

BY THE CITY COMMISSION

ORDINANCE NO. 2007-0947

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA SUBSTANTIALLY REWRITING AND AMENDING SECTION 5.14 AND SECTION 5.15 OF THE DADE CITY ZONING ORDINANCE NO. 361 REGARDING PARKING AND STORAGE OF RECREATIONAL VEHICLES, UNLICENSED VEHICLES, AND UTILITY TRAILERS WITHIN RESIDENTIAL DISTRICTS; PROVIDING FOR DEFINITIONS; PROVIDING FOR SEVERABILITY, MODIFICATION, CODIFICATION, REPEALER AND AN EFFECTIVE DATE.

WHEREAS, on June 8, 2006, the Board of Adjustment requested that the City Commission review and amend Sections 5.14 and 5.15 of the Zoning Ordinance which regulate the parking of recreational vehicles and utility trailers in residential zoning districts; and

WHEREAS, the Land Development Regulation Committee has recently reviewed Sections 5.14 and 5.15 of the Zoning Ordinance to update the above-referenced provisions; and

WHEREAS, the Committee has recommended the following substantial revisions to the existing Zoning Ordinance provisions to allow limited parking of recreational vehicles and utility trailers in residential areas while preserving the general appearance of City neighborhoods and protecting the public health, safety and welfare of the traveling public.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Dade City, Florida, as follows:

Section 1. Section 5.14 of Zoning Ordinance No. 361 is substantially amended and reworded as follows:

5.14 ~~Storage, or use of Major Recreational Equipment. Unlicensed Vehicles, Recreational Vehicles, and Utility Trailers.~~

1. Definitions.

Motor Vehicle means any self-propelled vehicle not operated upon rails or guideways, but not including any bicycle, motorized scooter, electric personal assistance mobility device, or moped.

Recreational Vehicle means a vehicle type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own mode of power or is mounted on or drawn by another vehicle. For the purposes of this Ordinance, the term recreational vehicle shall include the following type vehicle units:

- (a) **Travel trailer (including fifth-wheel travel trailers)** means a vehicular transportable unit identified by the manufacturer as a travel trailer, whether mounted on wheels or not, designed and constructed primarily to provide temporary living quarters for recreational, camping, or travel use.
- (b) **Motor home** means a vehicular unit built upon a self-propelled motor vehicle chassis primarily designed to provide temporary living quarters for recreational, camping, or travel use.
- (c) **Pickup coach/truck camper** means a portable unit designed to be loaded onto or affixed to a pickup or other truck chassis and constructed to provide temporary living quarters for recreational, camping, or travel use.
- (d) **Camping trailer** means a vehicular transportable unit mounted on wheels and constructed with collapsible partial sidewalls which fold or collapse for towing by another vehicle to provide temporary living quarters for recreational, camping, or travel use.
- (e) **Park model trailer** means a vehicular transportable unit having a body width not exceeding 14 feet built upon a single chassis designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. Total area in set-up mode shall not exceed 500 square feet when measured from the exterior surface of the exterior walls at the distance of maximum dimension. Bay windows or other extensions reaching the floor level shall be included within area calculations.
- (f) **Boat** means a vessel designed to travel on water and includes but is not limited to jet skis, personal watercraft, canoes and kayaks.
- (g) **Boat trailer** means a trailer designed to haul a boat as defined above.
- (h) **Utility Trailer** means a trailer designed to haul items on an incidental basis and not intended for commercial or business use.

2. **Recreational Vehicles, Utility Trailers and Unlicensed Motor Vehicles.**

Motor vehicles, recreational vehicles as defined in this Ordinance, or utility trailers, may be parked or stored in any residential zoning district subject to the following requirements:

- (a) Recreational vehicles may not be occupied or used for living, sleeping, or housekeeping for more than seven (7) consecutive days. Recreational vehicles and utility trailers may also be temporarily parked in the front yard or front driveway during periods when a person is actively engaged in loading, unloading, or cleaning.
- (b) No motor vehicle, recreational vehicle or utility trailer may be parked on an undeveloped parcel. All such vehicles must be parked behind the front principal building line unless such vehicle is set back a minimum of fifty (50) feet from all property lines.
- (c) Recreational vehicles, unlicensed motor vehicles and/or utility trailers may be parked on that portion of the lot in the rear or side yard of the principal building provided that:
 - (1) The vehicle is parked or stored behind the front building line of the principal building;
 - (2) In the case of double frontage or corner lots, the vehicle is parked on the side that does not front on a street; and
- (d) In addition, such vehicles that, by virtue of the number, type, condition, or location, tend to be a breeding place or haven for snakes, rodents, insects or vermin of any kind or character or that tend to be a breeding place for mosquitoes or that tend to create a fire hazard endangering the lives and property of the citizens of the City, are prohibited even though such vehicles are otherwise parked or stored in compliance with this ordinance.
- (e) Utility trailers must not be stored which contain items for more than ten (10) consecutive days.
- (f) Any unlicensed motor vehicle must be operable and must be capable of immediate movement under its own power.
- (g) The following are not included within the requirements of this Ordinance: motorcycles, dune buggies, licensed and operable pickup trucks, and licensed and operable vans (even if outfitted inside for camping).

If applicable, the City shall require a homeowners' or civic association or group to provide proof that the group or association has sent a written demand for compliance to the offender before investigating a complaint under this Ordinance.

All RV's, utility trailers and/or unlicensed motor vehicles parked in violation of this Ordinance as of the date of adoption of this Ordinance, shall be removed or relocated within thirty (30) days of the date of adoption.

~~For purposes of these regulations, major recreational equipment is defined as including boats and boat trailers, houseboats, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be parked or stored on any lot in a residential district within a required front yard, provided, however, that such equipment may be parked anywhere on residential premises for not to exceed 24 hours during loading or unloading.~~

~~Any major recreational equipment less than 8 feet in height above the ground may be stored in any required side or rear yard except when such yard is adjacent to a street. Minor portions of such equipment not exceeding three square feet in vertical cross-section as viewed perpendicular to the adjacent lot line shall be permitted to extend above the 8 foot line.~~

~~Where a fence, wall, or hedge is placed and maintained in such a manner as to screen portions of major recreational equipment above the height limits established in the preceding paragraph from view across side and/or rear lot lines within 10 feet of the nearest portion of the major recreational equipment, permissible height of such equipment shall be increased to the height of the fence, wall, or hedge, with minor portions as above such height.~~

~~Major recreational equipment 8 feet or more in average height above the ground shall be included on the same basis as buildings for regulation of lot coverage by all buildings, with area covered computed on the basis of the largest horizontal area covered by such equipment.~~

~~No such equipment 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.~~

5.15 Parking of Certain Vehicles in Residential Districts:

- ~~a) Except for boat and boat trailers, and utility trailers, automotive vehicles or trailers of any kind or type without current license plates or current legally licensed identification shall not be parked or stored on any residentially zoned property other than in a completely enclosed building.~~
- b) Heavy industrial equipment such as trucks not being used for personal transportation, tractors, bulldozers, drag lines, cranes, heavy tree-trimming and tree-removal equipment and the like may be parked on private residential property only during periods when actually in use on such property, and for 48 hours preceding and after such use.

- c) The parking of tractor-trailer, semi-trailer units, tractors and/or trailers is not permitted in any residential district except such vehicles may be parked on private property only in the course of making deliveries or pickups or in rendering services on the premises for the occupants.

Section 2. Repealer

All provisions of the Dade City Zoning Ordinance No. 361, as amended, and ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any conflict.

Section 3. Modification.

It is the intent of the City Commission that the provisions of this Ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the Ordinance adopted by the Commission.

Section 4. Severability.

It is declared to be the intent of the City Commission of the City of Dade City, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

Section 5. Inclusion in Code.

It is the intent of the City Commission that the provisions of this Ordinance shall become and be made a part of the Dade City Land Development Code, and that the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. Effective Date.

This Ordinance shall take effect upon adoption.

The above ordinance was read and approved upon first reading this 13th day of February, 2007, and adopted following public hearing on the 13th day of March , 2007.

ATTEST:

CITY OF DADE CITY, FLORIDA

James D. Class, City Clerk

P. Hutchison Brock, II, Mayor

Approved as to Legal Form and Sufficiency

Karla S. Owens, City Attorney