



**Town of Longboat Key
Planning, Zoning and Building Department**

501 Bay Isles Road
Longboat Key, Florida 34228
941-316-1966
941-316-1970 FAX

RECREATIONAL USE AGREEMENT APPLICATION

Request must be completed in its entirety, in ink. Applicant is required to submit a site plan depicting all items stored on the beach, and also include the following:

- Property boundaries including length of gulf frontage and distance from water
- Beach access points (footpath, walkover, concrete steps)
- A list and number of recreational items (i.e., 2 stacks of beach chairs totaling 12 chairs)
- Location and dimension of proposed on-beach storage area

Note: Photographs and maps may also be used to show items and storage location

A completed application can be submitted in person, or by mail, to the Planning, Zoning & Building Department or emailed to turtles@longboatkey.org.

PROPERTY INFORMATION:

Street Address: _____ Unit # _____

Condominium/Complex Name: _____

Name (as on property record): _____

Phone: _____ Fax: _____ Email: _____

Mailing Address: _____

City: _____ State _____ Zip: _____

SIGNATURE OF APPLICANT

I hereby acknowledge that I have read, understand and agree to the following stipulations in association with this Recreational Use Agreement. If approved, I will abide by the terms of this agreement, or be subject to code enforcement proceedings and possible fines.

Signature of Applicant _____ Title: _____

Printed/Typed Name of Applicant _____ Date: _____

Please read and initial next to each item below:

- 1) All items stored on the beach, as depicted in the attached site plan, will be secured in a manner that prevents the removal and scattering of items by unauthorized individuals at night. Cable and lock methods are highly recommended; however, cable or chain must be kept up and off the beach as these items pose an entanglement hazard. (initial) _____
- 2) All items shall be moved to and from designated storage areas using extreme care to prevent any adverse impacts to the beach and dune systems, sea turtle nests and their habitat. Please be vigilant and aware so as not to disturb evidence of nesting or hatching, such as crawls, hatchling tracks and/or new nests not yet marked. (initial) _____

- 3) In the event that items stored within an approved on-beach storage location cause a documented "false crawl" or "obstructed nesting attempt," this agreement may be revoked and other storage for recreational items will be required. (initial) _____
- 4) This agreement has been issued to a specified property owner/manager and is valid for the duration of nesting season (May through October). Any changes to furniture storage will require a new application. (initial) _____
- 5) **MOTORIZED VEHICLES ONLY.** Hotels, motel and other tourism units, may be authorized to place and retrieve temporary structure(s) or portable recreational equipment on the beach. Vehicle operator Florida Department of Environmental Protection ESSA Self Certification Permit Number (enter number) _____
(initial) _____

FOR TOWN STAFF ONLY

Approved Approved with Changes

Signature of Town Staff: _____ Date: _____

Instructions and Information Relative to Recreational Use Agreements

Recreational items such as beach furniture, boats, cabanas, rafts and toys left on the beach overnight pose an obstruction and entanglement hazard for nesting and hatching sea turtles. Unless otherwise specified in the Town of Longboat Key Town Code, the following regulations shall govern the use of recreational equipment and temporary structures on the beach at night during sea turtle nesting season, May 1 through October 31 annually.

Section 100.10, Obstructions on the beach and beach access areas prohibited.

- (A) Any temporary structure(s) which have the potential for entrapment of marine turtles and which may interfere with the use of the beach environment for nesting habitat. All such temporary structures, within the corporate limits of the Town of Longboat Key shall be:
1. Removed from the beach nightly from 11:00 p.m. until 5:00 a.m. during marine turtle nesting season; or
 2. Available to Upland Owners and stored in areas approved by Recreational Use Agreement, with the Town, provided:
 - i. Temporary structure(s) and portable recreational equipment shall be stored as close to the dune, or where there are no dunes or native vegetation, shall be relocated as close as practicable, or, when there are no dunes or native vegetation as close as practicable to an existing permanent structure or the line of existing and continuous construction;
 - ii. Temporary structure(s) and portable recreational equipment shall not be placed on any dune or on native vegetation;
 - iii. Temporary structure(s) and portable recreational equipment shall be stored in a neat and orderly manner;
 - iv. Temporary structure(s) and portable recreational equipment shall be stacked, if possible, with other similar temporary structure(s) or portable recreational equipment;
 - v. Temporary structure(s) and portable recreational equipment shall not be placed or stored so as to inhibit access to the beach, nor obstruct access on the beach, nor adversely impact dunes or native vegetation, nor adversely affect marine turtles; and
 - vi. Temporary structure(s) and portable recreational equipment shall not be placed or stored on any public beach access point.
- (B) Abandoned temporary structure(s) or portable recreational equipment are declared a public nuisance and interfere with the use of the natural beach environment for nesting habitat. Any temporary structure(s) or article(s) of portable recreational equipment that remain on the beach or public beach access in violation of this Chapter shall be deemed abandoned by the owner and shall be tagged or removed by the Code Enforcement Officer or designee. Any temporary structure(s) or portable recreational equipment so removed shall be stored in areas designated by the Town for that purpose of avoiding interference with marine turtles. After impoundment, as required by F.S. § 705.103, the Town may dispose of any item(s) removed pursuant to this section. The Town may, by resolution, enact an impoundment fee to be collected at the time any items are retrieved from impoundment by the party claiming the item(s).
- (C) No temporary structure(s) or portable recreational equipment shall be placed or stored within five feet of an apparent marine turtle nest or a marine turtle nest marked and identified by persons who have authorization or a permit to engage in marine turtle conservation or research issued by FWS, FWC, FDEP or the Town.

What items require a Recreational Use Agreement?

Items removed from the beach nightly do not require an agreement. Recreational, or temporary items stored on the beach 11:00 p.m. to 5:00 a.m. during sea turtle nesting season do require a Recreational Use Agreement. Temporary structures requiring removal from the beach include but are not limited to the following:

- 1) Beach furniture
- 2) Umbrellas, cloth or vinyl cabanas
- 3) Portable shade tents (under 10' x 10') *
- 4) Personal watercraft (motorized and non-motorized)
- 5) Other temporary structures

Do I qualify for a Recreational Use Agreement?

Recreational Use Agreements were established for properties with little to no immediate access to upland storage areas, such as lawns, pool decks, patios and other paved surfaces. Lack of upland storage may be due to a concrete retaining wall, an expansive dune system, or lack of suitable space. A Recreational Use Agreement establishes an approved on-beach storage area for items when it is unreasonable for them to be completely removed from the nesting beach each night. Each property is evaluated on a case-by-case basis. Property size and number of units, distance from water and type of recreational items are considered when determining agreement qualifications. Lack of staff/manpower or equipment to move items is not evaluated as criteria.

Required Submission Documentation

A completed Recreational Use Agreement application (please see attached).

A site plan depicting the following:

- a. Property dimensions (length of gulf frontage, distance from water, etc.)
- b. Description of beach access points (foot path, walkover, concrete steps, etc.)
- c. Description of recreational items (ex: aluminum beach chair)
- d. Location and dimensions of proposed on-beach storage area

NOTE: Site plans can be hand-drawn, but should accurately depict dimensions, measurements and relative locations.

OPTIONAL: Photograph(s) depicting proposed storage strategy (i.e. stacking) and location relative to residential structure and beach. Photographs may be helpful to demonstrate proposed seasonal storage plan.

IMPORTANT: Tents and temporary structures greater than 10'x10' may require a Temporary Use and/or Tent Permit. For more information contact Planning, Zoning & Building at 941-316-1966.

Developing & Implementing an Effective Recreational Use Agreement

The intent of a Recreational Use Agreement is to minimize the obstruction and/or entanglement risk to nesting and hatching sea turtles. This is accomplished by eliminating or reducing the footprint of the items remaining on the beach at night. In addition to creating a designated and approved "safe zone" for on-beach storage when necessary, properties should also consider the following:

- Place fewer chairs and lounges on the beach during the summer months.
- Budget to replace heavy beach furniture with lighter, more portable pieces.
- Explain to residents and visitors the danger posed to sea turtles when objects are left on the beach overnight.

For assistance in developing a Recreational Use Agreement or completing the application, please contact Code Enforcement staff at (941) 316-1966.