

M E M O R A N D U M

Date: April 29, 2013

TO: Dave 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 2013-03 – Trailer Parking

At the April 16, 2013, Planning and Zoning Board Meeting, the Board requested that the Town Commission provide guidance and/or appoint a task force that included Planning and Zoning (P&Z) Board members, Town Commissioners, and neighborhood representatives to discuss and recommend restrictions that should be placed on the parking of boat trailers on single family properties. The Board has previously discussed and heard testimony about the different alternatives for the restrictions of boat trailers. The testimony supported a wide range of restrictions, including applying them island-wide or only within certain neighborhoods on the island.

The Town Commission is requested to appoint a task force to recommend restrictions for the parking of boat trailers.

Attachments: 4-25-13 Memo, Staff to Commission;
Draft minutes from the 4-16-13 P&Z Board Regular Meeting and
minutes from the March 29, 2013, Meeting;
Proposed Ordinance 2013-03;
PowerPoint Presentation.

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

MEMORANDUM

DATE: April 25, 2013

TO: Dave 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: Ordinance 2013-03, Amending Chapter 72, Trailer Parking
Boat Trailer Parking Alternative Restrictions

At the April 16, 2013, Planning and Zoning (P&Z) Board Meeting, the board requested that the Town Commission provide guidance and/or appoint a task force that included P&Z Board members, Town Commissioners, and neighborhood representatives to discuss and recommend restrictions that should be placed on the parking of boat trailers on single family properties. The Board has previously discussed and heard testimony about the different alternatives for the restrictions of boat trailers. The testimony supported a wide range of restrictions, including applying them island-wide or only within certain neighborhoods on the island.

Staff completed a survey (attached at end of document) of the restrictions that other communities placed on the parking of boat trailers.

At their March 19, 2013 meeting, the Planning and Zoning Board tabled Ordinance 2013-03, Trailer Parking, and remanded to staff for further review and to provide alternative language in regards to the parking of boat trailers.

Staff has provided the following alternatives to the regulations for the parking of boat trailers on a single family parcel, followed by a brief description:

1. Subsection 72.06(C)(2) It shall be unlawful for any person to park, place, or locate, or for the owner of the parcel to allow any person to park, place, or locate more than one boat trailer on a single family parcel for more than five days in any 30-day period, unless the additional boat trailers are located 90 percent within a carport, garage, or other building. (Original proposal with change from entirely to 90 percent)

It would allow one boat trailer to be anywhere on a single family parcel, but additional boat trailers would have to be in a structure. On anything other than a single family parcel, boat trailers would not be restricted.

2. Subsection 72.06(C)(2) It shall be unlawful for any person to park, place, or locate, or for the owner of the parcel to allow any person to park, place, or locate more than one boat trailer on a single family parcel for more than five days in any 30-day period, unless the additional boat trailers are 90 percent located within a carport, garage, or other building. No boat trailers shall be parked, placed, or located on a single family parcel within the Special Canal Preservation Area, the boundaries of which are depicted in Chapter 158 Appendix, Section 8 (C), for more than five days in any 30-day period, unless they are entirely located within a garage or other building.

Same as option 1, except it would prohibit visible boat trailers within the Country Club Shores neighborhoods only. The Town presently has a number of planned unit developments (PUD) or overlay districts that place unique restrictions within that PUD or neighborhood. Country Club Shores has an existing overlay district (Special Canal Preservation Area) that restricts the height of vegetation along seawalls. The parking of boat trailers could be added to the restrictions within Country Club Shores.

3. Subsection 72.06(C) It shall be unlawful for any person to park, place, or locate, or for the owner of the let property to allow any person to park, place, or locate any house car, trailer, travel trailer, camper, motorhome, or self-propelled vehicle with sleeping accommodations, portable storage unit, boat trailer or trailer on any lot, tract, or parcel of land within the town for more than five days in any 30-day period, except as follows:
 - (1) Ninety percent within a carport, garage, or other building.
 - (2) In a permitted mobile home park.
 - (3) In a parking area of an existing motel or hotel.
 - (4) In a parking area of a multifamily development.

It would prohibit the parking of boat trailers on single family or commercial parcels unless located 90 percent within a carport, garage, or other building, except for five days in any 30-day period. Note that this change would also allow campers and the like to protrude from a carport, garage or other building.

4. Subsection 72.06(C)(2) It shall be unlawful for any person to park, place, or locate, or for the owner of the parcel to allow any person to park, place, or locate a boat trailer on a single family parcel for more than five days in any 30-day period unless the boat trailer is located 90 percent within a carport, garage, or other building or is located within a side or rear yard.

It would allow the parking of boat trailers only if in a carport, garage, other building, or in a side or rear yard. Boat trailers would not be allowed in a street or waterfront yard.

5. Subsection 72.06(C)(2) It shall be unlawful for any person to park, place, or locate, or for the owner of the parcel to allow any person to park, place, or locate a boat trailer on a single family parcel for more than five days in any 30-day period unless the boat trailer is 90 percent located within a carport, garage, or other building or is screened from public view with a minimum of a six foot fence or gate with 80 percent opacity.

It would allow the parking of boat trailers only if in a carport, garage, other building, or if screened from the public view with a six foot fence or gate.

6. Subsection 72.06(C)(2) It shall be unlawful for any person to park, place, or locate, or for the owner of the parcel to allow any person to park, place, or locate a boat trailer on a single family parcel for more than five days in any 30-day period unless the boat trailer is 90 percent located within a carport, garage, or other building. However, one boat trailer may be located outside of a carport, garage, or other building on a single family parcel that does not have direct water access.

It would allow the parking of one unenclosed boat trailer on properties that do not have direct water access.

Staff did a windshield survey of the trailers currently parked in open areas on single family properties. The result was a total of 112 trailers, with 18 properties having two or more. The following is a breakdown of major neighborhoods reviewed:

Neighborhoods	Boat Trailers	Multiple-Trailers	Storage Trailers
Country Club Shores	9	-	-
Buttonwood Harbour	1	-	-
Longboat Estates	3	1	
St Judes/Tarawitt/Jungle Queen/Gulfbay	31	6	4
Emerald Harbor	-	-	-
Dream Island	3	1	-
Sleepy Lagoon	16	2	-
Longbeach Village	39	8	6

Sample boat trailer regulations from other jurisdictions

JURISDICTION	REGULATIONS
Boca Raton, FL	<ul style="list-style-type: none"> • In a garage or carport <ul style="list-style-type: none"> ○ Screened on three sides • In the rear yard or in the side yard to the rear of the extension of the front roof line <ul style="list-style-type: none"> ○ Screened from off premises view by fence, wall or hedge
Indian Creek Village, FL	Inside enclosed garage only
Jupiter Island, FL	Inside enclosed garage only, but can remain unenclosed on lot during daylight hours for no more than three consecutive days
Kiawah Island, SC	Enclosed completely within a building or opaquely screened storage area. Canoes and kayaks may be stored in a semi-enclosed storage rack which is suitably landscaped.
Manatee County, FL	Not allowed in residential districts unless parked in a fully enclosed structure except: <ul style="list-style-type: none"> • Cortez Fishing Village: <ul style="list-style-type: none"> ○ Non-commercial boats allowed in side yard if owned by the resident, but only if the lot size or lot configuration makes storage in the back yard impossible. ○ Commercial vessel may be stored in side or rear yard.
Marco Island, FL	Fully enclosed within a structure and not visible from abutting property, public way, or waterway except: <ul style="list-style-type: none"> • On a temporary basis, not to exceed eight hours, for loading, unloading and cleaning. • When moored, berthed or stored on an approved boat docking facility.
Melbourne Beach, FL	<ul style="list-style-type: none"> • Boats parked on any residential lot must be 26 feet or less in length. • Located to the rear of front building line and in no case less than 25 feet from the front lot line, except for loading and unloading. • On corner lots, cannot be in front of building line of any side that abuts the street unless sheltered from view.
Naples, FL	<ul style="list-style-type: none"> • Cannot be stored in front or side yards unless at least 50 feet from nearest property line and completely screened from adjacent properties and rights-of-way. • No more than two stored in rear yards, except for

	canoes and kayaks, which are exempt.
New Smyrna Beach, FL	<ul style="list-style-type: none"> • Limited to 35 feet in length • Must be parked in rear yard unless inside of a fully enclosed structure or if no access to rear yard and/or access cannot be reasonable created • If no rear access, can be parked in front or side yard a minimum of five feet from any property line and as far away from street as possible. • If parked in side or front yard and neighbor complains, P&Z Board has power to prohibit parking
Sarasota, FL	<ul style="list-style-type: none"> • Parking in front yards prohibited, except in delineated driveway • In Downtown Neighborhood Zone, no more than 50 percent of the front yard may be utilized for driveway.
Sarasota County, FL	No more than one motorized boat, boat trailer, or boat on trailer, or two jet skis and one recreational vehicle stored outside a completely enclosed structure.
St. Augustine Beach, FL	If in excess of 20 feet in length, eleven feet and six inches in height, or 89 inches in width, then it must be stored within completely enclosed building or located behind the furthest front face of the main building and no closer than five feet to any side or rear lot line.
Treasure Island, FL	In RU-75 land use district, location must comply with required building setbacks in the same fashion as though it were a permanent structure, except when loading and unloading not to exceed 72 hours within any seven-day period.
Vero Beach, FL	<ul style="list-style-type: none"> • Not allowed in front yard. • Minimum of two feet from side and rear property lines. • Limit of two watercraft and trailer combinations. • Maximum watercraft length of 32 feet. • Storage for guests limited to two weeks within any calendar year.

Attachments: Ordinance 2013-03, Trailer Parking, as amended

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

MEMORANDUM

DATE: April 29, 2013

TO: Honorable Mayor and Town Commission

THROUGH: Dave Bullock, Town Manager

FROM: BJ Webb, Chair
Planning and Zoning Board

SUBJECT: Ordinance 2013-03, Amending Chapter 72, Stopping, Standing,
and Parking, Section 72.06, Restrictions on Parking and Use of
Travel Trailers

During the public hearing held on April 16, 2013, the Planning and Zoning Board tabled Ordinance 2013-03, in order to request further guidance from the Town Commission on the issue, including the appointment of a task force. The specific motion of the P&Z Board is as follows:

MR. SYMANSKI MOVED TO REQUEST THE TOWN COMMISSION TO PROVIDE GUIDANCE AND/OR APPOINT A TASK FORCE, WHICH INCLUDED SOME OF THOSE IN ATTENDANCE AT THIS MEETING, AND ALSO LOOK AT VARIOUS IDEAS, SUCH AS SCREENING, EXCLUDING THE VILLAGE, SIZE OF CRAFT, ETC. MR. GARNER SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: AITKEN, AYE; DALY, AYE; GARNER, AYE; GOLDNER, AYE; HACKETT, AYE; HIXON, AYE; SYMANSKI, AYE; WEBB, AYE; WILD, AYE.

Enclosed, for your review and consideration, please find the following support documentation:

1. Proposed Ordinance 2013-03;
2. Minutes, April 16, 2013, P&Z Board Meeting; and
3. Minutes, March 19, 2013 P&Z Board Meeting.

If you should have any questions, or desire any additional information, please do not hesitate to contact me.

BJW/dmc

AGENDA ITEM #4
ORDINANCE 2013-03, AMENDING CHAPTER 72, STOPPING, STANDING,
AND PARKING, SECTION 72.06, RESTRICTIONS ON PARKING AND USE OF
TRAVEL TRAILERS

Steve Schield, Planner, reviewed the proposed changes to the ordinance noting:

- Staff did a windshield survey of the trailers currently parked in open areas on single-family properties on the island and the result was 112 trailers with 18 properties having two or more
- Some neighborhoods have their own association restrictions
- Reviewed the four options included in the staff report

Mr. Garner referred to Option 4 and asked if that could be incorporated into one of the other options as additional methodology. Mr. Symanski noted how the word 'substantially' was used in all the options, which he did not agree with. He questioned the definition and believed it was not enforceable. Attorney Fernandez believed the word 'substantially' came from the last board meeting, but agreed there was probably better terminology that could be used, but it would be up to the board as to how much of the trailer they wished to be visible. Staff could refine the language to pinpoint exactly how much of the trailer the board would allow sticking out. Mr. Wild questioned if there were other ordinances in other communities that had percentages. Mr. Schield responded he had not researched that, but if the board wished, they could include a percentage. Mr. Aitken noted that he believed the board had discussed the word 'substantially' in the past for the trailers, and the context of the 'tongue' of the trailer sticking out, but he was not sure how it would address motor homes. Mr. Symanski commented if these were non-conforming uses, would all people that have boats and have storage be allowed to stay and the Town would need to catalog it. Mr. Schield replied they would have to come into compliance with the ordinance.

Mr. Daly referred to Option 4, which discussed screened from public view, and asked if that referred to the front, side, or both. Mr. Schield replied both. Chair Webb asked if it could be through landscaping or must it be a fence. Mr. Schield explained it had to be with a fence or gate; it could not be landscaping. Mr. Schield reviewed Option 5. Mr. Aitken asked if residents that lived on the gulf would have an exemption. Mr. Schield replied yes. Discussion ensued on applying the restrictions to the Village area and their impact. Mr. Daly noted there was an obvious difference between a carport, garage, and other building and it might make sense to have different provisions.

Jerry Whitehead, Gunwale Lane, board member of Country Club Shores Unit 3, discussed the Vision Plan and commented that anything the Town could do to preserve the value of their subdivision was a benefit to the island. He noted that Units 1-5 supported Option 2, but urged caution with the word 'substantial' or

'partial,' because if they did anything that allowed something to stick out of a structure, then it defeated the purpose of the ordinance.

Edward Jewett, Gunwale Lane, secretary of Unit 3, supported Option 2.

Mr. Hackett questioned if any units in Country Club Shores had effective homeowner associations to which residents responded no. He questioned the rental restrictions. Mr. Schield responded it was a residentially-zoned property which had a 30-day minimum rental. Mr. Jewett commented they would like the Town to address the situation and provide enforcement.

Steven Gold, Bayview Drive, provided a photograph of a large vessel on a trailer in their neighborhood. He pointed out that the neighbor was told by the Town that it was entirely permissible as long as the trailer's license was visible. He would prefer Option 3 with the words 'substantially' removed and replaced by 'completely,' 'wholly,' or 'entirely' or something similar to that effect. He noted that 'substantially' meant "more than minimal or more than nominal."

Silvana Nandin, Cutter Lane and Gunwale Lane, commented that she had her house for sale and has lost two contracts because of the trailer on her neighbor's lot. She preferred Option 3.

Shirley Myers, Broadway Street, spoke on behalf of her neighbors noting the owners liked to fish and boat. The Village did not have a lot of area for boats and trailers. They suggested there could be a restriction on the size of the boat. She mentioned that most of the boats in the Village area that were parked in the front were at houses that were rentals, and the residents would like to maintain boats/trailers in the back or side yards, or out of view from the public. Chair Webb commented that if the concern was with cleaning the boat, the ordinance allowed it to be parked for up to five days. Ms. Myers noted that the one she was referring to have a fenced yard and maintained their boat in the back yard. Mr. Aitken questioned if Option 5 would address the concerns of the people she was representing. Ms. Myers replied she believed so.

Michael Drake, Longboat Drive South, commented that one of the things that attract people to the Village was the ability to have a boat and boat trailer, and utilize the Town dock. He did not agree with restricting a community that was not deed restricted, and did not agree with a community that had restrictions and allowed them to expire to impact the remainder of the island with their problem and ask the Town to provide enforcement. He continued that the Village had approximately 200 home sites and ten percent had water frontage. The remainder was landlocked and utilized the Town facility at Linley Street to put their boats in and take out of the water. Then they take the boats back to their home and park in the driveway; they only had back and side yards. He noted the Village was a fishing village and believed to restrict the boat owners was unjust.

Mr. Aitken asked if Option 5 would satisfy the residents of the Village. Mr. Drake noted it would be consistent. Mr. Aitken asked if he was opposed to Option 2. Mr. Drake explained he was not opposed, but did not believe it was right for a deed restricted area to ask the Town to resolve their problem.

Mr. Hixon asked if Mr. Drake would favor Option 4 if it was modified to allow a planting screen and restricted to storage in side and rear yards. Mr. Drake replied as long as it was defined as far as what they must do. Mr. Hixon commented if the area was visually screened, and there could be plantings in the side and rear yards. Mr. Drake believed that would be acceptable. Mr. Hackett asked how Mr. Drake felt about the five day restriction. Mr. Drake noted that the more restrictive the Town became would result in less and less tourism. Mr. Hackett asked about restricting the size of the vessel. Mr. Drake believed it was another layer of restrictions. Mr. Daly referred to Option 1 and noted that it would permit a boat trailer anywhere, and in addition, another trailer within a building. Mr. Drake believed restricting the number was again another layer of restrictions, but he would favor Option 1.

Joe Iannello, Bayview Drive, voiced concern that even if there was a six foot fence a boat could exceed that height. Option 2 should pertain to the entire island, and Country Club Shores should not be favored.

No one else wished to be heard, and the hearing was closed.

Discussion ensued on the following items:

- Concern with the word 'substantial'
- Applying restrictions to certain areas because they asked when there are other areas that were similarly situated that might want the same restriction
- Concern with excluding the Village area, or imposing rules in the north end, because most people spent a lot of money moving into a community that did not have covenants
- Requesting the Town Commission's guidance on this issue, or appoint a task force with members from Country Club Shores and other areas to review the restrictions
- If there was a way to eliminate some of the options and then discuss the details
- This was a major issue and there were clearly other difficult issues, such as valid issues with the Village area, and the people who bought property in non-deed restricted areas
- Whether other communities were reviewed to see how they addressed the issue; staff looked at other codes, but they either allowed trailers or did not allow trailers
- Believed the issue was screening, because no one would want to look at a trailer

- Request to review other premier communities to see how they addressed the issue, such as Davis Island, Sanibel Island, Amelia Island, etc.

MR. SYMANSKI MOVED TO REQUEST THE TOWN COMMISSION TO PROVIDE GUIDANCE AND/OR APPOINT A TASK FORCE, WHICH INCLUDED SOME OF THOSE IN ATTENDANCE AT THIS MEETING, AND ALSO LOOK AT VARIOUS IDEAS, SUCH AS SCREENING, EXCLUDING THE VILLAGE, SIZE OF CRAFT, ETC.

Chair Webb noted her preference to ask the Town Commission if they were comfortable with moving forward with a task force consisting of representatives from the various neighborhoods. Mr. Hackett questioned why the Board had to request permission from the Town Commission. Chair Webb explained that the Town Commission was the appointed body. Mr. Aitken agreed with Mr. Symanski. He believed Option 2 was flawed. Mr. Hackett noted there was a broad base of representatives at this meeting, and he did not understand why the Board could not select a committee, along with board members, and move forward. Mr. Daly agreed with Mr. Hackett. He noted there was a previous subcommittee with respect to the Property Maintenance Code that consisted of only Board members.

MR. GARNER SECONDED THE MOTION.

Mr. Symanski clarified his motion to note that he had been on a number of committees that included commissioners, and his motion was to ask that the commission be included, or if they did not, then let the Planning & Zoning Board handle the issue.

MOTION CARRIED ON ROLL CALL VOTE: AITKEN, AYE; DALY, AYE; GARNER, AYE; GOLDNER, AYE; HACKETT, AYE; HIXON, AYE; SYMANSKI, AYE; WEBB, AYE; WILD, AYE.

Chair Webb asked that Steven Gold, Bayview Drive; Jerry Whitehead, Country Club Shores; Michael Drake, Longbeach Village; and, Commissioner Duncan serve on the committee.

Chair Webb noted the Board would table this ordinance and send it to the committee to review. She also asked that Mr. Symanski and Mr. Aitken serve on the committee as representatives from the P&Z Board.

AGENDA ITEM #3
ORDINANCE 2013-03, AMENDING CHAPTER 72, STOPPING, STANDING,
AND PARKING, SECTION 72.06, RESTRICTIONS ON PARKING AND USE OF
TRAVEL TRAILERS

Mr. Schield reviewed the staff report noting the only significant change from the February discussion was to revise the ordinance to require placement of a boat trailer entirely within the garage, carport, or other building. Mr. Daly thought about the view of a boat trailer entirely within a carport and believed it was too restrictive. He asked if it would make a difference if the tongue of the trailer extended a foot or two outside the carport; the thought would be to have an exception for a couple of feet, or whatever was appropriate. Mr. Symanski discussed enforceability of the ordinance asking if the tongue could extend from a garage or also another building. Mr. Daly believed the same language would apply to carport, garage, or other building.

Mr. Hixon requested confirmation that the suggestion was to impose a nine hour parking limit within any 24 hour period. Mr. Schield replied yes, on the street. Mr. Hixon did not understand, under Section (E), how it would be enforced. Mr. Schield noted it was the existing code and the intent was to not allow the owner to "set up camp" in the front yard. Mr. Daly pointed out that the nine hour restriction was with respect to public areas and did not apply to private residences. Mr. Hixon questioned the requirement because nine hours only applied to common, open, public systems and asked what the limitation was for the remainder of the key. Mr. Schield replied it was limited to five days within a 30-day period.

Mike McAdaragh, Putter Lane, supported the amendment to limit the trailer parking. He requested that the board retain the other existing components in the ordinance for the specific purpose of the five days within a 30-day period. Mr. Symanski asked if Mr. McAdaragh had a position on changing the proposal to allow trailers in a carport or garage. Mr. McAdaragh believed it was reasonable, because a garage cannot typically house the extended length of the trailer.

Charles Kirley, Golf Links Lane, discussed that the board should be cautious creating "little niches" where people could abuse the restrictions. The ordinance should state completely enclosed, which would provide an enforceable mechanism for abusive people that would take advantage.

Jerry Whitehead, Gunwale Lane, addressed the board concerning not allowing boats on trailers, or trailers in yards, in certain areas of Country Club Shores due to visual impact, enjoyment and beauty of Longboat Key. He realized there were certain areas, such as the north end of Longboat Key that should not be impacted by the ordinance. He suggested that the ordinance could be amended, but would have to define the area it effected; it could be amended to apply only to Country Club Shores, Units 1-5 or District 1, which went to the middle of Putter

Lane, but extend the line into the canal. He believed the Town could use the Zoning Code (Chapter 158, Paragraph 5) and suggested the modification, *"it shall be unlawful for any owner to, or allow another person or entity to, park, store, or otherwise cause to be located on any single-family parcel any boat trailer or other vehicle utilized for the transportation or storage of one or more boats in excess of ten days in any six month period, unless such boat trailer, or other vehicle is within an enclosed garage or other building."* Mr. Aitken supported the suggestion, but did not wish to limit to Country Club Shores.

Discussion ensued about restoring covenants and restrictions; how many votes it would take of the homeowners; that Chapter 158, Paragraph 5, spoke to aesthetics and enjoyment of one's property; and, that with the exception of lots that back up to Bogey Lane, all others in Country Club Shores had water access. Mr. Symanski asked if someone could have their boat sitting on a trailer in the driveway. Mr. Schield replied yes. Discussion ensued on obtaining 50 percent votes of the owners to restore the covenants. Mr. Whitehead noted that all Country Club Shores units had met and were supportive of the ordinance. Mr. Schield pointed out that, at this time, the restriction was five days within a 30 day period, but the suggestion from Mr. Whitehead was for ten days and six months. Chair Webb noted the consideration was for five days within a 30 day period.

Edward Jewett, Gunwale Lane, noted he was not in favor of carports, trailer tongues extended out, or open doors, but supported the Country Club Shores areas being treated as a special entity. He provided an example of a problem concerning a boat trailer on Gunwale Lane, which was an eyesore and the neighborhood was suffering. He mentioned that the adjacent property on Gunwale Lane had lost two possible sales due to the boat trailer, which he believed was continuing to be allowed by the Town. He believed this was something that affected property values.

Mr. Symanski asked where Mr. Jewett would like to see the ordinance apply. Mr. Jewett responded that he would like to see island-wide, but people on other parts of the island might have different restrictions. Mr. Aitken was opposed to applying only to Country Club Shores, because the board represented the entire island, and if they were creating restrictions, it should apply islandwide. There could be a provision for an exception for lots that did not have water frontage. Mr. Wild believed if the board was going to make it applicable island-wide, then allowing exceptions would benefit everyone. Mr. Symanski pointed out they were also discussing not having a trailer in a carport, whether the trailer tongue sticks out or not.

Chair Webb commented the board could ask staff to bring back language addressing trailers being parked in various sections of the yard; the ordinance could be tabled and ask staff to come back; the board could do nothing; or, approve as written.

Mr. Aitken commented that he thought the subcommittee had set aside the issue until they received direction from the Town Commission. Mr. Daly explained that the subcommittee approved the ordinance as presented with the understanding that they would ask the Town Commission for permission for the board and subcommittee to look at the definition of parking, spaces, and surfaces. He thought it could be done through an exception, but if the board remand's to staff, then he would like to see staff's suggested geographic areas. Mr. Schield pointed out that a simple way would be to state, "*non-waterfront property would have an exception.*"

Discussion ensued on:

- the board sending the thought of non-waterfront property forward to the Town Commission
- a problem with exceptions was that some lots in Country Club Shores were not on the water; the exception would be difficult for smaller lots with larger boats
- the issue would cause some concern, and regardless of the board's determination, there should be lead time to prepare folks as to where they could put trailers
- the board should discuss voting on prohibition with five days within a 30-day period other than in an enclosed building
- another issue discussed by the subcommittee were cars parked on lawns

Chair Webb suggested the board send a memorandum to the Town Commission that the board was interested in discussing parking of vehicles. Mr. Symanski pointed out that the board could not send it to the Town Commission unless the ordinance was re-advertised and the board holds another public hearing. Chair Webb noted that was the reason for holding another hearing so the community had an opportunity to provide input.

Mr. Daly asked if the proposal, with respect to parking boat trailers, would permit a trailer to be parked on a residential lot anywhere. Mr. Schield responded in a designated parking area. Mr. Daly commented that he would opt to look very closely and approve what they were looking at as a first step. Mr. Garner suggested the Code Enforcement Officer attend the next meeting to ask what she sees on the island on a daily basis and get her opinion. Mr. Wild commented that car parking was another issue, so he believed this ordinance could move forward.

MR. HIXON MADE A MOTION THE P&Z BOARD REMAND THE DRAFT ORDINANCE BACK TO STAFF FOR MODIFICATION TO INCLUDE THE DISCUSSION REGARDING NO BOATS AND/OR TRAILERS PARKED IN FRONT YARDS AND LOOKING AT THE ISSUE OF PROVIDING EXCEPTIONS FOR NON-WATERFRONT LOTS. MS. GOLDNER SECONDED THE MOTION.

Mr. Garner noted he would rather address the ordinance that was in front of the board at this time and had no problems with amending the current version. He did not believe the board could adopt this ordinance within 30 days, because it would take 60-90 days before getting a conforming modification to the ordinance.

Mr. Symanski requested an addition to the motion to not allow boats or trailers in a carport, and that it had to be within an enclosed structure. Mr. Hixon commented he was not sure about the non-waterfront exclusion, because it still allowed people on Gulf of Mexico Drive to have boats/trailers in their driveway. The board needed to look at exceptions, but not exclude all non-waterfront property. Mr. Aitken voiced his support of the public comments to expand it to make more stringent, but he would like to see the ordinance apply island-wide. Mr. Hackett commented with boats being such a huge recreational amenity on the island, he questioned whether the board could pass the ordinance, but remove the boat trailer aspect to deal with in a separate document.

MOTION CARRIED ON ROLL CALL VOTE: AITKEN, AYE; DALY, NO; GARNER, NO; GOLDNER, AYE; HACKETT, AYE; HIXON, AYE; SYMANSKI, AYE; WEBB, AYE; WILD, NO.

Chair Webb noted that staff will review the ordinance and bring back to the April meeting for discussion.

ORDINANCE 2013-03

AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, AMENDING THE TRAFFIC CODE: CHAPTER 72, STOPPING, STANDING, AND PARKING, OF THE CODE OF ORDINANCES, SECTION 72.06, RESTRICTIONS ON PARKING AND USE OF TRAVEL TRAILERS, BY ADDING DEFINITIONS OF "TRAILER," "BOAT TRAILER," AND "PORTABLE STORAGE UNIT" TO THE REGULATIONS; AMENDING SECTION 72.06(A) TO INCLUDE TRAILERS, BOAT TRAILERS, AND PORTABLE STORAGE UNITS, TO THE TYPE OF TRAILER OR UNIT WITH RESTRICTED PARKING; PROVIDING FOR PENALTIES, PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 72, *Stopping, Standing and Parking* of the Town of Longboat Key Code of Ordinances restricts how and where trailers can be parked in the Town; and

WHEREAS, the Town currently regulates the location and the length of time that travel trailers can be parked in Longboat Key; and

WHEREAS, the Town wishes to improve community standards and protect property values; and

WHEREAS, it is the desire of the Town to also restrict how and that trailers, portable storage units, and boat trailers can be parked or placed on a property; and

WHEREAS, in order to better enforce the parking of trailers, portable storage units, and boat trailers, the Town wishes to provide a definition for the word "trailer," "temporary storage unit," and "boat trailer"; and

WHEREAS, the Planning and Zoning Board finds that the subject Code amendment will improve community standards and protect property values in the Town and recommends approval of the proposed amendments; and

WHEREAS, the Town Commission, after careful consideration of the issues, 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 72, *Stopping, Standing and Parking* is amended to read as follows:

Subsection 72.06, is hereby renamed Restriction on parking and use of portable storage unit, travel trailers, boat trailer, and trailer.

(A) Definitions

(1) For the purpose of this section, the words "house car," "trailer," "travel trailer," "camper," "motorhome," or "self-propelled vehicles with sleeping accommodations" shall mean any structure intended for or usable for human habitation, mounted on or susceptible of being mounted on wheels, and which can be moved from place to place, either by its own power or power supplied by some vehicle attached or to be attached to the structure.

(2) For the purpose of this section, "boat trailer" shall mean any boat trailer that requires a state license plate to operate upon a public street.

(3) For the purpose of this section, the words "storage trailer," "equipment trailer," "work trailer," "enclosed trailer," "open trailer," "construction trailer" or "trailer" shall mean any trailer that requires a state license plate to operate upon a public street other than those defined in (A)(1) and (2) above.

(4) For the purpose of this section, the words "enclosed storage container," "temporary storage unit," "pod," "storage pod," or "storage container" shall mean any portable storage unit that is used for the storage of furniture, equipment, or other materials.

(B) It shall be unlawful for any person to park any vehicle designed to be occupied or used for living purposes, including but not limited to, vehicles commonly known as campers, travel trailers, house trailers, and motorhomes, or trailers, for more than nine hours within any 24-hour period while the vehicle is parked on any of the following:

- (1) Public streets.
- (2) Public or municipal parking lots.
- (3) Public or municipal rights-of-way.
- (4) Private parking facilities which are open to the public generally or to any particular segment thereof.

(C) Parking restrictions

(1) It shall be unlawful for any person to park, place, or locate, or for the owner of the lot to allow to park, place, or locate any house car, ~~trailer~~, travel trailer, camper, motorhome, or self-propelled vehicle with sleeping accommodations, portable storage unit, or trailer on any lot, tract, or parcel of land within the town for more than five days in any 30-day period, except as follows:

- (a) ~~In~~ Ninety percent within a carport, garage, or other building.
- (b) In a permitted mobile home park.
- (c) In a parking area of an existing motel or hotel.

(d) In a parking area of a multifamily project.

(2) It shall be unlawful for any person to park, place, or locate, or for the owner of the lot to allow to park, place, or locate more than one boat trailer on a single family parcel, unless the boat trailer is 90 percent located within a carport, garage, or other building.

(D) No person shall use the house car, trailer, travel trailer, camper, motorhome, or self-propelled vehicle with sleeping accommodations for sleeping accommodations within the town, except when it is located in a permitted mobile home park.

(E) It shall be unlawful for occupants of any house car, trailer, travel trailer, camper, motorhome, or self-propelled vehicle with sleeping accommodations to cook food therein, or to serve any foods cooked therein, or to connect such vehicles to any source of electrical power or potable water during the time that the vehicle is parked in any of the areas described in subsection (B), and within the prohibited areas described in subsection (C).

SECTION 3. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

SECTION 4. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 5. This Ordinance shall take effect upon second reading in accordance with law and the charter of the Town of Longboat Key.

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

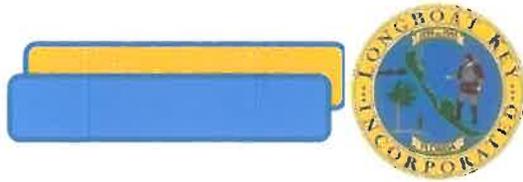
Adopted on the second reading and public hearing the ____ day of _____, 2013.

James L. Brown, Mayor

ATTEST:

Trish Granger, Town Clerk

TOWN OF LONGBOAT KEY



Trailer Parking Ordinance 2013-03

May 6, 2013 Town Commission
Regular Meeting

Ordinance 2013-03

- At the April 16, 2013, Planning and Zoning Board Meeting, the board requested that a task force be appointed that included Planning and Zoning Board members, Town Commission members, and neighborhood representatives to discuss and recommend restrictions that should be placed on the parking of boat trailers on single family properties.

Existing conditions

- Staff did a windshield survey of the trailers currently parked in open areas on single family properties. The result was a total of 112 trailers, with 18 properties having two or more.

Neighborhood survey

Neighborhoods	Boat Trailers	Multiple-Trailers	Storage Trailers
Country Club Shores	9	-	-
Buttonwood	1	-	-
Longboat Estates	3	1	
St Judes/Tarawit/Jungle Queen/Gulfbay	31	6	4
Emerald Harbor	-	-	-
Dream Island	3	1	-
Sleeply Lagoon	16	2	-
Longbeach Village	39	8	6

Alternatives

- At the March 19, 2013, Planning and Zoning Board Meeting, Ordinance 2013-03 was tabled and remanded to staff for review and to provide alternative language in regards to the parking of boat trailers. The following are alternative options for the parking of boat trailers.

Option 1

Subsection 72.06(C)(2) It shall be unlawful for any person to park, place, or locate, or for the owner of the parcel to allow any person to park, place, or locate more than one boat trailer on a single family parcel for more than five days in any 30-day period, unless the additional boat trailers are located 90 percent within a carport, garage, or other building. (Original proposal with change from entirely to 90 percent)

It would allow one boat trailer to be anywhere on a single family parcel, but additional boat trailers would have to be in a structure. On anything other than a single family parcel, boat trailers would not be restricted.

Option 2

Subsection 72.06(C)(2) It shall be unlawful for any person to park, place, or locate, or for the owner of the parcel to allow any person to park, place, or locate more than one boat trailer on a single family parcel for more than five days in any 30-day period, unless the additional boat trailers are located 90 percent within a carport, garage, or other building. No boat trailers shall be parked, placed, or located on a single family parcel within the Special Canal Preservation Area, the boundaries of which are depicted in Chapter 158 Appendix, Section 8 (C), for more than five days in any 30-day period, unless they are entirely located within a garage or other building.

Same as option 1, except it would prohibit visible boat trailers within the Country Club Shores neighborhoods only.

Option 3

Subsection 72.06(C) It shall be unlawful for any person to park, place, or locate, or for the owner of the ~~lot~~ property to allow any person to park, place, or locate any house car, ~~trailer~~, travel trailer, camper, motorhome, or self-propelled vehicle with sleeping accommodations, portable storage unit, boat trailer or trailer on any lot, tract, or parcel of land within the town for more than five days in any 30-day period, except as follows:

- (1) Ninety percent within a carport, garage, or other building.
- (2) In a permitted mobile home park.
- (3) In a parking area of an existing motel or hotel.
- (4) In a parking area of a multifamily development.

It would prohibit the parking of boat trailers on single family or commercial parcels unless located 90 percent within a carport, garage, or other building, except for five days in any 30-day period. Note that this change would also allow campers and the like to protrude from a carport, garage or other building.

Option 4

- Subsection 72.06(C)(2) It shall be unlawful for any person to park, place, or locate, or for the owner of the parcel to allow any person to park, place, or locate a boat trailer on a single family parcel for more than five days in any 30-day period unless the boat trailer is located 90 percent within a carport, garage, or other building or is located within a side or rear yards.
-
- *It would allow the parking of boat trailers only if in a carport, garage, other building, or in a side or rear yards. Boat trailers would not be allowed in a street or waterfront yards.*
-

Option 5

Subsection 72.06(C)(2) It shall be unlawful for any person to park, place, or locate, or for the owner of the parcel to allow any person to park, place, or locate a boat trailer on a single family parcel for more than five days in any 30-day period unless the boat trailer is 90 percent located within a carport, garage, or other building or is screened from public view with a minimum of a six foot fence or gate with 80 percent opacity.

It would allow the parking of boat trailers only if in a carport, garage, other building, or if screened from the public view with a six foot fence or gate.

Option 6

Subsection 72.06(C)(2) It shall be unlawful for any person to park, place, or locate, or for the owner of the parcel to allow any person to park, place, or locate a boat trailer on a single family parcel for more than five days in any 30-day period unless the boat trailer is located 90 percent within a carport, garage, or other building. However, one boat trailer may be located outside of a carport, garage, or other building on a single family parcel that does not have direct water access.

It would allow the parking of one unenclosed boat trailer on properties that do not have direct water access.

**Questions
and
Discussion?**



End of Agenda Item