

East Auburn – Citizens' Petition

REZONING PETITION

MUNICIPALITY Auburn TOTAL VALID 38 TOTAL INVALID 5

I hereby certify that the names of all the petitioners listed as valid appear on the voting list as qualified to vote in the City of Auburn.

Date petition certified: 6/12/2003 Signature of Registrar: Sharon F. Rennie

DATE & TIME PETITION RECEIVED

6/12/2003  
1:48



## REZONING PETITION

We, the undersigned registered voters of the City of Auburn, do herein petition the City of Auburn to amend the City of Auburn Zoning Ordinance to add clarity. The proposed change includes an amendment to change the text in the asterisk (\*) to Table of PRINCIPAL BUILDING PLACEMENT of Section 60-548B . *Front Setback, Principal* for Traditional Neighborhood T-4.2B to add the underlined language as follows

PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal.	5 ft. Min./, 25 ft. Max.*	(A)
(Corner Lot) Front Setback, Secondary.	5 ft. Min., 15 ft. Max.	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story)

\* Where adjacent buildings exceed the maximum setback, the maximum setback may be calculated by the average setback of principal structures on adjacent lots. For undeveloped adjacent lots, a setback of 25 feet shall be used for the calculation. Where a private shared access drive is provided serving more than one structure (minimizing access points on any public road), the front setback shall be measured from the private access drive, pedestrian access way or parking area.

**Explanation:** One of the primary tests of a zone change is its conformance with the Comprehensive Plan. GROWTH AREAS Type A [Residential] The Traditional Neighborhood Development (TND) District requires that new development be designed to minimize the number of vehicular access points to existing collector or other roads; shared driveways are encouraged; and dimensional standards be established that relate to the size and width of the lot. A copy of that Comprehensive Plan section is attached and marked as Exhibit A. The City has adopted the T-4.2B zoning district to meet the goals of the TND District in the Comprehensive Plan by encouraging the use of shared driveways and limiting vehicular access points to Collector roadways, the new Ordinance was intended to allow for front setbacks in the T-4.2B district to be measured from Access Ways and Parking areas on internal, shared access points. This amendment clarifies the existing text to advance the shared access point objectives of the Plan; confirms the interpretation of the dimensional requirements of the T-4.2B zoning district adopted by the planning board in its approval of projects to date; and notwithstanding 1 M.R.S. § 302 is intended to apply retroactively to all pending proceedings, without requiring any remand for re-approval by the Board for its implementation to approved projects.

217

Print Name	City of Auburn Legal Address	Signature
Patricia Coulombe	19 Aquamarine Ct.	Patricia Coulombe
LORRAINE COTE	5277 Merrow Rd. Aub.	Lorraine Cote
ROLAND BERGERON	527 MERROW RD AUB	Roland Bergeron
HEBECCA J. COTE	465 Merrow Rd Auburn	Hebecca J. Cote
RAYMOND MARCHESSAULT	RD 1 HOWARD AVE. AUB, ME	Raymond Marchessault
DIANE H. DENNIS	90 Royal Oaks Dr. Aub, ME	Diane H. Dennis
ROGER MOREAU	588 LAKE ST AUBURN ME 04210	Roger Moreau
Anita L. Moreau	588 Lake St. Auburn, Me. 04210	Anita L. Moreau
RAY BIRON	124 Broadview Ave ME 04210	Ray Biron
SHIRLEY BIRON	124 Broadview Ave ME 04210	Shirley Biron
Paul R. Morin	16 CLIFF ST. Auburn 04210	Paul R. Morin
Maureen A. Morin	16 Cliff St Auburn 04210	Maureen A. Morin
RONALD PEYSER	19 DEERFIELD DR. Auburn 04210	Ronald Peyser
REX ANTHONY NORRIS	503 Auburn, ME Park Ave 04210	Rex Anthony Norris
MARY TUCKER	6 Rosewood Rd. Auburn, ME	Mary Tucker
GINY TUCKER	6 Rosewood Rd. Auburn, ME	Giny Tucker
RONALD VAILLANCOURT	470 Merrow Rd, Auburn ME	Ronald Vaillancourt
MARK VAILLANCOURT	470 MERROW RD, AUBURN, ME	Mark Vaillancourt
DONALD WGEKI	852 Washington St Auburn ME	Donald Wgeki
Pauline Berrier	150 Mill St. Auburn, ME	Pauline Berrier
Piane Caron	204 Bowdoin St	Piane Caron
CAROL DERDY	68 Aquamarine Ct.	Carol Derdy
Landon Morrisette	81 Briarcliff Knoll, Auburn, ME	Landon Morrisette
DORIS MARCHESSAULT	81 BRIARCLIFF Knoll, Auburn, ME	Doris Marchessault
Jessica Klimck	81 Briarcliff Knoll, Auburn ME	Jessica Klimck
ASHLEY MORRISSETTE	81 BRIARCLIFF Knoll, Auburn ME	Ashley Morrisette


Note \* Twenty-five (25) registered Auburn voters' signatures are required on the petition (it is suggested that you get at least 35-40 signatures in case some signatures cannot be read or they are disqualified for some other reason).

Circulator's Affidavit

I CAROL DeROY  
of 68 Aquamarine Ct., Auburn, hereby certify that I am a resident of  
the City of Auburn; that I personally circulated this paper and witnessed the  
signatures thereon; and, to the best of my knowledge and belief, each signature  
is that of the person it purports to be. Further, I certify that each signer had the  
opportunity, before signing, to read the full text of the ordinance proposed to be  
enacted. \_\_\_\_\_

Signature of Circulator

Carol A. DeRoy

Printed Name CAROL DeROY

Subscribed to and sworn before me on this date June 10, 2023 (Date must be completed by Notary)

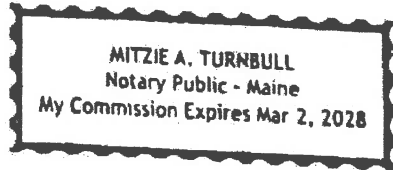
Mitzi A. Turnbull

Signature of Notary

Mitzi A. Turnbull

Printed Name

Date my Notary Commission expires: March 2, 2028



[illegible]


Note \* Twenty-five (25) registered Auburn voters' signatures are required on the petition (it is suggested that you get at least 35-40 signatures in case some signatures cannot be read or they are disqualified for some other reason).

### Circulator's Affidavit

I Abigail Prosser  
of Auburn, ME, hereby certify that I am a resident of  
the City of Auburn; that I personally circulated this paper and witnessed the  
signatures thereon; and, to the best of my knowledge and belief, each signature  
is that of the person it purports to be. Further, I certify that each signer had the  
opportunity, before signing, to read the full text of the ordinance proposed to be  
enacted. Abigail Prosser

Signature of Circulator

Abigail L. Prosser

Printed Name

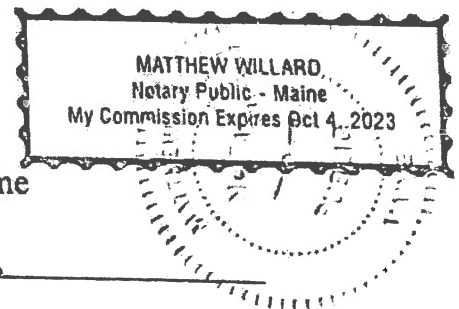
Subscribed to and sworn before me on this date 06/09/2023 (Date must be  
completed by Notary)

Matthew Willard

Signature of Notary

MATTHEW WILLARD Printed Name

Date my Notary Commission expires: 10/04/2023




Note \* Twenty-five (25) registered Auburn voters' signatures are required on the petition (it is suggested that you get at least 35-40 signatures in case some signatures cannot be read or they are disqualified for some other reason).

### Circulator's Affidavit

I Jessica Klimek  
of Auburn, hereby certify that I am a resident of  
the City of Auburn; that I personally circulated this paper and witnessed the  
signatures thereon; and, to the best of my knowledge and belief, each signature  
is that of the person it purports to be. Further, I certify that each signer had the  
opportunity, before signing, to read the full text of the ordinance proposed to be  
enacted.

Signature of Circulator

Jessica Klimek

Printed Name

Subscribed to and sworn before me on this date 06/10/2023 (Date must be  
completed by Notary)

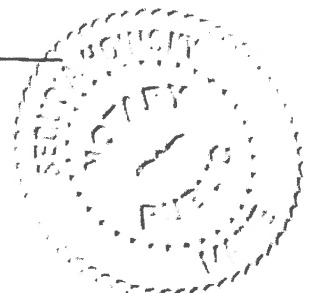
[Signature]

Signature of Notary

Sequoia Hoinsky Printed Name

Date my Notary Commission expires: September 19, 2029

SEQUOIA HOINSKY  
NOTARY PUBLIC  
State of Maine  
My Commission Expires  
September 19, 2029



# Exhibit A

In addition to the Future Land Use Map, four detail maps ( ) show the future land use designations for specific portions of the community, including Downtown, New Auburn, Minot Avenue, and Center Street.

## **FUTURE LAND USE PLAN VISION STATEMENT:**

As a model of carefully managed growth, Auburn seeks to grow outward from the historic cores within our city and be known for its strong, vibrant neighborhoods. The city is committed to making careful, effective, and efficient use of land and corresponding services, while strengthening the character of our neighborhoods, ensuring that resources exist to maintain and enhance the quality of life for current and future residents. Auburn's continued commitment to strong community connections, embracing opportunity, and mindful growth should be balanced with natural resource conservation and woven into the city's unique identity.

### **1. GROWTH AREAS –**

**Type A: Development Areas**  
Designation: Residential

#### **TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)**

**Objective** – Allow for the development of a wide range of residential and community uses at a density of up to 16 units per acre in areas that are served or can be served by public/community sewerage and public/community water ( ). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

**Allowed Uses** – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update ( ). The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

**Development Standards** – Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 10 feet. Side and rear setbacks should

# Exhibit A

be 5-15 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

## **SUBURBAN DEVELOPMENT DISTRICT (SD)**

**Objective** – Allow for the development of a limited range of residential and community uses at a density of up to 6-8 units per acre in areas that are served or can be served by public/community sewerage and/or public/community water (See Figure 2-3). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

**Allowed Uses** – The Suburban Development District generally follows the boundaries of the Multifamily Suburban and Suburban Residential Zoning Districts, in effect at the time of the 2021 Comprehensive Plan update (See Appendix A). The following general types of uses should be allowed within the Suburban Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Recreational Uses of Land
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

**Development Standards** – Residential uses should be allowed at a density of up to 8 units per acre with no minimum road frontage required, shared driveways are encouraged. In general, the minimum front setback should be 10 feet. Side and rear setbacks should be 5-20 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

Designation: Nonresidential and Mixed Use

## **FORM-BASED CODE DEVELOPMENT DISTRICT (FBCD)**

**Objective** – Stabilize and promote continued investment in the City's high-density neighborhoods which include a mix of housing types including multi-unit buildings to assure that they remain safe, attractive areas in which residents want to live (See Figures 2-3 and 2-4). To this end, the district should allow property owners to upgrade their properties, and for infill development and redevelopment/reuse to occur, as long as it is compatible with the character of the neighborhood.

**Allowed Use** – The Form-Based Code Development District generally follows the boundaries of the Form-Based Code (Transects 4.1, 4.2, 5.1, 5.2 and 6), in effect at the time of the 2021 Comprehensive Plan update (See Appendix A). The following general types of uses should be allowed within the Form-Based Code Development District:

- Low and High Density Residential Dwelling Units
- Home Occupations
- Civic Uses
- Office/Service Type Uses
- Retail Type Uses

**Development Standards** – The reuse/reconfiguration of existing buildings for residential purposes should be allowed without consideration of density/lot size requirements, provided that