



City of Auburn, Maine

Office of Planning and Permitting
60 Court Street | Auburn, Maine 04210
207.333.6601 | www.auburnmaine.gov

To: Auburn Planning Board
From: Justin L. Poirier, Urban Development Specialist
Re: Form-Based Code Expansion
Date: November 10, 2020

PROPOSAL:

To expand the T-4.2 - Traditional Downtown Neighborhood to the Downtown Enterprise district in the area adjacent to Academy, Elm, Maple, Pleasant, High, Drummond and a portion of Spring Streets and the Multi-Family Urban district in the Laurel Avenue and Newbury Street neighborhood.

DEPARTMENT REVIEW:

- Police - No Concerns
- Auburn Water and Sewer – No concerns
- Fire Department/Code Enforcement – No concerns
- Engineering – No Concerns
- Public Services - No Concerns
- Airport – No Concerns
- 911 - No concerns

PLANNING BOARD ACTION:

1. To encourage new development, improve opportunities for new housing, and to better align the zoning to existing conditions the City Council has requested the Planning Board to review and make a recommendation on whether to expand the T-4.2 - Traditional Downtown Neighborhood to the Downtown Enterprise district and the Multi-Family Urban districts noted above.
2. City Council has also requested that the Planning Board consider and recommend whether 186 Main Street, currently a City owned vacant lot, should be rezoned into the T-5.1 – Downtown Traditional Center district or whether a provision in the ordinance should be adopted to allow the Planning Board to move parcels on a zoning district line into the adjacent zone upon application of an applicant, if it fits the character of the neighborhood.

STAFF RECOMENDATIONS:

1. Form-Based Code Expansion - Staff recommends that the Planning Board find that the proposed expansion of the form-based code (“FBC”) into the Downtown Enterprise district and the Multi-Family Urban district in the Laurel Street neighborhood more closely fits the existing conditions of these neighborhoods and is consistent with Comprehensive Plan. In general, the FBC expansion will better align the current conditions regarding setbacks. FBC allows for 5-foot front and side setbacks in contrast with the current 10 and 25 feet. Most buildings in these districts are currently non-conforming because of this standard.

Other considerations – generally the change recommended will have little impact on allowed uses. The expanded uses in the Downtown Enterprise zone would continue. The FBC would make professional offices and medical offices a permitted use in the Multi-Family Urban district; currently these are special exception uses.

2. Flexibility along FBC District boundaries – Often zoning lines are drawn where they are simply because they must be drawn somewhere. In some circumstances the adjacent parcel could be developed with slight variations allowed in the adjacent district that would have no material impact on the health, use, or character of the neighborhood. This flexibility in the Planning Boards deliberations would be a meaningful tool for developers as well as the Planning Board when deciding the fate of development projects. Consider that when a parcel abuts or is split by a FBC District boundary, the standards of either FBC District could be extended and applied one parcel beyond the current boundary.

Findings: The following sections of the Comprehensive Plan Support the proposed zoning amendments:

- Objective F.1.1: Maintain and increase the City’s population.
- Strategy G.2.10.c: Limit the need for new roads by encouraging infill development within the identified growth areas. (See Chapter 2. Future Land Use Plan)
- Strategy H.2.2.a: Assure that the City’s zoning and land use regulations allow private owners to improve properties in these neighborhoods.
 - i. Review and revise the zoning requirements, as needed, to allow existing homes to be improved and expanded as long as they maintain the character of the neighborhood in terms of setbacks, building height, lot coverage and similar factors.
 - ii. Review and revise the zoning requirements, as needed, to allow for redevelopment and infill development on vacant lots that is in character with the neighborhood in terms of lot sizes and density, frontage, setbacks, and similar dimensional requirements (see Chapter 2. Future Land Use Plan).

- Strategy H.2.4.a: Assure that the City’s zoning and land use regulations allow for private investments to improve property in these neighborhoods.
 - i. Review and revise the zoning requirements, as needed, to allow existing buildings to be improved and expanded as long as they maintain the character of the neighborhood in terms of setbacks, building height, lot coverage and similar factors.
 - ii. Review and revise the zoning requirements, as needed, to allow for redevelopment and infill development on vacant lots that is in character with the neighborhood in terms of lot sizes and density, frontage, setbacks, and similar dimension
- Other Land Use Policy 5. USE OF EXISTING RESIDENTIAL BUILDINGS 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. To address this issue, the Future Land Use Plan proposes that reuse/reconfiguration of the existing space within buildings for residential purposes be allowed without consideration of the density or lot size limitations in a number of land use districts. The objective of this proposal is to encourage property owners to modernize and reinvest in these properties. At the same time, the Future Land Use Plan recognizes that the reconfiguration of these buildings needs to be done in a way that is a benefit to the neighborhood and City, and does not create other problems. Therefore the proposed development standards in these land use districts call for the City to apply reasonable requirements to these situations to assure that there is adequate parking, that the character of the building and site is appropriate and protects neighboring properties, and that the properties are desirable living environments with green space. To assure that these objectives are met, the City should establish a mini-site plan review process for projects that want to make use of these provisions; it should include the opportunity for abutter involvement in the review and approval process.