

LEGISLATIVE #

120139A

Community Development Committee's Recommendation

This language is intended to create a permit process for special event (only certain major UF events as designated by the City Manager) parking on residentially zoned private property that is located within the "context area". A map of the context area is attached. This permit will replace the City's current practice of issuing a business tax receipt for such activity.

This proposed regulation will amend existing text within the City Code of Ordinances as follows:

Sec. 30-56. General provisions for residential districts.

(c) *Parking, storing or keeping of other vehicles.* Except as provided for in article VI concerning recreational vehicles, the following regulations shall apply to all residential zoning districts.

(4) *Off street parking regulations in the context area and in any residential parking overlay district.* The regulations and provisions of this section apply to any property that is in an RC, RSF-1, RSF-2, RSF-3, or RSF-4 zoning district, or that contains single family or two-family dwellings on property zoned planned development (PD), and is located within either the context area or a residential parking overlay district area as provided in section 30-56.1 of this Code. For purposes of this Section, the "context area" is identified in Map 1. In these areas, off street parking shall be limited to the driveway parking area meeting the dimensional requirements below and leading from the permitted driveway connection to the enclosed parking space (garage or carport), plus two pullout spaces as described below. If there is no garage or carport, the driveway parking area must meet the dimensional requirements below and be able to provide parking and ingress or egress of vehicles.

h. Temporary off-street parking on other areas of property regulated by this subsection will be allowed in the context area on the day of certain major University of Florida related events as determined by the city manager or designee, such as University of Florida commencement programs and University of Florida home football games, provided a special event parking permit is obtained from the City in accordance with subsection (5).

(5) Special event temporary off-street parking in the context area. Temporary off-street parking is allowed on properties with a residential district designation as provided in Section 30-41 located within the context area (for purposes of this section, the "context area" is identified in Map 1) on the day of certain major University of Florida related events, such as University of Florida commencement programs and University of Florida home football games, as designated by the city manager or designee, provided the applicant obtains a special event parking permit from the city. A special event parking permit shall be valid for all city manager designated events for the period commencing August 1 of each year and ending on July 31 of the following year.

a. To obtain a permit, the applicant shall file a completed application with the city, on the form provided by city, at least 30 calendar days prior to the first event for

which the applicant intends to provide parking. Each applicant shall provide, at a minimum: a written, notarized statement from the property owner authorizing the applicant to file the application and conduct the special event parking on the owner's property; a statement of all previous citations issued on the property for violations of this section and a parking plan that depicts: the boundary of the parking area, the access points for the parking area, and the number and location of portable toilets, if any are provided.

b. All permits issued are subject to the following conditions and requirements:

1. Parking is allowed only on the day of the event commencing at 8:00 AM and concluding at 12:00 AM or three hours after conclusion of the event, whichever occurs sooner. Vehicles may remain parked overnight, provided they are not accessed after the above described times and may only be picked up the day after the event between the hours of 8:00 AM and 12:00 PM;
2. Signage to advertise the parking is limited to one temporary, on-site sign with a maximum sign area of 6 square feet;
3. All trash, signs and other physical items associated with the special event parking shall be removed by 6:00 PM the day after the event;
4. Portable toilets are not required. However, if they are provided they may be placed on the property the day prior to the event and shall be removed by 6:00 PM on the second day after the event (e.g., for an event on Saturday, must be removed by 6:00 PM on Monday);
5. The parking area shall be located solely within private property and shall not extend onto any public property; and
6. The special event parking permit shall be conspicuously displayed on-site throughout the duration of each event.

c. Failure to comply with this section shall be enforceable by civil citation as provided in Chapter 2, Article V., Division 6 of the City Code of Ordinances.

d. The city manager may deny permit issuance or revoke an existing permit if, within a three year period, there are two or more citations for violation of this section with adjudication of guilt, finding of guilt with adjudication withheld, waiver of right to contest the violation, or plea of no contest (including, but not limited to payment of fine). An administrative hearing before the city manager may be requested, in accordance with paragraph e. below, to dispute the denial or revocation.

e. Within 15 calendar days of the date of the notice of denial or revocation of a permit from the city, the permit holder may request in writing to the city manager a hearing on the denial or revocation. The city manager or designee shall schedule the hearing to occur within 15 calendar days after receiving the request for hearing and shall notify the permit holder at least five days in advance of the time and location for the hearing. The hearing may be postponed if mutually agreed upon by the city manager and the permit holder. The hearing shall be conducted informally and adherence to the rules of evidence normally followed by the courts shall not be required. Any person may present testimony, documents or other evidence as deemed relevant by the city manager or designee. Any person may be represented by counsel. The city manager or designee shall consider all evidence presented, and if the preponderance of the evidence supports the reasons for the denial or revocation, the permit shall be denied or revoked, as applicable. If the preponderance of the evidence does not support the reasons for the denial or revocation, the permit shall be issued or reinstated, as applicable. The decision of the city manager or designee may be appealed by a writ of certiorari to a court of competent jurisdiction in Alachua County, Florida.

A portion of Appendix A, relating to fees, rates and charges, as provided in the Land Development Code for zoning is amended by adding a fee for parking for special event, as follows:

Zoning:

i. Permit for Parking for Special Event (§ 30-56(c)(5)).....52.50

A new civil citation is created and added to Sec. 2-339. Applicable Codes and Ordinances as follows:

<i>Section</i>	<i>Description</i>	<i>Class</i>	<i>Penalty</i>
30-56(c)(5)	Violation of Special Event Parking requirements	I	\$250.00