

ARTICLE II. GENERAL PROVISIONS

Sec. 60-34. Buildings per lot.

No more than one principal building shall be erected on any lot in residential zoning districts except for:

- (1) Multifamily buildings and/or developments approved under division 9 of article IV of this chapter;
- (2) An additional one-family detached or attached 1500 SF dwelling in a zoning district where two-families are permitted, and a single-family dwelling currently exists on the lot.
- (3) Four dwelling units may be constructed on vacant lots in the growth area as delineated in the Future Land Use Map in the most recent Comprehensive Plan and

The additional one-family detached dwelling unit shall share a driveway curb cut with the pre-existing dwelling unless it is determined that another driveway location could provide safer access than the existing driveway.

(Ord. of 9-21-2009, § 3.1B; Ord. No. 11-03012021, § 1, 3-15-2021; Ord. No. 18-04052021, 5-3-2021)

Sec. 60-35. Conversion of one-family dwellings.

In all residential, general business and form based code districts, one-family dwellings erected prior to January 1, 1958, may be converted to two-family dwellings provided that:

- (1) Any floor space created by additions to the existing structure after January 1, 1958, shall not be converted to a second dwelling.
- (2) There will not be less than one accessible off-street parking place of 200 square feet in area, exclusive of driveways, per dwelling unit resulting from such conversion.
- (3) Stairways leading to any floor above the first floor will be enclosed within the exterior walls of the dwelling and any fire escapes required will be on the rear or one side of the dwelling and not on any wall facing a street.
- (4) After such conversion, the building converted will retain substantially the appearance and character of a one-family dwelling.
- (5) Single family dwellings may be converted into two-family or multifamily buildings, defined as three or more dwelling units inside one structure, if located in the growth area as delineated in the Future Land Use Map of the most recent Comprehensive Plan and pursuant to 30-A MRSA §4364 as periodically amended (L.D. 2003 Public Law). and pursuant to Sec. 60-53 and Sec. 60-54.

(Ord. of 9-21-2009, § 3.1C; Ord. No. 04-03072016, 5-16-2016)

Sec. 60-53. Additional dwellings permitted to increase housing opportunity.

Additional dwelling units must be permissible on certain parcels in the City of Auburn pursuant to Sec. 60-34. This table specifies the additional lot area needed for additional units in each zoning district as well as permissible accessory dwelling units. Setback standards shall not be reduced to allow for additional dwelling units and shall not be increased for subsequent dwelling units. Additional dwelling units allowed under this section are prohibited in the Lake Auburn Watershed Overlay District. Additional dwelling units allowed under this section are subject to more stringent lot size requirements per unit if located in the Taylor Pond watershed.

<u>Zoning District</u>	<u>Minimum lot area (per unit)</u>	<u>Minimum road frontage (per unit)</u>	<u>Accessory Dwelling Unit</u>
<u>Agriculture & Resource Protection</u>	<u>10 acres</u>	<u>250 feet</u>	<u>Permitted if unit meets requirements for single family home in Article IV, Division 2 of this Chapter*</u>
<u>Low Density Country Residence</u>	<u>3 acres for the first unit with accessory dwelling unit. 3 <u>1.5 acres</u> for each subsequent unit.</u>	<u>325 feet for the first unit. No additional road frontage is required for subsequent units.</u>	<u>Permitted</u>
<u>Low Density Rural Residence</u>	<u>1 acre for the first unit with accessory dwelling unit. 1.0-5 <u>1 acre</u> for each subsequent unit.</u>	<u>250 feet for the first unit. No additional road frontage is required for subsequent units.</u>	<u>Permitted</u>
<u>Suburban Residence</u>	<u>21,780 square feet for the first unit with accessory dwelling unit. 21,780-40,890 <u>square feet</u> for each subsequent unit.</u>	<u>150 feet for the first unit. No additional road frontage is required for subsequent units.</u>	<u>Permitted</u>
<u>Urban Residence</u>	<u>10,000 square feet for the first unit with accessory dwelling unit. 105,000 <u>additional square feet</u> per unit for each subsequent unit.</u>	<u>100 feet for the first unit. No additional road frontage is required for subsequent units.</u>	<u>Permitted</u>
<u>Multifamily Suburban</u>	<u>10,000 square feet minimum.</u>	<u>100 feet for the first unit. No additional road frontage is required for subsequent units.</u>	<u>Permitted</u>
<u>General Business</u>	<u>10,000 square feet minimum.</u>	<u>100 feet for the first unit. No additional road frontage is required for subsequent units.</u>	<u>Permitted</u>

<u>General Business II</u>	<u>10,000 square feet minimum.</u>	<u>100 feet for the first unit. No additional road frontage is required for subsequent units.</u>	<u>Permitted</u>
<u>Form Based Code</u>	<u>No minimum lot size. See Ch. 60 Article IV Division 14</u>	<u>24 feet minimum road frontage. See Ch. 60 Article IV Division 14</u>	<u>Permitted</u>
<u>Industrial</u>	<u>Housing only permitted as accessory buildings for caretakers (see Sec.60-578)</u>	<u>150 feet</u>	<u>Permitted for legally existing residential dwellings built before June, 1, 2024.</u>
<u>Lake Auburn Watershed Overlay District</u>	<u>Please refer to the underlying zone and CH. 60 Article XII Division 4. Sec. 60-</u>	<u>Please refer to the underlying zone and CH. 60 Article XII Division 4.</u>	<u>Permitted subject to Lake Auburn Watershed Overlay District accessory dwelling unit allowances.</u>
<u>Taylor Pond Watershed</u>	<u>Minimum lot size in the underlying zone for the first unit with accessory dwelling unit. Minimum lot size is required for each additional unit.</u>	<u>Minimum road frontage required in the underlying zone. No additional road frontage required for subsequent units.</u>	<u>Permitted</u>

*Does not apply if within the Lake Auburn Watershed.

Sec. 60-54. Affordable housing density bonus.

Pursuant to § 30-A MRSA §4364, the most recent amendment of L.D. 2003 Public Law, a density bonus of 2.5 times the maximum number of dwelling units permitted in the underlying zone shall be permitted where water and sewer service are available, and the development is in the growth area as delineated in the Future Land Use Map in Auburn’s latest Comprehensive Plan. Off-street parking requirements may not exceed two spaces for every three units.

Secs. 60-53—60-77. Reserved.

ARTICLE IV. DISTRICT REGULATIONS

DIVISION 2. AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. Purpose.

The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic and scenic value, the need

to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

DIVISION 3. LOW DENSITY COUNTRY RESIDENTIAL DISTRICT

Sec. 60-201. Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) All uses permitted in the Agriculture and Resource Protection District, except uses allowed by section 60-145(a)(8), (14) and (15).
- (2) One-family detached dwellings.
- (3) Two-family dwellings.
- (4) Lawn maintenance services.
- (5) Multifamily dwellings with up to four (4) units if in the growth area delineated in the Future Land Use Map in the most recent Comprehensive Plan pursuant to 30-A MRSA §4364 and to Sec. 60-53 and Sec. 60-54 of this Chapter. Subdivision law applies.

(b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVI of this chapter:

- (1) All uses permitted by special exception in the Agriculture and Resource Protection (AR) District, (division 2 of article IV of this chapter), except uses allowed by section 60-172(b)(7), (14), and (15).
- (2) Bed and breakfast.
- (3) Adaptive reuse of structures of community significance.

(Ord. of 9-21-2009, § 3.32B; Ord. 33-02072011-08, 2-7-2011; Ord. No. 08-08012011-07b, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 11-08192019, 9-9-2019; Ord. No. 11-03012021, § 9, 3-15-2021; Ord. No. 27-06212021, 7-19-2021)

DIVISION 4. LOW DENSITY RURAL RESIDENCE DISTRICT

Sec. 60-229. Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) All uses permitted in the Agriculture and Resource Protection District pursuant to section 60-145(a), except 60-145(a)(14) and (15).

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- (2) One-family detached dwellings.
 - (3) Two-family dwellings.
 - (4) Attached single-family dwellings, provided that they are approved by the planning board as part of a planned residential unit development and subdivision, under the provisions of division 9 of article IV and division 4 of article XVI of this chapter.
 - (5) Mobile home parks, subject to the requirements and conditions of section 60-669, mobile home park standards.
 - (6) Licensed veterinarians provided that the lot is of at least three acres.
 - (7) Wayside stands.
 - (8) Accessory uses, buildings or structures.
 - (9) Lawn maintenance services.
 - (10) Municipal uses and buildings.
 - (11) Multifamily dwellings with up to four (4) units if in the growth area delineated in the Future Land Use Map in the most recent Comprehensive Plan pursuant to 30-A MRSA §4364 and to Sec. 60-53 and Sec. 60-54 of this chapter. Subdivision law applies.

DIVISION 5. SUBURBAN RESIDENCE DISTRICT

Sec. 60-255. Use regulations.

- (a) *Permitted uses.* The following uses are permitted:
- (1) One-family detached dwellings.
 - (2) Two-family dwellings.
 - (3) Attached single-family dwellings, provided that they are approved by the planning board as part of a planned residential unit development and subdivision, under the provisions of division 9 of article IV and division 4 of article XVI of this chapter.
 - (4) Mobile home parks, subject to the requirements and conditions of section 60-669, mobile home park standards.
 - (5) Farming of field crops, row crops, orchards or truck gardens.
 - (6) Greenhouses.
 - (7) Licensed veterinarians, provided that the lot containing same is of at least three acres.
 - (8) Farm, livestock provided that the land area required per animal unit conforms to the definition of farm, livestock contained in section 60-2 and:
 - a. A site plan be submitted to the municipal officer charged with enforcement that contains the information required by section 60-1301.
 - b. Upon request, the municipal officer charged with enforcement may waive the necessity of providing any of the foregoing information which is not relevant to the proposed development.

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- c. In judging whether or not a permit to operate an animal farm will be issued, the municipal officer charged with enforcement shall review and make a decision consistent with the finding requirements of section 60-1304.
 - (9) Wayside stands.
 - (10) Accessory uses, buildings or structures.
 - (11) Lawn maintenance services.
 - (12) Municipal uses and buildings.
 - (13) Multifamily dwellings with up to four (4) units if in the growth area delineated in the Future Land Use Map in the most recent Comprehensive Plan pursuant to 30-A MRSA §4364 and to Sec. 60-53 and Sec. 60-54 of this chapter. Subdivision law applies.

DIVISION 6. URBAN RESIDENCE DISTRICT

Sec. 60-277. Use regulations.

- (a) *Permitted uses.* The following uses are permitted:
 - (1) One-family detached dwellings.
 - (2) Two-family dwellings.
 - (3) Attached single-family dwellings, provided that they are approved by the planning board as part of a planned residential unit development and subdivision, under the provisions of division 9 of article IV and division 4 of article XVI of this chapter.
 - (4) Accessory uses building or structures.
 - (5) Farming of field crops, row crops, orchards or truck gardens.
 - (6) Municipal uses and buildings.
 - (7) Multifamily dwellings with up to four (4) units if in the growth area delineated in the Future Land Use Map in the most recent Comprehensive Plan pursuant to 30-A MRSA §4364 and to Sec. 60-53 and Sec. 60-54 of this chapter. Subdivision law applies.

DIVISION 7. MULTIFAMILY SUBURBAN DISTRICT

Sec. 60-306. Use regulations.

- (a) *Permitted uses.* The following uses are permitted:
 - (1) One-family detached dwellings.
 - (2) Two-family dwellings.
 - (3) Multifamily dwellings ~~in existence on September 23, 1988.~~
 - (4) Attached single-family dwellings, provided that they are approved by the planning board as part of a planned residential unit development and subdivision, under the provisions of division 9 of article IV and division 4 of article XVI of this chapter.

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- (5) Farming of field crops, row crops, orchards or truck gardens.
 - (6) Shelter for abused persons.
 - (7) Accessory uses, buildings or structures.
 - (8) Newly constructed multifamily dwellings and existing structures expanded to contain three or more additional dwelling units within a five-year period, provided that they are approved by the planning board as a subdivision under division 4 of article XVI of this chapter.
 - (9) Municipal uses and buildings.
 - b. *Side.* There shall be a minimum distance of five feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 15 feet for side yard setback.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
 - d. *Principal buildings.* More than one principal building may be erected on a lot, provided that the building meet all yard setback requirements and are separated by a distance equivalent to the height of the higher building or 30 feet, whichever is greater.
 - (4) *Height.* The height of all structures shall be limited to 2½ stories or 35 feet, except as follows:
 - a. Multifamily buildings shall have a maximum height of 45 feet from grade.
 - b. A church or temple or windmill may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
 - (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in article V of this chapter.

(Ord. of 9-21-2009, § 3.44C; Ord. No. 11-03012021, §§ 24, 59, 3-15-2021; Ord. No. 19-05032021, 5-17-2021)

Sec. 60-552. Great Falls Metropolitan T-6.

Notes:

- (1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.
- (2) * Parking requirements in T-4.1, T-4.2B, T-4.2, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within 500 feet of the principal building, subject to planning board approval.
- (3) Where more than 50 percent of floor space is devoted to age restricted goods. This may include licensed adult use or medical marijuana stores.
- (4) Office, service and retail uses limited to 1,500 SF footprint and must include a residential unit; no drive through businesses allowed.
- (5) All projects shall provide a community impact and needs analysis with review and approval from city council or its designee.

(6) For affordable developments, off-street parking requirements may not exceed 2 spaces for every 3 units.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 07-05202019, 6-3-2019; Ord. No. 29-06212021, 7-19-2021; Ord. No. 20-09062022, § 3, 9-19-2022; Ord. No. 02-02132023, 2-17-2023)

Sec. 60-608. Parking requirements.

A minimum number of off-street parking spaces shall be provided with each residential use permitted, erected, altered or changed, in accordance with the following standards:

Off-street land use	Minimum number of parking spaces
Residential	
Single-family; farm	1 dwelling per unit
Multifamily; two-family	1 dwelling per unit
Elderly**	One-half per dwelling unit
<u>Affordable housing developments pursuant to 30-A MRSA §4364 (L.D. 2003 Public Law).</u>	<u>Off-street parking requirement may not exceed 2 spaces for every 3 units.</u>
**Applies to elderly housing as constructed under special local, state or federal guidelines restricting occupancy to elderly persons.	

(Ord. of 9-21-2009, § 4.1B; Ord. No. 28-06212021, 7-19-2021)