

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 10th meeting, the Planning Board reviewed a 1st 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 2nd 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~~ 40 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	10 <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

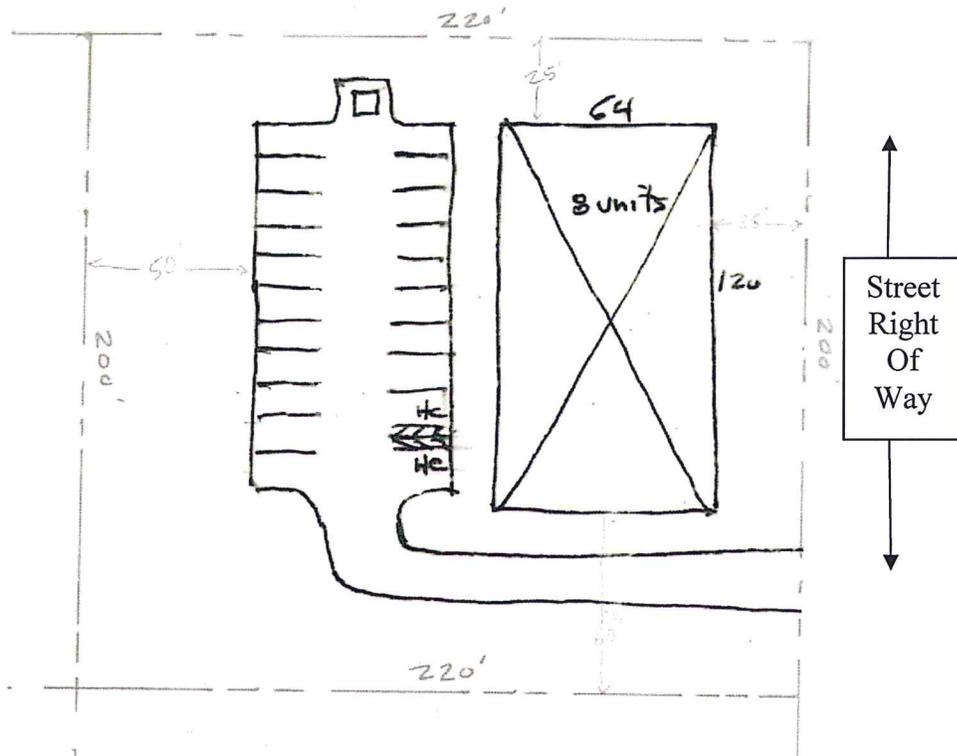
part thereof increase in street frontage over 50 feet to a maximum of 15 feet for side yard setback.

- 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.

