



## MEMORANDUM

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Date: October 9, 2025

To: Honorable Mayor and Commissioners

Via: Brian L. Barroso  
City Manager

From: Jim Singelyn  
Acting Planning Director

Subject: **File 25-4417- Text Amendment of the Land Development Regulations** - A resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission 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.

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### Introduction

In 2025, the City of Key West adopted Ordinance 2025-08 to establish additional regulations and permitting requirements for tattoo establishments within five designated zoning districts. Since its adoption, the City has experienced a significant increase in applications, particularly within the HRCC-1 zoning district. Concerns have been raised regarding the proximity of proposed tattoo establishments in HRCC-1 to nearby parks. Specifically, Mallory Square and Clinton Square which qualify as parks under the City’s definition in Section 26-96 of the Code of Ordinances. In response, the Interim City Attorney requested that the Planning Department revisit the ordinance to address these proximity concerns. The proposed amendments were developed in coordination with the City Attorney’s Office.

### Analysis:

The proposed amendments to **Division 13 – Tattoo Establishments** is limited to striking only Section 122-1543 entitled “separation requirements” Staff originally proposed to add in Clinton Square, Mallory Square, and the 1400 Duval St Pocket Park as exempt from the separation requirements, however Planning Board moved to strike the entire section 122-1543 completely, thus there would be no

separation requirements from any similar use or any *house of worship, school (public or private), child care center, library, or public park.*

These targeted changes aim to balance the intent of the ordinance with the modern realities of the built environment and economic activity in these high-traffic districts.

**Request / Proposed Amendment:**

\*Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading.

~~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.~~

~~(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).~~

**Other Matters:**

N/A

**Options / Advantages / Disadvantages:**

**Option 1:**

Approve the text amendment as recommended by the Planning Board through Resolution No. 2025-050

**Option 2:**

Deny the proposed text amendment.

**Recommendation:**

As per Planning Board Resolution No. 2025-050, the Planning Board recommended **Option 1** to the City Commission for the approval of the text amendment. Planning Department staff support Planning Board Resolution No. 2025-050 to approve.