

## Ordinance 2019-24

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR THE ALLOCATION OF AN ADDITIONAL 14 UNITS OF TEMPORARY LODGING DENSITY UNDER THE PROVISIONS OF THE BAYOU RESIDENTIAL DISTRICT TEMPORARY LODGING UNIT DENSITY POOL, AS ESTABLISHED IN THE CITY OF ST. PETE BEACH COMPREHENSIVE PLAN, TO PROPERTY LOCATED AT 3701 GULF BOULEVARD (HOTEL ZAMORA); PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission desires to facilitate the preservation of independent tourist lodging facilities in areas of the City with an appropriate tradition of such use; and

**WHEREAS**, the City's Technical Review Committee met on November 6, 2019 and reviewed and comment on this proposed Conditional Use Permit to allow an additional 14 units through the Density Pool allowances of the Bayou Residential District; and

**WHEREAS**, the Planning Board met on November 18, 2019 and received this request as a discussion item; and

**WHEREAS**, the City Commission has found this ordinance to be in the best interest of the health, safety, and welfare of the citizens of the city; and

**WHEREAS**, notice of this ordinance has been provided in accordance with applicable law.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:**

SECTION 1. Recitals. The above recitals ("Whereas" clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. Initially, 50 units of tourist lodging density were assigned to the property located at 3701 Gulf Boulevard (Hotel Zamora) by the City of St. Pete Beach on January 22, 2013 (Ordinance No. 2013-02) from those units collectively available to the Bayou Residential, Activity Center, and Town Center Core Districts Temporary Lodging Unit Density Pool, as established in the St. Pete Beach Comprehensive Plan.

SECTION 3. On October 17, 2019, the Zamora Hospitality Group, LLC, (applicant) applied for a conditional use permit and initially requested the allocation of an additional 13 Temporary Lodging Units because the applicant has become a contract purchaser of 3803 Gulf Boulevard, the adjacent property to the north of the Hotel Zamora. (Please note that the applicant had 3803 Gulf Boulevard surveyed to determine the actual

number of units allowed and said survey has revealed there is adequate land area to support 14 additional Temporary Lodging units rather than 13 units. As such, the applicant has modified the initial request and is seeking a total of 14 additional Temporary Lodging Units). It is anticipated that the office use at 3803 Gulf Boulevard will continue, but it will be combined with the Hotel Zamora property located at 3701 Gulf Boulevard, the Hotel Zamora may seek to utilize the addition of these 14 available Temporary Lodging Units. The legal combination of 3701 and 3803 Gulf Boulevard must occur prior to any additional Temporary Lodging Units being permitted.

SECTION 4. Upon this ordinance becoming effective, there shall be 261 tourist lodging units remaining in the collective Bayou Residential, Activity Center, and Town Center Corey Circle/Coquina West Districts Temporary Lodging Unit Density Pool, as established in the City of St. Pete Beach Comprehensive Plan.

SECTION 5. The 14 units awarded by this ordinance shall revert back to the density pool if an occupational license has not been obtained within six months from the date of this ordinance (and if a Certificate of Occupancy permit has not been issued within one year from the date of this ordinance) and unless all other provisions of the Land Development Code are adhered to unless time for meeting these conditions is extended by resolution of the City Commission.

SECTION 6. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

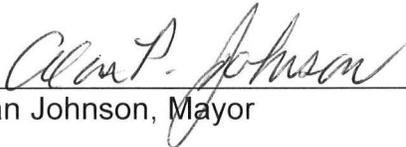
SECTION 7. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 8. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

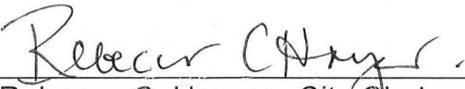
SECTION 9. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 10. Effective Date. This ordinance shall take effect immediately upon adoption.

FIRST READING: 12/10/2019  
 PUBLISHED: 01/03/2020  
 SECOND READING: 01/14/2020  
 PUBLIC HEARING: 01/14/2020

  
 Alan Johnson, Mayor

I, Rebecca C. Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 14<sup>th</sup> day of January, 2020.

  
 Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:

  
 City Attorney  
 Andrew Dickman, Esq.

<b>Density Pool Information</b>			
<i>District</i>	<i>Total Units Available</i>	<i>Total Units Utilized</i>	<i>Total Units Remaining</i>
Boutique Hotel/Condo	125	0	125
Town Center Core	50	0	50
Upham Beach Village	175	0*	175
Town Center Core – Corey Circle	325	64	261
Town Center Core – Coquina West			
Activity Center			
Bayou Residential			
<b>Total</b>	<b>675</b>	<b>64</b>	<b>611</b>