



## City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

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To: Auburn Planning Board

From: John Blais, Deputy Director

Re: Public Hearing Court Street/Urban Core Area Zoning Considerations from City Council for Zoning Map and Text Amendment.

Date: June 21, 2022

**PROPOSAL: PUBLIC HEARING: Zoning Amendments:** Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed text and map amendments to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

### **New Proposed Form-Based Code Zone: T-4.2B**

Council voted on May 16th, 2022, to ask the Planning Board to review the T-4.2 zone known as Court street area and deliver a recommendation for a T-4.2B zone, based on amendments previously put forward by the Council. They include the following:

- All Bed and Breakfast establishments allowed with special exception approval from the Planning Board.
- Residential Facilities allowed with special exception approval from the Planning Board.
- Lodging allowed with special exception approval from the Planning Board.
- Personal Services allowed with special exception approval from the Planning Board.
- Age restricted retail not allowed.
- Restaurants with over 30 seats not allowed.
- Government offices allowed with special exception approval from the Planning Board.
- Parking requirements (public or private) may be provided within 500 feet of the establishment.
- Office, Service and Retail Use limited to 1,500 SF footprint and must include upper floor residential unit.
- No drive through businesses allowed.
- Multifamily allowed with special exception approval from Planning Board. (limit is 14 units per acre-above with Planning Board approval).

- I. PLANNING BOARD ACTION/STAFF SUGGESTIONS:** Staff suggests a planning board discuss the proposals and hold a Public Hearing on June 21, 2022 on the following items. 1.) Staff recommends that the Board forward a positive recommendation to the Council supporting the proposed changes provided by the City Council, to include the adjusted text to create a new Formed Base Code T-4.2B. 2.) Provide a map amendment (T-4.2 to T-4.2B) for the Court Street Area. The total amendment includes 1,687.41 acres shown on the map (Exhibit A) based on the following findings.

**SUGGESTED FINDINGS AND REASONS:**

1. The 2010 and now 2020 Comprehensive Plan recommends expanding the Formed Base zoning. This can be accomplished with the creation of a new district by using T-4.2B that conforms to and expands existing development patterns.
2. The distinctions between allowed uses, density and development patterns in the existing T-4.2 areas in place for years and the Court Street/City Core area are significant enough to warrant a new zoning district that can be called T-4.2-B. This will prevent limitation in the urban core where density and mixed use has been allowed by leaving T.4.2 zoning in place in some areas.
3. The area is considered the core of the city and the 2010 and now 2021 support higher density with available infrastructure in place. (sewer, water, power, high speed internet, gas & roads)
4. The proposal can be implemented without detriment to city resources.
5. Assure that the City’s zoning and land use regulations allow for private investments to improve property in these neighborhoods.
6. Maintain and increase the City’s population.
7. Limit the need for new roads by encouraging infill development within the identified growth areas in 2020 Comprehensive Plan .
8. FBC allows for 5-foot front and side setbacks in contrast with the current 25 feet. Most buildings in these districts are currently non-conforming because of this standard. Generally, the change recommended will have little impact on the allowed uses in the district.
9. In many of the older, developed areas of the City, the current configuration of space within residential buildings is functionally obsolete. Reconfiguration of the available space is often difficult under the density and lot size requirements of the current zoning ordinance.

**II. SUGGESTED MOTION:** 1.) I make a motion to recommend to City Council a text amendment suggested by council with creation of a new Formed Based Code Zone T-4.2B.

1. All Bed and Breakfast establishments allowed with special exception approval from the Planning Board.
2. Residential Facilities allowed with special exception approval from the Planning Board.
3. Lodging allowed with special exception approval from the Planning Board.
4. Personal Services allowed with special exception approval from the Planning Board.
5. Age restricted retail not allowed.
6. Restaurants with over 30 seats not allowed.
7. Government offices allowed with special exception approval from the Planning Board.
8. Parking requirements (public or private) may be provided within 500 feet of the establishment.
9. Office, Service and Retail Use limited to 1,500 SF footprint and must include upper floor residential unit.
10. No drive through businesses allowed.
11. Multifamily allowed with special exception approval from Planning Board. (limit is 14 units per acre-above with Planning Board approval).

2.) I make a motion of the proposed map amendment (T-4.2 to T-4.2B) for the Court Street Area. The total amendment includes 1,687.41 acres shown on the map (Exhibit A) boundary and be adjusted from T-4.2 to T-4.2B the total amendment includes 1,687.41 acres shown on the map as Exhibit A.

The green area below highlighted in black is 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed is text and map amendments to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code from T-4.2 to T-4.2B. Roads include parts of Lake, Court, Turner and Summer Streets and parts of Park, Western, Gamage Avenues.

