

City of Palm Coast, Florida

Agenda Item

Agenda Date: October 21, 2025

Department	COMMUNITY DEVELOPMENT	Amount
Division	CODE ENFORCEMENT	Account #
Subject: 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		
Presenter: Barbara Grossman, Code Enforcement Manager		
Attachments: 1. Ordinance (Redline and Clean Copy) 2. Business Impact Estimate		
Background: <u>UPDATED BACKGROUND FROM THE SEPTEMBER 23, 2025, WORKSHOP MEETING:</u> The Ordinance has been updated per the direction by City Council and is attached to the agenda item for consideration. <u>ORIGINAL BACKGROUND FROM THE SEPTEMBER 23, 2025, WORKSHOP MEETING:</u> 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. 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. 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.		
Recommended Action: 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		

ORDINANCE 2025-____

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, or does not exceed the vehicles width by more than one foot and meets the other requirements of Section 44-34 (c).

(b). Attachments are considered racks, storage containers or other commercial equipment that are securely mounted on top of the vehicle.

(c). The commercial vehicle and attachments must be kept in a safe, neat, clean and well-kept manner. No loose materials or tools are visible from the outside vehicle unless enclosed in a commercial-grade cap or cover.

(d). 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.

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

(f). 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.

Approved on first reading this ____ day of ____ 2025.

Adopted on the second reading after due public notice and hearing this ____ day of ____ 2025.

ATTEST:

KALEY COOK, CITY CLERK

MICHAEL NORRIS, MAYOR

APPROVED AS TO FORM AND LEGALITY:

MARCUS DUFFY, CITY ATTORNEY

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.

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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.

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(b). Attachments are considered racks, storage containers or other commercial equipment that are securely mounted on top of the vehicle.

(c). The commercial vehicle and attachments must be kept in a safe, neat, clean and well-kept manner. No loose materials or tools are visible from the outside vehicle unless enclosed in a commercial-grade cap or cover.

(d). 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.

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

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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.

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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.

APPROVED on first reading this 21st day of October 2025.

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

ATTEST:

KALEY COOK, CITY CLERK

MICHAEL NORRIS, MAYOR

APPROVED AS TO FORM AND LEGALITY:

MARCUS DUFFY, CITY ATTORNEY



**THE CITY OF PALM COAST
160 LAKE AVENUE
PALM COAST, FL 32164**

**BUSINESS IMPACT ESTIMATE
PURSUANT TO F.S. 166.041(4)**

**Meeting Date: October 21, 2025
Ordinance Number: 2025-XX
Posted To Webpage: October 1, 2025**

This Business Impact Estimate is given as it relates to the proposed ordinance titled:

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

The sections below are not required to be completed if the ordinance involves any one of the following types of regulations. Please check if applicable:

- ☐ 1. Ordinances required for compliance with federal or state law or regulation;
- ☐ 2. Ordinances relating to the issuance or refinancing of debt;
- ☐ 3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ 4. Ordinances required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by a municipal government;
- ☐ 5. Emergency ordinances;
- ☐ 6. Ordinances relating to procurement; or

___ 7. Ordinances enacted to implement the following:

___ a. Development orders, and development agreements, and development permits, as those terms are defined in S 163.3164, and development agreements, as authorized by the Florida Local Government Development Acts SS. 163.3220-163.3243;

___ b. Comprehensive Plan amendments and land development regulation amendments initiated by an application by a private party other than the county;

___ c. Sections 190.005 and 190.046;

___ d. Section 553.73, relating to the Florida Building Code; or

___ e. Section 633.202, relating to the Florida Fire Prevention Code.

Part I. Summary of the proposed ordinance and statement of public purpose:

This Ordinance relates to providing an exception to allow certain commercial vehicles to park in residential zoned lots of the City.

Part II. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Palm Coast:

(fill out subsections a-c as applicable, if not applicable write "not applicable")

(a) Estimate of direct compliance costs that businesses may reasonably incur if the proposed ordinance is enacted: This amendment may assist in savings to local businesses as they may not have to provide for a storage facility to park the work related truck.

(b) Identification of any new charges or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible: N/A

(c) An estimate of the City of Palm Coast's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs. N/A

(d) Does this proposed ordinance have a direct impact on affordable housing? No, impact to affordable housing.

Part III. Good faith estimates of the number of businesses likely to be impacted by the ordinance.

The number of businesses affected will be those who have vehicles that meet the new terms of the amendment regarding commercial vehicles. This will lessen the burden of costs for each business who has an employee residing in the City who park commercial vehicles in residentially zoned lots within the City.

Part IV. Additional Information (if any): This Ordinance provides for the lessening of the restrictions relating to commercial vehicles parked in residentially zoned lots of the City of Palm Coast.