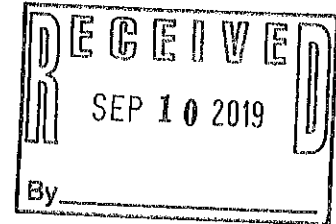


APPLICATION TO AMEND
 ZONING ORDINANCE
 ZONING MAP



Applicants Name: 54 Dodge Street Block Island OpCo, LLC

Mailing Address: 29 Main Street, Amesbury, MA 01913

Phone Number: 617-312-0478

Signature: DS

Owner's Name: 54 Dodge Street Block Island OpCo, LLC

Mailing Address: c/o Lark Hotels 29 Main Street Amesbury, MA 01913

Signature: DS

Assessor's Plat: 6 Lots: 123 and 131

Current Zoning Designation: OHC

Proposed Zoning Designation: OHC

List uses desired with change: This proposal provides amended special use standards for hotels and inns constructed in the Old Harbor Commercial district which will allow the potential construction of new and renovated hotels in this district. Under the existing Zoning Ordinance as interpreted under existing law by the Zoning Board, there is no realistic way to construct or enlarge an existing hotel or inn in this district.

The proposal also creates Accessory Hotel Room as a new use allowed only by special use permit accessory to a hotel and only in the Old Harbor Commercial District. The use is limited in size and number of rooms based on the size of the hotel which it is accessory to and the size of the lot on which it is located. It can exist only as an accessory use to a hotel and its dimensions and massing are subject to massing approval of the Historic District Commission.

**REQUIRED
SUPPORTING DOCUMENTS**

- A petition or other narrative report addressed to the Town Council describing proposed improvements to the land being proposed for rezoning (if applicable) including a statement as to how the granting of the requested amendment will be consistent with the intent and purpose of the Zoning Ordinance and Comprehensive Plan.

- A map drawn to scale showing the boundaries of the area proposed for a zone change, plus the following information within a radius of at least 200 feet, of the area proposed to be changed;
 - (1) existing zoning district boundaries;
 - (2) existing streets and roads and their names;
 - (3) existing property lines with an indication of the Assessor's plat and lot number for each parcel; and,

This map shall be reduced to a size suitable for reprinting in the newspaper notice of public hearing.

- Survey showing the parcel of land to be rezoned.

- A current listing of the names and addresses of all owners of real property whose property is located in or within two hundred feet (200') of the perimeter of the area proposed for change

- Fee \$100.00

- Documentation necessary to demonstrate that the proposed amendment meets the needs of the Town and is consistent with the Comprehensive Plan and the intents and purposes of this ordinance.

- Provide all information or documentation to support application.

Section 202.

5. Accessory Hotel Room. An accessory hotel room is a hotel room developed in conjunction with a hotel which is not accessed from the inside lobby of the hotel and may or may not be freestanding. The massing of accessory hotel rooms requires approval of the Historic District Commission.

Add to Section 312 (E) after: Accessory Dwelling Units (Amended December 6, 2004)

Accessory Hotel Rooms (see Section 407, Hotels)

Section 407.

(c) ~~(B)~~ Standards in the Old Harbor Commercial District. The following standards govern both new construction of and renovation of existing hotels in the Old Harbor Commercial District.

1. No kitchen or food preparation facilities are allowed in individual units regardless of form of ownership and use pattern.
2. Individual accommodations shall not be less than two hundred forty (240) square feet including closets but not bathrooms.
3. Specific Dimensional Requirements. The dimensional requirements set forth in the following table shall apply:

Min. Lot Size	20,000 Square Feet	
Max. Lot Bldg. Coverage		
	Main Building	25%
	Accessory Buildings	10%
Max. Lot Coverage	50%	
Height Limit	35 ft. OR same as adjacent structure	

4. Accessory hotel rooms are allowed. Their massing shall be subject to approval by the Historic District Commission and the total number of accessory hotel rooms in any hotel shall not exceed thirty-three and 1/3 (33.33%) percent of the total number of hotel rooms in the hotel.
5. Standards for Renovation of Existing Buildings. The development of hotels within existing structures shall conform to the following standards governing renovations, additions and occupancy:
 - a. The lines, bulk, materials, appended elements (i.e., porches, etc.) and architectural details shall be in character with and subordinate to the original building; this applies to all additions and external modifications and concerns the preservation of trim, fenestration and ornamentation characteristics.
 - b. Accommodation uses within structures previously used for such purposes shall, at the discretion of the Planning Board, be allowed exemption from specific dimensional requirements.
 - c. Any facility so permitted shall be ineligible for any consideration of expansion for at least five (5) years following the issuance of a building permit.

Section 408.

(B) Standards in the Old Harbor Commercial District. The following standards govern both new construction of and renovation of existing inns in the Old Harbor Commercial District.

1. No kitchen or food preparation facilities are allowed in individual units regardless of form of ownership and use pattern.
2. Specific Dimensional Requirements. The dimensional requirements set forth in the following table shall apply:

Min. Lot Size	20,000 Square Feet
Max. Lot Bldg. Coverage	
Main Building	25%
Accessory Buildings	10%
Max. Lot Coverage	50%
Height Limit	35 ft. OR same as adjacent structure

NARRATIVE IN SUPPORT
OF ZONING ORDINANCE AMENDMENTS
PROPOSED BY
54 DODGE STREET BLOCK ISLAND OPCO, LLC

The New Shoreham Zoning Ordinance as it is currently written and interpreted under existing law by the New Shoreham Zoning Board effectively prevents the construction or enlargement of hotels in the Old Harbor Commercial Zone even on 20,000 square foot lots.¹

The proposed amendment creates specific special use standards for hotels and inns in the Old Harbor Commercial Zone which will allow, with very stringent size restrictions, the construction of new hotels or inns on lots of 20,000 square feet or larger and the expansion of existing hotels or inns on such lots. It also creates a new use, the Accessory Hotel Room, which will facilitate creative design of hotels and allow flexibility in the use of the limited land area available for their construction.

CONSISTENCY WITH COMPREHENSIVE PLAN

The New Shoreham Comprehensive Plan dated November 16, 2016 (the "Comprehensive Plan") establishes policies for Block Island's future. Policy C (see Comprehensive Plan, p. 1-3) instructs the Town to "establish land use regulations...so that future development contributes to a more compact, mixed-use, pedestrian-oriented community." It goes on to state that "protecting the island's said landscape goes hand in hand with encouraging growth and compactness in the village." The Village as defined in the Comprehensive Plan is "a compact mixed-use area, serviced by both public water and sewer, it identifies the 'downtown' associated with Old Harbor and the area between and around Old and New Harbor." (see Comprehensive Plan, p. 11-3.) The proposed changes in the Ordinance are intended to and will allow more flexible development of hotels and inns with the Old Historic Commercial District, consistent with the terms of the Comprehensive Plan.

The development of the Old Harbor Commercial District, and the desire to keep its development consistent with the current combination of hotels, inns, and retail establishments including the historical mix of large and smaller structures runs through the Comprehensive Plan.

In its section about "Current and Future Trends to Historical and Cultural Resources", the Comprehensive Plan provides:

Development not in keeping with the scale and vernacular of Block Island could have negative impacts on the setting of historic sites or scenic landscapes. The traditional setting and surrounding landscape of a historic site is often as culturally significant and substantially enhances the enjoyment of that resource. (see Comprehensive Plan, p. 2-8)

¹ New residential development within the commercial designation should occur on 20,000 square foot lots. *New Shoreham Comprehensive Plan*, 11. Land Use p. 11-13

The amendments allow the owner or developer of hotels in the Old Harbor Commercial District to exercise flexibility in the design of additions to their hotels. It allows them to integrate smaller, historically appropriate structures with the larger, bulkier main hotel structures permitting the design of structures that appropriately fill in undeveloped land between existing buildings with structures that in scale and design are consistent with Block Island's vernacular architecture. The Comprehensive Plan notes with approval that the Town has adopted "regulations controlling mass, scale and size of structures... to protect... traditional architectural values for the island." (see Comprehensive Plan, p. 2-10). The proposed amendments further the values established in those regulations.

There is very limited land in the Old Harbor Commercial District where a business could build to a new inn or hotel. (see Comprehensive Plan, p. 7-7)². The proposed amendments make it possible to use the larger remaining lots in the Old Harbor Commercial District in a manner consistent with the mix of the surrounding buildings and consistent with the Island's vernacular architecture.

The Comprehensive Plan notes that while the Town should seek "economic diversification, it is still necessary to support and enhance tourism. This includes meeting visitor's expectations for quality and comfort." The proposed amendments allow the owners of hotels and inns flexibility in designing their hotels and inns to meet the expectations of business customers.

² Although not part of the residential build out analysis, it was determined there are an estimated 9 undeveloped and potentially developable lots located within the Town's commercial zoning districts *New Shoreham Comprehensive Plan*, 11. Land Use p. 11-7. Not all these lots are in the Old Harbor Commercial District.

Sections of the Zoning Ordinance proposed to be amended: Sections 202, 312 (E), 407, 408

Verbatim Text of Specific Amendment requested:

(use separate sheet if necessary) See the following attached sheets:

1. Section 202: Definition of Accessory Hotel Room
2. Section 312 (E): Addition of Accessory Hotel Room to the uses allowed by Special Use Permit in the Old Harbor Commercial Zone.
3. Section 407: A new Section B which provides separate standards for Hotels in the Old Harbor Commercial Zone.
4. Section 408: A new Section B which provides separate standards for Inns in the Old Harbor Commercial Zone.

Zoning District(s) affected by proposed amendment: Old Harbor Commercial District

Lot(s) affected by proposed amendment: All lots in the Old Harbor Commercial District.

Please list all information or documentation filed in support of your application:

(continue on separate sheet if required)

See attached Narrative.

Received by: Town Clerk Fitzpatrick on 9/10/2019

Town Clerk's Zoning Amendment Application Schedule
RIGL 54-24-51 & 54-24-53

Application received (date).....	September 10, 2019
Forward to Planning and Council immediately (date)	September 11, 2019
Forward to Bill Landry for review immediately (date)	September 11, 2019
Planning advisory due to Council within 45 days of application (date).....	October 25, 2019
Planning advisory received by Council (date)	TBD
Advertise Council hearing three issues of the paper (1st).....	TBD 10/19
Advertise Council hearing three issues of the paper (2nd)	TBD 10/26
Advertise Council hearing three issues of the paper (3rd).....	TBD 11/2
Deadline for certified mail to abutters, for map change (15 days before Council hearing).....	n/a
Notices mailed to principals & 200' abutters (date)	None n/a
Council must hold hearing within 65 days of receipt of application (date).....	November 14, 2019
Actual Council hearing date	November 4, 2019
<i>Notice posted October 10, 2019</i>	

Application Supporting Document Checklist

Petition or other narrative report addressed to the Town Council describing proposed improvements to the land being proposed for rezoning (if applicable) including a statement describing in what way the requested amendment is consistent with the intent and purpose of the Zoning Ordinance and Comprehensive Plan.

- A map drawn to scale showing the boundaries of the area proposed for a zone change, and indicating all of the following within 200 feet of the proposed change:
- existing zoning district boundaries
- existing streets and roads with their names
- existing property lines with an indication of the plat and lot number for each parcel

This map shall be reduced to a size suitable for reprinting in the newspaper notice of public hearings.

- Survey showing the parcel of land to be rezoned
- \$100 fee
- Documentation necessary to demonstrate that the proposed amendment meets the needs of the Town and is consistent with the Comprehensive Plan and the intents and purposes of this ordinance
- Provide all information or documentation to support application