

## **SYNOPSIS OF REVISIONS RECOMMENDED BY THE PAC FOR THE BRUNSWICK ZONING ORDINANCE – January 20, 2023**

The focus of effort by the Planning, Development and Codes Department and the Planning and Appeals Commission (aided by the Coastal Regional Commission) has been to edit and update the Brunswick Zoning Ordinance with the following objectives:

1. To delete, modify or add provisions that no longer apply, or are needed to make the ordinance clearer and more effective.
2. To make the ordinance more user friendly and efficient to use and administer.
3. To remove outdated provisions that are no longer needed or apply to current conditions.
4. To clarify language and intent of ordinance provisions and regulations.
5. To improve organization of Articles and Sections within the ordinance to make it easier to locate appropriate guidance and regulations governing uses and their development requirements within each specific zone district in the City.
6. To eliminate certain zones no longer needed and create new zones that are more appropriate to meet current development goals and conditions.

It should be noted that the current ordinance was originally created in the 1980's with numerous amendments thereafter; the most recent being in 2018. This has led to numerous inconsistencies and confusing duplications of many elements of the ordinance making it difficult for the public to use and understand and for the City's staff and PAC to administer and enforce.

The process followed during this effort was to first determine what areas of the ordinance were either ineffective, inappropriate, or difficult to administer. This was accomplished through discussions with the Planning and Appeals Commission and individual members of the City Commission. Next, each section of the ordinance was reviewed, and changes were recommended for consideration by the PAC. More than 15 meetings were devoted by the Commission for review and discussion which was valuable in arriving at the final draft to be presented to the City Commission for adoption following a public input period and public hearing (required)..

It was decided, after beginning the process, to divide the effort into two phases. It was also agreed that the City Commission review and adopt the two badly needed changes in the ordinance: the buffer requirements and the sign regulations in the ordinance. Both were completed and adopted by the City Commission in the Spring of 2022.

The **FIRST PHASE** focused on the following major items:

- 1. Definitions:**
  - a. Deletion of definitions of terms no longer used in the zoning ordinance text.
  - b. Revisions to definitions needing updating or clarification.
  - c. Totally revised or totally new definitions as needed by proposed ordinance changes.
  - d. Relocation of definitions to sections of the code where applicable (ie. Signs)

- e. Many of the amended and new definitions were derived from NAICS standard definitions. All the terms now defined in the final draft ordinance are used in the ordinance.
- 2. A significant amount of text re-organization has been incorporated in the draft for clarity of ordinance provisions.**
3. The section dealing with **Home Occupations** (Section 23-3-16) has been totally redrafted to make it easier to understand and to better define the conditions under which they can be permitted in residential zones.
- 4. Guest apartments” or “rental apartments” in Accessory Dwelling Units. (ADUs)** were historically allowed in Brunswick. With ADUs becoming more numerous and important in creating affordable housing, ADUs needed to be better defined and their use and development better regulated as to location, lot coverage and function on the primary dwelling site.
5. More current and appropriate **parking space requirements** have been included, now in chart form, to meet current standards and to better control the amount of paved parking areas developed.
- 6. A completely revised buffer section** (Section 23 – 3 – 21) was drafted with clearer and improved requirements **and has been adopted by the City Commission.**
- 7. A completely revised Sign Ordinance section was developed and approved by the City Commission.**

All of the changes outlined above were thoroughly reviewed and recommended for approval by the PAC to the City Commission. **As indicated, the Buffer and Sign sections were recently approved by the City Commission.**

In the **SECOND PHASE of the Zoning Ordinance review**, the focus was on uses permitted in residential, office, commercial, industrial, and other zones to eliminate those uses that were improper or contrary to the stated intent of the zones or the City's Comprehensive Plan. A review of possibly allowed Conditional Uses, particularly in Residential areas, was also completed.

One of the major problems in the existing ordinance was the carry forward of uses from one zone to another to the extent that residential uses were permitted in almost every zone. This process is termed “pyramiding land uses” and is extremely confusing and not recommended in modern ordinances.

Likewise, there was a focus on how best to encourage mixed residential and commercial uses and creative re-purposing of older buildings in the City's core and historic areas. The current Core Commercial and Residential Zones had proven ineffective in that effort

There was also a focus on the future growth patterns around the hospital, college and high school area and the impact on surrounding residential neighborhoods.

Throughout reviews and discussions during this phase, the need to preserve the unique historic character and culture of the City was always a goal.

Following are the substantive changes made and recommended by the PAC to the City Commission following their Phase II Review and subsequent re-visit to the consolidated PUD Zone requirements.

1. **Permitted and Conditional Use Charts were prepared for all the Residential, Commercial and Industrial Zones.** Likewise, charts presenting development regulations for each zone have been developed. This was done to make this information more easily accessible for the user.
2. **Home Occupations,** are more clearly defined and regulated and have been identified where and how permitted each residential zoning district. It was felt that this was needed to meet the growing demand for remote work from homes.
3. **Office and Commercial Zones.** Most residential uses have been eliminated as a permitted uses in office and commercial zones (previously permitted in all of them). Like the Residential zones, Permitted Uses and Development Standards are clearly presented in chart form to make it easier for the user to identify the appropriate zone and development standards being required for each permitted use. **Significant attention was paid to the uses permitted in the Neighborhood Commercial Zone (previously called Local Commercial) to assure that business locating in those zones within neighborhoods compliment and serve the neighborhood.**
4. **The existing GC Core Commercial District and the CR Core Residential District have been combined into a single Mixed Use/Commercial Core/Historic District (MU/CC/H) zone for the core downtown commercial and residential areas as well as the corridors leading into downtown Brunswick.** This was done to encourage mixed commercial – residential uses, adaptive reuse of core area business structures, encourage new forms of development and add strength to the enforcement of the Historic District guidelines for building alterations and new development. The MUCCH District is defined on a revised zoning map section included with the draft. This zone will need to be adopted and incorporated in the official zoning map.
5. **The Medical and Light Medical Districts have been eliminated and replaced with an Institutional Zone.** It was determined that the creation of an institutional zone for hospitals, colleges, universities, government buildings, plus churches and public schools in specially created zones for those purposes was far more desirable rather than simply allowing” them to occur in residential and other zones. By doing so, the future expansion needs of such institutional uses can be better accommodated and adverse impacts on surrounding uses, particularly residential neighborhoods could be avoided.  
As with other zones, Permitted Uses and Development Requirements for this district are presented in Chart form.

6. **The PD-G; PD-TN and PD-Infill are consolidated into one zoning district; PD- Planned Development.** The consolidation of potential PD Zones will permit greater latitude for the city and a developer to work out virtually any planned development incorporating single or mixed uses and of varying project size, with the flexibility to use creative site design consistent with the character of the area where located and with the City's Comprehensive Plan. The development guidelines for future PUDs have been altered and strengthened to improve their effectiveness and certain uses considered inappropriate for PUDs have been listed as "not allowed". Additionally, the review process has been strengthened and development guidelines and application submission requirements have been refined.
  
7. **Only minor changes have been made to administrative policies and procedures** Articles to make them consistent with other provisions now contained in the ordinance. These were revised in 2018 and it was felt that they did not need any additional at this time.

With the adoption of these changes as outlined, both those remaining from Phase I and those in Phase II, the City's Zoning Ordinance should serve its needs for many years to come. It should be pointed out, that except for the re-written sign and buffer sections, creation of the MUCCH and Institutional Zones and the re-structuring of some sections of the ordinance, there are no major changes for most applications of the ordinance on property within the City. What is being presented makes badly needed corrections and changes to many provisions and definitions that are no longer appropriate or effective in guiding growth and development as contained in our adopted Comprehensive Plan and a clear and consistent presentation of uses permitted or conditionally permitted within each zone.



