

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 108 OF THE CODE OF ORDINANCES, ENTITLED "PLANNING AND DEVELOPMENT" BY AMENDING SECTION 108-680 TITLED "RECREATIONAL VEHICLE AND BOATS"; BY AMENDING SECTION 108-681 TITLED "CAMPING VEHICLES AND EQUIPMENT"; AND BY AMENDING SECTION 108-683 TITLED "EXCEPTIONS", TO REQUIRE RESIDENTS OF THE SINGLE FAMILY AND MEDIUM DENITY RESIDENTIAL DISTRICTS TO STORE RECREATIONAL AND CAMPING VEHICLES IN THE SIDE OR REAR YARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West finds that while storage of unoccupied recreational and camping vehicles on private residential property is at times a necessity, the visual impact from the public rights of way can constitute visual clutter, and are many times occupied, thus affecting the use and enjoyment of surrounding property owners and property values; and

WHEREAS, the City Commission for the City of Key West finds that there exists a number of unoccupied, recreational and camping vehicles in the single family and medium density residential zoning districts that are not being used as temporary shelter as a result of Hurricane Irma, that in fact had been stored in a manner highly visible to the public rights of way before Hurricane Irma struck the Keys; and

WHEREAS, The City Commission for the City of Key West finds that because of such visual clutter, the single family and medium density residential zoning districts should be regulated in the same manner as all other residential zoning districts in the city regarding the requirement to store recreational and camping vehicles in side or rear yards; and

WHEREAS, The Planning Board for the City of Key West approved this ordinance revision at their December 21, 2017 meeting,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

Section 1: That Section 108-680 of the Code of Ordinances is hereby amended as follows*:

Sec. 108-680. - Recreational vehicles and boats.

(a) With the exception of properties located in a single-family zoning district or medium density residential

*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

district, All recreational vehicles, boats, and trailers, and the like, as defined in this division shall be parked within an enclosed structure, within a carport behind the front setback, within the required minimum rear yard or in the minimum side yard, as defined in Sec. 86-9 behind the front structure line of the main dwelling. If not located within an enclosed structure, the recreational vehicle, boat and/or trailer shall be screened by a fence and/or plant vegetation of sufficient height and opaqueness so that the vehicle, boat, and/or trailer cannot be seen from a location off the site. A recreational vehicle, boat, and trailer, and the like must be for the resident's individual use or related to employment.

(b) In single-family zoning district or medium density residential district, All recreational vehicles, ~~boats and trailers,~~ and the like, as defined in this division shall be parked within the rear yard as defined in Sec. 86-9.

Recreational vehicles, ~~boats and trailers~~ may also be parked within the side yard as defined in Sec. 86-9 so long as more than 50% of the length of the recreational vehicle, ~~boat, or trailer~~ is located behind the front structure line of the main dwelling, including any permanent structures attached to the front of the main dwelling. For purposes of this subsection, in the event of a corner lot, the front elevation shall be considered giving deference to the historical street address.

Section 2: That Section 108-681 of the Code of Ordinances is hereby amended as follows*:

Sec. 108-681. - Camping vehicles and equipment.

(a) With the exception of properties located in a single-family zoning district or medium density residential district, no vehicle or equipment primarily designed as temporary living accommodation for recreational camping and travel use and including but not limited to travel trailers, truck campers, camping trailers, or self-propelled motor homes shall be parked forward of the front building line

(b) In single-family zoning district or medium density residential district, all vehicles or equipment primarily designed as temporary living accommodation for recreational camping and travel use and including but not limited to travel trailers, truck campers, camping trailers, as defined in this division shall be parked within the rear yard as defined in Sec. 86-9. Recreational vehicles, ~~boats and trailers~~ can also be parked within the side yard as defined in Sec. 86-9 so long as more than 50% of the length of the recreational vehicle, ~~boat,~~ ~~or trailer~~ is located behind the front structure line of the main dwelling, including any permanent structures attached to the front of the main dwelling. For purposes of this subsection,

in the event of a corner lot, the front elevation shall be considered giving deference to the historical street address.

~~(b)~~ (c) All automobile trailers, recreational vehicles and the like occupied for living quarters in the city shall be parked in a regularly licensed trailer park.

Section 3: That Section 108-683 of the Code of Ordinances is hereby amended as follows*:

Sec. 108-683. - Exceptions

Exceptions to this division shall be as follows:

(1) *Commercial vehicles and equipment on residential property.*

Commercial vehicles and equipment driven home as a job requirement by employees of the government, private utility companies, or for emergency use may be parked on residential property. Further, vehicles being used for routine deliveries or construction services may be parked on residential property while in the routine course of business.

(2) *Commercial vehicles and equipment in nonresidential*

districts. Commercial vehicles and equipment may be parked on a lot in a district zoned other than residential so long as the vehicles are in regular use by the business located upon the premises. Further, vehicles being used for routine deliveries or

construction services may be parked on nonresidential property while in the routine course of business.

(3) *Recreational vehicles.* Recreational vehicles in all residential zoning districts ~~other than single-family (SF) or medium density residential (MDR) zoning districts~~ may be parked on a residential premise for a period not to exceed 24 hours during active loading and unloading. No such vehicle shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot or in any location not approved for such use.

(4) *Recreational vehicle, boats and/or trailers in single-family (SF) or medium density residential (MDR) zoning districts.*

~~(a)~~ Properly registered and licensed recreational vehicles, boats and or trailers may be parked and/or stored on the property without the requirement for structural or vegetative screening or storage within an enclosed structure, with the provision that no part of the recreational vehicle, boat and/or trailer extends into a public right-of-way or an adjoining property.

Section 4: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the

remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 5: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 6: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and Clerk of the Commission and approval by the Florida Department of Economic Opportunity, pursuant to Chapter 380, Florida Statutes.

Read and passed on first reading at a regular meeting held
this _____ day of _____, 2018.

Read and passed on final reading at a regular meeting held
this _____ day of _____, 2018.

Authenticated by the presiding officer and Clerk of the
Commission on _____ day of _____, 2018.

Filed with the Clerk _____, 2018.

Mayor Craig Cates	_____
Commissioner Sam Kaufman	_____
Commissioner Clayton Lopez	_____
Commissioner Richard Payne	_____
Commissioner Margaret Romero	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK