

**MINUTES OF THE OTTAWA PLAN COMMISSION  
MEETING  
September 25, 2017**

Vice Chairman John Stone called the meeting to order at 7:00 p.m. in the Ottawa City Council Chambers.

**ROLL CALL**

Present: Buiting, Burns, Reagan, Sesto, Stone, Volker

Absent: Barron, Carrol, Etscheid

Others: City Planner Tami Huftel

**MINUTES OF PREVIOUS MEETING**

Moved by Debbie Burns, second by Todd Volker August 28 minutes be approved as published.

**REPORT OF SPECIAL COMMITTEE**

*a. Committee of the Whole: Zoning Ordinance amendment – Inn Ordinance update.*

Vice Chairman John Stone stated the committee has finished up review of the ordinance and is ready for the continuation of the public hearing. He thanked the committee, staff and the public for the hard work.

**OLD BUSINESS**

*a. The public hearing on a proposed amendment to Section 118-2 of the City of Ottawa Municipal Code, Zoning Ordinance; adding a section pertaining to Historic Inns*

Vice Chairman opened the discussion stating the committee has taken a great deal of time with this ordinance and was not planning to go through the ordinance line by line. Debby Reagan when through the ordinance noted a few areas needing minor revisions. All are incorporated in the attached ordinance. Elin Mitchell thanked the commission and staff for all the hard work knowing this doesn't only apply to them. At time the process was frustrating. No other public comment.

Moved by Todd Volker that OPC recommend that the City Council approve the Inn Ordinance incorporating revision discussed at the Plan Commission meeting.

Seconded by Debbie Reagan.

Ayes: Mike Buiting, Debbie Burns, Debby Reagan, Curt Sesto, John Stone, Todd Volker

Nays: None

Motion carried unanimously

There being no further business, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

*Tami L. Huftel*

Tami L. Huftel  
City Planner

## Inn

### **1. Purpose and Intent**

Inn for overnight lodging for transients may be located as a conditional use in commercial, mixed-use, and residential neighborhoods within the corporate limits of the City of Ottawa. When located in a zone containing residential neighborhoods special consideration must be given to the Inn to ensure that the existing character of the neighborhood is preserved and not adversely impacted.

### **2. Zoning**

An Inn will be allowed if a conditional use permit is granted in A-1 (single family), A-2 (single and two-family), B (multifamily), C-1 (local business), C-2 (general business) C-5 (secondary central business) and C-6 (downtown transition) zoning districts. General application guidelines for conditional use permits are contained in Sections 118-19(h) of the Zoning Ordinance.

### **3. Definitions**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- a. Addition means any act or process which changes one or more of the exterior architectural features of a structure by adding to, joining with or increasing the size or capacity of the structure.
- b. Alteration means any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any part thereof. Alteration shall not include an addition as herein defined.
- c. Inn means a historically, culturally, or architecturally significant structure with no less than six (6) and no more than fifteen (15) guestrooms for transient Inn guests and one (1) apartment unit for the owner or operator. An Inn must operate for more than six (6) months during a 12-month calendar period. The maximum stay for any guest-occupant of the Inn is 60 days in any one calendar year. The owner, or a tenant operator with supervisory capacity over Inn guests and staff, must reside at the Inn and 24-hour contact information must be provided to the City.
- d. Rehabilitation means the process of returning a property to a state of usefulness, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and

features of the property which are significant to its historical, architectural, or cultural values.

#### **4. Conditional Use Permit Application**

No person will operate an Inn without obtaining a conditional use permit.

The initial application for a conditional use permit to operate an Inn must be made in writing by the owner to the City Clerk, accompanied by a nonrefundable application fee of \$300.00.

The application must be accompanied by the following:

- a. Narrative. Name and address of the owner(s), name and address of the operator, description of proposed use, type of activity, events, manner of operation, number of guest rooms, maximum number of occupants, number of employees, and hours of operation;
- b. Site Plan. A site plan drawn to scale showing all existing structures, proposed alterations, and location of parking and signage;
- c. Conceptual Architectural Drawings. Photographs, renderings and/or drawings of the exterior and interior floor plans drawn to scale of the proposed Inn; and
- d. Operational Business Plan.

#### **5. Process of the Application**

The City Clerk will transmit the application and attachments for a conditional use permit to operate an Inn to the Plan Commission for review pursuant to Section 118-19(h) of the Zoning Ordinance. In addition to the process provided in Section 118-19(h) of the Zoning Ordinance, the application will be transmitted to the Design Review Committee (DRC) and, if appropriate, to the Ottawa Historic Preservation Commission (OHPC) for review. Review by the OHPC will be required if the proposed Inn building has been either designated a landmark by the OHPC, designated a national or state historical site, or is in a designated historic district. The findings from these reviews shall be reported to the Plan Commission prior to a public hearing being held for the conditional use.

#### **6. Conformance**

No conditional use permit will be issued under this division to any Inn in the City, unless the plans and specifications conform to the following:

- a. Guestroom. The guestrooms of the Inn must have a minimum size of 100 square feet for single occupancy and a minimum size of 200 square feet for no more than two transient Inn guests. The guestroom may be part of the primary Inn residential structure or an existing residential accessory structure.

b. Bathrooms. The Inn must have no less than one (1) bathroom per two (2) Inn guest rooms. Bathrooms must consist of a sink, lavatory and tub or shower. Bathrooms attached to Inn guest rooms in an ensuite bathroom arrangement will not be included in guest room square footage requirements. There will be a minimum of one (1) half bathroom (sink and lavatory) made available to Inn guests and public visitors on the main floor of the Inn.

c. Parking. One standard size off-street parking space per Inn guestroom plus two off-street parking spaces for the owner or operator apartment unit must be provided on the Inn site. Inns in the central business zoning districts C-5 and C-6 are exempt from meeting off- onsite parking requirements.

Tandem parking is allowed; however, not more than two cars per lane will be allowed.

Parking lots must be paved and must be located to the side and rear of the building fully screened by a composite, wood or masonry fence or by sight-obscuring landscaping plant material. The City's intent is not to encourage yards to be destroyed, mature trees removed or the integrity of the neighborhood altered in order to provide required off street parking.

d. Events.

1. Indoor Events. Attendance at inside events shall be limited to the maximum number of persons allowed per Building Code.

2. Outdoor Events. An Inn may host no more than a total of six (6) events for Inn guests and non-guests in any given calendar year in the A-1, A-2, and B districts. Inns located in C-1, C-2, C-5 and C-6 districts may host no more than twelve (12) events for Inn guests and non-guests in any calendar year. Each day of the event will be counted towards the allowable number of events.

Attendance at outside events must be limited to no more than 30 non-guests in addition to Inn guests.

a. Event hours are limited to Monday-Thursday from 10:00 am to 9:00 pm, Friday and Saturday from 10:00 am to 10:00 pm, and on Sunday from 10:00 am to 6:00 pm.

b. Notification to the City Clerk will be required for every event. Said notification to the Clerk must be done at least 30 days prior to the event by the owner or operator.

c. Notification to the Inn's website and social media sites is required for every event at least 30 days prior to the event and said notice will be given by the owner or operator.

3. Event Parking. If on-site parking is filled, off-site (non-street) parking must be provided during events. In no case during events may Inn guests or non-guests, including event staff and

service providers, utilize street parking. If during the event any guest or non-guest utilizes street parking the license holder will receive a parking violation. If valet parking is utilized, they must conform to the valet parking ordinance and all loading and unloading for valet services must load and discharge in the Inn designated parking area. If shuttle service to and from the off-site parking location is provided, it must load and discharge in the Inn designated parking area.

e. Food.

1. The Inn may provide food to Inn guests and non-guests.
2. In no case will the Inn operate as a food service establishment.
3. No kitchen amenities except for a mini fridge and coffeemaker will be allowed in an Inn guest room.

f. Alcohol.

The Inn must comply with all federal, state, and municipal laws regarding the sale and consumption of alcohol on the Inn premises.

g. Retail Use. An Inn may not engage in general retail sales on the premises. Incidental sales, similar to postcards, keychains, mugs, commemorative items and similar items targeted to visitors and Inn guests will be allowed; however, those sales will be limited to the main floor of the Inn and the area dedicated to those sales will not exceed 100 square feet.

h. Commercial Deliveries. Commercial deliveries to Inns in A-1, A-2, and B zoning districts are limited to Monday through Saturday between the hours of 8:00 am and 5:00 pm and only light and medium sized "box" trucks may make said deliveries.

i. Signs. One sign on the Inn premises is allowed and the sign must not exceed six (6) square feet in area. Said sign will not be illuminated except by a source of light which indirectly casts upon the sign. The sign may be freestanding or attached to the front porch or wall of the dwelling and must not include the words "hotel" or "motel". No digital or electronic signs are permitted.

j. Lighting. Exterior lighting will be residential in nature and must not be directed towards adjacent properties. Within residential districts, lighting shall not exceed zero-foot candles at the property line.

k. Accessory Structures. For purposes of the Inn, an existing accessory structure may be included as part of the Inn for guest rooms or the owner or operator.

## **7. Guest Register**

Each owner of an Inn will keep a list of the names of all persons staying at an Inn room for at least three (3) years. This list must be made available for inspection by city officials at any time.

## **8. Liability Insurance**

Prior to obtaining an Inn conditional use permit, and at the time of subsequent renewal, the owner of the Inn must provide the City Clerk with proof of general liability insurance coverage with a minimum limit of one million dollars per occurrence and two million dollars aggregate, premises liability insurance coverage with a minimum limit of one million dollars per occurrence and two million dollars aggregate, building insurance and comply with the statutory limits for workers' compensation for the entire duration of the conditional use permit.

## **9. Findings**

In approving a conditional use permit for an Inn located in A-1, A-2, B, C-1, C-2, C-5, and C-6 districts, the Plan Commission must make the findings of fact pursuant to the City of Ottawa Zoning Ordinance 118-19 h (4).

## **10. License**

Once the conditional use permit for an Inn is approved by the City Council, the City Clerk shall issue a license signed by the Mayor and attested to by the City Clerk in conformance with the provisions of this article.

## **11. Renewal of License**

Licenses must be renewed annually by submitting a renewal application and a \$75.00 fee to the City Clerk no later than 60 days before the current license expires. All licenses will be renewed in conformance with the original conditional use application.

## **12. Termination of License and Hearing**

- a. The license for an Inn may be terminated by action of the City Council if not in compliance with this article, the original conditional use application, or the terms of the conditional use permit.
- b. The license for an Inn will terminate if the Inn is found liable or convicted of three (3) or more nuisance violations in a twelve-month period.
- c. The license for an Inn will terminate if the Inn is found liable or convicted of three (3) or more parking violation in a twelve-month period.

- d. Notice and Opportunity for Hearing
  1. Before the City Council may terminate the license for an Inn, written notice of the pending termination of the license and right to an administrative hearing must be served upon the Inn Owner and Inn Operator by first class mail, postage pre-paid, to the address of the Inn and to the address of the owner of the Inn listed on the Inn's conditional use application if the addresses are different.
  2. The notice must include the name of the owner, the name of the Inn, the date of the notice, and the reason for the impending termination of the Inn's license.
  3. The notice must also clearly state the time and date of the Inn owner's administrative hearing. The date of the hearing must not be less than seven (7) days from the date of the notice.
  4. The hearing will be conducted by the Mayor, and the Mayor will determine if the Inn violated one of the sections contained within this ordinance. Following the hearing, if the Mayor determines the Inn violated one of the sections contained within this ordinance, then the City Council will have authority to terminate the Inn's license effective immediately.
  5. If the Inn owner does not appear at the date and time of their administrative hearing, then the Inn will be found in default and the City Council will have authority to terminate the Inn's license effective immediately.

### **13. Automatic Termination of License and Conditional Use**

1. The license and conditional use permit for an Inn will automatically terminate if said use is discontinued for a period of 12 months, regardless of any intent to resume operation.
2. The license for an Inn will automatically terminate upon any transfer of ownership of said real property.
3. If the license automatically terminates pursuant to this section, the Inn owner is not entitled to an administrative hearing.

### **14. Taxes**

All Inn guest rooms for lodging will be subject to all City of Ottawa Hotel Operator's taxes, and to all County and State guest room taxes.