RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA FINDING THAT AN INTERPRETATION OF THE OFFICIAL ZONING MAP PURSUANT TO SECTION 122-94(7) OF THE LAND DEVELOPMENT REGULATIONS AS IT APPLIES TO THE PROPERTY LOCATED AT 2407 NORTH ROOSEVELT BOULEVARD (HAPPY LANDINGS MARINA) IS REQUIRED DUE TO THE DIFFERING PHYSICAL FEATURES ON THE GROUND COMPARED TO THE ZONING MAP AND EXISTING UNCERTANTIES; CLARIFYING THE ZONING DISTRICT BOUNDARIES BETWEEN COMMERCIAL GENERAL (CG), CONSERVATION MANGROVE (CM), AND CONSERVATION – OUTSTANDING WATERS OF THE STATE (C-OW); CLARIFYING THE INTENT OF THE OFFICIAL ZONING MAP BASED ON PHYSICAL SITE CONDITIONS, HISTORICAL DEVELOPMENT PATTERNS, AND APPLICABLE REGULATORY PROVISIONS, NOT CONSTITUING A REZONING OF THE PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property located at 2407 North Roosevelt Boulevard, commonly known as Happy Landings Marina, consists of an upland parcel developed with commercial structures and associated parking areas together with adjacent tidal waters forming a marina basin; and

WHEREAS, the property has historically been utilized for marine and commercial purposes, including marina operations, restaurant and entertainment uses, and residential units; and

WHEREAS, in 2014, the City Commission approved a Major Development Plan, Conditional Use, and Landscape Waiver through Resolution No. 14-316 authorizing marina dockage

facilities within adjacent waters classified as Conservation – Outstanding Waters of the State (C-OW); and

WHEREAS, subsequent modifications to the approved development plan were approved administratively in 2023, and a Major Modification request was considered and denied by the City Commission in 2024; and

WHEREAS, a Zoning Verification Letter dated March 17, 2022, identified the property as being located within the Conservation Mangrove (CM) zoning district while acknowledging the presence of existing development and prior approvals; and

WHEREAS, the Official Zoning Map currently depicts a significant portion of the subject property as Conservation Mangrove (CM), including areas that are developed uplands and do not contain mangrove habitat; and

WHEREAS, aerial imagery, historical records, and field observations demonstrate that mangrove resources are limited to shoreline and fringe areas and do not extend across the developed upland portion of the property; and

WHEREAS, the surrounding properties along the North Roosevelt Boulevard corridor are predominantly zoned Commercial General (CG) and exhibit similar commercial development patterns; and

WHEREAS, Section 122-94 of the Land Development Regulations provides rules for interpreting zoning district

boundaries when uncertainty exists; and

WHEREAS, Section 122-94(7) specifically provides that where physical features existing on the ground differ from those shown on the Official Zoning Map, or where uncertainty exists, the City Commission shall interpret the intent of the Official Zoning Map; and

WHEREAS, the City Commission finds that clarification of the zoning district boundaries is necessary to ensure consistency between the Official Zoning Map, physical site conditions, and the historical pattern of development on the property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA AS FOLLOWS:

Section 1: That the City Commission, pursuant to Section 122-94(7) of the Land Development Regulations, finds that the Official Zoning Map as it applies to the property located at 2407 North Roosevelt Boulevard (Happy Landings Marina) has physical features existing on the ground differing from those shown on the Official Zoning Map, or uncertainty exists, requiring interpretation by the City Commission of the intent of the Official Zoning Map.

Section 2: That the zoning district boundaries for the subject property are hereby clarified as follows:

• The upland portion of the property shall be recognized as Commercial General (CG);

• The mangrove fringe areas shall remain designated Conservation Mangrove (CM); and

• The adjacent tidal waters and marina basin shall remain designated Conservation – Outstanding Waters of the State (C-OW).

Section 3: That this interpretation is intended to clarify the intent of the Official Zoning Map based on physical site conditions, historical development patterns, and applicable regulatory provisions, and does not constitute a rezoning of the property.

Section 4: That this Resolution 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.

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Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2026.

Authenticated by the Presiding Officer and Clerk of the Commission on the _____day of _____, 2026.

Filed with the Clerk on _____, 2026.

Mayor Sam Kaufman	_____
Vice Mayor Donald "Donie" Lee	_____
Commissioner Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Christopher Massicotte	_____
Commissioner Mark Rossi	_____

_____
SAM KAUFMAN, MAYOR

ATTEST:

_____
KERI O'BRIEN, CITY CLERK