



# **Brunswick, Maine**

## **Comprehensive Zoning Ordinance Update**

**Public Draft of Revised Zoning Ordinance**

**July 31, 2014**

# The Brunswick Zoning Rewrite

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**1. Review of Structure**

**2. Major Changes in the  
New Ordinance**

**3. Discussion**



# The Brunswick Zoning Rewrite

- **Implement the 2008 Comprehensive Plan**
- **Simplify the Zone District Structure**
- **Integrate Brunswick Landing regulations**
- **Improved User-Friendliness**
- **Revise the Zoning Map to Match**

## Town of Brunswick Zoning Ordinance



Adopted by the Brunswick Town Council April 7, 1997  
Last Revision Effective: July 30, 2013

# Schedule

	2013		2014										
	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sep.	Oct.	Nov.
<b>Task 1:</b> Initial Scoping, Analysis and Direction		SI PF											
<b>Task 2:</b> Staff Draft of Revised Zoning Ordinance							SI						
<b>Task 3:</b> Public Draft of Zoning Ordinance									PF				
<b>Task 4:</b> Adoption												PH	PH
SI = Stakeholder Interviews    PF = Public Forum    PH = Pubic Hearing													

# Table of Contents

Current Ordinance	New Ordinance
<b>1. General Provisions</b>	<b>1. General Provisions</b>
<b>2. Zoning Districts and Overlay Zones</b>	<b>2. Zoning Districts</b>
<b>3. Specific Dimensional and Use Provisions</b>	<b>3. Property Use Standards</b>
<b>4. Development Review</b>	<b>4. Property Development Standards</b>
<b>5. Development Review Plan Standards</b>	<b>5. Administration</b>
<b>6. Sign Regulations</b>	
<b>7. Administration and Enforcement</b>	

# Major Changes – Chapter 1

## I.6 Nonconformities – Table I.6.2

- “Benign” and “Significant” distinction suggested in Annotated Outline was not used.
- More flexible outside SPOs – allow extension of nonconforming uses in existing buildings.
- Allows substitution of another nonconforming use with fewer impacts to reduce vacant/unused structures.
- Adjusts lot coverage requirements for nonconforming small lots.
- If adjacent lots in common ownership can be combined, treated as one lot



# Major Changes – Chapter 2

## Zone District Consolidations

- Four changes from Annotated Outline
  - MUI-Rural was combined with CR-2 rather than being “retired”
  - I1 was combined with MU4 and I4 rather than being “retired”
  - I2 was combined with I3 and R-BTI rather than R-CMU.
  - MUI-Growth was combined with CC rather than with I3, I4 and R-BTI.
- NRPZ and Rural Smart Growth zones renamed to better reflect content (Shorelands, Floods, or Wildlife Habitat protection).
- AAO (Airport Approach) overlay zone revised by MMRA
- Changes resulting from consolidations are discussed in Chapter 3 (Property Use Standards) and Chapter 4 (Property Development Standards).
- Some zone district purpose statements still being drafted to reflect Comprehensive Plan, and will be inserted.
- Map shows boundaries of consolidated zone districts.

# Zone Districts - Residential

Old Zone Districts		New Zone Districts	
<b>Growth Area Base Districts</b>			
<b>R-R</b>	BNAS Reuse - Residential	<b>GR1</b>	Growth Residential 1
<b>R1</b>	Residential Extended 1	<b>GR2</b>	Growth Residential 2
<b>R8</b>	Residential Extended 8	<b>GR3</b>	Growth Residential 3
<b>R2</b>	Residential Extended 2	<b>GR4</b>	Growth Residential 4
<b>R3</b>	Residential Extended 3		
<b>R4</b>	Residential Extended 4		
<b>R5</b>	Residential Extended 5		
<b>R6</b>	Residential Extended 6		
<b>CR2</b>	Country Residential 2 (Old Bath Road Area Within Growth Area)		

# Zone Districts - Residential

Old Zone Districts		New Zone Districts	
<b>Growth Area Base Districts</b>			
<b>R7</b>	Residential Extended 7	<b>GR5</b>	Growth Residential 5
<b>TR1</b>	Intown Residential 1	<b>GR6</b>	Growth Residential 6
<b>TR2</b>	Intown Residential 2	<b>GR7</b>	Growth Residential 7
<b>TR3</b>	Intown Residential 3	<b>GR8</b>	Growth Residential 8
<b>TR4</b>	Intown Residential 4		
<b>TR5</b>	Intown Residential 5	<b>GR9</b>	Growth Residential 9

# Zone Districts – Mixed Use

Old Zone Districts		New Zone Districts	
<b>Growth Area Base Districts</b>			
<b>MU2</b>	Mixed Use 2	<b>GM1</b>	Growth Mixed-Use 1
<b>MU3</b>	Mixed Use 3	<b>GM2</b>	Growth Mixed-Use 2
<b>MU6</b>	Mixed Use 6		
<b>MU4</b>	Mixed Use 4	<b>GM3</b>	Growth Mixed-Use 3
<b>I1</b>	Large Scale Business, Ind., & Inst. I		
<b>I4</b>	Large Business, Ind., & Inst. I		
<b>CC</b>	Commercial	<b>GM4</b>	Growth Mixed-Use 4
<b>MU1</b>	Mixed Use 1 (Growth area)		

# Zone Districts – Mixed Use

Old Zone Districts		New Zone Districts	
<b>Growth Area Base Districts</b>			
<b>HCI</b>	Highway Commercial 1	<b>GM5</b>	Growth Mixed-Use 5
<b>HC2</b>	Highway Commercial 2		
<b>TC1</b>	Town Center 1	<b>GM6</b>	Growth Mixed-Use 6
<b>TC2</b>	Town Center 2		
<b>TC3</b>	Town Center 3		
<b>R-CMU</b>	BNAS Reuse - Community MU	<b>GM7</b>	Growth Mixed-Use 7
<b>R-PO</b>	BNAS Reuse – Office Was combined with R-CMU earlier		
<b>MUOZ</b>	Medical Use Overlay Zone	<b>GM8</b>	Growth Mixed-Use 8

# Zone Districts – Special Purpose

Old Zone Districts		New Zone Districts	
<b>Growth Area Base Districts</b>			
<b>CU1</b>	College Use 1		
<b>CU2</b>	College Use 2	<b>GC1</b>	Growth College 1
<b>CU3</b>	College Use 3		
<b>CU5</b>	College Use 5	<b>GC2</b>	Growth College 2
<b>CU6</b>	College Use 6		
<b>CU4</b>	College Use 4	<b>GC3</b>	Growth College 3
<b>CU7</b>	College Use 7		
<b>CU/TC</b>	College Use/Town Conservation	<b>GC4</b>	Growth College 4
<b>R-AR</b>	BNAS Reuse – Aviation Related	<b>GA</b>	Growth Aviation
<b>I2</b>	Large Business, Ind. & Inst. 2		
<b>I3</b>	Large Business, Ind. & Inst. 3	<b>GI</b>	Growth Industrial
<b>R-B&amp;TI</b>	BNAS Reuse – Business & Tech.		
<b>R-R&amp;OS</b>	BNAS Reuse – Rec. & Open Space	<b>GO</b>	Growth Recreation
<b>BCN</b>	BNAS Conservation (growth area)	<b>GN</b>	Growth Resources

# Zone Districts – Rural

Old Zone Districts		New Zone Districts	
<b>Rural Area Base Districts</b>			
<b>BCN</b>	BNAS Conservation (Rural area)	<b>RN</b>	Rural Natural Resources
<b>FFI</b>	Farm and Forest 1	<b>RF</b>	Rural Farm and Forest
<b>CRI</b>	Country Residential 1		
<b>CR2</b>	Country Residential 2	<b>RR</b>	Rural Residential
<b>MUI</b>	Mixed Use 1 (Rural area)		
<b>CPI</b>	Coastal Protection 1	<b>RPI</b>	Rural Protection 1
<b>FF3</b>	Farm and Forest 3		
<b>CP2</b>	Coastal Protection 2	<b>RP2</b>	Rural Protection 2
<b>MU5</b>	Mixed Use 5 (Portland Rd.Area)	<b>RM</b>	Rural Mixed Use

# Zone Districts – Overlays

Old Zone Districts		New Zone Districts	
<b>Overlay Zoning Districts</b>			
<b>APZ1</b>	Aquifer Protection Zone 1	<b>APO1</b>	Aquifer Protection 1
<b>APZ2</b>	Aquifer Protection Zone 2	<b>APO2</b>	Aquifer Protection 2
<b>APZ3</b>	Aquifer Protection Zone 3	<b>APO3</b>	Aquifer Protection 3
<b>NRPZ</b>	Natural Resource Protection (Shoreland)	<b>SPO</b>	Shoreland Protection
<b>NRPZ</b>	Natural Resource Protection (Flood)	<b>FPO</b>	Flood Protection
<b>RBSG</b>	Rural Smart Growth–Wildlife Habitat	<b>WPO</b>	Wildlife Protection
<b>RBSG</b>	Rural Smart Growth–Wildlife Corridor		
<b>MHZ</b>	Mobile Home Park Zone	<b>MHO</b>	Mobile Home Park
<b>FPZ1</b>	Flight Path Zone 1 (Clear)	<b>AAO</b>	Airport Approach
<b>FPZ2</b>	Flight Path Zone 2 (Noise/Accident)		
<b>TCZ1</b>	Telecommunication Zone 1	<b>TCO</b>	Telecom
<b>TCZ2</b>	Telecommunication Zone 2		
<b>VRZ</b>	Village Review Zone	<b>VRO</b>	Village Review

# Major Changes – Chapter 3

## Permitted Use Tables

- All uses were consolidated into two Permitted Use Tables – one for Growth Districts and one for Rural Districts
  - **Blue** indicates change due to zone district consolidation,
  - **Magenta** indicates change recommended by staff/consultant
- All Uses-specific standards from old Chapter 3 (and elsewhere) were consolidated into a list of use-specific standards cross-referenced in the Permitted Use Tables
- “Special” (Permit) uses were renamed “Conditional Uses”
- Two “Special Exception” uses were renamed “Conditional Uses”
- Two “Special Exception” expansions were deleted and are now just subject to Development Review
- (Long) footnotes explain changes – recommend you focus on the use table itself and whether P and C uses reflect Comprehensive Plan goals.

# Major Changes – Chapter 3

## Uses in the Growth-College Districts

- 24 uses are now P or C uses in GCI, GC2, and GC3
  - Instead of one use in current Ordinance.
- Although current CU-1 (core) and CU-2 (athletic fields) and CU-3 (College Street) were consolidated into GCI, some core activities are still limited to the core area:
  - Multi-family Residential, Residence Hall, and Restaurant or Dining Facility.
- GC3 limitation of Residence Halls, Restaurants, and Dining Facilities to former hotels, boarding houses, and restaurants is retained.



# Major Changes – Chapter 4

## Property Development Standards

- Many, many changes.
- Former structure of Chapters 4 and 5 revised significantly.
  - Standards for property development now appear in Chapter 4.
  - Procedures for property development – and Criteria for approval of applications – now appear in Chapter 5.
  - In many cases, the only (or primary) Criteria for approval is that the application meet the Standards.
- Standards in Chapter 4 now apply to all applications – not just those going through Development Review.
  - Consistent with general past practice – but not how the current ordinance reads.
  - But in some cases applications going through Development Review are subject to additional standards.

# Major Changes – Chapter 4

## Property Development Standards

- Dimensional Standards (and Exceptions/Special Cases)
- Natural and Historic Areas
- Basic Services
- Stormwater Management, Landscaping and Open Space
- Circulation and Access
- Parking and Loading
- Outdoor Lighting
- Architectural Compatibility
- Neighborhood Protection Standards
- Signs
- Performance Standards
- Maintenance Standards
- Administrative Adjustments/Alternative Compliance



# Major Changes – Chapter 4

## Dimensional Standards

- All dimensional standards consolidated into Table 4.1.2 (Growth districts) and Table 4.1.3 (Rural Districts).
  - **Blue** indicates change due to zone district consolidation.
  - **Magenta** indicates change recommended by staff/consultant.
- Consolidation of zone districts resulted in many footnotes to Dimensional Tables – particularly in Growth districts.
- (Long) footnotes explain changes – recommend you focus on the dimensional table itself and whether figures reflect Comp Plan goals.



# Major Changes – Chapter 4

## Other Significant Changes

- Many carried over from Staff/Planning Commission redrafts of Chapters of 4 and 5.
- Many edits to wording to better reflect Comp Plan focus on keeping rural character of Rural districts.
- Bonuses for Open Space Developments, Wildlife Habitat Block/Corridor Protection, and Affordable Housing consolidated into one table – and combinations capped at 35% density increase.
- Relationship between VRZ standards and Secretary of Interior standards for historic buildings in downtown is still under review.
- Landscaping standards reorganized to better emphasize the types required – street trees, parking lots, edge buffers..
- CC design standards now apply to all applications in CC district (GM4) – not just those subject to Development Review.

# Major Changes – Chapter 4

## Other Significant Changes

- Parking in-lieu fee section proposal inserted for discussion purposes. Payment amount would await completion of further study by planning staff.
- Uses and lots under 10,000 sq. ft. in GM6 (Downtown) are exempt from parking and loading requirements to encourage reuse.
- Recreation set asides to be revised after study updates current standards.
- Class II Retail uses over 50,000 sq. ft. are limited to 125% of the minimum parking.
- Bicycle parking standards now an objective 2 spaces per 10 car spaces for lots over 10 spaces.
- New Neighborhood Protection Standards section requires lower building and light pole heights, opaque fencing and landscaping, roof equipment screening, and no drive-through speakers when adjacent to occupied 1- or 2- family lots in a Growth Residential district.
- Some TC3 (Downtown) sign standards have been extended to all of GM6 district.

# Major Changes – Chapter 5

## Administration

- New section 5.1.1 identifies all the development review and approval bodies in the Town and their respective duties.
- Sections 5.1.2 through 5.1.9 cover procedures and requirements that apply to multiple types of applications and decisions.
  - E.g. fee requirements, pre-application conferences, appeals.
  - References to Special Exceptions were deleted; references to Special (Permit) uses were revised to Conditional uses.



# Major Changes – Chapter 5

## Administration

- Section 5.2 contains details of specific types of procedures.
- Inserted revised Development Review procedures developed by Staff/Planning Commission.
- Includes new Streamlined Major Review process for some projects.
- Includes new consolidated table of Development Review thresholds.
- Includes three flowcharts for three Development Review Procedures.
- Includes new table of time requirements.



# Major Changes – Chapter 5

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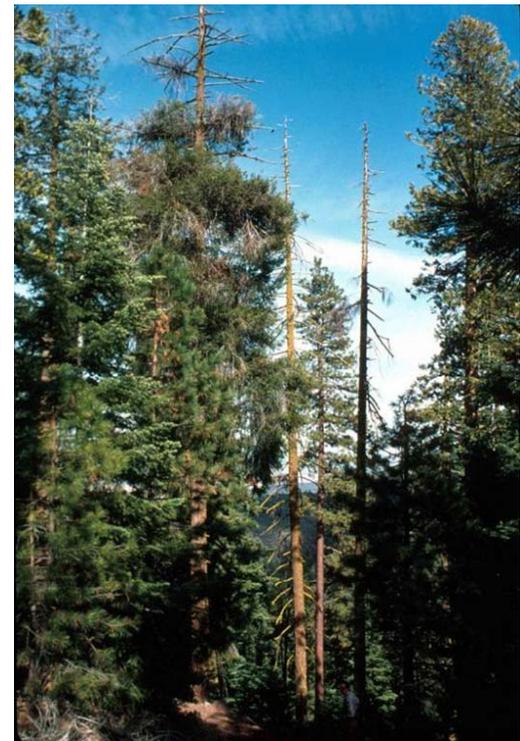
## Administration

- Section 5.2 contains details of specific types of procedures.
  - New administrative Conditional Use Permit process added with approval Criteria.
    - Current ordinance only has criteria for approval of Special Permits for uncategorized and omitted uses – not for other Special uses listed in zoning districts.
    - Expansions of nonconforming uses are now subject to Development Review rather than a Special Permit.
    - Approval of Town Council not required – but appeals to Town Council are still available.
  - Special Permit uses are now limited to Unclassified and Omitted Uses.

# Major Changes – Chapter 5

## Administration

- Village Review Board review Criteria were revised to avoid overlap / duplication with Chapter 4 Standards.
- E.g. standards for bringing buildings up to the street in the downtown area are now included in Chapter 4 Dimensional Standards.
- Application submittal requirements are now contained in new Appendix D – not the ordinance text.



# Questions and Discussion

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Join us for our

**Zoning Public  
Forums**

**on September 24<sup>th</sup>  
and October 1<sup>st</sup>**

*6:00pm, Location TBD*