



# Claremont Planning Commission

## Agenda Report

**File #:** 4570

**Item No:** 2.

**TO:** PLANNING COMMISSION

**FROM:** BRAD JOHNSON, COMMUNITY DEVELOPMENT DIRECTOR

**DATE:** FEBRUARY 21, 2023

**Reviewed by:**  
Finance Director: N/A

### **SUBJECT:**

**CONSIDER AN AMENDMENT TO THE CLAREMONT ZONING CODE (TITLE 16 TO THE CLAREMONT MUNICIPAL CODE) THAT, IF ADOPTED, WILL: (1) REPEAL SECTION 16.051.060 TITLED HOTELS/MOTELS; (2) REPLACE SECTION 16.051.060 WITH A NEW CHAPTER 16.101, ALSO TITLED HOTELS/MOTELS; AND (3) ADD NEW SECTIONS TO CHAPTER 16.900 (DEFINITIONS) PERTAINING TO HOTELS AND MOTELS (COLLECTIVELY REFERRED TO AS THE "HOTEL/MOTEL ORDINANCE").**

### **SUMMARY**

On January 28, 2023, a joint meeting was held between the Planning and Police Commissions. During this meeting, Commissioners discussed the differences between the City's existing ordinance (Claremont Municipal Code Section 16.051.060 titled "Hotels/Motels"), the Police Commission Recommended Ordinance (Version 1.0), and the Staff Recommended Ordinances (Versions 2.0 and 3.0), as well as the City of Long Beach Nuisance Motel Ordinance referenced by community members during previous meetings. Commissioners provided conceptual direction to staff regarding 24 "key decisions" on an amended Hotel/Motel Ordinance. The City Attorney drafted the Planning and Police Commissions' Recommended Ordinance (found in Attachment A) based on this direction.

Because these code amendments would require an amendment to the City's Zoning Code, public hearings are required before both the Planning Commission (for a recommendation) and the City Council (for final approval).

### **RECOMMENDATION**

Staff recommends that the Planning Commission approve the "Planning and Police Commissions' Recommended Ordinance" (found in Attachment A) which would result in an amendment to the Claremont Zoning Code (Title 16 to the Claremont Municipal Code) and, if adopted by City Council, will: (1) repeal Section 16.051.060 titled Hotels/Motels; (2) replace Section 16.051.060 with a new Chapter 16.101, also titled Hotels/Motels; and (3) add new sections to Chapter 16.900 (Definitions) pertaining to hotels and motels (collectively referred to as the "Hotel/Motel Ordinance").

## **ALTERNATIVES TO RECOMMENDATION**

In addition to the recommendation, there is the following alternative:

- Request changes to the proposed ordinance, which depending on the extent of the changes, may require the Commission to continue the item (preferably to a date certain) to give staff time to prepare an updated draft of the ordinance.

## **FINANCIAL REVIEW**

The cost of legal fees to date, which includes researching ordinance options; responding to questions from staff and community members; meetings with staff and stakeholders; and preparing the material for this meeting, is estimated to be \$30,000 and is included in the operating budget of the Administrative Services Department.

The cost of staff time to participate in internal and stakeholder meetings; plan and present material at the Hotel/Motel Community Listening Session and the joint Planning and Police Commission meeting; provide feedback on draft Code amendments; prepare responses to various questions posed by commissioners and community members; and prepare the material for this meeting is estimated to be \$20,000 and is included in the operating budgets of the Administrative Services, Community Development, and Police Departments.

## **ANALYSIS**

### **Background**

At the Priorities Setting Workshop that was held last year, the City Council developed a list of priorities and objectives for 2022-24. During the Workshop, many residents expressed concern regarding frequent criminal activity occurring in and around motels located near the I-10 Freeway, including prostitution and human trafficking. In response to these concerns, one of the objectives that the City Council approved was to evaluate nuisance activity occurring in and around local motels and use a collaborative approach to abate the activity, including consideration of a Hotel/Motel Ordinance.

The Hotel/Motel Ordinance would apply to hotels and motels (including extended stay hotels) Citywide. There currently are five motels and hotels located in Claremont: Claremont Lodge (736 South Indian Hill Boulevard), Double Tree by Hilton Hotel Claremont (555 West Foothill Boulevard), Hotel Casa 425 & Lounge (425 West First Street), University Inn (the former Knights Inn Claremont) (721 South Indian Hill Boulevard), and Motel 6 (840 South Indian Hill Boulevard).

In April 2022, the Claremont Police Commission approved a Statement of Direction regarding enforcement of laws affecting prostitution and crime related to motels within the City. The Statement of Direction guided the "Police Commission Recommended Ordinance," (Version 1.0) which was drafted by the City Attorney and presented to the Planning Commission in October 2022.

Prior to the Planning Commission meeting, City staff shared the Police Commission Recommended Ordinance with management representatives from each of the five hotels/motels located in Claremont, and gathered feedback from them on the proposed ordinance. In response to some of their comments and concerns, staff developed the "Staff Recommended Ordinance," (Version 2.0) which was also drafted by the City Attorney.



After the agenda report for the Planning Commission’s October 4, 2022 was made available to the public (on the evening of September 29), the City received public comment from members of the community and stakeholders in the hotel/motel industry requesting certain changes to the amended ordinance. Staff agreed that many of the proposed changes improved the clarity, effectiveness, and enforceability of the proposed ordinance. The City Attorney’s Office used this additional public input to create Version 3.0 of the amended ordinance so that the Planning Commission could consider it at its October 4, 2022 meeting. At the meeting, the Planning Commission directed staff to coordinate a joint meeting between the Planning and Police Commissions to discuss potential amendments to the City’s existing Hotel/Motel Ordinance.

On January 28, 2023, a joint meeting was held between the two commissions. During this meeting, Commissioners discussed the differences between the City’s existing ordinance (Claremont Municipal Code Section 16.051.060 titled “Hotels/Motels”), the Police Commission Recommended Ordinance (Version 1.0), and the Staff Recommended Ordinances (Versions 2.0 and 3.0), as well as the City of Long Beach Nuisance Motel Ordinance referenced by community members during previous meetings. Commissioners provided conceptual direction to staff regarding 24 “key decisions” on an amended Hotel/Motel Ordinance. A summary of that direction is provided in Attachment B. The City Attorney drafted the Planning and Police Commissions’ Recommended Ordinance (found in Attachment A) based on that direction.

**Key Decisions 12 and 14**

The following Key Decisions were discussed during the joint commission meeting, and it was decided that these items should be decided on solely by the Planning Commission. As such, staff requests direction from the Planning Commission on the following items, which will be incorporated into the amended ordinance that will be presented to City Council at a later date. In the draft ordinance found in Attachment A, the pertinent language is highlighted for reference.

<b>Kitchens in Guest Rooms</b>				
<b>Existing Ordinance (CMC § 16.051.060)</b>	<b>Version 1.0 (PoCo’s Rec.)</b>	<b>Version 2.0 (Original Staff Rec.)</b>	<b>Version 3.0 (Updated Staff Rec.)</b>	<b>Long Beach (LMC Ch. 5.57)</b>
Prohibits guest rooms in hotels/motels from having a kitchen or cooking facilities, other than a microwave and a small refrigerator, except in long-term hotels. (§ 16.051.060(B)(3), (C))	← Same (§ 16.101.040(A)) This was not addressed in the Police Commission’s Statement of Direction, so staff left the kitchen prohibition in the existing ordinance intact.	Eliminates prohibition on guest rooms in hotels/motels having kitchens or cooking facilities.	← Same as Version 2.0	Not addressed

**KEY DECISION #12:** Should hotel/motel guest rooms be prohibited from having a kitchen or cook a microwave and small refrigerator, except in long-term stay hotels? **Staff Rec:** Eliminate prohibitions on hotels/motels having kitchens or cooking facilities. **Pros:** ► Hoteliers requested this prohibition be eliminated because kitchen facilities can be an attractive amenity in a guest room. ► On their own, kitchens in guest rooms are a source of criminal or nuisance activity. To the contrary, they may make rooms more attractive to guests who use them for legitimate, law-abiding purposes. **Cons:** ► Increases the likelihood that guests will use guest rooms for extended periods (but enforcement of limits on consecutive length of stay can address this). ► Decreases likelihood of occupancy.

Long-Term Stay Hotels				
Existing Ordinance (CMC § 16.051.060)	Version 1.0 (PoCo's Rec.)	Version 2.0 (Original Staff Rec.)	Version 3.0 (Updated Staff Rec.)	Long Beach (LMC Ch. 5.57)
Requires CUP for long-term stay hotel. (§ 16.051.060(C))	← Same (§ 16.101.060) This was not addressed in the Police Commission's Statement of Direction, so staff left the CUP requirement for long-term stay hotels in the existing ordinance intact.	← Same, but eliminates references to "business" travelers and eliminates requirement that hotel be located in an area with a "concentration of amenities" for guests, including restaurant retail, recreation, open space, and exercise facilities. (§ 16.101.060)	← Same as Version 2.0, except it re-includes requirement that hotel be located in an area with a "concentration of amenities" for guests, including restaurant retail, recreation, open space, and exercise facilities. (§ 16.101.060(A))	Not addressed

**KEY DECISION #14:** Should the ordinance require long-term stay hotels to be located in an area with a "concentration of amenities" for guests, including restaurant retail, recreation, open space, and exercise facilities. **Staff Rec:** Yes. **Pro:** ► This requirement ensures guests of long-term stay hotels will not need to travel far to shop, dine, and recreate. **Con:** ► This requirement arguably prevents proposed Residence Inn (on the site of the current Knight's Inn) from being used as a long-term stay hotel because it is not in an area with a concentration of "open space."

**Conditional Use Permit (CUP) Procedure**

A conditional use permit (CUP) is a discretionary approval. Chapter 16.303 of the Claremont Municipal Code (CMC) outlines the substantive and procedural requirements for obtaining a CUP. The Planning and Police Commissions directed staff to require a CUP for the following exceptions to the Hotel/Motel Ordinance:

- A hotel or motel operator wants to allow for guest stays of more than 30 consecutive days
- A hotel or motel operator wants guests to be able to stay for more than 60 cumulative calendar days in a 180 day period
- A motel operator wants to rent rooms for periods of less than 18 hours
- A hotel operator wants to rent rooms for periods shorter than an "overnight stay"



- A hotel or motel operator wants to offer a “day use” program
- A hotel or motel operator wants to have the ability to re-rent rooms when guests check out early
- A hotel or motel operator wants to utilize “digital check-ins”
- A hotel or motel operator does not want to implement a permit parking program
- A hotel or motel operator does not want to install CCTV cameras in their parking lot(s)

If a hotel or motel operator wanted to apply for one or more of these exceptions, they would need to submit one (or more) CUP application(s). Upon receipt of an application for a CUP or CUP Amendment, staff must review the application and inform the applicant as to the completeness of the submittal and of additional materials required, if any. When an application is deemed complete, the request would be set for a public hearing to be held by the Planning Commission. The Commission would make findings based on substantial evidence in view of the whole record to justify its decision on whether or not to grant the CUP, or CUP Amendment. The Planning Commission would announce its findings by formal resolution. The resolution must recite the findings of the Commission and set forth any conditions of approval. The applicant or any other person may appeal a decision of the Planning Commission or any condition imposed by the Planning Commission pertaining to a CUP pursuant to Chapter 16.321 of the CMC. A CUP that is valid and in effect “runs with the land” and continues to be valid even if the owner or operator changes.

Once granted, a CUP can only be revoked if the Planning Commission finds that one or more of the following conditions exist:

- One or more of the conditions of the CUP have not been substantially complied with.
- The CUP was obtained in a fraudulent manner.
- Circumstances have changed to such a degree that one or more of the required findings of this chapter can no longer be made and the use or related development constitutes or is creating a nuisance.

When considering revoking an existing CUP, the Planning Commission must hold a public hearing and give notice in the same manner as that required for granting a CUP.

### **Next Steps**

Below is a **tentative** timeline assuming that the Planning Commission recommends approval of an ordinance without additional continuances:

- 10 day notice required for March 14, 2023 City Council meeting.
- March 14, 2023 City Council meeting (Public Hearing - first reading and introduction of ordinance).
- March 28, 2023 City Council meeting (Consent Calendar - second reading and adoption of ordinance).

The ordinance would then go into effect 30 days after the second reading and adoption.

### **LEGAL REVIEW**

The draft ordinance is approved as to form by the City Attorney.

## **CEQA REVIEW**

It can be seen with certainty that the proposed Hotel/Motel Ordinance has no possibility of having a significant effect on the environment. In the absence of any pending application for any hotel or motel that might implicate the proposed ordinance, any specific environmental effects would be speculative. Therefore, the adoption of the proposed Hotel/Motel Ordinance is not a project subject to the CEQA pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

## **PUBLIC NOTICE PROCESS**

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact Nhi Atienza at [natienza@ci.claremont.ca.us](mailto:natienza@ci.claremont.ca.us).

On Thursday, February 9, 2023, written notices were mailed to property owners within 500 feet of each respective hotel/motel located in Claremont. Notice of the Planning Commission hearing was also published in the February 10, 2023 edition of the Claremont Courier. Copies of this staff report have been sent to management representatives from all of the hotels/motels located in Claremont and other interested parties.

Submitted by:

Brad Johnson  
Community Development Director

Prepared by:

Katie Wand  
Assistant to the City Manager

### **Attachments:**

- A - Resolution and Draft Ordinance
- B - Summary of Direction from Joint Commission Meeting



## RESOLUTION NO. 2023-\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLAREMONT, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE AMENDMENTS TO TITLE 16 OF THE CLAREMONT MUNICIPAL CODE TO: (1) REPEAL SECTION 16.051.050 TITLED “HOTELS/MOTELS”; (2) REPLACE SECTION 16.051.050 WITH A NEW CHAPTER 16.101 TITLED “HOTELS/MOTELS”; AND (3) ADD NEW SECTIONS TO CHAPTER 16.900 (DEFINITIONS) PERTAINING TO HOTELS AND MOTELS. (CITY-INITIATED).**

**WHEREAS**, in 2004, the City Council for the City of Claremont (“City Council”) adopted an ordinance regulating hotels and motels (Ord. 04-04), and that ordinance is currently codified in Section 16.051.050 of the Claremont Municipal Code (the “Hotel/Motel Ordinance”); and

**WHEREAS**, for at least a decade, the City has experienced severe and pervasive criminal activity in and around motels that are located near interstate highways, including prostitution, human trafficking, narcotic sales, gang activity, and violent crimes against persons; and

**WHEREAS**, the location and site configuration of motels near interstate freeways are especially susceptible to criminal and nuisance activity because guests can come and go from their rooms with minimal observation or supervision from the motel’s employees or other guests and the proximity to the highway makes it easier to evade law enforcement; and

**WHEREAS**, at the City Council’s Priorities Setting Workshop that was held February 5, 2022, many residents expressed concern regarding frequent criminal activity occurring in and around motels located near the I-10 freeway, including prostitution and human trafficking; in response to these concerns, one of the objectives that the City Council approved is to evaluate nuisance activity occurring in and around local motels and use a collaborative approach to abate the activity, including consideration of amendments to the City’s existing Hotel/Motel Ordinance; and

**WHEREAS**, the City’s Police Commission formed an ad hoc committee to study potential amendments to the City’s existing Hotel/Motel Ordinance; and

**WHEREAS**, on April 7, 2022, the ad hoc committee presented its recommendations to the Police Commission, and the Police Commission adopted a Statement of Decision, that among other things, included conceptual provisions for a new or amended Hotel/Motel Ordinance; and

**WHEREAS**, in summer and fall of 2022, staff conducted outreach to management representatives from each of the five hotels/motels in Claremont as well as counsel for the California Hotel & Lodging Association and California Association of Boutique & Breakfast Inns (collectively, the “Hotel Associations”) for input on potential amendments to the City’s existing Hotel/Motel Ordinance; and

**WHEREAS**, in accordance with Chapter 16.315 of the Claremont Municipal Code, the City initiated the preparation of the proposed amendments to the City’s Hotel/Motel Ordinance and corresponding definitions (“Code Amendment”); and



**WHEREAS**, on October 4, 2022, the Planning Commission held a duly noticed public hearing regarding the proposed Code Amendment, at which time oral and documentary evidence was introduced along with the written recommendation of the Planning Division of the City of Claremont; and

**WHEREAS**, after considering the proposed Code Amendment, the staff report, written public comments, and all information, evidence, and testimony received at its October 4, 2022 meeting, the Planning Commission directed staff to schedule a joint meeting of the Planning Commission and Police Commission to further discuss the contents of the proposed Code Amendment; and

**WHEREAS**, on January 28, 2023, the Planning Commission and Police Commission held a joint meeting, and after considering the proposed Code Amendment, the staff report, written public comments, and all information, evidence, and testimony received at this joint meeting, the Planning and Police Commissions provided direction to staff on the contents of the proposed Code Amendment; and

**WHEREAS**, on February 21, 2023, the Planning Commission held a duly noticed public hearing regarding the proposed Code Amendment, as revised to incorporate the direction of the Police and Planning Commissions, at which time oral and documentary evidence was introduced along with the written recommendation of the Planning Division of the City of Claremont; and

**WHEREAS**, the Planning Commission has considered the proposed Code Amendment, the staff report, written public comments, and all information, evidence, and testimony received at its October 4, 2022 meeting, its January 28, 2023 joint meeting, and its February 21, 2023 meeting.

**NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CLAREMONT HEREBY FINDS, DECLARES, AND RECOMMENDS AS FOLLOWS:**

**SECTION 1. Incorporation of Recitals.** The Planning Commission hereby finds that all the facts set forth in the recitals are true and correct and are incorporated as substantive findings of this resolution.

**SECTION 2. CEQA.** It can be seen with certainty that the Code Amendment has no possibility of having a significant effect on the environment. In the absence of any pending application for any hotel or motel that might implicate the proposed ordinance, any specific environmental effects would be speculative. Therefore, the adoption of the proposed Hotel/Motel Ordinance is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

**SECTION 3. Findings and Determinations.** Based upon substantial evidence presented to the Planning Commission during the joint meeting (on January 28, 2023) and two public hearings (on October 4, 2022 and February 21, 2023), including written staff reports, the staff presentation, written public comments, and verbal testimony, the Planning Commission hereby finds and determines:

1. It is appropriate to amend the Hotel/Motel Ordinance City-wide.



2. The proposed Code Amendment is consistent with the objectives, policies, general land uses and programs of the General Plan. For example, the Land Use Element of the General Plan encourages hotel uses in the Freeway Commercial land use designation for certain properties adjacent to the I-10 freeway that are highly visible from the freeway and benefit from this regional exposure and the Indian Hill/Foothill mixed use designation. (Land Use Element, pp. 2-13, 2-15.) The Code Amendment is also consistent with the Land Use Element's neighborhood vision for South Claremont that "all commercial properties should continue to be upgraded over time, as this presents a gateway impression of Claremont to freeway travelers." (Land Use Element, p. 2-46.)
3. The proposed Code Amendment would not be detrimental to the public interest, health, safety, convenience or welfare. The proposed amendment is being carried out in response to public outcry about long-standing criminal and nuisance activities at certain motels.

**SECTION 4. Recommendation.** Based upon substantial evidence presented to the Planning Commission during the joint meeting on January 28, 2023 and public hearings on October 4, 2022 and February 21, 2023, including written staff reports and verbal testimony, the Planning Commission hereby recommends the City Council adopt a proposed Code Amendment as set forth in Exhibit 1, attached hereto and incorporated herein as if set forth in full.

**SECTION 5.** The Chair shall sign this Resolution and the Commission Secretary shall attest and certify to the passage and adoption thereof.

**PASSED, APPROVED, AND ADOPTED** this 21<sup>st</sup> day of February, 2023.

\_\_\_\_\_  
Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Planning Commission Secretary

**Exhibit 1 – Joint Police and Planning Commission Recommended Ordinance**  
(Drafted based on direction from the January 28, 2023 Joint Commission Meeting)

## **16.900 DEFINITIONS**

### **16.900.434 HOTEL**

*Hotel* shall mean a commercial land use in a building or portion of a building containing guest rooms which are designed, occupied, used, or intended to be used, rented or hired out as temporary overnight accommodations. A hotel shall not include residential and health care facilities that provide care of persons in need of medical or nursing care, personal care, developmental and supportive services, supervision, or assistance essential for sustaining the activities of daily living. Hotel is distinguished from motel by having the entry to more than fifty (50) percent of the guestrooms through a lobby and/or through a common interior corridor.

### **16.900.435 HOTEL/MOTEL**

*Hotel/motel* shall mean either a hotel (including a long-term stay hotel) or a motel as defined herein. These definitions do not include private residences made available for short term rentals, such as residences or rooms rented through Airbnb and Vacation Rental by Owner (VRBO).

### **16.900.585 MOTEL**

*Motel* shall have the same meaning as “hotel”; however, motel is distinguished from hotel by having at least fifty (50) percent of all rooms having direct access to the outside without the necessity of passing through the main lobby or interior of the building.

### **16.900.845 TRANSIENT**

*Transient* shall mean a person who is receiving sleeping or overnight accommodations for a period of thirty (30) consecutive calendar days or less, at a location within the City, for a price, with or without meals.

## **16.101 HOTELS/MOTELS**

### **16.101.000 Intent.**

The general purpose of these regulations is to address nuisance activity that often occurs in and around hotels/motels and use a collaborative approach to both proactively prevent and, when necessary, reactively abate the activity. The intent is to promote the health, safety, comfort, convenience, prosperity, and general welfare by requiring that businesses that offer shelter to visitors, transient guests, and other residents provide a minimum level of cleanliness, quality, and security.



**16.101.010 Definitions.**

For the purpose of this chapter, unless the context clearly requires otherwise, the words and phrases defined in this section shall have the following meanings:

*Director* shall mean the City's Director of Community Development or his, her, or their designee.

*Guest* shall mean any person who is authorized to enter a hotel/motel room and who the hotel/motel operator has provided with a hotel/motel room key.

*Identification documents* shall mean, exclusively, any one of the following documents issued by a government agency: (1) a current passport; (2) a current driver's license; (3) a current non-driver identification card; (4) current military identification. To be accepted by the operator of a hotel/motel, an identification document must include a photograph of the guest presenting it that the operator recognizes as a photograph of the guest. For avoidance of doubt, any document that is represented by a guest to be one of the above documents, but which does not include a photograph, or does not include a photograph that the operator of the hotel/motel recognizes as the photograph of the guest, is not an acceptable identification document.

*Long-term stay hotel* shall mean a hotel that allows guests to rent rooms for terms that exceed the maximum length of stay limitations in this chapter. These establishments as defined are sometimes referred to as "extended-stay hotels", such as Residence Inn by Marriott Hotels or Extended Stay America.

*Operator* shall include owners and managers of a hotel/motel and their agents and employees.

**16.101.020 Maximum Length of Stay.**

A. A hotel/motel shall be used only for transient occupancy. No person shall utilize a hotel/motel as his or her primary residence, except a resident manager of the hotel/motel. A hotel/motel may include one dwelling unit for use as a resident manager's unit.

B. All guest rooms shall be used only for short-term, overnight accommodations for guests. Unless a hotel/motel has obtained a conditional use permit in accordance with Chapter 16.303 authorizing longer-term stays, the length of time any guest occupies any hotel/motel room shall not exceed the following limits:

1. Maximum Consecutive Length of Stay: Thirty (30) consecutive calendar days; and
2. Maximum Cumulative Length of Stay: Sixty (60) cumulative in any one hundred and eighty (180) consecutive calendar day period.

If a guest room(s) is (are) rented, let, or otherwise provided to any guest for the maximum time periods allowed by this section, then the hotel/motel shall not rent, let, or otherwise provide any other guest room to the guest in a manner that



results in the guest's stay at the hotel/motel exceeding these limits. A hotel/motel shall not allow a guest to change rooms in an attempt to evade these limits on maximum length of stay.

C. One of the purposes of these maximum length of stay limits is to ensure that hotels/motels regularly clean and maintain their guest rooms and do not allow guests' belongings to accumulate in an unsafe or unsanitary manner. Hotels/motels shall not permit guests to store their belongings in their guest rooms after checking out. Before a new rental term begins, hotels/motels shall ensure that all of the prior guests' belongings have been removed and the guest room is clean and in a good state of repair.

D. The limitations on maximum length of stay in subsection (B) of this section shall not apply to a hotel that the City has specifically approved as a long-term stay hotel through the issuance of a conditional use permit in accordance with Chapter 16.303.

#### **16.101.030 Minimum Length of Stay.**

A. **Hotels:** Unless a hotel has obtained a conditional use permit in accordance with Chapter 16.303 authorizing shorter-term stays, the minimum rental term for a guest room in a hotel must be sufficient for at least one overnight stay.

B. **Motels:** Unless a motel has obtained a conditional use permit in accordance with Chapter 16.303 authorizing shorter-term stays, the minimum rental term for a guest room in a motel must be sufficient for at least one overnight stay that is at least eighteen hours (18) long.

C. **Re-Renting Rooms:** Unless a hotel/motel has obtained a conditional use permit in accordance with Chapter 16.303 authorizing the hotel/motel to re-rent vacant rooms, a hotel/motel shall not re-rent a guest room to a new or different guest until the previous guest's full reserved length of stay period has expired. For example, if a hotel/motel guest reserves a room for seven (7) nights, but the guest checks out after one (1) night, the hotel/motel shall not re-rent that room until the seven (7) day reserved length of stay period has expired.

#### **16.101.040 Requirements for All Hotel/Motels.**

The requirements listed in this section shall apply to every hotel/motel in the City. The general purpose of these requirements is to proactively prevent and reactively address certain criminal activity, including prostitution and human trafficking.

A. **Room Rental Rates:** Unless a hotel/motel has obtained a conditional use permit in accordance with Chapter 16.303 authorizing shorter-term rental rates, no operator of a hotel/motel shall accept an hourly rate or any increment less than the rate for at least one overnight room rental (hereafter "day use rates"). In addition to the findings and requirements set forth in Chapter 16.303, the decision-making body shall not approve a conditional use permit for day use rates unless it makes all of the following findings:

1. The hotel/motel is in full compliance with this chapter.



2. The hotel/motel does not have a history of criminal activities on site that could be exacerbated by day use rates, such as prostitution and/or human trafficking.

3. The use of day use rates at this location is unlikely to result in criminal or nuisance activities or otherwise be detrimental to the health, safety, or welfare of the community.

**B. Guest Register & Check In Procedures:**

1. Contents of Guest Register: The hotel/motel operator shall keep a register that includes all of the following:

- a. The full name of each guest;
- b. Each guest's date of birth;
- c. The permanent address of each guest, if any;
- d. The identification number from the identification document the guest used to check in (e.g., the driver's license number) and the issuing jurisdiction (e.g., state or country) for the identification document;
- e. The dates of occupancy (including the day, month, year, and hour of the guest's check in and check out times);
- f. The room number or letter (or other identifying symbol if guest rooms are not numbered or lettered);
- g. The room rate;
- h. The make, model, and license plate number of any vehicle that the guest will park in the hotel/motel's parking area(s); and
- i. A signature of the representative of the operator who examined the identification document(s) presented and attestation that he, she, or they examined the identification document(s) and confirmed that the photograph is that of the guest.

2. Scanned Identification Documents: No hotel/motel operator shall allow a guest to occupy a guest room for any period of time without first scanning or otherwise making a digital copy of the guest's identification document(s).

3. Credit or Debit Card: No hotel/motel operator shall allow a guest to occupy a guest room for any period of time without first obtaining a valid credit or debit card in the guest's name (as opposed to a prepaid card) from the guest who is paying for the room and confirming that the name on the card matches the name on the guest's identification document(s). If the guest is not using the credit or debit card to pay for the room (e.g., the guest is paying with cash), the hotel/motel

operator must confirm the validity of the credit or debit card with the card issuer. Notwithstanding the foregoing, this requirement shall not prevent hotels/motels from renting a guest room to a guest who is paying for the room with voucher from a governmental agency or a bona fide nonprofit entity.

4. Exception for Digital Check-Ins: With advance approval of a conditional use permit in accordance with Chapter 16.303, an operator of a hotel/motel may obtain a waiver of one or more requirements in Paragraphs (1)(i), (2), and/or (3) of this Section 16.101.040(B) to allow the hotel/motel to offer a digital check in option, such as an electronic check in kiosk or a “digital key” that allows guests to check-in to the motel and access their guest room key on their mobile device. In addition to the findings and requirements set forth in Chapter 16.303, the decision-making body shall approve a conditional use permit for digital check-ins unless it makes all of the following findings:

a. The hotel/motel is in full compliance with this chapter.

b. The hotel/motel does not have a history of criminal activities on site that could be exacerbated by digital check-ins, such as prostitution and/or human trafficking.

c. The use of digital check-ins at this location is unlikely to result in criminal or nuisance activities or otherwise be detrimental to the health, safety, or welfare of the community.

5. Bookings by a Responsible Agent: This Section 16.101.040(B) shall not prevent hotels/motels from allowing a responsible agent to reserve guest rooms on behalf of an organized group (i.e. sport teams, companies, associations, etc.), provided each of the group’s guests who are staying in the hotel/motel’s guest rooms comply with this section.

6. Retention of Guest Records: Every motel operator shall keep and preserve the register and any and all other records required by this section for a period of not less than four (4) years. During the retention period required by this subsection, no person shall alter, deface, or erase the register and any and all other records required by this section so as to make the information recorded therein illegible or unintelligible.

7. Inspection of Guest Records: The guest register must be made available to City Personnel in accordance with Section 16.101.040(L) below.

C. **Transient Occupancy Tax**: Transient occupancy tax (TOT) shall be paid for each occupied guest room in a hotel/motel pursuant to Municipal Code Chapter 3.28.

D. **Parking by Permit Only**:

1. Parking Permits Required: Except as otherwise provided in this section, it shall be unlawful for any person to stand or park any vehicle in a



hotel/motel's parking area unless a parking permit issued by the motel is displayed on the vehicle. A hotel/motel shall not issue a parking permit to any person who is not a guest of the hotel/motel, an employee of the hotel/motel, or a contractor of the hotel/motel when the contractor is on site for official business. For guest vehicles, a hotel/motel shall not issue a parking permit unless the guest has provided all of the information and documents required by Section 16.101.040(B) above.

2. Implementation of Permit Parking System: The Director is authorized to establish rules and procedures to produce signs, forms and other materials necessary or appropriate to implement the provisions of this section.

3. Enforcement of Parking Permit Requirements: The hotel/motel shall be responsible for monitoring its parking areas and enforcing the requirements of this section. Failure to enforce the requirements of this section is a violation of this chapter.

4. Exceptions:

a. This requirements of this section shall not apply to any authorized emergency vehicle, City vehicle, or vehicle owned by a public utility when such vehicle is being used for official business, or to any vehicle used for collection or delivery of United States mail.

b. This requirements of this section shall not apply to any hotel/motel that provides secured parking for guests behind a fence, gate, or similar structure in accordance with plans approved by the Director.

c. The requirements of this section may be modified or waived through approval of a conditional use permit in accordance with Chapter 16.303.

**E. Video Surveillance:**

1. Video Surveillance Requirement: Every operator of a hotel/motel shall install and maintain in good working order closed-circuit television (CCTV) cameras sufficient to maintain continuous visual coverage of all entry points, common areas, and all parking areas.

2. CUP Exception for Parking Areas Only: The requirement to install and maintain CCTV cameras in parking areas may be modified or waived through approval of a conditional use permit in accordance with Chapter 16.303.

3. Surveillance Footage Retention & Inspection: The video footage from CCTV cameras must be maintained by the motel for a minimum of ninety (90) days before it is erased or overwritten. Surveillance footage must be made available to City personnel in accordance with Section 16.101.040(L) below.



**F. Security of Guest Rooms:**

1. Guest Room Locks. Hotels/motels shall install and maintain an operable dead bolt lock on each main swinging entry door of a guest room. The dead bolt lock shall be installed in accordance with the manufacturer's specifications and shall comply with applicable state and local codes including, but not limited to, those provisions relating to fire and life safety and accessibility for people with disabilities. This section shall not apply to horizontal sliding doors.

2. Viewports. Each exterior door to a guest room shall have a viewport or window convenient to the door. Properties with fire resistive construction rated ("fire rated") doors, at the time of the adoption of the ordinance codified in this Chapter, are exempt from this provision to the extent that installing a viewport would negatively affect the fire rating.

3. Connecting Doors. Each door connecting two guest rooms that share a common wall shall be equipped with a functional deadbolt lock.

4. Window Locks. All windows designed to be opened shall have an operable window security or locking device. Louvered windows, casement windows, and all windows more than twelve (12) feet vertically from the ground are excluded from this subdivision, except where the window is within eight (8) feet horizontally of a roof or any other platform area.

**G. Cleanliness:**

1. Mattress Condition/Cleanliness. Mattresses shall be free of stains, holes, rips, and/or odors in excess of normal wear and tear, and maintained in a sanitary, nondefective condition (e.g., without broken springs, indentations, sags, etc.).

2. Linen Condition/Cleanliness. Where provided by the operator, linens shall be free of stains, holes, rips, and/or odors in excess of normal wear and tear and shall be cleaned at change of occupancy.

3. Bathroom Condition/Cleanliness. Bathroom fixtures (e.g., toilet, bathtub, sink, and mirror) shall be maintained without significant cracks, chips, and/or stains. Floors shall be washed and sanitized at change of occupancy and/or before a new rental term begins. The operator shall maintain daily cleaning schedules.

4. Carpet Condition/Cleanliness. Carpeting shall be free of stains, holes, rips, and/or odors in excess of normal wear and tear, and maintained in a sanitary, nondefective condition.

5. Floor Condition/Cleanliness. With the exception of carpeting as noted above, floor surfaces shall be made of nonabsorbent material. All surfaces and tile grouting shall be maintained without cracks, rips, and/or missing elements.

6. Wall Condition/Cleanliness. Wall surfaces shall be maintained without spots, stains, flakes, chips, holes, and the like and maintained in a clean and sanitary condition.

7. Mold/Mildew. All surfaces, including fixtures and carpeting and flooring shall be free from mold, mildew, and/or bubbling conditions.

8. Water Leakage/Water Stains. All fixtures shall be maintained without leaks or drips. Water damage shall be repaired within thirty (30) days of detection. A guest room with water damage shall not be rented until the water damage is repaired.

9. Furniture Condition. All furniture items provided by the hotel/motel shall be maintained in proper working order.

10. Condition of Shades/Draperies/Blinds. Shades, draperies, blinds, and other window coverings shall be free of stains, holes, rips, and/or odors in excess of normal wear and tear, and maintained in a sanitary, nondefective condition.

11. Vector Control. The premises shall be kept clean in every part and free from accumulation of garbage, rubbish, rodents, vermin, and other unsanitary matter.

#### H. Room Furnishings:

1. Privacy. Privacy coverings such as shades, draperies, or blinds shall be appropriately hung to cover all windows.

2. Room Light. An active, fully functional light switch shall be located at the entry to the guest room.

3. Bathroom Fixtures. Private bathrooms shall have a functioning toilet and sink, and a functioning shower and/or bathtub. This section should not be construed to prevent a sink from being placed in a guest room that does not have full bathroom facilities.

4. Shared Bathroom Facilities. Guests in facilities with shared bathrooms shall have access to a functioning toilet and sink, and a functioning shower and/or bathtub. Shared showering or bathing areas shall be able to be securely locked from the inside. Separate facilities shall be provided for men and women or the facilities shall be able to be locked for individual use. Signs shall be posted indicating that "Children under 12 years of age who use this shared bathroom must be accompanied by a parent or guardian at all times."

5. Hot/Cold Water. Hot and cold running water shall be provided for all plumbing facilities.

6. Telephone Rates. Telephone rates shall be posted in every room that has a private phone and be adhered to by management.



7. Clothes Storage. Storage space shall be provided in good working order for hanging clothes and/or storing personal belongings.

8. No guest room shall contain a kitchen or cooking facilities, except that a microwave oven and/or small refrigerator are permitted.

**I. Exterior of Property:**

1. Windows. Exterior window glass shall be without cracks, chips, and/or holes. Aftermarket tint material applications on windows are prohibited.

2. Exterior Lighting. Please reference Claremont Municipal Code Chapter 16.136 – Parking, Loading, and Transportation Demand Measures.

3. Painting. Please reference Claremont Municipal Code Chapter 8.16 – Public Nuisances.

4. Electrical. Please reference Claremont Municipal Code Chapter 15.08 – Electrical Code.

5. Landscaping. All areas on the property designated for landscaping, such as, lawns, planter beds, and other unsurfaced locations, shall be maintained with properly trimmed living plant materials in accordance with an approved landscaping plan and without collecting litter or debris. Please reference Claremont Municipal Code Chapter 8.22 – Maintenance of Commercial Landscaping and Chapter 16.131 – Water Efficient Landscape Requirements.

6. Directional Signs. Directional signs shall be posted as appropriate to ensure that emergency personnel can find guest rooms in a timely manner. Please reference Claremont Municipal Code Title 18 – Signs.

7. Exterior Trash/Garbage Storage. All containers used for the storage of trash, garbage, or recycled materials and placed on the exterior of the building(s) shall be maintained in a locked and screened enclosure. Please reference Claremont Municipal Code Chapter 8.08 – Garbage and Solid Waste.

**J. Common Areas:**

1. Elevators. Guest service elevators shall be fully functional and pass appropriate agency inspections. The name and telephone number of the inspection agency shall be posted in all elevators. Elevators shall be operational on a twenty-four (24) hour-a-day basis.

2. Hallway Lighting. Any lobby area or other public space shall be maintained in a sanitary condition, free of garbage or debris.

3. Upon request, the hotel/motel must make any common areas and/or parking areas of the hotel/motel available to any member of the Claremont Police



Department or the City of Claremont Building and Safety Division for the purpose of determining that the provisions of this chapter are met. Refusal to allow such inspection immediately is a violation of this chapter.

K. **Lost or Abandoned Property:** Any property left in a guest room by a person or party that has checked out shall be removed by the operator of the hotel/motel and stored or otherwise disposed of in accordance with applicable laws.

L. **Inspections:** To ensure ongoing compliance with this chapter and any other federal, state, or local laws and regulations, the City of Claremont's Building and Safety Division, Planning Division (including Community Improvement), Police Department, and/or City Attorney (collectively, "City Personnel") may require periodic inspections of a hotel/motel's premises, records (including any required guest register), and/or surveillance footage. Nothing in this section shall prevent City Personnel and a hotel/motel operator from working together to schedule an inspection at a mutually agreeable date and time to minimize disruption to the hotel/motel's business and operations.

1. Except as otherwise provided in this section, City Personnel shall serve a written inspection notice on the operator by either first class mail or personal service at least thirty (30) calendar days prior to the inspection date. If notice is served by first class mail, it is deemed served three days after it is deposited in the mail. If notice is hand delivered, it is deemed served immediately upon receipt.

2. The inspection notice shall contain the following information: (1) the name, address, and telephone number of the City Personnel who will be conducting the inspection; (2) the purpose of the inspection; (3) the date and approximate time of the inspection; and (4) notice of the right to seek pre-compliance administrative review of the inspection notice.

3. The operator may object to the inspection notice by seeking pre-compliance administrative review by the City Manager or his/her/their designee. Pre-compliance administrative review shall be sought at least ten calendar days before the inspection date provided on the inspection notice.

4. Notwithstanding the above, an inspection notice is not necessary if:

a. The operator of the hotel/motel consents to the inspection of the hotel/motel's premises, records, and/or surveillance footage and/or the guest consents to the inspection of his, her, or their individual guest room;

b. The inspection is being conducted pursuant to an administrative or court-issued subpoena or warrant, such as an inspection warrant under California Code of Civil Procedure Sections 1822.50 through 1822.57;

c. The inspection is being conducted in response to exigent circumstances, such as a reasonable belief that area being inspected is so

hazardous, unsafe or dangerous as to require immediate inspection to safeguard the public health or safety; and/or

d. The inspection is limited to parts of the hotel/motel's premises that are open to the public for conditions that City Personnel can observe in plain view, such as the hotel/motel's parking lot and lobby.

#### **16.101.050 Additional Requirements for Long-Term Stay Hotels**

No long-term stay hotel may be established or operated except as specifically permitted by a conditional use permit approved pursuant to Chapter 16.303.

The following requirements shall apply to every long-term stay hotel in the City:

A. A long-term stay hotel shall be specifically designed and operated to primarily accommodate long-term guests whose length of stays vary from several days to a month or more.

B. The hotel shall be of an architectural and visual quality and character, which harmonizes and enhances the surrounding area.

C. Fireproof safety deposit boxes must be available to all of the occupants.

D. All guest rooms shall provide wireless computer connections.

E. The hotel shall provide a business/conference center with private or semi-private work spaces, wireless service, telephones, and access to a fax machine and photocopier.

F. A long-term stay hotel shall be located in an area with a concentration of amenities for guests including restaurant, retail, recreation, open space, and exercise facilities.

#### **16.101.060 Amortization of Legal Nonconforming Conditions**

Notwithstanding Chapter 16.400, conditions that existed as of the effective date of Ordinance No. \_\_ (‘‘Effective Date’’) and that were legal and fully conforming to all state and local laws, codes, and regulations immediately prior to Effective Date, but which do not conform to this chapter, must to be brought into compliance with this chapter by the following deadlines:

A. For changes in hotel/motel operations – within ninety (90) days of the Effective Date; and

B. For changes that require physical improvements to the property and/or structures – one (1) year of the Effective Date.

A hotel/motel may file a written request for an extension of these amortization periods. The Director may grant a request for an extension if he/she/they find: (1) the



extension will not pose a risk to the public health, safety, or welfare; and (2) the hotel/motel has exercised diligence in making progress towards bringing the nonconforming condition into compliance with this chapter. A hotel/motel may request more than one extension, but the maximum cumulative length of any single extension or combination of extensions is one (1) year. The Director's decision on a request for an extension is appealable in accordance with Chapter 16.321.

### **16.101.070 Enforcement**

#### **A. Criminal Fines and Penalties**

Any person responsible for violating any provision of this chapter is guilty of an infraction or a misdemeanor at the discretion of the City Attorney and/or district attorney. Upon conviction, the person shall be punished as prescribed in Chapter [1.12](#).

#### **B. Administrative Fines and Penalties**

Whenever an officer charged with the enforcement of any provision of this Municipal Code determines that a violation of this chapter has occurred, the officer shall have the authority to issue an administrative citation to any person responsible for the violation in accordance with Chapter [1.14](#).

#### **C. Separate Offenses for Each Day.**

Any person responsible for violating this chapter shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued, permitted, or caused by such person and shall be punished accordingly.

#### **D. Public Nuisance and Lien on Property**

Any use or condition caused, or permitted to exist, in violation of any provision of this chapter and/or state or federal law shall be, and is hereby declared to be, a public nuisance and may be summarily abated by the City pursuant to California [Code of Civil Procedure](#) Section 731 or any other remedy available at law. In accordance with Chapter [1.15](#), the City may also collect any fee, cost, or charge incurred in the abatement of such nuisance by making the amount of any unpaid fee, cost or charge a lien against the property that is the subject of the enforcement activity.

#### **E. Proactive Abatement of Criminal Activity**

Operators of hotels/motels are responsible for making every available effort to prevent criminal activity at their hotel/motel and are encouraged to immediately report all criminal or suspicious activities to the Claremont Police Department or the appropriate law enforcement authority. To that end, the City generally will not use the volume of calls for service initiated by the operator a hotel/motel as evidence that the hotel/motel is a public nuisance.

F. Red Light Abatement Action

If there is reason to believe that a hotel/motel is used for the purpose of illegal gambling as defined by state law or local ordinance, lewdness, assignation, or prostitution, then the City Attorney may bring an action pursuant to California's Red Light Abatement Law, California Health and Safety Code Section 11125, et seq. to abate and prevent the nuisance and to perpetually enjoin the person conducting or maintaining it, and the owner, lessee, or agent of the building or place, in or upon which the nuisance exists, from directly or indirectly maintaining or permitting it.

G. Civil Action

In addition to any other enforcement permitted by the City's Zoning and/or Municipal Codes, the City Attorney may bring a civil action for injunctive relief and civil penalties against any person who violates any provision of this chapter. In any civil action that is brought pursuant to this chapter, a court of competent jurisdiction may award civil penalties and costs to the prevailing party.

H. Permit and/or License Revocation

Any violation of this chapter may result in revocation of the hotel/motel's use permit and or business license.

Use of any one or more of these remedies shall be at the sole discretion of the City and nothing in this section shall prevent the City from initiating civil, criminal or other legal or equitable proceedings as an alternative to any of the proceedings set forth above.

I. Liability for Expenses

In addition to the punishment provided by law, a person responsible for violating this chapter is liable for such costs, expenses, and disbursements paid or incurred by the City or any of its contractors in correction, abatement, and prosecution of the violation.

**16.101.080 Oversight & Reporting**

A. The City Manager or his/her/their designee shall establish a City Interdepartmental Team (CIT) comprised of City staff from multiple departments, including but not limited to the Building and Safety Division, the Planning Division (including Community Improvement), the Police Department, and the City Attorney's Office to proactively identify and address criminal and nuisance activity at hotels/motels. The CIT shall also include at least one member of the community who is impacted by hotels/motels, such as a member of the community who resides or works near a hotel/motel.

B. The CIT shall conduct ongoing outreach to members of the community who may be impacted by hotels/motels. The City's website shall include a process for reporting feedback on hotels/motels.



C. The CIT shall prepare reports of any findings it makes regarding nuisance and criminal activity at hotels/motels. The CIT shall post its reports on the City's website quarterly and shall provide a report to the City Council annually.

**Summary of Direction from the January 28, 2023 Joint Planning and Police  
Commission Meeting**

The City Attorney drafted the Planning and Police Commissions' Recommended Ordinance (Attachment A) based on the following direction provided during their joint commission meeting:

Key Decision #1 - Should the ordinance: (1) proactively apply to all hotels/motels (like Versions 1.0-3.0); or (2) only apply reactively to motels that have been declared a "nuisance" through nuisance abatement proceedings (like LB's ordinance)?

**Direction:** The ordinance should apply proactively to all hotels/motels.

Key Decision #2A - Should the ordinance be a standalone chapter (as opposed to a section in the City's Chapter of regulations for Commercial Districts)?

**Direction:** The ordinance should be a new standalone chapter in the City's Zoning Code.

Key Decision #2B - Should the ordinance stay in the Zoning Code (Title 16) or be moved to Title 5 of the Municipal Code ("Business Regulation")?

**Direction:** The ordinance should be a new standalone chapter in the City's Zoning Code.

Key Decision #3 – How broadly should the ordinance define the term "guest"?

**Direction:** Guest should be defined as, "An occupant who is authorized to enter the room and access a key for the room."

Key Decision #4A - What should be the limit for consecutive length of stay?

**Direction:** The limit for the consecutive length of stay should be 30 days. If a hotel/motel operator wants an exception, they must apply for a conditional use permit (CUP).

Key Decision #4B - What (if anything) should be the limit for cumulative length of stay?

**Direction:** A guest may stay no more than 60 calendar days in a 180 day period. If a hotel/motel operator wants an exception, they must apply for a CUP.

Key Decision #5 - Should the ordinance impose a minimum hour requirement on what constitutes an "overnight stay"?

**Direction:** Hotel and motel stays must be for at least one "overnight" stay. Motel stays must be for at least 18 hours. If a hotel/motel operator wants an exception, they must apply for a CUP.

Key Decision #6 – Should the ordinance allow hotels/motels to re-rent rooms if a guest checks out early?

**Direction:** If a hotel/motel operator wants to re-rent rooms due to a guest checking out early, they must apply for a CUP.

Key Decision #7A – Should the ordinance allow hotels/motels to rent rooms for "day use" on a case-by-case basis? ("Day use" means renting a room for less than a full night's stay.)

**Direction:** If a hotel/motel operator wants to rent a room for less than a full night's stay (i.e. a day use program), they must apply for a CUP.

Key Decision #7B – Should the ordinance allow hotels/motels to offer varied pricing based on length of stay?

**Direction:** Yes, the ordinance should allow hotels/motels to offer varied pricing based on length of stay (e.g., lower rates for longer stays).



Key Decision #8A – Should the ordinance require guests to provide a valid credit/debit card as a way to verify their identity?

**Direction:** Yes, the ordinance should require guests to provide a valid credit/debit card as a way to verify their identity.

Key Decision #8B – Should the ordinance allow guests to pay for rooms with cash?

**Direction:** Yes, since guests must present a valid credit/debit card for identity verification purposes.

Key Decision #9A – Which hotels/motels should be required to keep a guest register?

**Direction:** All hotels and motels should be required to keep a guest register containing the following information...

- Guest name
- Date of birth
- Make, model, and license plate number of any guest vehicle parked on site
- Permanent address, if the guest has one
- Dates of occupancy (including date & hour of check in/out times)
- Room rate
- Room number
- Identification number(s) and issuing jurisdiction from the identification document(s)
- Employee attestation that guest matches photo on identification document(s)

Key Decision #9B – Should hotels/motels be required to scan images of a guest's Identification Document?

**Direction:** Yes, all hotels/motels should be required to scan images of a guest's Identification Document.

Key Decision #9C – Should the ordinance allow the City's Community Development Director to allow a hotel/motel to offer digital check-ins?

**Direction:** If a hotel/motel wants to allow for digital check-ins, they must apply for a CUP.

Key Decision #9D – What is the appropriate record retention period for hotel/motel records, including the guest register?

**Direction:** A hotel/motel must retain all records for no less than four years.

Key Decision #10 – Should the ordinance require secured parking or permit parking for hotels/motels?

**Direction:** Permit parking should be required for all hotels/motels. If a hotel/motel operator wants an exception, they must apply for a CUP.

Key Decision #11 – Should the ordinance require hotels/motels to have CCTV cameras in their common areas and parking areas?

**Direction:** All hotels/motels are required to have CCTV cameras in their common areas, entry points, and parking lots. If a hotel/motel operator wants an exception for their parking lot(s), they must apply for a CUP. There will be no exceptions for common area(s) and entry point(s).

Key Decision #12 – Should hotel/motel guest rooms be prohibited from having a kitchen or cooking facilities, other than a microwave and small refrigerator, except in long-term stay hotels?

**Direction:** This item will be considered by the Planning Commission at their February 21, 2023 meeting.

Key Decision #13 – Should the ordinance explicitly outline site and operational requirements, like security, cleanliness, room furnishings, and the condition of the exterior of the property and common areas?

**Direction:** Yes, these requirements should be address in the Hotel/Motel Ordinance...

- Security of guest rooms
- Cleanliness
- Room furnishings
- Exterior of property
- Common areas

Key Decision #14 – Should the ordinance require long-term stay hotels to be located in an area with a “concentration of amenities” for guests, including restaurant retail, recreation, open space, and exercise facilities?

**Direction:** This item will be considered by the Planning Commission at their February 21, 2023 meeting.

Key Decision #15 – Should an amended Hotel/Motel Ordinance remove the warrantless inspection requirement that is in the City’s existing ordinance? It should be noted that the existing ordinance was approved by the City Council in 2004 and that since then, the courts have clarified that warrantless inspections are illegal.

**Direction:** The ordinance should reflect the strictest possible inspection requirements that are permitted under law, including administrative review (rather than judicial review).

Key Decision #16 – What is the appropriate amortization period for hotels/motels to bring their (1) operations, and (2) sites into compliance with the new ordinance?

**Direction:** The ordinance should reflect the following amortization periods...

- Changes in hotel/motel operations must be completed within three months of ordinance adoption. There are no exceptions to this requirement.
- Changes that require physical improvements to the property must be completed within one year of ordinance adoption. The Community Development Director may, at his/her discretion, grant an extension for up to one additional year if diligent progress is being made by the hotel/motel operator.

Key Decision #17 – **None.** An informational section will be added to the Hotel/Motel Ordinance that clarifies the enforcement options that exist within the Claremont Municipal Code.

Key Decision #18 – What (if any) types of City and community oversight and reporting requirements should the ordinance require?

**Direction:** A City Interdepartmental Team (CIT) should be established to proactively address criminal and nuisance activity at hotels and motels, particularly at freeway motels. The CIT should report their findings as follows:

- Quarterly reports posted to City website; and



- Annual report to the City Council; and
- Comment form on City's website (to allow members of the public to provide feedback on hotels and motels).

There should also be an opportunity for community representation on the CIT. Specifically, a representative from the "impacted community" should be considered.