

CITY COUNCIL

CITY OF PUNTA GORDA

4/1/2015

 Print

New Business*

Title: Discussion regarding definition of commercial vehicles, to include one-ton pick-up trucks and larger commercially used vans as related to parking and storage of vehicles.

Funds: N/A

Recommended Action: Staff recommends amendment to clarify/define commercial and non-commercial vehicles.

Summary: Staff has been coming across situations where a property owner or resident has what appears to be or is a commercial vehicle, either very large van or a version of a pick-up truck. The current definition of a pick-up truck does not sufficiently limit the types of vehicles that the Code is intended to limit.

Currently within the Special Residential Overlay District of PGI, BSI and BSM, there are regulations which are intended to prohibit commercial vehicles and large trucks that could be considered 'commercial' due to their design.

Chapter 26, Section 3.13(g)

Section 3.13. SRO, Special Residential Overlay District

*(g) Parking of Vehicles and Trailers. No land, except that which is both zoned and used for commercial or industrial purposes, shall be used for the parking of any commercial truck, trailer, cart, school bus, or any other commercial vehicle, or any converted private vehicle except as provided by this district. Converted private vehicles, by whatever name designated, include vehicles which have been partially or completely converted from a private vehicle to a vehicle used for transporting goods or articles [such as ladders, wheelbarrows, tools, equipment, supplies or other materials] **if such vehicle so converted is used in or incidental to the operation of a business.** This prohibition shall include all trailers except as otherwise permitted in this Section. This is not intended to prevent the parking of any such vehicle or trailer within a completely enclosed garage, nor temporary parking of vehicles or trailers when loading or unloading for a period of less than four hours.*

*"Truck" shall include any motor vehicle designed or used principally for carrying things other than passengers, **except that a pickup truck used exclusively as a means of private transportation is excluded herefrom.** This is not intended to prevent the parking of truck/s within a completely enclosed garage, nor the temporary parking of vehicles when a person is visiting a resident for less than 4 hours, or when construction is being done on the premises for work being done under a proper building permit during daylight hours or because of emergency at other times.*

And within all areas of Punta Gorda, the following is applicable:

Chapter 26, Section 8.10. Parking of Trucks, Trailers and Recreational Vehicles

It shall be unlawful for any person, company or corporation to park any truck, trailer, wagon or recreational vehicle on any public right-of-way within any residential district except when such vehicle is being parked temporarily for the purpose of making deliveries or for the purpose of providing services to adjacent residential property. In no case may such vehicles be parked overnight.

*It shall be unlawful for any person, company or corporation to **park trucks, recreational vehicles or trailers which have multiple axles (or two rear wheels per side) overnight on public or private property,** in other than SP Zoning Districts for which a valid Local Business Tax Receipt has been issued for vehicle storage. Delivery or service vehicles used by local commerce and parked on the business property in a manner which does not violate any other provision of this Code and government vehicles are exempt from the provisions of this Section. **This Section shall not apply to pickup trucks of one ton or less with or without two rear wheels on each side.** Notwithstanding anything in this Section to the contrary, this Section shall not prohibit the parking of one recreational vehicle and one watercraft trailer with or without multiple axles, or a non-commercial utility trailer with no more than one axle, or a combination of no more than two trailers on the private residential property of the owner of said vehicle and trailer, unless otherwise prohibited elsewhere in this Code. It shall be necessary to obtain a Temporary Use Permit to park a truck, recreational vehicle or trailer at a time or location otherwise prohibited by this Section.*

*For the purposes of this Section, a commercial trailer or converted private vehicle, by whatever name designated, include vehicles which have been partially or completely converted from a private vehicle to a vehicle used for transporting goods or articles [such as ladders, wheelbarrows, tools, equipment, supplies or other materials] **if such vehicle so converted is used in or incidental to the operation of a business.***

The current definition of 'Commercial Vehicle' is below and does not include the requirement for such vehicle to be used or incidental to the operation of a business.

(49) COMMERCIAL VEHICLE

Includes any motor vehicle designed or used principally for carrying things other than passengers and includes a motor vehicle to which has been added a cabinet box, platform, rack or other equipment for the purpose of carrying merchandise or equipment other than the person or effects of the passengers.

When you do an internet search of for a one-ton pick-up truck - numerous commercial type vehicles are displayed. I have attached images for discussion.

Department/Division:

Urban Design

EXHIBITS:

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| 1. Pick-up truck images |
| 2. Picture-flat bed pickup |
| 3. Commercial Van picture |
| 4. Commercial Van images |