



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine

04210 www.auburnmaine.gov |

207.333.6601

To: Auburn Planning Board

From: Office of Planning and Permitting

Re: Public Hearing Map Amendment to expand residential strips abutting the AGRP Zone and Text Amendment to eliminate the income standard.

Date: March 28, 2023

I. Proposal:

City Council directs the Planning Board, after consultation with the Sustainability and Natural Resources Management Board to conduct a public hearing pursuant to Chapter Article XVII, Division 3 of the Zoning Ordinance and report in writing the results of the hearing and recommendations of the Planning Board pursuant to Chapter 60 Article XVII Division 4 of the zoning ordinance to the City Council no later than March 20, 2023 (procedural amendment by City Council on March 6th, 2023, extended to 4.18.2023), on whether to eliminate the income standard and the current strip zoning limitations in all areas outside the Lake Auburn watershed overlay as an ordinance text amendment as shown on the attached proposed text changes. Review results from survey, conservation values map, and continue discussion. This item is pursuant to Article XVII Division 2 & 3.

II. Planning Board Action

The purpose of this Public Hearing for the Map and Text Amendment is to hear from the public, summarize results of the workshops as directed by the Planning Board and to make a recommendation to the City Council on eliminating income standards (outside Lake Auburn Watershed) and/or the current strip zone limitations in all areas outside the Lake Auburn Watershed. The Board has a range of options in making these recommendations.

- A. Recommend the elimination of the income standards without a replacement that connects housing to agricultural uses. Staff does not recommend this and the Planning board feedback to date has not supported this. This option would require an amendment to the Comprehensive Plan.
- B. Recommend the elimination of the income standards with a replacement standard that maintains a connection of housing to agricultural uses. The Board could recommend a timeline of 6-12 months to develop the new standard. This option may not require amendment to the Comprehensive Plan depending on how it is structured.
- C. Recommend removing strip zone limitations in RR and LDCR areas abutting AG zone outside the lake auburn watershed as shown on the map by expanding the residential portions of the lot to include the entirety of any lot that is partly RR and LDCR zoned currently. This option would uphold the income requirement in the remaining AGRP lands totaling approximately 14,735 acres but allow for more housing opportunity in 5,610 acres. This option may not require amendment to the Comprehensive Plan depending on how it is structured, but likely would require amendment.
- D. Recommend that the proposed changes not be approved, but that a hybrid be considered as follows: This option combines elements of the elimination of the

income standards and the limitations of residential strips. Recommend a zoning text change eliminating the income standard outside the lake auburn watershed in AGRP zone in certain areas by changing the zoning to Residential. This could be accomplished by amending the specific portions of the zoning map from AGRP to a residential zoning designation (RR, LDCR, SR, T-4.2, etc.) based on city wide planning conservation and economic services valuation map and proximity to existing developed areas. This option would uphold the income requirement in the remaining AGRP zone and would necessitate a Comprehensive Plan and Future Land Use Plan (FLUP) change that can be facilitated within 8-12 months. This combines a modified version of the residential strip limitations map with the concept of growing outward from the core while creating significant new opportunity for housing and leaving much of the AGRP zone as it is. This option could be modified based on environmental constraints, economics, and public input during the next 8-12 months. Staff recommends this option over the other options noted above.

E. Background

On 01/10/2023, the Planning Board reviewed the matrix that staff developed to reflect conservation land values that was informed by conversation leading up to that meeting, including the opinion from the Sustainability and Natural Resource Management Board (SNRB). This matrix informed a survey which was disseminated as a tool to gain additional public feedback in addition to what is gathered at public meetings.

Some functions of the AGRP zone designation conflict with one another; such as preserving land for future industrial growth, protecting prime soils for agriculture, and conservation of natural resources for the sake of their ecological value. The Planning Board reviewed maps showing the locations of natural resources and ecologically valuable land and the locations of existing city services, housing densities, approximate locations for transportation projects, etc. on 02/14/2023. The maps purpose was to determine which parts of the city could support residential development and inform which areas would be better suited for future planning or conservation.

These maps, the Comprehensive Plan, and the growth potential of the city may inform the recommendation the planning board makes.

Schedule of meetings up to this point; and tentative schedule of future meetings:

September 9, 2022—City Council passes Resolve 06-09062022.

October 11, 2022—Planning Board is introduced to Resolve 06-09062022.

November 7, 2022—City Council passes Order 151-11072022.

November 15, 2022—Planning Board holds first workshop to consider Resolve 06-09062022, and Order 151-11072022. Receive recommendation from SNRB.

December 5, 2022—City Council responds to questions submitted by SNRB.

December 13, 2022—Planning Board workshop to consider Resolve 06-09062022, and Order 151-11072022 and receive SNRB recommendation.

January 10, 2023—Planning Board workshop on Resolve 06-09062022, and Order 151-11072022 and decide conservation values and prioritization matrix for mapping and community survey.

February 14, 2023— Planning Board workshop on Resolve 06-09062022, and Order 151-11072022/ receive survey and mapping results.

March 28, 2023—Planning Board public hearing on a text amendment eliminating the income standards in the AGRP zone, and another public hearing on the map amendment to eliminate the strip zone limitations

Materials in 02/14/2023 packet:

1. 02/14/2023 Staff Report
2. PDF copy of the survey
3. City Council Proposed Text Amendment Re: New Homes in Lake Auburn Watershed (also in 11/15/2022 packet, 12/13/2022 packet and 01/10/2023 packet.)
4. City Council Proposed Text Amendment Re: Income Requirement (also in 11/15/2022, 12/13/2022 and 01/20/2023 packet)

Materials in the 01/10/2023 Packet, not included in the 02/14/2023 packet:

1. SNRB Recommendation
2. City Council Order 51-11072022 (also in 11/15/2022 packet and 12/13/2022 packet)
3. City Council Resolve 06-09062022 (also in 11/15/2022 packet and 12/13/2022 packet)
4. 01/10/2023 Staff Report
5. Appendixes C-F

Materials in 12/13/2022 packet, not included in 01/10/2023 packet:

1. 12/13/2022 Staff Report

Materials from 11/15/2022 packet, not included in 12/13/2022 packet:

1. 11/15/2022 Staff Report [1_AG_StaffReport.pdf \(auburnmaine.gov\)](#)
2. Future Land Use Plan, Food Access and Agriculture Economy Chapter (2021 Comprehensive Plan), Crossroads Recommendation; Ad Hoc Committee Report, 11/09/2021 Staff Report (Residential Strips), 11/15/2021 Information Sheet (Residential Strips), 11/15/2021 City Council Meeting Minutes, 1995 Comprehensive Plan Excerpt, Ordinance 16-11182019, 12/03/2021 City Council Information Sheet (Text Amendment/ Income Standard), 12/09/2022 City Council Special Meeting Minutes (Text Amendment/ Income Standard). ([MergedDocsForWeb.pdf \(auburnmaine.gov\)](#))

Available map layers:

1. SNRB Conservation Values Map (New)
<https://auburnme.maps.arcgis.com/apps/webappviewer/index.html?id=45f2a7c85add4b78838a06aae667011b>
2. Link to AGRP Map <https://arcg.is/1imbnm0>
 - a. Slopes > 25%
 - b. Prime soils and soils of statewide significance
 - c. Land cover
 - d. Beginning with Habitat conserved lands
 - e. Beginning with Habitat areas of high value
 - f. Beginning with Habitat aquifers
 - g. Lake Auburn watershed boundary
3. AGRP Development Potential Dashboard (last updated 5/24/2021) [AG Zone Development Potential Dashboard | AG Zone - Maps and Documents \(arcgis.com\)](#)
4. Map of current land use taxation program utilization <https://arcg.is/1nuLDG>

F. Staff Suggestion:

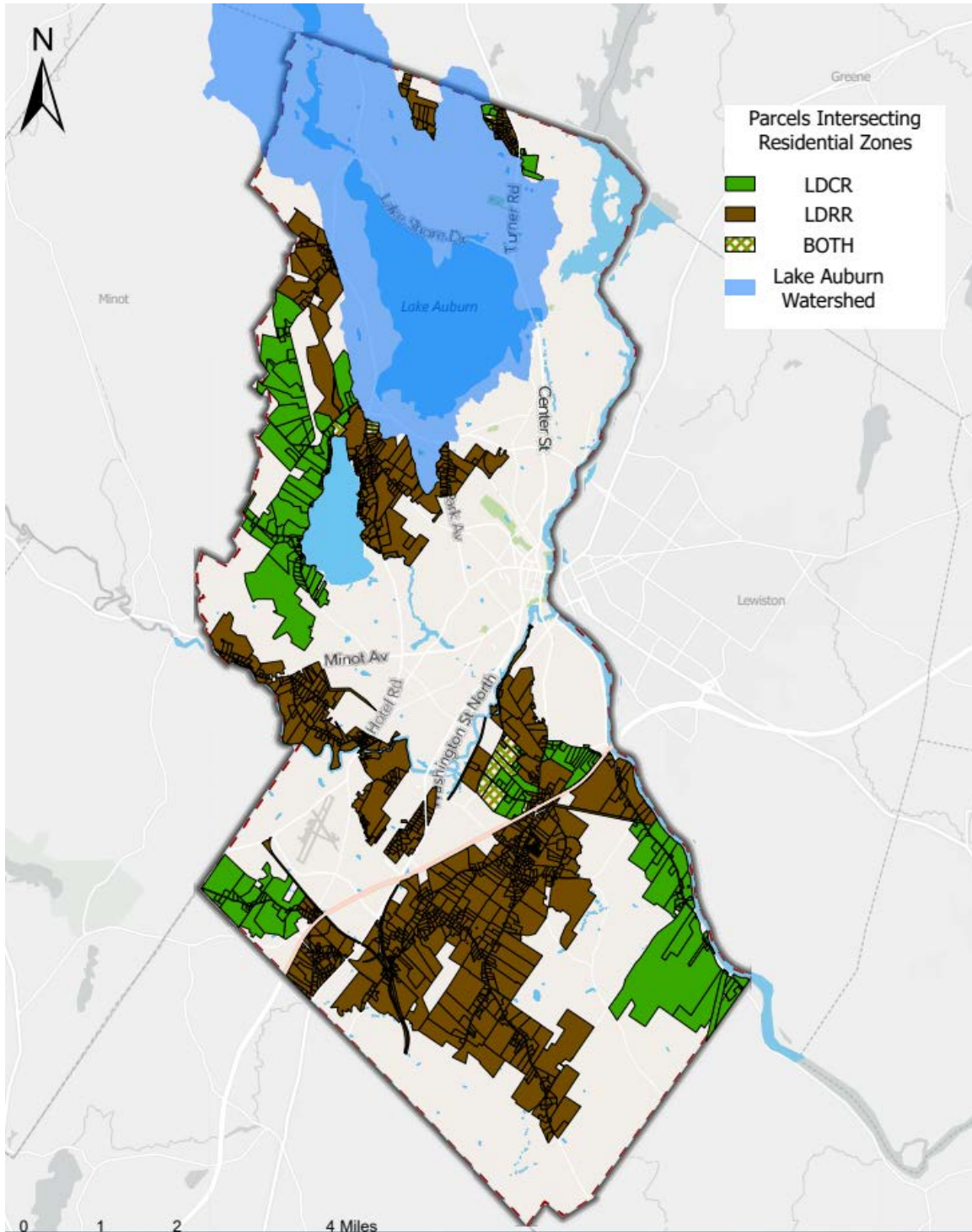
As listed above, the planning board could pursue one or more of the following options.

- A. Recommend that the proposed changes not be approved, but that a hybrid be completed as follows: This option combines elements of the elimination of the income standards and the limitations of residential strips. Recommend a zoning

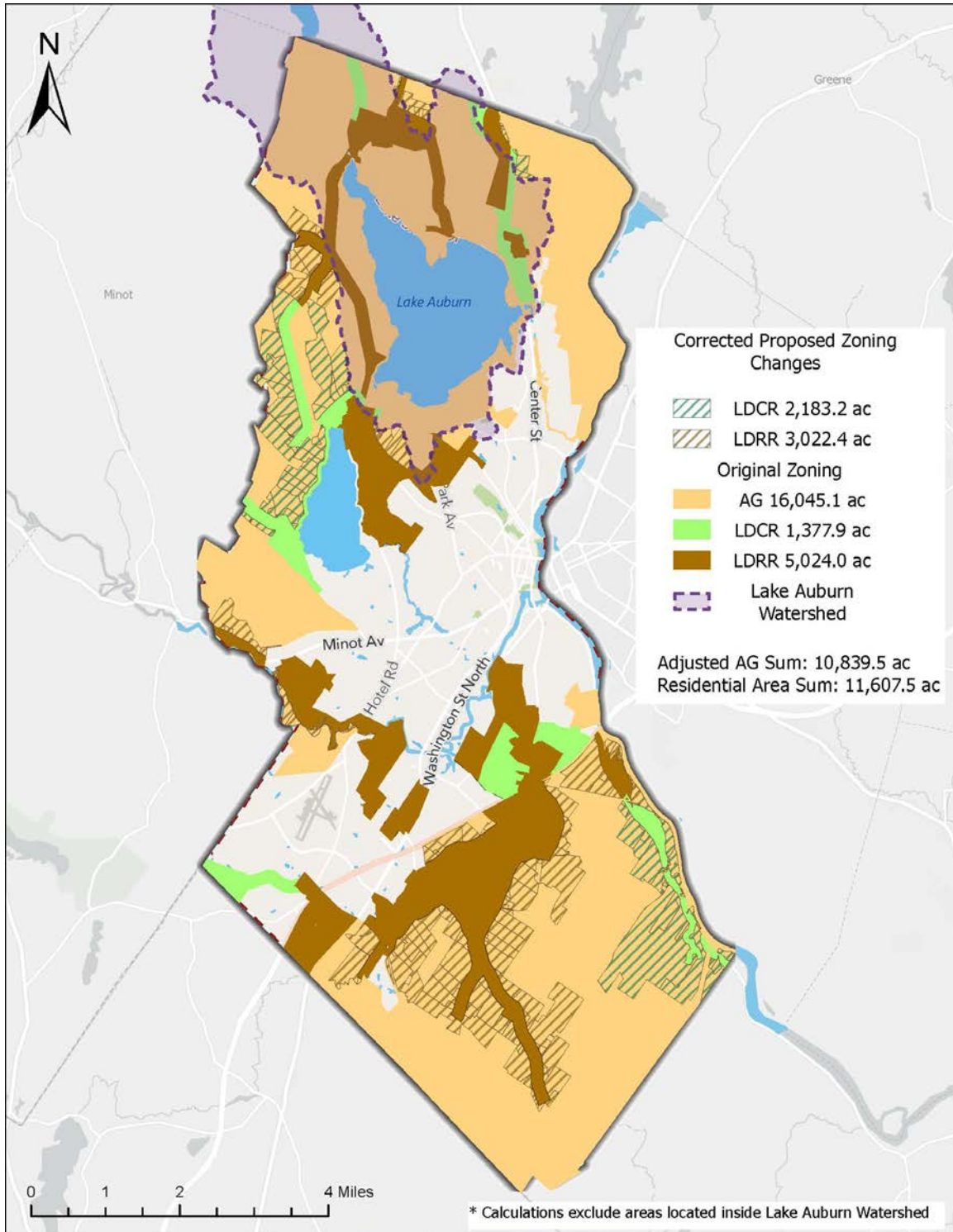
text change eliminating the income standard outside the lake auburn watershed in AGRP zone in certain areas by changing the zoning to Residential. This could be accomplished by amending the specific portions of the zoning map from AGRP to a residential zoning designation (RR, LDCR, SR, T-4.2, etc.) based on city wide planning conservation and economic services valuation map and proximity to existing developed areas. This option would uphold the income requirement in the remaining AGRP zone and would necessitate a Comprehensive Plan and Future Land Use Plan (FLUP) change that can be facilitated within 8-12 months. This combines a modified version of the residential strip limitations map with the concept of growing outward from the core while creating significant new opportunity for housing and leaving much of the AGRP zone as it is. This option could be modified based on environmental constraints, economics, and public input during the next 8-12 months. Staff recommends this option over the other options noted above.

A. Appendixes

Appendix A: This map shows original public notice map submitted to residence on March 13, 2023



Appendix B: Clarity on expansion areas. With acres identified.



Appendix C: Staff Recommendation Map to include infill identified in red highlighted areas and cross hatched areas as compromise to the entirety of the AGRP Zone.

