



Memo

To: Town Council

From: Planning Board

Date: March 3, 2020

Re: **Recommendation** - Application by 54 Dodge Street Block Island OpCo, LLC (Plat 6, Lot 123 & 131) regarding the development of Hotels. The proposed amendment would provide additional special use standards for hotels in the OHC Zone. The proposal also creates Accessory Hotel Room as a new use allowed by a Special Use Permit accessory to a hotel in the Old Harbor Commercial Zone.

During its February 12, 2020 meeting, the Planning Board voted **3-3-0** regarding providing a favorable recommendation for the above application to amend the Zoning Ordinance.

3 Ayes (Comings, Pappas, Andersen) / 3 Nays (Bird, Grele, Cohen) / 1 Absent (Heinz)

The Planning Board thoroughly considered this application over several meetings and held a special workshop on the matter. Mapping was conducted to assist the Board in reviewing the potential impacts of the proposed amendment and its subsequent revisions.

The applicant believes that the Town's current regulations for hotels, specifically dimensional standards, essentially restrict any new hotel development/redevelopment in Old Harbor Commercial (given existing development and current lot configurations). The application states, "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."

Below is a table comparing existing sections of the Zoning Ordinance with the current proposal by the applicant. The amendment would make the dimensional standards for hotels more in line with other permitted uses in the district and those for existing hotels and would no longer make a distinction between new hotel development/"new structure" and existing hotels/"existing structure".

	OHC (Section 311) All Uses	Hotels (Section 407)		PROPOSED FOR HOTELS IN OHC
		Existing Structure	New Structure	
<i>Minimum Lot Area/ Developable Land</i>	20,000 SF	40,000 SF	80,000 SF	40,000 SF
<i>Minimum Lot Frontage</i>	75 feet	N/A	300 ft per 25 units plus 100 additional ft per addtl 10 units	<i>Not Specified in Application, therefore, See Section 311 (75 ft)</i>
<i>Minimum Setbacks:</i>				
<i>Front</i>	5 ft, or consistent with adjacent blgs	N/A	50 ft or same as adjacent buildings within 500 ft.	5 ft, or consistent with adjacent blgs
<i>Side</i>	5 ft, or consistent with adjacent blgs	N/A	25 ft	5 ft, or consistent with adjacent blgs
<i>Rear</i>	25 ft	N/A	25 ft	25 ft
<i>Minimum Setbacks Accessory:</i>				
<i>Front</i>	5 ft	5 ft	5 ft	5 ft
<i>Side</i>	5 ft	5 ft	5 ft	5 ft
<i>Rear</i>	25 ft	25 ft	25 ft	25 ft
<i>Maximum Lot Building Coverage</i>	50%	Main (25%); Accessory (10%)	Main (15%); Accessory (10%)	Main (25%); Accessory (10%)
<i>Maximum Lot Coverage</i>	75%	50%	30%	50%
<i>Maximum Height:</i>				
<i>Main Structure</i>	40 ft	N/A	35 feet or same as adjacent structures within 500 ft	40 ft
<i>Accessory Structure</i>	25 ft			25 ft
<i>Orientation</i>		N/A	Major façade parallel to road	

The amendment to add the use and corresponding definition of an “accessory hotel room” would offer developers more flexibility in the design of hotel development, allowing for rooms to be incorporated into accessory and/or multiple structures.

During the February Planning Board meeting, a couple of specific revisions to the proposed language were discussed and those have been incorporated into the revised application before the Town Council. While the proposed language includes a ratio of potential number of accessory hotel rooms based upon number of rooms in the corresponding main hotel, the Planning Board recommended, and the applicant has subsequently agreed to additionally incorporate a cap of six accessory hotel rooms if the ratio calculation were to exceed that amount.

There was an overall concern by the Planning Board for the unknown in regards to the aesthetics of potential proposed developments of accessory hotel rooms. While some could be fitting with the traditional vernacular of Block Island, there is a concern, that others may look like motels which are prohibited under New Shoreham’s Zoning Ordinance or multiple individual and identical/cookie-cutter cottages.

In reviewing the application, the Planning Board attempted to answer the following questions that were raised. By creating a Zoning ordinance more favorable to hotel development are additional expansions and new hotel anticipated, and if so, how much? Is this what the Town desires from a land use perspective? Does the Town want to encourage additional hotel development on the island, and specifically Old Harbor? Is there a demand and/or need for additional hotel rooms? How might this proposed amendment have an impact on other permitted uses in OHC, such as residential? Would there be a conversion of land use or an imbalance created? Would there be a seasonal impact to the Downtown (is there a potential that current or future year-round uses would be replaced by additional seasonal hotel development?) If the Town finds this new accessory use is appropriate within the OHC Zoning District, what is rationale that it is or is not appropriate within the other Zoning Districts where hotels are permitted (RC, RC/M, NHC)? Some of these questions are challenging to answer and the Planning Board did not have a consensus on their opinion. The following merits and concerns were raised by Planning Board members:

- Hotel development in Old Harbor is appropriate because that is where hotels were historically located, the Zoning District currently permits hotels as a use, and that is where public water, sewer, and services exist.
- Increased density and development of hotels in Old Harbor encourages guests to travel by bicycle and walking.
- This proposed amendment could incentivize hotel owners to refresh their properties and newer developments/redevelopments may offer a more updated experience for travelers/improve tourism on the island.
- Increased hotel development in Old Harbor would increase pedestrian traffic for the businesses, potentially in the shoulder season, and hopefully could offer aesthetic improvements in the most visible/visited part of the island.
- More hotels rooms could lead to additional traffic in Old Harbor Commercial.
- In regards to accessory hotels rooms - this style development (having separate buildings and no internal corridors/guests outside) could lead to increased noise for abutting residential properties.

The split decision of the Planning Board also reflects the Board’s differing opinion of the proposed amendment’s consistency with the New Shoreham Comprehensive Plan. Below are sections of the Comprehensive Plan that were reviewed by the Planning Board. Some members felt the amendment was consistent with the Comprehensive Plan because it directs development and density to the downtown area that is walkable and where water and sewer already exist.

While others members expressed concern for a potential increase in hotel development and how that could impact the overall land use composition of Old Harbor and would be contrary to the goals of creating a more balanced economy and year-round community.

Excerpts from the 2016 New Shoreham Comprehensive Plan

Page 7-4 & 7-5

There is little of the island economy that is not directly or indirectly reliant on tourism activity for its financial base. Seasonal economic activity includes businesses in the hospitality industry – hotels, inns, restaurants, and bars.

The town must ensure that any increase in the number of visitors or tourism activities on the island do not exceed the island's carrying capacity and negatively impact the town's natural resources or its residents' ability to enjoy them.

A top priority of the town is to ensure that tourism and tourism-related activities do not compromise the island's character or natural and cultural resources.

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Diversification and achieving a year-round economy

Lack of available commercially zoned land

Village: *A compact mixed-use area, serviced by both public water and sewer, it includes the "downtown" associated with Old Harbor and the area between and around Old and New Harbors. Uses include retail and other businesses, tourism facilities, restaurants, accommodations including major hotels and inns, utilities and government, as well as residential. Year-round apartments and rooms for seasonal staff over stores are desirable future uses to provide a viable mixed-use area. Page 11-3*

Future Land Use Map – OHC is designated as Commercial on the Future Land Use Map.

Commercial

The three commercial zones, Old Harbor Commercial (OHC), New Harbor Commercial (NHC) and Service Commercial (SC) are based on their village locations. Uses permitted by right in all three commercial districts include, but are not limited to: retail, restaurants, single family residential, and accessory apartments.

The two goals of the economic development element (pages 7-11 & 7-12)

GOAL ED1: PROVIDE A HEALTHY, BALANCED, YEAR-ROUND ECONOMY THAT IMPROVES THE QUALITY OF LIFE FOR ISLAND RESIDENTS AND EMPAHISIZES SUPPORT FOR LOCAL BUSINESSES AND WORKERS.

GOAL ED2: ADVANCE THE ISLAND'S TOURISM INDUSTRY BY PROVIDING A QUALITY VISITOR EXPERIENCE AND PROTECTING THE NATURAL AND CULTURAL RESOURCES UPON WHICH TOURISM DEPENDS

Page 1-3 – Calls for greater density within the village area.

“ESTABLISH LAND USE REGULATIONS AND MANAGE PUBLIC INFRASTRUCTURE INVESTMENTS SO THAT FUTURE DEVELOPMENT CONTRIBUTES TO CREATING A MORE COMPACT, MIXED-USE, PEDESTRIAN-ORIENTED COMMUNITY”

Protecting the island's rural landscape goes hand in hand with encouraging growth and compactness in the village, which is the center for commercial and transportation activities. Maintaining and strengthening this landscape of a busy and compact village connecting two harbors and surrounded by low density development with large parcels of open space, requires that zoning and other regulations reflect desired uses and densities, and that future development be directed towards areas that are already served by public water and sewer.”

MAINTAIN A VIBRANT YEAR-ROUND ISLAND COMMUNITY THAT MEETS RESIDENTS' ECONOMIC AND SOCIAL NEEDS AND MAKES PUBLIC HEALTH AND SAFETY A TOP PRIORITY

Balancing the protection of natural and cultural resources with the accommodation of growth and economic opportunity must take place in the context of a desired year-round island community.