



AGENDA ITEM COVERSHEET

PREPARED BY: Haley Anderson, Planner

DEPARTMENT: Community Development

MEETING: Planning & Zoning – January 8th, 2026

SUBJECT: **Text Amendment** to amend Article 3, Sec. 3.4 Table of Uses and 3.9 Nonresidential Use Standards

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 alcohol sales 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 GREATER THAN 15 UNITS

1. Bars and retail are permitted as an accessory use only within the footprint of a hotel or motel and shall be in a communal area for guests of the hotel, i.e. the lobby, dining area/venue, pool, or recreation area.
2. Accessory bars and retail areas shall not constitute more than 25% or less of the gross floor area of the communal 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.

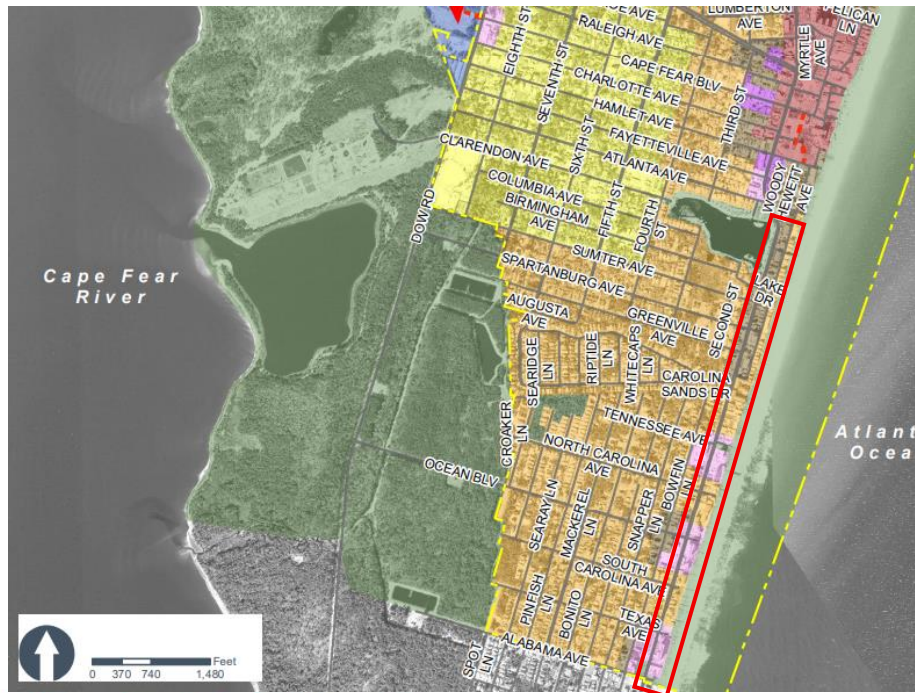
Intent. The regulations of this district are intended to discourage any use which, because of its character, would not be in harmony with the residential community and which would be detrimental to the residential quality and value of the district.

With the major updates of the ordinance and zoning districts, 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 a language staff is comfortable adding to the ordinance.

The proposed text amendment is written this way to be specific to the three existing hotels and motels within the MF zoning district. Staff did not want to open the district up to stand alone bars and instead worked to add an allowance for the sales of alcohol onsite to guests staying in the hotel or motel. Additionally, the retail use was also added as an accessory use to also allow the hotels to sell minor merchandise such as t-shirts, hats, and snack foods to guests staying in the establishment. These types of accessory uses for hotels and motels seemed like commonly accepted uses with these types of establishments. Unfortunately these accessory uses were not were not explicitly permitted in the current ordinance which called for a text amendment to add the allowance.

Staff also chose to allow these uses for hotels and motels with greater than 15 units because staff reasoned these uses were usually established with higher density hotels and motels. “Greater than 15 units” was used because the T-1 zoning district has established these two types of hotel and motel uses based on them being 15 units or less or grater than 15 units, so staff sought to keep consistent ordinance language.

In addition, the proposed change to the land use table would allow new hotels and motels within the zoning district, but staff believes the impacts of this change will be mitigated because the density is restricted to 17 units per acre. To serve and sell alcohol and retail onsite, the developer would need to build a 16 unit or more hotel. There are almost no vacant parcels in the MF zoning district. For a 16-unit hotel to be built, the developer would need to combine at least four 50’x200’ ocean front parcels (40,000 sf & 0.918 acres). Plus, the new structure would also need to combat CAMA setback and development requirements, which may also further limit the ability for new hotels to be built in this zoning district. The proposed ordinance change really only impacts the existing three hotels and motels within the MF zoning district.

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