



Agenda Item Summary Sheet

Item No: **F-1**
Meeting Date: **February 3, 2021**

Item Title: Public Hearing to consider text amendments to the UDO pertaining to nonconforming hotels and accessory uses in association with preexisting fishing piers (*F-1*)

Item Summary:

The proposed text amendments to the UDO seek to add a Section 7.12.3. pertaining to existing nonconforming hotels, allowing a conditional use permit to be sought to modify the use and/or structure, including enlarging or altering the use and/or structure, in a manner that would otherwise be precluded by existing UDO provisions pertaining to nonconforming uses. Additionally, and related, Section 7.50.1. pertaining to fishing piers is proposed to be amended to reference that dwelling units existing as of July 1, 2020 are an allowable use in conjunction with fishing piers.

Staff Recommendation/Planning Board Recommendation

Based on questions and comments from the Board when considering the scheduling of the public hearing, Staff recommends that further consideration be given to establishing dimensional requirements more consistent with those formerly applicable in the CR district, as opposed to those applicable in the C-2 district, as well as specific additional findings applicable to these types of conditional use permits; Staff believes that modification along these lines is substantive enough to require additional review by the Planning Board, and recommends that the public hearing remain open, to be continued to the Board’s March 3, 2021 meeting, and that the proposed amendments and modifications be referred to the Planning Board.

At their August 18, 2020 meeting the Planning Board voted 6-1 to recommend approval of the proposed text amendments as presented. Subsequently, at their meeting on September 16, 2020, the Planning Board indicated their unanimous support for additional provisions limiting the issuance of Conditional Use Permits in certain circumstances.

Number of Attachments: 2

Specific Action Requested:

Hold Public Hearing and consider action on the proposed text amendments.

Submitted By: Planning and Development

Date: January 27, 2021

Finance Officer Comment:

Signature: Amy Miller

Date: January 27, 2021

Town Attorney Comment:

I will participate in the discussion as necessary.

Signature: John Leidy

Date: January 27, 2021

Town Manager Comment and/or Recommendation:

I will participate in the discussion as necessary.

Signature: Greg Sparks

Date: January 27, 2021