

Alternative to HMSA&C District

1. Create new “Historic Mallory Square” district, consisting of all City-owned land at Mallory Square, currently zoned HPS. Permitted uses to remain as is under HPS, with the addition of:

- (a) Art uses, including art school, art gallery, and outdoor display of art for sale or otherwise.
- (b) Cultural activities, including museums, theaters, performance venues and public performances.
- (c) Dockage at Mallory Pier.
- (d) Traditional “sunset celebration” observation, including sales of merchandise by licensed mobile vendors.
- (e) Established uses: All uses legally established, and being conducted, on a parcel on the effective date of the ordinance creating this District shall be deemed a permitted use and shall not be considered nonconforming. Each such legally established use shall be evidenced by a City business tax receipt and by any license required to be maintained in connection with such use, authorizing such use during each of the five years immediately preceding the effective date of the ordinance creating this District.

2. Create “Museum Overlay District”, initially covering all parcels within Historic Mallory Square District and all parcels abutting Clinton Square. Additional parcels located in other Historic districts may be included within the Overlay by subsequent amendment to the zoning map. As used herein, “Museum” means a facility operating on a permanent basis for the primary purpose of sponsoring, producing, and exhibiting any of the following: “Arts and cultural disciplines” as defined in F.S. § 265.283 (7); Educational programs related to the historical resources of Florida; or Programs for the observation and study of various types of natural science and science technology.

All parcels within the Museum Overlay District that are owned by the City, the State of Florida, or a tax-exempt not-for-profit organization, shall be entitled to the uses listed below, in addition to those uses allowed in the underlying zoning district:

(a) Permitted uses:

- (1) Cultural activities, including museums and theaters, performance venues and public performances. A museum may include light processing and metal fabrication, assembly, and distribution functions, electronics, research and development and similar uses.
- (2) Art uses, including art education, art gallery, artist studios, and similar uses.

(b) Accessory uses, provided that such uses remain subordinate and secondary to the primary use:

- (1) Café on the premises of a museum or theater operated by a tax-exempt not-for-profit organization, limited to service of food and

alcoholic beverages to patrons of the primary-use establishment during the hours that the establishment is open to the public.

- (2) Bicycle tours and rentals
- (3) Book and stationery sales
- (4) Civic activities
- (5) Educational activities
- (6) Gift shop
- (7) Public display of art, for sale or otherwise

There shall be no off-street parking required in connection with any of the above accessory uses.