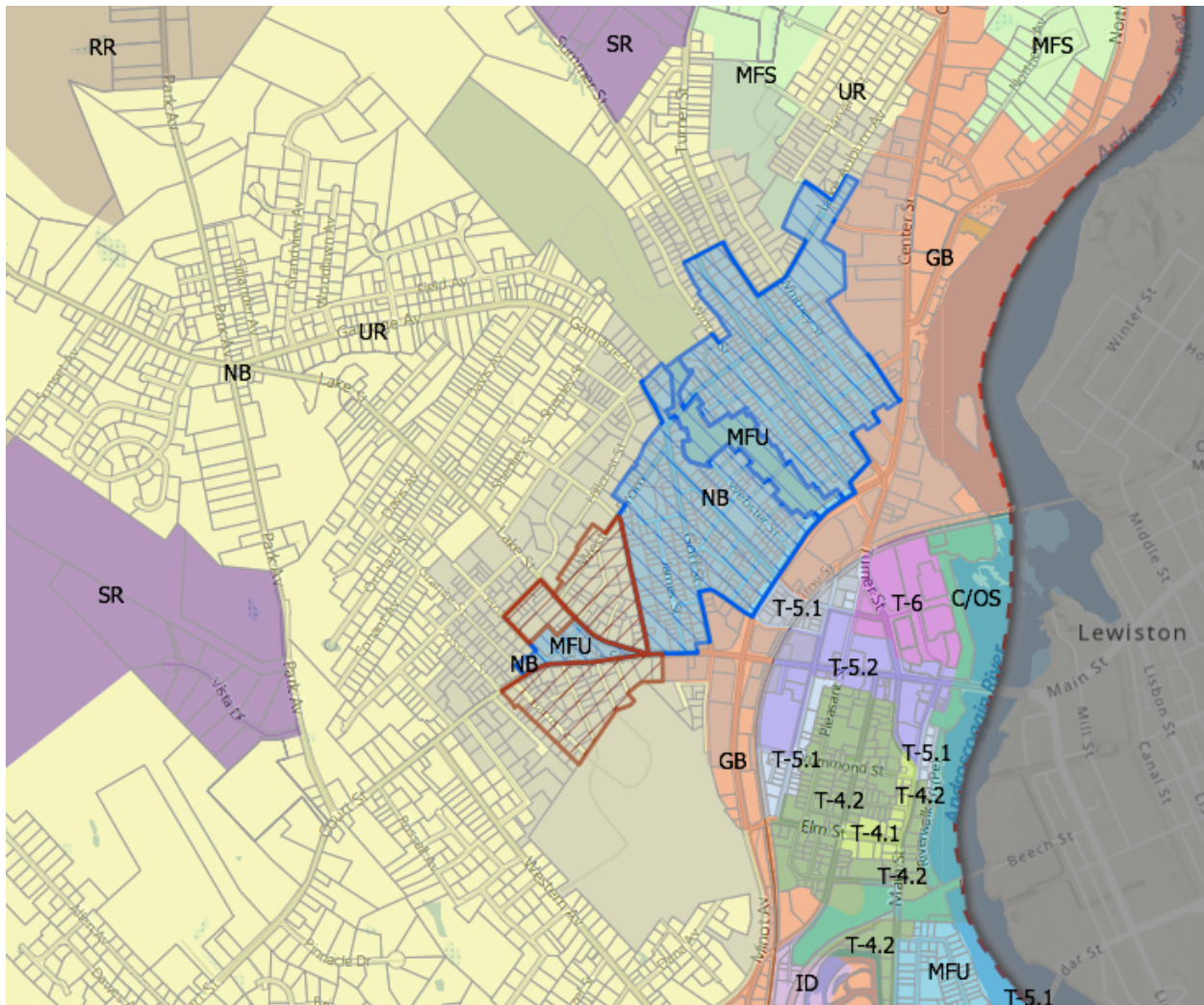


To: Auburn Planning Board
 From: Megan Norwood, City Planner
 Re: Form-Based Code Expansion
 Date: February 9, 2021

PROPOSAL: This is another area of the City recommended to be rezoned from Multifamily Urban to Form-Based Code (T-4.2), *see map below*. The area also includes portions of the Urban Residential Zoning District, which Staff felt better aligned with the Form-Based Code District and is similar in density to the adjacent Multifamily Urban areas. The proposed zone change also includes a couple of parcels in the Neighborhood Business District. This district allows businesses in residential areas and will be largely unaffected by the proposed zone change since commercial uses are permitted in the Form-Based Code District as well.



As a reminder, the following types of proposals fall under the Form-Based Code standards:

Sec. 60-556. - Form based code plan types.

(a) *Administrative types.*

- (1) *By right.* No permits are required for projects such as normal maintenance or for new structures under 200 square feet.
- (2) *Minor administrative.* Projects that require permits and comply with all form based code or zoning regulations, may be approved and permitted by the appropriate city departmental staff and will not require multiple departmental or planning board approval. These projects can be applied for at any time.
- (3) *Major administrative.* Projects that do not qualify as a Subdivision. Special exception or site plan review type plans and comply with all form based code or zoning regulations, but due to multiple issues, will require review by the multiple city departmental staff.

(b) *Discretionary type plans.* The following plan types shall require review and action by the planning board.

- (1) Subdivisions of three or more lots over a five-year period or a project creating more than three dwelling units. (Subdivision Review).
- (2) Any project listed as special exception or "S" in section 60-554, Use and Parking Matrix Chart. (Special Exception and Site Plan Review).
- (3) Any project within the form based code district proposing a total of 12,000 square feet of new construction, all floors included. (Special Exception and Site Plan Review).
- (4) Any amendment to an existing discretionary plan that increases existing square footage more than 25 percent.
- (5) Any project located within the form based code district area that seeks a waiver from the adopted form based code regulating development standards shall submit a complete Special Exception and Site Plan Review application for Planning Board review and action.

At the last meeting, the Planning Board also had a question about how existing structures will be protected that may be too far from the road under the Form Based Code standards. In these cases, the structures will be protected under the nonconforming provisions in the ordinance. However, if the structural members were destroyed by more than 50%, they would have to move the building to meet the setback requirements, as they would be considered nonconforming structures. In most cases, these structures are already considered nonconforming so the same standard would apply under the Multifamily Urban Zoning District in terms of reconstruction/replacement.

DEPARTMENT REVIEW:

- Police – Wants to start thinking more about satellite parking lots in relation to increased housing.
- 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 Multi-Family Urban, Urban Residential and Neighborhood Business Districts noted above.

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 Urban Residential district in the Court/Lake Street neighborhood and the Multifamily Urban/Neighborhood Business District in the area encompassing Lake Auburn Ave to Union Street and Lake Street to Whitney Street more closely fits the existing conditions of this neighborhood 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 25 feet. Most buildings in these districts are currently non-conforming because of this standard. Generally, the change recommended will have little impact on the allowed uses in the district.

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.

SPACE & BULK REQUIREMENTS COMPARISON			
	Multi-Family Urban Standard	Form-Based Code (T-4.2) Standard	Urban Residential Standard
Front Setback, Principal	25 Ft. or 25% Avg. Depth of Lot (Whichever is Less)	5 Ft. Min/, 15 Ft. Max	25 Ft. or 25% Avg. Depth of Lot (Whichever is Less)
(Corner Lot) Front Setback, Secondary	25 Ft. or 25% Avg. Depth of Lot (Whichever is Less)	5 Ft. Min/, 15 Ft. Max	25 Ft. or 25% Avg. Depth of Lot (Whichever is Less)
Side Setback	5 Ft., Increased 1 Ft. for Every 5 Ft. increase in frontage over 50 Ft. to a Max of 15 Ft.	5 Ft. Min.	5 Ft., Increased 1 Ft. for Every 5 Ft. increase in frontage over 50 Ft. to a Max of 15 Ft.
Rear Setback	25 Ft. or 25% Avg. Depth of Lot (Whichever is Less)	10 Ft. Min.	25 Ft. or 25% Avg. Depth of Lot (Whichever is Less)
Building Lot Coverage	50% of net acreage devoted to green area	70% Max.	N/A
Usable Open Space	50% of net acreage devoted to green area	10% Min.	N/A
Frontage Build-Out:	N/A	60% Min (along Front Setback, Primary)	N/A
Lot Width	1,2, 3 family: 50 Ft. 4-family: 100 Ft. Multifamily: 50 Ft.	24 Ft. Min, 120 Ft. Max	100 Ft. Min
Lot Depth	100 Ft.	N/A	100 Ft. Min.
Minimum Lot Area	5,000SF for 1 st dwelling or unit and 1,500SF for each add'l	N/A	10,000SF
Building Width	N/A	14 Ft. Min, 110 Ft. Max	N/A
Building Height Minimum	N/A	1 Story Min.	N/A
Building Height Maximum	2 ½ Stories or 35 Ft. Church, temple, windmill: 65 Ft. with increased side setbacks.	3 Story Max.	2 ½ Stories or 35 Ft. Church, temple, windmill: 65 Ft. with increased side setbacks.

PARKING REQUIREMENTS COMPARISON		
	MFU/UR Standard	T-4.2
RESIDENTIAL		
Single Family	2 sp/DU	1 sp/DU
Duplex	1 ½ sp/DU	1 sp/DU
Townhouse	1 ½ sp/DU	1 sp/DU
Multi-Family	1 ½ sp/DU	1 sp/DU, 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	1 per guestroom plus ½ per employee	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	1 per guestroom plus ½ per employee	1 sp/employee plus 1 sp/guest
Hotel	1 per guestroom plus ½ per employee	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	Elderly: ½ per dwelling unit, ½ per bed.	½ sp/employee plus

	Childcare: 1 per 300 sf gross floor area (retail business, or institution most closely related)	1 sp/ 8 users
Community Based Residential Facilities	1 per guestroom plus ½ per employee (hotel, motel, boardinghouse, tourist home most closely related)	1 sp/employee plus 1 sp/client
Boarding House/Lodginghouse	1 per guestroom plus ½ per employee	1 sp/guestroom plus 1 sp/employee
OFFICE/SERVICE TYPE USE		
Professional Offices	1 sp/ 200 sf, gross floor area	1 sp/400 sf
Medical and Dental Clinics	1 sp/ 200 sf, gross floor area plus 1 per each dr	1 sp/400 sf
Personal Services	1 sp/ 200 sf, gross floor area plus 1 per each dr. (office, business, medical or dental most closely related)	1 sp/400 sf
RETAIL TYPE USE		
General Retail	1 per 300 sf gross floor area	1 sp/400 sf
Age Restricted Retail (3)	1 per 300 sf gross floor area	1 sp/400 sf
Specialty Shops	1 per 300 sf gross floor area	1 sp/400 sf
Restaurant up to 30 seats w/16 outdoor	1 sp/ 3 seats or bench equivalent capacity	1 sp/4 seats
Restaurant over 30 seats w/16 outdoor	1 sp/ 3 seats or bench equivalent capacity	1 sp/4 seats
Halls, Private Clubs, Indoor Amusement	1 sp/ 100 SF floor area and floor area used for assembly	1 sp/400 sf
Artist Studios, Performing Art Center	1 sp/ 100 SF floor area and floor area used for assembly (meeting halls, convention exhibition halls most closely related)	1 sp/400 sf
CIVIC		
Church or Places of Worship	1 sp/ 5 seats or equivalent bench seating	1 sp/5 seats
Government Offices	1 sp/200 sf of gross floor area	1 sp/400 sf
Art Galleries	1 sp/ 100 SF floor area and floor area used for assembly (meeting halls, convention exhibition halls most closely related)	1 sp/400 sf
Transportation Facilities	1 sp/ 300 sf gross floor area (retail, business or institution most closely related)	1 sp/400 sf