PLANNING BOARD
RESOLUTION NO. 2025- __

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD APPROVING A REQUEST FOR CONDITIONAL USE APPROVAL TO ALLOW FOR THE COMMERCIAL RENTAL OF ELECTRIC BICYCLES LOCATED AT A PROPERTY IN THE HISTORIC RESIDENTIAL COMMERCIAL CORE (HRCC-3) ZONING DISTRICT, PURSUANT TO SECTION 122-62 AND SECTION 122-747 THROUGH SECTION 122-750 OF THE CITY OF KEY WEST LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 122-748 of the Land Development Regulations (the "LDRs") of the Code of Ordinances (the "Code) of the City of Key West, Florida (the "City") small recreational power-driven equipment rentals are a conditional use in the HRCC-3 zoning district; and

WHEREAS, pursuant to Code Section 18-358 requires that any new or relocated motorized recreational rental vehicle permit application shall be reviewed for traffic impacts and nuisance prevention; and

WHEREAS, the real property located at 511 Truman Avenue and identified by RE# 00017750-000000 is located in the HRCC-3 zoning district; and

WHEREAS, the applicant filed an application for conditional use approval to allow for the rental of sixteen (16) Class-2 Electric Bicycles (E-Bikes) on the property located at 511 Truman Avenue; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing

_____ Chairman

_____ Planning Director

on August 21, 2025; and

WHEREAS, the Planning Board found that the request for a conditional use complies with the criteria in Section 18-358 and Section 122-62(b) and (c); and

WHEREAS, the approval of the conditional use application would be in harmony with the general purpose and intent of the Land Development Regulations, and would not be injurious to the neighborhood, or otherwise detrimental to the public welfare;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as fully set forth herein.

Section 2. That a request for a conditional use allowing for the rental of sixteen Class-2 E-Bikes at property located at 511 Truman Avenue is hereby approved, pursuant to Sections 18-358, 122-62 and 122-63 of the Code of Ordinances of the City of Key West, Florida with the following conditions:

1. Vehicles shall be stored consistent with the attached plans by the applicant notwithstanding any changes or improvements suggested by the Key West Fire Department.
2. The owner shall obtain and maintain a Conditional Use Approval Permit, pursuant to City Code Chapter 18, Article II, Division 1. The owner shall be subject to an annual inspection to verify compliance with the conditions of this approval.
3. The applicant shall coordinate with City of Key West historic preservation staff to submit applications for Certificates of Appropriateness for applicable signage, flooring, or other

_____ Chairman

_____ Planning Director

site alterations existing and proposed.

4. Applicant shall coordinate with Multimodal and Key West Fire Department to ensure bikes are safely charged, marked, and stored to prevent fire and increase pedestrian safety. Applicant must purchase fire extinguishers and fire safe battery charging storage containers.
5. A maximum of 30 E-Bikes are permitted at 511 Truman Avenue with any additional E-Bikes requiring an amendment by the Planning Board.
6. The Class-2 E-Bikes permitted through this approval shall not be excused from any future City ordinance or law limiting the type or class of E-Bikes available for rental or purchase in the City. This approval does not create any vested rights, and any such future ordinance or law shall be fully enforceable against the applicant upon its effective date, regardless of the date of this approval or any prior authorizations.

Section 4. This conditional use resolution does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 5. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Section 6. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances and Land Development Regulations. After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Commerce (DOC).

_____ Chairman

_____ Planning Director

Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty-five (45) days after it has been properly rendered to the DOC with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty-five (45) day review period the DOC can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Section 7. The applicant shall obtain and maintain a Conditional Approval Permit from the City prior to issuance of a Certificate of Occupancy per Ordinance Number 10-22.

Authenticated by the Chairman of the Planning Board and the Planning Director;

_____

Peter Batty, Planning Board Chair Date

Attest:

_____

Katie P. Halloran, Planning Director Date

Filed with the Clerk:

_____

Keri O'Brien, City Clerk Date

_____ Chairman

_____ Planning Director

_____ Chairman

_____ Planning Director