ORDINANCE NO. 2026-____

AN ORDINANCE AMENDING MULTIPLE CHAPTERS OF CITY OF BREVARD UNIFIED DEVELOPMENT ORDINANCE TO CODIFY NEW DEVELOPMENT REGULATIONS FOR NONCONFORMITIES

WHEREAS, a nonconformity in development regulations is defined as a lot, structure, use, sign, or site feature that was legally established but no longer complies with current development code requirements; and

WHEREAS, under North Carolina General Statutes, local governments can adopt regulations with regard to how or if a nonconformity may be expanded and when compliance is required for a project; and,

WHEREAS, the goal of these regulations are to limit substantial investment in nonconformities, encourage eventual elimination or mitigation of impacts, and preserve the integrity and character of the ordinance and community; and,

WHEREAS, the Brevard Planning Board considered revisions to Chapter 2 – Districts and General Provisions; Chapter 5 – Architectural Standards; Chapter 8 – Tree Protection and Landscaping; Chapter 10 – Parking Standards; Chapter 11 – Lighting; Chapter 12 – Signs; Chapter 13 – Infrastructure Improvement Requirements; Chapter 14 – Nonconformities; Chapter 16 – Administration; and Chapter 19 – Definitions on April 8, 2026, and unanimously recommended in favor; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is neither consistent nor inconsistent with the elements of the City of Brevard Comprehensive Land Use Plan *Building Brevard 2030*; and,

WHEREAS, a public hearing was conducted on Monday, May 18, 2026, by the Brevard City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 1. Brevard City Code, Unified Development Ordinance is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 2. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 3. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved this the 1st day of June 2026.

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Maureen Copelof
Mayor

ATTEST:

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Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

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Mack McKeller
City Attorney