

**Leon County  
Board of County Commissioners**


**Notes for Agenda Item #26**

# Leon County Board of County Commissioners

## Agenda Item #26

July 9, 2024

**To:** Honorable Chair and Members of the Board

**From:** Vincent S. Long, County Administrator 

**Title:** First and Only Public Hearing to Consider Adopting an Ordinance Amending Chapter 16 of the Leon County Code of Laws Related to Parking

<b>Review and Approval:</b>	Vincent S. Long, County Administrator Chasity O'Steen, County Attorney
<b>Department/ Division Review:</b>	Ken Morris, Assistant County Administrator Ben Pingree, Assistant County Administrator Brent Pell, Director, Public Works
<b>Lead Staff/ Project Team:</b>	Charles Wu, Director, Engineering Services, Public Works Tim Barden, Administrative Services Manager Kyle L. Kemper, Senior Assistant County Attorney

### **Statement of Issue:**

This item requests the Board conduct the first and only public hearing to consider adopting a proposed Ordinance to amend Chapter 16 of the Leon County Code of Laws to add Article VI related to parking. The County is authorized under Florida law to adopt an Ordinance permitting angle parking on its roads.

### **Fiscal Impact:**

This item has no fiscal impact.

### **Staff Recommendation:**

Option #1: Conduct the first and only public hearing to consider adopting the proposed Ordinance amending Chapter 16 of the Leon County Code of Laws to add Article VI related to parking (Attachment #1).

## **Report and Discussion**

### **Background:**

This item requests the Board conduct the first and only public hearing to consider adopting a proposed Ordinance to amend Chapter 16 of the Leon County Code of Laws to add Article VI related to parking. The County is authorized under Florida law to adopt an Ordinance permitting angle parking on its roads. At its June 11, 2024 meeting, the Board scheduled the public hearing for this amendment for July 9, 2024.

In adopting Chapter 316, Florida Statutes (Florida Uniform Traffic Control Law), the Florida Legislature intended to develop uniform traffic laws that apply throughout the State and within its counties and municipalities. However, the Legislature has authorized counties and municipalities to adopt additional traffic ordinances on certain matters, such as angle parking in roadways.

### **Analysis:**

The Florida Uniform Traffic Control Law generally regulates traffic control laws on a statewide basis. However, local governments are allowed to impose some regulations on streets and highways under their jurisdiction. Pursuant to Section 316.195, Florida Statutes (F.S.), angle parking is one such area that local governments may regulate. The County, like municipalities and other counties, is authorized to permit angle parking on its roadways upon the adoption of an ordinance. The City of Tallahassee allows angle parking on City roads. Ch., 20, Sec. 20-73, Code of General Ordinances of the City of Tallahassee, Florida.

Generally, there are three types of roadside parking spaces – parallel, perpendicular, and angle. Angle parking occurs where the parking spaces are arranged at an acute angle to or from the direction of approach. Head-in angle parking allows the driver to enter the space easily and later back out, whereas back-in angle parking requires the driver to reverse into the parking space. Angle parking offers traffic and safety benefits. The turn is gentler than parallel street parking, allowing a driver to pull in or back into the parking space easily and quickly. With head-in angle parking, the driver need not come to a complete stop prior to parking, resulting in minimal disruption to the flow of traffic. Back-in angle parking requires the driver to pull slightly beyond the parking space and reverses in, but this type of parking provides better visibility when exiting and eliminates the difficulty some drivers have backing into moving traffic, especially on busy roads. Further, a row of parked cars provides a buffer between pedestrians on the sidewalk and vehicular traffic. Another advantage with angle parking is that it allows more parking spaces than could otherwise be used for parallel parking.

If adopted after a public hearing, the proposed Ordinance will allow the County to permit angle parking on County roads at locations where the County posts signage or markings. Such action will provide traffic and safety benefits on applicable County roads.

This public hearing has been noticed and advertised in accordance with Florida Statutes (Attachment #2). In accordance with Section 125.66(3)(c)1, F.S., a business impact estimate is not needed because the proposed ordinance is required for compliance with Section 316.195(3),

F.S. This item recommends adoption of the Ordinance (Attachment #1) permitting angle parking on County roads.

**Options:**

1. Conduct the first and only public hearing to consider adopting the proposed Ordinance amending Chapter 16 of the Leon County Code of Laws to add Article VI related to parking (Attachment #1).
2. Do not conduct the first and only public hearing to consider adopting the proposed Ordinance amending Chapter 16 of the Leon County Code of Laws related to parking.
3. Board direction.

**Recommendation:**

Option #1

Attachments:

1. Proposed Ordinance amending Chapter 16 of the Leon County Code of Laws to add Article VI related to parking.
2. Notice of Public Hearing.

**LEON COUNTY ORDINANCE NO.**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 16 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; ADOPTING ARTICLE VI ENTITLED “PARKING”; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

WHEREAS, Board of County Commissioners of Leon County, Florida (“Board”), is invested with the general superintendence and control of the county roads and structures within Leon County, Florida (the “County”); and

WHEREAS, it is the intent of this Ordinance to promote efficiency and maintenance of county roads in a clean and safe condition and to preserve the safety of children and other pedestrians and traffic safety generally; and

WHEREAS, pursuant to Section 316.195(3), Florida Statutes (2024), the Board may, by ordinance, permit angle parking on any Roadway under the County’s public road jurisdiction; and

WHEREAS, the Board desires to enact an ordinance adopting Article VI of Chapter 16 of the Leon County Code of Laws, relating to parking;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, that:

**Section 1. Amendments to Code.**

Chapter 16 of the Code of Laws of Leon County, Florida, is hereby amended by adopting Article VI, to read as follows:

**ARTICLE VI. - PARKING**

**Sec. 16-207. – Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*County Road System* shall be as defined in Section 334.03(8), Florida Statutes (2024).

*Park* or *Parking* shall be as defined in Section 316.003(55), Florida Statutes (2024).

*Roadway* shall be as defined in Section 316.003(73), Florida Statutes (2024).

1           *Vehicle* shall be as defined in Section 316.003(108), Florida Statutes (2024).  
2

3   **Sec. 16-208. – Angle Parking.**  
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5           Where duly authorized signs or parking space markings provide notice of angle parking on any  
6 Roadway within the County Road System, no person shall Park a Vehicle contrary to such marked  
7 space or allow such Vehicle to obstruct others from Parking as directed.  
8

9           This section shall not apply to County Sheriff's Vehicles, City of Tallahassee Police Vehicles,  
10 State Highway Patrol Vehicles, or other law enforcement Vehicles, fire and other emergency  
11 Vehicles, including ambulances, for purposes of conducting law enforcement business or responding  
12 to an emergency or fire.  
13

14   **Section 2. Conflicts.**  
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16           All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby  
17 repealed to the extent of such conflict, except to the extent of any conflicts with the Tallahassee-Leon  
18 County 2030 Comprehensive Plan as amended, which provisions shall prevail over any parts of this  
19 Ordinance which are inconsistent, either in whole or in part, with the said Comprehensive Plan.  
20

21   **Section 3. Severability.**  
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23           If any word, phrase, clause, section, or portion of this Ordinance is declared by any court of  
24 competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and  
25 portions of this Ordinance shall remain in full force and effect.  
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27   **Section 4. Applicability.**  
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29           This Ordinance shall apply to and be effective countywide in the unincorporated and  
30 incorporated area of Leon County.  
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32   **Section 5. Effective Date.**  
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34           This Ordinance shall take effect upon being filed with the Florida Department of State.

35           DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County,  
36 Florida, this 9th day of July, 2024.  
37

38   LEON COUNTY, FLORIDA  
39  
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41   By: \_\_\_\_\_  
42   Carolyn D. Cummings, Chair  
43   Board of County Commissioners  
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1 ATTESTED BY:  
2 Gwendolyn Marshall Knight, Clerk of  
3 Court & Comptroller, Leon County, Florida

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6 By:\_\_\_\_\_

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8  
9 APPROVED AS TO FORM:  
10 Chasity H. O'Steen, County Attorney  
11 Leon County Attorney's Office

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13  
14 By:\_\_\_\_\_

# NOTICE OF PUBLIC HEARING NOTICE OF AMENDMENT TO CHAPTER 16 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA

Notice is hereby given that the Board of County Commissioners of Leon County, Florida, will conduct a public hearing on Tuesday, July 9, 2024, at 6:00 p.m., or as soon thereafter as such matter may be heard, in the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider adoption of an ordinance entitled to wit:

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 16 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; ADOPTING ARTICLE VI ENTITLED “PARKING”; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Leon County will also broadcast the public hearing on Comcast channel 16, the Leon County Florida channel on Roku, the County’s Facebook page (<https://www.facebook.com/LeonCountyFL/>), YouTube channel (<https://www.youtube.com/user/LeonCountyFL>), and website ([www.LeonCountyFL.gov](http://www.LeonCountyFL.gov)).

All interested parties are invited to present their comments at the public hearing at the time and place set out above.

Interested parties may also provide virtual real-time public comments during the public hearing. After the Board of County Commissioner’s agenda is posted online, interested parties wishing to provide virtual real-time public comments must complete and submit the registration form provided at <https://www2.leoncountyfl.gov/coadmin/agenda/> by 8:00 p.m. on Monday, July 8, 2024. Following submittal of the registration form, further instructions for participating in the meeting will be provided. Persons needing assistance with registering or providing real-time comments may contact County Administration via telephone at (850) 606-5300. Please note that Board of County Commissioners Policy 01-05, Article IX., Section E., entitled “Addressing the Board,” and Article IX., Section F., entitled “Decorum,” shall remain in full force and effect.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is to be based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact, on behalf of the Chair, Mathieu Cavell at Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301 or [CMR@leoncountyfl.gov](mailto:CMR@leoncountyfl.gov), by written request at least 48 hours prior to the proceeding. Telephone: (850) 606-5300, 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Copies of the Ordinance may be inspected as part of the agenda package on the County’s website (<https://www2.leoncountyfl.gov/coadmin/agenda/>). To receive copies of the Ordinance by other means, such as email, mail, or facsimile transmittal, contact County Administration at (850) 606-5300.



Advertise: June 24, 2024