

# CITY OF FORT PIERCE

## PARKS ADVISORY COMMITTEE

### REPORT TO THE MAYOR AND CITY COMMISSIONERS

DECEMBER 10, 2018





**Presented by Committee Members:**

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# Use of City Parks by Vendors

Ordinance 18-031, Chapter 12, Section 12-202 (r-z)

## Review and Modification Recommendations

***Our objective is to find a solution that balances a “business friendly” City with having parks that are relaxing, welcoming, recreational, and safe for ALL citizens to enjoy.***

# City of Fort Pierce Parks Advisory Committee Report to the Mayor and City Commission

- **Current Overview**
- **Actions Taken**
- **Information Gathered**
- **Recommendations**

## Current Overview

**From the City Clerk:**

**“The City and St. Lucie county have a strong history of marketing ourselves as an eco-tourism, waterfront destination, including FortpierceTours.com and our partnership with Visit Florida. These types of activities typically include paddle boards, kayaking, jet skis, boat rentals, fishing, canoeing, surfing, and the like. Many of these businesses are home-based utilizing websites to book tours.**

**While vending (selling) in public parks is prohibited, through RFP 2015-052, Lisa’s Kayaks has been granted the ability to offer non-motorized watercraft and bicycle rentals at South Causeway Park and Jaycee Park, resulting in this business being the only approved vendor in these two locations. Said contract renews annually on January 31 upon agreement of both parties, with a final expiration on January 31, 2020.**

**The City has been issuing BTRs to businesses operating as “home-based” with the requirement that they must operate in accordance with Section 22-63 of our code with the additional restriction that they may not book tours and/or rentals, sell, accept money or act as a vendor in our public parks.”**

## Current Overview

**Special Events Permits are issued for non-recurring events not less than 30 days before the event, and for recurring events not less than 60 days before the event.**

**Two watersports vendors are operating in our area and have requested a change in the Ordinance to allow delivery and demonstration in our City Parks. This issue has been referred to the Parks Committee.**

# Current Overview

Questions associated with this decision include:

- **What if vendor delivery and demonstration encroaches upon, impedes, or otherwise interferes with time and space available for normal individual and family park usage? Who oversees or referees?**
- **How will lawful delivery and demonstration be enforced? Where can delivery and demonstration occur within parks? How long is allowed? Is there parking to support a delivery vehicle?**
- **Is there a limit to the number of vendors at any one park or time?**
- **What does “demonstration” mean? How long does it take? Where can it occur?**
- **What types of items can be delivered and demonstrated? It can go far past watersports.**
- **All City parks are included in this Ordinance – not just waterfront parks. So other items must be included as well (bats, balls, skateboards, scooters, tennis rackets, etc.).**
- **What are the potential safety issues considering competing activities and large crowds in our parks?**

# Actions Taken

- **Sent out a questionnaire to 30 waterfront cities & counties in Florida & received data from 10; In addition, interviewed St. Lucie County & Indian River County Parks Departments;**
- **Compiled a list of all City parks & some county facilities, including amenities for each;**
- **Collected data from the Fort Pierce City Marina & related boat launches at Taylor Creek & the Port;**
- **Interviewed Causeway Cove Marina, TCYSF, & Fort Pierce Yacht Club;**
- **Interviewed vendors who are asking the City for use of parks plus Lisa's Kayaks (vendor contract in place); all watersports vendors invited – some declined;**
- **Observed delivery & demonstration process by one vendor;**
- **Reviewed the Lisa's Kayaks contract, the City Special Events permitting process, & a letter sent to the Commission by ecoBoardin;**
- **Included input from the FPPD & other organizations & citizens;**
- **Formulated recommendations based on this data.**

# Summary Information - Other Cities & Counties

- **None of the responding cities and counties allow unrestricted vendor delivery & demonstration in their parks;**
- **None allowed vending in their parks directly to the public;**
- **Some prohibit jet skis at all municipal beaches;**
- **Some require jet skis along with kite boards to stay 300' from any municipal beach site;**
- **Extensive vendor qualification processes are followed for some Special Events;**
- **Six of the 12 do not allow any vendors in their parks;**
- **Five allow vendors with a permit for Special Events;**
  - **Of these, one has a quarterly permit for group instruction offered by the City;**
- **One has an extensive list of approved vendors (insured, licensed, paid annual fee);**
- **Enforcement was mentioned as an issue.**

## **More Information – Neighboring Counties**

- **Martin County has an extensive approved vendor process & database for Special Events. All vendor activity seems to be for Special Events only. It is unlawful for anyone to use County docks or boat ramps for commercial purposes. No boating or use of personal watercraft is permitted within 300' of the shore of any public beach, and no launching of motorized boats or personal watercraft from the shore of any public beach is allowed.**
- **St. Lucie County allows vendors to deliver & pick up at boat ramps. No signs, advertising, selling, or blocking of public facilities can occur in any parks.**
- **Indian River County does not allow vending in any of their parks, with the exception of one RFP for drinks & chips at the ball parks during games. No sign-up or selling is allowed in any parks. Limited delivery & pick up by vendors is allowed – they are not allowed to prevent/delay any citizen from using a park facility (boat ramp, kayak launch, swim area, etc.) – enforcement is necessary once in a while.**

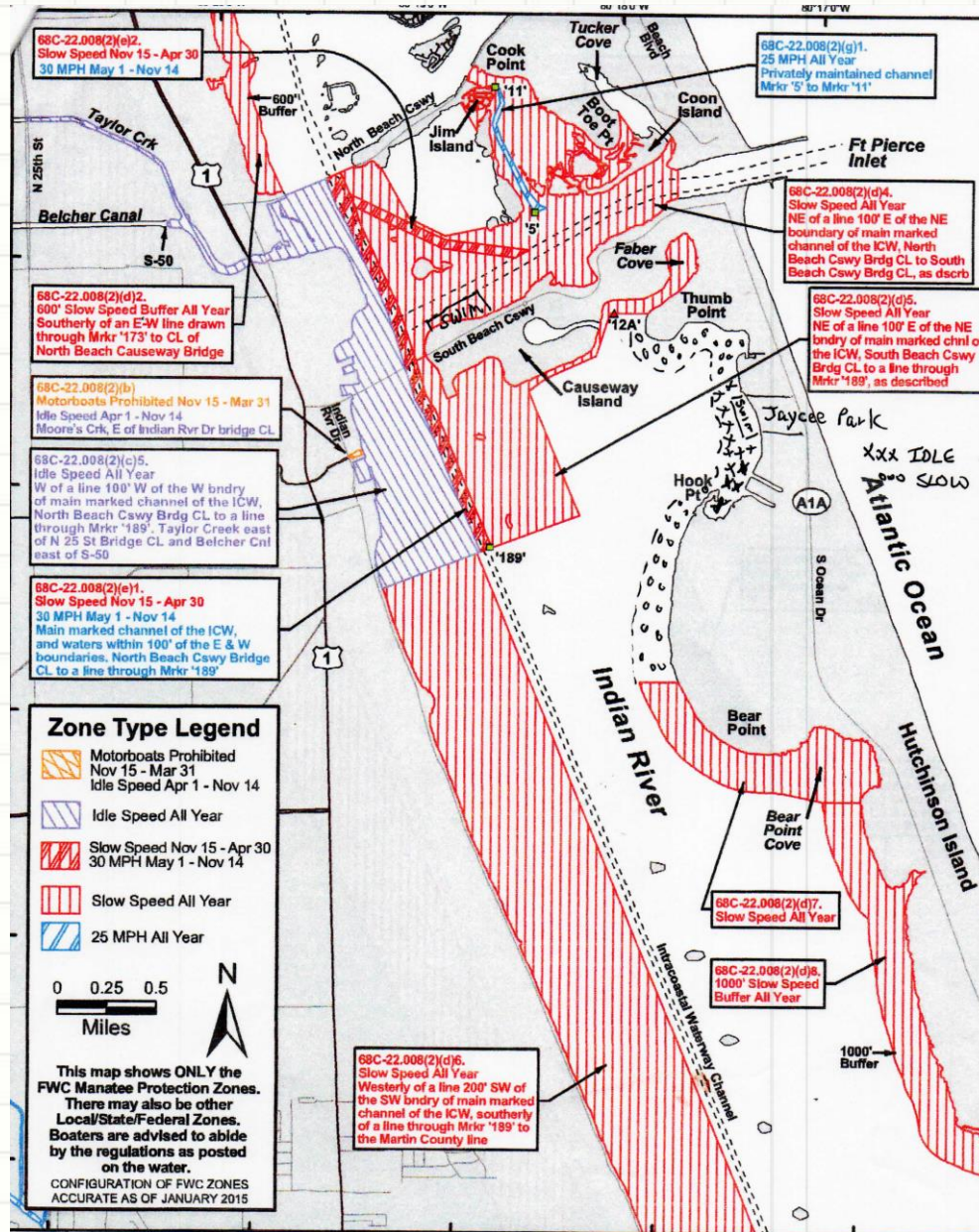
# Summary Information – Vendors Interviewed

- **Access to calmer river waters is desired much more so than ocean waters by vendors at this time.**
- **Vendors want restrooms & parking where they are launching.**
- **Motorized vendors like having no speed restrictions, & in some cases, feel this is necessary to operate their product.**
- **Non-motorized watercraft & swimming activities should be separated from those of motorized watercraft - combining these activities in the same space creates a significant liability & safety issue.**
- **Pleasure & fishing boats do occupy the swimming areas at times; but, for the most part, they proceed to unpopulated areas of the river.**

# Summary Information – Vendors Interviewed

- **ecoBoardin:**
  - US distributor for electric jet boards manufactured in Spain;
  - Require 10' X 10' tent, calm water & wind, no speed zones, & ability to instruct close to shore for demonstrations;
  - Do not rule out renting in the future;
  - Setup 30 minutes, demonstration about 30 minutes per person.
- **Salty's Watersports:**
  - Home-based business renting jet skis, kayaks, paddle boards (by the hour), & boats (1/2 or full day);
  - Promote from Sebastian to Fort Lauderdale as most economical rental company;
  - FWC license to supply boating licenses – requires 1 hour early arrival;
  - Delivery about 15 min. plus 10-minute instruction.
- **Lisa's Kayaks:**
  - Only company licensed to vend in parks - non-motorized watercraft & bicycles in Jaycee Park & South Causeway Park;
  - Contract renewed yearly until January, 2020.

# Summary Information - Parks & Facilities



Safety issues at Jaycee Park are significant primarily due to speeding jet skis in the area including boat ramp & swim area.

- Long term solution: FWC designate this area as either a slow (X's) or idle (O's) speed zone due to imperiled species.
- Intermediate solution: City Ordinance with FWC approval for idle speed 500' from all public areas for public safety.
- Immediate solution: ban jet skis 300' from shore as other cities & counties do.



# Summary Information – City Parks & Facilities

## Possible Watersports Vendor Use

- **Jaycee Park:**
  - Overcrowded, many competing activities (kayaking, TCYSF, jet skis, swimming, picnicking, tennis, pickle ball, playground) = not safe;
  - Prime park for church groups, family reunions, business picnics, etc.;
  - Parking for 53 cars & 25 boats (includes new improved grass area) with 74 additional car parking spaces on the east end.
- **South Causeway Park & Boat Ramp:**
  - Overcrowded, swim area not designated & jet skis utilizing the beach = not safe;
  - Parking for 56 cars in the park + 15 spaces in front of the aquarium + open area west of restrooms– grass & sidewalks used regularly along with side of bridge, frontage road, & Museum Pointe Park lot.

# Summary Information – City & County Parks & Facilities

## Possible Watersports Vendor Use

- **Port Boat Ramp:**
  - Will undergo a rebuild soon - including seawall; ideal for motorized watercraft;
- **Moore's Creek Boat Ramp:**
  - Closes 11/15 – 4/15 for Manatee season; ideal for motorized watercraft;
- **Kayak Park under development.**
- **North Causeway Island Park (County):** separate kayak launch area which will allow electric jet motorized watercraft; parking adjacent.
- **Summerland Dock at Museum Pointe Park:** floating docks for watercraft – OK for pickup & delivery of passengers.

# Summary Information – Other Parks & Facilities

## Possible Watersports Vendor Use

**TCYSF: uses Jaycee Park beach at north end, willing to talk to electric jet board vendor;**

**City Marina (private): limited commercial space all occupied now; ideal for motorized watercraft;**

**Causeway Cove Marina (private): welcoming vendors; have several vendors including boat rentals & jet skis; beach launch area – no boat ramp;**

**Little Jim's (private): kayak launch area & marina; uses Lisa's Kayaks;**

**Fort Pierce Yacht Club (private): dock & rocky beach area; willing to talk to electric jet board vendor;**

# Recommendations

- **Change Ordinance 18-031 Section 12-202 (z) to read:**

**It shall be unlawful to.....**

**(z) Engage in the sale, rental, delivery, demonstration, or display, or offering as a business promotion any item or service for any non-city-sponsored function(s), except as otherwise permitted for special events or special use as provided by this chapter or administrative rule.**

- **Develop a Special Use process & application form that must be approved by the Director of Public Works with support by the Parks Committee for research & recommendations.**
- **Pleasure & fishing boat manufacturers & sales organizations can utilize the Special Use application to launch at City boat ramps.**
- **Upon the completion of the Lisa's Kayaks contract in January, 2020, don't issue further RFPs for vending in any City park.**



# **Discussion and Questions**