



## city council minutes

### MINUTES December 14, 2018 \* 9:00 a.m. City Council Workshop Session

The Belle Isle City Council met in a City Council Workshop Session on December 14, 2018, at 9:00 a.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present:

Mayor Pisano  
Commissioner Gold  
Commissioner Carugno  
Commissioner Sims  
Commissioner Nielsen

Absent:

Commissioner Weinsier  
Commissioner Readey  
Commissioner Partin

Also present: City Manager Bob Francis, Chief Laura Houston, Code Enforcement Officer Robyn Winters, and City Clerk Yolanda Quiceno. Meeting audio is available on the City's website at [www.cityofbelleislefl.org](http://www.cityofbelleislefl.org) and City Hall.

#### CALL TO ORDER

Mayor Pisano called the meeting to order at 9:00 am and opened for the discussion on the proposed parking violations. Mayor Pisano noted that she would allow for public comment after Council discussion.

#### REVIEW OF COMMON PARKING VIOLATIONS

City Manager Bob Francis provided a power point presentation and gave a brief overview of the current code and the proposed changes. The following was presented and briefly discussed as part of the proposed changes,

1. One size does not fit all – Mr. Francis noted that we have many problems in the City because we have an old City/Newer City and one size does not fit all when it comes to parking issues.
2. Parking on the grass over the curb, parking over the curb on a hard surface, parking on the sidewalk and parking on the side yard on the grass Section 30-73(a) and F.S. 316.1945(b), 30-73(b) and F.S. 316-1945(a), 30-132(a), 30-133(c)(4) and 30-133(e)
  - a. The reason for some of these issues is the short driveways.
  - b. Parking on empty lots is not addressed in the code

Mr. Francis spoke on why this is happening. He noted that the main reason is the lack of enforcement and the lack of education and what works in one neighborhood may not work in another due to the road configuration. He said to start correcting the existing parking issue is to understand why the problems exist. Once that is understood, the code can be enforced, and a penalty may be applied after the residents are provided education through social media and printed materials.

Mr. Francis addressed some of the more challenging areas in the City describing how one size does not fit all as follows,

- Matchett Road – The right-of-way on Matchett Road are very tight, the homes and yards are smaller, and the driveways are short. Also, Matchett has narrow roads and does not allow for street parking.
- Wind Drift Road - Wind Drift Road has wider roads that allow for one side street parking off the grass strip.
- Waters Edge Drive - Waters Edge has wider roads that allow for street parking on both sides. On a busy weekend, with parking on both sides, there is no room for emergency vehicles. Mr. Francis said this may be an opportune time to establish a residential parking district with two guest parking passes per home in that neighborhood.
  - Mr. Francis spoke of sample code from the Hood River Municipal Code as an example to allow parking in a residential district with an approved application with two short-term visitor passes.

- Lake Drive – Lake Drive is a narrow road and allows for one side street parking off the grass strip.
- Homewood Drive – Homewood Drive is a narrow road and allows for one side street parking off the grass strip.
- Easter Street – Easter Street is a narrow road and may allow for one side street parking.
- Barby Lane – Barby Lane is a narrow road and allows for one side street parking off the grass strip.

Mr. Francis opened for Council discussion on the proposed parking change guidelines. The current code was discussed with ~~striketrough~~ and updated code language shown with an underscore as follows,

1. On Street Parking

- Curb to curb Two-way width traffic
- 29'+ Parking on both sides
- 24' to 28' Parking on one side
- 20' to 23' No Parking

2. Section 30-1 Definitions - ADD

- Front Yard - Area extending across the front of a lot between the side lot lines and being a minimum horizontal distance between the street line and the principal building (existing in the LDC of the code)
- Parking Strip - The City ROW between the curb (or edge of pavement) and Sidewalk (if no sidewalk then the property line)
- Side Yard - Area between the principal building and the sideline of the lot, extending from the front building line to the rear building line and being the minimum horizontal distance between a side lot line and the side of the principal building

3. Section 30-73(a) – NO CHANGE

- (a) Any motor vehicle, when parked on the residential property, shall be parked on the driveway or a ~~solid~~ prepared surface specifically prepared for parking, under the requirements for such a surface as described in subsection 30-133(d).

4. Section 30-73(b) – Allows Parking on the Parking Strip

- No motor vehicle shall be permitted to be parked on the right-of-way between the edge of the street and private property lines (parking strip) within residential areas unless it is allowed under Section 30-74.

5. Section 30-73(d)

- Garages are the primary area to park motor vehicles. The maximum number of motor vehicles kept outside of the garage shall be determined by the number of bedrooms and the garage spaces of any residential dwelling, as follows

Garage Size	Two bedrooms	Three bedrooms	Four bedrooms (+)
<b>No Garage</b>	4 cars	5 cars	6 cars
<b>1-car Garage</b>	3 cars	4 cars	5 cars
<b>2-car Garage</b>	2 cars	3 cars	4 cars
<b>3-car+ garage</b>	0 cars	1 car	2 cars

- (h) For residences with a valid building permit, this section shall not apply to contractors working at the residence.
- (i) No motor vehicles, recreational vehicles, watercraft or utility trailers will be parked or stored on any vacant property in the City.

6. Section 30 (NEW SECTION) - Parking of motor vehicles on Parking Strip.

- Parking within the city right-of-way is allowed under the following circumstances:
- There is no curb or a there is "Miami" curb.

- The vehicle cannot be parked in the driveway, or there is no room to expand parking to the front lawn.
- The vehicle must have only its passenger-side wheels on the parking strip.
- There will be no parking in the parking strip on major collector roads (Matchett, Hoffner, and Nela...Others?)
- Official government vehicles and public utility vehicles on service calls are exempt from this section. Official government vehicles include any contractor hired by the City or other governing agency.

7. Section 30-102

- Subsections (a) and (b) shall not apply to employees of a company that needs to respond to emergencies (public utilities, electrician, plumber, tow truck) provided that the commercial vehicle is parked fully in the driveway and does not block the sidewalk or creates other obstructions parked at the residence; however prior authorization must be obtained from the City Manager or City Manager's designee.

8. Section 30-132

- (d) No vehicle shall be occupied for permanent living purposes, nor connected to public utilities (sewer, water, or electric) while stored at a residence.
- (e) No vehicle shall be used as a short-term rental.

9. Section 30-133c(4)

- (4) No recreational vehicle or utility trailer shall be parked, stored or kept in the front yard of the property, or on any vacant property.

10. Section 30-133d – Prepared Surface

(3) Any vehicle parked in a front yard must be parked:

- a. Completely on an approved prepared surface as described in (d) (4) below.
- b. At least three feet from any existing sidewalk
- c. At least three feet from any side lot line
- d. At least three feet from a non-sidewalk curb or roadway if no curb.

(4) General standards for designated parking areas:

- a. All areas designated as parking or driveway shall be constructed of the following materials: asphalt, concrete, pavers, 4" gravel or crushed rock, mulch, or other material approved by the City Manager or City Manager designee.
- b. All areas designated as parking or driveway shall be completely contained within a permanent border.
- c. The borders of any prepared parking surface constructed of gravel, crushed rock, mulch, or any other loose material approved by the City Manager or City Manager designee, shall be delineated with anchored man-made or natural landscape edging materials such that the parking area is clearly defined and the loose material contained so to prevent spreading and deterioration of the parking area.
- d. The parking area must be accessible from the driveway and curb cut if there is a curb. The parking space shall not be accessed by driving over the curb and sidewalk.
- e. If in an area with an HOA (whether voluntary or mandatory), the HOA needs to approve the application.

(6) All improved parking surfaces shall be maintained in good and safe condition and be free of holes, cracks or other failures that may affect the use, safety, appearance or drainage of the surface or an adjoining property. Final determination of a parking surface's condition shall be at the discretion of the City Manager or the City Manager's designee.

(7) Permit Needed:

- a. A permit is required for all front lawn parking
- b. The property owner must sign the permit. Tenants are not allowed to sign a permit on behalf of the property owner or the Property Management Company.
- c. The City Manager or City Manager designee will administer the permit process.
- d. If part of an HOA, if the HOA does not allow front yard parking, then the application will be denied.

11. Section 30-133(e)

- No vehicle shall be occupied for permanent living purposes, nor connected to public utilities (sewer, water, or electric) while parked on a public road right-of-way.

After addressing the general standards, Mr. Francis provided code changes to the proposed violation fees. He stated that Council would be receiving a consolidated fee schedule at a future meeting that will include all fined as follows,

1. Section 30-74 – Issuance of citation; schedule of fines

~~(b) The amount of such civil penalty shall be as follows:~~

- ~~1. One hundred fifty dollars for each violation of any offense, except for the offense listed in subsection (b)(2) of this section;~~
- ~~2. Two hundred fifty dollars for each offense relating to unlawful parking in handicapped designated spaces.~~

(b) The amount of such civil penalty shall be set by a resolution of the City Council or according to State Law.

Recommended:

<u>In vicinity of boat ramp:</u>	<u>\$150</u>
<u>In ROW:</u>	<u>\$75</u>
<u>Front Yard without permit:</u>	<u>\$75</u>
<u>Front Yard (not on hard surface)</u>	<u>\$75</u>
<u>Sidewalk:</u>	<u>\$75</u>

2. Section 30-76 Fines and Hearings

- b) A hearing request by person cited. Any person summoned by a parking violation citation, upon the payment of a non-fundable administrative fee of \$150.00 \$50.00.
- Any person summoned by a parking violation citation, upon the payment of a fee of \$150.00 in cash, money order or cashier's check, may within five working days after issuance of the citation file with the city manager a written request for a hearing with the City Manager before the city council.
  - At the completion of the hearing, the ~~city council~~ City Manager shall decide whether or not the citation was justified and whether or not the fine should be imposed/upheld.
  - The decision of the City Manager shall be final. (or further appeal to Council?)

Discussion ensued on parking RVs and trailer. The Code Enforcement officer asked if the City would like to include that RV's and work-utility trailers be allowed to be parked not only on the side of the home but behind a fence for aesthetic purposes. Council discussed allowing parking of RV's on the driveway. Mr. Francis suggested that Council review the Sections of the Code not discussed and bring forward any recommended changes for discussion.

Mayor Pisano opened for public comment.

- Sam Meiner residing at 6319 Gibson Drive shared his concerns with the life safety and aesthetic issues of parked vehicles in his community on Matchett, and the intersection on Delia and Gibson. Also, he added that the parked vehicles block the view of oncoming traffic on Matchett and make it very difficult to pull out of his driveway.

Discussion ensued on code violations on parked cars on the grass and the code not addressing parked vehicles on the right-of-way and concrete. Mr. Francis noted that the proposed change to Section 30 - Parking of motor vehicles on Parking Strip should address this issue.

Mr. Meiner also addressed the speeders on the Nela Bridge.

- Ben Bateman 7215 Gondola Circle shared his concern with the parked cars on Conway Circle. He stated that the road is narrow and cars are parked on both sides of the street making it very hard for the vehicle to pass. Discussion ensued on one side of the street parking.

Mr. Bateman also discussed unpaved driveways and annexation. Mr. Francis said annexed property would be provided a certain amount of time to comply with the code to lay a hard surface at the discretion of the City Manager.

- Holly Bobrowksi residing at 2400 Hoffner Avenue agrees with having the \$50 administration fee whether or not a person is found in violation of the code. She also shared her concerns with allowing parking of RV's on a driveway and does not agree with the proposed change.

#### **ADJOURNMENT**

There being no further business the workshop adjourned at 10:30 a.m.

Yolanda Quiceno  
CMC-City Clerk