

SEC. 51-4.216.1.

LODGING USES.

(1) Extended stay hotel or motel.

(A) Definition: A lodging facility containing six or more guest rooms, in which:

(i) 25 percent or more of the guest rooms have a kitchen that includes a sink, a full-size stove, and a full-size refrigerator (a cooking area limited to a microwave, mini-refrigerator, or cook-top does not constitute a “kitchen” for purposes of this definition); and

(ii) 10 percent or more of the guest rooms contain a sleeping area that is separated from a sitting area by a wall or partition.

(B) Districts permitted: By SUP in MO, GO, CS, LC, HC, industrial, and central area districts.

(C) Required off-street parking: One space for each unit for units 1 to 250; ¾ space for each unit for units 251 to 500; ½ space for all units over 500; plus one space per 200 square feet of floor area other than guest rooms.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Amenities such as maids, laundry, concierge, meeting rooms, exercise rooms, pool, and business services (fax, internet, voice mail, courier, etc.) may only be provided to guests.

(2) Lodging or boarding house.

(A) Definition: A structure that is rented to occupants for 30 consecutive days or more and contains more than five units with living and sleeping accommodations, but no kitchen.

(B) Districts permitted: MF-2, MF-3, MF-4, GR, LC, HC, and central area districts; specific use permit in I-1 and I-2 districts.

(C) Required off-street parking: One space for each dwelling unit or guest room.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 50,000	NONE
50,000 to 100,000	1
100,000 to 300,000	2
Each additional 200,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) The operator of a lodging or boarding house may serve meals to the occupants.

(ii) This use is subject to the nonresidential use regulations in this chapter.

(3) Hotel and motel.

(A) Definition: A building containing six or more guest rooms, and furnishing customary hotel services such as linen, maid service, and the use and upkeep of furniture.

(B) Districts permitted: O-2, GO, SC, GR, LC, HC, central area, and industrial districts; specific use permit required if the hotel or motel has 60 or fewer guest rooms.

(C) Required off-street parking: One space for each unit for units 1 to 250; 3/4 space for each unit for units 251 to 500; 1/2 space for all units over 500.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 50,000	NONE
50,000 to 100,000	1
100,000 to 300,000	2
Each additional 200,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) This use is subject to the nonresidential use regulations in this chapter.

(4) Overnight general purpose shelter.

(A) Definitions: In these use regulations:

(i) BED means a piece of furniture, mat, cushion, or other device on or in which a person may lie and sleep.

(ii) OVERNIGHT GENERAL PURPOSE SHELTER means an emergency lodging facility (as opposed to a residential or medical treatment facility) that provides room and board to more than four persons who are not related by blood, marriage, or adoption to the head of the household or the owner or operator of the facility, and that negotiates sleeping arrangements on a daily basis, whether or not the facility is operated for profit or charges for the services it offers. This definition does not include:

(aa) dwelling units occupied exclusively by families (Note: Dwelling units occupied exclusively by families are considered to be single-family, duplex, or multiple-family uses, as the case may be); or

(bb) any other use specifically defined in this chapter.

(iii) THIS USE means an overnight general purpose shelter as defined in this paragraph.

(B) Districts permitted:

(i) If this use provides shelter for 20 or less overnight guests, it is permitted by SUP only in LO, MO, GO, SC, GR, LC, HC, industrial, and central area districts.

(ii) If this use provides shelter for more than 20 overnight guests, it is permitted by SUP only in GO, LC, HC, industrial, and central area districts.

(C) Required off-street parking: 0.0025 spaces per bed, plus one space per 200 square feet of office or program service floor area; a minimum of four spaces is required.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 50,000	NONE
50,000 to 150,000	1
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) The maximum number of overnight guests permitted under this use is:

(aa) 20 in LO, MO, SC, and GR districts; and

(bb) 200 in all other cases.

(ii) The cumulative maximum number of beds permitted for all of these uses combined on building sites located wholly or partially in the central business district is 250.

(iii) The cumulative maximum number of beds permitted for all of these uses combined on building sites located wholly or partially in the area including and within one-third of a mile of the central business district is 1100.

(iv) In the event of a conflict between Subparagraphs (ii) and (iii) and the provisions of any special purpose, planned development, or conservation district ordinances, Subparagraphs (ii) and (iii) control.

(v) This use must be spaced at least 1,000 feet away from:

(aa) a church;

(bb) a public or private elementary or secondary school;

(cc) any residential use listed in Section 51-4.201;

(dd) any residential district, historic overlay district, or public park; and

(ee) any other overnight general purpose shelter.

If this use provides shelter for more than 50 overnight guests, it must be spaced at least one-half mile from any other overnight general purpose shelter. For purposes of these use regulations, measurement is made in a straight line, without regard to intervening

structures or objects, from the nearest boundary of the building site containing the overnight general purpose shelter to the nearest boundary of the building site containing the church, public or private elementary or secondary school, or residential use, or to the nearest boundary of the residential or historic overlay district or public park, whichever is applicable. The distance between overnight general purpose shelters is measured in a straight line, without regard to intervening structures or objects, between the nearest boundaries of the building sites on which the shelters are located.

(vi) This use must be located within one-half mile of public transit.

(vii) This use must comply with all applicable licensing requirements.

(viii) The board of adjustment shall not establish a compliance date for this use under Section 51A-4.704(a)(1) of Chapter 51A.

(ix) Whenever an overnight general purpose shelter operating on city-owned land in full compliance with all applicable laws is, through no fault of its own, forced to vacate its current location as a result of the direct, positive, and affirmative action of the city, and if the requirements of this subparagraph are met, the shelter shall be permitted to relocate in any nonresidential district for a period of time of one year without applying for an SUP. The SUP requirement shall be suspended only if the proposed new building site is located a minimum of 1,000 feet from any building site containing any residential use listed in Section 51-4.201 and a minimum of 1,000 feet from any building site containing another shelter. All measurements shall be taken radially between the building sites in question. In addition, the shelter must obtain a certificate of occupancy and any other required licenses and approvals before it may begin operating. A shelter that relocates in accordance with this subparagraph shall not acquire any nonconforming rights during the period of suspension, and any investment made in land, buildings, or structures during that period shall be at the complete risk of the shelter that an SUP may not ultimately be granted. At or before the end of the one-year period, the shelter shall either file an application for an SUP or cease operations. A shelter that files an application for an SUP in accordance with this subparagraph may remain operating while the application is pending before the city plan commission or city council; however, if the application is denied or withdrawn, the shelter shall cease operations no later than 60 days after the date the final decision is made to deny the application, or the date the application is withdrawn, whichever is applicable. (Ord. 27404)

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