



City of Auburn, Maine

Office of Planning & Permitting

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To: Auburn Planning Board
From: Megan Norwood, City Planner
Re: Ordinance Amendment Discussion: Improperly Referenced Ordinance Items, Capitalization & Word Placement Errors & Revisiting Ordinance Provisions Discussed During Project Reviews
Date: March 09, 2021

I. PROPOSAL: Staff took the time to thumb through Chapter 60 of the Auburn Code of Ordinances in its entirety and pull out any items that are not referenced properly as well as spelling/grammar errors. We have summarized them below.

a. Suggested Code Reference Corrections:

1. Section 60-34: Should reference Division 9 (PUDs) not Downtown Enterprise.
2. Section 60-45(d): The reference to 60-525(b)(13) is Outpatient Addiction Treatment Clinics. It should be referencing new buildings over 5,000 square feet for Special Exception, which is 50-525(b)(14). This section also references 60-547(b)(4) which does not exist; it should reference 60-556(b)(3) which applies to projects over 12,000SF in the Form-Based Code subject to Special Exception. Lastly, it also references 60-578(b)(33) which are Child Day Care Centers; this section should reference 60-578(b)(35) which are Special Exception uses.
3. Section 60-51 references Article II of Chapter 6. Chapter 6 doesn't exist. It should be Chapter 14, Article IX – mass gatherings.
4. Section 60-78 references Article V, Division 10 is Downtown Enterprise. It should reference Division 9, which are the PUD standards.
5. Section 60-145(a)(1) references Sec. 60-173 which doesn't exist. It meant to reference 60-1010, which are the boundaries for manufactured housing and include the siting requirements. Also added division 6, after article XII which are the requirements pertaining specifically to the manufactured housing overlay district.
6. Section 60-145(b)(18) also references 60-174 which doesn't exist. It should reference 60-1010.
7. Section 60-146(1)(b) – Animal farm doesn't exist as a definition, the animal units are defined under farm, livestock.
8. Section 60-146(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
9. Section 60-201(b)(1) references special exception uses in the Ag-Zone only but includes LDCR in the division references - division 3 of article IV. LDCR references the Ag-Zone, why should it reference its own Zone in here? This is confusing and should be cleaned up by saying division 2, which is the Ag-Zone.
10. Section 60-202(1) – Animal farm doesn't exist as a definition, the animal units are defined under farm, livestock.
11. Section 60-202(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
12. Section 60-229(a)(4) references PUDs as division 10 again but they are under division 9. Also references division 4 of article XVII which is PB recommendations – should reference subdivision which is division 4 of article XVI. Someone accidentally added an extra I but makes a big difference when interpreting!
13. Section 60-230(1) Animal farm doesn't exist as a definition, the animal units are defined under farm, livestock.

14. Section 60-230(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
15. Section 60-255(a)(3) references PUDs again, which are in division 9.
16. Section 60-255(a)(8) Animal farm doesn't exist as a definition, the animal units are defined under farm, livestock.
17. Section 60-255(b)(2)(c) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
18. Section 60-256(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
19. Section 60-277(a)(3) references PUDs again as division 10 but they are under division 9.
20. Section 60-277(b) references division 6 as being the suburban residential district but it is division 5.
21. Section 60-278(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
22. Section 60-306(a)(4) The PUD reference should be division 9.
23. Section 60-306(b)(1) references UR district as division 7 but its division 6.
24. Section 60-307(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
25. Section 60-334(b)(1) MFS is division 7 not 8.
26. Section 60-335(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
27. Section 60-360(b) reference to signs should be article VI not V which is off-street parking and loading.
28. Section 60-382(3) change CB to GBII because we don't call it commercial business in the ordinance its referred to as Minot Ave (GBII).
29. Section 60-385(2)(b) references division 10, which is downtown enterprise. Should reference division 11 which are the neighborhood business standards.
30. Section 60-499(a)(1) MFS is division 7 not 9.
31. Section 60-499(a)(31) marijuana references chapter 11 article 14. Ch. 11 doesn't exist should be chapter 14, article XVIII.
32. Section 60-500(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
33. Section 60-525(a)(1) MFS reference should be division 7 not 9.
34. Section 60-525(a)(29) marijuana reference should be chapter 14, article XVIII.
35. Section 60-578(a)(27)(28) wrong reference update to say Chapter 14, article XVIII in both.
36. Section 60-579(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
37. Section 60-669(4) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation

- regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
38. Section 60-739(b) change reference to 60-1475 which is notice to abutters. 1476 is reserved, doesn't exist.
 39. Section 60-607 (18) remove ADAPT reference and add in FBC.
 40. Section 60-526(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
 41. Section 60-558(c)(1) waiver requests remove law and review in brackets and just say site plan review.
 42. Section 60-843(a) should reference division 3 because division 4 is subdivision.
 43. Section 60-923(b)(4) the end references section 60-985(a) which doesn't exist. It means to reference 60-992(a), which lists setbacks for principal and accessory structures.
 44. Section 60-923(d) references subsection (c)(2) for converting building, should just reference subsection c.
 45. Section 60-990(c)(1)(a): Change reference from 30-990(c)(3) to 60-990.
 46. Section 60-990(c)(3) remove I which doesn't reference anything where it says I(3)(b) above.
 47. Section 60-991(c)(5) references Articles V-IX which include: Off-street parking and loading, signs, manufactured housing and mobile homes, excavation permit regulations and home occupation regulations. Since it is referring to off-street parking space requirements, it should just reference article V.
 48. Section 60-992(a) central business I, II and III don't exist.
 49. Section 60-1004(b) remove reference to 60-1003 – old timber harvesting standards
 50. Section 60-1004(b)(2) remove timber harvesting reference
 51. Section 60-1004(b)(3) remove timber harvesting reference
 52. Section 60-1004(b)(5) remove timber harvesting reference
 53. Section 60-1004(e) remove timber harvesting reference
 54. Section 60-1039(b)(4) remove article 11 after chapter 14 because it references tattoo licensing, it just meant to reference business licenses in general
 55. Section 60-1475 – Definition of abutters should reference 1473 not 1476.

b. Suggested Spelling/Grammar Corrections:

1. **Chapter 60, Article I – In General, Section 60-4(b)**
Correct spelling of “classicfication” to “classification” in zoning district table.
2. **Chapter 60, Article II – General Provisions, Section 60-47**
Capitalize “a” at the beginning of “all other yards...” after first sentence.
3. **Chapter 60, Article IV – District Regulations, Section 60-146(4)**
Under height, change language from “two and one-half stories of 35 feet in height” to “two and one-half stories **OR** 35 feet in height.”
4. **Chapter 60, Article IV – District Regulations, Section 60-307(4)**
Under height, change language from “2½ stories of 35 feet” to “2½ stories **OR** 35 feet.”
5. **Chapter 60, Article IV – District Regulations, Section 60-335(1)(e)**
Capitalize “m” at the beginning of “more than one principal” after the second sentence.
6. **Chapter 60, Article IV – District Regulations, Section 60-386(8)**
Correct spelling of “distrct” to “district” in the sentence beginning with “the requirements of this chapter applicable to the underlying distrct...”
7. **Chapter 60, Article IV – District Regulations, Section 60-420(e)**
The first sentence says “the planning board may require adequate assurance **in a form consistent in a form acceptable** to the planning board...” should be corrected to say “in a form consistent and acceptable...”
8. **Chapter 60, Article IV – District Regulations, Section 420(g)(3)(d)**
Remove period after “a” and “b” where it says “...under subsection (g)(3)a. and b...” to be consistent with the paragraph above.
9. **Chapter 60, Article IV – District Regulations, Section 60-500(4)**

- Correct “commis-sion” in the second sentence starting with “Religious buildings, municipal buildings or buildings...” to remove the dash.
10. **Chapter 60, Article IV – District Regulations, Section 60-548.3**
In the “External Elements T-4.1” table under residential parking, update “ONLV” to “ONLY.”
 11. **Chapter 60, Article IV – District Regulations, Section 60-549.2**
In the “Building Frontages” table under “ground story finished floor elevation” for both residential and commercial, change “STORV” to “STORY.”
 12. **Chapter 60, Article IV – District Regulations, Section 60-550.3**
In the “External Elements T-5.1” table under front yard fence (residential) update “VARD” to “YARD.” Under “building projections” remove “stoop” as it is discussed below under encroachments. Under parking (residential) update “STORV” TO “STORY.”
 13. **Chapter 60, Article IV – District Regulations, Section 60-551.2**
In the “Building Frontages T-5.2” table under ground story finished floor elevation (residential) update “STORV” to “STORY.”
 14. **Chapter 60, Article IV – District Regulations, Section 60-552**
In the “Key Features” bullet list fix “*;enStreetscape elements” to remove the “*;en” from in front of Streetscape.
 15. **Chapter 60, Article IV – District Regulations, Section 60-552.2**
In the “Building Frontages T-6” table under Building Envelope Articulation fix “Upper story building frontage “fagade” to “façade”
 16. **Chapter 60, Article V – Off-Street Parking and Loading, Section 60-607(6)**
In the sentence starting with “no required parking area or driveways servicing same” add a “the” before “same” for clarification purposes.
 17. **Chapter 60, Article V – Off-Street Parking and Loading, Section 60-609**
In the off-street loading space requirements table, under “land use” update the “retail trade, manufacturing and hospital establishment with over 5,000 square feet of gross” to add “floor area” after gross. Under “minimum number of off-street loading spaces” bump the word requirements up onto the same line as loading in the table.
 18. **Chapter 60, Article VI – Signs, Section 60-638(a)(10)(d)**
Remove the word sign after “designee” in the sentence “if such a hazard is created the director of planning and permitting or his designee sign may...”
 19. **Chapter 60, Article VIII – Excavation Permit Regulations, Section 60-703(f)**
Added an “in” to the first sentence “the Lake Auburn Watershed Protection Commission and gravel pits grandfathered this article...” to say “...grandfathered IN this article...”
 20. **Chapter 60, Article X – Access Management Standards, Section 60-772(3)(c)**
Remove the capital “S” in the sentence “uses with a drive-through facility which generateS...”
 21. **Chapter 60, Article X – Access Management Standards, Section 60-799, 60-799(1)**
Update “site” under “safe site distance” to “sight”
 22. **Chapter 60, Article X – Access Management Standards, Section 60-800(a)**
Capitalize the “t” in “the” at the start of the second sentence.
 23. **Chapter 60, Article XI – Wireless Communications Facilities, Section 60-839(b)**
Add an “of” in the first sentence to read “unless subject to the provisions OF subsection (a)...”
 24. **Chapter 60, Article XII – Environmental Regulations, Section 60-892(c)**
Capitalize the “t” at the beginning of the second sentence starting with “This division.”
 25. **Chapter 60, Article XII – Environmental Regulations, Section 60-921(a)**
In the last sentence where it says it is the policy of the to guide growth, add “city” after the.
 26. **Chapter 60, Article XIII – Environmental Performance Standards, Section 60-1070(1)(d)**
Remove the second “and” at the end of the sentence where it says “March 1991, and and all building...”
 27. **Chapter 60, Article XVI – Administration and Enforcement, Section 60-1365(2)(a)**
Replace “lost” with “lots” to correct the spelling error.

II. DEPARTMENT REVIEW:

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

- Engineering – No Comments
- Public Services - No Comments
- Airport – No Comments
- 911 - No Comments

III. PLANNING BOARD ACTION/STAFF RECOMMENDATIONS: Staff recommends the Planning Board hold a public hearing and vote to send a favorable recommendation to the City Council on these changes.