




## EXECUTIVE SUMMARY

**To:** Jim Scholl, City Manager

**Through:** Donald Leland Craig, AICP Planning Director 

**From:** Brendon Cunningham, Senior Planner

**Date:** January 18, 2012

**RE:** An ordinance of the City of Key West amending Chapter 122, of the Code of Ordinances titled "Zoning" of Article IV, Division 10, by amending Sections 122-926 and 122-928 for the HRO zoning district of the City of Key West Land Development Regulations of the City of Key West, to allow retail sales accessory to cultural and civic uses; providing for severability; providing for the repeal of inconsistent provisions; providing for an effective date.

### **ACTION STATEMENT:**

**Request:** To support the Planning Board's recommendation for amendments to the HRO Zoning District regulations.

**Location:** HRO Zoning District

### **BACKGROUND:**

The HRO zoning district is historically a mixed-use district with numerous now legal non-conforming uses. As-of-right uses are limited largely to residential and professional office uses. Conditional Uses include cultural, civic and educational uses. At this time, numerous office spaces are vacant along Whitehead Street and have been for some time. There have been various inquiries as to using these spaces for cultural uses with educational components, especially in that section of the district from Greene Street to Southard.

Section 122-926 states that the intent of the HRO zoning district is that it "shall accommodate business and professional offices as well as single-family, duplex and multi-family residential structures" as of right. Additionally, as **conditional** uses per Section 122-928, cultural, civic and educational uses are allowed. Accessory uses are contemplated but not defined beyond "Customary accessory uses and community facilities..."

A Land use survey of the entire district was conducted in order to establish which uses remain compatible with the original intent of the HRO district. That survey map is attached. It was determined that the greatest amount of divergence from the intent

section of the HRO Zoning occurred between Greene and Southard, consistent with the area where requests for retail sales associated with galleries and cultural facilities have occurred.

This change would make the existing retail sales at the Audubon House Gallery a conforming use.

The Comprehensive Plan expressly excludes general retail sales. However, Section 122-926 does not specifically consider accessory commercial sales. Therefore, staff is recommending the LDRs be amended to permit these activities accessory to cultural, civic and educational uses.

**Options / Advantages / Disadvantages:**

**Option 1.** Approval of the Ordinance as recommended by the Planning Board.

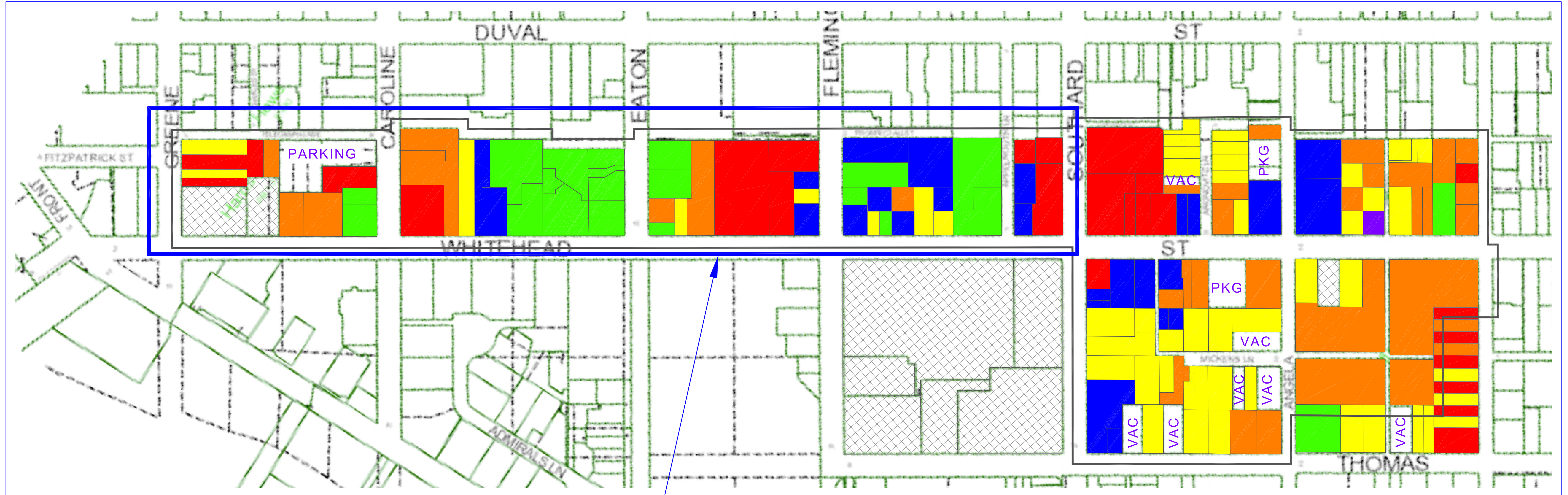
1. **Consistency with the City's Comprehensive Plan, Strategic Plan, Vision and Mission:** The adoption of this ordinance amendment will enable the city to improve its ability to support cultural, civic and educational activities.
2. **Financial Impact:** N/A

**Option 2.** Deny the Resolution.

1. **Consistency with the City's Strategic Plan, Vision and Mission:** Denial of the ordinance would prevent cultural, civic and educational activities from developing a revenue stream to further their efforts within the city.
2. **Financial Impact:** N/A

**RECOMMENDATION**

Option 1. The Planning Board recommends the City Commission adopt the proposed ordinance.



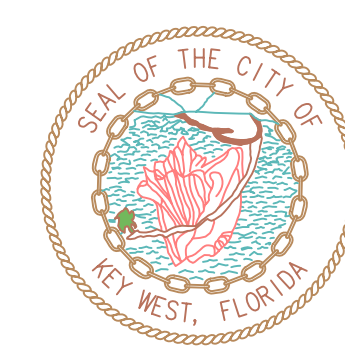
AFFECTED AREA

LEGEND

- COMMERCIAL
- MULTI-FAMILY RESIDENTIAL
- SINGLE FAMILY RESIDENTIAL
- TRANSIENT
- OFFICE
- CULTURAL & CIVIC (NO COLOR)

REVISIONS

DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION



*City of  
Key West*  
604 Simonton Street  
Key West, Florida 33040  
(305) 292-8195

HISTORIC RESIDENTIAL/OFFICE DISTRICT  
(HRO)  
USES MAP

SHEET  
NO.