

ORDINANCE NO. 2010-16

*1st read  
5-11-10  
Not Adopted*

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA IMPOSING A TEMPORARY MORATORIUM ON APPLICATIONS FOR REZONING OF PROPERTY TO THE TRADITIONAL HOTEL DISTRICT; PROVIDING FOR FINDINGS OF FACT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS, in 2008 the City Commission adopted Ordinance 2007-51 creating Division 31 Traditional Hotel Zoning District (THD) within the Land Development Code, providing the geographic boundaries within which properties may be rezoned THD, and providing the land development standards, including density and intensity standards, for properties rezoned THD; and**

**WHEREAS, The City Commission amended Division 31 of the Land Development Code by adoption of Ordinance 2008-38 by expanding the geographic boundaries of properties eligible for rezoning to THD; and**

**WHEREAS, the purpose and effect of rezoning to THD is to allow redevelopment of hotel and motel establishments in the Pass-a-Grille area of the City which are non-conforming as to use and density under the existing zoning; and**

**WHEREAS, the City Commission has approved rezoning to THD on only two properties within the Pass-a-Grille area; and**

**WHEREAS, in recent public hearings, City residents have raised concerns with the compatibility of development allowed under the THD zoning with existing development in the Community; and**

**WHEREAS, the City Commission is directing staff to work with the appropriate Boards and the Pass-a-Grille Community on a study to determine the effect of THD rezonings on the character of the Pass-a-Grille area; appropriateness of maximum allowable densities and intensities of development in the THD; appropriateness of allowable uses in the THD; and whether other planning options are available and appropriate to address non-conforming uses in the Pass-a-Grille area; and**

**WHEREAS, the City Commission will determine whether, based upon the results of the study, an amendment to the Land Development Code of the City would be appropriate to either modify geographic boundaries within which Division 31 Traditional Hotel District is applicable, change the development standards for the District, or to delete the District in its entirety; and**

**WHEREAS, a moratorium on THD rezoning applications will maintain the status quo during the planning process; and**

WHEREAS, the City Commission intends to limit the duration of this moratorium to no more than nine (9) months in order to allow for an appropriate study and implementation of any appropriate amendments.

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

**Section 1. INTERIM REZONING MORATORIUM**

For nine (9) months following the adoption of this ordinance, or until an appropriate amendment to the Land Development Code is approved or denied by the City Commission as contemplated by the study referred to herein, whichever first occurs, no rezoning shall be permitted, nor shall any rezoning application be accepted or processed to rezone property to Traditional Hotel –THD.

**Section 2. If any portion, part or section of this ordinance is declared invalid, the valid remainder hereof shall remain in full force and effect.**

**Section 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed, to the extent of such conflict.**

\_\_\_\_\_  
Michael Finnerty, MAYOR

FIRST READING: \_\_\_\_\_  
PUBLISHED: \_\_\_\_\_  
SECOND READING: \_\_\_\_\_  
PUBLIC HEARING: \_\_\_\_\_

I, Theresa B. McMaster, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
Theresa B. McMaster, City Clerk