

ORDINANCE NO: _____

AN ORDINANCE AMENDING SECTION 2-1 OF CHAPTER 2 AND SECTION 11-3(q) OF CHAPTER 11 AND CREATING SECTION 11-4(e) OF CHAPTER 11 OF THE ZONING SUPPLEMENT TO THE CODE OF ORDINANCES, CITY OF MINOT, NORTH DAKOTA TO REGULATE MIXED USE IN HOTELS AND MOTELS IN THE C2 ZONE.

WHEREAS, Section 2-1 of Chapter 2 of the Zoning Supplement to the Code of Ordinances, City of Minot, North Dakota currently defines the use of a hotel and motel; and,

WHEREAS, Section 11-3(q) of Chapter 11 of the Zoning Supplement to the Code of Ordinances, City of Minot, North Dakota currently allows mixed uses, where residential living accommodations are permitted on the upper floor(s) of a commercial building, in the C2 zone; and,

WHEREAS, allowing people to reside in hotel and motel rooms without proper sanitation, ventilation, and food preparation facilities could be detrimental to the visitor's experience and endanger the public health, safety and welfare of those who occupy the premises; and,

WHEREAS, the City Council desires to amend Section 2-1 of Chapter 2 and Sections 11-3(q) and 11-3(k) of Chapter 11 and enact Section 11-4(l) of Chapter 11 of the Zoning Supplement to the Code of Ordinances, City of Minot, North Dakota to require a conditional use permit for hotels and motels that wish to operate as a mixed use with residential uses on the upper floor(s) in the C2 zone;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINOT:

§ 1 That section 2-1 of Chapter 2 of the Zoning Supplement to the Code of Ordinances, City of Minot, North Dakota is hereby amended and said subsection shall read as follows:

Hotel: A building in which lodging or boarding is provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contradistinction to a boarding house, a lodging-house, or an apartment, which are herein separately defined. Sleeping and lodging quarters for hotel personnel is permitted.

Motel: A building or group of buildings used for the temporary residence of motorists or travelers. Sleeping and lodging quarters for motel personnel is permitted.

§ 2 That Section 11-3(q) of Chapter 11 of the Zoning Supplement to the Code of Ordinances, City of Minot, North Dakota is hereby amended and said subsection shall read as follows:

q) ~~Residential Dwelling~~ units (rental or owner-occupied) use-are permitted in a mixed-use building, except in hotels and motels, so long as the residential dwelling units are located on the floor(s) above the commercial use, and all off-street parking and loading requirements are met for both uses. The height, area and yard requirements of the C2 district must also be met. Any residential units cannot exceed RM densities.

§ 3 That Section 11-4(k)of Chapter 11 of the Zoning Supplement to the Code of Ordinances, City of Minot, North Dakota is hereby amended, and Section 11-4(l) of Chapter 11 of the Zoning Supplement to the Code of Ordinances, City of Minot, North Dakota is hereby created and said subsections shall read as follows:

k) Mixed uses in hotels and motels.

l) Other similar uses as listed in Section 11-4 as approved by the City Council.

§ 4 This Ordinance shall become effective upon final passage and approval.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

ATTEST:

APPROVED:

Kelly Matalka, City Clerk

Shaun Sipma, Mayor