

# City of Palm Coast, Florida

## Agenda Item

**Agenda Date:** September 23, 2025

<b>Department</b>	COMMUNITY DEVELOPMENT	<b>Amount</b>
<b>Division</b>	CODE ENFORCEMENT	<b>Account #</b>
<b>Subject:</b>	ORDINANCE 2025-XX CHAPTER 44, TRAFFIC AND VEHICLES, ARTICLE II, STOPPING, STANDING, AND PARKING, BY AMENDING SUBSECTION 44-34(C) PARKING AND STORAGE OF VEHICLES GENERALLY, OF THE CITY CODE OF ORDINANCES	
<b>Presenter:</b>	Barbara Grossman, Code Enforcement Manager	
<b>Attachments:</b>	<ol style="list-style-type: none"><li>1. Presentation</li><li>2. Ordinance</li></ol>	
<b>Background:</b>	<p>On May 13, 2025, City Council was presented with an overview of Commercial Vehicles. Council requested staff review and propose amendments to the code redefining what a commercial vehicle is and to allow certain commercial vehicles in residential zone lots.</p> <p>Section 44-34(c) of the City of Palm Coast ("City") Code of Ordinances defines a commercial vehicle. Section 44-34(c) does not allow commercial vehicles to be parked in residential zoned lots and does not provide for exceptions.</p> <p>The City Council finds that it is necessary to amend Section 44-34(c) of the Code of Ordinances to redefine commercial vehicles and allow for exceptions in residential zones lots.</p>	
<b>Recommended Action:</b>	<b>ADOPT ORDINANCE 2025-XX CHAPTER 44, TRAFFIC AND VEHICLES, ARTICLE II, STOPPING, STANDING, AND PARKING, BY AMENDING SUBSECTION 44-34(C) PARKING AND STORAGE OF VEHICLES GENERALLY, OF THE CITY CODE OF ORDINANCES</b>	

# COMMERCIAL VEHICLES



**Presented by:**  
**Barbara Grossman, Code Enforcement Manager**

## **AMENDMENT TO CODE**

- Commercial Vehicle Sec. 44-34 (c)
- Amendment to the commercial vehicle definition



## AMENDMENT TO CODE

- Commercial Vehicle Sec. 44-34 5(c)
  - Deletion of “~~any motor vehicle upon which advertising markings have been affixed which occupy in excess of three square feet per side~~” ...



## AMENDMENT TO CODE

- Addition of “Exceptions”

(1) Exceptions. A commercial vehicle may park in a residential zone lot if:

(a). The commercial vehicle has ladders or other attachments which do not exceed the height of \_\_\_\_\_ the highest point on the vehicle by more than two feet or does not exceed the length of the \_\_\_\_\_ vehicle’s length by more than two feet and meets the other requirements of Section 44-34 (c).

(b). The commercial vehicle and attachments must be kept in a neat, clean and well-kept manner.



## AMENDMENT TO CODE

Exceptions continued..

(c). No material which is hazardous, offensive or has bad odors or dust emanating therefrom may be stored on a commercial vehicle that is parked on a residential zone lot.

(d). Commercial vehicles that do not conflict with above terms stated and are no more than 10 feet in height and 18 feet in length.

(e). No more than one commercial vehicle that meets the requirements of Section 44-34(c) and 44-34(c)(1) shall be allowed to be parked on a residential zone lot.





# Prohibited prior to amendment - Vans with racks (equipment or materials) and signage in excess of three-square feet





# Prohibited prior to amendment- Signage in excess of three square feet





## Prohibited - Commercial vehicles by definition



## Prohibited - Commercial vehicles by definition





# Prohibited - Commercial vehicles by definition



# Prohibited - Utility Box Trailers by definition





# Prohibited - Utility Trailers by definition





## Prohibited – other commercial type vehicles



**ORDINANCE 2025-  
COMMERCIAL VEHICLES**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA AMENDING CHAPTER 44, TRAFFIC AND VEHICLES, ARTICLE II, STOPPING, STANDING, AND PARKING, BY AMENDING SUBSECTION 44-34(C) PARKING AND STORAGE OF VEHICLES GENERALLY, CODE OF ORDINANCES OF THE CITY OF PALM COAST, TO REVISE WHAT A COMMERCIAL VEHICLE MEANS AND PROVIDE FOR EXCEPTION WHEN COMMERCIAL VEHICLES MAY PARK IN A RESIDENTIAL ZONE LOT; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 44-34(c) of the City of Palm Coast ("City") Code of Ordinances defines a commercial vehicle; and

**WHEREAS**, Section 44-34(c) does not allow commercial vehicles to be parked in residential zoned lots and does not provide for exceptions; and

**WHEREAS**, the City Council finds that it is necessary to amend Section 44-34(c) of the Code of Ordinances to redefine commercial vehicles and allow for exceptions in residential zones lots; and

**WHEREAS**, words with underlined type shall constitute additions to the original text and ~~strike through~~ shall constitute deletions to the original text, and asterisks (\*\*\*) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:**

**SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.** The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council.

**SECTION 2. AMENDMENT TO CHAPTER 44 TRAFFIC AND VEHICLES, ARTICLE II STOPPING, STANDING, AND PARKING, SECTION**

**44-34(C) OF THE CODE OF CITY ORDINANCES.** Chapter 44 Traffic and Vehicles, Article II Stopping, Standing, and Parking, Section 44-34(c) of the *Code of Ordinances* of the City of Palm Coast is hereby amended and replaced to be read as follows:

\*\*\*\*\*

(c) It is prohibited and unlawful to park or store a motor vehicle overnight in a residential zone, except passenger vehicles, as defined herein. Such vehicles must be parked in a garage or carport, or parked in a driveway or designated residential parking lot. A passenger vehicle is an automobile, motorcycle, moped, passenger van, sport utility vehicle, or a pickup truck. Pickup truck means any motor vehicle designed primarily for the transportation of property or cargo within a permanently attached open cargo box and having a carrying capacity of one ton or less. A pickup truck which is equipped with a standard flatbed topper which does not exceed the height of the cab portion of the vehicle by more than 12 inches shall not be considered a commercial vehicle. It is prohibited and unlawful to park or store a commercial vehicle anywhere in City limits as posted per Florida State Statute 316.1945 at any time unless at a residence for a residential service call. A commercial vehicle means any agricultural, construction or industrial equipment; ~~any motor vehicle upon which advertising markings have been affixed which occupy in excess of three square feet per side; any motor vehicle having a carrying capacity of more than one ton;~~ any motor vehicle to which has been added a platform rack or other similar apparatus designed for carrying property or cargo, but excluding a standard luggage rack; any pickup truck to which has been added a cargo box, or similar carrying device, which is located outside the flatbed portion of the vehicle, or which is located within the flatbed portion but exceeds the height of the cab portion of the vehicle; any motor vehicle equipped with a hoist or other similar mechanical equipment. The term may include, but is not limited to, a bus, step van, tractor, trailer, semitrailer, or semitruck, limousine, cab, ice cream truck, tow truck or any vehicle which requires a commercial driver's license to operate. The allowance of passenger vehicles, as defined herein, shall not be used by owners



of residential lots as a pretext for storing commercial supplies and goods in violation of the City's home occupation use special exception standards.

(1) Exceptions. A commercial vehicle may park in a residential zone lot if:

(a). The commercial vehicle has ladders or other attachments which do not exceed the height of the highest point on the vehicle by more than two feet or does not exceed the length of the vehicle's length by more than two feet and meets the other requirements of Section 44-34 (c).

(b). The commercial vehicle and attachments must be kept in a neat, clean and well-kept manner.

(c). No material which is hazardous, offensive or has bad odors or dust emanating therefrom may be stored on a commercial vehicle that is parked on a residential zone lot.

(d). Commercial vehicles that do not conflict with above terms stated and are no more than 10 feet in height and 18 feet in length.

(e). No more than one commercial vehicle that meets the requirements of Section 44-34(c) and 44-34(c)(1) shall be allowed to be parked on a residential zone lot.

\*\*\*\*\*

**SECTION 3. SEVERABILITY.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

**SECTION 4. CODIFICATION.** It is the intention of the City Council of the City of Palm Coast, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Palm Coast, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, "Ordinance" may be changed to "Section," "Article," or other appropriate word.

**SECTION 5. CONFLICTS.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 6. EFFECTIVE DATE OF ORDINANCE.** This Ordinance shall become effective immediately upon its passage and adoption.

**SECTION 7. EFFECTIVE DATE OF ORDINANCE.** This Ordinance shall become effective immediately upon its passage and adoption.

**APPROVED** on first reading this \_\_\_\_ day of \_\_\_\_ 2025.

**ADOPTED** on the second reading after due public notice and hearing this \_\_\_\_ day of \_\_\_\_ 2025.

ATTEST:

CITY OF PALM COAST

\_\_\_\_\_  
KALEY COOK, CITY CLERK

\_\_\_\_\_  
MICHAEL NORRIS, MAYOR

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
MARCUS DUFFY, CITY ATTORNEY