

To: Auburn Planning Board
From: John Blais, Urban Development Specialist
Re: Proposed Amendment to the Low-Density Country Residential and Rural Residential Strips abutting the Agriculture/Resource Protection Zone to expand from a Width of 450 feet to a Width of 750 feet from the centerline of the roadways.
Date: August 10, 2021

I. PROPOSAL: At the May 17, 2021 City Council meeting, the Council voted to request a recommendation from the Planning Board to expand the residential strips abutting the Ag-Zone from a width of 450 feet to a width of 750 feet from the centerline of the roadways.

The city has several residential strips, primarily in northern and southern areas that split parcels of land between two zoning districts – Agriculture/Resource Protection and either Rural Residential or Low-Density Country Residential. This allows property owners to have a residence in the front of the property, zoned residential, and reserves the back portion of the property as Ag-land. Below is an example in the Trapp Road/Pownal Road area of a Rural Residential strip on either side of the roadways.



By increasing the width of these strips an additional 300 feet, it will provide more buildable area for residential uses in these neighborhoods.

One of the reasons the strips were set to 450 feet was to prevent subdivisions such as the one below on Partridge Lane which essentially cuts off access to the back agriculturally zoned land.



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. CRITERIA FOR DELINEATION OF 750 FEET RESIDENTIAL STRIPS

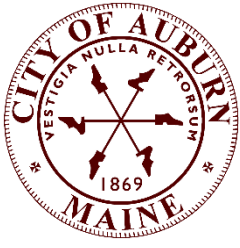
- a. Setting the boundary to 750 feet on properties that have residential road frontage but wrap behind/around lots less than 750 feet in depth.
- b. Extending the boundary to 750 feet on lots that do not have required minimum road frontage in the residential zone.
- c. Stopping the residential zone boundary at road Right-Of-Way boundary for lots less than 750 feet deep that abut AG/RP zoned roads.
- d. Do not extending zones out to 750 feet from pre-established subdivisions with city roads located in a current residential strip.
- e. Do not extending the zone of Low-Density Country Residential zone out from 250 feet to 750 feet along the west shore of Taylor Pond.
- f. Expand the residential zone to 750 feet along western boundary only along Riverside Drive and update the boundary on the east side of Riverside Drive to match the FEMA 2014 Flood Insurance Rate Maps
- g. 450 feet as is, but if the lot extends beyond 450 feet go to the lot line or 750 feet, whichever comes first.

IV. Other Considerations: Comments & Discussion from the July 27, 2021 Agriculture Committee meeting

- Prime Soils (PS) and Soils of Statewide significance (SoSS). Possible ways to accomplish this:
 - Avoid expansion of strips in areas with substantial PS/SoSS. Example area on west side of North and West Auburn Road
 - If expanded without adjustment for soil types, establish avoidance standards for permitting impacts to areas with PS/SoSS
 - Fragmenting Impacts - Driveway Example on Riverside Drive - Proposed location would split active agricultural field into two segments making it difficult to use far side of field resulting in loss of productive agricultural land. Locating driveway near end of field is possible and would provide access for home and allow farming to continue most of the land.
 - Total area of land changed from AG/RP to residential with PS/SoSS should be calculated when maps are completed for consideration while making decisions.
- Total area of AG/RP Land should be calculated when maps are completed for consideration while making decisions.
- Are we moving too fast to consider all impacts? Comp Plan Updates and Lake Auburn Study coming soon.
- Forest Land is also important.
- In areas where Residential/AG boundary is based on old floodplain maps the group generally supports that being updated to new flood maps and using the flood boundary in appropriate areas rather than a blanket 750 feet. This maintains the resource protection aspect of AG/RP and protects active farmland. Examples that came up: Riverside Drive (Androscoggin River Floodplain) and Fletcher Road/West Hardscrabble Road (Little Androscoggin River Floodplain) areas.
- How does this affect hunting?
 - New residence further from roads will have a 300' perimeter of prohibited firearms discharge for hunting per State Law, without owner's permission.
 - Will this cause the city to expand the Prohibited Firearms Discharge area? Not immediately, but possibly over time if density increases and new residents express concerns about hunting with firearms.
- Cemeteries
- Increased Valuation (see next page)

Address	483 W. Auburn Rd	480 W Auburn Rd
Current lot size	9.31	47.09
Residential zone	2.39	4.5
AG zone	6.92	42.59
Land value	54,400	91,200
2020 mil rate	0.02375	0.02375
2020 taxes (attributed to land only)	\$1,292	\$2,166
Estimated value with zoning change		
Lot size	9.31	47.09
Residential zone	4.75	15.2
AG zone	4.56	31.89
Estimated land value	61,600	115,400
2021 mil rate	0.02382	0.02382
2021 taxes (attributed to land only)	\$1,467	\$2,749
Estimated increase in tax dollars	\$175	\$583

V. **PLANNING BOARD ACTION/STAFF SUGGESTIONS:** Using the Criteria for Delineation and other considerations, Staff suggests the Planning Board hold a public hearing, propose any amendments the Board deem necessary and make a favorable recommendation to City Council to expand the Rural Residential and Low-Density Country Residential strips an additional 300 feet to provide more flexibility for residential uses in these areas where feasible.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 2, 2021

Order: 77-08022021

Author: John Blais, Urban Development Specialist

Subject: Map amendment to the Low-Density Country Residential and Rural Residential Strips abutting the Agriculture/Resource Protection Zone to expand from a Width of 450 Feet to a width of 750 feet from the center line of roadways.

Information: At the May 17, 2021 meeting, the City Council voted to request a recommendation from the Planning Board to increase the width of the residential strips abutting the Ag-Zone from 450-feet to 750-feet. As staff began to draw-up the changes to residential strips the following questions came-up before meeting the requirements pursuant to Chapter 60, Division 2, Sec. 60-1445-1449.

- 1.) Setting the boundary to 750 feet on properties that have residential road frontage but wrap behind/around lots less than 750 feet in depth.
- 2.) Extending the boundary to 750 feet on lots that do not have required minimum road frontage in the residential zone.
- 3.) Stopping the residential zone boundary at road Right-Of-Way boundary for lots less than 750 feet deep that abut AG/RP zoned roads.
- 4.) Extending zones out to 750 feet from pre-established subdivisions with city roads located in a current residential strip.
- 5.) Extending the zone of Low-Density Country Residential zone out from 250 feet to 750 feet along the west shore of Taylor Pond.
- 6.) Expand the residential zone to 750 feet along western boundary only along Riverside Drive and update the boundary on the east side of Riverside drive to match the FEMA 2014 Flood Insurance Rate Maps.

City Budgetary Impacts: Potential Increased Taxable Value from Additional Dwellings.

Staff Recommended Action: Please provide a response to the questions asked by the staff so they can complete updates to the maps and refer the same to the August 10, 2021 planning board meeting/public hearing.

Previous Meetings and History: May 17, 2021 – City Council meeting, June 8, 2021 & – Planning Board Meeting

City Manager Comments:

I concur with the recommendation.

Signature:

Attachments: Power Point Presentation



City of Auburn, Maine
Office of Planning & Permitting
Eric J. Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

July 23, 2021

Re: Planning Board Public Hearings – August 10, 2021

To Whom It May Concern,

You are receiving this notice because the City of Auburn Planning Board intends to hold a Public Hearing on Tuesday, **August 10, 2021 at 6:00 PM** in City Council Chambers at Auburn City Hall for a zoning map amendment that is within 500 feet of a property that you own, and we are required to notify you of the meeting. The following proposals will be heard:

- 1. PUBLIC HEARING/ZONING MAP AMENDMENT:** Proposed rezoning to expand the Rural Residential and Low-Density Country Residential strips an additional 300 feet or to property lines that fall under 750 feet from the centerline of the roadway to provide more flexibility for residential uses in these areas. Pursuant to Chapter 60, Division 2, Article 60-1445-1449 and Chapter 60, Division 3, Article 60-1473-1475.

Please do not hesitate to contact me at jblais@auburnmaine.gov if you have any questions. All materials concerning these changes will be uploaded to the website at: <https://www.auburnmaine.gov/pages/government/planning-board-agendas> by Thursday, August 8th, 2021.

Sincerely,

A handwritten signature in black ink that reads "John Blais".

John Blais
Urban Development Specialist
jblais@auburnmaine.gov



ORDER 77-08022021

City Council Order

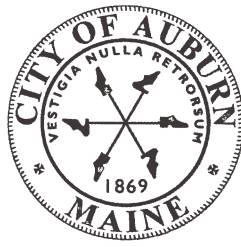
IN CITY COUNCIL

Be it ordained, That the City Council Direct the planning board to have a second public hearing with abutter notification and review the proposed zoning map and council's interpretation of Order 77-08022021 on Residential Strips.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby initiates a formal request for the Planning Board to explore the feasibility of and provide a recommendation on expanding the Auburn residential strip zoning from 400 feet from the center line to the previous 750 feet or to the property line, whichever is less within the strip that have a primary residential use.

A TRUE COPY

ATTEST *Susan Clements-Dallaire*
Susan Clements-Dallaire, City Clerk Date *7/28/2021*

Passage on 5/17/2021 6-0 (Councilor Milks absent).

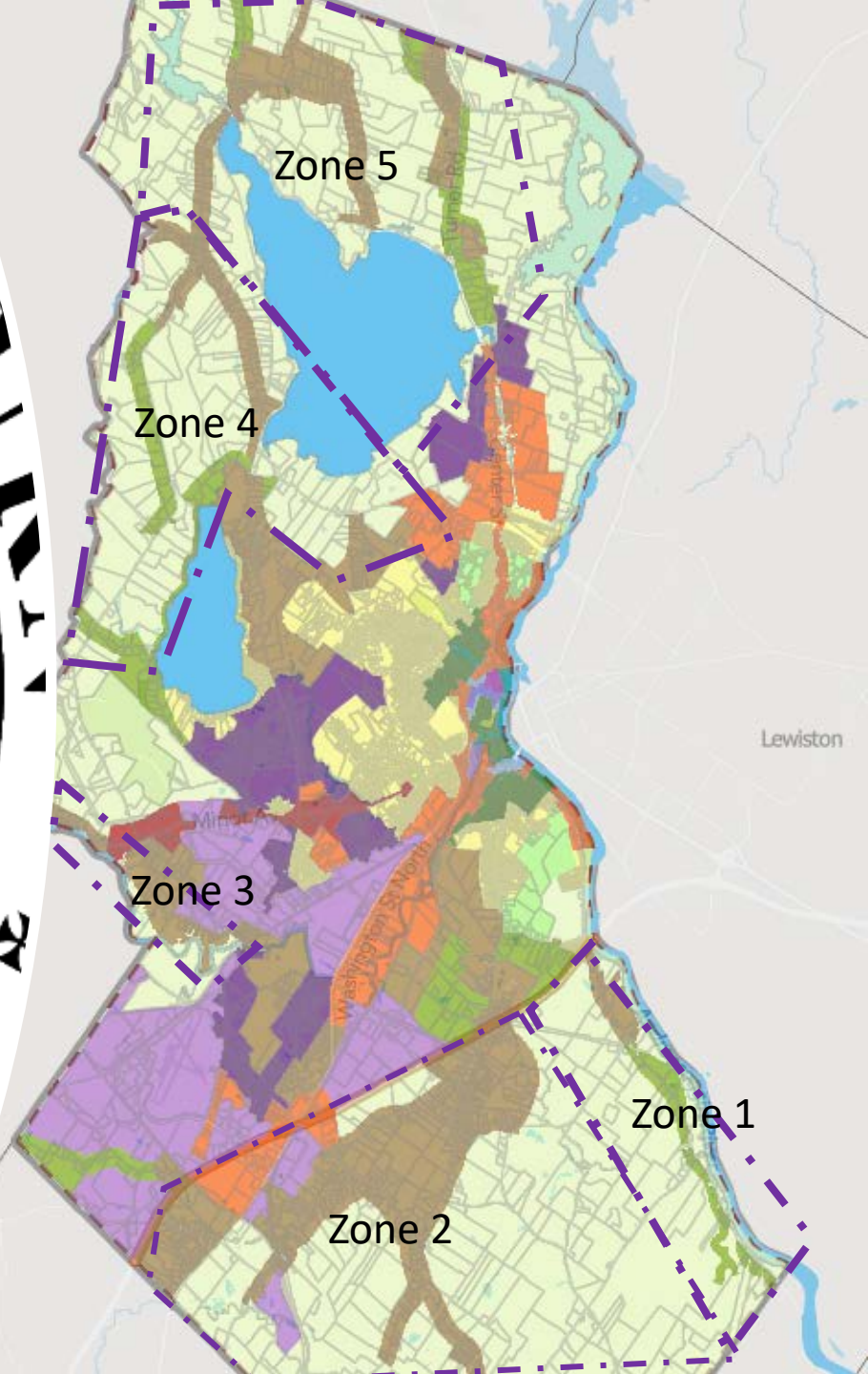
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Zoning Map Amendment

- *Proposed rezoning to expand the Rural Residential and Low-Density Country Residential strips an additional 300 feet or to the property lines that fall under 750 feet from the centerline of the roadway to provide more flexibility for residential uses in these areas.*

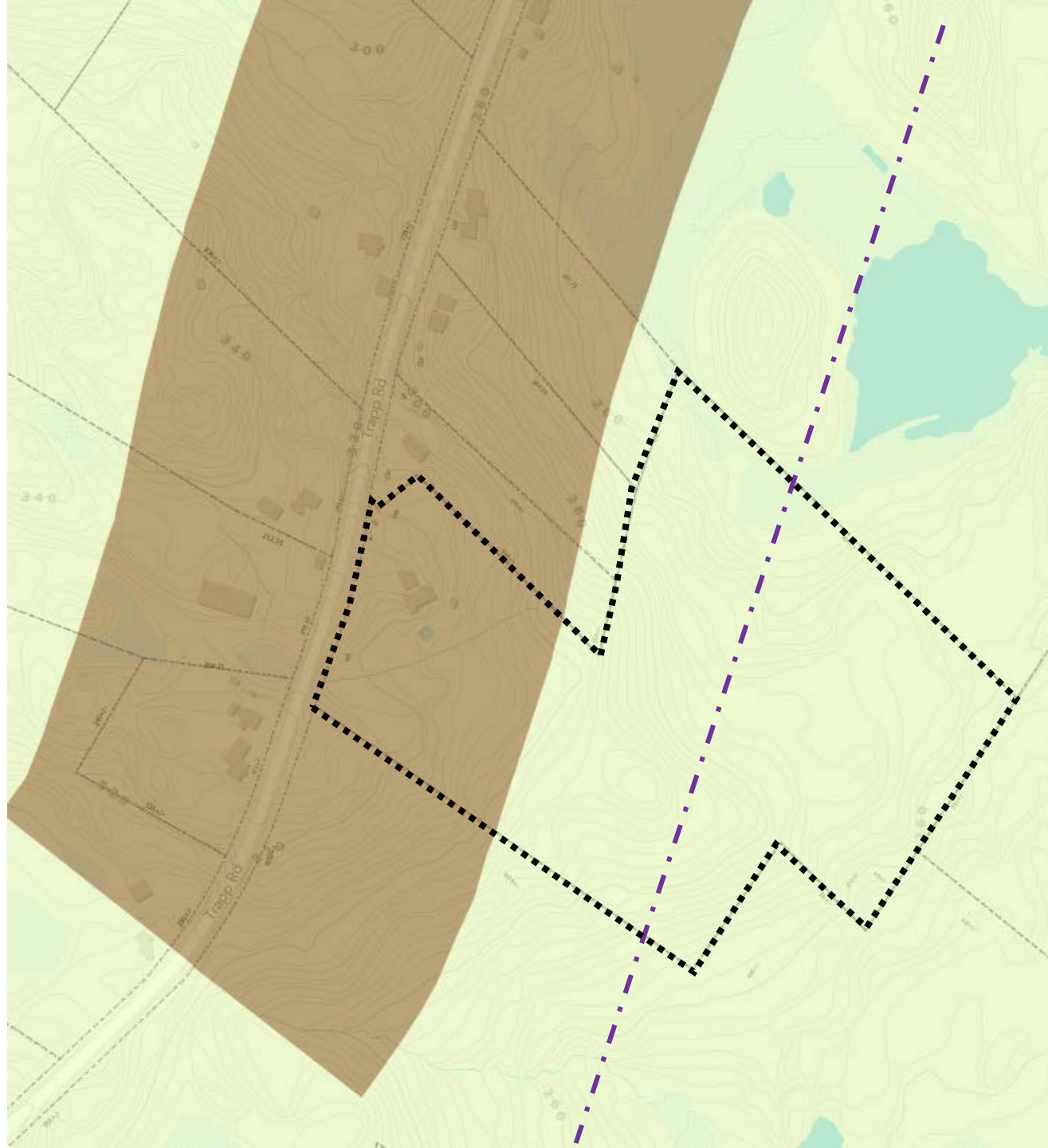


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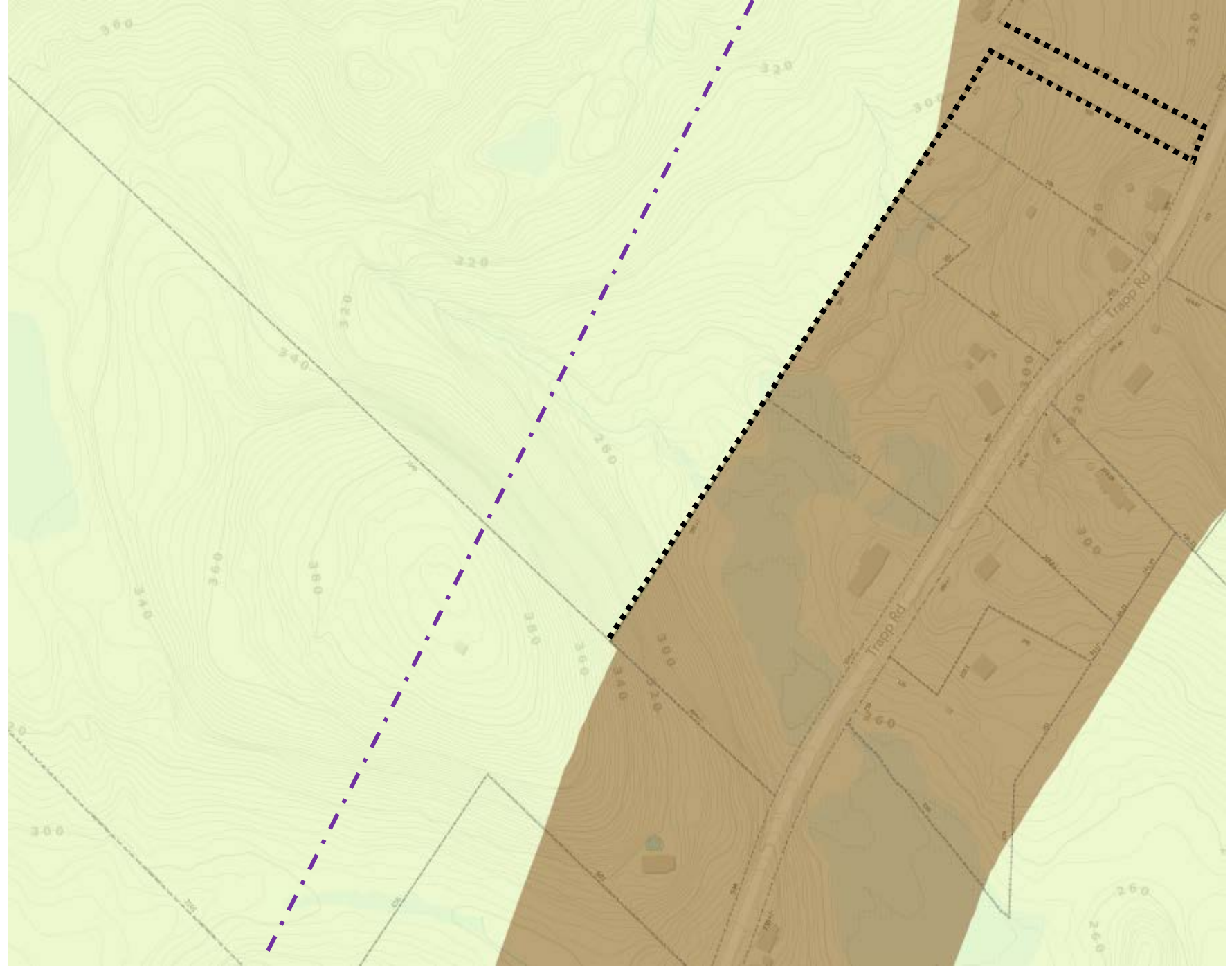
Criteria Discussion for Delineation of 750 feet in residential strips

- 1.) Setting the boundary to 750 feet on properties that have residential road frontage but wrap behind/around lots less than 750 feet in depth.
- 2.) Extending the boundary to 750 feet on lots that do not have required minimum road frontage in the residential zone.
- 3.) Stopping the residential zone boundary at road Right-Of-Way boundary for lots less than 750 feet deep that abut AG/RP zoned roads.
- 4.) Extending zones out to 750 feet from pre-established subdivisions with city roads located in a current residential strip.
- 5.) Extending the zone of Low-Density Country Residential zone out from 250 feet to 750 feet along the west shore of Taylor Pond.
- 6.) Expand the residential zone to 750 feet along western boundary only along Riverside Drive and update the boundary on the east side of Riverside drive to match the FEMA 2014 Flood Insurance Rate Maps.

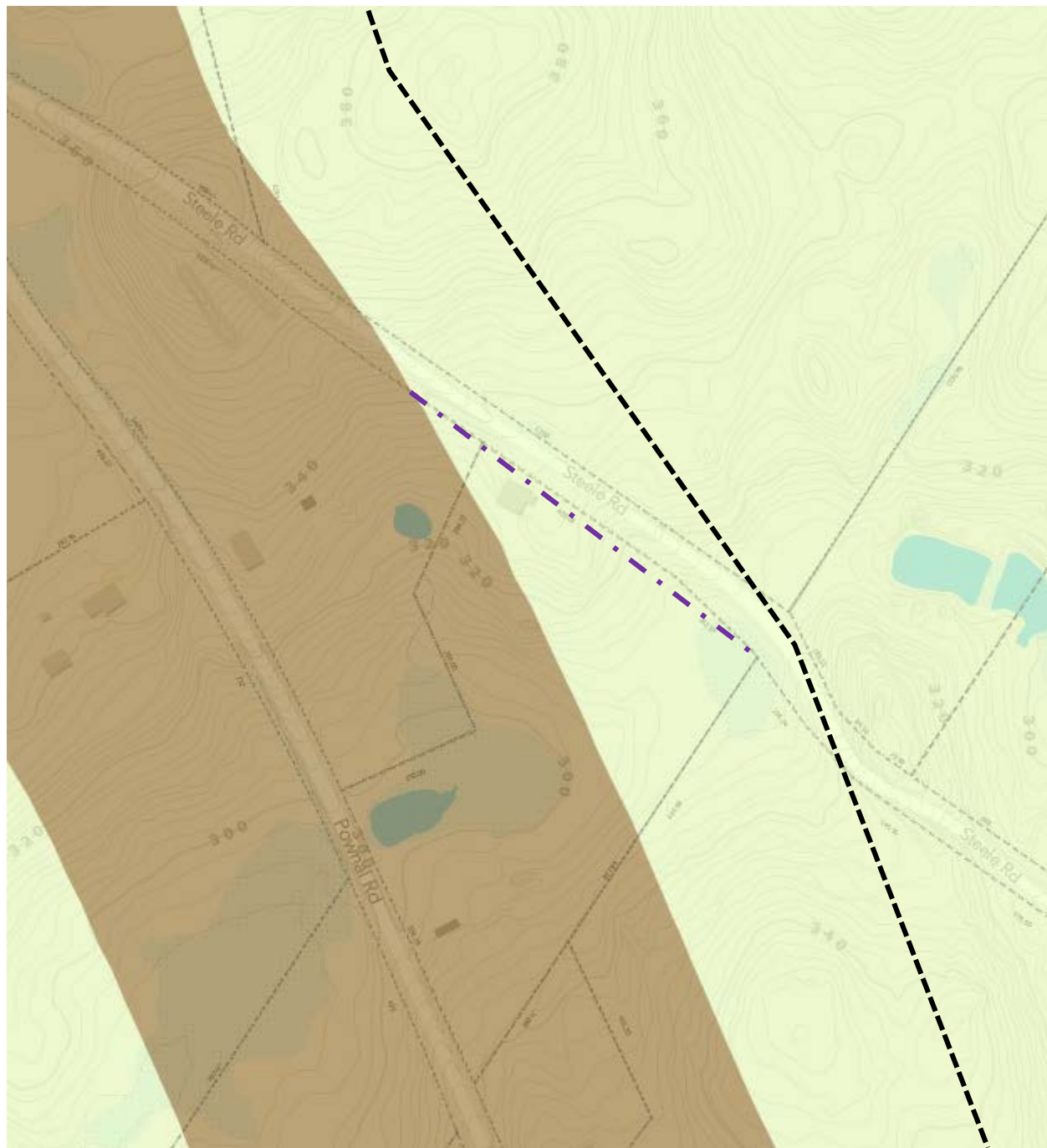
Criteria #1: Setting the boundary to 750 feet on properties that have residential road frontage but wrap behind/around lots less than 750 feet in depth.



Criteria #2:
Extending the
boundary to 750 feet
on lots that do not
have any or required
minimum road
frontage in the
residential zone.



Criteria #3: Stopping the residential zone boundary at road Right-of Way boundary for lots less than 750 feet deep that abut Agriculture/Resource Protection zoned roads.



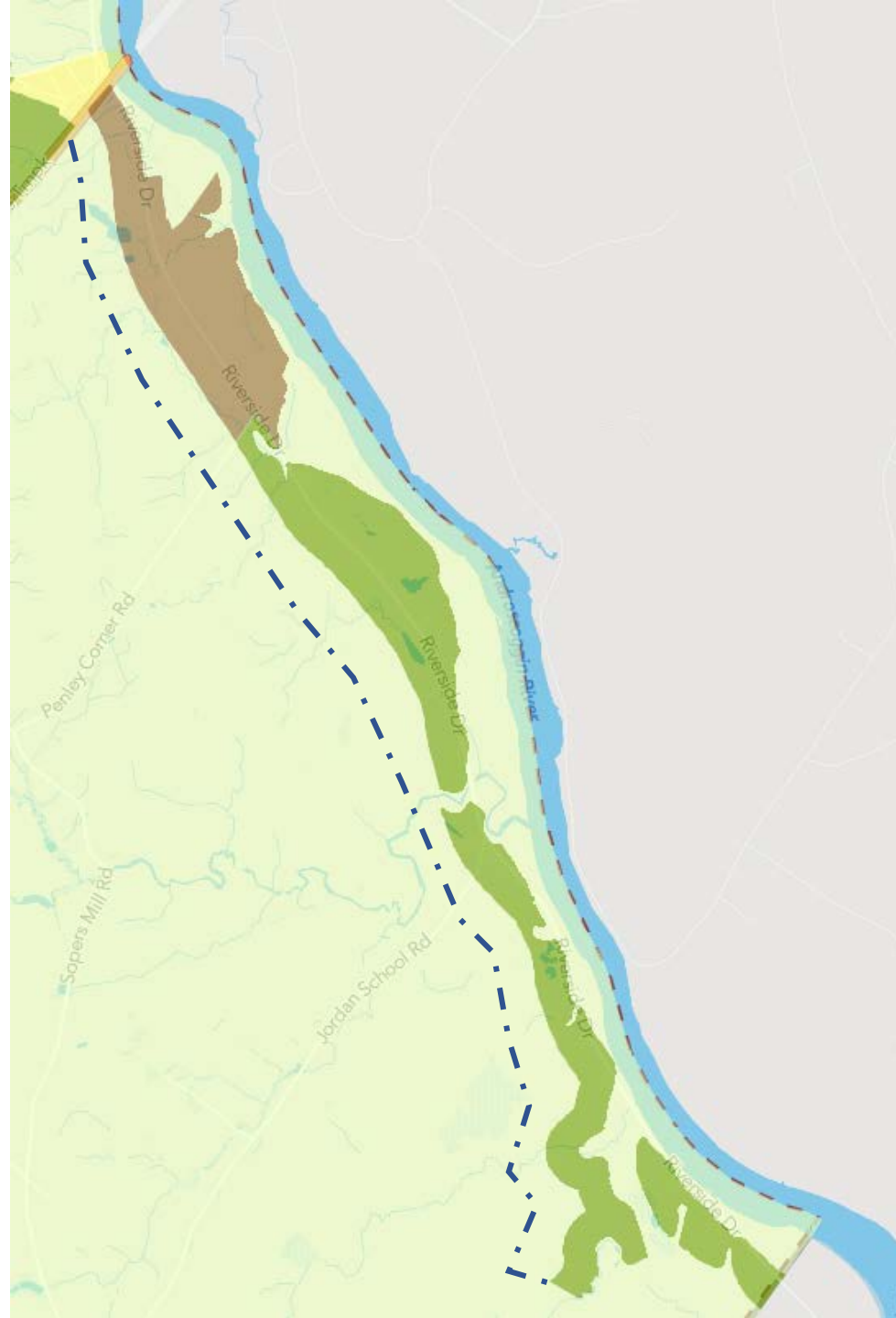
Criteria #4: Extending zones out to 750 feet from pre-established subdivision city roads located in a current residential strip.



Criteria #5: Extending the zone of Low-Density Country Residential zone out from 250 feet to 750 feet along the west shore of Taylor Pond.



Criteria #6: Expand the residential zone to 750 feet along western boundary only along Riverside Drive and update the boundary on the east side of Riverside Drive to match the FEMA 2014 Flood Insurance Rate Maps.



Staff Recommendation: *Direct the planning board to have a second public hearing with abutter notification and review the proposed zoning map and council's interpretation of Order 77-08022021 on Residential Strips.*