



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

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To: Auburn Planning Board

From: Katherine Cook, Planning Coordinator

Re: Public Hearing on petition to change the minimum size requirement for cemeteries and add the definition of conservation cemetery to Chapter 60 of the zoning ordinance.

Date: March 14, 2023

I. PROPOSAL: PUBLIC HEARING/ PETITION/ TEXT AMENDMENT:

The Life Forest submitted a petition to amend Chapter 60 of the City Ordinances, specifically Sec.60-145 (b)(8)- Use regulations, and Sec. 60-2. Definitions, by changing the lot size requirement for a cemetery from 20 acres to 10 acres if the cemetery is a conservation cemetery; and adding the definition of conservation cemetery to Sec. 60-2 as stated in the petition. This item is pursuant to Chapter 60, Article XVI, Division 2-Amendment to the Zoning Ordinance or Zoning Map.

II. Materials:

1. March 14, 2023, Staff Report
2. Proposed Text Change: Sec. 60-145. Use regulations.
3. Proposed Text Change: Sec. 60-2. Definitions.
4. Signed Petition

III. Background

Amendments to the zoning ordinance, including the zoning map, may be initiated by the planning board on its own initiative or upon request by the city council or by a petition signed by not less than 25 registered voters of the city (Sec. 60-1445). The City received the completed application with 48 verified signatures on February 10, meeting the requirements of Sec. 60-1446.

Each proposal to change any zoning ordinance text (other than a change of zoning district name or zoning boundary description) shall include the wording then current, the words of change, the wording if so amended and a statement of the reasons for such change, showing how such change would affect the public health, safety, convenience and welfare (Sec. 60-1447).

One of the primary measures of whether a text change is appropriate is conformance with Comprehensive Plan. As the petition states, the proposed change is consistent with the Future Land Use Plan, Agricultural and Resource Protection (AGRP) District, and the Comprehensive Plan.

Currently, cemeteries are an allowed use in the Agricultural and Resource Protection Zone if they are at least 20 acres. This was originally put in place to avoid having many small cemeteries through the city which could become the municipality's responsibility to maintain over time. Allowing a smaller lot size for conservation cemeteries would not increase the burden of eventual maintenance for the city because first, they only bury cremains, which require smaller plot sizes, and they do not require the regular mowing maintenance of traditional cemeteries. Conservation

cemeteries and memorial forests intend that the look and feel of the land be created by nature. Therefore, unlike traditional cemeteries, there are no gravestones or manicured grass. Parking areas are to be of a gravel base and trails are to be woodland and natural.

IV. Planning Board Action

Review the proposed text change pursuant to Chapter Article XVI, Division 2-Amendment to the Zoning Ordinance or Zoning Map, for consistence with the Comprehensive Plan. Hold a Public Hearing and make a motion to approve or deny the proposal.

V. Suggested Motion:

I make a motion to recommend amending Chapter 60 of the City Ordinances, specifically Sec.60-145 (b)(8)- Use regulations, and Sec. 60-2. Definitions, by changing the lot size requirement for a cemetery from 20 acres to 10 acres if the cemetery is a conservation cemetery; and adding the definition of conservation cemetery to Sec. 60-2 as stated in the petition and included in this meeting's materials.