



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date:	June 9, 2025
Department:	Planning & Economic Development Division
Agenda Section:	Consent
Public hearing:	Yes
Date of public hearing:	May 15, 2025

#### PRESENTER/INFORMATION CONTACT

Molly Boyle, Planner II

#### ITEM TO BE CONSIDERED

**Subject:** Text amendment to Unified Development Ordinance Section 9.2, Definitions – Bank and Financial Institution (initiated by the Board of Adjustment)

##### Attachments:

1. Draft text amendment
2. Final order for Board of Adjustment case BA-01-2025
3. Planning Board statement
4. Consistency statement
5. Ordinance

##### Summary:

On February 12, 2025, the Board of Adjustment heard an appeal from DNB Ventures LLC. It was regarding the Planning Manager's interpretation that drive-up ATMs (automated teller machines) were not allowed at banks/financial institutions. The Planning Manager based this interpretation on two definitions in [UDO Section 9.2](#): "Automated Teller Machine (ATM)" and "Bank and Financial Institution."

The Board of Adjustment determined that the Planning Manager's interpretation was proper. It also acknowledged that the two definitions were in conflict. As such, it recommended that staff prepare a text amendment to the "Bank and Financial Institution" definition to explicitly allow drive-up ATMs at banks/financial institutions.

The Joint Public Hearing for this item was held on May 15, 2025. No members of the public offered written or verbal comments on the amendment. After the public hearing closed, the Planning Board unanimously recommended approval of the text amendment (6-0).

##### Comprehensive Sustainability Plan goals:

[Town Government and Public Services Goal 2](#): Adopt local laws, regulations, and policies that help to achieve sustainable and equitable outcomes.

- Strategy: Develop and adopt policies that help accomplish town goals.
- Action: Regularly review and update town policies as new information is garnered and achievements are met.

**Financial impacts:** None.

**Staff recommendation and comments:** Staff recommends approval of the text amendment.

**Action requested:** Adopt the text amendment.