

Exhibit D  
Mayor Yates Notes

Draft notes of Sec. 25-19 Strikethrough version of Commission amendments to 4-4-17 proposed conceptual changes.

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**Text Color Clode:**

Black text – current code

**Blue text** 4-4-17 proposed language

**Red text** – Commission additions/deletions to proposed conceptual language

**Highlighted** – Everything that was changed at 4-4-17 Commission meeting

**Green text** – just notes for clarification

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**Add applicable definitions in beginning of 25-19:**

*For the purposes of this section, the following terms, phrases, words and their derivations shall have the meanings given herein:*

**BOAT:** a vessel, watercraft or other artificial contrivance, used or which is capable of being used, as a means of transportation on waters of North Port, Florida, excluding paddleboats, canoes, kayaks, floats, jet skies and rafts.

**BUS:** a vehicle designed for transporting 11 or more passengers over public streets.

**DEBRIS:** the scattered remains of materials broken or destroyed; rubble or wreckage.

**FRONT YARD:** The front yard is that area that extends from the wall of the dwelling unit that parallels the road and to the road right-of-way and typically contains the front door.

**IMPROVED SURFACE:** driveway, gravel, asphalt, concrete, pavers or other unnatural surface.

**MOTOR VEHICLE:** car, pickup truck, van, sport utility vehicle (SUV), race car, motorcycle, or other conveyance designed for transporting 10 or less passengers over public streets.

**PICKUP TRUCK:** vehicle with an enclosed cab, open back and empty vehicle weight of less than 9,000 lbs.

**RACE CAR:** a vehicle maintained for the express purpose of speed competition.

**RECREATIONAL VEHICLE [RV]:** a recreational-vehicle-type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

**SEMITRAILER:** means a vehicle without motive power designed to be coupled to or drawn by a truck tractor and constructed so that some part of its weight and that of its load rests upon or is carried by the truck tractor.

**TRAILER:** any vehicle which is drawn by or used in connection with a motor vehicle or truck.

**TRUCK:** a vehicle with an empty vehicle weight of 9,000 lbs or more and designed principally for transporting goods.

**TRUCK TRACTOR:** means a vehicle which has four or more wheels and is designed and equipped with a fifth wheel for the primary purpose of drawing a semitrailer that is attached or coupled thereto by means of such fifth wheel and which has no provision for carrying loads independently.

**VEHICLE:** any device or conveyance for transporting person(s) or property over the public streets.

~~A. Automobiles, trucks, trailers, boats, recreational vehicles or vehicles of any type without current license plate(s) affixed to the vehicle(s) by law shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings except as provided in Sec. 25-19(B)(1)(a) of this section. (Amended 1-14-2002 by Ord. No. 2001-15, Ord. No. 2004-21, Ord. No. 2007-12 and Ord. No. 2004-45)~~

~~B. No more than four (4) automobiles/trucks may be parked on a residential lot, and no more than one (1) boat with trailer, one (1) utility trailer, one (1) recreational vehicle, one (1) travel trailer for a maximum of six (6) vehicles total; however, no more than two (2) such vehicles, other than automobile/trucks, may be parked on any lot whether single or of two (2) or more lots combined and used for a single family residence (excluding fully enclosed structures having four (4) walls and a roof) within the City intended for single family occupancy, provided that said lot or lots have the principal structure, either a single family dwelling or a manufactured home located on such lot.~~

~~(1) No inoperative or unlicensed motor vehicle shall be parked, kept, or stored for more than twenty (20) days on any residential premises except as indicated in (1)(a) below, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles in any residentially zoned district is prohibited.~~

~~(a) Unlicensed vehicles classified as race cars may be kept on a licensed trailer in the side yard of a residence. The car shall be covered and the area shall be buffered with landscaping to achieve an eighty percent (80%) opacity. Proof of race car status shall be required.~~

~~A) Other than in completely enclosed structures and unless otherwise prohibited herein, no more than a combined total of six (6) motor vehicles, recreational vehicles, trucks, boats and trailers, may be parked on a residential lot whether single or of two (2) or more lots combined and used for single family residence provided that said lot or lots have the principle structure, either a single family dwelling or a manufactured home located on such lot. A boat or race car on a trailer shall count as 1. The limitation on the number of combined vehicles shall not preclude parking by persons visiting a single family home.~~

**A) Motor vehicles, recreational vehicles, buses, trucks, truck tractors, boats and trailers, may be parked on a residential lot provided that said lot has a principle structure.**

~~B) C. Other than in completely enclosed structures No more than three (3) motor vehicles per family unit shall be parked on a duplex lot. For multifamily developments, this section shall apply to each multifamily dwelling unit located in said multifamily development.~~

~~D. A property owner may substitute a boat with trailer for either another utility trailer or another recreational vehicle.~~

~~E. A property owner may substitute a utility trailer or a recreational vehicle for a second boat. No other substitutions may be made.~~

~~C) F. Cars and trucks Motor vehicles may be parked in the front yard. (including the driveway) and the adjacent City right of way. Recreational vehicles, buses, trucks, truck tractors, boats and trailers~~

may be parked in the front yard. ~~on an improved surface.~~ The front yard is that area that extends from the wall of the dwelling unit that parallels the road and to the road right-of-way and typically contains the front door. **(note: move front yard to definitions)**

~~(1) Corner lots shall have one (1) front yard as described above.~~

~~(2) Boats, trailers, recreational vehicles, semi trucks are not considered as cars or trucks.~~

~~2) In no case shall any vehicle or boat extend over or interfere with the use of any sidewalk or right-of-way intended for pedestrian or vehicular traffic.~~ **(note: merge into H)**

~~3) In no case shall any vehicle or boat obstruct sight visibility from adjacent driveways.~~

~~G. Parking of semi-trucks or semi-trailers is prohibited on any roadway or right-of-way in any zoning district, except in the course of delivery and pick-up.~~

~~(1) Semi-truck cabs are prohibited on a single-family lot as one (1) of the six (6) permitted vehicles, except as provided in subsection (I). [Amended 1-30-2012 by Ord. No. 2011-32]~~

~~D) H. Any remaining Motor vehicles, recreational vehicles, trucks, boats and trailers may be parked in the side and rear yards, provided that the side and rear setback requirements are met.~~ the vehicles shall be buffered so as to be at least eighty percent (80%) opaque from the adjacent residential lots and any right-of-way. The eighty percent (80%) opaque requirement only applies to the length of the parking area adjacent to a residential lot and/or any right-of-way. If the adjacent property owner(s) concurs in writing that no buffer is needed, the property owner shall submit such written consent to the Department. In such event, and for only corner lots, the eighty percent (80%) opaque requirement shall apply only to that portion of the parking area adjacent to the road. If the adjacent property changes ownership, the applicant shall submit an additional letter of consent signed by the new owner in order to qualify for this exemption as described above. **(note: based on Commission agreed addition of definitions and changes to A, B, C and D and subsequent changes to L, rather than be repetitive the Definitions would become "A" and sections A, B, C and D would be combined to one section "B")**

~~E) I. The parking of truck tractors or semitrailers is prohibited on any roadway or right-of-way in any zoning district, except in the course of delivery and pick-up. Truck tractors and semitrailers are prohibited on a single-family lot as one (1) of the six (6) permitted vehicles, except~~ When three (3) or more lots are combined (interior lot lines eliminated), a semi-truck cab ~~one (1) truck tractor~~ may be parked on the property, provided that **all setback requirements are met.** the buffering and neighbor approval in Sec. 25-19(H) above shall apply. In addition, the semi-truck cab shall not be parked in the rear-side setback areas or on the front yard. Only one (1) semi-truck cab may be parked on the property. [Amended 10-28-2004 by Ord. 04-45; amended 1-30-2012 by Ord. No. 2011-32] **(note: add truck tractor into L (a) limiting to 1 and include in L prohibition on roadway and right of way and prohibition of semitrailers)**

~~J. All open bed trucks and trailers, which are empty of debris, may be parked within the front driveway or side yard (excluding semi-truck trailers). Parking on the front yard and road right-of-way shall be prohibited. Open bed trucks containing debris shall be parked in the rear or side yards, provided that the vehicles and accessory open trailers and equipment are buffered from view of the adjacent lots by buffer material that equals eighty percent (80%) opaque, or completely covered by a nontransparent tarp or similar material. Any structures constructed in the side yard shall meet all City, County, State and Federal codes. [Amended 1-30-2012 by Ord. No. 2011-32]~~

~~F) All open bed trucks and trailers containing debris shall be covered with a non-transparent tarp.~~

G) Ordinary maintenance and repair is permitted providing that ~~parts and~~ debris shall not be left in or on the front yard. Any vehicle in a state of wreckage or major disassembly shall be covered with a non-transparent tarp and shall not be parked or stored more than ~~60~~ **twenty-one (21)** days other than in a completely enclosed structure.

H) No recreational vehicles, boats, trucks, trailers or trailers shall be parked on public right-of-way within any district zoned for residential use except for vehicles in the course of delivery, pick-up or service activities. ~~providing there is no obstruction of sight visibility from adjacent driveways or roadways.~~ **In no case shall any vehicle or boat extend over or interfere with the use of any sidewalk or right-of-way intended for pedestrian or vehicular traffic.** (note: moved from revised C (2)). May need to reword for the intent of prohibiting any vehicles other than "motor vehicles" (as defined in definitions) from parking in R-O-W and so long as the allowed motor vehicles do not extend over sidewalks. Also I believe it was said to move this paragraph before G. Below is wording to replace above based on understanding of Commission's intent).

**Other than motor vehicles as defined in this section, no vehicles or boats shall be parked on public right-of-way within any district zoned for residential use except in the course of delivery, pick-up or service activities. In no case shall any vehicle or boat parked on a residential lot interfere with the use of any sidewalk.**

~~K. No vehicle shall be attached to a street tree or other landscaping within the City right-of-way.~~

I) ~~↳~~ Parallel **and angle** parking, not to include the roadway, on the City right-of-way is Permitted as follows:

**A) Licensed Motor Vehicles may be parked in the City right-of-way providing they:**

- (1) ~~Vehicles~~ shall not be parked ~~parallel to the right of way~~ in a stacked fashion.
- (2) ~~Vehicles~~ shall be ~~parallel~~ parked front to rear only, in the direction of traffic **when parallel parked.**
- (3) ~~Automobiles, trucks, boats, utility trailers, recreational vehicles or travel trailers~~ shall not be parked without the permission of those lawfully residing at the property for more than four (4) hours in the right-of-way area adjacent to any residentially zoned property where the owner of the vehicle and those lawfully residing at the property is not the same. ~~(Amended 05-10-2004 by Ord. No. 04-21)~~
- (4) If the parking or traversing on the City right-of-way damages the City drainage swales, the lot owner shall be responsible for repairing the damage, **unless the damage was caused by forces outside of the lot owner's control.**
  - (a) If **the damage is determined to have been caused by the lot owner and** the damage is not repaired within fourteen (14) days from written notice, the City shall repair the damage and the property owner shall be billed the cost of such repair, plus administrative cost.
  - (b) If the bill is not paid within thirty (30) days, the City shall record a lien on the property for the amount of the cost of repair and administrative costs.

~~(5) No vehicle shall obstruct of sight visibility from adjacent driveways or roadways.~~

(6) ~~M.~~ No vehicle shall be stored within the City right-of-way ~~or on property zoned residential (excluding the driveway, carport or garage) except as provided in subsection I above.~~ It shall be conclusive evidence that a vehicle is being stored where it can be demonstrated that the vehicle has not been moved within twenty (20) days.

(note: staff to check on regulations and further reword section I (1-6) accordingly based on Commission's intent to remove 5 and add allowance for "angle parking" of motor vehicles (as defined in definitions of section) in the R-O-W)

J) ~~N.~~ Sale of vehicles. Any motor vehicle, recreational vehicle, truck, or boat or trailer offered for sale on a parcel shall count toward the six (6) allowed. At no time shall there be more than one (1) personal vehicle or boat or recreational vehicle offered for sale on a parcel. Additionally, the vehicle offered for sale must be owned by the resident of the parcel where the vehicle is located.

~~O.~~ Recreational vehicles (RVs) shall not be parked or stored on any residentially zoned property except within a completely enclosed structure or in the required side and required rear yard, provided the vehicle is not parked or stored within the required rear yard setback, and provided that the buffering and neighbor consent requirements in Sec. 25-19(H) above are satisfied. The intent of the following requirements is to insure that the vehicles do not become unsightly and negatively impact the residential neighborhood. The RV may be parked in the front yard and required front yard provided: [Amended 1-14-2002 by Ord. No. 2001-15; amended 1-30-2012 by Ord. No. 2011-32]

~~(1)~~ Said vehicle is parked on an improved surface, which shall be kept in a proper state of repair and maintained free from hazardous conditions.

~~(2)~~ No inoperative or unlicensed vehicle shall be parked, kept, or stored for more than twenty (20) days on any residential premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited.

~~(3)~~ It shall be unlawful for any recreational vehicle to extend over or interfere with the use of any sidewalk or right-of-way intended for pedestrian or vehicular traffic.

~~(4)~~ Recreational vehicles shall not be parked parallel to the front wall of the residential principal structure on the front yard.

~~P.~~ In the event that the owner or lessee of residentially zoned property has a house guest and said house guest arrives in a vehicle which otherwise would be prohibited from parking on said property pursuant to the provisions of this section, parking of said vehicle on the subject property is allowable for a period not to exceed twenty (20) days in a calendar year.

K) ~~Q.~~ No vehicle or boat permitted to be parked on residentially zoned property shall be occupied by an individual or family as living quarters or otherwise inhabited overnight for a period in excess of ~~twenty (20)~~ **thirty (30)** consecutive days, or for more than twenty (20) days total in any calendar year. If the City finds that a vehicle parked on a residentially zoned property has been occupied as living quarters or otherwise inhabited overnight for a period greater than twenty (20) consecutive days or a combined twenty (20) days within a calendar year, the City shall have the right to obtain an injunction and/or enforce this subsection as provided in North Port City Code, Chapter 2, Article IX Code Enforcement. [Amended 1-14-2002 by Ord. No. 2001-15; amended 1-30-2012 by Ord. No. 2011-32]

~~R.~~ Parking of vehicles that are primarily used for commercial purposes, or are inappropriate in residential districts due to their weight, size or length, unless the use and parking of such vehicle is identified above as permitted, is prohibited.

L) **Prohibited vehicles and equipment:**

~~(1) Prohibited commercial vehicles, commercial trailers, and construction equipment. In any residential district, the storage or overnight parking (off-street or on-street) of any of the following commercial vehicles shall be prohibited except as permitted above herein:~~

**1) Of the following vehicles, other than in the course of delivery or pick-up or during the time of permitted construction, only one (1) may be parked on a residential lot, provided that said lot has a principle structure and the City street weight limit is not exceeded.**

- ~~(a) Semi-truck cab and/or trailer~~ **Truck Tractor**
- (b) Dump truck.
- (c) Wreckers.
- (d) Bucket trucks.
- (e) Construction equipment, including ~~but not limited to,~~ front end loader, bulldozer, skid steer, or ditch digger, ~~with the sole exception of construction equipment parked during the tenure of construction.~~
- (f) Tractors. Tractor shall mean heavy equipment tractor and not lawn tractor.
- (g) Trucks with stake beds.
- ~~(h) Vehicles converted for the sale of food.~~ **Vehicles converted for the sale of food.**
- (i) Any ~~commercial-motor vehicle or truck~~ that is in excess of ~~six thousand (6,000)~~ **12,500** pounds empty vehicle weight ~~and or longer than twenty-five (25) feet.~~

**(j) Bus**

**2) The parking of any semitrailer is prohibited on any lot within any district zoned for residential use except in the course of delivery and pick-up.**

**(note: staff may need reword the above section "L" based on Commission's intent to allow 1 of no more than 1 of these types of vehicles; add back (h), add bus; add truck tractor; prohibit semitrailers; remove "but not limited to")**

~~(2) Overnight parking of a business vehicle may be permitted in the driveway of a resident in residential district, provided there is no business or business activity located on the property and the City street weight limit is not exceeded.~~

~~(3) Parking of semi-truck cabs may be permitted in accordance with Sec. 25-19(l) of this Unified Land Development Code.~~

~~S. The parking, servicing, repair and storage of trucks, buses, vans, tractor trailers in excess of six thousand (6,000) pounds vehicle empty weight, as listed on the vehicle registration form, is prohibited in the any residential or rec/open district. This vehicle empty weight restriction shall not apply to licensed recreational vehicles.~~

~~(1) Trailers are considered single axle or double axle platforms complete with towing tongues for the purposes of hauling items.~~

~~(2) Trailers may be open or enclosed; however, removable walls are to be included in trailer weight. The trailer empty weight shall not exceed two thousand five hundred (2,500) pounds as listed on the trailer registration form.~~