



AGENDA ITEM COVERSHEET

PREPARED BY: Haley Anderson, Planner

DEPARTMENT: Community Development

MEETING: Town Council – April 14th, 2026

SUBJECT: **Text Amendment** to amend Article 3, Sec. 3.4 Table of Uses and 3.9 Nonresidential Use Standards of the UDO to allow retail as an accessory use for hotels and motels in the MF district.

Applicant: Max Sussman

BACKGROUND:

The applicant, Max Sussman, is applying for a text amendment to modify Article 3, Sec. 3.4 Table of Uses and Sec. 3.9 Nonresidential Use Standards (See Attachment 1 & 2). The applicant is pursuing this text amendment because they wish to allow retail as an accessory use for hotels and motels within the MF zoning district.

PROPOSED TEXT AMENDMENT:

3.4 TABLE OF USES

Table 3.2: Table of Uses	P = Permitted by Right; CZ = Conditional Zoning (Use Standard noted); PS = Permitted Use with a Use Standard														Use Standard	
Uses of Land	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1		
Nonresidential Uses (Section 3.9)																
Motels and hotels							<u>CZ</u>	CZ	CZ		CZ		CZ	CZ		

3.9 NONRESIDENTIAL USE STANDARDS

P. MOTELS AND HOTELS

1. Retail is permitted as an accessory use with the following standards:

- a) Retail areas shall be in a communal area for guests of the hotel, i.e. the lobby, dining area/venue, pool, or recreation area.
- b) Retail areas shall not constitute more than 25% or less of the gross-floor area of the communal area.
- c) Off-Premise sales of alcohol shall be limited to the lobby and/or interior dining area.

HISTORIC CONTEXT

1984 Ordinance & Zoning Map

The ordinance adopted in 1984 allowed hotels and motels within the area known today as the MF zoning district. The 1984 Zoning Map lists the area currently known as the MF zoning district as RA-5A (See Attachment 3). According to the Ordinance adopted November 29th, 1984, this zoning district was called RA-5A Multifamily Residential Zoning District.

Zoning District Description: 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.

The RA-5A zoning district also allowed more density (35 units per acre) compared to the existing MF zoning district (17 Units per acre).

2000 Ordinance & Zoning Map Update

There was a major overhaul of all the town ordinances and the zoning map in 2000. The RA-5A zoning district was redrawn, reduced in size, and was renamed the MF Zoning District (Residential Multifamily Zoning District).

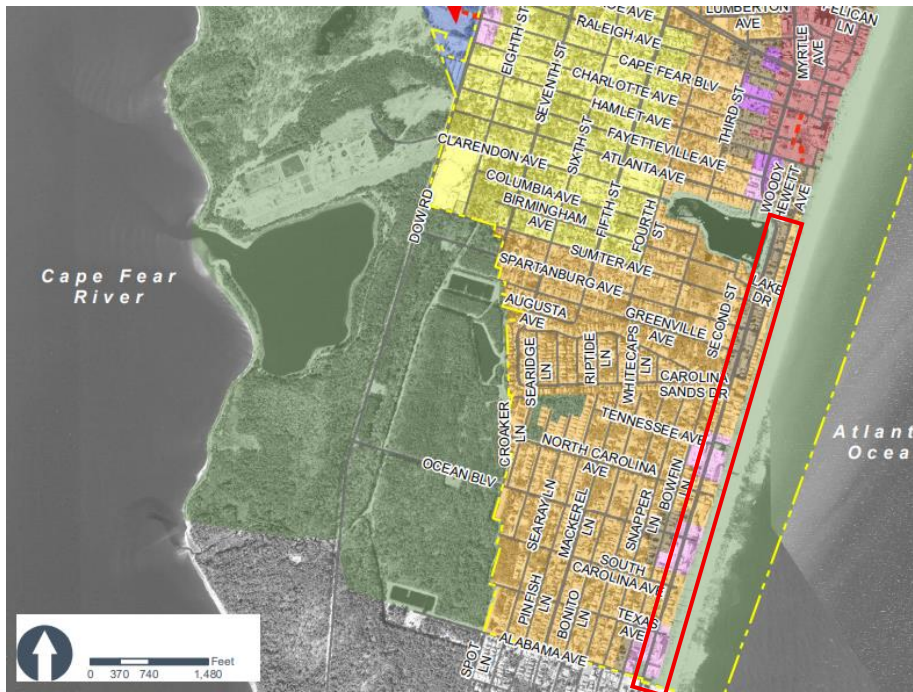
Purpose. This district is established to provide for moderate to high-density single-family and multifamily residential uses and other compatible uses of varying types and designs. It functions as an alternative housing type near or in direct relationship to single-family detached housing while in harmony with and maintaining the integrity of the residential district.

Intent. The regulations of this district are intended to discourage any use which, because of its character, would not be in harmony with the residential community and which would be detrimental to the residential quality and value of the district.

With the updates of the ordinance and zoning districts in 2000, the zoning district table of uses no longer allowed any commercial uses in this area and the density was reduced from 35 to 17 units per acre. Due to these changes, three hotels and motels became nonconforming. The proposed text amendment changes will now revert the hotel and motel use of these buildings back to conforming status.

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 have worked with the applicant on the proposed text amendment and have crafted an amendment staff is comfortable adding to the ordinance.

The retail use would allow the hotels to sell minor merchandise such as t-shirts, hats, and snack foods to guests staying in the establishment. It would also allow the sale of off-premise alcohol for patrons to purchase. Adding retail use for larger hotels and motels seems like a common

allowance with these types of establishments. Unfortunately, retail was not explicitly permitted in the current ordinance, so the use is sought to be added through a text amendment.

In addition, the proposed change to the land use table would allow new hotels and motels within the zoning district, but staff believe the impacts of this change will be mitigated because the density is restricted to 17 units per acre.

P&C COMMISSION COMMENTS:

The text amendment with suggested edits was passed unanimously by the Planning & Zoning Commission.

During the discussion all commissioners were in support of the proposed text amendment and were glad the applicant listened to their suggested changes in the first P&Z meeting on January 8th, 2026. Some commissioners suggested only permitting the sale of off-premise alcohol in a location close to or within the lobby area to ensure proper supervision of alcohol storage and sales. 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.

The edits suggested for the final motion included only adding a provision that 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. The applicant agreed with this suggestion and worked with staff to incorporate this change into the proposed text amendment under sub section c of the proposed amendment.

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

MOTION:

Approval – to amend Article 3, Sec. 3.4 Table of Uses and 3.9 Nonresidential Use Standards

Denial – to amend Article 3, Sec. Sec. 3.4 Table of Uses and 3.9 Nonresidential Use Standards

ATTACHMENTS:

Attachment 1 – Text Amendment Application

Attachment 2 – Proposed Text Amendment Language

Attachment 3 – 1984 Zoning District Map

Attachment 4 – Existing Hotels/motel in CB Map

Attachment 5 – Off-Premise Alcohol ABC Statutes