



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: John Blais, Deputy Director

Re: Public Hearing on Council Ordinance 07-02222022: Moratorium on development proposals involving public safety facilities, detention facilities, correctional facilities, and/ or government offices

Date: February 14, 2023

I. PUBLIC HEARING/ TEXT AMENDMENT: / City Council Ordinance 07-

02222022: Public hearing on a text amendment involving definitions and use standards related to Public Safety Facilities, Detention Facilities, Correctional Facilities and/ or Government Offices at a site on which the use does not currently exist. The proposed text amendment includes amendments to Chapter 60, Article I, Section 60-2 Definitions and Chapter 60, Article IV. District Regulations. This item is pursuant to Chapter 60 Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

II. Planning Board Action:

Provide the culmination document as a decision matrix that outlines the findings of the board in relation to the following items: 1. Determine whether Auburn's existing ordinance definition is sufficient as it relates to public safety facilities and similar facilities and uses all being categorized as *governmental offices; municipal, civic, or public service buildings and other utility facilities*. If significant differences exist between the range of uses that could be seen as public safety and detention facilities, then consider defining them as separate uses as other communities have done; 2. Determine appropriate definitions for different use categories; 3. Decide which zones would be appropriate for each use and whether there should be additional criteria to consider when citing new facilities and recommend revisions to the zoning ordinance as appropriate. **See attached. Matrix (reference document), Definitions and District Regulations text amendments.**

III. Background

Prior Meetings and Tentative Future Meetings:

February 7, 2022—City Council passes moratorium ordinance.

November 15, 2022—Planning Board holds first workshop to discuss the moratorium.

December 13, 2022—Planning Board holds second workshop to discuss the moratorium.

December 11, 2022, Packet Materials (not included):

- A. December 13, 2022 and January 10, Staff Report (workshops)
- B. Ordinance 07-02222022

November 15, 2022, Packet Materials (not included):

- 1. November 15, 2022, Staff Report **listed mistakenly as Ordinance 07-02072022.*
- 2. Ordinance 07-02222022

In February 2022 Council passed a public safety, detention and correctional facility moratorium ordinance prohibiting development of any new public safety facilities, detention centers, and prisons for 180 days with a stated reason that the city's current ordinances governing land use, zoning, site plan review and special exception do not adequately or specifically address public safety facilities, detention facilities, or correctional facilities. The council later voted to extend the moratorium by an additional 180 days until February 2023 because the city had not yet reached a conclusion on the matter; and planning board agendas were booked with other projects. The ordinance directs the board to provide guidance based on public safety, health, environmental, and land use considerations, on which regulations might be appropriate for these facilities and uses.

- IV. ***Suggested Motion:*** I make a motion to forward a positive recommendation to the City Council to adopt the text amendment involving definitions and use standards related to Public Safety Facilities, Detention Facilities, Correctional Facilities and/ or Government Offices at a site on which the use does not currently exist. The proposed text amendment includes amendments to Chapter 60, Article I, Section 60-2 Definitions and Chapter 60, Article IV. District Regulations, pursuant to Chapter 60 Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.