

Agenda Item Summary

Item No. 9a

Council Meeting Date April 17, 2012

Department Planning

Submitted By Forrest Cotten

Public Hearing Required

Agenda Section Ordinances

Name and address of person(s) or business(es) this item affects:

City of Auburn
171 North Ross Street
Auburn, AL 36830

Description of item under consideration

This request is for an amendment to Article IV, General Regulations (specifically, Table 4-1 [Table of Permitted Uses]), of the City of Auburn Zoning Ordinance. The Planning Commission unanimously recommended approval of this request at its March 8, 2012 meeting. The attached Planning Commission staff report dated February 23, 2012 provides a detailed analysis of the request. The recommended approval is shown on the attached Planning Commission resolution.

This text amendment, if approved, would subject multiple family development use requests in the Comprehensive Development District (CDD) to conditional use approval. Currently, this use is permitted by right.

Why is Council action needed?

City Council action is necessary for all amendments to the City of Auburn Zoning Ordinance. Unanimous consent is necessary.

Are there deadlines involved with this item?

No

Is this a budgeted item?

N/A

City of Auburn Planning Commission
MS-2012-00006 'Multifamily in CDD'

Review Date: February 23, 2012

Applicant: City of Auburn
Planning Department
171 North Ross Street, Suite 100
Auburn, AL 36830

Case Staff: Justin Steinmann, AICP | Principal Planner

Request: Recommendation to amend Article IV (General Regulations) of the *City of Auburn Zoning Ordinance*, as adopted.

Purpose: This text amendment is intended to require that multiple family development use requests in the CDD (Comprehensive Development District) zone require conditional use approval.

**Date of Public
Hearing Notice:** February 19, 2012

Recommendation: **Approval**

Summary

Residential uses make up 74% of Auburn's land use, so it is clear that residential development has an immense influence on the type of place Auburn is and will become. Auburn's diverse population requires a diverse mix of housing types. This can already be seen in Auburn today, with approximately half of Auburn's housing units made up of multifamily units. The large supply of multifamily units has traditionally served the City's large student population. At the time of this writing, however, Auburn University has a cap on student enrollment of 25,000. This means that, as the City's population continues to increase, Auburn's demographics will begin to transition, with older residents and families with children making up a larger proportion of the population. This will both slow the need for additional multifamily units (though many existing units are aging and increasingly suitable for redevelopment) as well as increase demand for various other housing types, such as detached single-family homes and townhouses. The decreased demand will not necessarily result, however, in decreased multifamily construction.

CompPlan 2030 recommends restricting future multifamily development to those locations recommended in the Future Land Use Plan, both to promote multifamily development where services exist and to encourage density to support future mixed-use centers and alternate transportation choices.

Comprehensively addressing the issue of multifamily development in the City will take time, potentially requiring a number of policy and ordinance changes. One challenge the City currently faces is that building a picture of the local multifamily housing market is difficult using available data. Rental statistics from the Census Bureau include single-

family rentals, while multifamily statistics often include both rental and owned units. Many freely-available statistics are only available at the state or national level.

The existing data is not sufficient at this time to determine if there is a multifamily supply issue in Auburn. Continuing research, however, will help answer this question. What was established by CompPlan 2030 was that many possible future multifamily locations within the CDD zone are potentially problematic. The Comprehensive Development District (CDD) zone allows multifamily uses by right in the 9.5 square miles of the City zoned CDD. This has and will continue to create issues for the City, as many areas zoned CDD are not necessarily desirable for multifamily development or similarly intense uses. Allowing continued scattered multifamily development in greenfield areas will further strain the City's transportation infrastructure and also deprive the City of opportunities to promote redevelopment of aging multifamily development in the University Service district as well as new development in mixed-use centers.

In order to address this issue in the short-term, staff recommends changing multifamily uses in the CDD zone from permitted uses to conditional uses. This will allow consideration of proposed multifamily projects on a case-by-case basis. Additional short-, medium-, and long-term actions will be taken in consultation with the Planning Commission as staff continues to study the multifamily supply issue. Staff will explore options for acquiring better information on multifamily vacancy rates.

Other potential actions include:

Medium-Term

- Implement market-study requirement for conditional multifamily
- City-wide market study to determine supply needs
- Explore possibilities for offering regulatory flexibility for redevelopment of existing multifamily

Long-Term

- Implement additional multifamily controls as needed
- Rezone existing CDD to permit uses as designated in the Future Land Use Plan
- Provide for new types of medium-density building forms more appropriate for infill development
- Provide a form-based code overlay to encourage mixed-use development at appropriate locations

Overview of Proposed Changes

Table of Permitted Uses (Table 4-1)

Change multiple family development uses from a permitted use to a conditional use in the CDD zone.

Proposed Amendment

ARTICLE IV. GENERAL REGULATIONS**Table 4-1 Table of Permitted Uses**

<i>Performance Residential Development</i>	<i>NAICS</i>	<i>SDS*</i>	<i>UC/CEOD</i>	<i>US</i>	<i>NC</i>	<i>DD-H</i>	<i>CC</i>	<i>RDD</i>	<i>R</i>	<i>LDD</i>	<i>CDD</i>	<i>I</i>	<i>PDD</i>
Multiple Family Development***✦		X	P	P		C		C			P C		C

*** UC See Section 506.03

✦ See Section 502.02F

**RESOLUTION
OF THE
AUBURN PLANNING COMMISSION**

Case: Zoning Ordinance Text Amendment – Multifamily in CDD (MS-2012-00006)

Subject: Recommendation to City Council for amendments to Article IV (General Regulations), specifically Table 4-1: Table of Permitted Uses, of the *City of Auburn Zoning Ordinance*

Commission Action

BE IT RESOLVED by the Planning Commission of the City of Auburn that the request for a recommendation to City Council for amendments to Article IV (General Regulations), specifically Table 4-1: Table of Permitted Uses, of the *City of Auburn Zoning Ordinance*, Auburn Planning Commission Case MS-2012-00006, is hereby **APPROVED**.

STATE OF ALABAMA
LEE COUNTY

I, Forrest E. Cotten, Director of Planning for the Auburn Planning Commission, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Auburn Planning Commission at its meeting held March 8, 2012 and as same appears of record in the Official Minutes of said Commission.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Auburn Planning Commission this the 5th day of April, 2012.



Forrest E. Cotten, AICP, Director of Planning

ORDINANCE NO. _____

An ordinance to further amend Ordinance Number 1883 of the City of Auburn, dated December 21, 1999, the official zoning ordinance, as amended by subsequent amendments, by AMENDING ARTICLE IV, GENERAL REGULATIONS (SPECIFICALLY, TABLE 4-1 [TABLE OF PERMITTED USES]) OF THE ZONING ORDINANCE OF THE CITY OF AUBURN.

Section 1. That Ordinance No. 1883 of the City of Auburn, Alabama dated December 21, 1999, as amended by subsequent amendments is further amended to read as follows:

ARTICLE IV. GENERAL REGULATIONS

Table 4-1 Table of Permitted Uses

<i>Performance Residential Development</i>	<i>NAICS</i>	<i>SDS*</i>	<i>UC/CEOD</i>	<i>US</i>	<i>NC</i>	<i>DD-H</i>	<i>CC</i>	<i>RDD</i>	<i>R</i>	<i>LDD</i>	<i>CDD</i>	<i>I</i>	<i>PDD</i>
Multiple Family Development***	✦	X	P	P		C		C			C		C

*** UC See Section 506.03

✦ See Section 502.02F

Section 2. If any section or provision of this ordinance be declared invalid or unconstitutional by judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect any other section or provision of this ordinance.

Section 3. This ordinance shall take effect upon its approval by the City Council or upon its otherwise becoming law, but shall be published as required by law and codified as part of the Code of Auburn, Alabama.

ADOPTED AND APPROVED by the City Council of the City of Auburn, Alabama, this the 17th day of April, 2012.

Mayor

ATTEST:

City Manager

