

City of Punta Gorda

Ordinance No. _____

AN ORDINANCE OF THE CITY OF PUNTA GORDA, FLORIDA, AMENDING PUNTA GORDA CODE CHAPTER 26, "LAND DEVELOPMENT REGULATIONS", ARTICLE 3, "REGULATING DISTRICTS", SECTION 3.13 "SPECIAL RESIDENTIAL OVERLAY DISTRICT", SUBSECTION (I), "STORAGE OF VEHICLES AND WATERCRAFT", TO CLARIFY PROVISIONS FOR THE STORAGE OF SMALL WATERCRAFT ON RACKS ON A DOCK; RENUMBERING ACCORDINGLY; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Special Residential Overlay District has been established to provide aesthetic control to lands in this district to prevent visual blight and clutter; and

WHEREAS, in consideration that the City of Punta Gorda is a waterfront boating community with many seasonal residents, it is reasonable to recognize the increase in small watercraft activities, i.e. kayaks, canoes and paddleboards along with the need for small watercraft storage; and

WHEREAS, a question has been raised as to how small watercraft, specifically kayaks, canoes and paddleboards may be stored on the dock(s); and

WHEREAS, City Council has determined that the intent of the provision is to allow small watercraft storage racks on docks; and

WHEREAS, a minor amendment to Chapter 26, Section 3.13(l), Punta Gorda Code is necessary to clarify the intent and specific regulations; and

WHEREAS, pursuant to the provisions of Section 163.3194(2), Florida Statutes, the Planning Commission serving as the Local Planning Agency for the City of Punta Gorda, Florida, has reviewed the regulations proposed herein and has found said regulations to be consistent with the adopted Comprehensive Plan of the City of Punta Gorda.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PUNTA GORDA, FLORIDA, THAT:

I. Chapter 26, Article 3, Section 3.13(l), Punta Gorda Code, is hereby amended to read as follows: *[additions are underlined, deletions are ~~struck through~~]*

Section 3.13. SRO, Special Residential Overlay District

- (1) Storage of Vehicles and Watercraft. Except as otherwise provided herein, it shall be unlawful for any person to park, store, keep, maintain, or permit to be parked, stored, kept or maintained on the property of a single or multiple family residence, or on a vacant lot in a residential area, any watercraft, boat or empty boat trailer. Any watercraft, boat, empty boat trailer may be parked or stored entirely within the confines of a garage or carport, or as permitted below:
 - (1) Small ~~W~~watercraft may be stored entirely on the dock, but not on the seawall, seawall cap, rear, side or front yards of the premises.
 - (2) Small watercraft such as kayaks, canoes and paddleboards may be stored on a small watercraft storage rack which has been placed on the dock of the premises.
 - (3) A maximum of two (2) racks are permitted for docks up to eighty (80) linear feet in length and there shall be no limit on the number of racks for docks exceeding eight (80) linear feet in length.
 - (4) A maximum of two (2) small watercraft can be stored on a single small watercraft storage rack.
 - (5) Small watercraft storage racks may be attached to the independent dock facility, but may not be attached to the seawall or seawall cap in any manner.
 - (6) The small watercraft storage racks must be kept in good repair.
 - ~~(2)~~ (7) Watercraft may be stored on a lift or davits, or in the water.
 - ~~(3)~~ (8) Small watercraft such as kayaks, paddleboards or canoes may be placed on a roof rack on a vehicle parked in the driveway overnight; however, watercraft may not be left on the vehicles for more than two (2) consecutive days.
 - ~~(4)~~ (9) A residence may have a single watercraft kept or parked on the premises, on the paved driveway, or within the public right-of-way off of the paved roadway between the hours of 7:00 am and 7:00 pm.
 - ~~(5)~~ (10) No watercraft shall be kept or parked on the premises, nor within a public right-of-way between the hours of 7:00 pm and 7:00 am, unless parked entirely within the confines of a garage or carport, or upon obtaining a permit without charge from the City. Upon obtaining a permit the watercraft may be parked on the driveway of any premises or in the right-of-way, off of the paved roadway for up to two nights (7:00 p.m. to 7:00 a.m.) on no more than four (4) occasions per calendar year. The permit shall be affixed to the watercraft in a conspicuous place on the street side thereof. No vehicle shall encroach upon or block a public sidewalk or paved roadway.

II. It is the declared intent of the City Council that, if any section, subsection, sentence, clause, phrase or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

III. Any ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

IV. This ordinance shall become effective immediately upon adoption.

ADOPTED in regular session of the City Council of the City of Punta Gorda, Florida, this 3rd day of October, 2018.

RACHEL KEESLING, Mayor

ATTEST:

KAREN SMITH, City Clerk

APPROVED AS TO FORM:

DAVID M. LEVIN, City Attorney