one is to be utilized;
- (4) Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;
- (5) Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed;
- (6) Will provide for adequate sewage waste disposal;
- (7) Will not cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage if municipal services are to be utilized;
- (8) Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas;
- (9) Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any;



- (10) Is funded by a subdivider has adequate financial and technical capacity to meet the standards of this section;
- (11) Will not adversely affect the character of the surrounding neighborhood and will not tend to depreciate the value of property adjoining the neighboring property under application;
- (12) Has provisions for on-site landscaping that are adequate to screen neighboring properties from unsightly features of the development;
- (13) Will not create a fire hazard and has provided adequate access to the site for emergency vehicles;
- (14) Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater;
- (15) Does not have long-term cumulative effects of the proposed subdivision will that unreasonably increase a great pond phosphorus concentration during the construction phase and life of the proposed subdivision.

**The Staff's finds that the Application submitted for Woodbury Heights, Minor Subdivision meets the criteria set forth in Section 60-1359.**

**B. Sec. 60-1360. - Procedure—For Minor Subdivision.**

- (a) *Generally.* The planning board may require where it deems it necessary for the protection of public health, safety and welfare, that a minor subdivision comply with all or any of the requirements specified for major subdivision.
- (b) *Procedure.*
  - (1) The subdivider shall submit an application for approval of a minor subdivision plan at least 30 days prior to a scheduled meeting of the planning board.
  - (2) The applicant shall secure approval from the tax assessor for a lot numbering sequence to ensure compatibility with the existing tax system. The numbering system will not be construed to indicate anything more than identification of parcels for taxation purposes.
  - (3) All applications for plan approval for minor subdivision shall be accompanied by a fee in the amount per lot provided in the city fee schedule, payable by check to the city.
  - (4) The subdivider or his duly authorized representative, shall attend the meeting of the planning board to discuss the plan.
  - (5) Upon receiving an application, the municipal reviewing authority shall notify by mail all abutting property owners of the proposed subdivision, specifying the location of the proposed subdivision and a general description of the project. After the municipal reviewing authority has determined that a complete application has been filed, it shall notify the applicant and begin its full evaluation of the proposed subdivision.
  - (6) The planning board shall, within 30 days of receiving the complete application, hold a public hearing on such plan. Notification shall comply with division 3 of article XVII of this chapter.
  - (7) Upon receipt of a complete application, the planning board shall take final action within 30 days or within such other time limits which may be mutually agreed to by the developer. Such final action shall consist of approval, approval with conditions or disapproval of the final plan. The planning board shall specify its reasons for any such conditions or approval by its approved minutes. The planning board shall convey in writing to the developer their final action.

**The Staff's finds that the Application submitted for Woodbury Heights, Minor Subdivision meets the criteria set forth in Section 60-1360.**

**C. Sec. 60-1365. - General requirements.**

In reviewing applications for the subdivision of land, the board shall consider the following general requirements. In all instances the burden of proof shall be upon the persons proposing the subdivision.

- (1) *Subdivision plan shall conform to the comprehensive plan.* Any proposed subdivision shall be in conformity with the comprehensive plan of the city and with the provisions of all pertinent state and local codes and ordinances.
- (2) *Preservation of natural and historic features.* The board may require that a proposed subdivision design include a landscape plan that will show the preservation of existing trees and vegetation, graded contours, streams and the preservation of scenic, historic or environmentally desirable areas. The street and lot layout shall be adapted to the topography. Extensive grading and filling shall be avoided as far as possible.
- (3) *Lots.*
  - a. The lot size, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
  - b. Depth and width of properties reserved or laid out for all purposes shall be adequate to provide for off-street parking and service facilities for vehicles required by the type of use and development contemplated.

**The Staff's finds that the Application submitted for Woodbury Heights, Minor Subdivision meets the criteria set forth in Section 60-1365.**

**IV. STAFF RECOMMENDATION-**

The Staff recommends **APPROVAL** of the 5 lot Woodbury Heights minor subdivision with the finding that it meets the requirements of Chapter 60, Sections 1359, 1360 and 1365 of the Auburn Zoning Ordinance.

This recommendation of **APPROVAL** is subject to the following conditions:

1. The applicant shall secure approval from the tax assessor for a lot numbering sequence to ensure compatibility with the existing tax system. The numbering system will not be construed to indicate anything more than identification of parcels for taxation purposes.
2. Add note to plan clarifying the requirements and conditions of the buffer areas.



Douglas M. Greene, A.I.C.P., R.L.A.  
City Planner





**CADmaster**

*CAD Drafting, Land Surveying and Septic Design*

191 Madison Street - Auburn, ME 04210  
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February 10, 2015

Auburn Planning Board  
City of Auburn  
60 Court Street  
Auburn, Maine 04210

RE: "Woodbury Heights" - 5 Lot Residential Subdivision  
Danville Corner Road & Woodbury Road  
Auburn, Maine  
Minor Subdivision Application

Dear Planning Board Members:

On behalf of Mr. Gary McFarland & Mr. Reggie Bouffard, please find attached an application for a Minor Subdivision Application and supportive documentation for review and approvals of a five (5) lot residential subdivision to be located on Danville Corner Road and Woodbury Road in the City of Auburn.

Briefly, Mr. McFarland and Mr. Bouffard propose to subdivide a 57.39 acre parcel of land they jointly own located on the Danville Corner Road and the Woodbury Road (municipal tax map no. 110, lot no. 9), into five (5) residential house lots. The proposed development parcels will be divided into five (5) lots ranging in size from 2.00 acres to 4.03 acres with the land to be retained by owners consisting of 43.31 acres. The proposed subdivision will not require the construction of any new roads and all the lots will be serviced by on-site drilled wells and subsurface waste water disposal system.

I trust the following information will be sufficient for review and approval of the enclosed Subdivision Application.



I look forward to meeting with the Board at its regularly scheduled meeting on March 10, 2015 to discuss the enclosed application.

Respectfully submitted,  
CADmaster Drafting, Land  
Surveying and Septic Design

A handwritten signature in black ink, appearing to read "George Bouchles". The signature is fluid and cursive, with the first name "George" and last name "Bouchles" clearly distinguishable.

George Bouchles, PLS 2295, LSE 338



# Development Review Application

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



PROJECT NAME: Woodbury Heights

PROPOSED DEVELOPMENT ADDRESS: 113 Woodbury Road

PARCEL ID#: Map 110, Lot 009

REVIEW TYPE:      Site Plan ☐                      Site Plan Amendment ☐  
                         Subdivision ☒                      Subdivision Amendment ☐

PROJECT DESCRIPTION: B&M Developers, Inc. is proposing to create a 5 Lot Residential Subdivision to be located partially on Danville Corner Road (4 lots), and partially on the Woodbury Road (1 lot). Each lot will be serviced by on-site individual Subsurface Waste Water Disposal System and Drilled Wells. No extension of Municipal Services (i.e., road construction, water or septic sewer mains, etc.) are proposed at this time.

## CONTACT INFORMATION:

### Applicant: B&M Developers, Inc.

Name: Gary McFarland, Reggie Bouffard  
Address: 195 Center Street - Auburn, ME  
Zip Code: 04210  
Work #: 783-6224  
Cell #: 576-0573 (Gary)  
Fax #: 783-4994  
Home #: n/a  
Email: bmhouse@al.com

### Property Owner: B&M Developers, Inc.

Name: Gary McFarland, Reggie Bouffard  
Address: 195 Center Street - Auburn, ME  
Zip Code: 04210  
Work #: 783-6224  
Cell #: 576-0669 (Reggie)  
Fax #: 783-4994  
Home #: n/a  
Email: rkbouffard@aol.com

### Project Representative

Name: George Bouchles, PLS 2295  
Address: 191 Madison Street - Auburn, ME  
Zip Code: 04210  
Work #: 786-3232  
Cell #: 240-5567  
Fax #: 786-3232  
Home #: n/a  
Email: gsb@cadmasterr.com

### Other professional representatives for the project (surveyors, engineers, etc.),

Name: Vaughn Smith, C.S.S. # 290  
Address: 1006 Hallowell Rd. - West Gardiner  
Zip Code: 04345  
Work #: 724-5635  
Cell #: 441-3887  
Fax #: n/a  
Home #: n/a  
Email: s

## PROJECT DATA

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

### IMPERVIOUS SURFACE AREA/RATIO

Existing Total Impervious Area	0	sq. ft.
Proposed Total Paved Area	0	sq. ft.
Proposed Total Impervious Area	0	sq. ft.
Proposed Impervious Net Change	0	sq. ft.
Impervious surface ratio existing	0	% of lot area
Impervious surface ratio proposed	0	% of lot area

### BUILDING AREA/LOT

#### COVERAGE

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

#### ZONING

Existing  
Proposed, if applicable

Low Density Rural Residential  
N/A

#### LAND USE

Existing  
Proposed

VACANT  
Residential

#### RESIDENTIAL, IF APPLICABLE

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

0  
1  
5

#### PARKING SPACES

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

0  
1  
1  
1

\$ 15,000.<sup>00</sup>

### ESTIMATED COST OF PROJECT

### DELEGATED REVIEW AUTHORITY CHECKLIST

#### SITE LOCATION OF DEVELOPMENT AND STORMWATER MANAGEMENT

Existing Impervious Area	0	sq. ft.
Proposed Disturbed Area	0	sq. ft.
Proposed Impervious Area	0	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-existing  
(Since July 1, 1997)

0 passenger car equivalents (PCE)



Total traffic estimated in the peak hour-proposed (Since July 1, 1997) 27\_\_\_\_\_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 Low Density Rural Residence District zoning district.

2. Parcel Area: 57.40 acres / \_\_\_\_\_ square feet(sf).

#### **Regulations**

Required/Allowed

Provided

Min Lot Area 43,560 sq. ft. \_\_\_\_\_ / \_\_\_\_\_

Street Frontage 250 ft. \_\_\_\_\_ / \_\_\_\_\_

Min Front Yard 25 ft. \_\_\_\_\_ / \_\_\_\_\_

Min Rear Yard 25 ft. \_\_\_\_\_ / \_\_\_\_\_

Min Side Yard 15 ft. \_\_\_\_\_ / \_\_\_\_\_

Max. Building Height 35 ft. \_\_\_\_\_ / \_\_\_\_\_

Use Designation Residential \_\_\_\_\_ / \_\_\_\_\_

Parking Requirement 1 space/ per N/A square feet of floor area

Total Parking: N/A \_\_\_\_\_ / \_\_\_\_\_

Overlay zoning districts (if any): N/A \_\_\_\_\_ / \_\_\_\_\_

Urban impaired stream watershed? YES/NO If yes, watershed name \_\_\_\_\_ N/A

## **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 be 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.

**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](http://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:

February 9, 2015



**CADmaster**

*CAD Drafting, Land Surveying and Septic Design*

191 Madison Street – Auburn, ME 04210  
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e-mail – gsb@cadmasterr.com

February 10, 2015

Mr. Gary McFarland  
Mr. Reggie Bouffard  
c/o B&M Developers, Inc.  
195 Center Street  
Auburn, Maine 04210

RE: Preliminary Soils Investigation Report  
"Woodbury Heights" - (5 Lot Residential Subdivision)  
Danville Corner & Woodbury Roads  
Auburn, Maine

Dear Mr. McFarland & Mr. Bouffard:

At your request, preliminary Site/Soils Investigations were performed on five (5) lots of a proposed five (5) lot subdivision you propose to create from a portion of a 57.39 acre parcel of land you own on the Danville Corner Road and the Woodbury Road in the City of Auburn, Maine. The property you propose to subdivide is shown on a plan entitled "Subdivision Plan - Woodbury Heights" prepared by George S. Bouchles, PLS 2295 and depicts five (5) proposed residential house lots ranging in area from 2.00 acres to 4.03 acres with a 43.31 acre parcel to be retained by you.

The purpose of the preliminary investigation was to determine suitability for on-site Subsurface Waste Water Disposal Systems to accommodate a four (4) bedroom single family dwelling on each of the lots in accordance with the current *Maine Subsurface Waste Water Disposal Rules* (SWWDR), dated January 1, 1998, and as amended.

**Date of Investigation:** January 17, 2015



**Method of Investigation:** Dutch Auger test pits

**Method of Ground Control:** Test pits were located in relationship to boundary information observed in the field and boundary information as shown on the above referenced plan as well as existing survey control stations in relationship to proposed lot lines also shown on the above referenced plan.

**Findings:** The site is, for the most part, tree covered with a mix of hardwood and softwood as well as an open field near the middle of the property. The terrain is generally sloping down from the Danville Corner Road with a field bisecting the parcel and steep slopes on the back side of said field.

Test pit results for the proposed five (5) lots tested indicate the underlying Parent Material to be of a "Basal Glacial Till" type material, and designated as 3C & 3D, soils as defined in the current SWWDR referred to above.

Soil textures for these test pits consisted of approximately 1 to 2 inches of humus containing decaying leaves, twigs and sticks at the surface. The next 4 to 6 inches consisted of a brown to light brown fine sandy loam textured soils with roots present and angular rocks were observed. The next 8 to 22 inches consisted of a light yellowish brown fine sandy loam textured soils with roots present and angular rock fragments observed. The remainder of the profile consisted of a light yellowish brown to light olive gray fine sandy loam textured soil with no roots visible, angular rock fragments were still present with the soil textures being firm and difficult to excavate.

Pit depths were limited to 12 inches below the observed seasonal high water table or to refusal.

**Recommendations:** It is my recommendation that, based upon results of the test pits evaluated and site conditions observed, there is suitable soils and sufficient area for the five (5) new single-family dwelling sites proposed.

### Test Pit Summary

Test Pit no.	Preliminary Soil	Mottling	Restrictive Layer	Bedrock/ Refusal	System Type	Size Recomm.
1	3 D	-10"	-14"	none	Enviro-Septic	13x50
2	3 D	-14"	-15"	none	Enviro-Septic	13x50
3	3 C	-18"	-20"	none	Enviro-Septic	10x50
4	3 C	-24"	-26"	none	Enviro-Septic	10x50
5	3 C	-22"	-24"	none	Enviro-Septic	10x50

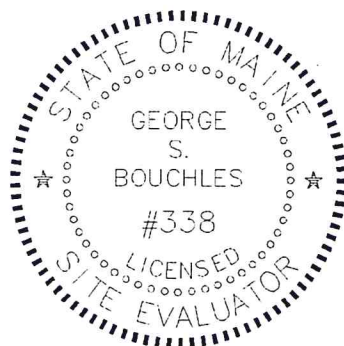
The site and soils information contained within this report is preliminary and intended for the purpose of review and planning purposes only. Prior to the issuance of any municipal permits, a full site and soils evaluation of each lot will be required, and a complete design of the proposed subsurface waste water disposal system and location must be delineated on the State supplied HHE-200 soils design forms.

I trust the enclosed information will satisfy your immediate needs. Should you have any questions, feel free to give me a call.

Respectfully yours,  
CADmaster Drafting & Septic Design



George S. Bouchles, LSE 338



## **STORMWATER MANAGEMENT PLAN**

### **Woodbury Heights Subdivision Auburn, Maine**

The following Stormwater Management Plan has been prepared for B & M Developers, Inc. to evaluate stormwater runoff and erosion control for the proposed 5 lot residential subdivision located on Danville Corner Road and Woodbury Road, in Auburn, Maine.

#### **Existing Conditions**

The development parcel is approximately 57.4 acres and is located northwest of the intersection of Danville Corner Road and Woodbury Road in Auburn, Maine. The site is an undeveloped forest that is located south-southwest of Danville Corner Road and north of Woodbury Road Baker Road (see attached Aerial Map). The parcel is bisected by a forested wetland system that flows from the midpoint of the property along Woodbury Road to the northernmost property corner adjacent to Danville Corner Road. The area within 200' of either side of the wetland system generally contains slopes that are typically between 4%-6%. The remainder of the site features typical slopes between 8%-15%. The northeastern half of the site drains to the wetland system. The remainder of the property drains to a brook that is located just downstream of the western property. Both outlet points eventually drain to the Royal River. A copy of a composite U.S.G.S. Quadrangle Map (Lewiston & Minot) is attached to this submittal.

#### **Proposed Development**

The applicants propose to create a 5 lot residential subdivision on approximately 13.3 acres and will retain the remaining 43.2 acres. Four of the proposed lots will be located along Danville Corner Road and the fifth will access directly to Woodbury Road. No new infrastructure is proposed. There are no proposed wetland impacts from this development.

The lots will be surrounded by wooded stormwater buffers that were designed to meet MDEP Chapter 500 requirements. The extensive buffers will ensure that existing drainage patterns are preserved to the maximum extent possible by both keeping the water spread out over the development area and encouraging runoff to be non-channelized. The buffers will help to control the peak rate of runoff of the post development condition while providing a high degree of water quality treatment.

The applicants intend to selectively cut trees within the buffer during development to provide views of Mt. Washington for some of the lots. They will limit the disturbance to the ground cover to preserve the functionality of the buffer areas.

#### **Flooding**

The development area is not located within an area of flood hazard according to the Federal Insurance Rate Maps 23001C0317E & 23001C0320E. See attached maps.

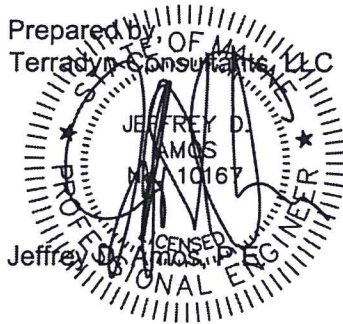


### **Onsite Soils**

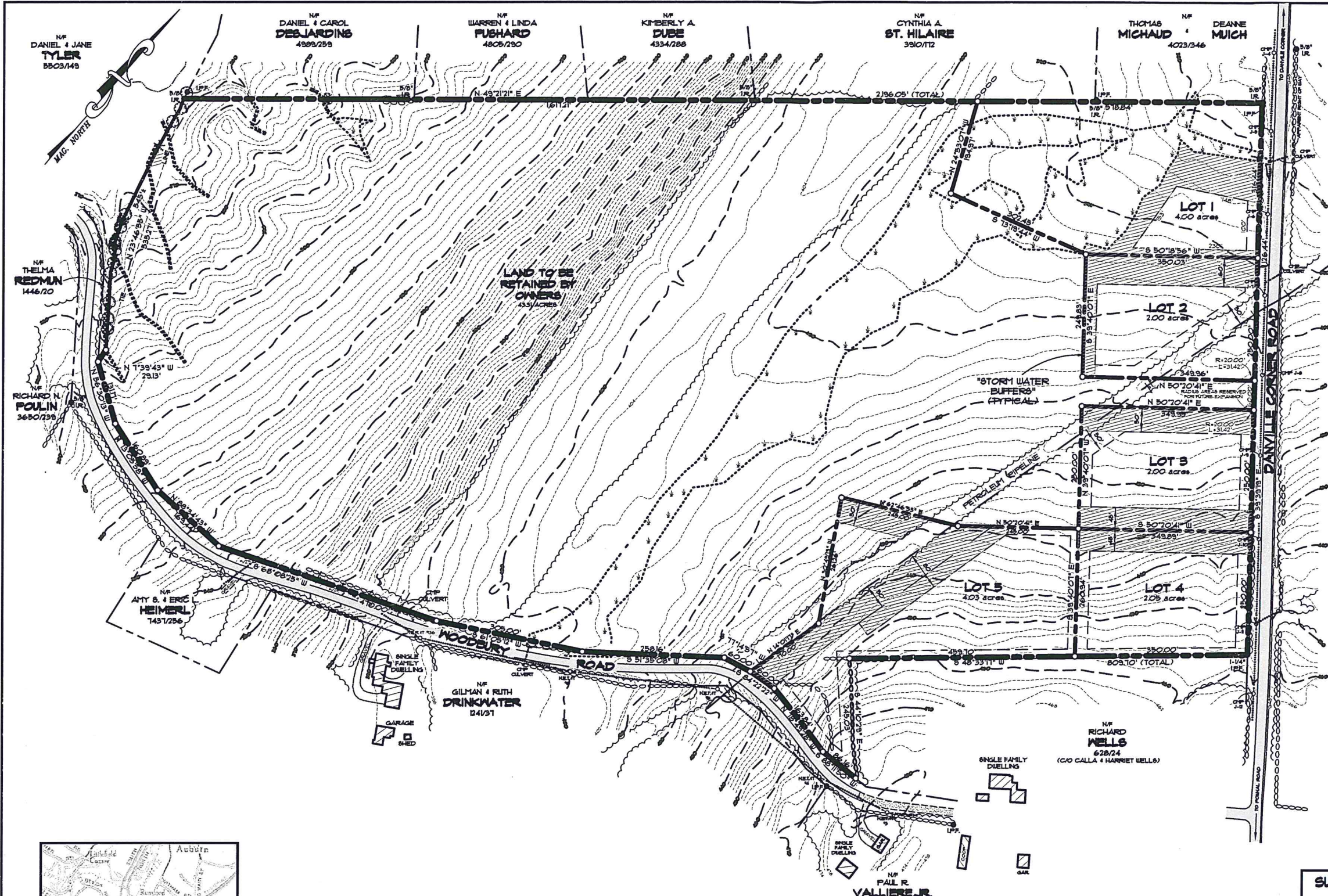
The soils were delineated from the Androscoggin County Medium Intensity Soil Survey as shown on the Soil Data Viewer on the NRCS website (See attached map). The soil survey reports the watershed soils are varied across the project site, but the development is generally located over hydrologic group (HSG) C soils. All stormwater buffers were sized for HSG C soils.

### **Summary**

Based on the results of this evaluation, the proposed stormwater design is not expected to cause flooding, erosion or other significant adverse effects downstream of the site.

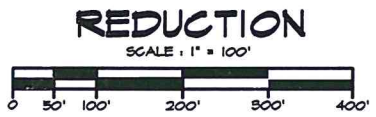






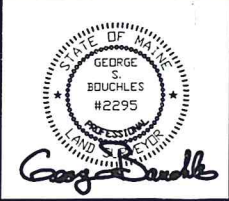
- NOTES:**
- 1) ALL BEARINGS REFER TO MAGNETIC NORTH AS OBSERVED FEBRUARY 10, 1998, AND AS SHOWN ON AND ORIENTED TO A PLAN AS REFERRED TO IN NOTE 3 BELOW.
  - 2) ALL BOOK AND PAGE NUMBERS REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.
  - 3) TOTAL AREA OF PARCEL = 5.133 ACRES. (LOT 1 THRU 5 = 30.333 ACRES).
  - 4) REFERENCE IS MADE TO A PLAN ENTITLED "STANDARD BOUNDARY SURVEY - WOODBURY SUBDIVISION" DATED AUGUST 10, 1998 BY GILLENBERG LAND SURVEYING, AND RECORDED AT SAID REGISTRY IN PLAN BOOK 40, PAGE 183.
  - 5) FOR INFORMATION REGARDING THE WOODBURY ROAD REFERENCE IS MADE TO THE CITY OF AUBURN'S COUNCIL RECORDS VOLUME 18, PAGE 246, DATED NOVEMBER 20, 1961. THIS ACTION BY THE COUNCIL WAS MADE TO OFFICIAL NAME CERTAIN ROADS WITHIN WARD FIVE. RESEARCH AT THE ABOVE REFERENCED REGISTRY, THE CITY OF AUBURN AND THE COUNTY COMMISSIONERS OFFICE INDICATED THE EXISTENCE OF THIS ROAD TO AT LEAST 1884. NO FORMAL DEFINITION FOR ITS LOCATION AND WIDTH WAS FOUND. THE APPARENT RIGHT OF WAY OF THE WOODBURY ROAD WAS ESTABLISHED AS A THREE (3) ROD WIDE ROAD (488') UTILIZING EXISTING MONUMENTATION FOUND (IE. STONEWALL, IRON PIPES OR RODS, ETC.) AND THE CENTERLINE OF THE EXISTING ROAD AS BEST AS PRACTICABLE.
  - 6) THE PREMISES IS SHOWN ON THE CITY OF AUBURN'S MUNICIPAL TAX MAP NO. 10, LOT 3 AND IS CURRENTLY LOCATED WITHIN THE "LOW DENSITY RURAL RESIDENCE DISTRICT". DIMENSIONAL REQUIREMENTS FOR THIS ZONE ARE AS FOLLOWS:  
A) MINIMUM LOT SIZE = 46,560 SQ. FT. (1 ACRE)  
B) MINIMUM FRONTAGE = 250'  
C) MINIMUM FRONT AND REAR YARD SETBACK = 25'  
D) MINIMUM SIDE YARD SETBACK = 15'  
E) MAXIMUM HEIGHTS = 35'
  - 7) SOURCE DEED AND CURRENT OWNER, B&M DEVELOPERS, INC. - REFERENCE IS MADE TO A DEED FROM INEZ BUCK, NANCY MAHEU, & JUDITH DAVIS-KOVATS TO B&M DEVELOPERS, INC. DATED SEPTEMBER 15, 2014, AND RECORDED AT SAID REGISTRY IN BOOK 2997, PAGE 44.
  - 8) THE PREMISES IS SUBJECT TO A PETROLEUM PIPELINE EASEMENT CONVEYED TO BUCKEYE PIPE LINE TRANSPORTATION, LLC DATED JULY 15, 2011, AND RECORDED AT SAID REGISTRY IN BOOK 8234, PAGE 91. THE LOCATION OF THE PIPELINE, AS SHOWN ON THIS PLAN, IS APPROXIMATE BASED ON SIGNAGE LOCATED ALONG ITS LENGTH AS IT PASSES THROUGH THIS PARCEL.
  - 9) TOPOGRAPHIC INFORMATION AS SHOWN ON THIS PLAN WAS OBTAINED FROM THE CITY OF AUBURN'S GIS DATA BASE AND IS BASED UPON 2' LIDAR POINTS. NO FIELD VERIFICATION OF THIS INFORMATION WAS PERFORMED BY THIS SURVEYOR.
  - 10) WETLANDS AS SHOWN ON THIS PLAN WERE DELINEATED BY VAUGHN SMITH ASSOCIATES, AND LOCATED WITH A TRIMBLE HAND HELD GPS (SUB METER) UNIT, AND ORIENTED TO EXISTING PROPERTY INFORMATION AS SHOWN AND IS SUBJECT TO ERRORS TYPICALLY FOUND WITH THIS TYPE OF SURVEY LOCATION UNIT.
  - 11) THIS PLAN WAS PREPARED UNDER THE DIRECT SUPERVISION OF GEORGE S. BOUCHLES, PLS 2235.

- LEGEND:**
- IRON PIPE OR ROD FOUND
  - IRON ROD WITH SURVEYOR'S I.D. CAP SET
  - STONE WALL
  - UTILITY POLE WITH OVER-HEAD UTILITY LINE
  - APPROXIMATE UNDERGROUND GAS LINE
  - NF NOW OR FORMERLY
  - 628/24 BOOK AND PAGE NUMBER
  - PROPERTY LINE
  - BUILDING ENVELOPE AND SETBACK LINES
  - SIGN (PIPELINE)
  - APPROXIMATE TREE LINE
  - HARDWOOD TREE WITH BARBED WIRE
  - SOFTWOOD TREE WITH BARBED WIRE
  - APPROXIMATE WETLAND BOUNDARY
  - EXISTING CONTOUR
  - GRAVEL ROAD
  - PAVED ROAD
  - STORM WATER BUFFER
  - PRELIMINARY SOILS TEST PITS



**RECORDING DATA**  
ANDROSCOGGIN COUNTY REGISTRY OF DEEDS  
RECEIVED \_\_\_\_\_ AT \_\_\_\_\_ M.  
RECORDED IN PLAN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
ATTEST \_\_\_\_\_ REGISTRAR

**APPROVAL:**  
BY THE CITY OF AUBURN PLANNING BOARD  
CHAIRMAN: \_\_\_\_\_ DATE: \_\_\_\_\_

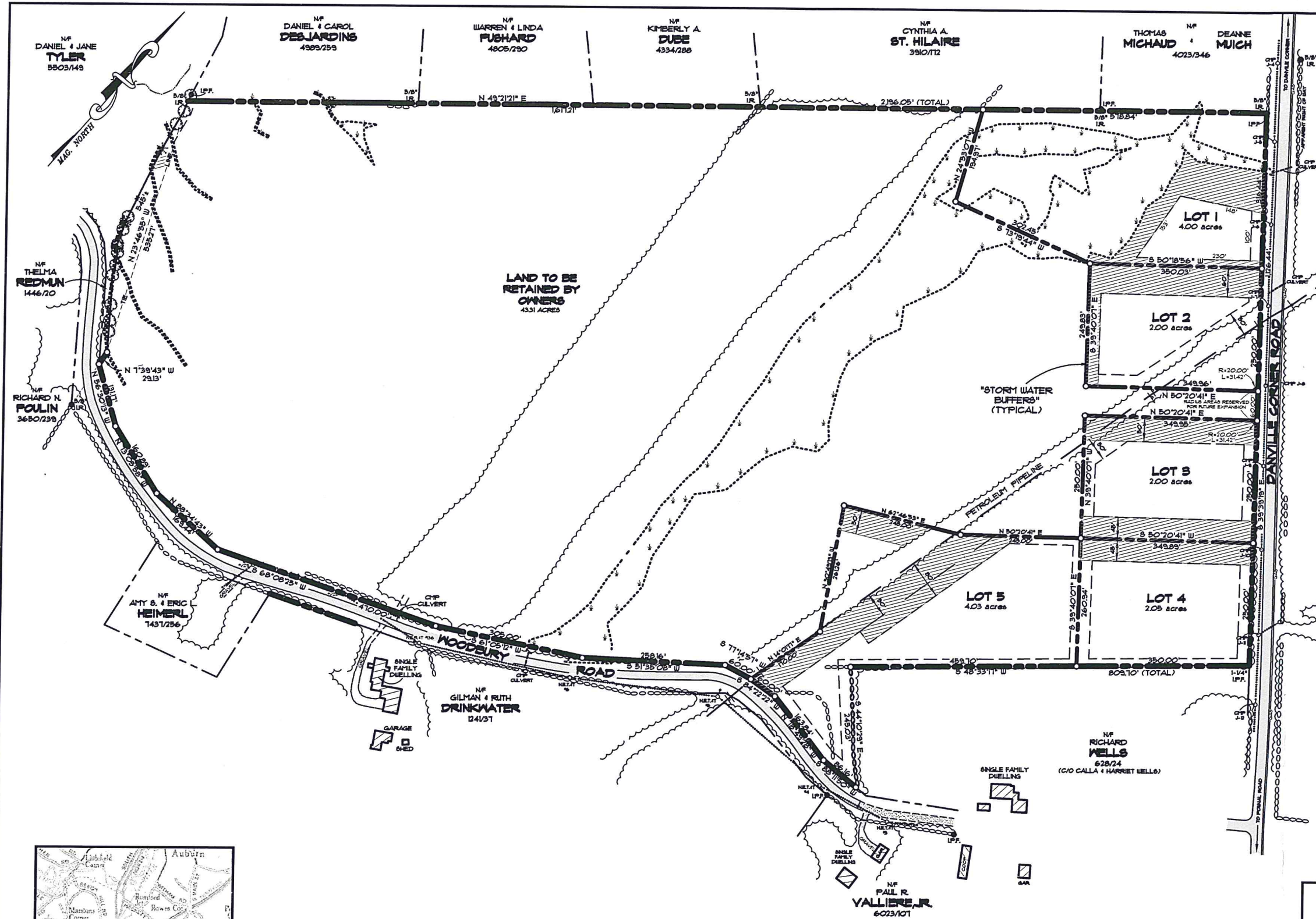


**SUBDIVISION & TOPOGRAPHIC SITE PLAN**  
**WOODBURY HEIGHTS**  
WOODBURY & DANVILLE CORNER ROADS AUBURN, MAINE  
ANDROSCOGGIN COUNTY  
OWNERS OF RECORD AND PREPARED FOR  
**B&M DEVELOPERS, INC.**  
195 CENTER STREET AUBURN, MAINE 04210

prepared by  
**CADmaster Drafting,**  
Land Surveying & Septic Designs  
181 Madison St., Auburn, ME 04210  
tel./fax: 687-2292 cell: 240-5567

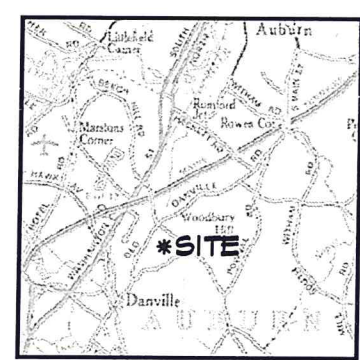
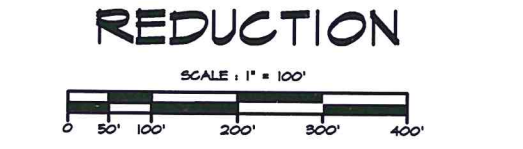
PLAN DATE: FEBRUARY 10, 2015  
JOB NUMBER: 14-060  
SCALE: 1" = 100'  
CADD: 14-060PHASE1TOPODWG  
SHEET  
2 OF 2





- NOTES:**
- 1) ALL BEARINGS REFER TO MAGNETIC NORTH AS OBSERVED FEBRUARY 3, 1986, AND AS SHOWN ON AND ORIENTED TO A PLAN AS REFERRED TO IN NOTE 3 BELOW.
  - 2) ALL BOOK AND PAGE NUMBERS REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.
  - 3) TOTAL AREA OF PARCEL = 51.35 ACRES. (LOTS 1 THRU 5 = 14.08 ACRES).
  - 4) REFERENCE IS MADE TO A PLAN ENTITLED "STANDARD BOUNDARY SURVEY - NORWOOD SUBDIVISION" DATED AUGUST 10, 1999 BY CULLENBERG LAND SURVEYING, AND RECORDED AT SAID REGISTRY IN PLAN BOOK 40, PAGE 169.
  - 5) FOR INFORMATION REGARDING THE WOODBURY ROAD REFERENCE IS MADE TO THE CITY OF AUBURN'S COUNCIL RECORDS VOLUME 18, PAGE 246, DATED NOVEMBER 20, 1961 THIS ACTION BY THE COUNCIL WAS MADE TO OFFICIAL NAME CERTAIN ROADS WITHIN WARD FIVE. RESEARCH AT THE ABOVE REFERENCED REGISTRY, THE CITY OF AUBURN AND THE COUNTY COMMISSIONERS OFFICE INDICATED THE EXISTENCE OF THIS ROAD TO AT LEAST 1884. NO FORMAL DEFINITION FOR ITS LOCATION AND WIDTH WAS FOUND. THE APPARENT RIGHT OF WAY OF THE WOODBURY ROAD WAS ESTABLISHED AS A THREE (3) ROD WIDE ROAD (48.5') UTILIZING EXISTING TYPICAL FOUNDATION FOUND (I.E. STONE WALL, IRON PIPES OR RODS, ETC.) AND THE CENTERLINE OF THE EXISTING ROAD AS BEST AS PRACTICABLE.
  - 6) THE PREMISES IS SHOWN ON THE CITY OF AUBURN'S MUNICIPAL TAX MAP NO. 10. LOT 3 AND 15 IS CURRENTLY LOCATED WITHIN THE "LOW DENSITY RURAL RESIDENCE DISTRICT". DIMENSIONAL REQUIREMENTS FOR THIS ZONE ARE AS FOLLOWS:  
A) MINIMUM LOT SIZE = 46,560 SQ. FT. (1 ACRE)  
B) MINIMUM FRONTAGE = 250'  
C) MINIMUM FRONT AND REAR YARD SETBACK = 25'  
D) MINIMUM SIDE YARD SETBACK = 5'  
E) MAXIMUM HEIGHT = 35'
  - 7) SOURCE DEED AND CURRENT OWNER: B41 DEVELOPERS, INC. - REFERENCE IS MADE TO A DEED FROM NEZ BUCK, NANCY MNEIL & JUDITH DAVIS-KOVATS TO B41 DEVELOPERS, INC. DATED SEPTEMBER 15, 2014, AND RECORDED AT SAID REGISTRY IN BOOK 8951, PAGE 44.
  - 8) THE PREMISES IS SUBJECT TO A PETROLEUM PIPELINE EASEMENT CONVEYED TO BUCKEYE PIPE LINE TRANSPORTATION, LLC DATED JULY 19, 2011, AND RECORDED AT SAID REGISTRY IN BOOK 8234, PAGE 31. THE LOCATION OF THE PIPELINE, AS SHOWN ON THIS PLAN IS APPROXIMATE BASED ON SIGNAGE LOCATED ALONG ITS LENGTH AS IT PASSES THROUGH THIS PARCEL.
  - 9) WETLANDS AS SHOWN ON THIS PLAN WERE DELINEATED BY VAUGHN SMITH ASSOCIATES, AND LOCATED WITH A TRIMBLE HAND HELD GPS (SUB METER) UNIT, AND ORIENTATED TO EXISTING PROPERTY INFORMATION AS SHOWN AND IS SUBJECT TO ERRORS TYPICALLY FOUND WITH THIS TYPE OF SURVEY LOCATION UNIT.
  - 10) THIS PLAN WAS PREPARED UNDER THE DIRECT SUPERVISION OF GEORGE S. BOUCHES, PLS 2295.

- LEGEND:**
- IRON PIPE OR ROD FOUND
  - IRON ROD WITH SURVEYOR'S I.D. CAP SET
  - STONE WALL
  - UTILITY POLE WITH OVERHEAD UTILITY LINE
  - APPROXIMATE UNDERGROUND GAS LINE
  - NF NOW OR FORMERLY
  - 628/24 BOOK AND PAGE NUMBER
  - PROPERTY LINE
  - BUILDING ENVELOPE AND SETBACK LINES
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  - APPROXIMATE TREE LINE
  - HARDWOOD TREE WITH BARBED WIRE
  - SOFTWOOD TREE WITH BARBED WIRE
  - APPROXIMATE WETLAND BOUNDARY
  - GRAVEL ROAD
  - PAVED ROAD
  - STORM WATER BUFFER



**RECORDING DATA**

ANDROSCOGGIN COUNTY REGISTRY OF DEEDS

RECEIVED \_\_\_\_\_ AT \_\_\_\_\_ M.

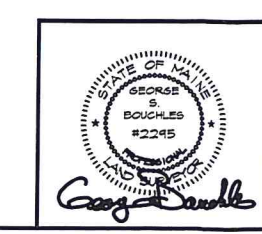
RECORDED IN PLAN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

ATTEST \_\_\_\_\_ REGISTRAR

**APPROVAL:**

BY THE CITY OF AUBURN PLANNING BOARD

CHAIRMAN: \_\_\_\_\_ DATE: \_\_\_\_\_



**SUBDIVISION PLAN**  
**WOODBURY HEIGHTS**  
WOODBURY & DANVILLE CORNER ROADS AUBURN, MAINE  
ANDROSCOGGIN COUNTY  
OWNERS OF RECORD AND PREPARED FOR  
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195 CENTER STREET AUBURN, MAINE 04210

prepared by  
**CADmaster Drafting,**  
Land Surveying & Septic Designs  
101 Madison St., Auburn, ME 04210  
tel./fax: 603-522-2252 cell: 603-556-7

PLAN DATE: FEBRUARY 10, 2015  
JOB NUMBER: 14-060

SCALE: 1" = 100'  
CADD: 14-060PHASE1PLAN.DWG

SHEET  
1 OF 2




# 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: March 6, 2015

RE: Multi-Family Zoning Text Amendment

---

At your February 10<sup>th</sup> meeting, the Planning Board reviewed a 1<sup>st</sup> draft of a text amendment for a new zone, "Moderate Density Residential Development". This text amendment is a result both from 1.) Interest by property owners to develop multi-family developments in areas designated by Moderate Density Residential Development in the 2010 Comprehensive Plan; and 2.) Implementing a land use recommendation from the 2010 Comprehensive Plan. The major change this new zone is allowing apartments in a low density (8 dwelling units/acre). A major challenge in implementing the text amendment is find a way to introduce apartment development in a way that is compatible with the existing surrounding development.

The Planning Board asked the staff to make changes to the text and present additional information on lot size, open space requirement and building set-backs. This month, the staff is presenting a revised 2<sup>nd</sup> draft of the "Moderate Density Residential Development District" and sample lot plans illustrating different development scenarios for apartment project density, setbacks and open space.

DIVISION 7-A. – MODERATE DENSITY RESIDENTIAL DEVELOPMENT DISTRICT

## Sec. 60-305. - Purpose.

This district is intended to allow moderate density residential development as ~~proposed~~ recommended in the adopted 2010 Comprehensive Plan. This district provides for and encourages a wide variety of residential types and a mixture of rental and home ownership, ~~and age friendly housing.~~ This zone has a maximum density of 8-10 dwelling units per acre, and requires 25 percent usable open ~~green~~ space. It is intended that this district will provide the maximum possible freedom in the design of structures and their grouping and will encourage flexible and imaginative layouts and designs.

## Sec. 60-306. - Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) One-family detached dwellings.
- (2) Two-family dwellings.
- ~~\_(3) Multifamily dwellings.~~
- (4) Attached single-family dwellings (Townhouses), provided that they are approved by the planning board as part of a planned residential unit development and subdivision, under the provisions of division 10 of article IV and division 4 of article XVI of this chapter.
- (5) Farming of field crops, row crops, orchards or truck gardens.
- (6) Shelter for abused persons.
- (7) Accessory uses, buildings or structures.
- ~~\_(8) Accessory Dwellings.~~
- (9 8) Municipal uses and buildings.

(b) *Special exception uses.* The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:

- (1) All uses are permitted by special exception in the Urban Residence (UR) District (division 7 of article IV of this chapter).
- ~~\_(2) Off-street parking lot, provided that:~~
  - ~~a. Such parking is limited to occupants of buildings located within 500 feet of such parking area whether or not within the same zone.~~
  - ~~b. Reasonable conditions imposed by the planning board regarding location, fencing, screening, drainage, ingress and egress, signs and lighting and total capacity of the parking area designed to protect the residential character of the neighborhood are met.~~

(3 2) Professional offices.

- a. Shall be in buildings which are listed on the state resource list and/or federal historic register.
- b. All renovations to the building either internally and externally or both to accommodate the office use shall be accomplished in conformance with accepted historic preservation and rehabilitation guidelines.
- c. A single sign to identify the building and its uses, conforming to the requirements contained in article VI of this chapter. Signs shall not be lighted.



(3) Newly constructed Multi-Family Dwellings.

- a. Special Buffering Conditions- Additional landscape or fencing buffers may be added as conditions by the Planning Board for proposed Multi-Family Dwellings that are adjacent to existing single family properties.
- b. Compatibility- The Proposed Multi-Family Dwelling(s) shall be compatible with the adjacent and surrounding area. *Compatibility* shall mean the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.
- c. Lot Size- Lots for proposed Multi-Family Dwellings shall contain a minimum of 5 acres.
- d. Street Location- Proposed Multi-Family Dwelling shall be located on an Arterial or Collector Road.

## Sec. 60-307. - Dimensional regulations.

All structures in this district, except as noted, shall be subject to the following dimensional regulations.

- (1) *Minimum lot area, width and depth.* For each building erected, there shall be provided lot areas as follows:
  - a. Building housing one family: 10,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.
  - b. Buildings housing two families: 12,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.
  - c. Multifamily buildings: ~~10,000 square feet~~ 5 acre minimum lot area for the first multi-family dwelling unit and ~~2~~ 5,000 square feet minimum lot area for each additional dwelling unit. No lot shall be less than ~~4~~ 200 feet width and 200 feet in depth. More than one principal building per lot is allowed.

- (2) *Density.* The following maximum densities per acre shall apply, according to housing type:

One-family	4 units per acre
Two-family	6 units per acre
Multifamily	<del>10</del> <u>8</u> units per acre

(3) Yard requirements.

- a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet or 25 percent of the average depth of lot, whichever is less.
- b. *Side.* There shall be a minimum distance of five feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or



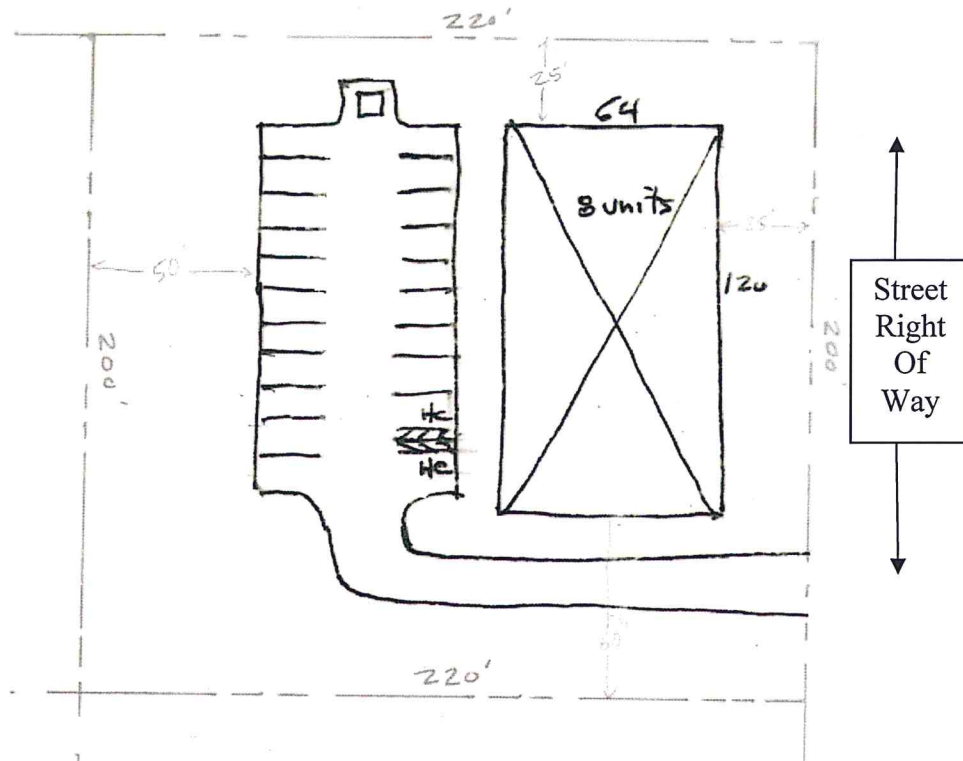
part thereof increase in street frontage over 50 feet to a maximum of 15 feet for side yard setback.

- c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- d. *Principal buildings.* More than one principal building may be erected on a lot, provided that the building meets all yard setback requirements, ~~and are separated by a distance equivalent to the height of the higher building or 30 feet, whichever is greater.~~
- e. Multi-Family Building Yard Requirements- The Planning Board may increase yard requirements for Multi-Family Buildings to reduce visual impacts to adjacent properties.

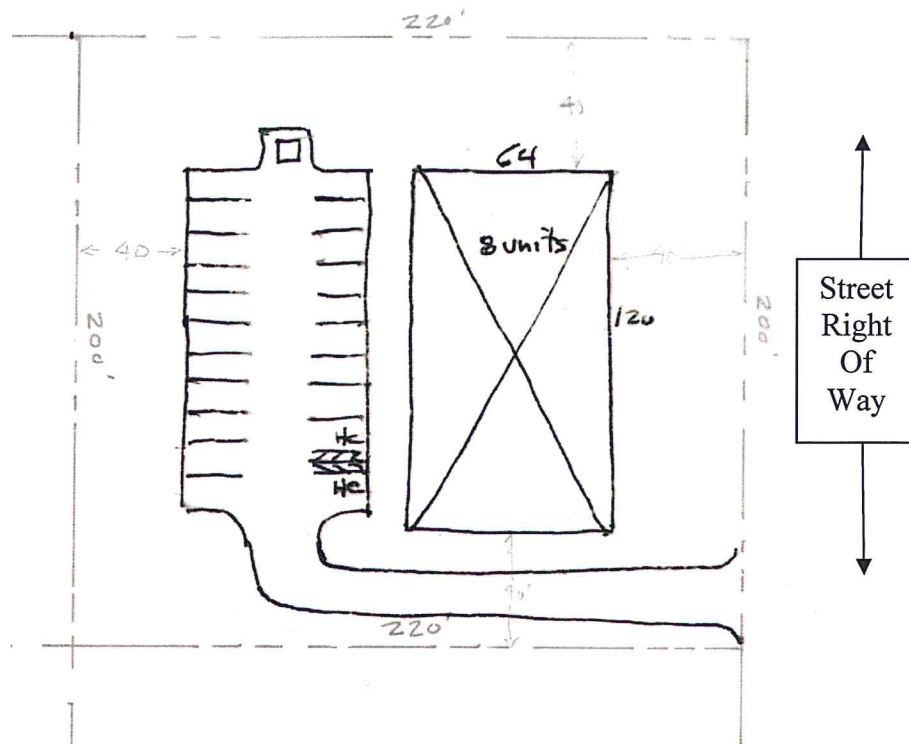
- (4) *Height.* The height of all structures shall be limited to 2½ stories of 35 feet, except as follows:
  - a. Multifamily buildings shall have a maximum height of ~~4 stories 45 feet~~ from grade.
  - b. A church or temple or windmill may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

- (6) Open Space- Not less than 25 percent of the net acreage shall be devoted to useable open or green space. Usable open or green space shall be accessible to residents, shall not be steep sloped (over 10% slope), shall not include wetlands, or required buffer areas, may include ~~paved or not,~~ pedestrian walks or trails and grassy, open areas for play. Net acreage shall include all land contained within the project except dedicated streets or street rights-of-way shown on the city's adopted master development plan or proposed to be so included within a reasonable period of time.

**Example of 1 acre lot with an 8 unit apartment with 21 parking spaces and using current Urban Residential setback standards.**



**Example of 1 acre lot with an 8 unit apartment with 21 parking spaces and larger setbacks.**




# 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: March 6, 2015

RE: Auburn Form Based Code Draft 2<sup>nd</sup> Revision

---

Enclosed is a 2<sup>nd</sup> revised Draft Form Based Code and associated materials for our meeting on March 10th. This revised draft along with the other material will address some of the issues and questions raised at the February 23<sup>rd</sup> work session. This month's material includes:

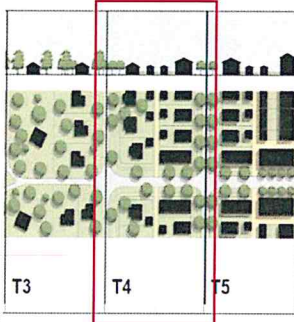
- Revised language for T 4.1 and 4.2 (Note "track changes/strikeout" for T 4.1) Please make sure to bring last month's draft too.
- Definitions of "Building Types".
- A map with average lot dimensions in the proposed T 4.1 area.
- A map showing the existing zoning and the proposed Form Based Code transects (see map),
- Copies of the zoning descriptions for the Central Business District, the General Business (referred to in the Central Business for permitted uses) and the Downtown Enterprise District. Please review these district description and think about what permitted uses you'd like to recommend for the T 4.1 and T 4.2 transects.



## (Development Zone Detail)

### Traditional Downtown Neighborhood (TDN) T4.1, T4.2

#### T4.1 Traditional Downtown Neighborhood



#### Allowed Frontage Types:

- Porch Yard

#### Allowed Building Types (Allowed Principal Building Forms) / (Accessory Buildings)

- Single Family House
- Single Family Cottage
- Carriage House
- Duplex (side by side)
- Duplex (stacked)
- Duplex (front and back)

#### **Build-To-Layer: 15 ft. minimum, 25 ft. maximum front setback**

##### **1. Building Height**

- The height of the principal building is measured in stories.
- Each principal building shall be no greater than (2) stories in height, except as otherwise provided on the Downtown Auburn/New Auburn Regulating Plan.
- An attic story shall not count against the maximum story height.

##### **~~2. Parking Structure Height~~**

~~Where a parking structure is within 40 feet of any principal building, that portion of the structure shall not exceed the primary building's eave or parapet height.~~

##### **3. Ground Story Height:**

- The finished floor elevation shall be no less than (3) (2) ft. and no more than (6) ft. above the exterior ~~sidewalk front yard elevation at the building frontage line. elevation at the required building line.~~
- The first story shall have an interior clear height (floor to ceiling) of at least (9) (8)ft and a maximum floor to ceiling story height of (46) (14)ft.

##### **4. Upper Story Height**

- The maximum floor-to-ceiling story height for stories other than the ground story is (12) ft.
- At least (80%) of each upper story shall have an interior clear height (floor to ceiling) of at least (9) (8)ft.

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## 5. Mezzanines

~~Mezzanines having a floor area greater than 1/3 of the floor area of the story in which the mezzanine is situated shall be counted as full stories.~~

## 6. Street Yard Fence

a. A Street Yard Fence not less than (3) ft. in height or greater than (4) ft. in height ~~shall be required (is encouraged)~~ along the private lot line fronting the street on all residential properties in order to spatially maintain the edge of the street. (\*See Downtown Auburn Fence Material Standards)

## 7. Street Facade

a. On each lot the building façade shall be built to the required Build-To-~~Line~~ Layer (BTL) for at least (60%) of the required building line length.

~~b. The building façade shall be built to the required Build-To-Layer (BTL) within (30) ft. of a block corner.~~

c. These portions of the building façade (the required minimum build-to) may include ~~inset~~ jogs of not more than (18) inches in depth except as otherwise provided to allow bay windows, balconies, etc.

## 8. Buildable Area

a. Buildings may occupy the portion of the lot specified by these building envelope standards.

b. A contiguous open area equal to at least (20%) of the total buildable area shall be preserved on every lot. ~~Such contiguous open area may be located anywhere behind the parking setback, at grade.~~

c. No part of any building, except overhanging eaves, awnings, or balconies shall occupy the remaining lot area.

## 9. Side Lot Setbacks (Side Lot Lines)

The principal building shall be setback at least (5) ft. from the shared lot line.

## 10. Garage and Parking

~~a. Garage entries or driveways shall be located at least (50) ft. away from any block corner or another garage entry on the same block, unless otherwise designated on the Downtown Auburn/New Auburn Regulating Plan.~~

b. Garage entries shall have a maximum clear height of (12) ft., and a maximum clear width of (18) ft.

c. Vehicle parking areas on private property shall be located in the rear 50% of the building lot, ~~exclusive of driveways~~, and except where parking is provided below grade.

d. These requirements are not applicable to on-street parking.

## 11. Alleys

~~There is no required setback from alleys. On lots having no alley access, there shall be a minimum setback of (10) ft. from the rear lot line.~~

## 12. Corner Lots

Corner lots shall satisfy the code requirements for the full required building line length – unless otherwise specified in this code.

## 13. Common Lot Line Treatment

~~a. Privacy fences may be constructed along that portion of a common lot line not otherwise occupied by a building.~~

## 14. Lot Widths

There shall be a minimum lot width of (50) ft., and a maximum lot width of (150) ft. (Field Measure)

---

### 1. Windows and Doors

- a. Blank lengths of wall exceeding (10) linear feet are prohibited on all required building lines.
- b. Windows and Doors on the ground story facades shall comprise at least (25%), but not more than (60%), of the facade area (measured as a percentage of the facade between floor levels).
- c. Windows and Doors on the upper story facades shall comprise at least (20%), but no more than (40%), of the facade area per story (measured as a percentage of the facade between floor levels).

### 2. Building Projections

- a. Balconies and stoops shall not project closer than (5) ft. to a common lot line.
- b. No part of any building, except overhanging eaves, awnings, balconies, bay windows, as specified by the code, shall encroach beyond the setback lines and front setback layer.

### 3. Doors/Entries

Functioning entry door(s) shall be provided along ground story facades at intervals not greater than (60) linear ft.

### 4. Street Walls

A vehicle entry gate no wider than (18) ft. or a pedestrian entry gate no wider than (6) ft. shall be permitted.

### 5. Ground Story Use

The ground story shall house commercial, professional, or residential uses.

### 6. Upper Stories

The upper stories shall house residential, professional, and/or commercial uses. No restaurant or retail sales uses shall be allowed in upper stories unless they are second story extensions equal to or less than the area of the ground story use.

No commerce use is permitted above a residential use.

Additional habitable space is permitted within the roof where the roof is configured as an attic story.

### 7. Permitted Uses

- a. Residential uses shall be considered to encompass all of the Residential use categories, as defined in \_\_\_\_\_.
- b. Commerce uses shall be considered to encompass all of the Commercial use categories, and all of the Civic use categories except passenger terminals and social service institutions, as defined in \_\_\_\_\_.
- c. Use Standards as stated in Section \_\_\_\_\_ shall be applicable.





3-5-15 dmg

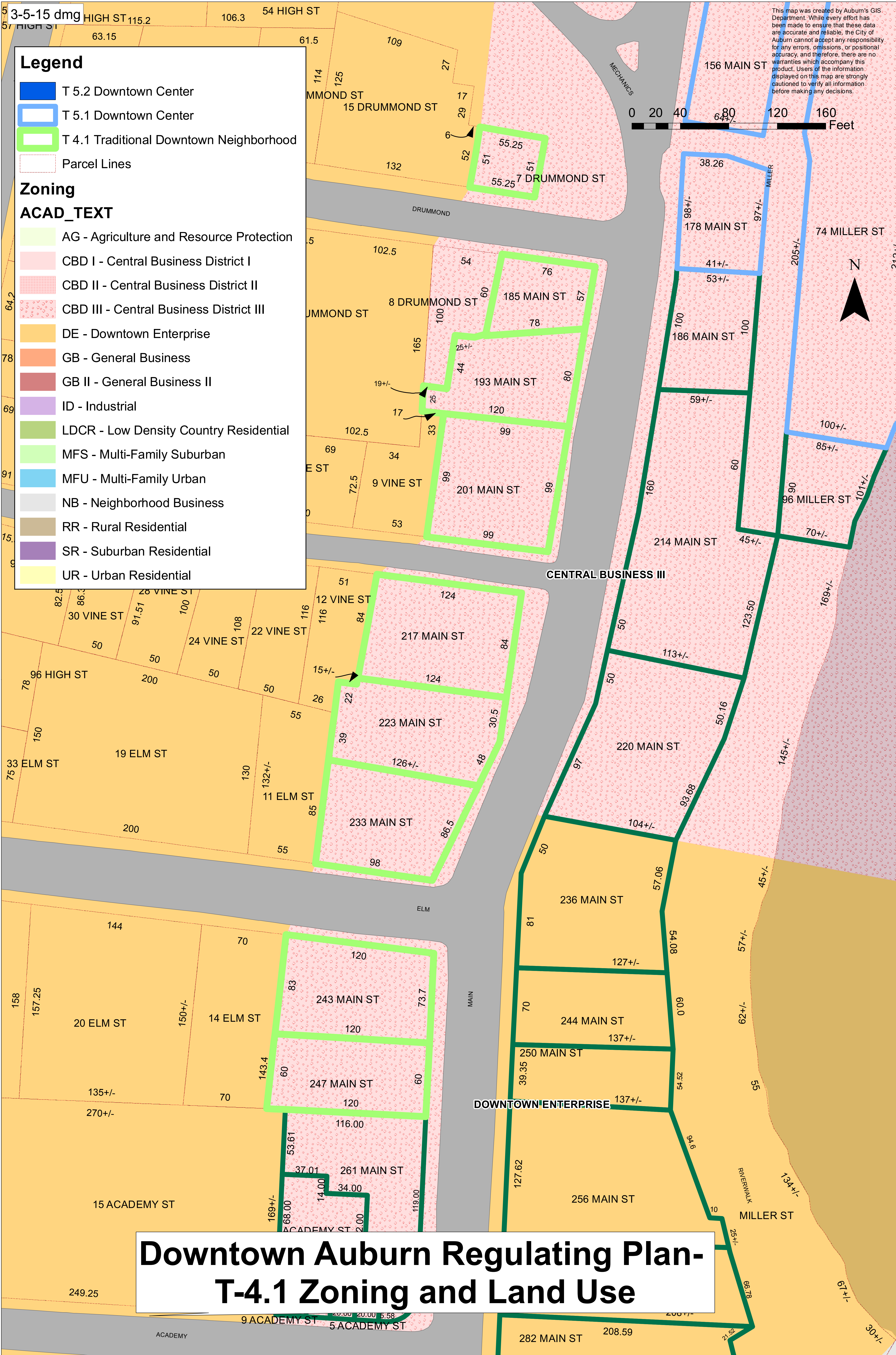
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231-016	185 MAIN ST	3	1879	0.10	55.00	51.00
231-015-001	193 MAIN ST	9	1870	0.20	80.00	0.00
231-014	201 MAIN ST	70	1900	0.23	99.00	99.00
231-010	217 MAIN ST	70	1826	0.24	84.00	124.00
231-009	223 MAIN ST	70	1900	0.25	78.50	0.00
231-008	233 MAIN ST	54	1889	0.22	86.50	98.00
231-006	243 MAIN ST	9	1900	0.21	73.70	120.00
231-005	247 MAIN ST	8	1920	0.18	80.00	0.00
				1.69	691.95	543.00
9 Total Lots						
Total Primary St. Frontage		691.95				
Average Primary St. Frontage		76.88				
Total Secondary St. Frontage		543.00				
Average Secondary St. Frontage		60.33				
Average Lot Size		0.18				
Average Lot Square Footage		8179.59				
Land Use Code-	3	Three Family				
	8	Eight Family				
	9	Multi-Family				
	54	Commercial				
	70	Office				

Legend

- T 4.1 Traditional Downtown Neighborhood
- T 4.2 Traditional Downtown Neighborhood

Downtown Auburn Regulating Plan- T-4.1 Lot Study







## **Existing Zoning Districts in the Location of Proposed Downtown Form Base Code Transects**

The proposed T 4.1 Transect is currently located in the Central Business II (CBII) District. Note that most of the permitted uses in the CBII district are found in the General Business District (GB), which is located after the CB section. Also include here is the Downtown Enterprise (DE) District which is the current zoning for much of the proposed T 4.2 Transect. Please review these existing uses and consider what uses should be allowed in the proposed Transects.

### **DIVISION 14. - CENTRAL BUSINESS DISTRICT**

#### **Sec. 60-546. - Purpose.**

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, light industry area, medium to high density residential environment and major focus of governmental, civic, meeting, entertainment and culture activity.

(Ord. of 9-21-2009, § 3.69A)

#### **Sec. 60-547. - Use regulations.**

##### **(a) *Permitted uses.* The following uses are permitted:**

**(1) All uses permitted in General Business (GB) District except warehouses, wholesale offices and animal hospitals.**

(2) All uses permitted in the Multifamily Urban (MFU) District.

(3) Delicatessens and similar carry-out restaurants.

(4) Temporary outdoor places of amusement.

##### **(b) *Special exception uses.* The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:**

(1) Any use permitted by special exception in the General Business (GB) District except: automobile sales lots and service agencies, automobile scrap yards, outdoor theaters, automobile paint and body repair shops, commercial parks and outdoor places of amusement and sales, rental and service agencies for mobile homes, farm equipment, trucks and trailers and machine equipment and carry-out restaurants.

(2) Any use permitted by special exception in the Multifamily Urban (MFU) District.

(3) All new construction and expansions of existing buildings. In the review of these developments, the planning board shall consider the development guidelines in section 60-549.

(4) Any new building of 5,000 square feet or more or any existing building which proposes a use permitted under section 60-547(a) which will occupy an area of 5,000 square feet or more.

(Ord. of 9-21-2009, § 3.69B)

#### **Sec. 60-548. - Dimensional regulations.**

All structures in this district, except as noted, shall be subject to the following dimensional regulations:



- (1) *Minimum lot width and depth.* No minimums shall be applied to buildings in this district.
- (2) *Density.* Not more than 80 percent of the total lot area shall be covered by buildings.
- (3) *Yard requirements.*
  - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of five feet.
  - b. *Side.* All new buildings shall be constructed at least five feet from the side property line unless sharing a common wall with an adjacent building.
  - c. *Front.* There shall be no front yard requirement where adequate sidewalks are available to meet the requirements of this Code regarding design and construction standards for sidewalks and other walkways. Where adequate right-of-way is not available, setbacks necessary to meet the sidewalk requirements referenced above shall be provided.
  - d. *Principal buildings.* More than one principal building may be erected on a lot provided that the building meet all yard setback requirements and are separated by a distance equivalent to the height of the higher building or 30 feet, whichever is greater.
- (4) *Height.*
  - a. *Central Business District One (CBD I).* All structures shall not exceed 150 feet in height.
  - b. *Central Business District Two (CBD II).* All structures shall not exceed 75 feet in height.
  - c. *Central Business District Three (CBD III).* All structures shall not exceed 45 feet in height.
- (5) *Landscaping.* All lots which are developed or redeveloped shall have the setback areas or other undeveloped space landscaped to the extent possible. Landscaping is considered to be vegetative treatment with trees, shrubs, flowering plants and grass and/or bark mulch. Grass only is not deemed to satisfy this requirement. The continuation of a planting and the use of vegetation which is commonly found in the area shall be encouraged in order to develop a unified plan for the district.
- (6) *Off-street parking.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.69C; Ord. of 2-16-2010)

Sec. 60-549. - Development guidelines.

- (a) *Purpose.* The purpose of this section is to guide the planning board in the review of new construction and expansion of existing buildings in order to ensure that these developments:
  - (1) Promote and protect the public health, safety, general welfare and amenities through the use of unique and appropriate architectural design;
  - (2) Provide public parking in excess of the required amount;
  - (3) Increase light and air, including view protection and enhancement by providing landscaped roof decks, plazas, public observation decks, low coverage on floors above USGS elevation 200 and appropriate siting of building;
  - (4) Improve pedestrian amenities by means of open arcades, internal arcades, multiple building entrances, access to the riverfront and open space amenities;
  - (5) Provide child care space for children of occupants of commercial buildings located primarily within the CBD districts;
  - (6) Promote cultural or entertainment activities through the provision of space for such endeavors that are centrally located; and
  - (7) Promote the special character of the districts by the use of building materials and design that are consistent with the other developments adjacent to or within the area.

- (b) *Desired public amenities.* The following amenities have been determined to be appropriate to satisfy the objectives of site plan review of developments in the central business district:
- (1) *Building setback of upper floors.* The sides of a building which front on a street shall be setback a minimum of 25 percent of the required lot setback starting at the first floor above 50 feet from the grade of the adjacent street. The setback area shall be unobstructed to the sky and shall extend along the entire length of the building. Where the building is not located parallel to any lot lines, the setbacks shall be measured as appropriate to the specific siting of the building in relation to the lot and streets. A building which maintains at least a 25-foot front yard setback may substitute a distinct architectural horizontal delineation similar to a cornice line at the same height required for the upper floor building setback.
  - (2) *Roof top mechanical equipment.* Equipment should be enclosed or screened so as not to be visible.
  - (3) *Off-street parking.* Parking spaces provided in excess of the required amount, designed for general public use. This amenity is desired to help reduce the parking pressure in the downtown.
  - (4) *Plaza.* A plaza is an area open from the ground to the sky, partially landscaped and/or treated with brick or other decorative material that is directly and conveniently accessible to the general public at all times from a street, permanent and public open space or parking area with a minimum sidewalk width of six feet. The plaza area shall have a minimum entrance width of ten feet and shall be at least 30 feet in its horizontal dimensions. Up to two-thirds of the surface of the plaza area may be occupied by plantings, pools, works of art or similar features and the balance shall be suitable for walking, sitting or similar pursuits.
  - (5) *Observation deck.* The observation deck or similar public space shall be located at or above 100 feet and shall be of sufficient size to accommodate at least 30 people at one time. Such space shall be advertised at ground level and shall be open during normal working hours to the general public without the necessity of their doing business in the building.
  - (6) *Landscaped roof deck.* A roof deck located on a building or part of a building at least 60 feet in height that is not less than 300 square feet in area, open to the sky, accessible and landscaped with grass, trees, bushes or other similar natural vegetation.
  - (7) *Low coverage at upper floors.* Developers are encouraged to reduce coverage on upper floors of buildings in order to reduce the overall bulk of development, increase light and air and to ensure view protection and enhancement.
  - (8) *Siting of buildings.* On large lots where the possibility of multiple locations exists, buildings are desired to be sited so as to provide the greatest view protection of existing city and Lewiston landmarks, the Androscoggin River, the Great Falls and the western hills. Landmarks in the city which shall be protected include those identified in the study prepared by Terrien Architects (4/89). Landmarks in Lewiston include St. Peter and Paul's Cathedral, Davis Mountain, Lewiston City Hall, churches in the Kennedy Park area and the Continental Mill area. In siting a building the long axis shall be oriented in an east-west direction.
  - (9) *Arcade.* An arcade is a continuous area open to a plaza, street, sidewalk or walkway connected to a street or public open space, which is open and unobstructed (except for columns and piers) to a height of not less than 12 feet, is not less than ten feet in clear width for pedestrian movement, extends for the full length of, or at least 25 feet along, the lot line or plaza boundary, whichever is the lesser distance.
  - (10) *Multiple building entrances.* More than one major entrance not associated with an arcade or plaza, to the subject building, open generally to occupants of the building for both entrance and exit and readily identifiable to them is encouraged. All such major entrances shall be accessible from streets or plazas with a minimum width of six feet and shall be located at least 50 feet apart along the building front.

(11) *Day care.* Developers are encouraged to make available ground floor space or space accessible to an outdoor play area for not less than 25 children to a child care operator.

(12) *Internal arcade.*

- a. Internal arcades shall connect:
  1. Two public streets;
  2. A public street to a plaza fronting on another street;
  3. A street and/or plaza fronting on a street to an internal plaza between buildings; or
  4. A street or plaza to a public open space or parking garage.
- b. The arcade shall not be less than:
  1. Ten feet in width if completely separated from sales areas and elevator lobbies;
  2. Ten feet in width plus six feet for each side containing a sales area or elevator entrance opening directly to the arcade.

(13) *Cultural and entertainment activity.* Developers are encouraged to make space available to cultural and/or entertainment activities.

(c) *Administration.* In processing development that requires site plan review, the planning board:

- (1) May require the developer to provide traffic and parking impact studies, drainage impact studies, absorption rate and market analysis studies.
- (2) Shall require architectural renderings of the building elevations and cross-section of the building height.
- (3) May further require architectural renderings with the hills to the west and to landmarks in the city and Lewiston, a study of shade and shadow on adjacent properties, streets and open space, a visual impact assessment, and an analysis of how the development furthers the goals and objectives of the comprehensive plan and, if applicable, the riverfront beautification program.
- (4) May also require massing models and either artistic or photographic simulation of the building from at least three individual vantage points.
- (5) May request that the development be modified to satisfy the goals and objectives found in section 60-549.

In addition to the criteria, the board shall apply all applicable criteria for site plan review, divisions 1 and 2 of article XVI of this chapter.

(Ord. of 9-21-2009, § 3.69D)

## **DIVISION 12. - GENERAL BUSINESS DISTRICT**

Sec. 60-498. - Purpose.

This district is intended to include commercial uses serving both the city and the region, together with normal accessory uses compatible with a cohesive and attractive shopping and office area.

(Ord. of 9-21-2009, § 3.62A)

**Sec. 60-499. - Use regulation.**

(a) *Permitted uses.* The following uses are permitted:



- (1) Residential dwelling uses permitted in the Multifamily Suburban District (MFS) (division 9 of article IV of this chapter).
  - (2) Grocery stores and supermarkets.
  - (3) Clothing stores.
  - (4) Furniture stores.
  - (5) Department stores.
  - (6) Specialty shops.
  - (7) Hotels and motels.
  - (8) Funeral homes and mortuaries.
  - (9) Child day care centers.
  - (10) Medical and dental clinics.
  - (11) Wholesale bakeries.
  - (12) Retail laundries and dry cleaners, but not plants.
  - (13) Banks, business and professional offices.
  - (14) Public transportation passenger offices.
  - (15) Governmental offices.
  - (16) Municipal, civic or public service buildings and other utility facilities.
  - (17) Warehouses, wholesale offices, salesrooms and showrooms.
  - (18) Restaurants, bars, dining rooms or lunchrooms, but not to include drive-in and carry-out restaurants.
  - (19) Halls, private clubs and lodges, bowling alleys, ice and roller skating rinks, indoor theaters and similar places of indoor amusement or recreation.
  - (20) Animal hospitals and pet shops, but no kennels.
  - (21) Business equipment repair and business services.
  - (22) Radio and television studios.
  - (23) Printing shops, but not publishing plants.
  - (24) Retail, service, office and commercial uses similar to the foregoing.
  - (25) Carwashes.
  - (26) Accessory uses, building and structures.
  - (27) Shelters for abused persons.
  - (28) Greenhouses and lawn maintenance services.
  - (29) Temporary outdoor places of amusement.
  - (30) Churches and temples.
- (b) *Special exception uses.* The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:
- (1) Automobile filling stations.
  - (2) Automobile repair and service stations.
  - (3) Automobile and marine sales lots and sales and service agencies.

- (4) Automobile and marine paint and body repair shops.
- (5) Hospitals, care homes, boardinghouses and lodginghouses.
- (6) Research or philanthropic institutions.
- (7) Outdoor theaters.
- (8) Drive-in or carry-out restaurants.
- (9) Commercial parks.
- (10) Sales, rental and service agencies for mobile homes, farm equipment, trucks and trailers, and machine equipment.
- (11) Light industrial plants whose main processes involve assembly of prefabricated parts and which will not create a nuisance by noise, vibration, smoke, odor or appearance.
- (12) Off-street parking as a commercial or municipal use provided that such parking is limited to occupants of buildings located within 500 feet of such parking area whether or not within the same district. The planning board may impose conditions regarding fencing and screening, drainage, ingress and egress, signs and lighting, and total capacity of the parking area as it deems necessary to protect the character of the neighborhood.
- (13) Trucking terminals and similar nonprocessing storage and distribution uses, except bulk storage of chemicals, petroleum products and other flammable, explosive or noxious materials.
- (14) Convenience stores.
- (15) Research, experimental and testing laboratories.
- (16) Landscape services.
- (17) Any new building of 5,000 square feet or more or any existing building which proposes a use permitted under subsection (a) of this section which will occupy an area of 5,000 square feet or more.
- (18) Automotive towing and storage.
- (19) Major retail development provided that it meets the conditions noted in section 60-45(g).
- (20) Outpatient addiction treatment clinics.

(Ord. of 9-21-2009, § 3.62B)

Sec. 60-500. - Dimensional regulations.

All structures in this district, except as noted, shall be subject to the following dimensional regulations:

- (1) *Minimum lot width and depth.* No building used for commercial or office uses shall be constructed on a lot having less than 10,000 square feet minimum lot area and measuring 100 feet in width. No lot shall be less than 100 feet in depth. Buildings used for residential uses shall have the same minimum lot area, width and depth as provided for buildings in the Multifamily Suburban District (MFS), section 60-307(1).
- (2) *Density.* Not more than 30 percent of the total lot area shall be covered by buildings used for commercial or office uses. The density of residential uses shall be the same as that required for buildings in the Multifamily Suburban District (MFS), section 60-30(2).
- (3) *Yard requirements.*
  - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 35 feet or 35 percent of the average depth of the lot, whichever is less.

- b. *Side.* There shall be a distance of five feet between any side property line, plus the side yard setback shall be increased one foot for every two feet or part thereof increase in street frontage over 60 feet to a maximum of 25 feet for side yard setback.
  - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot, whichever is less. No front yard need to be any deeper than the average depth off front yards on the lots next thereto on either side. A vacant lot or a lot occupied by a building with a front yard more than 25 feet shall be considered as having a front yard of 25 feet.
  - d. *Principal buildings.* More than one principal building may be erected on a lot, provided that the building meet all yard setback requirements and are separated by a distance equivalent to the height of the higher building or 30 feet, whichever is greater.
  - e. *Railroad tracks.* Where the principal use requires access to a railroad, the yard requirements are disregarded for the side of the building adjacent to the railroad trackage. The engineering requisites for a safe and properly designed siding and building setback acceptable to the railroad shall take precedence.
  - f. *Open and unbuilt spaces.* Any yard, space or area required to be kept open and unbuilt on may be used, if otherwise lawful for outdoor storage and display of articles, supplies and materials. Such outdoor storage and display shall occupy no more than 20 percent of the lot with display areas not to exceed one-quarter of the total allowable area. Storage and display areas shall be clearly identified on the land in a fixed location. Storage areas shall be screened from the view of an abutting residential district or use and from the street by an evergreen tree line planted in staggered rows having the base of the trees not more than ten feet apart or by a solid fence not less than six feet in height.
- (4) *Height.* No permitted structure shall exceed four stories or 45 feet in height. Religious buildings, municipal buildings or buildings listed by the state historic preservations commis- sion may have a steeple, cupola or tower to a maximum height of 90 feet, if said structure is limited to 15 percent of the footprint of the principal building. In the airport approach zone, Federal Aviation Administration regulations shall apply. Accessory structures, including windmills, that are necessary for the operation of an allowed principal use may exceed the above maximum height requirements, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of the yard required pursuant to this section. In the airport approach zone, Federal Aviation Administration regulations shall apply.
- (5) *Off-street parking.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.
- (Ord. of 9-21-2009, § 3.62C; Ord. of 3-22-2010)

## DIVISION 10. - DOWNTOWN ENTERPRISE ZONE

### Sec. 60-439. - Purpose.

To promote the historic, economic, operational, and visual character of the established residential areas within downtown Auburn, by introducing incentives for reinvestment while maintaining the essential physical integrity of the area consistent with Auburn's Downtown Action Plan for Tomorrow.

(Ord. of 9-21-2009, § 3.52A)

### Sec. 60-440. - Use regulations.

#### (a) *Permitted uses.* The following uses are permitted:

- (1) One-, two- and three-family homes.



- (2) Townhouses.
- (3) Bed and breakfast homes with four or fewer rooms for rent.
- (4) Restaurants, diners or cafes with up to 50 seats, but not to include drive-in facilities. An additional 25 outdoor seats may also be permitted subject to all municipal health and safety codes.
- (5) Artist studios, up to two such studios per building.
- (6) Art galleries.
- (7) Performing arts centers owned and operated by a public agency.
- (8) Antique shops.
- (9) Clothing stores.
- (10) Furniture stores.
- (11) Bookstores.
- (12) Elderly day care centers.
- (13) Child day care centers.
- (14) Medical and dental clinics.
- (15) Grocery stores, up to 1,000 square feet of gross floor area.
- (16) Office space, up to 5,000 square feet.
- (17) Retail bakeries.
- (18) Specialty shops.
- (19) Accessory uses and structures commonly associated with the uses in this subsection (a).
- (20) Municipal uses and government buildings.
- (b) *Special exception uses.* The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:
  - (1) Apartment buildings of four or more dwelling units.
  - (2) Bed and breakfast inn with five, but not more than ten rooms for rent.
  - (3) Restaurants, dining rooms or lunchrooms with more than 50 seats, but not to include drive-in facilities. Up to 25 outdoor seats may also be permitted subject to all municipal health and safety codes.
  - (4) Artist studios, more than two such studios per building but not more than four.
  - (5) Research or philanthropic institutions.
  - (6) Performing arts centers owned and operated by nonprofit and for-profit entities.
  - (7) Places of worship such as temples, churches or mosques.

(Ord. of 9-21-2009, § 3.52B)

Sec. 60-441. - Dimensional regulations.

All new structures in this district shall be subject to the following dimensional regulations:

- (1) *Minimum lot area, width and depth.* For each building erected, there shall be provided lot areas as follows:
  - a. Buildings housing one family: 5,000 square feet of lot area, not less than 50 feet in width and 100 feet in depth.

- b. Buildings housing two families: 7,500 square feet minimum lot area, not less than 50 feet in width and 100 feet in depth.
  - c. Buildings housing three families: 10,000 square feet minimum lot area, not less than 50 feet in width and 100 feet in depth.
  - d. Townhouses: 5,000 square feet minimum lot area, 5,000 square feet of lot area plus 1,500 square feet minimum lot area per dwelling and not less than 50 feet in width and 100 feet in depth.
  - e. Multifamily buildings: 10,000 square feet of lot area for the first dwelling unit, and 2,000 square feet of lot area for each additional dwelling unit; no lot shall be less than 100 feet in width and 100 feet in depth.
  - f. Commercial building: 10,000 square feet of lot area, not less than 100 feet in width and 100 feet in depth.
  - g. Mixed-use building: 5,000 square feet of lot area, not less than 50 feet in width and 100 feet in depth if at least 50 percent of the total building area is used for residential living space.
- (2) *Maximum lot coverage.* For each new building erected, the maximum combined lot area for the building and all parking areas shall not exceed 75 percent of the total lot area for commercial and 65 percent for residential.
- (3) *Yard requirements.*
- a. *Rear.* There shall be a rear yard of 25 feet or 25 percent of the average depth of the lot, whichever is less for all structures.
  - b. *Side.* There shall be a minimum distance of five feet between any portion of a building and the side property line for all structures.
  - c. *Front.* There shall be a minimum front yard of ten feet.
  - d. *Principal building.* More than one principal building may be erected on a lot provided all yard requirements listed in this subsection (3) are met.
- (4) *Height.* The height of all structures shall be limited to 4½ stories or 45 feet. Religious and municipal buildings may have a steeple or tower to a maximum height of 90 feet, if said structure is limited to 15 percent of the footprint of the principal building.
- (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.

(Ord. of 9-21-2009, § 3.52C)

Sec. 60-442. - Development review.

- (a) Expansions of existing buildings or new construction in excess of 1,000 square feet shall be subject to the site plan review, division 2 of article XVI of this chapter. Projects of less than 1,000 square feet shall be reviewed by the community development department for a determination of consistency with the intent and standards of this chapter.
- (b) The following requirements and those of division 2 of article XVI of this chapter are intended to foster safe and effective site plans that will result in projects that are consistent with the size and scale of the surrounding neighborhoods, and the use of materials or design treatments that protect and highlight the architectural and historic qualities of the area:
  - (1) All off-street parking areas shall be screened by plantings, wood fencing or a combination of both.
  - (2) All lighting shall fall within the lot from which it emanates, and all lighting fixtures shall be in compliance with lighting and fixture standards approved by the planning board or the community development department.
  - (3) All dumpsters or trash receptacles of any kind shall not be permitted in any portion of the front yard setback, and all said facilities shall be screened from public view.
  - (4) Renovation of structures listed on federal, state or local historic registers shall be consistent, at a minimum, with standards adopted by the state office of historic preservation, common preservation practices, and additional standards which, from time to time, may be adopted or amended by the city.
  - (5) If not previously existing, at least one tree per 50 feet of frontage shall be required for all development. Said tree shall have a trunk diameter of at least three inches, measured six inches above planting grade.

(Ord. of 9-21-2009, § 3.52D)



Sec. 60-443. - Signs.

All signs shall be subject to the regulations contained in article VI of this chapter except for the following:

- (1) All uses shall be limited to externally illuminated signs.
- (2) Standing signs shall not exceed 12 square feet in area. The maximum height shall not exceed six feet above grade. If employed, a standing sign shall be the only sign permitted except for window signs. See subsection (4) of this section.
- (3) Signs for all commercial activities, attached to the premises which they advertise, shall not exceed 16 square feet.
- (4) Signs attached perpendicular to a building shall be permitted and shall have a maximum area of 12 square feet. Signs shall not extend more than four feet from the building to which they are attached. Further, the lowest portion of the sign shall be seven feet above grade and the highest portion not more than 15 feet above grade. Height minimums and maximums can be altered by the planning board if it is determined an alternate sign location is required by the building configuration, building material, design consistency in the immediate neighborhood, or to protect historic buildings or facades.
- (5) Roof signs, internally lighted signs, automatically changing signs and signs or advertising on canopies are prohibited.
- (6) Fees. All fees found in appendix A of this Code, shall not apply to developments found in this division.

(Ord. of 9-21-2009, § 3.52E; Ord. of 9-21-2009, § 3.52F)