

TOWN OF MONROE
LOCAL LAW NO. X OF THE YEAR 2021

A LOCAL LAW AMENDING CHAPTER 57 (ZONING) TO AMEND THE SPECIAL PERMIT REQUIREMENTS APPLICABLE TO HOTELS.

Be it enacted by the Town Board of the Town of Monroe by authority of Article 16 §264 of the Town Law and Article 2, §10 of the Municipal Home Rule Law, as follows:

Section 1: Legislative findings and intent. The Town Board of the Town of Monroe hereby finds and declares:

- A. The Town would be well served by having a supply of high-quality overnight hotel accommodations available at reasonable cost; and
- B. The current provisions governing hotel development within the GB district would preclude most mid-market national chains from locating within the Town, leaving only premium high-end inns and/or budget offerings viable by reason of:
 - 1. Restricting building heights to 2.5 stories; and
 - 2. Requiring 48,560 square feet for the first guestroom and 5,000 square feet for each additional guest room so that a smaller mid-market national chain hotel of 80 rooms would require more than 10 acres; and
- C. There may be a demand for an “extended stay” hotel for those on temporary assignment to the US Military Academy and other area employers as well as for “snowbirds” who no longer wish to maintain an owned residence in the area, which is precluded by current occupancy limitations.
- D. There may be a demand for an “all-suite” hotel, where an entire family can reside in one guest suite.

Section 2: Amend section §57-3 (Definitions) of Chapter 57 (Zoning) Article II (Word Usage) as follows:

HOTEL GUEST SLEEPING ROOM UNIT

Any habitable room ~~or demised group of rooms within a hotel design to be rented as a single unit and accessed by a single key and used as a sleeping a separate transient overnight accommodation for transient occupancy in a hotel, with one bathroom for each habitable room and no kitchen or cooking facilities, other than a small refrigerator or coffee maker.~~

Commented [MS1]: Defined by STR law – 29 consecutive days or 29 days in any calendar year.

HOTEL

A commercial building or portion thereof, containing hotel guest sleeping room units, ~~without individual kitchen or cooking facilities, occupied by transient guests who are lodged, with or without meals,~~ which rooms have ~~direct access to the outside and~~ sole access from interior public hallways. Conference space, ~~a~~ restaurants, bars, lounges, gift shops, sundries shop, business centers, fitness centers and recreational amenities are allowed accessory to a hotel.

Section 3: Amend Paragraph "L" entitled "Hotel" of Chapter 57 (Zoning) Article V (Special Uses) §57-13 (Individual standards for certain uses) as follows:

- L. Hotel. No authorization for a building permit shall be granted by the Planning Board unless the use meets the following standards:
 - (1) The minimum lot area shall be ~~one two~~ 2.2 acres, and there shall be an additional lot area of not less than ~~5,000~~ 1,500 square feet per hotel guest sleeping room unit beyond the first 75.
 - (2) ~~Hotels may be occupied only on a transient basis, with the exception of a single hotel guest unit which may be used for occupancy by employees. The maximum stay of any guest shall not exceed more than 10 consecutive calendar days. The Planning Board, in its discretion, may approve a hotel with no more than 25% of its guest sleeping rooms accommodating guests for no more than 30 calendar days, where it determines that adequate provisions are available to ensure guest rooms remain occupied by transient guests.~~
 - (3) ~~One principal building is permitted on a lot.~~
 - (4) ~~Guest sleeping rooms shall not contain kitchen facilities of any nature, shall not be used as apartments for nontransient tenants, shall not contain more than two rooms. No more than two hotel guest units and shall not be connected directly by interior doors in groups of more than two.~~
 - (5) Each guest sleeping room shall have an area of at least 300 square feet and shall be equipped with a bath facility with a shower or bath, ~~one~~ one toilet ~~facility~~ and ~~sink~~.
 - (6) The following uses shall be permitted accessory to a hotel: recreation facilities for the sole use of guests; office and lobby; breakfast, meeting and/or conference rooms; fitness center; business center; gift shop; sundries/snack shop; bar; lounge; restaurant, which shall not exceed 10% of the total floor area of the hotel.

Commented [MS2]: 2.2 acres = 80 rooms

Commented [MS3]: Changed to reflect transient defined in STR law

Commented [MS4]: Often two different brands will locate in two buildings on a single lot – for example a Hilton and a Hampton Inn, or a Marriot and a Fairfield Inn.

Commented [MS5]: Several national brands offer kitchens and kitchenettes – Residence Inn, Embassy Suites, Townplace Suites, Homewood Suites, etc.

Commented [MS6]: some suites have two bathrooms, a master and a main.

(7) A market analysis shall be submitted demonstrating that there is a demand for said hotel space within a five-mile radius of its proposed location, taking into consideration existing or approved hotels within said area.

(8) The Planning Board must find that the location is appropriate to the character of its surroundings; that such hotel will not be detrimental to the public health, public safety, morals and general welfare, and its operations will not negatively impact any adjoining residential zoning district or residential use by virtue of noise, lighting, odors, or other operational characteristics.

(9) Irrespective of the bulk requirements of the district in which it is located, the maximum height of a hotel shall be four stories and 50 feet.

Section 7. Severability

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 8. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.