



## Agenda Abstract

### JOINT PUBLIC HEARING

Meeting Date:	May 15, 2025
Department:	Planning & Economic Services Division
Agenda Section:	Public hearings
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 (UDO) Section 9.2, Definitions (initiated by the Board of Adjustment)

**Attachments:**

1. Draft text amendment
2. Final Order for Board of Adjustment case BA-01-2025

**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 draft text amendment, as recommended by the Board of Adjustment, is attached. The Board of Adjustment's order, which covers the history of the appeal and the board's decision, is also attached.

**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:** Hold the public hearing. After the public hearing is closed, the Planning Board may make its recommendation.