

HOTEL/MOTEL REGULATIONS

RESOLUTION NO. 1-89

A RESOLUTION PROVIDING REGULATIONS GOVERNING THE DEVELOPMENT OF HOTEL/MOTEL COMPLEXES

WHEREAS, The Montgomery City Planning Commission wishes to adopt a set of Regulations for the development of Hotel/Motel Complexes, under the authority granted the City of Montgomery, Alabama, Planning Commission, by the Code of Alabama, 1975, Title 11-50-55 in conjunction with Title 11, Chapter 52, Code of Alabama, 1975, and Act 350, Regular Session 1971, as amended; and those powers and duties delegated to the Planning Commission by the Montgomery City Council by Act No. 618, Regular Session, 1973; and

WHEREAS, The Montgomery City Planning Commission feels that these Regulations are necessary and are in the best interest of the City; and

WHEREAS, The Montgomery City Planning Commission has developed the following Regulations to control the placement and development of Hotel/Motel Complexes, within the City of Montgomery and its Police Jurisdiction as follows:

- I. No building permit shall be issued for a Hotel/Motel Complex, and the Board of Adjustment shall not issue a variance or special exception involving a Hotel/Motel Complex except upon a favorable or conditionally favorable report from the Planning Commission. Prior to issuing a favorable report, the Planning Commission shall seek the advice and recommendation of the Fire, Traffic, Technical Services Departments, and the Planning Controls Division; and shall determine that the proposed Hotel/Motel Complex is designed in such a manner as to comply with all City Codes and Ordinances and that the proposed development will be in harmony with the character of the surrounding neighborhood. Where conditions are attached by the Planning Commission or the Board of Adjustment, they shall be included as a part of the building permit.
- II. It is the intent of these regulations that Hotel/Motel Complex be permitted in B-1-a and B-1-b (Central Business) Districts, and B-2, B-3, B-4 and B-5 (Business) Districts, and M-1, M-2 and M-3 (Industrial) Districts and O-1 and O-2 (Office) Districts after they are found to comply with the Zoning Ordinance for that district and the following criteria:
 - (1) May be appropriately intermingled with other types of business, office and industrial uses after they are found to be in harmony with the character of the surrounding neighborhood.
 - (2) Shall constitute grouping making efficient, economical compatible and convenient use of the land and open space; and serving the public by providing alternative to conventional arrangements of yards and building area.

- (3) That special conditions and circumstances will not result from granting the approval of Hotel/Motel Complexes in these zoning districts that are not enjoyed by other properties and property owners in the same district.

III. In line with general considerations above the following site plan and design criteria are established:

- (1) Each Hotel/Motel Complex shall be constructed on its own lot, unless otherwise approved by the Planning Commission.
- (2) Minimum lot area shall comply with the zoning district in which the Hotel/Motel Complex is located.
- (3) Minimum lot width at building line in feet shall comply with the zoning district in which the Hotel/Motel Complex is located.
- (4) Minimum lot width of the paved access drive for Hotel/Motel Complex shall comply with the City Traffic Code.
- (5) Minimum distance between Hotel/Motel buildings within the complex shall be 20 ft.; with a 26 ft. inside and 39 ft. outside turning radius minimum at the end of each building, with access drives.
- (6) Maximum building area will comply with the zoning district in which the Hotel/Motel Complex is located, unless otherwise approved by the Planning Commission. However, the maximum building area permitted shall not be more than 50% of the lot area.
- (7) Minimum depth of front, side and rear yards, shall be the same as the zoning district the complex is located, unless a buffer zone is required.
- (8) Minimum side or front yard abutting a street or right of way shall be 20 ft. or that required by the zoning district the complex is located, that which is greater shall apply. (This does not apply to Hotel/Motel Complexes located in B-1-a and B-1-b (Central Business) Districts.
- (9) Minimum side or front yard abutting a street or right of way in a B-1-a and B-1-b (Central Business) District shall be regulated by the City Traffic Code and the Zoning Ordinance, that which is more restrictive shall apply.
- (10) Fire breaks or walls in Hotel/Motel building and/or complexes shall comply with the City Building Code; (Ord. No. 78-83) and shall be installed as provided for in said ordinance.
- (11) Off-street parking for Hotel/Motel Complexes shall be provided as follows in all zoning districts in which they are permitted.

- (a) There shall be 1.20 spaces provided for each unit in the complex.
 - (b) There shall be an additional 1.00 spaces per employee provided for the management of the complex.
 - (c) When restaurant or place of amusement and assembly are provided in the complex, the parking requirement shall comply with that required by the zoning district, the complex is located; and shall be in addition to the parking provided for the complex itself. However, the Planning Commission may require additional parking over and above the zoning requirements if it is deemed necessary and is in the best interest of the City and the development.
 - (d) All parking spaces and areas shall comply with the minimum standard of the Zoning Ordinance, City Traffic Code and City Building Code, and shall be installed as provided for in said Codes and Ordinances.
- (12) There shall be no business or office either retail or wholesale operated from any units within the complex, other than the complex manager office and no business license shall be issued by the City for any such use in any such complex.
- (13) Maximum building height shall be set by the zoning district the complex is to be located, or by the Planning Commission if the height is to be limited or restricted; or by variance from the Board of Adjustment if the height is greater than that permitted by the zoning district.

IV. Buffers

- (1) Each boundary of a residential zone subdivision or property shall be separated a minimum of 10 ft. therefore by a natural or artificial barrier.
- (2) Each buffer zone shall be landscaped and maintained on a permanent basis.
- (3) A landscaped plan will be required if a buffer is to be developed and shall be completed prior to a Certificate of Occupancy being issued for the complex.

V. Development Plan

The following information shall be submitted to the Planning Commission for its evaluation prior to any action being taken on any such application.

- (1) Area and dimensions of the proposed complex, building, lots, driveway and easements.
- (2) Location of all water and sewer lines, water supply and fire hydrants with distances shown by the access route to those facilities.
- (3) A detailed drainage plan prepared by a registered engineer or architect shall be required.

- (4) Location and dimension of all buffer zone, office structures, accessory structures, open spaces, and buildings.
- (5) A traffic analysis showing the effect on adjacent properties and streets if requested by the Planning Commission shall be provided.

VI. Building Permits

- (1) No building permits shall be issued by the Chief Building Official until all the requirements of these Regulations have been met, and a letter of approval has been issued by the City Planning Commission.
- (2) No Certificate of Occupancy shall be issued on a Hotel/Motel Complex involved in this process until all improvements.

VII. Right of Denial

- (1) The Planning Commission reserves the right to deny the request for Hotel/Motel Complexes when it has been determined by the Commission and the appropriate authorities that the development of such a complex would not be in the best of interest of the City.

VIII. Authority

- (1) These Regulations are adopted under the authority of the State Code and shall become effective immediately upon its passage and approval by the Planning Commission of the City of Montgomery.

NOW, THEREFORE, be it resolved by the Planning Commission of the City of Montgomery on this the 27th day of July, 1989, that these Hotel/Motel Complex Regulations are hereby prescribed and adopted.

/s/ Herman C. Lott
Executive Secretary, Herman C. Lott
Montgomery City Planning Commission

APPROVED:

/s/ Thomas M. Tyson, Jr.
Thomas M. Tyson, Jr., Chairman
Montgomery City Planning Commission

Sworn and subscribed to before me this 27th day of July, 1989.

/s/ Helen H. Rahn
Helen H. Rahn, Notary Public