

TO: PLANNING COMMISSION AND POLICE COMMISSION

FROM: KATIE WAND, ASSISTANT TO THE CITY MANAGER

DATE: JANUARY 28, 2023

Reviewed by:
Finance Director: N/A

SUBJECT:

PROVIDE DIRECTION REGARDING AMENDMENTS TO THE CITY'S EXISTING HOTEL/MOTEL ORDINANCE.

SUMMARY

For the past several years, the City's Police Department, Community Improvement Division, and Planning Division have been working to address criminal, code enforcement, and nuisance activities in and around the motels located near the I-10 freeway.

In 2021, the City's Police Commission established an Ad Hoc Committee to evaluate the increase in criminal activity around the motels and provide recommendations on possible actions to address the increase in crime. In April 2022, the Claremont Police Commission approved a Statement of Direction that, among other things, recommended conceptual provisions for a new or amended Hotel/Motel Ordinance. The Police Commission created its Statement of Direction as a starting point. At the 2022 City Council Priorities Planning Workshop, the City Council adopted an objective to evaluate amendments to the City's existing Hotel/Motel Ordinance, which was originally adopted in 2004.

The Statement of Direction was given to City staff to further review and develop a draft ordinance. City staff consulted with the City Attorney's Office and Police Department while drafting a revised version of the amendments to ensure it complied with State and local laws. Staff met with management representatives from each of the five hotels/motels in Claremont as well as legal counsel for the California Hotel and Lodging Association and California Association of Boutique & Breakfast Inns and legal counsel for the Motel 6 located in Claremont.

Because these code amendments would require an amendment to the City's Zoning Code, public hearings are required for both the Planning Commission (for a recommendation) and the City Council (for final approval). On October 4, 2022, City staff presented a staff report to the Planning Commission with proposed amendments to the City's Hotel/Motel ordinance. The versions of the amended ordinance presented to the Planning Commission attempted to balance several competing interests and objectives. At that meeting, the Planning Commission received extensive public comment from the community. Based on this input, the Planning Commission recommended postponing a decision and requested staff arrange a joint meeting with the Planning Commission and Police Commission.

As such, staff recommends that Planning and Police Commissioners discuss potential amendments to the City's existing Hotel/Motel Ordinance and provide direction to staff on the contents of a draft amended ordinance to bring back to the Planning Commission (for a recommendation) and City Council (for adoption).

RECOMMENDATION

Staff recommends that the Planning Commission and the Police Commission discuss potential amendments to the City's existing Hotel/Motel Ordinance (which is generally set forth in Section 16.051.060 of the Claremont Municipal Code) and provide direction to staff on the contents of a draft amended ordinance to bring back to the Planning Commission (for a recommendation) and City Council (for adoption).

ALTERNATIVES TO RECOMMENDATION

In addition to the recommendation, there are the following alternatives:

- A. Continue the item for additional information.
- B. Reject all proposed amendments to the City's existing Hotel/Motel 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 \$24,451.20 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; 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 \$8,750 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 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), Claremont University (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 presented the Police Commission Recommended Ordinance to 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, staff proposed Version 3.0 as the updated staff recommended version.

In preparation for this joint commission meeting, the City Attorney created a chart (Attachment A) that describes the differences between the 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. The chart reflects the “pros” and “cons” of each component, and points to several “key decisions” regarding the composition of an amended Hotel/Motel Ordinance. Staff requests that the Planning and Police Commissioners provide feedback on each of these key decisions so that staff can draft a final amended Hotel/Motel Ordinance to bring back to the Planning Commission (for a recommendation) and City Council (for adoption).

Hotel/Motel Ordinance Community Listening Session

On November 29, 2022, City staff held a Hotel/Motel Ordinance Community Listening Session in the Padua Room at the Alexander Hughes Community Center. No decisions regarding the Hotel/Motel Ordinance were made at the Community Listening Session. This was an opportunity for members of the public to ask questions and provide feedback on a proposed Hotel/Motel Ordinance. Information that was presented at this listening session, a recording of the meeting, and responses to questions posed at this meeting can be found on the City’s website and provide additional context to the information that will be considered at the joint Commission meeting: <https://www.ci.claremont.ca.us/living/hotel-motel-ordinance>.

Proactive Building and Safety Inspection Program for Hotels/Motels

The Los Angeles County Department of Public Health (LACDPH) Lodging and Institutions Program conducts routine inspections of hotels, motels, and other housing facilities within their purview on an annual basis. They also conduct complaint investigations, so the total number of health department inspections each year is dependent upon complaints received.

To ensure the safety and satisfaction of those who are visiting our Claremont hotels and motels, the Claremont Building Division has initiated a proactive building and safety inspection program, which consists of periodic inspections of all hotels and motels by Building Inspection and Community Improvement staff. The goal is to visit 5-10 unoccupied guest rooms and accessible common areas at each of the five hotels/motels in Claremont to ensure that building and safety standards are being met.

All five hotels/motels in Claremont have agreed to participate in this **voluntary** program, and inspections have already begun, with the rest scheduled to occur in the coming weeks. The City is appreciative of the opportunity to work with all hotels and motels to improve our community and further support a vibrant local economy.

Community and Stakeholder Feedback

In an effort to inform Police and Planning Commissioners as well as the community of the questions and comments that City staff has received regarding proposed amendments to the Hotel/Motel Ordinance, Attachment B contains all of the public comment received and Attachment C contains all of the questions received between October 2022 and January 2023, with responses from City staff. Additionally, an Interest List and Question/Comment Form specific to the Hotel/Motel Ordinance has been live on the City's website since November 2022.

Staff and the City Attorney also met with members from the Committee for Safe and Healthy Housing on November 14, 2022, and incorporated their comments and questions into Attachments B and C.

Next Steps

Assuming that the Planning and Police Commissions provide conceptual direction to staff at their joint meeting, and again because these code amendments would require an amendment to the City's Zoning Code, public hearings will be required for both the Planning Commission (for a recommendation) and the City Council (for final approval). Below is a **tentative** timeline assuming that the Planning Commission recommends approval of an ordinance with without additional continuances:

- Conceptual direction received at the January 28, 2023 joint meeting (Police and Planning Commissions).
- 10 day notice required for the February 21, 2023 Planning Commission (PC) meeting.
- February 21, 2023 PC meeting (Public Hearing – to recommend City Council approval of the ordinance).
- 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.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

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 Katie Wand at KWand@ci.claremont.ca.us.

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:

Katie Wand
Assistant to the City Manager

Attachments:

- A – Chart Comparing Claremont’s Existing Ordinance, “Version 1.0,” “Version 2.0,” “Version 3.0”, and Long Beach’s Nuisance Motel Ordinance
- B – Public Comment
- C – Consolidated “Frequently Asked Questions” Document
- D – Police Commission Statement of Direction