

PROPOSED YMC REVISIONS

CHANGES TO DEFINITIONS & RELATED REVISIONS

DICKINSON – Version 8-26-2022

For 9-20-2022 Regular Session

Add language in **red**.

Consider adding requirements in **blue**.

HOTEL – MOTEL

The Commission decided in the August 9th Working session that the terms “hotel” and “motel” were synonymous, with the following definition:

Hotel / Motel “Means any building or group of buildings used for transient residential purposes, containing six (6) or more guest units.”

I have a concern that these terms are not well-enough defined. The term “transient residential” is not within the current Definitions. **Add “Transient Residential” to Definitions or change Hotel / Motel definition language.**

Furthermore, elsewhere in Title 9 it refers to hotel, motel or resort as being “with accessory commercial uses”, which also is not defined. As in R4 9.24.020.K (Permitted Uses) and 9.24.030. P (Conditional Uses), by reference does this not infer that “**accessory commercial uses**” are required in order to be acceptable? I believe the term **should either be deleted or defined**, and if deemed to be required added to the definition of Hotel / Motel as follows:

*Hotel / Motel “Means any building or group of buildings used for transient residential purposes, containing six (6) or more guest units, **and with accessory commercial uses.**”*

A final question for the definition of hotel / motel is ... should it not be tied to a rental timeline, such as nightly, up to but not including thirty (30) days?

RELATED ORDINANCE SECTIONS REQUIRING REVISION:

R4 Standards 9.24.040.G.

G. *Vehicle Access. Ingress or egress to a multifamily dwelling or to a **hotel, motel or resort** shall not be allowed from less than a thirty-five (35) foot right-of-way and a twenty-five (25) foot all weather travel surface **uninterrupted from US Highway 101 to the facility**, accessible to emergency vehicles. In the event that a thirty-five (35) foot*

right-of-way is not possible, a minimum of ten (10) foot easement (five (5) feet on each side of the travel surface) shall be dedicated to the City for utility purposes and pedestrian use. Commercial, [hotel, motel or resort uses](#) and multifamily dwellings shall not have vehicles access to or from a cul-de-sac.

In a recent case for Conditional Use Permit, the main road from Hwy 101 did not meet the width requirements, but the discussion centered around the short secondary street immediately adjacent to the site. The requirement should be for the **full length of the access from Hwy 101**, which I believe was the true intent of current wording, but not clearly stated.

Provisions of Definitions and other Sections also need related revision:

DEFINITIONS

The term “Commercial uses” is not defined but is used in many locations withing YMC. Cornell Law defines it as follows, or any other similar definition:

– The term “used for commercial purposes” means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit.

C1 RETAIL COMMERCIAL ZONE

9.28.010.N. [Hotel](#), motel or resort on a minimum of 1.0 acre with direct access provided from U.S. Highway 101 only and with accessory commercial uses;

CONDITIONAL USE STANDARDS

9.72.050.A. [Hotels](#), [motels](#) or resorts in an R-4 zone shall have a minimum lot area per guest unit of one thousand five hundred (1,500) square feet.

Is a provision for Fire Department review and approval needed?

[For hotel, motel or resort in an R4 zone, the serving Fire Department shall have reviewed and approved required emergency access. Evidence of such review and approval shall be required.](#)

Or similar wording.