

MEMORANDUM

Date: December 20, 2013

TO: David Bullock, Town Manager

THROUGH: Alaina Ray, AICP, Acting 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, Section 72.06,
Restrictions on Parking and Use of Travel Trailers

The Planning staff has worked with the Town Attorney, the Trailer Parking Subcommittee, the Planning and Zoning Board and the Town Commission to draft Ordinance 2013-03. Ordinance 2013-03 allows parking of trailers within side or rear yards that are screened from view. Trailers will be allowed to continue to be temporarily parked on public streets during the day and can be parked in driveways for up to five (5) days in a 30-day period. Boats and boat trailers are not included in the new restrictions. Portable storage units also cannot be parked, placed, or located in driveways for more than five days in a 30-day period, unless a temporary permit has been issued. Ordinance 2013-03 is intended to improve the visual appeal of the community and to protect property values.

At their September 17, 2013 Regular Meeting, the Planning and Zoning Board recommended approval of Ordinance 2013-03, Trailer Parking Code. At the November 13, 2013 Regular Workshop Meeting the Commission reached consensus to remove restrictions on boats and boat trailers from Ordinance 2013-03, Trailer Parking Code.

The Town Commission is requested to hold a public hearing and first reading of Ordinance 2013-03, to adopt amendments to Chapter 72, *Stopping, Standing and Parking* of the Town Code, at their January 6, 2014 Regular Meeting.

Attachments: 9-27-13 Staff Report, Planner to P&Z Board;
PowerPoint Presentation;
Ordinance 2013-03;

xc: Maggie Mooney-Portale, Town Attorney
Alaina Ray, AICP, Acting Director – Planning, Building & Zoning

MEMORANDUM

DATE: September 27, 2013

TO: Dave Bullock, Town Manager

THROUGH: Alaina Ray, AICP, Interim 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 (Revised)
Boat Trailer Parking Alternative Restrictions

At the September 22, 2011, regular Town Commission workshop, staff discussed the possibility of amending the Town Code to address property maintenance issues on the island. As a result of the discussion, the Commission directed staff to obtain input from the community and agreed to hold a workshop to further discuss the matter.

On January 24, 2012, staff held a community meeting on a property maintenance code which included discussion about other property complaints (parking, vegetation, etc.) The meeting was attended by approximately 40 people representing a cross section of the community. The participants at the community meeting also supported adding restrictions on the parking of open or enclosed storage trailers similar to the limitation placed on travel trailers (limited to five days in a 30-day period). It was also suggested that boat trailers parked on a residential lot should have some restrictions.

At the November 12, 2012, Town Commission workshop, staff presented the findings in regards to the parking of storage trailers, storage pods and boat trailers on residential properties. The Town Commission directed staff to draft an ordinance that restricted storage trailers, storage pods and boat trailers. Staff worked with the Town Attorney to prepare an ordinance for these possible parking changes to Chapter 72, *Stopping, Standing and Parking* of the Town Code.

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. 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 | 1 | - | - |
| Longboat Estates | 3 | 1 | |
| St Judes/Tarawitt/Jungle Queen/Gulfbay | 31 | 6 | 4 |
| Emerald Harbor | - | - | - |
| Dream Island | 3 | 1 | - |
| Sleeply Lagoon | 16 | 2 | - |
| Longbeach Village | 39 | 8 | 6 |

At the April 16, 2013, Planning and Zoning Board meeting, the board requested that a subcommittee be appointed that included Planning and Zoning Board members, Town Commission members, and neighborhood representatives to discuss and recommend restrictions. The Town Commission agreed to this at their May 6, 2013, Regular Meeting, and appointed the subcommittee.

The Trailer Parking Subcommittee included the following people: Steven Gold (Sleepy Lagoon), Jerry Whitehead (Country Club Shores), Michael Drake (LB Village), Andrew Aitken(Planning Board), Ken Schneier(Planning Board), Patricia Zunz (Town Commission), and Lynn Larson (Town Commission). The subcommittee represented a diverse range of neighborhoods on the island and was chaired by Jerry Whitehead. The subcommittee met three times on June 20, 2013, July 1, 2013, and July 15, 2013.

The subcommittee had extensive discussion on what regulations should be placed on the parking of trailers. A consensus was reached on allowing the parking of trailers and boat trailers within side or rear yards that are screened from view. Trailers or boat trailers will be allowed to continue to be temporarily parked on public streets during the day and can be parked in driveways located in street yards up to five days in a 30 day period. The subcommittee also recommended other amendments to the original ordinance in order to simplify it and make it more legally sound. The subcommittee raised concerns about the impact of the regulations on the Longbeach Village area. As a result, the subcommittee amended the ordinance to allow parking of trailers within rear yards without screening to allow the parking of trailers off of existing public alleys. **The subcommittee also recommended the Town remove obstructions from all alleys to allow access to these areas.**

The subcommittee recommended approval of Ordinance 2013-03 and it was presented to the Planning and Zoning Board at their meeting of September 17, 2013. **After holding a public hearing and discussion, the Planning and Zoning Board recommended approval of Ordinance 2013-03.**

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

Xc: Alaina Ray, AICP, Interim Director -Planning, Building & Zoning Department
Maggie Mooney-Portale, Town Attorney



Trailer Parking Ordinance 2013-03

**Town Commission Regular
Meeting
January 6, 2014**



Ordinance 2013-03

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



Subcommittee

- Trailer Parking Subcommittee included the following people:
 - Steven Gold (Sleepy Lagoon)
 - Jerry Whitehead (Country Club Shores)
 - Michael Drake (LB Village)
 - Andrew Aitken (Planning Board)
 - Ken Schneier (Planning Board)
 - Patricia Zunz (Town Commission)
 - Lynn Larson (Town Commission)



Planning and Zoning Board

- Planning and Zoning Board recommended approval of Ordinance 2013-03, Trailer Parking.
- The proposed ordinance allows parking of trailers and boat trailers within side or rear yards that are screened from view.
- Trailers and boat trailers will be allowed to continue to be temporarily parking on public streets during the day.
- Allowed to be parked in driveways located in street yards up to five (5) days in a 30 day period.



Neighborhood Survey

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



The Town Code regulates the placement of ‘travel’ trailers. Section 72.06 defines a travel trailer, in sum, as a structure intended for habitation. Travel trailers may be parked for no more than 5 days in any 30 day period, unless in a carport or garage.

TOWN OF LONGBOAT KEY



'Storage' trailers, pictured below, with current registration, are legally parked in an approved driveway or side yard.





Storage PODS are not regulated by our Town Code





Consensus

The Town Commission had extensive discussion on what regulations should be placed on the parking of trailers. A consensus was reached allowing the parking of trailers within side or rear yards that are screened from view. Trailers will be allowed to continue to be temporarily parked on public streets during the day and can be parked in driveways located in street yards up to five days in a 30 day period. The parking of boats and boat trailers were removed from the regulations.



Regulation

Subsection 72.06(C)(5) Trailers will be allowed to be parked in rear yards or in side yards of a single family parcel provided such the trailer is located behind the applicable side yard plane on a single family parcel and is screened from public view or adjacent properties with a six (6) foot fence, wall, gate or vegetation with 80 percent opacity. For purposed of this Section 72.06(C)(5), “public view” shall not include any view from an alley.

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



Trailer Parking in Red





Trailer Parking in Red





Corner Lot





Side Yards





Rear Yard with Alley





Recommendation

With amendments that removed boats and boat trailers from the regulations, the Town Commission reached consensus to forward Ordinance 2013-03, Trailer Parking for first reading.

ORDINANCE 2013-03

AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, AMENDING TITLE 7, TRAFFIC CODE: CHAPTER 72, STOPPING, STANDING, AND PARKING, OF THE CODE OF ORDINANCES; AMENDING SECTION 72.06, RESTRICTIONS ON PARKING AND USE OF TRAVEL TRAILERS, BY ADDING DEFINITIONS OF "TRAILER," "RECREATIONAL CAMPING VEHICLES," AND "PORTABLE STORAGE UNIT" TO THE REGULATIONS; AMENDING SECTION 72.06(A) TO INCLUDE TRAILERS, RECREATIONAL CAMPING VEHICLES, 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 vehicles can be parked in the Town; and

WHEREAS, the Town currently regulates the location and the length of time that recreational camping vehicles 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 where trailers, portable storage units, can be parked or placed on a property; and

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

WHEREAS, the Planning and Zoning Board finds that the subject Town 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 travel trailers portable storage units, recreational camping vehicles, and trailers.*

(A) Definitions

(1) For the purpose of this section, the words, "house car," "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. For the purposes of this section, the term "recreational camping vehicle" shall mean a recreational vehicle-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motor power or is mounted on or drawn by another vehicle, including but not limited to those recreational vehicles identified in Section 320.01(b) 1.-8. Florida Statutes.

(2) For the purposes of this section, the term "trailer" shall mean any vehicle without motor power required to display a state license plate to operate upon a public street and designed to be coupled to or drawn by a motor vehicle, other than a vehicle these defined in (A)(1) above.

(3) For the purposes of this section, the term "portable storage unit" shall mean any fully or partially enclosed structure which may be used for the storage of furniture, equipment or materials of any sort or description and which unit is, or is intended to be, mounted permanently or temporarily upon a trailer, including, by way of illustration but not limitation, those structures referred to as "pods" or "storage pods".

(4) For the purposes of this section, the term "principal structure" shall mean the largest structure by volume occupying an identified lot without regard to overhangs, steps, porches or appurtenances to, of, or upon that structure.

(5) For purposes of this section, the term "side yard plane" shall mean, with respect to any side yard on any property, a line that runs parallel to the street setback line from the nearest front corner of the principal structure on such property to the nearest side line.

(B) Public parking restrictions. It shall be unlawful for any person to park, place, or locate ~~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, recreational camping vehicle or trailer and motorhomes,~~ 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) Private parking restrictions. It shall be unlawful for any person to park, place, or locate, or for the owner of the lot, tract, or parcel to allow to park, place, or locate any Recreational Camping Vehicle, 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:

- (1) Entirely within ~~In~~ 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 project.

(5) Trailers will be allowed to be parked in rear yards or in side yards of a single family parcel provided such Trailer is located behind the applicable side yard plane on a single family parcel and is screened from public view or adjacent properties with a six (6) foot fence, wall, gate or vegetation with 80 percent opacity. For purposed of this Section 72.06(C)(5), "public view" shall not include any view from an alley.

~~(D) Notwithstanding any other provision of this section, no person shall use a any Recreational Camping Vehicle within the town for sleeping accommodations, to cook food therein, to serve any food cooked therein, or to connect such vehicles to any source of electrical power or potable water, 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~~

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 and proposed amendments shall take effect 180 days from the date of the second reading in accordance with law and the charter of the Town of Longboat Key.

Passed on the first reading the ____ day of _____, 2014.

Adopted on the second reading and public hearing the ____ day of _____, 2014.

James L. Brown, Mayor

ATTEST:

Trish Granger, Town Clerk



End of Agenda Item