

Regular Workshop – February 19, 2013
Agenda Item 7

Agenda Item: Proposed Ordinance 2013-08, Amending Chapter 74, Parking Schedules

Presenter: Town Manager and Staff

Summary: Ed Chiles, owner of Mar Vista Restaurant, and Alan Moore, owner of Moore's Stone Crab Restaurant, submitted a request to the Town asking for revisions to the parking regulations to extend the parking hours on Broadway, between Lois Avenue and Bayside Drive, from the current restriction of between 9:00 PM to 5:00 AM to between 11:00 PM to 5:00 AM.

At the December 3, 2012 Regular Meeting the Town Commission adopted Ordinance 2012-30, which temporarily extended the parking hours from December 3, 2012 to May 1, 2013 for a trial period. Proposed Ordinance 2013-08, would permanently extend the allowable parking time by two hours.

Attachments: 2-8-13 Memo, Town Planner to Manager;
12-3-12 Town Commission Regular Meeting minutes;
Proposed Ordinance 2013-08.

Recommended Action: Pending discussion, provide direction to Manager.

M E M O R A N D U M

Date: February 8, 2013

TO: David Bullock, Town Manager

THROUGH: Robin D. Meyer, AICP, Director
Planning, Zoning and Building Department

FROM: Steve Schield, AICP, ASLA, CFM, Planner
Planning, Zoning and Building Department

SUBJECT: Proposed Ordinance 2013-08, Amending Chapter 74, Parking Schedules

Ed Chiles, owner of Mar Vista Restaurant, and Alan Moore, owner of Moore's Stone Crab Restaurant, submitted a request to the Town asking for revisions to the parking regulations to extend the parking hours on Broadway, between Lois Avenue and Bayside Drive, from the current restriction of between 9:00 PM to 5:00 AM to between 11:00 PM to 5:00 AM. The request was to extend the allowable parking time by two hours from what was currently allowed and posted on the street. The extension of parking time to 11:00 PM would be consistent with the existing closing time of the Town dock at the end of Broadway, and the Town dock, boat ramp, and parking at the end of Linley Street.

Ordinance 2012-30, extending the hours to 11:00 PM was approved by the Town Commission at their December 3, 2012, Regular Meeting. The Commission amended the Ordinance to provide a sunset date of May 1, 2013, in order to obtain additional information and public input before considering whether to make the change permanently. It was a consensus of the Town Commission to reconsider future revisions to the parking restrictions at the February 19, 2013 Regular Workshop Meeting. The Police Department has reported no incidents with the extended parking on Broadway over the last two months. Staff is recommended that the extended parking hours be made permanent at this time.

Proposed Ordinance 2013-08 is presented for Commission consideration at the February 19, 2013 Regular Workshop Meeting. In the event the Commission elects to move forward the Ordinance will be scheduled for first reading at the March 4, 2013 Regular Meeting.

Attachments: Proposed Ordinance 2013-08
2-8-13 Memo, Schield to Town Manager
1-3-12 Town Commission regular meeting minutes,

xc: David Persson, Town Attorney
Robin D. Meyer, AICP, Director – Planning, Building & Zoning Department

6. Ordinance 2012-30, Amending Chapter 74, Parking Schedules

At the September 24, 2012, Regular Workshop Meeting the Town Commission considered a request from owners of Mar Vista and Moore's Stone Crab Restaurants to amend the parking hours on Broadway, between Lois Avenue and Bayside Drive, to provide an additional 2 hours to accommodate evening diners. First reading of Ordinance 2012-30 was held on November 5, 2012 to formalize extended parking hours through February 28, 2013. Staff was directed to seek public input regarding the proposed change from affected residents in Longbeach Village. The Ordinance was forwarded for second reading and public hearing at the December 3, 2012 Regular Meeting. Recommended Action: Pending second reading, public hearing, and discussion, adopt Ordinance 2012-30.

Town Clerk Trish Granger placed Ordinance 2012-30 on record for second reading and public hearing by title only.

Commr. Gans moved to adopt Ordinance 2012-30. The motion was seconded by Commr. Larson.

Mayor Brown opened the public hearing.

Mr. Alan Moore, Moore's Stone Crab Restaurant, commented on the Ordinance and requested consideration to extend the sunset date through Easter.

Mayor Brown inquired and Mr. Moore advised that he would be willing to post signs requesting patrons to be aware of neighborhood/residential surroundings.

Upon inquiry, Town Manager Dave Bullock noted that Easter fell on March 31, 2013.

Commr. Larson moved to amend the sunset date to May 1, 2013. The motion failed for lack of a second.

Commr. Gans noted that there was some opposition to the expanded parking and the intent to be able to reconsider the issue when additional residents had returned to Town.

Upon inquiry, Planning, Zoning, and Building Department Planner Steve Schield presented an overview of the amendments made to the Ordinance during the first reading of the Ordinance. Discussion ensued on the issues raised at the Village Association meeting and additional information to be brought forward.

Commr. Duncan moved to amend Ordinance 2012-30 to delete the sunset date. The motion was seconded by Commr. Larson.

Town Attorney David Persson advised that if the sunset date was deleted, the Ordinance would need to be readvertised due to the previous Commission direction providing that the extension of the parking hours was to be on a temporary basis.

Commr. Duncan moved to amend his motion on Ordinance 2012-30 to modify the sunset date to May 1, 2013. The motion was seconded by Commr. Younger. Following comments on the parking issues raised, the motion carried by a 6-1 roll call vote, as follows: Duncan, aye; Younger, aye; Larson, aye; Brenner, aye; Brown, aye; Gans, no; Zunz, aye.

Mayor Brown closed the public hearing.

The motion to adopt Ordinance 2012-30, as amended, carried by a 7-0 roll call vote, as follows: Gans, aye; Larson, aye; Younger, aye; Zunz, aye; Duncan, aye; Brown, aye; Brenner, aye.

Upon inquiry, Town Manager Bullock advised that the previous parking restrictions would go into effect after the sunset date of May 1, 2013.

Following comments, there was consensus to reconsider future revisions to the parking restrictions at the February 2013 Regular Workshop meeting.

TOWN COMMISSION COMMENTS

A. Emergency Management

Commr. Duncan noted discussions with Fire Chief Paul Dezzi and requested consideration for an in-depth assessment of Longboat Key as it relates to emergency access to properties.

Town Manager Dave Bullock commented on the Town Code for new construction relating to property access and advised that existing construction is not addressed.

Fire Chief Paul Dezzi noted that his staff has begun an assessment and anticipated that it will be completed by December 31, 2012. Commr. Duncan suggested that the Condominium Associations be contacted regarding an assessment process seeking approval to access the property. Upon inquiry, Fire Chief Dezzi noted that access is gained to higher floors through the stairwells/elevators.

B. Planning, Zoning, and Building

Vice Mayor Brenner inquired and Town Manager Dave Bullock commented on the process to be followed relating to the compliance of the Colony property in accordance with the extension granted by the Town and the remedies afforded to the Town.

Commr. Zunz commented on an e-mail received from Mrs. Elsie Kearns and an upcoming meeting relating to the development of the property. Town Manager Bullock advised that any proposals would have to be reviewed by the Town prior to making any determination on the use of the property as tourism units.

Individual comments followed.

ORDINANCE 2013-08

AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, AMENDING CHAPTER 74, PARKING SCHEDULES, BY AMENDING SCHEDULE II: RESTRICTED PARKING, TO PROHIBIT PARKING ALONG BROADWAY STREET FROM 11:00 P.M. TO 5:00 A.M.; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the parking along Broadway Street was restricted between the hours of 8:00 p.m. and 5:00 a.m., October 30 to April 30, and between 9:00 p.m. and 5:00 a.m., April 30 to October 30; and

WHEREAS, on December 3, 2012, the Town temporary revised the schedule for restricted parking to allow parking along Broadway Street from 5:00 a.m. to 11:00 p.m., consistent with the hours of the public dock located on Broadway Street and with the public parking located adjacent to the public dock and boat ramp located on the end of Linley Street for a trial period ending May 1, 2013; and

WHEREAS, the trial period will end on May 1, 2013, and it is the desire of the Town to make a permanent change to the parking schedules for the parking hours on Broadway Street; and

WHEREAS, the Town Commission, after public hearing finds that the proposed amendments are in the best interest of the health, safety, and welfare of the citizens of Longboat Key.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The Whereas clauses above are ratified and confirmed as true and correct.

SECTION 2. Chapter 74, Parking Schedules, Schedule II Restricted Parking, subsection (B) of the Code is hereby amended to read as follows:

(B) No person shall park a vehicle on any of the following streets or portions thereof when marked to prohibit parking between the hours of 8:00 p.m. and 5:00 a.m., October 30 to April 30, and between 9:00 p.m. and 5:00 a.m., April 30 to October 30.

Street	Portion	Side
Broadway		
Coral Avenue		
Firehouse Court		
Firehouse Road		

Joy Street		
North Shore Road		
Palmetto Avenue		
Seabreeze Avenue		

SECTION 3. Chapter 74, Parking Schedules, Schedule II Restricted Parking, subsection (F) of the Code is hereby amended to read as follows:

(F) No person shall park a vehicle on Broadway Street or on the north side of the Linley Street boat ramp between the hours of 11:00 p.m. and 5:00 a.m.

SECTION 4. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected.

SECTION 5. All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 6. This Ordinance shall take effect upon adoption by the Town Commission.

Passed on first reading the ____ day of _____, 2013.

Adopted on second reading and public hearing the _____ day of _____, 2013.

James L. Brown, Mayor

ATTEST:

Trish Granger, Town Clerk



End of Agenda Item