

ORDINANCE 05-____

AN ORDINANCE OF THE COUNTY OF PINELLAS AMENDING THE PINELLAS COUNTY CODE, CREATING SECTION 122-36.5 RELATING TO PARKING RESTRICTIONS IN RESIDENTIAL AREAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AMENDMENTS THAT MAY ARISE AT PUBLIC HEARING.

WHEREAS, the Board of County Commissioners felt the citizens of Pinellas County should have direct input into the regulation of their communities and therefore, appointed a task force to discuss community standards and make suggestions for changes to the code based upon current issues facing their communities; and

WHEREAS, each Commissioner appointed two individuals, residing within their district and from various backgrounds, to the task force, for a total membership of 14 citizens; and

WHEREAS, the task force met a total of eleven times over a period of seven months and discussed various code enforcement issues; and

WHEREAS, the citizen task force, by a majority vote, recommended the changes set forth in this ordinance.

NOW, THEREFORE, Be It Ordained by the Board of County Commissioners of Pinellas County, Florida:

SECTION 1: Section 122-36.5 of the Pinellas County Code is hereby created to read as follows:

122-36.5. Parking restrictions in residential areas.

(a) *Intent.* It is the intent of this section to limit the parking of vehicles in residential zoning districts in order to promote safe unimpeded traffic circulation, prevent unsightly appearances in residential areas and prevent diminution of property values.

(b) *Definitions.* The following definitions shall apply to the provisions of this section:

Front yard means the area between the exterior walls of the primary structure and the roadway from which the property is addressed.

Recreational vehicle means and includes the following types of vehicles:

- (1) *Travel trailer* means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreation, and vacation uses.
- (2) *Pickup coach* means a structure designed to be mounted on a truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreation, and vacation uses.
- (3) *Motor home* means a portable, temporary dwelling to be used for travel, recreation, and vacation uses, constructed as an integral part of a self-propelled vehicle.
- (4) *Camping trailer* means a collapsible temporary dwelling structure mounted on wheels, and designed for travel, recreation, and vacation uses.
- (5) *Auto camper* means a lightweight, collapsible unit that fits on top of an automobile and/or into the trunk with the cover removed, and designed for travel, recreation, and vacation uses.

Residentially zoned district means and includes any property located within unincorporated Pinellas County that is allowed single family residential use as a permitted use under applicable zoning regulations. This term is specifically intended to include parcels that have been developed or are proposed for development with duplexes or triplexes, but does not include parcels that have been developed or are proposed for development with other multifamily uses.

Usable and durable surface means and includes a surface that is stabilized and provided with appropriate dust control and may include the use of pavers, concrete, turf block or other suitable parking material.

Vessel means and includes every description of watercraft, barge and air boat capable of being used as a means of transportation on water. For purposes of this section, the definition of “vessel” also includes any trailer used to transport such watercraft over land, regardless of whether the watercraft is actually on the trailer.

(c) *Prohibitions.* No person or agent thereof shall cause or permit the parking, maintenance, storage or placement of:

- (1) Any vehicle at any place within the front yard other than the driveway, except that one vehicle may be parked adjacent to and parallel to the driveway so long as it otherwise complies with local ordinances and is parked on a paved or usable and durable surface.
- (2) Within the required front setback of a residentially zoned district:
 - a. Any recreational vehicle.
 - b. Any vessel.
- (3) Any recreational vehicle or vessel that exceeds 38 feet in length within any residentially zoned district.
- (4) Any recreational vehicle or vessel on any right-of-way.

(d) *Parking on usable and durable surface required.* Any recreational vehicle or vessel parked, maintained, stored or placed within the side or rear setback of a residentially zoned district shall be parked, maintained, stored or placed on a usable and durable surface.

(e) *Compliance with zoning ordinance.* In addition to the prohibitions set forth in this section, off-street parking and loading shall also comply with all requirements set forth in chapter 138, article VII, division 2 of the Pinellas County Land Development Code.

(f) *Amortization of nonconforming vehicles and vessels.* All legally placed nonconforming vehicles and/or vessels shall be made to conform to the provisions of the section within one year of the effective date of this section. All such vehicles and/or vessels shall be made to comply by July 1, 2006.

SECTION 2: Severability

If any section, sentence, clause, phrase, or word of this Ordinance is, for any reason, held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance, and it shall be construed to be the legislative intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein.

SECTION 3: Effective Date

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners. This Ordinance shall become effective when the acknowledgment is received from the Secretary of State that the Ordinance has been duly filed.

SECTION 4: Inclusion Clause

The provisions of this Ordinance shall be included and incorporated in the Pinellas County Code, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Pinellas County Code.