

**PLANNING BOARD MINUTES**  
**WEDNESDAY, SEPTEMBER 21, 2022**  
**MUNICIPAL COUNCIL CHAMBERS – 6:30 P.M.**

**Present:** Jud McIntosh, John Beckett, Dave Thompson, Ashley Case, Michael Costello, Christa Schwintzer, Bob Bayer, Lisa Buck

**Absent:** Phil Ruck

**Town Staff:** Kyle Drexler, Jessica Chadbourne

**Acceptance of the Agenda**

Mr. McIntosh asked for a motion to accept the agenda.

Motion: John Beckett

Second: Dave Thompson

Mr. McIntosh asked for a roll call vote. The vote to accept the agenda passed with seven in favor, none opposed.

**Approval of the Minutes of the August 17, 2022 Planning Board Meeting**

Mr. McIntosh asked for a motion to approve the August Planning Board Minutes.

Motion: Michael Costello

Second: John Beckett

There were no corrections to the August minutes, so Mr. McIntosh asked for a roll call vote. The vote to accept the minutes passed with six in favor and one abstaining due to absence from the August meeting.

**Old Business**

There was no old business.

**New Business**

**Item A: A proposed amendment to Section 18-135 of the Land Use Ordinance, Off-street parking and loading, to reduce the number of minimum required parking spaces for dwelling units.**

Mr. McIntosh introduced the amendment, and asked Mr. Drexler to present his proposal to the Board. Mr. Drexler explained that the amendment to the residential off-street parking requirements was introduced because the current number of off-street parking spots per dwelling units as required by Ordinance is proving prohibitive to future development. He pointed out that there was actually a recommendation in the Comprehensive Plan to revisit the off-street requirements because of that reason, and so Council made the decision to move forward with an amendment, which has now come to the Planning Board for review and a public hearing.

Mr. Drexler explained that the amendment to the ordinance was brief, and largely entailed changing the number of required parking spaces per dwelling unit, which currently requires two off-street parking spaces for studio/efficiency apartments, and three spaces for all other units, regardless of size. Off-street parking is any parking that does not take place on the street (i.e. driveways, private lots, parking garages, etc.), and off-street parking minimums are the number of spaces a community

requires for a particular land use (i.e. a home, an apartment complex, a restaurant, an office, etc.) Most communities have some required minimum, but Orono's current standards are stringent enough that they have begun to deter developers from moving forward with projects in town. Mr. Drexler also noted that off-street parking has become a frequently discussed topic in planning, with many communities across the country reducing or abolishing altogether their off-street parking minimums.

Orono's current off-street requirements, as detailed above, are a one-size-fits-all approach that does not consider key factors such as the size of a dwelling unit, the number of bedrooms in a unit, the actual number of people inhabiting those bedrooms, or the needs of the occupants. Nor does it account for the fact that, for instance in the Village Commercial District (VC), businesses are not required to provide off-street parking because of the availability of surrounding municipal lots, but all dwelling units in the VC are still expected to provide three off-street parking spaces for their tenants. Which means that in what is supposed to be the densest, most growth-centered district in Town, there is still a requirement in place that relates to a heavy reliance on auto traffic.

Mr. Drexler went on to explain that the current parking minimums were established to avoid congestion caused by individuals searching for on-street parking, and to meet the perceived parking needs of large number of rental units inhabited by three or more unrelated persons who may each have their own vehicles. However, as Mr. Drexler pointed out, the current Ordinance is not the most efficient way to address these issues. Off-street parking minimums, for instance, were aimed to solve the issue of backed up traffic due to on-street parking, but failed to consider the larger impact on the community over time. For example, the proliferation of parking lots which not only create stormwater/runoff concerns but also take up valuable space that might be otherwise developed. And the Town's specific requirement for 3 off-street spaces per unit in order to reduce the assumed impact of residential parking takes what should be an enforcement process and makes it a land use issue, creating new parking-related challenges in the interim.

As mentioned at the beginning of his presentation, Mr. Drexler explained that the current off-street parking requirements in Town have begun to prohibit potential development projects from moving forward. In particular, given the current housing situation across the country, Mr. Drexler pointed out the challenges that it creates for housing developers, who are faced with extra costs and additional acreage needs in order to meet the current per unit requirements. And even in instances where developers choose to proceed despite these issues, those additional costs are then passed on to future tenants, raising the cost of housing in those developments. The current parking requirements also lead to the development of residential complexes that feature rentals with more bedrooms per unit and fewer units overall - which in Orono often means more multi-bedroom per unit housing designed for students as opposed to fewer one or two bedroom units which are more appealing for young families or professionals.

Mr. Drexler offered an example scenario of a hypothetical housing development project, demonstrating to the Board how something as seemingly simple as reducing the off-street parking requirements from 3 spaces per unit to 1-2 spaces per unit can drastically reduce the amount of overall parking spaces required and, subsequently, the overall impervious area created. In his example, for instance, a 20 unit project could see reductions from 60 parking spaces and approximately 32,400 square feet of impervious space to 30 parking spaces and approximately 16,200 square feet of impervious space. Creating a difference of some 16,000 square feet of space which could then be used to create additional housing lots, recreational or community spaces, or stormwater buffers, among other possible uses.

The proposed new standards for off-street parking would be more flexible and affordable for both

individuals and developers, with parking being built according to the size of the dwelling and the need of the occupants rather than according to assumptions about future use. The new standards would also reduce the overall parking required across districts, increasing the amount of land available for additional housing or open spaces.

Mr. Drexler concluded his presentation, and Mr. McIntosh asked if the Board had questions or comments about the proposed amendment. Ashley Case asked what the projected increase in on-street parking would be as a result of the amendment, citing concerns about illegal on-street parking in the absence of sufficient off-street parking. Mr. Drexler pointed out that there are enforcement mechanisms in place to deal with illegal on-street parking. Ultimately, it would be up to a developer to ensure that they provide their tenants with enough parking, and if their failure to do so results in parking violations then it becomes an enforcement issue, and the developer will have to address those violations either by building more parking or by reducing the occupancy in their dwelling units.

Mr. McIntosh suggested that it wouldn't be the landowner who would have to deal with the violation, it would be the tenant(s). And that people not given an off-street space will park their cars on the street and cause issues for their neighbors, citing parking issues in his own residential neighborhood.. Mr. Drexler replied that, tenant or landlord, if someone is parking where or when they shouldn't be, it would still be an enforcement issue. Mr. McIntosh asked why, if something wasn't already being enforced by the Town, should the Board expect it to actually be enforced in the future. Mr. Drexler pointed out that, regardless, a parking violation was still an enforcement concern not a land use issue.

Mr. Thompson asked about on street parking in the winter, when the Winter Parking Ban is in place. Mr. Drexler reiterated that it was an enforcement issue, and just in an other instance cars that are in violation of the parking ban would be towed. Mr. Costello pointed out that what Mr. Drexler had been saying all along was that a developer could, and probably would, choose to provide enough parking for their tenants, so that parking on the street would be unnecessary for residents of the property. Mr. Drexler agreed, pointing out that most developers willing create more parking than they actually need. But under the new ordinance amendment they would not be required to provide extra parking beyond that needed number of spots.

Mr. Thompson gave an example of a parking issue on his street with a neighboring rental, citing his concern that the new amendment would make such issues worse. Lisa Buck reminded the Board that, as Mr. Drexler pointed out, concerns about increased parking issues were an enforcement concern, not a land use concern.

Mr. McIntosh opened the hearing to the public. With no comments from the public, Mr. McIntosh closed the public hearing and asked for a motion.

Motion: Lisa Buck moved that the Board recommend the amended ordinance with proposed changes to Council.

Second: Michael Costello

Mr. McIntosh asked for a roll call vote. The vote to recommend the ordinance amendment to Council, with the noted considerations, passed six for with one abstaining.

### **Other New Business**

There was no other new business.

### **Discussion**

Mr. McIntosh asked Mr. Drexler about any forthcoming projects slated for Planning Board review.

Mr. Drexler provided him with a short summary of possible October projects.

Mr. Costello asked where the Tyler Technologies project at 5 College Ave was in its development. Mr. Drexler replied that the Town Council had approved the contract zone at their September meeting, and that goes into effect 30 days after the fact. That was the last of the approvals that Tyler needed to start work, but the pre-construction meeting had yet to take place as of this meeting (September 21) so Mr. Drexler was unsure of when construction on the site would officially begin.

### **Adjournment**

Mr. McIntosh asked for a motion to adjourn the September meeting of the Planning Board.

Motion: John Becket

Second: Lisa Buck

The motion to adjourn the meeting passed seven in favor, none opposed, and the meeting was adjourned at 7:23 pm September 21st, 2022.