



City of Auburn, Maine

Office of Planning and Permitting
60 Court Street | Auburn, Maine 04210
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To: Auburn Planning Board
From: Megan Norwood, City Planner II
Re: Form-Based Code – Transition Zone
Date: January 12, 2021

PROPOSAL: The Planning Board began this discussion at the November 10, 2020 meeting and December 8, 2020 meeting. The Planning Board was in favor at looking at the creation of a transition zone between Form-Based Code districts, which would allow for a gradual transition of buildings and the flexibility of for property owners in those bordering areas to choose which standards support their proposed use (with approval from Staff and/or the Planning Board).

At the December meeting, Staff discussed sending out notices for the parcels that would be included in this transition area. Due to the large number of parcels that would be included if we looked at *all* areas of the City where two Form-Based Code Districts border, Staff thought it would be best to split the areas up again like we did with the Form-Based Code District expansion. This proposal includes the recently approved Form-Based Code areas (formerly Downtown Enterprise) adjacent to Academy, Elm, Maple, Pleasant, High, Drummond and a portion of Spring Street and the Laurel Avenue and Newbury Street neighborhood (see attached map).

At this meeting, in addition to conducting a Public Hearing, it would be helpful for Staff to be able to create ordinance language if the Planning Board provided thoughts on the following:

- Would the Planning Board like to see properties in this transition area reviewed by the Planning Board or Staff? Just a building permit? Should this determination follow the same use table in the Form-Based Code ordinance for Special Exception/Permitted Uses?
- Should the proposed transition area allow a property owner to select which attributes best apply to their preferred land use and building design? For example, lets select a parcel that would be on the border of T-5.1 and T-4.2, which is the Broad/South Main/Mill/Second Street neighborhood. Would a property owner have to stick to the requirements of one or the other (i.e. T-5.1 or T-4.2)? Or could they mix and match requirements? Below is a comparison of the space and bulk requirements of the Form-Based Code Districts under consideration:

SPACE & BULK REQUIREMENTS COMPARISON <i>Between Proposed Form-Based Code "Transition Zones"</i>				
	Form-Based Code (T-4.1) Standard	Form-Based Code (T-4.2) Standard	Form-Based Code (T-5.1) Standard	Form-Based Code (T-5.2) Standard
Front Setback, Principal	15 Ft. Min/25Ft. Max	5 Ft. Min/15 Ft. Max	0 Ft. Min/10Ft. Max	0 Ft. Min/10Ft. Max
(Corner Lot) Front Setback, Secondary	15 Ft. Min/25Ft. Max	5 Ft. Min/15 Ft. Max	0 Ft. Min/10Ft. Max	0 Ft. Min/10Ft. Max
Side Setback	5 Ft. Min.	5 Ft. Min.	0*Ft. (Subject to Bldg. Permit Approval)/5 Ft. Min	0*Ft. (Subject to Bldg. Permit Approval)/5 Ft. Min
Rear Setback	10 Ft. Min.	10 Ft. Min.	10 Ft. Min.	10 Ft. Min.
Building Lot Coverage	60% Max.	70% Max.	75% Max.	80% Max.
Usable Open Space	20% Min.	10% Min.	5% Min.	5% Min.
Frontage Build-Out:	40% Min (along Front Setback, Primary)	60% Min (along Front Setback, Primary)	75% Min (along Front Setback, Primary)	85% Min (along Front Setback, Primary)
Lot Width	24ft. Min/120 Ft. Max	24 Ft. Min/120 Ft. Max	24 Ft. Min/160 Ft. Max	24 Ft. Min/240 Ft. Max
Building Width	14 Ft. Min/64Ft. Max	14 Ft. Min/110 Ft. Max	14 Ft. Min/150 Ft. Max	12 Ft. Min/230 Ft. Max
Building Height Minimum	2 Story Min.	1 Story Min.	2 Story Min.	2 Story Min.
Building Height Maximum	2 Story Max. (Excluding attic)	3 Story Max. (Excluding attic)	4 Story Max. (Excluding attic)	6 Story Max. (Excluding attic)

- What about uses? For example, Bed & Breakfast (> 4 rooms) are a Special Exception use in T-4.2 but a Permitted use in 5-.1. Hotels are not permitted in T-4.2 but are a Special Exception use in T-5.1, etc. How should the transition zone handle uses? Should they all be either permitted, not permitted or Special Exceptions?
- What about parking requirements? Most are consistent across the Form-Based Code districts depending on the use. However, the T-5.1 allows parking to be provided by municipality or private parking resources within 1,000 feet of the principal building - subject to PB approval, should this requirement be extended into the transition zones as well?

DEPARTMENT REVIEW:

- Police - No Concerns
- Auburn Water and Sewer – No concerns
- Fire Department/Code Enforcement – No concerns



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- Engineering – No Concerns
- Public Services - No Concerns
- Airport – No Concerns
- 911 - No concerns

PLANNING BOARD ACTION:

1. Discuss questions listed above and conduct the Public Hearing.

STAFF RECOMENDATIONS:

Staff recommends the Planning Board discuss the questions posed above, conduct the Public Hearing and make a recommendation to City Council and Staff on ordinance language and the map amendment for this area.

From December Staff Report:

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.