



MEMORANDUM

Development Services

MEMORANDUM NO. 16-487

DATE: October 18, 2016

TO: Dennis Beach, City Manager

VIA: Robin M. Bird, Director of Development Services *RB*
Jennifer Gomez, Assistant Director of Development Services *JG*

FROM: Karen Friedman, Principal Planner *KRF*

SUBJECT: Ordinance amending §155.4225 and §155.5102 related to Apartment Hotels
October 25, 2016 City Commission Hearing

At the October 10, 2016 City Commission hearing, Staff was directed to report the issues related to renaming "Apartment Hotel" to "Condo Hotel".

Should the City Commission desire to rename "Apartment Hotel" to "Condo Hotel", this item will need to be struck.

Below is additional information to consider:

1. If the definition specifically refers to condominium form of ownership, is it inconsistent to continue to call this use "Apartment Hotel"?

The proposed revised definition for Apartment Hotel is as follows:

An apartment hotel is a hotel comprised of lodging units that are owned by an individual, corporation, or any other legal entity having an ownership interest under condominium form of ownership, and is part of a condominium property or parcel and the building contains individual lodging units which may be occupied on a limited basis by the lodging unit owner, but whose primary purpose is a visitor accommodation use. Each room which is accessible by a lock-out key is considered a separate Lodging Unit for purposes of Zoning and Land Use.

The proposed definition no longer distinguishes an apartment hotel from a hotel based on length of stay nor by fully fitted dwelling units. Rather, the distinguishing factor is the form of ownership. That being said, it is not inconsistent to continue to call this use "Apartment Hotel". The term "Apartment Hotel" has been used by the City since 1977 to differentiate those transient lodging units that are designed for longer temporary stays. In this context, the use of the term "apartment" refers to a multi-story building with dwelling units that include kitchens, bedrooms, and bathrooms. Further the proposed definition of Apartment Hotel is clear in its intent to address a hotel with a condominium form of ownership.

Of the ten cities analyzed as part of the research for this text amendment, eight use the term "condo-hotel" and two use the term "apartment hotel" (Lauderdale by the sea and Deerfield Beach).

2. Why did Staff not recommend renaming this use to "Condo-Hotel"?

One of the primary goals of the City's Zoning Code is to be user-friendly and use clear terminology. Therefore staff considered changing the term from "Apartment Hotel" to "Condo Hotel". However, as can be seen below,

there are multiple references to the term Apartment Hotel throughout the Zoning Code and Code of Ordinances. Therefore in order to limit the scope of the text amendment, Staff retained the term "Apartment Hotel":

- 155.3210.A
- 155.3211.A
- 155.3212.A
- 155.3708.H.2
- 155.4225.A and C
- 155.4303.L and PP
- 155.4501.B
- 155.5102.D.1 and 3
- Article 9, Part 5
- Consolidated Use Table
- 50.03(C)(2), Water Tariff
- 51.05(D)(7), Wastewater Tariff

3. Can this Ordinance be changed to "Condo-Hotel"?

No. This change would not only impact the Ordinance title, but it should reviewed and recommended by the Planning and Zoning Board.