

ORDINANCE NO. 2423

INTRODUCED BY: _____

AN ORDINANCE AMENDING SECTIONS 21-5248 AND 21-11200 OF THE LAND DEVELOPMENT CODE RELATING TO THE SUPPLEMENTAL REGULATIONS FOR LODGING ESTABLISHMENTS BY AMENDING THE LODGING ROOM MINIMUM.

WHEREAS, the City Council of the City of Commerce City adopted the Land Development Code, effective March 1, 2009, by Ordinance 1720, which has been amended from time to time; and

WHEREAS, the ongoing application and interpretation of the Land Development Code has identified a need to amend the provisions relating to lodging establishments where minor deletions of regulations are needed; and

WHEREAS, hotel development and travel needs have changed considerably since the adoption of the LDC in 2009 and the majority of new hotels contain less than 150 rooms due to financial costs and franchising requirements; and

WHEREAS, the E-470 corridor provides convenient proximity to DIA and the greater Denver metro area and proximity to demand generators predicts hotel success; and

WHEREAS, the City Council desires to attract lodging establishment developments to the City including the E-470 corridor through the modification of size requirements for lodging establishments;

WHEREAS, the City Council considered proposed revisions to the lodging establishment requirements at first reading on October 17, 2022 and voted to revise the minimum number of rooms allowed in a lodging establishments to 50 rooms; and

WHEREAS, the definition for Lodging Establishment is amended to reflect City Council's desire for a minimum size requirement throughout the City of Commerce City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Amendments.

- a) Section 21-5248 (Lodging Establishments) of the Land Development Code is hereby amended as set forth in Exhibit A to this ordinance, with the specific changes as depicted in Exhibit B to this ordinance.
- b) Section 21-11200 (Definitions) of the Land Development Code is hereby amended as set forth in Exhibit C to this ordinance, with the specific changes as depicted in Exhibit D to this ordinance.

SECTION 3. Repealer. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency.

SECTION 4. Effective Date. This ordinance shall be effective as provided in the City Charter.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED
THIS ____ DAY OF _____, 20__.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS ____ DAY OF _____, 20__.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk

EXHIBIT A TO ORDINANCE 2423

BEGIN

Sec. 21-5248. – Lodging Establishments.

- 1) *Size Requirements.* Lodging establishments shall contain a minimum of 50 guest lodging rooms.
- 2) *Length of Stay.* The length of stay at any lodging establishment shall not exceed 30 days within any 90-day period, except that in the case of extended stay establishments the length of stay shall not exceed 180 consecutive days.
- 3) *Kitchens Restricted.* In-room kitchen facilities shall be allowed only in extended stay or lodging "suite" establishments.

[END OF EXHIBIT A TO ORDINANCE 2423]

EXHIBIT B TO ORDINANCE 2423

(Underlined text indicates new material; strikethrough text indicates deletions.)

BEGIN

Sec. 21-5248. – Lodging Establishments.

- 1) *Size Requirements.* Lodging establishments ~~located within one mile of E-470~~ shall contain a minimum of ~~150~~ 50 guest lodging rooms.
- 2) *Length of Stay.* The length of stay at any lodging establishment shall not exceed 30 days within any 90-day period, except that in the case of extended stay establishments the length of stay shall not exceed 180 consecutive days.
- 3) *Kitchens Restricted.* In-room kitchen facilities shall be allowed only in extended stay or lodging "suite" establishments.

[END OF EXHIBIT B TO ORDINANCE 2423]

EXHIBIT C TO ORDINANCE 2423

*****BEGIN*****

Sec. 21-11200. – Definitions .

- 1) *Lodging Establishment* shall mean an establishment, building, or premises with a minimum of 50 sleeping rooms where lodging is offered for compensation.

[END OF EXHIBIT C TO ORDINANCE 2423]

EXHIBIT D TO ORDINANCE 2423

(Underlined text indicates new material; strikethrough text indicates deletions.)

*****BEGIN*****

Sec. 21-11200. – Definitions .

- 1) *Lodging Establishment* shall mean an establishment, building, or premises with a ~~minimum of 20~~ minimum of 50 ~~more than 20~~ sleeping rooms where lodging is offered for compensation

[END OF EXHIBIT D TO ORDINANCE 2423]