

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: Request to Amend the Future Land Use Designation at 113 Woodbury Road.

Date: December 4, 2014

- I. PROPOSAL- The Planning Board voted unanimously at its November 18th meeting to initiate an amendment to the 2010 Comprehensive Plan Future Land Use Map for property located at 113 Woodbury Road (PID # 110-009). The property currently has a future land designation of Agricultural/Rural, while conversely, the entire property is zoned Low Density Rural Residential. This property was recently purchased with the intent of developing the property as its zoning would allow with 1 acre minimum lot size. The property owner had planned on submitting a subdivision plan to the Planning Board for review and approval but found out that part of the criteria for approval by the Planning Board would include a finding that the development proposal was in compliance with the Comprehensive Plan's Future Land Use Plan.

CURRENT SITUATION: The property at 113 Woodbury Road is currently zoned Low Density Rural Residential (**Attachment 1**). The 2010 Comprehensive Plan Future Land Use Map recommends Agriculture/Rural (**Attachment 2**), which is not compatible to the development proposal that the Low Density Rural Residential Zoning would allow and the owner desires. There is an incompatible situation between the current zoning and the future land use for this property.

STAFF RESEARCH- The Staff looked back at the record of the 2010 Comprehensive Plan process for evidence of how this zoning and future land use discrepancy occurred. At the May 21, 2009 Comprehensive Plan Committee meeting, the Danville/South Auburn area was discussed. **Attachment 3** shows a map of Land Use in the area. As you can see the property at 113 Woodbury Road is designated Rural Residential and Manufactured Housing. **Attachment 4** is a map of natural resources in the area. There are no significant natural features shown on the property in question.

Attachment 5 is a May 12, 2009 memo addressed to the Comprehensive Plan Committee from lead consultant Mark Eyerman, which goes into detail describing areas to be "*reserved*" for future development, *preserved* and/or maintained and areas to be

changed for new development”. This memo does not describe or relate 113 Woodbury Road to any of these categories. **Attachment 6** is an email correspondence with Mr. Eyerman, who provided his recollection of the discussion in that area. He mentions:

1. No specific discussion of 113 Woodbury Road.
2. The Committee’s discussion of Rural Residential Strips.
3. The availability of adequate public service (this case specifically an unimproved road).
4. Agricultural activity.
5. Fire protection.

In addition to the staff search of minutes and mapping from the 2010 Comprehensive Plan Process, former Chairman of the Comp Plan Committee, Richard Whiting, was interviewed regarding this property. He did not recall a property owner in particular advocating for this property and mentioned there was extensive discussion about Rural Residential Road Strips. (See **Attachment 7**) This excerpt from the 2010 Comprehensive Plan provides 6 Considerations when evaluating an area to have a Rural Residential Road designation. In particular, Consideration # 5 describes avoiding residential strips for land with unimproved or dirt road frontage.

II. DEPARTMENT REVIEW-

- a. Police- No Comment
- b. Auburn Water and Sewer- No Comment
- c. Fire Department- No Comment
- d. Engineering- No Comment

III. PLANNING BOARD ACTION- The Planning Board is being asked to consider making a recommendation to the City Council regarding the Future Land Use Designation as found in the 2010 Comprehensive Plan for the property located at 113 Woodbury Road (PID# 110-009).

IV. STAFF RECOMMENDATION- Based on the current situation, staff research on the record of the 2010 Comprehensive Plan’s meeting minutes and mapping and interviews with notable participants of the 2010 Comprehensive Plan Process, the Staff recommends **APPROVAL** of changing the Future Land Use Designation for the property located at 113 Woodbury Road (PID # 110-009) from Agricultural/Rural to Low Density Residential with the following findings:

1. The 2010 Future Land Use of Agricultural/Rural for the property is inconsistent with the current zoning of Low Density Rural Residential.

