

Agenda Item Summary

Item No. 9b

Council Meeting Date October 20, 2020

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
Planning Department
171 North Ross Street
Suite 100
Auburn, AL 36830

Description of item under consideration

This request is for approval of amendments to Article IV (General Regulations) and Article V (Detailed Use Regulations) of the City of Auburn Zoning Ordinance (Case PL-2020-00454). The purpose of this text amendment is to reduce the bed density allowance in the UN-W from 255 beds per acre to 170 beds per acre and to no longer permit academic detached dwelling units (ADDUs) in the Medium Density Residential District (MDRD) and the Neighborhood Redevelopment District (NRD). At its September 10, 2020 meeting, the Planning Commission recommended to reduce the bed density in UN-W by a vote of 8-1 and recommended to prohibit ADDUs in MDRD and NRD by a vote of 5-4.

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
PL-2020-00454 'ZO Text Amendment – Student Housing Regulatory Recommendations'

Review Date: September 4, 2020

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

Case Staff: Forrest E. Cotten, AICP, Planning Director

Request: Recommendation to City Council for approval of amendments to Article IV, General Regulations (Table 4-1, Table of Permitted Uses) and Article V, Detailed Use Regulations [Table 5-6, Development and Design Standard Requirements within the Urban Neighborhood West District (UN-W)] of the *City of Auburn Zoning Ordinance*

Purpose: The purpose of this text amendment is to reduce the bed density allowance in the UN-W from 255 beds per acre to 170 beds per acre and to no longer permit academic detached dwelling units (ADDUs) in the Medium Density Residential District (MDRD) and the Neighborhood Redevelopment District (NRD).

Recommendation: Approval

Analysis

By way of background, the information below provides an overview and summary of the Planning Services Department's recommendations relative to the current moratorium in place for private dormitories and academic detached dwelling units (ADDUs).

First, it should be noted that a number of regulatory steps have already been taken related to these uses as the result of a prior 2015 building moratorium:

- 1) In 2015, the Planning Services Department created a definition and regulatory framework for "private dormitories" in order to acknowledge their unique characteristics and impacts versus those of typical, market-rate multi-family offerings. Prior to this, no distinction between the two uses had been drawn. This initiative was adopted and codified on March 2016 along with the implementation component of the Downtown Master Plan (DMP).
- 2) The Department recommended that private dormitories be prohibited in the Urban Core. This recommendation was also adopted and codified as part of the initiative cited above.

- 3) The Department recommended that the density allowance for private dormitories be calculated by the number of beds proposed instead of the number of units proposed in recognition of the heightened intensity of this use relative to other types of multiple unit development. This was also codified in conjunction with the aforementioned recommendations in the zoning ordinance.
- 4) Private dormitories are only allowed by right in the Urban Neighborhood-West (UN-W) and East (UN-E). The use requires conditional use approval in the Urban Neighborhood-South (UN-S).

In early 2018, a new type of student housing emerged in Auburn in the form of single detached residences, typically of the four (4) and five (5) bedroom variety. After considerable review, it became clear that these units were configured specifically for the student population (small bedrooms with small on-suite bathrooms, limited common living space, small kitchens, etc.) and would not be desirable for, nor meet the needs of any other demographic (i.e., young professionals, families, empty nesters, etc.).

Again, the Planning Department responded and developed a regulatory framework for this use type which was named “academic detached dwelling unit.” After considerable vetting, the ADDU regulations were adopted in April 2019. ADDUs are only permitted by right in the Urban Neighborhood districts and Redevelopment District (RDD) *east of North Donahue only* and conditional use approval is required in the Medium Density Residential District (MDRD), the Corridor Redevelopment-Urban (CRD-U) and Suburban (CRD-S) Districts and Neighborhood Redevelopment District (NRD) *east of North Donahue only*.

It was also during 2019, that a Student Housing Taskforce (appointed by Mayor Ron Anders) was formed. The taskforce met on multiple occasions and its efforts culminated in the production, presentation and finalization of a comprehensive student housing inventory.

Almost immediately after the taskforce finished its work, on December 3, 2019, Mayor Anders recommended to the City Council that a temporary moratorium be imposed upon private dormitories and ADDUs. The moratorium was recommended for approval by the Planning Commission and adopted by the City Council on February 18, 2020. The moratorium has been subsequently extended through December 2020.

The Planning Department has three (3) primary recommendations to offer in an effort to further regulate, control, and improve development outcomes for these two residential use types:

- 1) **Reduce the density allowance for private dormitories from 255 beds per acre to 170 beds per acre in the UN-W. In 2016, the bed density for the UN-W was purposefully structured to allow three times the density that was allowed in the UN-E and UN-S (255 beds per acres versus 85 beds per acre). Perhaps that incentive has worked too well and should be “dialed back” to allow for a more**

moderate and sustainable development and redevelopment landscape in the UN-W.

- 2) Enhance the development and design standards for both the UC and UN districts to allow for more desirable development outcomes and more deliberate decision-making by the private sector. This work is already in process with the Department staff, in consultation with the Downtown Design Review Committee.
- 3) **Prohibit ADDUs in the MDRD and NRD districts in order to protect future, more affordable residential infill and redevelopment opportunities.**

Proposed Text Amendment

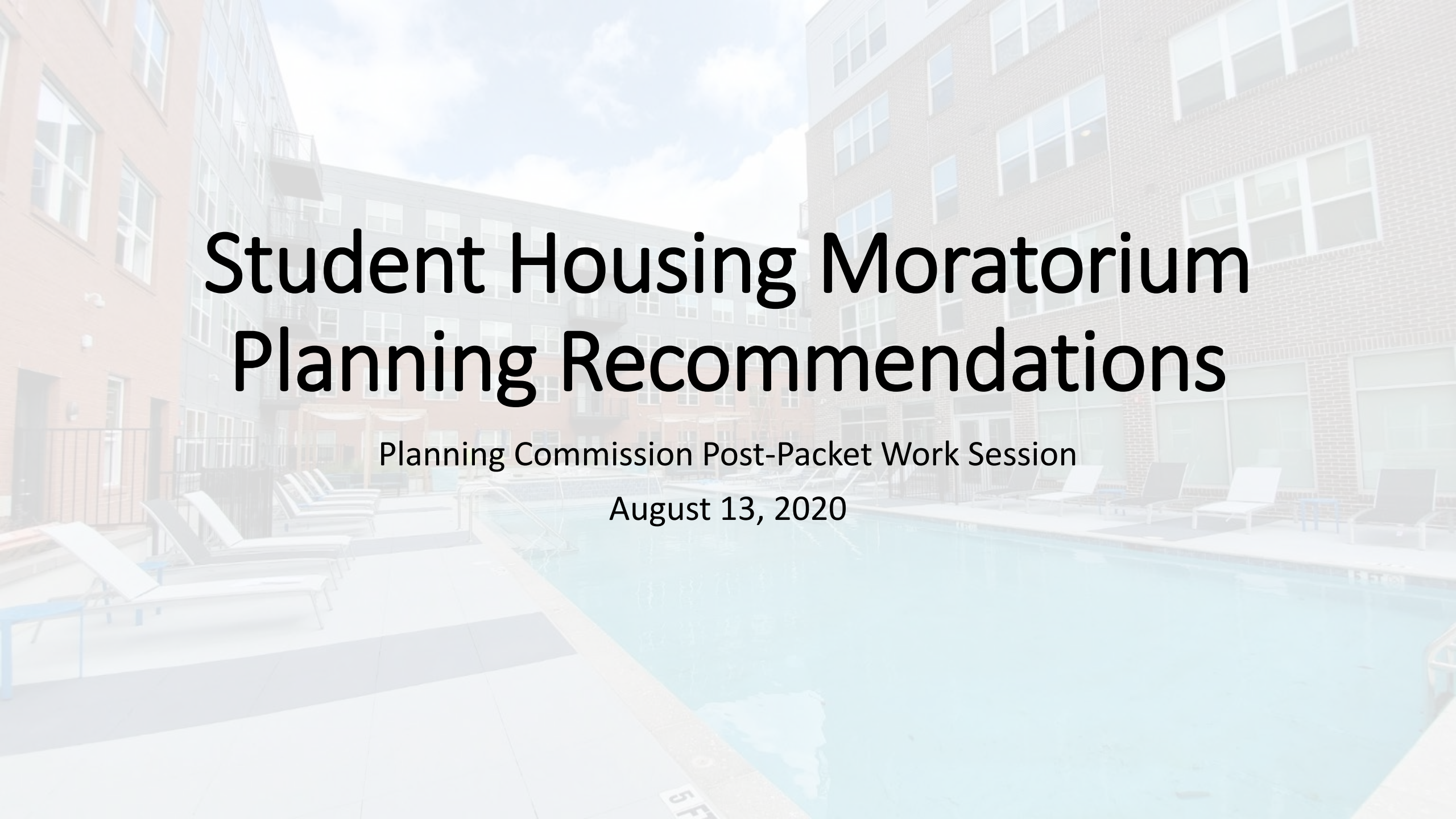
Table 4-1: Table of Permitted Uses

	<i>NAICS</i>	<i>SDS*</i>	<i>UN-E</i>	<i>UN-W</i>	<i>UN-S</i>	<i>MDRD</i>	<i>NRD</i>	<i>RDD</i>	<i>CRD-U</i>	<i>CRD-S</i>
Academic Detached Dwelling Unit		x	P	P	P	€	€	C	C	C

509.03 Urban Neighborhood West (UN-W) District Development and Design Standards. Table 5-6 prescribes development and design standards applicable to the Urban Neighborhood West (UN-W) District.

Table 5-6

Development and design standard requirements within the Urban Neighborhood West District (UN-W)	
Density	255 <u>170</u> bedrooms per acre for Mixed Use, Multiple Unit Development and Private Dormitory use. See Section 502.02 for all other performance residential use standards.

The background image shows a modern student housing courtyard. In the foreground, there is a swimming pool with a concrete deck. Several lounge chairs are arranged around the pool. In the background, there are multi-story brick buildings with many windows. The sky is blue with some clouds.

Student Housing Moratorium Planning Recommendations

Planning Commission Post-Packet Work Session

August 13, 2020

Recommendations

- 1.) Reduce the allowable density for private dormitories from 255 beds/ac to 170 beds/ac in the UN-W zoning district.
- 2.) Enhance development and design standards for new construction to encourage more desirable development outcomes.
- 3.) Prohibit ADDU's in the MDRD & NRD zoning districts.

Recommendations

1.) Reduce the allowable density for private dormitories from 255 beds/ac to 170 beds/ac in the UN-W zoning district.

Private Dormitories

UN-W

Current Max 255 beds/ac

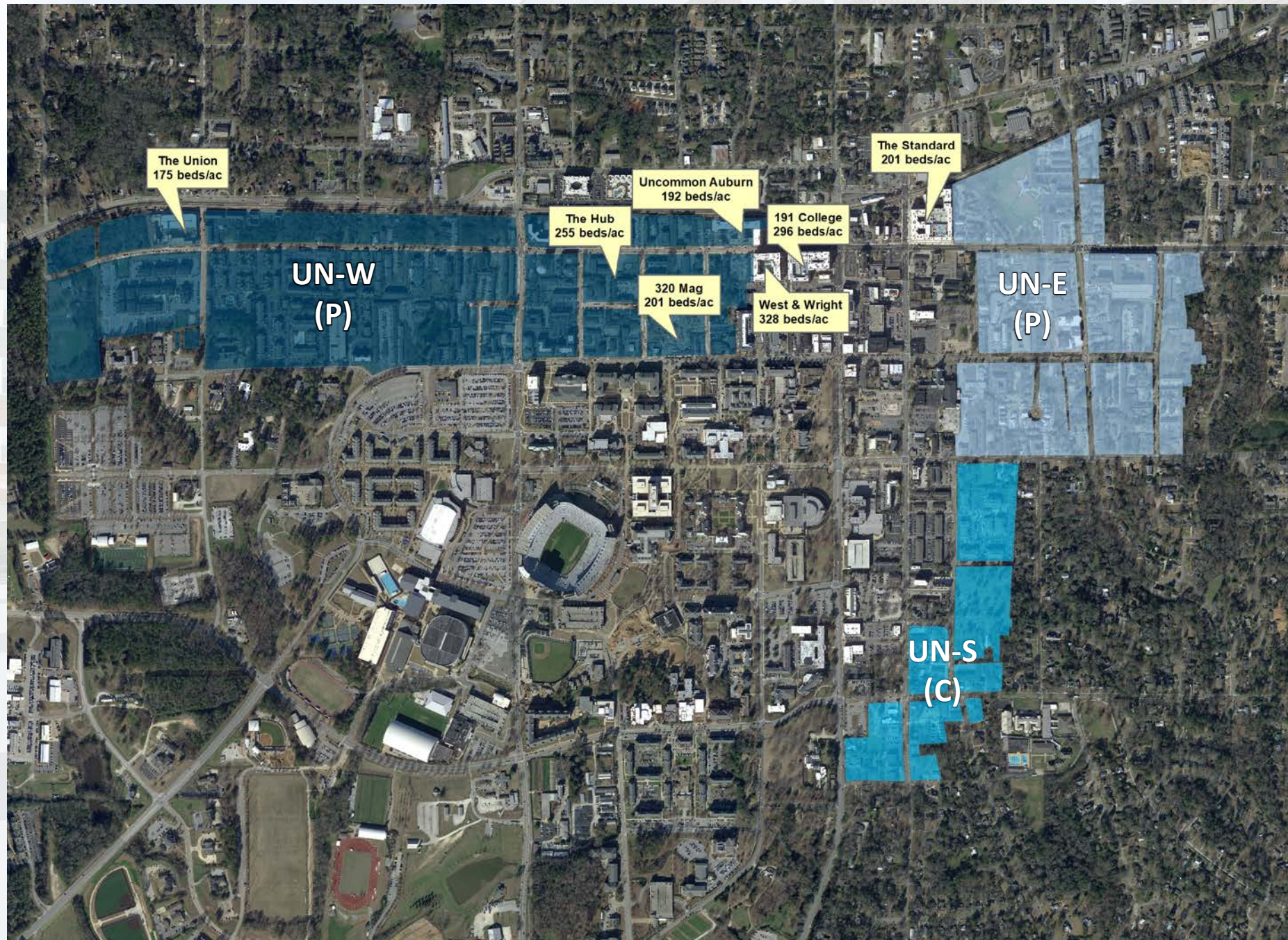
Proposed Max 170 beds/ac

UN-S

Max 85 beds/ac

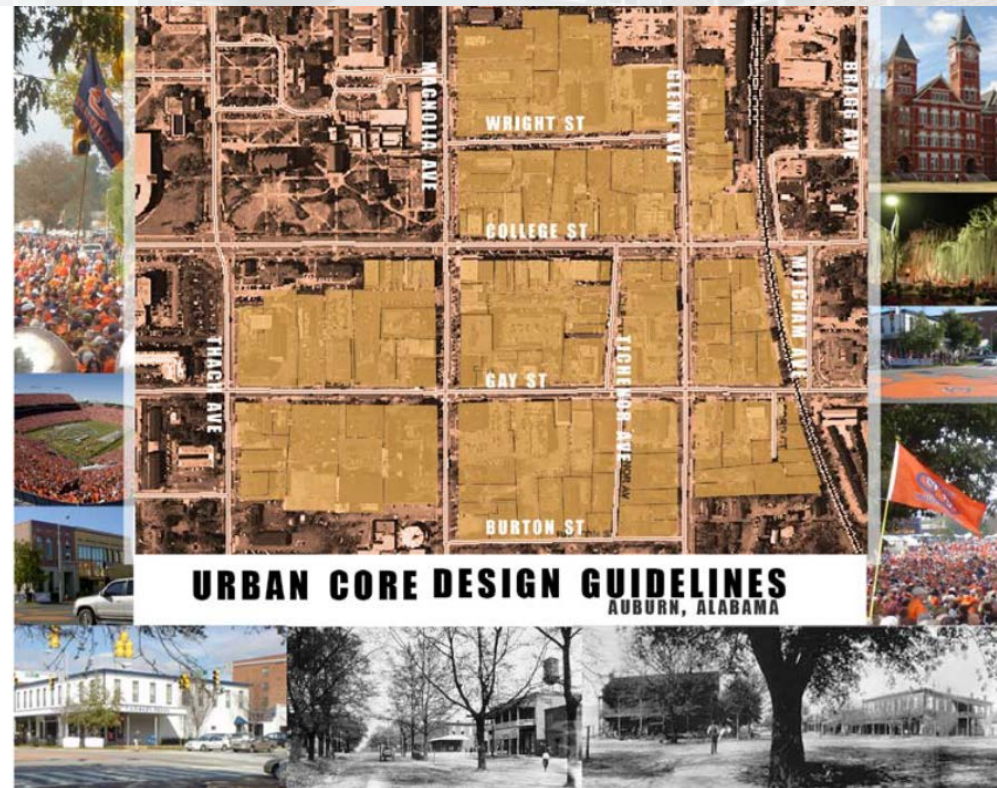
UN-E

Max 85 beds/ac



Recommendations

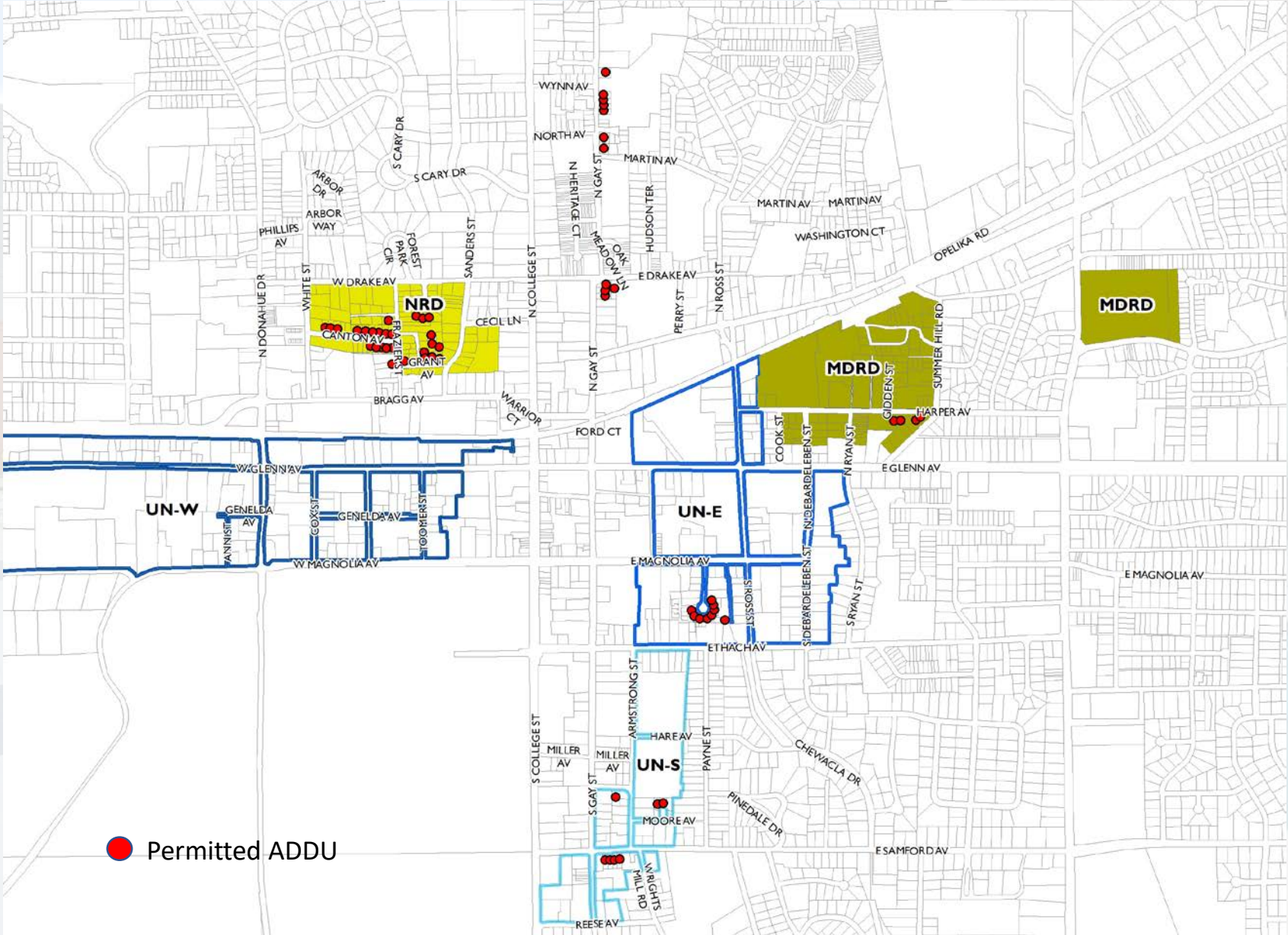
2.) Enhance development and design standards for new construction to encourage more desirable development outcomes.



Recommendations

	NAICS	SDS*	UC / CEO D	UN-E	UN-W	UN-S	NC	DDH	MDRD	NRD	RDD	R	LDD	CDD	CRD-U	CRD-E	CRD-S	CRD-W	SCCDI	PDD
Academic Detached Dwelling Unit		x		P	P	P			€	€	C				C		C			

3.) Prohibit ADDU's in the MDRD & NRD zoning districts.



**RESOLUTION
OF THE
AUBURN PLANNING COMMISSION**

Case: Zoning Text Amendment – Student Housing Regulatory Recommendations (PL-2020-00454)

Subject: Recommendation to City Council for approval of amendments to Article IV, General Regulations (Table 4-1, Table of Permitted Uses) and Article V, Detailed Use Regulations [Table 5-6, Development and Design Standard Requirements within the Urban Neighborhood West District (UN-W)] of the *City of Auburn Zoning Ordinance* for purposes of reducing the bed density allowance in the UN-W from 255 beds per acre to 170 beds per acre and to no longer permit academic detached dwelling units (ADDUs) in the Medium Density Residential District (MDRD) and the Neighborhood Redevelopment District (NRD)

Commission Action

BE IT RESOLVED by the Planning Commission of the City of Auburn that the request for a recommendation to City Council for approval of amendments to Article IV, General Regulations (Table 4-1, Table of Permitted Uses) and Article V, Detailed Use Regulations [Table 5-6, Development and Design Standard Requirements within the Urban Neighborhood West District (UN-W)] of the *City of Auburn Zoning Ordinance* for purposes of reducing the bed density allowance in the UN-W from 255 beds per acre to 170 beds per acre and to no longer permit academic detached dwelling units (ADDUs) in the Medium Density Residential District (MDRD) and the Neighborhood Redevelopment District (NRD), Auburn Planning Commission Case PL-2020-00454, 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 September 10, 2020 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 1st day of October, 2020.



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 INCORPORATING THE FOLLOWING CHANGES:

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:

509.03 Urban Neighborhood West (UN-W) District Development and Design Standards.
Table 5-6 prescribes development and design standards applicable to the Urban Neighborhood West (UN-W) District.

Table 5-6

Development and design standard requirements within the Urban Neighborhood West District (UN-W)	
Density	170 bedrooms per acre for Mixed Use, Multiple Unit Development and Private Dormitory use. See Section 502.02 for all other performance residential use standards.

Table 4-1: Table of Permitted Uses – See Exhibit A.

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 20th day of October, 2020.

Mayor

ATTEST:

City Manager

Exhibit A

	<i>NAICS</i>	<i>SDS*</i>	<i>UC / CEOD</i>	<i>UN-E</i>	<i>UN- W</i>	<i>UN- S</i>	<i>NC</i>	<i>DDH</i>	<i>MDRD</i>	<i>NRD</i>	<i>RDD</i>	<i>R</i>	<i>LDD</i>	<i>CDD</i>	<i>CRD- U</i>	<i>CRD- E</i>	<i>CRD- S</i>	<i>CRD- W</i>	<i>SCCD</i>	<i>I</i>	<i>PDD</i>
Academic Detached Dwelling Unit		x		P	P	P					C				C		C				