


MEMORANDUM

FROM
THE DEPARTMENT OF
COMMUNITY DEVELOPMENT

TO: Land Development Code DATE: February 25, 2019
Advisory Committee Members

FROM: Audra M. Ennis 
Zoning Manager

RE: **Land Development Code (LDC) Amendments**
Section 34-1181, Trucks and Commercial Vehicles in Residentially and
Agriculturally Zone Districts

The Board of County Commissioners, in accordance with Florida Statutes, has directed the County Attorney's Office to prepare an ordinance prohibiting the parking of commercial trucks on residentially- and agriculturally-zoned private property and within public rights-of-way. This ordinance (the Commercial Truck Parking Ordinance) is currently under review and is anticipated to be adopted on May 7, 2019.

The attached LDC amendments are intended to ensure consistency with the proposed provisions of the Commercial Truck Parking Ordinance.

Staff requests that the LDCAC recommend approval of the proposed LDC Amendments.

Sec. 34-1181. - Trucks and commercial vehicles in residentially and agriculturally zoned districts.

Staff Note: Eliminate portions of language inconsistent with the Lee County Commercial Truck Parking Ordinance currently under review with an anticipated adoption date of May 7, 2019.

- (a) Except as provided below, the following types of trucks or commercial vehicles may not be parked or stored on any property zoned AG, RS, RSA, RSC, TFC, TF, RM, MH, RV, PUD, RPD, RVPD, MHPD, or the residential portion of a MPD:
- (1) A tractor-trailer or semi-trailer truck; or
 - (2) A truck with two or more rear axles; or
 - (3) A truck with a manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 15,000 pounds; or
 - (4) Any truck and trailer combination, excluding a trailer used solely for non-commercial or recreational purposes, resulting in a combined manufacturer's Gross Vehicle Weight Rating (GVWR) in excess of 15,000 pounds.
- (b) Exceptions:
- (1) Daytime deliveries or service calls;
 - (2) Trucks and equipment parked or stored within a completely enclosed garage building in conjunction with an approved home occupation pursuant to section 34-1772;
 - (3) A truck or commercial vehicle parked or stored on any property zoned AG, provided:
 - a. The property is not vacant; AND
 - b. The truck or commercial vehicle is part of and primarily used for a legally permitted agricultural use in existence on the property; ~~OR~~
 - c. ~~The person operating the truck or commercial vehicle is a resident of the property and is appropriately licensed to drive the truck or commercial vehicle. This provision is intended to allow a resident in the agriculturally zoned districts (AG) to drive one truck home from work. It is not intended to allow a business to be run from the property.~~
 - (4) Trucks or vehicles used for emergency service work by a person employed by a public utility, when approved by the Director, provided:
 - a. The truck or vehicle is parked while the employee is on "emergency on-call status;" and
 - b. Only one emergency service truck is allowed for each employee residing at the property; and
 - c. The truck may not be stored at the property.

(Ord. No. 01-03, § 5, 2-27-01; Ord. No. 01-18, § 5, 11-13-01; Ord. No. 03-16, § 6, 6-24-03)