



Text Amendment to Article 3. Sec. 3.4 Table of Uses and 3.9 Nonresidential Use Standards

Applicant: Max Sussman

Town Council
April 14th, 2026

Background

- Applicant: Max Sussman
- Reason for the proposed text amendment:
 - The applicant is pursuing this text amendment to allow retail as an accessory use for hotels and motels within the MF zoning district.
 - There are currently 3 existing hotels and motels in the MF zoning District.



Retail & Off-Premise Alcohol Sales

- Allowing retail as a permitted use also allows an applicant to receive an off-premise Beer & Wine alcohol permit from the ABC commission.
- ***Off-Premises Malt Beverage Permit.*** - An off-premises malt beverage permit authorizes (i) the retail sale of malt beverages in the manufacturer's original container for consumption off the premises
- ***Off-Premises Unfortified Wine Permit.*** - An off-premises unfortified wine permit authorizes (i) the retail sale of unfortified wine in the manufacturer's original container for consumption off the premises
- ***Consumption at Off-Premises Establishment.*** – It shall be unlawful to consume, or for a permittee to allow the consumption of, malt beverages or unfortified wine on any premises having only an off-premises permit for the kind of alcoholic beverage being consumed.
 - Per ALE officer, the alcohol could be consumed in the room rented at the establishment.
 - It could not be openly consumed at the pool or lobby of the establishment.

Historic Context – 1984 Ordinance and Zoning Map

- Hotels and motels were an allowed commercial business in the RA-5A Zoning District (Now the MF Zoning District)
- *RA-5A Zoning District*: In addition to single-and two-family dwellings, the residential zoning districts **shall permit multifamily dwellings along with hotel and motel and complementary uses thereof**
- RA-5A allowed 35 units/acre compared to the current MF zoning district which allows 17 units/acre

Historic Context – *2000 Ordinance & Zoning Map Update*

- Major overhaul of town ordinances and zoning map in 2000
- The RA-5A zoning district was redrawn, reduced in size, and was renamed the MF Zoning District
- The zoning district table of uses no longer allowed any commercial uses and the density was reduced from 35 to 17 units/acre
- 3 hotels and motels became nonconforming



Land Use Plan:

The text amendment is in general conformity with the CAMA Land Use Plan. The LUP map shows the area consisting of medium density residential and low intensity commercial. Since the LUP supports commercial businesses within this area, the proposed text amendment is in general conformity with the CAMA LUP.



Medium Density Residential

Mostly medium-sized lots (min. 5,000 sq ft) with primarily single family detached residences. Smaller-scale, attached residences (two-family homes and townhomes) allowed occasionally if contextually compatible. Some small-scale commercial, restaurants, or offices are encouraged at select locations with good access. Low- to medium-traffic streets with pedestrian facilities.



Low Intensity Commercial

Smaller-scale, lower intensity commercial uses that complement the neighborhood or a distinct node of activity. Structures (3 stories max.) have active ground floor uses. Streets serve pedestrians and automobiles; includes on-street parking wherever possible.



Staff Comments

Staff is in support of the proposed text amendment.

- Staff worked with the applicant on the text amendment and have crafted a language staff is comfortable adding to the ordinance
- Staff felt retail as an accessory use for hotels and motels is a commonly accepted use with these types of establishment
- The amendment would allow new hotels and motels within the MF zoning district
 - Staff believes the impacts of this change will be mitigated because the density is restricted to 17 units per acre.
 - There are almost no vacant parcels in the MF zoning district.

P&Z Comments

- Passed unanimously, 6-0, with minor suggested change:
 - Retail for alcohol is permitted as an accessory use only within the footprint of the hotel or motel approximate to the lobby or communal area.
- During the discussion all commissioners were in support of the proposed text amendment and were glad the applicant listened to their suggested changes from the first meeting.
- Some commissioners suggested adding that alcohol sales should meet ALE state statutes to the amendment.
- Other commissioners did not agree about adding this language since the regulation of alcohol sales is required by law already and covered under state statutes.

Motion

Approval

The commission, whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the following text amendment for Article 3. Sec. 3.4 Table of Uses and 3.9 Nonresidential Use Standards is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

Denial

The commission, whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the following text amendment for Sec. 3.4 Table of Uses and 3.9 Nonresidential Use Standards is inconsistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.