

DIVISION 4. - PLANNING BOARD

Sec. 2-466. - Membership: appointment, removal, terms, vacancies.

- (a) There shall be a planning board of seven regular and two associate members. Members of the planning board shall be residents of the city and shall not be officers or employees of the city. Persons appointed by the city council to serve on other boards, agencies, panels, and or commissions shall not serve concurrently on the planning board. Members shall serve without compensation.
- (b) Regular members of the planning board shall be appointed by the city council for terms of three years. Such terms shall be staggered so that the term of not more than three members shall expire in any calendar year. Incumbent members of the planning board shall serve for the balance of their terms and thereafter until their successors are appointed.
- (c) The city council shall appoint two associate members for a term of three years each. Such terms shall be staggered so that the terms of not more than one associate member, expires in any calendar year. Associate members may participate in deliberations of the planning board but shall not vote unless temporarily acting on behalf of a regular member who is absent or has been recused.
- (d) Permanent vacancies on the planning board shall be filled by the city council for the unexpired term of the former member.
- (e) Any member of the planning board may be removed for cause by the city council at any time; provided, however, that before removal such members shall be given an opportunity to be heard in his own defense at a public hearing before the city council.
- (f) The planning board may appoint a high school student advisory representative who is a high school student residing in Auburn for a one year term. The student advisory representative may participate in deliberations of the planning board but shall not be entitled to vote.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013; Ord. No. 01-01202015, att., 2-9-2015)

Sec. 2-467. - Chairperson and vice-chairperson.

The members of the planning board shall annually elect one of the board members as chairperson to preside at all meetings and hearings, and another of their number as vice-chairperson. In the absence of the chairperson, the vice-chairperson shall act as chairperson and shall have all the powers of the chairperson. If no chairperson or vice-chairperson is present or able to preside over an agenda item, the attending members may elect an acting chairperson.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013; Ord. No. 01-01202015, att., 2-9-2015)

Sec. 2-468. - Staff secretary: minutes, public records.

- (a) The director of planning and development shall designate a member of their staff who shall serve as staff secretary of the planning board and attend all of its proceedings.
- (b) The staff secretary shall provide for the keeping of minutes of the proceedings of the planning board, noting the vote of each member on every question, or the member's absence or failure to vote, and shall maintain the permanent records and decisions of all planning board meetings, hearings, and proceedings and all correspondence of the planning board.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013; Ord. No. 01-01202015, att., 2-9-2015)

Sec. 2-469. - Quorum and necessary vote.

- (a) As to any matter requiring a public hearing, no business shall be transacted by the planning board without a quorum, consisting of four members, being present. The concurring vote of at least four members shall be necessary to authorize any action by the board.
- (b) If less than a quorum is present, the hearing shall be rescheduled. The staff secretary shall notify in writing all members of the date of the reschedule hearing and shall notify such other interested parties as may be directed in the vote to reschedule.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013; Ord. No. 01-01202015, att., 2-9-2015)

Sec. 2-470. - Meetings, hearings and procedures.

- (a) Regular meetings of the planning board shall be held at the call of the chairperson or as provided by rule of the board. Special meetings may be called by any four members of the planning board, or at the request of the city council. Testimony at any hearing may be required by the planning board to be given under oath.
- (b) The planning board shall adopt its own rules for the conduct of its business not inconsistent with this chapter and with state law. Such rules shall be filed with the staff secretary of the planning board and with the city clerk. Any rule so adopted that relates solely to the conduct of hearings, and that is not required by the city council, this chapter or state law, may be waived by the chairperson upon good cause being shown.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013; Ord. No. 01-01202015, att., 2-9-2015)

Sec. 2-471. - Workshop or informational meetings.

Informal meetings or workshops of the planning board or any of its committees may be held at the call of any of its members or the director of planning and development, as the case may be, for the presentation of information.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013; Ord. No. 01-01202015, att., 2-9-2015)

Sec. 2-472. - Record and decisions.

- (a) The minutes of the staff secretary, and any transcript of the proceedings, and all exhibits, papers, applications and requests filed in any proceeding before the planning board and the decision of the board shall constitute the record.
- (b) Every final decision of the planning board and every recommendation of the planning board to the city council shall include written findings of fact, and shall specify the reason or reasons for such decision or recommendation.
- (c) The staff secretary shall mail notice of any decision of the board to the applicant or any designated interested parties within five business days of such decision.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013; Ord. No. 01-01202015, att., 2-9-2015)

Sec. 2-473. - Conflicts.

No member of the planning board shall participate in the hearing or disposition of any matter in which he or she has an interest. Any question of whether a member has a conflict of interest sufficient to disqualify the member shall be decided by a majority vote of the members present, except the member whose possible conflict is being examined. Where such vote results in a tie, the subject member shall be disqualified.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013; Ord. No. 01-01202015, att., 2-9-2015)

Sec. 2-474. - Appeals.

An appeal from any final decision of the planning board as to any matter over which it has final authority may be taken by any party or by any authorized officer or agent of the city to the superior court.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013; Ord. No. 01-01202015, att., 2-9-2015)

Sec. 2-475. - Jurisdiction and authority.

In addition to the jurisdiction conferred on it by other provisions of state law and the ordinances of the city and in accordance therewith, the planning board shall have the following jurisdiction and authority:

- (1) To prepare and recommend to the city council a comprehensive plan.
- (2) To prepare and recommend to the city council changes in and amendments to the comprehensive plan as necessary.
- (3) To aid and assist the city council and departments and agencies of the city in implementing general plans and in planning, developing and completing specific planning related projects.
- (4) To hear, review, and approve or deny applications for subdivision approval as provided in this Code.
- (5) To hear, review, and offer its recommendations to the city council on applications for zoning changes and amendments to, or revisions of, the city's zoning regulations, and to initiate recommendations for zoning changes and amendments to or revisions of the city's zoning regulations as necessary.
- (6) To review and offer its recommendations to the city council on public planning related projects.
- (7) To offer its recommendations to the city council with regard to the compatibility of the city manager's proposed capital improvements program with the comprehensive plan.
- (8) To make such investigations and compile maps and reports, and recommendations in connection therewith, relating to the planning and development of the city as it deems desirable.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013; Ord. No. 01-01202015, att., 2-9-2015)

Sec. 2-476. - Committees.

The chairperson of the planning board may from time to time assign the members of the board to such regular and special committees as may be established by the board. Such committees shall have no final authority but shall assist the board in the conduct of its business by making recommendations to it concerning such specific items as may be assigned to them for study and report.

(Ord. of 5-7-1979; Ord. No. 02-04012013, att. A, 4-16-2013; Ord. No. 01-01202015, att., 2-9-2015)

DIVISION 5. - CONSERVATION COMMISSION

Sec. 2-477. - Commission established.

A conservation commission is hereby established pursuant to 30-A M.R.S.A. §§ 3261—3263 to consist of seven members appointed by the city council, all of whom shall be residents of the city. The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the city council shall initially appoint three members for terms of one year, two members for terms of two years, and two members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. There shall be one ex-officio member of the board consisting of the city manager or his/her designee.

(Ord. No. 07-02022015, § 1, 2-17-2015)

Sec. 2-478. - Purpose.

The purpose of the conservation commission shall be to serve as a research, advisory and advocacy group on environmental and conservation issues relating to the city.

(Ord. No. 07-02022015, § 2, 2-17-2015)

Sec. 2-479. - Qualifications.

All members of the commission shall be selected upon the basis of their knowledge of or interest in conservation, environmental science or related fields.

(Ord. No. 07-02022015, § 3, 2-17-2015)

Sec. 2-480. - Powers and duties.

The commission:

- (1) Shall keep records of its meetings and activities and make an annual report to the city council;
- (2) Shall conduct research, in conjunction with the planning board, into local land areas, which shall be initiated by majority votes of both the commission and the planning board;
- (3) Shall seek to coordinate the activities of conservation bodies organized for similar purposes;
- (4) Shall keep an index of all open areas within the city, whether publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information relating to the proper protection, development or use of those open areas. The commission may recommend to the city council or to any board of the city or to any body politic or public agency of the state a program for the better protection, development or use of such open areas, which may include the acquisition of conservation easements;

- (5) May advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it considers necessary, if municipal appropriations provide financial resources to do so;
- (6) Shall assist staff in the preparation of park and trail plans, the identification of new sites to be added to the park system, recommendations on designation of open space areas, and grant assistance;
- (7) Shall coordinate applications for grants from the federal or state governments, or private sources, to improve conservation assets for the city including parks, trail and the community forest.
- (8) Shall undertake any other conservation or environmental activity referred to it by the city council.
- (9) May recommend to the city council the acceptance of gifts in the municipality's name for any of the commission's purposes.
- (10) Shall develop a plan for and provide advice to city staff and agencies regarding the management of the community forest including the anticipated impact of proposed development;
- (11) Shall raise community awareness regarding the importance of the community forest;
- (12) May raise funds to establish a community forest trust fund;
- (13) Shall adopt by-laws to govern the internal affairs of the commission; and
- (14) May perform such other functions as are permitted by this Code.

(Ord. No. 07-02022015, § 4, 2-17-2015)

Sec. 2-481. - Officers, meetings and records.

- (a) The members shall elect from their membership a chairperson, treasurer, a vice-chairperson and a secretary. Officers shall serve two-year terms.
- (b) All meetings of the commission shall be open to the public, and notice, if required by law, should be provided to the public about such meetings.
- (c) Minutes shall be kept of all meetings.

(Ord. No. 07-02022015, § 5, 2-17-2015)

Sec. 2-482. - Committees.

- (a) *Establishment:* The chairperson may appoint special committees for purposes and terms approved by the conservation commission.
- (b) *Lewiston-Auburn Community Forest Board:* The Lewiston-Auburn Community Forest Board will be a standing subcommittee of the Auburn Conservation Commission. The purpose of the community forest board is to plan for and provide advice to city staff and the conservation commission regarding the management of the community forest. The conservation commission shall designate two members to serve on the Lewiston-Auburn Community Forest Board. The Lewiston-Auburn Community Forest Board shall develop and implement a community forest program that enhances, preserves, protects, and maintains the community forest. Primary activities are to:
 - (1) Advocate for the community forest;
 - (2) Develop a plan for and provide advice on the management of the public sector portion of the community forest;

- (3) Educate the communities about the community forest and how to care for it;
- (4) Raise funds, including grants, and establish a community forest trust;
- (5) Develop and advise on policy changes for approval by the city councils;
- (6) Advise and consult on community forest issues and projects;
- (7) Communicate and coordinate with city staff, planning boards, and other community programs to avoid duplications of efforts and to combine resources to meet goals.

(Ord. No. 07-02022015, § 6, 2-17-2015)

Sec. 2-482.1. - Limits of authority.

Nothing contained within this section shall supersede the provisions of the Charter or contrary provisions of the Code. No powers and duties which may be exercised by conservation commissions under state statute which are not explicitly provided in this article may be exercised by the commission created herein.

(Ord. No. 07-02022015, § 7, 2-17-2015)

Additional Information
forthcoming to replace
this page.

AUBURN SEWER DISTRICT SERVICE AREA



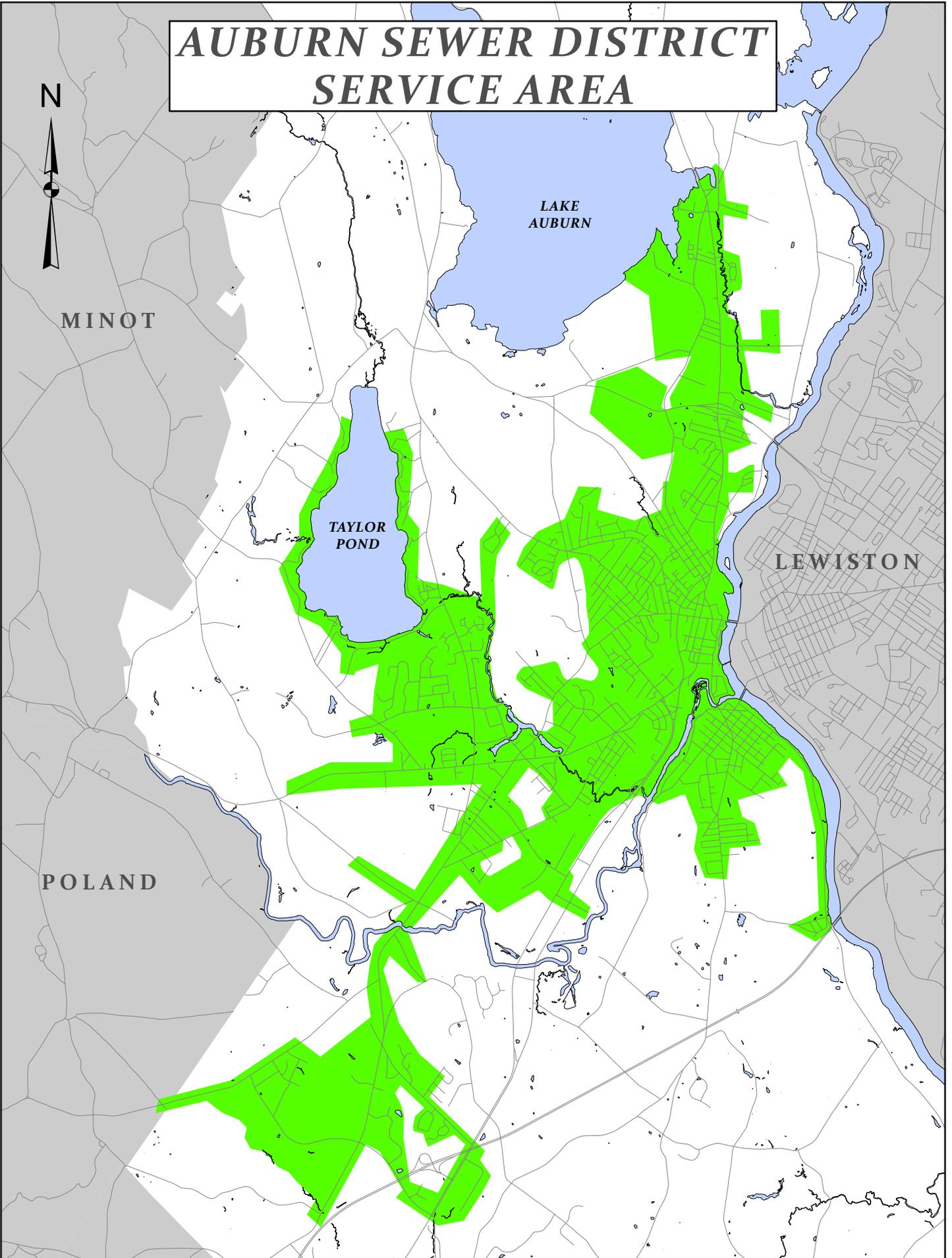
MINOT

LAKE
AUBURN

TAYLOR
POND

LEWISTON

POLAND



AUBURN WATER DISTRICT SERVICE AREA



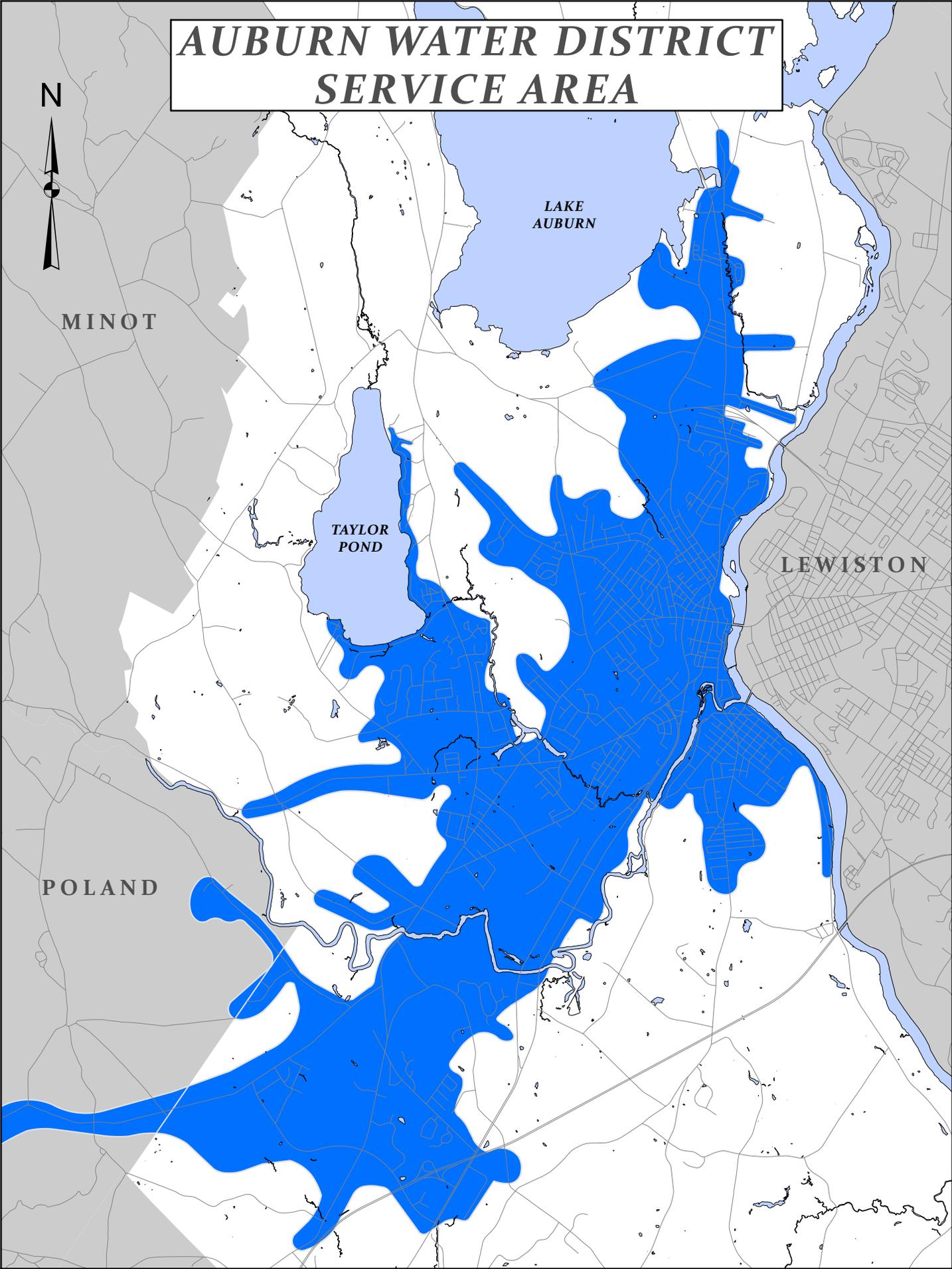
MINOT

LAKE
AUBURN

TAYLOR
POND

LEWISTON

POLAND



DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. - Purpose.

The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. - Use regulations.

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

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, accessory to farming operations subject to the following restrictions:
 - a. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are substantially completed.
 - b. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - c. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.
- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.
- (3) Forest products raised for harvest.
- (4) Field crop farms.
- (5) Row crop farms.
- (6) Orchard farms.
- (7) Truck gardens.
- (8) Plant and tree nurseries.
- (9) Greenhouses.
- (10) Handling, storage and sale of agriculture produce and processed agricultural products derived from produce grown on the premises.

Chapter 60: Key Zoning Excerpts related to Agriculture

- (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
 - (12) Wayside stands.
 - (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:
- (1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:
 - a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.
 - b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.
 - c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.
 - (2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.
 - (3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
 - (4) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.
 - (5) Recreational uses of land intended or designed for public use subject to the following conditions:
 - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
 - (6) Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:
 - a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.
 - b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.

- (7) Rifle, pistol, skeet or trap shooting ranges, public or private.
- (8) Cemeteries, subject to the following conditions:
 - a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
- (9) Municipal sanitary landfills, subject to the following conditions:
 - a. Not located in any environmental overlay district or over any known aquifer.
 - b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
- (10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
 - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
- (11) Wholesale nurseries, subject to the following conditions:
 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
 - a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
 - b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
 - c. An end-use plan must be filed as part of the planning board process.
- (13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (14) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:
 - a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the Watershed of Taylor Pond, the Shoreland Overlay District or the Floodplain Overlay District.
 - b. The proposed use shall not occupy more than 10,000 square feet of building area.
 - c. The number of employees shall be limited to not more than 15.
 - d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
 - e. Hours of operation shall limited to between 6 a.m. and 8 p.m.
- (15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:

Chapter 60: Key Zoning Excerpts related to Agriculture

- a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
 - b. Provisions shall be made to avoid surface and groundwater pollution.
 - c. Provisions shall be made to counteract vermin, insects and odors.
 - d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
 - e. Shall not be located within the Lake Auburn Watershed Overlay District.
- (16) Adaptive reuse of structures of community significance.
- (17) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings as accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment, subject to the following conditions:
- a. The proposed use is accessory, complementary, or otherwise related to a recreational or agricultural use;
 - b. The recreational or agricultural use has been in existence for at least five years prior to the date of the application for the special exception; and
 - c. The recreational or agricultural use is located on the parcel for which the special exception is requested or is adjacent to the property for which the special exception is requested.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 06-06052017, 6-19-2017)

Sec. 60-146. - 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.* No lot shall be created and/or no building shall be erected on a lot containing less than ten acres, exclusive of any bodies of water having a surface area of one-fourth of an acre or more, and measuring not less than 250 feet in width at the street frontage, and 200 feet in depth.
- a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.
 - b. On legally nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2.
- (2) *Density.* The density of yearround dwelling units shall not exceed an average of one dwelling per ten acres.
- (3) *Yard requirements.*
- a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet.
 - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line.

Chapter 60: Key Zoning Excerpts related to Agriculture

- 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.
- (4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories of 35 feet in height. Accessory buildings and structures 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.

(Ord. of 9-21-2009, § 3.31C)

Secs. 60-147—60-199. - Reserved.

Uses allowed in the AG zone are also allowed in larger lot residential zones as follows:

Low Density Country Residential (3 acre minimum)- Use regulations.

- (a) *Permitted uses.* The following uses are permitted:
 - (1) All uses permitted in the Agriculture and Resource Protection District, except uses allowed by section 60-172(a)(8) and (9).
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVI of this chapter:
 - (1) All uses permitted by special exception in the Agriculture And Resource Protection (AR) District, (divisions 2 and 3 of article IV of this chapter), except uses allowed by section 60-172(b)(7), (14), and (15).

Low Density Rural Residential (1 acre minimum) - Use regulations.

- (a) *Permitted uses.* The following uses are permitted:
 - (1) All uses permitted in the Agriculture and Resource Protection District pursuant to (section 60-172(A)).
 - (8) Accessory uses, buildings or structures.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVI of this chapter:
 - (3) Recreational uses of land intended or designed for public use, subject to the following conditions:
 - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.

- (9) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
- (12) Wholesale nurseries, subject to the following conditions:
 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.

Ag zone related definitions Sec. 60-2. - Definitions.

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

Animal unit means one living animal of any species.

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

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

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

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

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

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

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

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

Chapter 60: Key Zoning Excerpts related to Agriculture

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This summary is intended to give the Ad-Hoc Committee on Auburn's Agriculture and Natural Resource Economy a quick reference guide to sections of the Comprehensive plan related to agriculture and housing in Auburn's rural areas that are currently used or zoned for agriculture.

The full plan is available at:

http://www.auburnmaine.gov/CMSContent/Planning/Comprehensive_Plan_FINAL_Approved_4_19_11.pdf

Executive Summary Page Vi

Natural Resources Vision – continue to protect Auburn's rivers and lakes in balance with allowing public access to such resources. Auburn continues to protect the water quality in Lake Auburn and Taylor Pond, as well as the Androscoggin and Little Androscoggin Rivers. Programs support agricultural activities, protect natural features such as wetlands, and ensure the continued preservation of rural open spaces. Rural land preservation is balanced with the continued protection of landowner rights. Access to urban open space is increased through the expansion of the city tree program, the development of lot gardens, and the preservation of rural and river viewsheds.

Executive Summary Page Vii

B. LAND USE POLICIES

Chapter 2 of the 2010 Update of the Comprehensive Plan sets out a Future Land Use Plan to guide where and how growth and development should be accommodated over the next decade. The Future Land Use Plan shows, in a general sense, the desired pattern of future land use and development in the City.

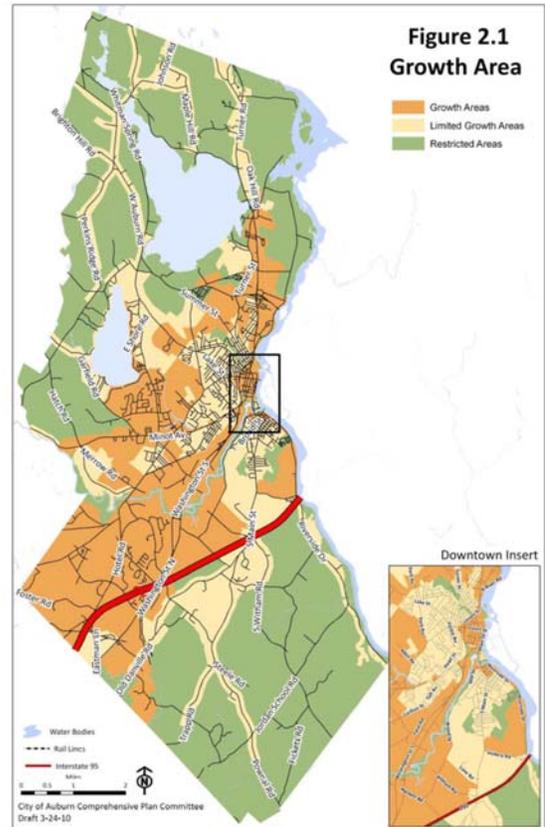
The Future Land Use Plan reaffirms a central policy of prior of land use planning in the City, namely, that development in Auburn should grow out from the core and from older established neighborhoods. This policy was originally set forth in the City's first comprehensive plan over a half century ago and has continued to guide the City's land use planning since then. It is based on the fact that growth out from the downtown core and older established neighborhoods allows for the most efficient utilization of city services. This plan discourages "leapfrog" development in the outlying sections of the city where city services are not now available. The effect of continuing this longstanding policy is to guide most new development into the area south of Lake Auburn and Taylor Pond, and north of the Maine Turnpike.

To manage development and redevelopment in accordance with this basic principle, the Future Land Use Plan designates Growth Areas, Limited Growth Areas, and Restricted or Non-Growth Areas:

1. GROWTH AREAS – Areas where the City wants growth and development to occur. The anticipation is that most residential and nonresidential development over the next ten years will occur in these growth areas.

2. LIMITED GROWTH AREAS – Areas that are either mostly developed, and therefore have limited development potential; or that have vacant or under-utilized land where the City desires a limited amount of growth and development over the next ten years.

3. RESTRICTED OR NONGROWTH AREAS – Areas that are unsuitable or are otherwise undesirable for development; in these areas, the City desires to see little or no growth and development over the next ten years. The general location of these areas is shown on the adjacent map (previous page).



The Future Land Use Plan divides each of these areas into a series of land use designations (See Chapter 2). The following highlights the major policy directions incorporated into those designations:

1. Rural

- Continue to protect undeveloped rural areas including North River Road, the Lake Auburn and Taylor Pond watersheds, and South Auburn from development
- Continue to allow low density residential development along some rural roads in accordance with defined criteria
- Allow flexibility for where and how rural residential development occurs to minimize its impact on the rural character and agricultural uses

2. Residential

- Allow new residential development at varying densities on the fringe of the built-up area where municipal services and utilities can be provided
- Consider using “density-based” requirements for residential development in development districts rather than the current lot size requirements

Executive Summary Page X

5. Resource Protection/Open Space

- Include significant resources along the rivers, streams and high value wetlands in a Resource Protection designation
- Designate land preserved as conservation land/open space
- Expand access to the rivers by creating a Riverfront Transition designation around the confluence of the Androscoggin and Little Androscoggin Rivers

Comprehensive Plan Page 26

Objective C.2.3: Support the public works department’s efforts to maintain Auburn’s road and sidewalk infrastructure in the most cost-effective manner, with a focus on quality and durable construction.

Strategies to achieve this objective:

Strategy C.2.3.a: Limit the need for new roads by encouraging development along existing roadways, and within the designated Growth Area (See Chapter 2).

Comprehensive Plan Page 64 – Economic Development Strategies

In its largest job center, the industrial parks, the City expands infrastructure to ensure the availability of additional land for development. The area continues to grow as a regional job center with the expansion of good-quality employment in the vicinity of the airport and multi-modal center. To assure that there is an adequate supply of land for future economic growth, Auburn uses its Agriculture/Rural Zone as a “holding zone” -- promoting limited development and reduced tax rates on properties until such a time as the area is made viable for commercial and/or industrial development.

Comprehensive Plan Page 67

**Objective I.2.3:
Ensure availability of land for appropriate business/industrial development in designated areas.**

Strategies to achieve this objective:

Strategy I.2.3.a: Attract investment to designated industrial and commercial growth areas through the development of TIF districts and other financial incentives.

Strategy I.2.3.b: Use the Agriculture/Rural Zone designation as a means of holding select areas for future commercial and/or industrial development.

i. Educate prospective developers and current landowners on the goals of the AG/Rural Zone within certain areas on the City’s long-range plans. Help them to understand that the properties in question are held within the AG/Rural Zone to limit development and reduce the tax burden until such a time as the appropriate infrastructure and/or development projects are made available to support the conversion to an industrial or commercial zoning designation.

ii. Rezone the New Auburn’s Witham Road Area as an Agriculture/Rural District to hold the land until infrastructure improvements are made to support the development of business/industrial parks. (See Chapter 2. Future Land Use Plan)

iii. Rezone the other areas designated as Industrial Transition Districts in Chapter 2. Future Land Use Plan on a case-by-case basis, when there is either an active development proposal, or a need for additional industrially zoned land.

iv. Maintain AG/Rural Zone designation of the Delekto Farm property until such a time as the area can be rezoned to support limited access residential, office, and business park development – either when agricultural use ceases, or as part of plans to establish a turnpike interchange. (See Chapter 2. Future Land Use Plan)

Comprehensive Plan Page 70

3. RURAL RESIDENTIAL ROAD STRIPS

The City has historically zoned narrow strips of land along some rural roads for low density residential development. These strips represent a compromise between the City’s goal of limiting residential development in rural areas, and existing conditions along these rural roads. As part of the development of the Future Land Use Plan (see Chapter 2), the City conducted a comprehensive review of where residential strips should and should not be created based upon the following set of criteria. The considerations outlined below apply sequentially – first to identify where strips are appropriate based on current land use patterns, and then to work through where residential strips are inappropriate based on a variety of considerations.

Consideration #1 – Established Residential Pattern

A residential strip **may be provided** along a rural road where there is an established pattern of residential uses along the road. An established residential pattern means at least 6-8 homes per half mile counting both sides of the road. In general, both sides of a road should have a residential strip unless there is a significant reason not to allow residential development based on the following considerations.

Consideration #2 – Reserve Area Adjacency

A residential strip **should not be provided** along a rural road if the area adjacent to the road is a “reserve area” where the objective is to maintain the land as undeveloped to allow for its conversion to a different use in the foreseeable future. There should be some realistic expectation that something will occur that will change the desired land use for the area in the future.

Consideration #3 – Natural Resource Adjacency

A residential strip **should not be provided** along a rural road if the area adjacent to the road has significant natural resource value. Areas with significant natural value include areas that are zoned Resource Protection or are high value wetlands, 100 Year floodplains, significant wildlife habitats, and areas with steep slopes (>25%).

Consideration #4 – Conservation/Open Space Adjacency

A residential strip **should not be provided** along a rural road where the adjacent land is protected open space, or where there is a reasonable expectation that the land will be preserved as open space in the foreseeable future, and residential development is inconsistent with that open space use.

Consideration #5 -- Ability to Provide Public Services

A residential strip **should not be provided** along a rural road if residential development will tax the City's ability to provide municipal services as indicated by the following:

- The road is a gravel or dirt road
- The road is a poorly maintained paved road that will need to be improved to support residential development along it

Consideration #6 – Water Quality Protection

A residential strip **should not be provided** along rural roads with undeveloped frontage that are located in the watershed of Lake Auburn, unless such development will not have an adverse impact on the lake's water quality.

The Future Land Use Plan (see Chapter 2) shows the areas where low density residential development is proposed to be allowed along rural roads based on these criteria. These criteria should be used in the future to review the areas designated as residential strips as conditions change, or to review property owner-initiated requests for rezoning.

Comprehensive Plan Page 73-Future Land Use Plan

This Future Land Use Plan reaffirms the basic objective of land use planning, that development in Auburn should grow out from the core and from older established neighborhoods. This policy was originally set forth in the City's first comprehensive plan over a half century ago, and has continued to guide the City's land use planning ever since. We continue to believe that growth out from the downtown core and older established neighborhoods provides the most efficient utilization of city services. This plan does not favor "leapfrog" development in the outlying sections of the City where city services are not now available. This pattern is often referred to as "suburban sprawl," and is not considered desirable for Auburn. The effect of continuing this long standing principle is to guide most new development into the area south of Lake Auburn and Taylor Pond and north of the Maine Turnpike. Figure 2.1 identifies these areas as the City's Growth Area and Limited Growth Area; they are depicted in the brown and tan colors.

Comprehensive Plan Page 73

Industrial Expansion Transition District (INT)

Objective – Allow for the orderly expansion of the City's industrial district over time by zoning additional land Industrial (see Figure 2.3). The Industrial Expansion Transition District includes two different types of areas. One type of area is characterized by developed residential properties or neighborhoods on the fringe of an existing industrial zone (see Figure 2.6). In these areas that are currently developed, the City should rezone properties Industrial on a case-by-case basis in an orderly manner, while maintaining the livability of the remaining residential properties as well as protecting adjacent residential neighborhoods.

The second type of area is undeveloped or lightly developed areas that are currently zoned Ag/RP or low density residential and are essentially "in reserve" for future industrial use (see Figure 2.7). These undeveloped or lightly developed areas that are "reserved" for future industrial use should be zoned

Ag/RP or its equivalent in the short term; the area should be rezoned to Industrial only when there is a development proposal that includes the provision of public water and sewerage.

Allowed Uses – The allowed uses of the current zone or the Ag/RP District or its equivalent should remain in force until these areas are rezoned.

Development Standards – The current development standards or Ag/RP standards should remain in force until these areas are rezoned.

Comprehensive Plan Page 108

TYPE D: PROTECTION/RESERVE AREAS

DESIGNATION: OPEN SPACE/CONSERVATION

Resource Protection District (RP)

Objective – Retain areas with significant natural resource value in an undeveloped, natural state (see Figure 2.3). This includes undeveloped 100-year floodplains adjacent to the rivers and significant streams and areas around freshwater wetlands that are moderate-high value habitat.

Allowed Uses – Within the Resource Protection District, allowed uses should be limited to natural resource and open space uses including agriculture and forestry, low-intensity recreation, facilities that provide water access, and similar low impact uses. Uses that involve significant structural development or impervious surfaces should not be allowed in this district. Uses such as utility lines and roads may be located within the district if there is no alternative appropriate location.

Development Standards – All new structural development and paved surfaces except for roads, trails, and facilities for access to the water, should be set back from the water body or wetland and a green buffer maintained along the edge of the resource. In general, all activities within the district are also subject to the Shoreland Zoning performance standards.

Agricultural/Rural District (AG)

Objective – Preserve and enhance the agricultural heritage of Auburn and protect the City's natural resources and scenic open space while maintaining the economic value of the land (see Figure 2.3). The district is characterized by a rural, very low density development pattern that limits sprawl and minimizes the City's service costs. The District maintains the current rural development pattern allowing for a broad range of agriculture and natural resource-related uses, while restricting residential development. Recreational development is encouraged both as a means of protecting open space, and as a means to provide reasonable public access to outdoor destinations such as Lake Auburn and the Androscoggin River. The Agriculture/Rural District is intended to serve as a land reserve, protecting valued community open space and rural landscapes, while maintaining the potential for appropriate future development.

Allowed Uses – The Agriculture/Rural District should continue to include the uses allowed in the existing AG/RP zoning district. In addition, a broader range of rural uses should be allowed. Agriculturally-related businesses including retail and service activities and natural resource industries should be permitted. The reuse of existing agricultural buildings should be allowed for low intensity non-agriculture related uses. Residential uses should continue to be limited to accessory residential development as part of a

commercial agriculture or natural resource use, not just traditional farms. The criteria for determining when an accessory residential use is permitted should be based on updated standards that take into account the economic realities of today's commercial agricultural activities, including outside sources of income and part-time and small-scale commercial operations. Residential development may also be part of a commercial recreational use as part of a planned development in which the recreational open space is permanently preserved.

Development Standards – All new development, redevelopment, and expanded uses in the Agriculture/Rural District should be required to meet “best management practices” for stormwater management and environmental protection to ensure adequate protection of natural resources. All development activities in the Agricultural/Rural District should be subject to low impact development (LID) standards such as limiting impervious surfaces, minimizing lot disturbances, creating natural buffers, and capturing and treating runoff through filtration measures.

The City should continue to encourage a very low density development pattern as a means of protecting natural resources and preserving the rural character. The basic residential density standard for the current AG/RP zoning district should be maintained. The standards for the development of accessory residential units should provide greater flexibility in the siting of those units. In an effort to place accessory residential development in areas where it will have the least impact on natural resource and/or the agricultural value of the land, the standards should allow for a waiver or elimination of road frontage requirements and access from a private driveway.

Residential development that is proposed as part of a master planned commercial recreational development should be limited to the same density standard (one unit per 10 acres) as other accessory residential uses. A recreational master plan should be required outlining the scope, scale, and location of residential units and ensuring a cluster development pattern in which the majority of the land is retained as recreation/open space. A conservation easement, or other legally binding preservation measure, should be required to permanently conserve the recreation/open space areas.

Where a parcel that is located in the Agriculture/Rural District land also includes residentially zoned land, a residential unit should be allowed to be transferred from the residentially zoned portion of the parcel to the Agriculture/Rural portion as long as the relocation does not negatively impact natural resources or the agricultural potential of the land. As with other residential development in the Agriculture/Rural District, the development standards should encourage flexibility in the location and size of the lot, allow for a waiver of road frontage requirements, and allow access from a private driveway. When a transfer occurs, the land in the residential zone from which a residential unit is transferred must be permanently protected from development through a legally binding preservation measure, such as a conservation easement.

Conservation/Open Space District (COS)

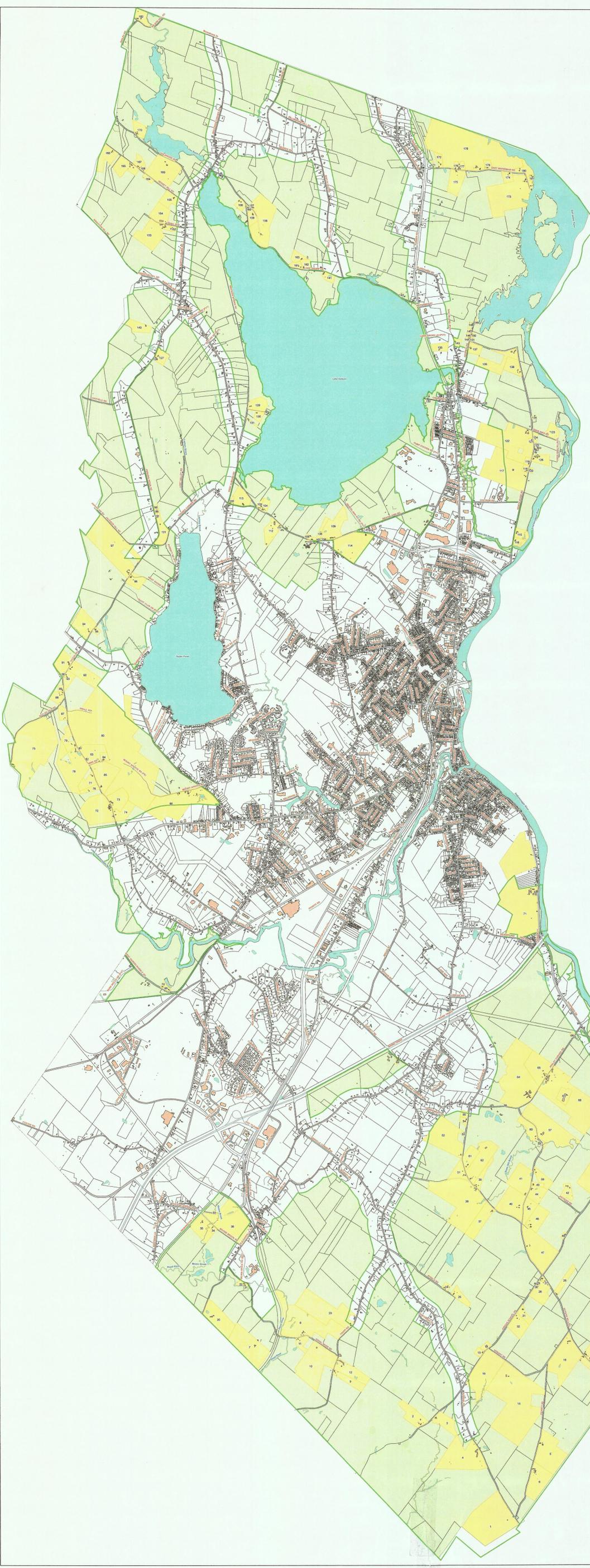
Objective – Formally recognize those parcels that are used for cemeteries, water quality protection or are permanently protected for conservation or open space purposes (see Figure 2.3). The land included within this district will change over time as additional land is conserved. The intent of this designation is to establish a policy that these types of properties/uses should be recognized as important resources and that any significant change in use should be considered a policy decision.

Allowed Uses – The allowed uses within the Conservation/Open Space District should be limited to low intensity recreational facilities and natural resource uses, including agriculture and forestry.

Development Standards – The development standards should provide flexibility for the appropriate use of the land, while protecting its natural resource and ecological values.

Homes in the Agriculture Zone

- Parcels with Homes in the AG Zone
- AGRICULTURE AND RESOURCE PROTECTION ZONE
- Building
- Roads



Index	ParcelID	Address	Year Built	Owner 1	Owner 2	Owner 3
1	011-001	2207 POWELL RD	1937	BOWIE MINNIE & GLADYS HEIRS ET	HARRIS DARLENE	
2	019-003	1573 JORDAN SCHOOL RD	1790	MERCER WILLIAM E	MERCER ROYCE N	
3	018-006	1504 JORDAN SCHOOL RD	1959			
4	021-001	1863 POWELL RD	1900	FLNK CAROL		
5	021-037	337 FICKETT RD	1797	POWERS JOHN E	POWERS MARY A	
6	021-038	225 FICKETT RD	1870	HUNNEWELL JAMES W & CAROL E	COBLEN RUTH	HUNNEWELL CATHERINE E ET ALS
7	035-001	285 BROWNS CROSSING RD	1790	MCNALLY SYLVIA		
8	035-004	169 ROYAL RIVER RD	1990	STONE FRED E	ROBERTS KAREN	
9	035-007	576 TRAPP RD	1972	MELABANDON MICHAEL J		
10	035-011	100 ROYAL RIVER RD	1987	BELLEFEUR KENNETH J	BELLEFEUR CLAIRE M	
11	035-013	194 ROYAL RIVER RD	1920	LOCKE JEANNE F		
12	037-004	528 TRAPP RD	1969	LINKE FARM LLC		
13	038-007	1173 JORDAN SCHOOL RD	1952	BEAUMER VICTOR	BEAUMER PAULINE	
14	038-008	1159 JORDAN SCHOOL RD	1780	WALLACE DAVID		
15	038-039	145 HOBART RD	1825	MAANGAN RUTHANN M GIDEON		
16	039-003	1280 JORDAN SCHOOL RD	1994	FOTYR MICHAEL T		
17	041-003	1177 SOPERS MILL RD	1940	BLODEAU RENE R	BLODEAU IRENE M	
18	041-004	1091 SOPERS MILL RD	1924	CLARK DONNA W		
19	041-009	1200 SOPERS MILL RD	1989	SHANK KRISTEN		
20	053-008	1574 OLD DANVILLE RD	1970	OLBYRCH MARK E		
21	055-014	119 BROWNS CROSSING RD	1920	LUTZ JAMES A		
22	055-015	99 BROWNS CROSSING RD	1920		GODING PETER R	
23	057-001	355 TRAPP RD	1980	HUNNEWELL DAVID N		
24	057-015	250 STEELE RD	1966	GIGLERE ROBIN JO		
25	058-001	340 STEELE RD	1940	LASHUA MICHAEL J	LASHUA JANET E	
26	058-005	888 SOPERS MILL RD	1989	PKAY GRACE D		
27	058-010	813 SOPERS MILL RD	1999	HAINES BEVERLY		
28	058-012	799 SOPERS MILL RD	1981	BERNATCHEZ RICHARD J	LIBBY PIERRETTE L	
29	058-013	774 JORDAN SCHOOL RD	1989	ROUX ERICAN V		
30	058-014	782 JORDAN SCHOOL RD	1947	ROUX BRIAN N		
31	058-016	804 JORDAN SCHOOL RD	1973	ERLAND SCOTT J	MEID ELIZABETH S	
32	059-017	340 JORDAN SCHOOL RD	1992	NOWINSKI RICHARD		
33	079-044	64 CAMERON LN	1920	BICKFORD BRUCE A	BICKFORD MAJORIE A	
34	079-046	79 MOOSE BROOK RD	1938	HETHCOAT SCOTT A		
35	079-077	33 MOOSE BROOK RD	1985	BILLET STEPHEN E	BILLET PATRICIA HOLT	
36	081-002	1201 OLD DANVILLE RD	1900	REDMAN THELMA R		
37	085-002	959 SOUTH WITHAM RD	1973	CLEMENTS IRENE F		
38	085-003	857 SOUTH WITHAM RD	1989	MIRALTA DAVID A	MIRALTA HOLLAND C	
39	085-004	860 SOUTH WITHAM RD	2006	WETIVER RYAN A		
40	085-007	469 SOPERS MILL RD	1898	BERGEN ALBERT O ET AL	BERGEN ELANDR T	
41	085-008	419 SOPERS MILL RD	1968	BERUBE ALDEN B		
42	085-009	310 JACQUES RD	1969	CARSON CHRISTOPHER	CARSON DANNA J	
43	085-011	370 SOPERS MILL RD	1972	THOMAS CAMILLE		
44	085-012	390 SOPERS MILL RD	1920	BELLEVUE LEONARD P	BELLEVUE CORINNE	
45	085-013	488 SOPERS MILL RD	1973	BEAUMER ROGER	BEAUMER LINDA	
46	085-014	1100 SOUTH WITHAM RD	1789	CARD CAROL ANN		
47	085-015	642 SOPERS MILL RD	1982	INGLIN SHAE E	INGLIN KEVIN C	
48	085-016	535 JORDAN SCHOOL RD	1991	WALKER EROY SR		
49	087-003	299 JORDAN SCHOOL RD	1956	BOSWORTH CHARLES L	BOSWORTH CHARLOTTE T	
50	089-011	2128 RIVERSIDE DR	1976	ANDROSOGOGON RIVER RV LLC		
51	113-001	773 SOUTH WITHAM RD	1948	TRUL ROBERT A		
52	113-002	703 SOUTH WITHAM RD	1952	DAMEN STEVEN J		
53	113-004	607 SOUTH WITHAM RD	1950	YOUNG EDWARD B	YOUNG NANCY C	
54	113-006	540 SOUTH WITHAM RD	1966	SCOTT MICHAEL R		
55	113-007	535 SOUTH WITHAM RD	1991	BROUSSEAU PAUL R		
56	113-014	499 PENLEY CORNER RD	1900	WING RUDY M		
57	113-017	150 SOPERS MILL RD	1920	CARON THERESA		
58	113-019	310 SOPERS MILL RD	1969	KACZMAREK CATHERINE R	KACZMAREK STEPHEN J	
59	113-022	177 SOPERS MILL RD	1920	LEVASSEUR CONRAD	LEVASSEUR VIRGINIA P	
60	113-024	149 SOPERS MILL RD	1900	CARONNEAU SUZANNE E		
61	113-021	786 SOUTH WITHAM RD	1983	KATHEIMER JAMES D JR		
62	113-032	804 SOUTH WITHAM RD	1937	BLODEAU MARC D		
63	135-108	433 HACKETT RD	1950	DEMERS ROBERT L	DEMERS ANTONIETTE M	
64	137-026	271 PENLEY CORNER RD	1980	LEWISTON ALBURN WATER	POLLUTION CONTROL AUTHORITY	
65	137-027	263 PENLEY CORNER RD	1850	CHOLEVA CECILIA N		
66	137-031	276 PENLEY CORNER RD	2007	GAUTHER ROGER G JR	BEAUCHESE VIRGINIA L	LAWPCA
67	137-032	280 PENLEY CORNER RD	1979	LEWISTON ALBURN WATER POLLUTIO	CONTROL AUTHORITY THE	
68	139-013	59 PENLEY CORNER RD	1988	BOWIE ROBERT L	BOWIE SUSAN H	
69	156-006	31 WEST HARDCRABBLE RD	1920	WATERMAN WAYNE E		
70	167-003	61 WEST HARDCRABBLE RD	1979	JALBERT FREDERIC P	JALBERT JOUANN (JT)	
71	202-004	433 HATCH RD	1934	DELETO FARM INCORPORATED		
72	205-004	158 HATCH RD	1870	HAMMOND RUSSELL F		
73	205-005	171 HATCH RD	1878	SIGAL CAROL		
74	205-006	121 HATCH RD	1880	DESROSIER EDWARD H		
75	213-002	384 BUTLER HILL RD	1810	HAMES DAVID C		
76	213-006	340 HATCH RD	1992	LANDER JOHN JR	DYER SUSAN E	
77	213-007	290 HATCH RD	1911	DYER GLENNE C		
78	213-010	440 HATCH RD	1993	COUTURE GABRIEL	HERBICK MARIE B	
79	213-011	470 HATCH RD	1948	HERBICK DANIEL B		
80	213-014	198 HATCH RD	1970	AUBURN CITY OF		
81	213-015	441 HATCH RD	1999	BENNETT ELLY L		
82	213-016	395 HATCH RD	1920	POMEREAU ROBERT A	KEECH BRENDA P	
83	213-017	34 MINE RD	1920	PIFFATH FRANK E	PIFFATH MONICA G	
84	213-018	69 MINE RD	1952	BARL ARTHUR F JR	BARL DOROTHY L	
85	213-019	243 HATCH RD	1790	WRIGHT STEVEN F	WRIGHT DIANE B	
86	216-001	64 MOUNT APTATE RD	1974	UNITED STATES GOVERNMENT	WIFE RANEE	
87	216-002	580 HATCH RD	1963	MATHEW BEAUG	MATHEW GUY F	
88	216-011	680 HATCH RD	1987	THE GREATER LEWISTON INVESTME		
89	216-012	710 HATCH RD	1953	AGRIEL CHAD E	SCHWARTZ THERESA J	
90	216-014	730 HATCH RD	1978	SCHWARTZ BARRY D	MILAZZO WILLIE MAE	
91	216-015	788 HATCH RD	1930	MILAZZO JOHN C		
92	216-022	773 HATCH RD	1777	NADREAU JEANNETTE I	NADREAU EDWARD R	
93	216-023	733 HATCH RD	1900	ROBICQUE ROBERT J	ROBICQUE LOUIE T	
94	253-004	216 PERKINS RIDGE RD	1800	SMITH JENIE M	FREWEN PETER	
95	253-008	241 PERKINS RIDGE RD	1840	HAMEL DENNIS R	HAMEL LUCIE C	
96	253-006	521 PERKINS RIDGE RD	1793	ST PIERRE LEO G	TRIBLING MICHAEL C	
97	275-001	540 PERKINS RIDGE RD	1800	DAVIS ARLENE E	DAVIS DONALD L	
98	275-012	853 PERKINS RIDGE RD	1920	COTE DANE A		
99	275-013	823 PERKINS RIDGE RD	1980	MCGRAW SUSAN BRIDGET		
100	275-014	801 PERKINS RIDGE RD	1940	EDWARDS PATRICIA	MORSEY MICHAEL LEE JR	
101	275-015	753 PERKINS RIDGE RD	1993	LIBBY DOUGLAS E	LIBBY JEAN F	
102	277-012	105 YOUNGS CORNER RD	1851	HOOD NELSON A JR		
103	277-015	1109 SUMMER ST	1920	HENDRICKSON LINDA J		
104	277-016	1091 SUMMER ST	1920	RAND JAMES E	RAND JAMES E	
105	277-021	851 SUMMER ST	1956	BROCKNER DANNE M	BROCKNER DANANNA A	
106	277-023	831 SUMMER ST	1920	WHITING JAMES M	WHITING DANE M	
107	277-024	423 MOUNT AUBURN AV	1952	BURNHAM BETTY L		
108	277-025	399 MOUNT AUBURN AV	1950	AREL KEVIN J	AREL JENNIFER L	
109	277-026	360 MOUNT AUBURN AV	1920	LAKE AUBURN WATERBED PROTECTI	BERRY MARGARET	
110	277-033	882 SUMMER ST	1874	WHITING WILFRED E		
111	277-036	1010 SUMMER ST	1850	KYTRICK DENNIS	MYRICK KESSI	
112	277-037	1018 SUMMER ST	1954	MAYER SCOTT E	NORDMAN SUSAN ELIZABETH	
113	277-055	57 YOUNGS CORNER RD	1776	NADEL JUDITH JOHNSON		
114	279-003	200 MOUNT AUBURN AV	1920	MOUNT AUBURN CEMETERY CORPORAT	GREENLEAF MARY E C/O CLERK	
115	282-000	505 NORTH RIVER RD	1860	SEWARD SUZANNE	BERNARD CHRISTINE E	
116	282-003	561 NORTH RIVER RD	1920	STROME R PETER	STROME TRACY D	
117	302-001	800 NORTH RIVER RD	1970	KEENE MAURICE R	KEENE SHIRLEY J	
118	302-002	848 NORTH RIVER RD	1920	CHICKERING ANDREW W	CHICKERING GLENDA M	
119	302-003	900 NORTH RIVER RD	1862	MARSHALL FRANK	DUMONT ROBIN L	
120	302-005	875 NORTH RIVER RD	1835	DAVENPORT HENRY W III	DAVENPORT NANCY A	
121	314-002	1002 NORTH RIVER RD	1920	ADDOTTON ROBERT ORLAND		
122	314-003	1000 NORTH RIVER RD	1771	BLACKBURN ALTHA L		
123	314-004	78 DEER RIPS RD	1800	THORNICKLE AARON		
124	314-007	1011 NORTH RIVER RD	1920	DANLEY TERRY M	KEENE MAURICE R	
125	314-008	983 NORTH RIVER RD	1959	BEANE FLORENCE A	THEUM CHRISTINE C	
126	314-009	919 NORTH RIVER RD	1994	THURM ROBERT E JR	KEENE CHRISTINE C	
127	319-023	1559 PERKINS RIDGE RD	1983	SPRINGUE WANDA		
128	319-024	1539 PERKINS RIDGE RD	1800	GOODING JAMES	DIMMIT SUSAN	
129	321-019	175 WHITMAN SPRING RD	1890	QUINMET PAULINE		
130	321-024	43 POINT OF PINE RD	1978	MCCARTHY HEATHER QUINMET		
131	343-007	121 WHITMAN SPRING RD	1960	BOULEY BERTHARD		
132	343-040	8 FITZGER AV	1930	FRASER BARRY M	FRASER DENISE J	
133	343-048	114 ELMWOOD RD	1958	ROBINSON DAVID FRANK	ROBINSON NANCY L	
134	346-005	1101 NORTH RIVER RD	1967	MALONEY JOSEPH	MALONEY CARLENE	
135	346-003	2341 TURNER RD	1977	DUMONT BEFFRE T	DUMONT ROBIN L	
136	347-006	194 OAK HILL RD	1870	DEUTSCHE BANK NATIONAL TRUST C		
137	347-020	147 ANDREW DR	1969	ANDREWS JASON J		
138	348-002	1290 NORTH RIVER RD	1920	LACHARLE DONALD R	LACHARLE CARMEN P	
139	348-003	1372 NORTH RIVER RD	1980	BATHUN BENLEY		
140	341-003	1648 PERKINS RIDGE RD	1948	ARUNDEL MARGARET ESTATE OF		
141	343-009	400 LAKE SHORE DR	1700	MERRITT ALAN J	MERRITT VIRGIN L	
142	343-009	79 LAKE SHORE DR	1952	AUGER ARTHUR P	AUGER ARTHUR M	
143	347-004	279 OAK HILL RD	1970	THOMPSON EVAN M	SAUCIER KRISTINA L	
144	347-005	172 ANDREW DR	1930	FARRELL DANIEL P	FARRELL GAIL A	
145	347-006	180 ANDREW DR	1952	LANDRY RICHARD R M	LANDRY JOLINE ANN	
146	347-007	188 ANDREW DR	1920	BEAUCHESE JAMES W	BEAUCHESE BRENDA L	
147	347-008	208 ANDREW DR	1987	DELAND GORDONT	DELAND GLOUBIA J	
148	347-009	240 ANDREW DR	1920	DUPREY DONALD R		
149	347-013	251 ANDREW DR	1840	FARRINGTON JAMISE M		
150	347-015	199 ANDREW DR	1959	DUPREY FLORENCE	DUPREY LUCEN A	
151	347-016	175 ANDREW DR	1920	BRADLEY NICOLE A		
152	363-010	48 OUAL RUN	1975	WEBSTER STEVEN R		
153	363-011	95 OUAL RUN	1990	NICHOLS III WAYMOND L	BROOKS TRINA L	
154	363-013	85 OUAL RUN	1920	NICHOLS III WAYMOND L	BROOKS TRINA L	
155	363-021	42 HERSEY HILL RD	1984	VISBARAS KIM A	VISBARAS CYNTHIA	
156	365-006	940 LAKE SHORE DR	1930	ARNOLD PHILIP T JR	ARNOLD LILLIAN	
157	365-008	40 MORGAN RD	1969	CHOCKNER JAMES A		
158	365-010	707 LAKE SHORE DR	1965	BEDETTE CONSTANCE J		
159	365-011	75 MORGAN RD	1972	WELCH MICHAEL J		
160	365-013	501 LAKE SHORE DR	1920	LOWELL DAVID H	LOWELL ANNE R	
161	365-018	535 LAKE SHORE DR	2007	LECOMPT MASON MARYANN		
162	365-019	515 LAKE SHORE DR	1962	KELLY JOHN L		
163	365-020	491 LAKE SHORE DR	1913	BUEHNER ARTHUR C	BUEHNER ANN T	
164	367-002	184 HERSEY HILL RD	1835	BENG PETER B	JANDREAU JEANE	
165	367-003	282 HERSEY HILL RD	1800	RODGERS KATHRYN C		
166	367-007	176 HERSEY HILL RD	1958	BLANCHARD DENRICK S		
167	367-013	249 HERSEY HILL RD	1960	WOOD GLEN T	WOOD CHRISTINE M	
168	367-014	229 HERSEY HILL RD	2003	FITZHENRY PAUL H		
169	367-018	160 HOLBROOK RD	1970	BENNETT EUGENE S	BENNETT JEAN H	
170	367-024	337 HOLBROOK RD	2004	BARTLETT CHARLES E	BARTLETT KENNIE C	
171	391-068	24 EAST WATERMAN RD	1957	MORIN ROSS L	MORIN PAULA M	
172	391-070	56 EAST WATERMAN RD	1900	GAGNON RAYMOND P	GAGNON GLENDA G	

Summary of Significant Events in Protecting Agricultural Lands in Auburn

Ken Meter & Megan Phillips Goldenberg (2017)
For City of Auburn — AGRP Steering Committee
 November 29, 2017

Overview:

The priority that Auburn established as it set aside farm and forest lands in 1964 was to concentrate new development close to downtown and major highways, in large part to limit public costs for providing utility and school services while also maintaining an attractive community. Planning documents prepared before the adoption of the AGRP assumed that farm income would continue to decline and farm population would decrease. Studies also noted that marketing, processing, and distribution factors had a greater effect on agriculture than land availability. No attention was given at the time to addressing these conditions, fostering a more financially sustainable agriculture, or to incentivizing local farmers to address the challenge of feeding a population that planners assumed would double by 2000. Yet the Ordinance did solidly establish that protecting farmland in the city was in the public interest.

In the mid-1980s, developers sought to remove land from the AGRP in favor of rural housing development. While the Planning Board opposed taking this step, the City Council adopted a plan favoring rural residential development. But the courts struck this down. A 1986 review of AGRP zoning found that farmland had indeed been protected, but also found that the most significant loss of open agricultural land was due to forest growth on untilled fields. In later years, additional beltways were carved out of the AGRP District to allow Rural Residential development.

Meanwhile, Maine has built considerable demand for community-based foods. One of the more successful farms sells direct to wholesale clients and Maine retail stores who value food grown in the state. Several new initiatives have brought new farmers to Auburn, many of whom seek more diverse options for both farming and residential dwellings.

The Auburn Comprehensive Plan (2010) encouraged greater flexibility in applying standards for the AGRP, and suggested that city staff be given greater leeway in interpreting requirements. The plan preserved the 10-acre minimum site size for new home construction and allowed for permanent set-asides of land for agricultural, conservation, and other open-space purposes. Significantly, the Plan also encouraged new approaches that are compatible with new economic realities. This policy suggests that the current 50% income standard for building a new home in AGRP should be changed.

On August 21, 2017, the Auburn City Council took further steps to address the need to support local food systems, not simply farm and forest land, by adopting a Food Sovereignty Ordinance. “The intent and purpose of Auburn’s Food Sovereignty Ordinance is to ensure that residents are provided unimpeded access to local food and to reduce governmental regulation of the local food system to the fullest extent permitted by home rule authority....” The ordinance exempts producers, growers, and processors of local food or food products within the City for sale direct to the final consumer from licensure and exemption requirements. Auburns Ordinance was drafted to allow exemptions to the extent allowable by State Law. When State Law was revised

to uphold state and federal inspection of meat and dairy products that changed the reach of Auburn's Ordinance.

The ordinance was enabled by a Maine statute that provides the following definition: "**2-B. Local Food System.** "Local food system means a community food system within a municipality that integrates food production, processing, consumption, direct producer-to-consumer exchanges and other traditional foodways to enhance the environmental, economic, social and nutritional health and well-being of the municipality and its residents."

Thus these City and State actions have established a precedent in favor of strengthening *local food systems* — not simply agriculture — in order to achieve broader health, well-being, environmental, and economic benefits. This may form the basis for revisions of AGRP.

While the 1964 provision protected lands still available for agricultural use today, it did not address other fundamental components of a localized food system, including the following:

- Can Auburn take effective action to create markets for farmers and food businesses so that farmland stays populated?
- How should the City of Auburn invest in infrastructure that creates greater efficiencies for farmers in the city who wish to sell food to Auburn residents?

Issues that **were addressed** in the 1960s also pose new challenges today:

- Is the 50% income guideline still relevant, since most existing farms greatly rely upon off-farm income?
- If this limit is changed, how can Auburn ensure that rural areas are actually farmed, not dominated by nonfarm residences?
- Should the 10-acre parcel limit be changed to accommodate pockets of dense housing (such as clusters of veterans, Somali Bantu and Somali farmers, etc.)?
- If this limit is changed, how can Auburn ensure that the rural character and open space are preserved?
- How does Auburn express through the AGRP its commitment to broader goals of protecting the environment, ensuring food security for Auburn residents, and promoting health and well-being?

New issues also have arisen:

- How can the City assist new farmers in establishing solid businesses?
- What other actions are needed to ensure that emerging farms build effective businesses?
- How does the City want to invest in advancing its food sovereignty policy?
- Could food systems development be viewed as an approach that integrates planning for both urban and rural areas simultaneously?
- Temporary land protections (ARPZ) have reduced demand for permanent land protection services.

Global Contexts:

New England farms lost prosperity in the 1800s as Midwestern states became important farm producers, and began to supply urban markets in the East.

National credit upheavals in the late 1800s meant that farmers across the US experienced tremendous poverty.

Increased demand for food resulting from immigration, industrial growth, and international demand during World War I created peak prosperity for US farmers during the years 1910-1914.

Farming communities globally experienced a depression in the 1920s. This erosion of rural economies was a major cause of the Great Depression of 1929. This was a global crisis initiated by global commodity price uncertainty. Only later did it spread to the stock market. Those analysts who paid any attention to agriculture at the time found that had the farm economy been sound in 1929, the US would have been able to readily recover from the stock market crash [Meter (1990), *Money with Roots*, www.crcworks.org/roots.pdf].

New federal farm policy and international demand after World War II (the US loaned money to Europe to rebuild since their fields were devastated by the war, and these nations purchased grains from the US) created a new era of prosperity for farms. With increased mechanization and new fertilizers, farm production increased dramatically, and rural dwellers moved to cities.

In the 1950s, Europe became able to produce its own food again, so US farmers were caught with a surplus and prices fell. By 1962, national policy makers initiated a discussion aimed at moving some farmers off the land. One influential policy group, the Committee for Economic Development (CED), wrote a report called "An Adaptive Program for Agriculture," stating that "The movement of people out of agriculture has not been fast enough to take advantage of the opportunities that improving farm technologies, and thus creating capital, create."

It is not clear today whether civic leaders in Auburn were aware of these global economic developments, but in the late 1950s, the City took steps to protect open space and farms under the assumption that farm population would decrease.

Auburn 1958: The Blackwell Report

Blackwell, John T. (1958). "City of Auburn City Plan Report." December.

The City hired Boston consultant John T. Blackwell to draft a plan for Auburn. Blackwell concluded that urban growth should be concentrated in specific areas, protecting rural areas for farming, lumbering, and recreational uses. He did not write specific plans for protecting agricultural lands, but he did draw a map that showed a "farm and forest" district. This was one step to the creation of the AGRP district.

"Generally, farming as a way of life has been declining," the report stated on page 16. It did not address how the City could protect farm lands in the face of this presumed decline.

Blackwell predicted that "The Auburn future population will be mainly urban, suburban, and rural non-farm... The number of people will depend mainly on future urban employment, which we believe will to be more in non-manufacturing categories than in manufacturing" [page 95].

Blackwell identified “three major groups of planning problems” that he said needed to be addressed in Auburn. Interestingly, these only indirectly dealt with agriculture: (1) Urban Cluster Problems, (2) Tiny Rural Village Problems, and Widely Scattered Rural Farm and Nonfarm Homes; and (3) Woodland Protection and Improvement. The concerns listed under number two were that the cost of providing services to rural households, and the need to hold property taxes at steady levels so family farm and forest businesses could survive (i.e., to not provide services to scattered locations) were the primary issues to address. Strengthening farms financially was not named as a concern.

Specific proposals were made for Residential, Industrial, and Business development in Auburn [page 30-37], and strategies were suggested for wooded areas. No specific provisions were offered for agriculture. As noted above, Blackwell assumed that the farm population would decline over time.

Proposals made for wooded areas included [pages 34-35]:

1. Create a town forest to serve as a model for good forestry practices and a source of income.
2. Develop buffer strips to separate land uses.
3. Develop campsites.
4. Build special recreational sites (such as rod and gun clubs, ski slopes, waterside sites, and wild lands).
5. Special sites for sanitary landfill, dumps, etc.

The report anticipated that more and more Auburn residents would attain wealth, and would have more leisure time. It also predicted that demand for food would increase and that more people would want to build homes on larger lots [page 47]. However, no proposals were made to assist Auburn farms to expand to meet this increased food demand. The report noted that the “Turner Centre Creamery...north of Auburn, was once one of the largest in New England,” and that the cannery at Skilling’s Corner had closed [page 17-18].

The Blackwell report did specifically mention the City-owned farm, which had once served as a poor farm. The study recommended that this farm might no longer be necessary due to “the decline in farm living and because of far-reaching changes in community approaches to rehabilitating or caring for disabled, enfeebled, or abandoned older citizens.” Blackwell recommended that the City retain ownership of the land so it could serve as part of a circle of public open space surrounding Lake Auburn.

The report predicted that the city population would rise to “45,000-50,000 or more by the year 2000.” Actual population in 2016 was 22,948 [Federal Census], just below the 1950 level of 23,124 [page 93].

Continuing, the Blackwell report stated that “More future population growth can be expected within Auburn municipal boundaries than in Lewiston, we suggest, because there was in 1957 so much more attractively developable acreage in Auburn, both for industry and for residence” [Page 96]. Note that neither agriculture nor forestry is mentioned here.

Section IX of the Blackwell report offers “An Urban Renewal Program for Auburn.” Nothing regarding agricultural or forestry economic development is mentioned [page 110]. Blackwell did recommend that federal dollars be sought to renovate housing in the “outside downtown” area, suggesting “partial or total clearance at Sandy Beach on Taylor Pond, the land to be used for municipal recreational use and to clear a pathway for the recommended new parkway,” adding that “There would probably have to be total clearance on Howell and Clifford Streets at Stevens Mill Road and Old Hotel Road, across from Sandy Point.” Blackwell also suggested that housing could be rehabilitated in [what he termed] “retarded” subdivisions in (a) “the vicinity of Manley and Old Portland Roads,” and (b) “Easterly of South Main Street in the south part of New Auburn, upon the plateau” [page 112].

Moreover, the Blackwell report set out the vision for what became rural residential districts. “The principal eight suburban and rural residential districts suggested in the Land Use and Circulation Plan (not counting strips zoned for rural residence in outlying Auburn) appear to aggregate some 3500 buildable acres and would accommodate, we estimate, some 2,250 new one-family dwellings, over and above those already existing, as follows:

- 1) Northerly: along Center street between the recommended Parkway and East Auburn Village, about 150 dwellings;
- 2) Northerly: In a triangle bounded by Mt. Auburn Cemetery, Mt. Auburn Avenue, Turner Street, and Summer Street, about 180 dwellings;
- 3) Northwesterly: both sides of a recommended new parkway, in an area bounded by Summer Street, Park Avenue, a line parallel to and northerly of Lake Street, the recommended new parkway and Taylor Pond, easterly shore, about 300 dwellings;
- 4) West Central: between Taylor Brook and recommended parkway, bounded southerly by Minot Avenue, about 135 dwellings;
- 5) Southwesterly: west of the parkway and south of Minot Avenue, about 130 dwellings;
- 6) East of the parkway and south of Minot Avenue, extending easterly to Washington Avenue Southbound and southerly to the Little Androscoggin River, about 600 dwellings;
- 7) Beech Hill northerly, northeasterly, and easterly slopes, from Marston's Corner to Washington Avenue Southbound, south of the Little Androscoggin River, about 150 dwellings;
- 8) New Auburn Plateau, south of the New Auburn Fire Station, approximately 450 suburban dwellings, and in a triangle of rural territory adjoining southerly between the plateau, the Maine Turnpike and Little Androscoggin River, about 150 dwellings.

On a map following page 116, the Blackwell report showed a recommended “farm and forest” zoning district. Yet no details were offered explaining what such zoning would involve.

The report further noted that “Auburn and Lewiston have very little employment directly related to forestry exploitation, notwithstanding the extended wooded lands in and surrounding Auburn” [page 18]. Blackwell found that 95 jobs in Lewiston-Auburn involved forestry and agriculture, compared to 13,265 jobs in manufacturing at the time. The report concluded, “Farming and forestry activities in and around Auburn may expand also because of the national need for more food and more fibre products as the regional and national populations increase, but farm and forestry employment will not expand as much as productivity by new methods and equipment” [page 19].

Analysis: The report was primarily an urban growth proposal, one that far overstated Auburn’s true growth potential. It suggested new urban development for a population that was not actually rising. It did not assess what would be required economically for agriculture and forestry to survive. More critically, it assessed agriculture primarily in terms of how many people were moving out of agriculture [page 13]. It noted that 2.5% of the city’s employment base was in farming.

While the report noted that “Marketing, processing, and distribution factors appear to be the determinants of agricultural activities throughout Maine, New England, and the nation, not physiographic factors,” it did not suggest strategies for improving these economic factors.

Essentially, it appears that the author assumed that the decline of agriculture could be viewed as a positive development for Auburn since it would reduce pressure to build new homes, and would minimize demand for new city services.

1960: Atwood, Blackwell, and Young: “Looking Toward the Year 2000 with Foresight”

Prepared for the Auburn City Planning Board. This report is essentially an updated version of the 1958 Blackwell report, one that is simplified and with maps to guide a civic discussion.

This report to the Auburn Planning Board showed a map that highlighted “farm and forest” areas that align closely with what became the Agricultural Resource Protection Zone [page 6].

“Orderly provision for urban growth is the purpose of the Central Auburn Plan....The heart of the Central Auburn Plan is conscious concentration of urban and suburban growth at controlled densities, backed up and surrounded by mainly farm and forest usage of all of outlying Auburn” [page 7].

The report noted that the urban sections of Auburn had expanded from their original compact areas to a three-mile zone north to south. Further, it stated, “Outlying Auburn is occupied by a few dairy farms, poultry farms, apple orchards, brick yards, sand and gravel pits, several small outlying clusters of homes, and extensive woods and hills [page 1]. The report further noted that seven rural “village clusters” existed at East Auburn, North Auburn, West Auburn, Young’s Corner, Marston’s Corner, Haskell Corner, Rowe’s Corner, and Danville.

The report proposed setting aside “some 3,600 acres for suburban one-family development at one-acre or more per dwelling north, west, and south of the urban center.” Summaries of the recommendations for each region follow.

Southern region of Auburn: “Separated from all the rest of Auburn are 20+ square miles of rolling, wooded territory with a few farms. A farm and forest future, mainly a woodland future, is foreseen and recommended for this area. The small number of year-round dwellings will probably decline, but dwellings will continue along the River and at Danville. No new home building is recommended in the interior, and only low-density along the River and at Danville. The portions of Durham and New Gloucester townships adjoining this southernmost portion of Auburn are also of farms and forest character” [page 4].

Northern region of Auburn: In this 22-square mile section of the city are four outlying villages and “major apple orchards on Perkins Ridge....The combination in Northern Auburn of settled clusters and scenic sites but absence of existing utilities leads to recommendations of selected rural residence development areas, and a farm and forest future for most of the rest of this study area” [page 5].

Western region of Auburn: a nine-square mile region with “very few year-round residents...so a farm, vacation cottage, and forest future is recommended....Both Taylor Pond and Lake Auburn afford fishing and boating opportunities” [page 3].

As with the 1958 report, a priority was placed on holding down costs for providing city services. “The bulk of urban Auburn is primitively sewerred by gravity directly into Androscoggin River and tributaries. Homes, schools, and factories were being built beyond the geographic and topographic limits of this primitive sewerage. Continued urban expansion is recommended westerly toward Taylor Pond, westerly toward Old Hotel Road and westerly toward the Little Androscoggin River, and the Airport. Growth requires either individual sewage disposal on large lots or sanitary sewerage and effluent treatment” [page 13].

Further, the report suggested setting aside “more public lands along lakes and streams,” adding that these green spaces “would enhance Auburn living enjoyment. Also they would improve and stabilize tax values of neighboring properties and would prevent unwise building on steep slopes or flood-endangered locations” [page 15].

Analysis: In this publication, very little attention is paid to protecting agriculture itself. It is assumed that the farm sector will specialize to serve broader markets beyond Auburn, and that many of the existing farm homes will deteriorate. The focus of this report is to reduce municipal costs for services by concentrating development in specific areas.

1964: AGRP Ordinance adopted by Auburn City Council

Chapter 29 Zoning Ordinance; Section 3 Zoning Districts; 3.1 to 3.3

Sec. 3.3: Forest and Farming Districts. Every part of the City of Auburn not otherwise hereinafter designated Flood Plain, Rural Residence, Suburban Residence, Urban Residence, Neighborhood Business, General Business, or Industrial District is hereby expressly declared to be in Forest and Farming Districts [page 4].

Sec. 4.2 outlines permitted uses in these districts. These include:

- Woodlands, orchards, gardens, pastures, and field with all land, building equipment and machinery and buildings accessory to the same;
- Summer camps and bonafide farm residences required for farm labor or management but no other year-round dwellings by construction nor by conversion of non-residential structures;
- Outdoor recreational uses with such accessory buildings as may be required after approval by the Planning Board;
- Other uses allowed in other residential districts.

Analysis: While Forest and Farming Districts were named first in the Ordinance, these districts are demarcated primarily because they are not zoned for a different purpose. This has the effect of encompassing nearly all of the City's undeveloped land. As Maurice Keene pointed out in our interview, this ordinance allowed houses only for a "bonafide farm" but this term was not defined in detail. Additional definitions, including the 50% income and 10-acre plot guidelines, were added later. We have not yet determined at what point these definitions were added.

1980s: Proposed Amendment to the Agriculture and Resource Protection Zone, 1980s

http://www.auburnmaine.gov/CMSContent/Planning/Ag%20and%20Resource%20Protection%20District/2017%20Documents/1980s_ProposedDistrictAmmend.pdf

[Consultants do not know who introduced these proposals]

Goals

1. Maintain a healthy agricultural economy.
2. Provide development patterns that minimize the need for incurring greater costs in the provision of municipal services.
3. Protect valuable agricultural land.
4. Allow for the extraction of equity from property that has been held under long-term ownership.
5. Provide greater flexibility in the agricultural area in order to accommodate families locating on the land.

Problems to be Avoided

1. Cutting off access from large acreages that do not front on public roads.
2. The interjection of land uses incompatible to agricultural activities.
3. Having development occur where the existing infrastructure cannot support it.
4. Creation of a land development scenario that distributes tax responsibilities and tax benefits [Consultants are not sure what this means].

Analysis: In the 1980s, the weakness of the agricultural economy — now beset by a global debt crisis — has become a more significant issue, yet remains unresolved. Minimizing development pressure is still a high priority. New flexibility is sought. Yet no major actions are taken at this point.

1983: Remarks by Commissioner of Agriculture Stewart N. Smith Concerning the Auburn ARPZ, October 3

http://www.auburnmaine.gov/CMSContent/Planning/Ag%20and%20Resource%20Protection%20District/2017%20Documents/1983_AgCommissionerSmith_Remarks.pdf

“Maine currently lacks a state level ag-land protection program... I believe that the Auburn ARPZ is one of the most effective, forward-looking farmland protection programs in Maine and a unique model for other towns... Maine’s existing productive farmland amounts to less than 8% of the state’s total acreage. It is a scarce resource that is absolutely essential to our current and future agricultural production and the loss of farmland is a statewide problem that affects all Maine citizens.... Unquestionably, residents of Maine and New England will in the future have to turn to more local supplies of food. Water tables in the west are receding significantly, and those states will be providing a smaller proportion of our food supply over time. In addition, the increasing costs of energy have increased transportation costs, making food imported from a great distance more expensive than it has been in the past.”

“One of the arguments supporting a relaxation of abandonment of Auburn’s ARPZ is based on the opinion that farming in the zone is rapidly beginning to slide or decline... We are also told that although the number of individual farming operations has declined, the amount of agricultural land kept in production has remained the same... [Yet] Statewide the number of farms has actually increased... cash receipts of many of our agricultural commodity groups has also increased.”

“Despite indications of a revitalized agriculture in Maine and national trends that favor this revitalization, we are still losing viable farmland in many areas of the state... whenever we wait until farmland losses are at a critical level it already has become too late. “

Allowing rural residential development “makes it much more expensive — sometimes prohibitively expensive — for new farming operations to locate there and keep or bring available farmland back into production.”

Analysis: At this point, just prior to the outbreak of the farm credit crisis, Smith recognizes that that restricting rural residential development is critical to protecting farmland, since it increases the tax burden on landowners in the AGRP.

1986: UM—Farmington Study Evaluates Success of AGRP

Frederic, Paul B. (1986). “Protection Farmland Protection: The Case of Auburn, Maine.” University of Maine at Farmington. Presented to American Association of Geographers in May.

“The Zoning Act...has significantly restricted urban sprawl for twenty years” [page 1]. This minimized pressure for new housing that came from within the community. The study noted that although the population of Auburn decreased slightly from 24,449 in 1960 to 23,128 in 1980, the number of households increased from 7,580 to 8,491. Fewer people were living in each household.”

Frederic surveyed 17 farmers in 1984, and found that there were 11 dairy farms, 3 poultry farms, 3 orchards, 3 fresh vegetable farms, 2 farms raising beef, 1 small fruit farm, and 5 other

farms raising other crops or livestock (some farms reported more than one major product). Total property valuation of the city's farms was \$3.1 million, and Auburn farms contributed \$77,444 to the City's tax base [page 5].

Yet Frederic also found the farm sector had weakened. "Continued erosion of the farm sector results in a reduction of the region's ability to produce food and fiber, diminishes the aesthetic character of the rural countryside and may lead to a loss of all farmers if the number of operating units drops below the critical mass needed to support various farm services and markets" [page 1].

"The loss of farmland has been slower in the protection zone. The Agricultural Zone contained 43% of the [city's] farmland in 1964, but only represented 28% of Auburn's [farmland] loss to 1980. Only 10% of the farmland in the protection zone was lost compared to 17% in the Rural Residence Zone (Table 5)...Most farmers [surveyed] think the zoning regulations benefit their operation" [page 6].

Yet looking more deeply at the author's data, it is important to note that only 15 acres of farmland was lost in the APRZ from 1964 to 1980, while 25 acres of farmland was lost in areas zoned Rural Residential. Much more farmland was lost to forest growth over the same period, with losses of 235 acres in the ARPZ and 307 acres in RR zones. A small amount of land in each zone was also gained as wooded areas were cleared [page 7].

Interestingly, while 43% (2,339 acres) of the open agricultural land in Auburn was within the ARPZ, 34% (1,853 acres) of the city's open agricultural land was zoned RR, and another 23% (1,252 acres) was zoned in other categories. All told, there were 5,444 acres of open farmland in Auburn in 1964, and 4,573 acres in 1980, a loss of 871 acres, or 51 acres per year over all zoning categories. Only 4% of open farmland was lost to development during that period, while 13% was lost to forest growth [pages 7-8]. The author noted that this mirrored statewide trends.

Frederic also points out that the ARPZ remained stable despite a major challenge in 1984. "Pressure from developers and an orchard owner to open extensive areas of rural land to development resulting in a major attack on the law. The apple farmer was elected to the Council and led a battle to weaken the law." Despite the fact that the City Council replaced three Planning Board members who had opposed development with three new members who were more sympathetic to development, the new Planning Board rejected the proposal to open more land to development. Nevertheless, the Council voted to open up "large acreages" to development. But a 1985 court order (in response to legal action filed by Citizens to Protect Auburn) blocked this measure, stating that the Council had failed to provide adequate public notice when the decision was made, and that the action they took was inconsistent with the City's comprehensive plan [pages 6, 10].

"No major changes [to the law] were passed by the City Council [from 1964 to 1980] and farmland protection remains an important element of the comprehensive [master] plan" [page 6].

Analysis: Frederic's research shows that farmland had been protected. Yet the primary loss of farmland is due to forest growth on formerly tilled fields, not from new housing development. Few new homes had been built on either farmland or in rural residential areas at this stage.

Pressure from developers to utilize open lands for housing and other development had become clear, however.

2009: Current AGRP Ordinance

The current version of the Ordinance is posted at the following address:

<http://www.auburnmaine.gov/CMSContent/Planning/Ag%20and%20Resource%20Protection%20District/2017%20Documents/>

Division 2. AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. – Purpose

“The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic, and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline[d] here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.”

(Ord. of 9-21-2009, § 3.31A)

Analysis: The Ordinance states that it is in the public interest to protect specific areas of the city, “primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants.” This clearly places a priority on protecting land and water resources to reduce municipal costs. Very little attention was paid here to building economic infrastructure that would promote the financial sustainability of agriculture or forestry.

2010: Auburn Comprehensive Plan Recommends Greater Flexibility

City of Auburn Comprehensive Plan – 2010. Chapter 2 Future Land Use Plan. Approved by City Council April 19, 2011. Type D. Preservation Areas: Designation: Open Space/Conservation.

The objective of the Agriculture / Rural District (AG) is to “Preserve and enhance the agricultural heritage of Auburn and protect the City’s natural resources and scenic open space while maintaining the economic value of the land.” The plan seeks to continue the current rural development pattern, foster recreational development, and maintain a land reserve “while maintaining the potential for appropriate future development.”

“Allowed uses: The Agriculture/Rural District should continue to include the uses allowed in the existing AG/RP zoning district. In addition, a broader range of rural uses should be allowed. Agriculturally related business including retail and service activities and natural resource industries should be permitted. The reuse of existing agricultural buildings should be allowed for low intensity non-agriculture related uses.

“Residential uses should continue to be limited to accessory residential development as part of a commercial agriculture or natural resource use, not just traditional farms. The criteria for determining when an accessory residential use is permitted should be based on updated standards that take into account the economic realities of today’s commercial agricultural activities, including outside sources of income and part-time and small-scale commercial operations. Residential development may also be part of a commercial recreational use as part of a planned development in which the recreational open space is permanently preserved” [page 109].

Further, the Plan states that “the basic residential density standard for the current AG/RP zoning district should be maintained,” while “the standards for the development of accessory residential units should provide greater flexibility in the siting of those units,” consistent with best management practices for environmental protection. Waivers of road frontage requirements and access standards are allowed. New commercial recreational development should conform to the current 10-acres-per-dwelling unit standard; land that is to be permanently protected should be placed in a conservation easement or similar binding preservation measure [page 109].

This section of the Comprehensive Plan also includes specifications for both a Resource Protection District (RP), and a Conservation/Open Space District (COS).

Analysis: The 2010 Comprehensive Plan encourages greater flexibility in applying standard for the AGRP, and suggests that city staff be given greater leeway in interpreting requirements. The plan preserves the 10-acre minimum site size for new home construction and allows for permanent set-asides of land for agricultural, conservation, and other open-space purposes.

Significantly, the Comprehensive Plan also encourages new approaches that are compatible with new economic realities. This would suggest that the current 50% income standard could be changed.

However, emerging farm operations (for example, the veteran’s farming project or the Somali Bantu and Somali farmers that are currently starting commercial farms in Auburn) have expressed interest in housing options that are denser than the current standard and these recommendations allow.

2017: Auburn Launches Agriculture Economics Study; Steering Committee to refine AGRP

City of Auburn RFP (2017): “Study to Support and Enhance Auburn’s Agricultural and Resource Sector” issued March 20.

Background: Rural Auburn has a unique Agricultural and Resource Protection (AGRP) zoning district, which has been in place since the early 1960s. It contains over 40% of the City’s land area, or over 20,000 acres. The purpose and intent of the AGRP zoning regulations have been to manage development and to promote food, agricultural, timber, and natural resource production and uses. The AGRP zoning regulations have significantly restricted development for the past 50 years. Today, however, the nature and trends of farming and food production have drastically changed.

Values Statement: Consultant's work will be guided by The City of Auburn Values Statement: The City of Auburn values its agricultural heritage, protects the natural beauty of its land, and promotes locally grown food, raising livestock, managing forests, and natural resource-based businesses.

Purpose: The City of Auburn desires to strengthen its natural resource-based economy (farming, timber, food businesses, etc.) and to better integrate this sector into community planning and City-wide priorities.

Analysis: This work is just getting underway, so few conclusions can be drawn at this point.

2017: Auburn Adopts Food Sovereignty Ordinance

Ordinance 07-08072017, Sec. 14-50, Adopted August 21, 2017

"The intent and purpose of Auburn's Food Sovereignty Ordinance is to ensure that residents are provided unimpeded access to local food and to reduce governmental regulation of the local food system to the fullest extent permitted by home rule authority under Title 30-A M.R.S. § 3001, the Constitution of Maine, Article VIII, Part Second, and pursuant to 7-A M.R.S. §201, et Seq....

"Producers, growers, and processors of local food or food products in the City of Auburn are exempt from licensure and exemption with respect to the sale of local food and food products to consumers within the local food system of the City of Auburn."

This Ordinance was later revised, under pressure from the Federal Government, to state that meat and dairy products were subject to Federal and State inspection.

Note also that the Maine statute giving authority to the City of Auburn to adopt this Exemption states the following definition: "**2-B. Local Food System.** "Local food system means a community food system within a municipality that integrates food production, processing, consumption, direct producer-to-consumer exchanges and other traditional foodways to enhance the environmental, economic, social and nutritional health and well-being of the municipality and its residents."

Analysis: Both City and State actions set a strong precedent in favor of strengthening *local food systems* — not simply agriculture — in order to achieve broader health, well-being, environmental, and economic benefits.

LAW OFFICES OF
ISAACSON HARK & EPSTEIN
 DEPOSITORS FINANCIAL CENTER
 55 LISBON STREET
 P. O. BOX 630
 LEWISTON, MAINE 04240

PHILIP M. ISAACSON
 ROBERT S. HARK
 ELLIOTT L. EPSTEIN
 RONALD L. BISSONNETTE

207-786-4271

ADDITIONAL PRACTICE
 PATENTS AND TRADE MARKS
 OF COUNSEL

M. ARTHUR AUSLANDER
 REGISTERED PATENT ATTORNEY
 NOT ADMITTED IN MAINE

HARRIS M. ISAACSON
 (1897-1983)

August 8, 1984

Roland Miller
 Planning Director
 City of Auburn
 City Hall
 Spring Street
 Auburn, Maine
 04210

Re: Ag Zone

Dear Roland:

I am enclosing a copy of a proposed zoning amendment which would permit single family residences as uses in the Ag Zone but which would prohibit the creation of a subdivision in the Ag Zone, using the definition of "subdivision" in the State Subdivision Law.

My purpose in developing this as an alternative is 1) it seems to me that all parties to the debate on the subject agree that the most draconian effects of the existing Ag Zone should be cured; 2) the cure should not encourage the scope of development which has been occurring closer to the City; and 3) the cure apparently shouldn't be so designed as to radically alter the tax burden upon anyone.

I think this goes a long way toward accomplishing these goals.

This would allow any existing owner to sell at least one house lot off without creating a subdivision. It would not take unnecessary land out of use by requiring a large lot size. After five years, the owner could sell one more lot. Development would thus be slowed in the zone.

On the tax valuation issue, as I mentioned to you when I saw you the Law Court ruled in the case of Curtis v. Maine State Highway Commission, 160 Me. 262 (1964), a land damage case involving fair market value, that the potential to subdivide was insufficient to be a consideration in fair market value except under specific circumstances: "(1) that the possibility for building purposes must not be remote and speculative; (2) that it is to be put to such use within the foreseeable future and (3) that its market

value has been enhanced by its adaptable use as a subdivision.", p. 268.

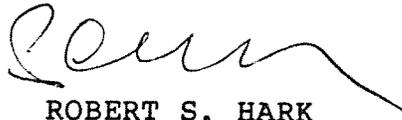
To be sure, the ability to sell one house lot might have an effect on the fair market value of a piece of land in the Ag Zone, but a much diminished effect compared to the suggestion that has been going around that the mere potential of "subdividability" would heap a crushing burden upon owners in the Ag Zone.

There are a number of ways this proposal could be tightened up or loosened; chiefly this could be accomplished by fiddling with the definition of subdivision utilized. If, for instance, the creation of three lots in five years were changed to the creation of three lots in seven years, the effect would be to further slow development. The reverse could also be accomplished.

Above all, my proposal has the virtue of simplicity in administration and understandability.

I am sending copies of this to the Mayor and Council members since I understand that the issue is currently, or will soon be under consideration.

Very truly yours,



ROBERT S. HARK
ISAACSON, HARK & EPSTEIN

RSH:yd

cc: Mayor & Council
City Manager

AMENDMENT TO ZONING ORDINANCE

Be it ordained by the City of Auburn, as follows:

Section 3.31 (B) (1) is hereby amended by deleting therefrom paragraph (a) in its entirety and substituting therefor the following new paragraph:

"a. One-family detached dwellings, subject to the following restrictions:

(1) No person shall create by conveyance made after the effective date of this amendment any subdivision as the term "subdivision" is defined in Title 30, Section 4956 of the Revised Statutes of Maine; and

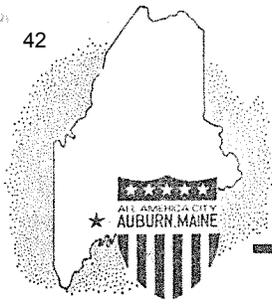
(2) The planning Board shall not grant subdivision approval to any subdivision as defined under the aforesaid statute;

(3) Nothing herein shall prohibit the approval of a subdivision in the Agricultural and Resource Protection District for one or more permitted uses other than residential use."

Section 3.31 (C) is hereby amended by inserting the word "non-residential" between the word "All" and the word "structures" in the first line of said section.

Section 3.31 is hereby amended by adding an additional subsection "D" to read as follows:

"D. All residential structures in this district shall be subject to the same dimensional regulations as are set out in Section 3.41 (C) relating to the Rural Residence (RR) District."



CITY OF AUBURN, MAINE

"MAINE'S CITY OF OPPORTUNITY"

45 SPRING STREET · AUBURN, MAINE 04210

DEPARTMENT OF COMMUNITY DEVELOPMENT PLANNING

DEVELOPMENT/REDEVELOPMENT
PLANNING SECTIONS

ROLAND G. MILLER
DIRECTOR

INSPECTIONS SECTION

MEMO

TO: The Honorable Mayor and Members of City Council

FROM: Paul Choate, Chairman, Auburn Planning Board

SUBJ: Review of Alternatives to Agriculture Resource Zoning Provision

DATE: August 14, 1984

Pursuant to the request of the City Council to review several alternative proposals to modify the Agriculture and Resource Protection District, the Planning Board has completed the assignment and the findings and recommendations are contained in the report that follows. It should be noted at the outset that the parameters of the Planning Board review were confined to the goals and objectives, regarding rural land use, delineated by the City Council. Although the statements dealt with the broad topic of rural land use policies, they were applied only to the central issue under discussion at the present time; that being, the proposed modification to the Agriculture and Resource Protection Zoning District provisions.

GOALS AND OBJECTIVES

The input received from the Council/Planning Board informational session of July 9, 1984, was an expression of what the City Council wished to accomplish and hoped to discourage regarding the future development pattern that will emerge in the rural areas of Auburn. The following lists served as a basis for proposal review:

CHART I

WANT TO ACCOMPLISH

1. Share tax burden equitably.
2. Give rural land owners more chance in what they can do with land (particularly families who are long term owners).
3. Allow more single-family homes.
4. Preserve prime agriculture areas.

5. Preserve wooded areas.
6. Protect farmers from higher taxation.
7. Review "50% rule" annually to encourage farming.
8. Support working farms.
9. Preserve cleared tilled areas.
10. Build home first, then start farm.
11. Reimburse landowners for lost development opportunity.

CHART II

WANT TO DISCOURAGE

1. Increasing dramatically cost of Municipal services.
2. Land speculation in rural areas.
3. Traditional subdivision developments.
4. Preservation of agriculture in marginal areas.
5. Conflicts with neighboring communities.
6. Building of new roads at City expense.
7. Over industrialization.
8. Isolation of "back land" parcels.
9. Conflicting land uses (nuisances raised by farming).
10. Large building lots.
11. Development along long corridors in rural areas.

As of the preparation of this report, five alternative approaches had been formulated, discussed and reviewed under the criteria listed above. A brief description of the major components of each proposal follows:

#1 - EXISTING REGULATIONS

The existing provisions have undergone numerous reviews since they were adopted in 1960. The latest comprehensive revisions, including a title change, was done in 1974. The major provisions of the current regulations are:

1. Uses - Agriculture and natural resource base industrial activities, and residential uses directly connected to those activities. In addition, a wide variety of uses are allowed by Special Exception.
2. Dimensional Regulations - Ten (10) acre minimum lot size, 250 feet of accepted street frontage for the establishing of a residential use accessory to a principle use.
3. Other - A party wishing to establish a residential use must derive 50% of the family income from resource based operations.

#2 - MAYOR CLEVELAND'S SLOW RELEASE PROPOSAL

This proposal is a modification to the existing regulations that would allow non-resource based residential development on a time released basis. It should be noted that this proposal was put forward in tandem with the recommendation that a Low Density Country Residential Zone be created and be mapped to replace Rural Residence strip zones on posted roads. The major components of the mayor's proposal are as follows:

1. Uses - All uses permitted under existing regulations and adds the allowance of single-family housing development not connected to a resource operation. The number of potential lots is based upon the number of living children above an established threshold of two. This proposal establishes an uninterrupted term of ownership in order to be eligible to create house lots.
2. Dimensional Regulations - Eliminates the need for the provision of a minimum road frontage for the creation of a house lot; but adds the requirement that the lot be surveyed and that a permanent easement be provided for access to the lot. A minimum lot size of three acres is required for a house lot provided that no dimension of the lot be less than 250 feet.
3. Other - This proposal would allow for the deletion of the second paragraph, and clarification provisions that follow in the definition of Farm found in Section 2.2.

#3 - COUNCILMAN WALLINGFORD'S EXCLUSIVE AGRICULTURAL ZONE PROPOSAL

This proposal is an attempt to establish a basis for suppressed valuation of land that is voluntarily designated for inclusion under these provisions by the farmer. It should be noted that all lands presently zoned Agriculture and Resource Protection that would not be proposed for inclusion in this exclusive district would be zoned under a recommended Low Density Country Residential classification:

1. Uses - Identical to the current uses allowed in the Agriculture and Resource Protection Zone. It is not recommended by this proposal that any uses, except sawmills, be allowed as Special Exceptions.
2. Dimensional Regulations - All regulations have been retained from the existing Agriculture and Resource Protection District.
3. Other - Inclusion of land in this district is voluntary. Land can be added or withdrawn from the district at any time by merely filing a letter of request with the Tax Assessor. Furthermore, the Tax Assessor annually will be responsible in determining the eligibility of the landowner to have land continue under this zoning classification.

#4 - PLANNING BOARD MEMBER MATZEN'S FAMILY FARM PROPOSAL

This proposal is similar to Mayor Cleveland's proposal with three modifications that are explained below:

1. Uses - All uses permitted under existing regulations and adds the allowance of single-family housing development not connected to a resource operation provided that the parcel is already residentially developed. The number of potential lots is based upon the number of immediate family members. The proposal establishes an uninterrupted term of ownership which provides the development option to families that owned the property prior to the adoption of any restrictions.

In addition, the family member developing a lot under these provisions must retain ownership of the lot for a specified amount of time.

2. Dimensional Regulations - The same as Mayor Cleveland's proposal.

#5 - COMBINATION PROPOSAL

All use and dimensional recommendations in this proposal are similar to Mayor Cleveland's modified district. The departure from other proposals is the provision of an option for a long term property owner (since 1960) to create non-resource housing lots based upon either the amount of acreage owned or the number of living children. For a person who has owned the property for a ten year period, the number of lots that can be created is based upon the amount of contiguous acreage owned.

ANALYSIS OF ALTERNATIVES

Upon completion of a comparison of the afore enumerated alternatives to the goals and objectives listed by the Council Charts I and II (see attached), assessing the level of goal achievement, were developed. It should be recognized that some of the provisions of the various proposals, when compared to the goal statements, do not result in a simple yes or no conclusion. Some of the goals statements are not applicable to the Agriculture and Resource Protection alternatives. Those are so noted on the charts with the designation of N/A.

FINDINGS

A review of the existing ordinance and alternatives to that ordinance show that the existing code satisfies more of the stated desires of the City Council than any other options. This type of numerical comparison, however, does not consider that any particular goal is more important than another in that no indication was received from the City Council regarding a proposed "weighting" system. The Planning Board did not feel it appropriate to come up with their own.

The two proposals that satisfy the second highest number of desires expressed by the Council are the Matzen proposal and a combination of elements from all other proposals. These options, however, have twice as many goals not satisfied than the existing ordinance.

It was noted during the preparation of the several proposals that common policy questions arose. The decisions that were made resulted in the structure of the proposal as reviewed. The questions that needed to be answered were:

1. Longevity of ownership.
2. The speed with which lots are released for development.
3. Using family members and/or acreage as the criteria for the number of lots that can be created.
4. Whether or not to have frontage requirements for newly created residential lots.

Beyond just a numerical comparison of options, the Planning Board examined the components of each option that it address the policy questions noted above. A majority opinion of what aspects of each alternative were most desirable in achieving a satisfaction of the goals of the City Council was done by the Planning Board. The results were as follows:

Term of Ownership - It was recognized that persons who have acquired property since 1960 did so with the full knowledge of what the land use restrictions were that applied to the property. Those land use restrictions also affected the price that sellers could market their land for. Therefore, the only persons who experienced a reduction in what they could do with the land are those who owned it prior to 1960. A majority of Planning Board members felt that any increase in development opportunity should only accrue to those families that owned property prior to 1960.

Speed of Release - The Planning Board concluded that because it is the intent of the City Council to allow for equity extraction for long term owners of property, this proposal should be immediately available to those owners. Therefore, if ownership since 1960 is one of the adopted criteria, the relaxation of ordinance provisions should result in an immediate opportunity for those property owners.

Criteria for Determination of Number of Lots - The two options that have been most widely discussed were basing the number of lots to be created on either the number of living children or the number of acreage owned. Because of administration problems and potential legal questions concerning favoring large families over small families, the Planning Board recommends that acreage be used as the basis for the number of lots that a person can develop.

Frontage - The majority of Planning Board members felt that some minimum frontage should be required for the creation of additional house lots.

RECOMMENDATIONS

Upon again reviewing the provisions of the Agriculture and Resource Protection District, and upon reviewing the various alternatives to this district, the City of Auburn Planning Board finds that the provisions as recommended and submitted to the Council on September 3, 1983 remain valid and are recommended for adoption. The Auburn Planning Board finds that the reasons for the creation of the Agriculture and Resource Protection Zone 23 years ago are still as critically important to the future well-being of our community as they were in 1960. The consequences of shifting assessed valuation to the outlying areas as well as the increased costs of providing municipal services work against the long-term financial well-being of the community and have an adverse impact on citizens who are engaged in agricultural activities for their livelihood. It is the position of the Planning Board that the alternatives attached to this memo will not serve the best interests of the citizens of our community and, therefore, are not recommended to be included within the City Zoning Ordinance.

If the City Council does not concur with our findings or recommendation, however, consideration should be given to the options listed below. Although not recommended, these options are listed in rank order from most desirable to least desirable.

Leave the Agriculture and Resource Protection as is and create a Low Density Country Residential Zone to be applied to areas the City Council does not feel appropriate to be put in the Resource Protection Zone. It may also replace some of the Rural Residential Strip Zones that presently exist along posted roadways.

The Agriculture and Resource Protection Zone would be modified to allow for additional housing development within the parameters outlined under the policy recommendation noted previously. If this is done, the Planning Board would recommend that the Rural Residential Strip Zones along posted roadways in outlying areas be eliminated.

The Agriculture and Resource Protection Zone be modified within the parameters of policy recommendations noted previously and a Low Density Country Residential Zone be created. The Low Density Country Residential Zone would replace the Rural Residential Strip Zones along posted roadways.

The Agriculture and Resource Protection Zone be modified to provide for a time release mechanism that would continue to make housing lots available in the remote areas of Auburn. This be accompanied by a Low Density Country Residential Zone that would replace the Rural Residential Strip Zones along posted roadways. The specifics of the time release formula can only be drafted if the City Council addresses each of the four policy areas previously noted in order to establish the parameters for the modified district.

CHART I

WANT TO ACCOMPLISH						
	EXISTING	CLEVELAND	WALLINGFORD	MATZEN	COMBINATION	
1	+	0	0	+	+	+
2	0	+ / 0	+	+	+	+
3	0	+	+	+	+	+
4	+	0	+ / 0	+ / 0	+ / 0	+ / 0
5	+	0	0	0	0	0
6	+	0	+	0	0	+
7	N/A	N/A	N/A	N/A	N/A	N/A
8	+	0	+	0	0	+
9	+	0	0	0	0	+ / 0
10	0	0	0	0	0	0
11	+	+	+	+	+	+

+ Goal Satisfied
 0 Goal Not Satisfied

CHART II

He said
1) LANDOWNER SEPTIC
2) ... READ
NOT TRUS

WANT TO DISCOURAGE							
	EXISTING	CLEVELAND	WALLINGFORD	MATZEN	COMBINATION		
1	+	0	0	0	0	0	0
2	+	0	0	+	+	+	+
3	+	+	0	+	+	+	+
4	+ / 0	+	+	+ / 0	+ / 0	+ / 0	+ / 0
5	+ / 0	+	+	+	+	+	+
6	+	0	0	0	0	0	0
7	N/A	N/A	N/A	N/A	N/A	N/A	N/A
8	+	+	0	+	+	+	+
9	+	0	0	0	0	0	0
10	+	+	+	+	+	+	+
11	+	+	0	+	+	+	+

0 + 0 + 0 + 0 + 0 + 0 + 0

+ Goal Satisfied
0 Goal Not Satisfied