

A. All Commercial vehicles in excess of 16,000 pounds (GVW) shall be prohibited from parking or being stored in any public or private right-of-way, or any in residentially or agriculturally zoned classifications (including a manufactured home or recreational vehicle park) for more than 1 hour, except:

(1) **Those properties located within a residential or agricultural zoning classification consisting of less than five acres which may permit one commercial vehicle through the Special Use permit review and permitting process, and only when the following conditions can be met, unless otherwise approved by the Board of County Commissioners;**

- (a) *The commercial vehicle must be engaged in an approved commercial use; and*
- (b) *No proposed parking of a commercial vehicle shall be allowed in an established front yard and must be parked within the side or rear yard in a location that is a minimum of 100 feet from the nearest neighboring residential structure; and*
- (c) *The commercial vehicle must be stored within an enclosed structure, or behind an opaque wall or fence high enough to screen the vehicle from the neighboring properties and the right-of-way serving the property (walls and fences may require a building permit from the County); existing vegetation as a screening method may be considered if the Growth Services Director determines that the existing vegetation provides an adequate buffer for screening purposes; and*
- (d) *Vehicles of any size with actively operating (running) cab or refrigerating cooling units are prohibited on any residentially or agriculturally-zoned property.*
- (e) *No mechanical repairs/maintenance on the commercial vehicle shall take place.*
- (f) *The owner and operator must reside onsite and applications for the Special Use permit shall run with the owner of the property; and*
- (g) *The parcel where the commercial vehicle will be parked must meet the minimum tract width along the paved and maintained Marion County right-of-way providing the access to the property; and*
- (h) *The roadway providing access to the property shall be adequately rated to accommodate the heavy vehicle/truck traffic as per the Office of the County Engineer; and*
- (i) *Access to property shall not include a road which has been improved by an MSTU project; and*
- (j) *Only one truck per lot of record may be permitted.*

(2) Those agriculturally-zoned properties;

- (a) *Consisting of five acres or greater, one commercial vehicle (with or without associated trailer) may be parked onsite and processed administratively as a Temporary Use Permit for a period not to exceed three years, provided the same conditions under Section A(1)(a)—(i) above can be met; The Temporary Use Permit may be renewed provided no objections to the use*

have been filed in relation to the use; in such circumstances, any request for renewal must proceed as a Special Use Permit request.

(b) Consisting of 10 acres or greater and not being used in connection with a bona fide agricultural use onsite as set forth under Florida Statute 193.461(3)(b)(1)(a)—(g) shall be permitted to park one commercial vehicle onsite (with or without associated trailer), and processed administratively as a Temporary Use Permit for a period not to exceed three years, with the following conditions:

- (1) The commercial vehicle must be utilized in an active employment status; and
- (2) No proposed parking of a commercial vehicle or trailer shall be allowed to be parked within the established front yard or within 100 feet from the nearest neighboring residential structure; and
- (3) Up to one additional detachable trailers (semi-trailers) shall be permitted to be parked on-site, provided that they are used for active employment purposes and not used for storage onsite; and
- (4) No mechanical repairs/maintenance on the commercial vehicle shall take place on-site; and
- (5) The owner must reside onsite; and
- (6) The roadway providing access to the property shall be adequately rated to accommodate the heavy vehicle/truck traffic as per the Office of the County Engineer; and
- (7) Access to property shall not include a road which has been improved by an MSTU project; and
- (8) Only one truck per lot of record may be permitted.

(3) Those vehicles engaged in the commercial delivery or pickup of goods not exceeding 30 minutes; vehicles engaged in commercial moving services; the delivery of materials to be used in bona fide repair, alteration, remodeling, or the construction of any building or structure for which a building permit has previously been obtained when required; lawn care services being performed onsite; or for the purpose of public works projects; or

(4) When the vehicle is parked in connection with and is owned or leased by an approved business in a non-residential zoning classification, or when the vehicle is loading or unloading goods in connection with such a business and is parked adjacent to a loading dock or loading area for a period of time not to exceed 48 hours; or

(5) Utility company vehicles that are used for 24 hour emergency on-call.

B. Cars, motorcycles, passenger vans and pick-up trucks utilized for commercial purposes are exempt, provided that the vehicle and/or any equipment attached to the vehicle such as racks or utility beds, cannot exceed 16,000 pounds, and only one such vehicle shall be permitted within a residential zoning classification and parked within a garage, on a driveway, or in the side or rear yard.

C. No provision of this section shall exempt any vehicle from complying with the weight limitations of a roadway as specified by federal or state regulatory agencies.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017)