

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
TO AMEND THE LAND DEVELOPMENT REGULATIONS
CHAPTER 122, ENTITLED "ZONING", ARTICLE V,
ENTITLED "SUPPLEMENTARY DISTRICT
REGULATIONS", DIVISION 13, ENTITLED "TATTOO
ESTABLISHMENTS," SECTION 122-1543, ENTITLED
"SEPARATION REQUIREMENTS,"; PROVIDING FOR
SEVERABILITY; PROVIDING FOR REPEAL OF
INCONSISTENT PROVISIONS; PROVIDING FOR AN
EFFECTIVE DATE.

WHEREAS, the City recently passed Ordinance 2025-08 to address the desire by the public for additional zoning districts to permit tattoo shops within the City.

WHEREAS, the current regulations are over restrictive on the permitting of Tattoo parlors as the City finds no rational basis for limiting tattoo shops from other such uses; and

WHEREAS, the Planning Board on September 18th 2025, through Resolution 2025-050 further recommended the entire separation requirement be struck; and

WHEREAS, Section 86-4 of the City Code requires that City Land Development Regulations be amended as necessary to ensure consistency with the City Comprehensive Plan; and

WHEREAS, in accordance with Section 90-522, the Planning Board held a noticed public hearing on September 18th, 2025, where the Planning Board recommended approval of the proposed amendments

through Planning Board Resolution 2025-050; and

WHEREAS, the City Commission has also determined, in accordance with the criteria of Code Section 90-520(6) that the proposed amendments: are consistent with the Comprehensive Plan; in conformance with all applicable requirements of the Code of Ordinances; are stimulated by changed conditions after the effective date of the existing regulation; will promote land use compatibility; will not result in additional demand on public facilities; will have no impact on the natural environment; will not negatively impact property values or the general welfare; will result in more orderly and compatible land use patterns; and are in the public interest;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

Section 1: That Chapter 122, entitled "zoning", Article V, entitled "supplementary district regulations", Division 13, entitled "Tattoo Establishments," Section 122-1543, entitled "Separation Requirements," is hereby amended as follows:

~~Sec. 122-1543. Separation requirements.~~

~~(a) The proposed site shall be at least 500 feet from any other such use.~~

~~(b a) The proposed site shall be at least 500 feet from the nearest house of worship, school (public or private), child care center, library, or public park. The beach area adjacent to the Atlantic Ocean, the Pocket Park at 1400 Duval Street, Mallory Square, and Clinton Square, shall not be considered a public park for the spacing criteria.~~

*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

~~(c b) The separation requirements set forth above shall be measured by following the shortest route of ordinary fare from the nearest point of the parcel of the proposed tattoo establishment to the other parcel (as listed above) in subsections (a) and (b).~~

Section 3: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 4: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 5: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission and approval by the Florida Department of Economic Opportunity, pursuant to Chapter 380, Florida Statutes.

Read and passed on first reading at a regular meeting held this
_____ day of _____, 2025.

Read and passed on final reading at a regular meeting held this
_____ day of _____, 2025.

Authenticated by the presiding officer and Clerk of the
Commission on ____ day of _____, 2025.

Filed with the Clerk _____, 2025.

Mayor Danise Henriquez	_____
Vice Mayor Donald "Donie" Lee	_____
Commissioner Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____

DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK