

# **A proposal to accommodate first floor transient lodging within C-1 district transition zone.**

## **Overview**

Along the western fringe of the C-1 district, there is an area of blocks that are split in land use between Commercial and Residential and split in zoning between C-1 and R-1. The area is located along 4<sup>th</sup> Street where the C-1 district contains a mixture of residential and commercial use and is on the fringe of, but not actually part of the established downtown commercial district. This particular stretch of mixed zoning can best be described as a transition area between commercial and residential.

## **The Request**

At their March meeting, the City Commission directed staff to bring a proposal forward to P&Z for consideration. The proposal is this. A business owner has requested that the C-1 district regulations be modified to allow first floor transient lodging for property he owns in that transition area. The parcel in question is currently a law office surrounded by residential on one side and transient lodging across the street.

## **Consistency with LDRs**

The current C-1 regulations require transient lodging to be located above existing commercial development. The reasons for that existing requirement have been two-fold: The City wants to encourage pedestrian-friendly development to occur in the downtown core area and it is believed that allowing first floor transient rental development shuts off the pedestrian flow of commerce and pedestrian traffic. Historical City development included provisions for first floor commercial and 2<sup>nd</sup> floor residential. Additionally, FEMA flood regulations prohibit new construction or substantial improvement of residential development below base flood elevation – much of which is located in the core downtown district.

In 2017, (Ordinance #2017-07) a similar petition was made and granted that would allow existing residential development within the C-1 district to convert to transient lodging use provided the activity met all other regulatory requirements (floodplain management, parking, etc.)

## **Staff Opinion**

Regulations are already in place that allow existing residential structures within the C-1 corridor to be used as transient lodging without requiring the use to occur on the second floor. Additionally, the structure footprint in question is NOT within the flood zone. Therefore, supports the idea of a transition overlay which would accommodate the property owners' petition with the stipulation that the provision apply only to existing structures and only apply to those transition areas (blocks which share mixed land use and mixed zoning boundaries).

## **Options**

1. Deny the applicant request.
2. Approve the concept and direct staff to create a C-1 transition district overlay for the mixed use C-1 parcels which will allow first floor bed and breakfast use to occur for all existing structures provided the other requirements relating to transient lodging facilities are met and that the existing structure footprints do not lie within the FEMA Area of Special Hazard (rated A & V zones).