



AGENDA ITEM COVERSHEET

PREPARED BY: Haley Moccia, Planner

DEPARTMENT: Planning & Development

MEETING: Town Council – February 11th, 2025

SUBJECT: **Text Amendment** to amend Article 3, Sec. 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations

Applicant: North Pier Holdings, LLC.

BACKGROUND:

The applicant, North Pier Holdings, LLC., is applying for a text amendment to modify Article 3, Sec. 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations. The applicant is pursuing this text amendment because the proposed modification will assist residents in the repair, renovation, and reconstruction of existing non-conforming uses in a manner that aligns with the Town's existing Comprehensive Plan.

The applicant's proposed text amendment allows an exception to the nonconforming situation section of the ordinance. The amendment would allow a nonconforming structure to exceed the allowed zoning district lot coverage by 2% as long as certain conditions are met. These stipulations include:

- i. [No additional nonconformities result from the added lot coverage.](#)
- ii. [Any additional lot coverage shall be associated with an on-site reduction in impervious area. The reduction shall be two times the size of the lot coverage area added \(i.e. 100 sf added lot coverage requires an additional 200 sf pervious area to be added\).](#)
- iii. [Any pervious materials allowed by Town Code may be utilized for the reduction of impervious areas.](#)
- iv. [Additional lot coverage shall only be added to the principal building\(s\).](#)
- v. [Additional lot coverage shall not encroach any further toward a property line than the existing principal building\(s\).](#)

Staff reorganized the impacted subsection to improve the readability of the ordinance and clarify the text due to the addition of the proposed text amendment.

LAND USE PLAN:

The text amendment is in general conformity with the CAMA Land Use Plan. The proposed reduction in impervious surface reduces stormwater runoff, a strong focus of the CAMA Land Use Plan. Additionally, the amendment follows the Land Use Plan's sentiment to encourage the improvement and renovation of existing structures where a teardown/rebuild is not the best possible outcome.

STAFF COMMENTS:

The proposed text amendment has a few benefits and limitations. The amendment is intended to limit the impact of increased lot coverage on adjacent property owners. The reduction in impervious surface section of the amendment links the increase in lot coverage to a positive reduction in impervious surfaces, which reduces stormwater runoff. Allowing nonconforming structures the ability to increase their lot coverage by 2% adds flexibility for improvements and may reduce functional obsolescence. The text amendment adds specific restrictions that only allows this lot coverage exception to be implemented in very limited circumstances.

Due to the text amendment being in conformity with the CAMA Land Use Plan and its benefit of reducing stormwater runoff due to the reduction in total impervious surfaces, Staff recommends approval of the proposed text amendment.

PLANNING & ZONING COMMISSION

The Planning and Zoning Commission voted 6/0 in support of the proposed text amendment. The commission had limited discussion about the amendment but were in agreement the amendment provided a reduction in impervious surface and flexibility for aged buildings to perform needed upgrades.

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

MOTION:

Approval – to amend Article 3, Sec. 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations.

Denial – to amend Article 3, Sec. 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations.

ATTACHMENTS:

Attachment 1 – Text Amendment Application

Attachment 2 – Proposed Text Amendment Language