

City of Palm Coast, Florida Agenda Item

Agenda Date: January 20, 2026

| Department | COMMUNITY DEVELOPMENT | Amount |
|---|-----------------------|-----------|
| Division | PLANNING | Account # |
| Subject: ORDINANCE 2026-XX MOBILE FOOD DISPENSING VEHICLES | | |
| Presenter: Michael Hanson, AICP, Senior Planner | | |
| Attachments: <ol style="list-style-type: none">1. Presentation2. Ordinance3. Business Impact Statement | | |
| Background: This is a legislative item. | | |
| §509.102 Florida Statutes (F.S.) provides regulations and preemptions regarding Mobile Food Dispensing Vehicles and Temporary Commercial Kitchens (MFDV). The law preempts licensing to the state and prohibits municipalities from being able to prohibit MFDVs from the entirety of their jurisdiction. The City of Palm Coast allows for MFDVs within the City through a special event permit, regulated by the Code of Ordinances Chapter 28 Article II. Due to the City's inclusion of MFDVs in special events, the City is in compliance with the requirement of §509.102 F.S. to not prohibit the use in the entirety of the city. | | |
| Food Truck Tuesday has been a staple in Central Park since 2013. It happens on the third Tuesday of every month with a constantly rotating roster of food trucks. Each month a beneficiary is selected from various local non-profit organizations as a community fundraiser. | | |
| To address the growing demand of MFDVs within the City staff was asked to analyze the feasibility of adopting an ordinance to regulate MFDV operations outside of special event permits. A draft ordinance was presented to the City Council on October 28 th , 2025. City Council provided direction to modify the draft ordinance to additionally provide the ability for MFDVs to operate as an accessory use to existing businesses. The updated draft ordinance was emailed out to a group of approximately 65 MFDV vendors that have previously registered with the City for inclusion in MFDV operations during Special Event Permits. The group's feedback was requested, and they were invited to the Planning and Land Development Regulation Board (PLDRB) meeting on December 17, 2025. That stakeholder group was also invited to the City Council business meetings for MFDVs. | | |
| The PLDRB voted unanimously to recommend approval of the draft ordinance with a recommendation to strike the six-hour limit on private catered events and to have any amplified noise/music be regulated by the City's noise ordinance similar to a bar or restaurant. | | |

Recommended Action:

ADOPT ORDINANCE 2026-XX MOBILE FOOD DISPENSING VEHICLES

MOBILE FOOD DISPENSING VEHICLES



Community Development Department
Presented by: Michael Hanson, AICP, Sr. Planner



§509.102 Florida Statutes (F.S.) provides regulations and preemptions regarding Mobile Food Dispensing Vehicles (MFDV) and Temporary Commercial Kitchens. The law preempts licensing to the state and prohibits municipalities from being able to prohibit MDFVs from the entirety of their jurisdiction.

The City of Palm Coast allows MFDVs within the City through a special event permit, regulated by the Code of Ordinances Chapter 28 Article II. Due to the City's inclusion of MFDVs in special events, the City is in compliance with the requirement of §509.102 F.S. to not prohibit the use in the entirety of the city.





FOOD TRUCK Tuesday

Third Tuesday
of the Month

From 5-8pm

at
Central Park
in
Town Center



Food Truck Tuesday has been a staple in Central Park since 2013. It happens on the third Tuesday of every month with a constantly rotating roster of food trucks. Each month a beneficiary is selected from various local non-profit organizations as a community fundraiser.





As the popularity of MFDVs have grown over time, unpermitted MFDVs have increasingly started popping up within parking lots and along streets within the City outside of a special event permit.

Currently, any MFDV operating within City limits outside of an approved special event is prohibited, even if the MFDV is operating on private property, regardless of any agreement between a mobile food vendor and property owner.

Due to this, the City Council provided staff direction during their October 28, 2025, meeting to expand usage of MDFVs as an accessory use on privately developed sites.





The proposed ordinance allows MFDVs to operate in the following zoning districts subject to the administrative approval of a site plan application for principal use or an MPFV accessory use application for sites already developed by the property owner or their authorized agent:

- Principal Use: COM-2, COM-3, IND-1, and MPDs with the use in their Development Agreement.
- Accessory Use: COM-1, COM-2, COM-3, IND-1, PSP, P&G, MPD with the use in their Development Agreement.

Principal uses shall require site plan approval with permanent shared seating, restrooms, parking. Accessory uses do not provide that but are subject to daily removal outside of the hours of operations of the principal use. MFDVs shall not operated between the hours of 2:00 a.m. and 6:00 a.m.





To enhance public safety, the proposed ordinance limits MFDVs operations within easements, wetlands, buffers, drive aisles, sidewalks/cross-walks, emergency access, fire lanes, rights-of-way, or otherwise impede traffic patterns and ingress/egress to buildings and businesses.

- Principal Use: Sites developing as a principal use may include an ancillary recreational area that is enclosed by a perimeter fence and buffered from vehicular use area.
- Accessory Use: Sites developing within vehicular use areas shall require the use of traffic cones to maximize pedestrian safety during MFDV operation. Accessory use MFDVs shall not provide seating, tables, tents, or canopies.

The proposed ordinance prohibits amplified music/sounds from MFDVs.





The updated draft ordinance was emailed out to a group of approximately 65 MFDV vendors that have previously registered with the City for inclusion in MFDV operations during Special Event Permits. The group's feedback was requested, and they were invited to the Planning and Land Development Regulation Board (PLDRB) meeting on December 17, 2025. That stakeholder group was also invited to the City Council business meetings for MFDVs.

The PLDRB voted to recommend approval of the draft ordinance with a recommendation to strike the six-hour limit on private catered events and to have any amplified noise/music be regulated by the City's noise ordinance similar to a bar or restaurant.









Recommended Action:

ADOPT ORDINANCE 2026-XX MOBILE FOOD DISPENSING VEHICLES.

Questions?



**ORDINANCE 2026-
MOBILE FOOD DISPENSING VEHICLES**

AN ORDINANCE AMENDING THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE SECTION 3.03, NONRESIDENTIAL AND MIXED-USE ZONING DISTRICTS; ADDING UNIFIED LAND DEVELOPMENT CODE SECTION 4.22, MOBILE FOOD DISPENSING VEHICLES AND TEMPORARY COMMERCIAL KITCHENS; AMENDING UNIFIED LAND DEVELOPMENT CODE SECTION 14.02 GLOSSARY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 2020-160, Laws of Florida, was approved by the Governor on June 30, 2020, and took effect on July 1, 2020. This law established Section 509.102, Florida Statutes, which permits a local government to regulate the operation of mobile food dispensing vehicles and preempts a local government from prohibiting mobile food dispensing vehicles from operating within the entirety of the local government's jurisdiction; and

WHEREAS, Chapter 2023-48, Laws of Florida, was approved by the Governor on May 11, 2023, and took effect on July 1, 2023. The law further amended Section 509.102, Florida Statutes, and added a definition for temporary commercial kitchens and provided limitations upon their operations, and

WHEREAS, these proposed regulations are authorized under Chapter 163, Florida Statutes, to establish reasonable zoning regulations on the locations as well as the operations of mobile food dispensing vehicles and temporary commercial kitchens; and

WHEREAS, the City Council has determined it is reasonable and in the public interest to permit mobile food dispensing vehicles and temporary commercial kitchen sites in the following zoning districts: General Commercial (COM-2), Heavy Commercial (COM-3), and the nonresidential portions of Master Planned Development (MPD) as a permitted use and within the Public/Semipublic (PSP), Parks and Greenways (P&G) as an accessory use; and

WHEREAS, the City Council has determined it is appropriate and in the public interest to provide regulations pertaining to the siting and operations of mobile food dispensing truck and temporary commercial kitchens within the City; and

WHEREAS, the City of Palm Coast finds and determines the amendments herein are consistent with all applicable policies of the City's adopted Comprehensive Plan, are not in conflict with the public interest, will not result in incompatible land uses; and

WHEREAS, words with double 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 UNIFIED LAND DEVELOPMENT CODE
SECTION 3.03, NONRESIDENTIAL AND MIXED USE ZONING DISTRICTS. That Table 3-4, *Nonresidential and Mixed Use Zoning Districts – Use Table* housed under Section 3.03, Nonresidential and Mixed Use Zoning Districts, of Chapter 3, Zoning Uses, and Dimensional Standards, of the Unified Land Development Code (LDC), City of Palm Coast, Florida, is hereby amended to add a specific use type of "Mobile Food Dispensing Vehicle or Temporary Commercial Kitchens" under Eating, Drinking and Entertainment as a permitted use in the COM-2, COM-3, IND-1, and MPD zoning districts, and as an accessory use within the COM-1, COM-2, COM-3, IND-1, PSP, P&G, and MPD zoning districts; additionally "Microwbreweries" is relabeled as "Microbreweries".

| Specific Use Type | COM-1 | COM-2 | COM-3 | OFC-1 | OFC-2 | IND-1 | IND-2 | PSP | P & G | PRS | MPD 1 |
|---|----------|-----------|-----------|----------|----------|-----------|----------|----------|----------|----------|-----------|
| *** | | | | | | | | | | | |
| Eating, Drinking and Entertainment | | | | | | | | | | | |
| Adult-Oriented Businesses (L) | - | - | - | - | - | - | P | - | - | - | - |
| Drinking Establishments (without outdoor entertainment) (L) | - | P | P | - | - | - | - | - | - | - | P |
| Drinking Establishments (with outdoor entertainment) (L) | - | S | P | - | - | - | - | - | - | - | P |
| Beer, Wine, and Liquor Stores (L) | P | P | P | P | P | - | - | - | - | - | P |
| Cafeterias, Coffee and Donut Shops, Snack Bars, Sandwich Shops, Delicatessens, Bakeries | P | P | P | P | P | S | | P | - | - | P |
| <u>Microbreweries</u> <u>Microbreweries (L)</u> | - | S | P | - | - | P | - | - | - | - | P |
| <u>Mobile Food Dispensing Vehicle or Temporary Commercial Kitchens (L)</u> | <u>A</u> | <u>PA</u> | <u>PA</u> | <u>=</u> | <u>=</u> | <u>PA</u> | <u>=</u> | <u>A</u> | <u>A</u> | <u>=</u> | <u>PA</u> |
| Performing Arts Facilities (e.g. dinner theaters) | S | P | P | - | - | - | - | P | - | - | P |
| Pizza Delivery Establishments and Takeout Places | P | P | P | P | P | S | - | - | - | - | P |
| Restaurants, Fast Food (L) | - | P | P | - | - | - | - | - | - | - | P |
| Restaurants, Sit-Down | P | P | P | P | P | - | - | - | - | - | P |
| *** | | | | | | | | | | | |

Footnotes for Table 3-4:

1 Only if use is specifically mentioned within the MPD Development Agreement.

2 A medical marijuana treatment center dispensing facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school. F.S. § 381.986.

3 If subject property is within 500 feet of any residential property, a special exception for the use is required in accordance with Section 2.07—Special Exceptions.

4 New developments pursuant to the Live Local Act shall be authorized in accordance with Section 3.06, until the sunset of the Live Local Act on October 1, 2033, or as amended. Live Local Act developments shall be considered conforming after the sunset of the Act, as long as they maintain their affordability compliance as outlined in Section 3.06.

SECTION 3. ESTABLISHMENT OF UNIFIED LAND DEVELOPMENT CODE

SECTION 4.22, MOBILE FOOD DISPENSING VEHICLES AND TEMPORARY COMMERCIAL KITCHENS.

That Section 4.22, *Mobile Food Dispensing Vehicles and Temporary Commercial Kitchens*, of Chapter 4, Conditions For Limited Specific Uses and Activities, of the Unified Land Development Code, City of Palm Coast, Florida, is established and shall read as follows:

Sec. 4.22. – Mobile Food Dispensing Vehicles and Temporary Commercial Kitchens.

4.22.01. Purpose and Intent. The purpose of this section is to establish operational and zoning standards for Mobile Food Dispensing Vehicles and Temporary Commercial Kitchens (MFDV) in the City in effort to be compliant with Section 509.102, Florida Statutes. The standards within this section shall apply to MFDVs in the City of Palm Coast, with the following exceptions:

A. MFDVs associated with a special event in accordance with Chapter 28, Article II - Special Events of the City's Code of Ordinances.

B. MFDVs associated with catered private events not longer than six (6) hours on private land where no food product, sale, or service is made available to the general public.

4.22.02. Zoning Applicability. MFDVs shall be permissible as depicted under LDC Section 3.03 Table 3-4. MFDVs shall be prohibited in any other zoning district. MFDV parks as a principal use shall be permitted in COM-2, COM-3, IND-1, and MPDs as determined by their Development Agreements. MFDVs as an accessory use to sites with an existing principal use shall be permitted in COM-1, COM-2, COM-3, IND-1, PSP, P&G, and MPDs as determined by their Development Agreements. The utilization of an MFDV shall be considered a customary ancillary use of sites developed as a park, performing arts center, or athletic complex within the City.

4.22.03. Site Plan Approval. Proposed MFDV sites developed as a principal use shall require the approval of a Technical Site Plan in accordance with LDC Section 2.11. Sites developing as an accessory use, as allowed under Sec. 4.22.02, shall not require technical site plan approval. Rather, sites developing for an accessory use shall submit an application by the Property Owner or authorized agent on a form prescribed by the City. This application shall require a concept plan showing the location of MFDV operational area along with a statement that identifies the intended: number of MFDV spaces, hours of operation, and frequency of operations.

4.22.04. Indemnity. MDFV sites that operate as a principal or accessory use shall submit an application by either the property owner(s) or their authorized agent. In the event that an agent other than the property owner submits the application, a notarized authorization of owner(s) shall also be submitted. The applicant by means of the application shall indemnify, defend, and hold the City harmless against all liability, claims for damages, and suits for or by reason of any injury to any person, including death, and damage to any property, arising out of or in connection with the operation of a MFDV site.

4.22.05. Development Standards. Proposed MFDV sites shall be subject to these supplemental development standards:

- A. Principal Use. MFDV sites developed as a principal use shall provide permanent common facilities for the use of all mobile food vendors (MFV) and/or customers. These facilities shall be permanent to the site and include accessible restrooms, dining areas, and common private refuse collection on site. Common dining areas may be either indoors or outdoors, and if developed outdoors, outdoor lighting shall be provided pursuant to LDC Section 9.08. The site may develop small outdoor recreation areas (i.e. playgrounds, splash pads, etc.) as an ancillary use to a MFDV site subject to any applicable development regulations. The site shall provide a common parking area that is separated from the vending areas, dining areas, and any provided outdoor recreation.

B. *Accessory Use.* MFDV sites developed as an accessory use shall be limited to the zoning districts identified in Sec. 4.22.02 on property that is developed with an existing conforming principal use. MFDVs shall not operate on nonconforming or vacant lots. MFDVs operating as an accessory use shall not require additional parking areas, dining areas, or restroom areas outside of those required for the principal use. In no circumstances shall their usage reduce the available parking area for the principal use below the site's required parking.

C. *Operating Hours.*

- a. *As a Principal Use.* MFVs shall not offer food product, sale, or service to the general public between the hours of 2:00 a.m. and 6:00 a.m. MFDVs are not required to be removed from the parcel during this time.
- b. *As an Accessory Use.* MFVs shall not offer food product, sale, or service to the general public outside of the hours of operation of the principal use. During the final operating hour of the principal use, the MFV shall cease operations and restore the site to its condition before MFDV sales began. MFDVs shall be subject to daily removal from the site outside of the principal use's operating hours. MFDVs shall not operate between the hours of 2:00 a.m. and 6:00 a.m. MFDVs shall vacate an MFDV site outside of the principal use's operating hours. The provisions of this subsection shall have the following exemptions:
 - i. Any MFDV that is operated on the same premises as and by a separately licensed public food service establishment may operate during the same hours of operation as the separately licensed public food service establishment that operates such mobile food dispensing vehicle or temporary commercial kitchen.

- ii. Nightly removal of a MFDV is not necessary if the mobile food dispensing vehicle or temporary commercial kitchen that is operated on the same premises as and by a separately licensed public food service establishment in conjunction with Subsection 509.102(3) Florida Statutes.

D. On-site Locational Requirements.

- a. General. MFDV sites shall not impact easements, wetlands, required landscape or wetland buffers, threatened or protected species, drive aisles, pedestrian sidewalks/cross walks, emergency access, fire lanes, loading zones, public rights-of-way, or otherwise impede traffic patterns or ingress and egress to buildings and businesses. MFDVs shall be located on an impervious surface
- b. As a Principal Use. Any ancillary recreational areas provided for MFDV sites developed as a principal use may be located on either a pervious or impervious surface and shall be enclosed by a perimeter fence and buffered a minimum five (5) feet from any parking area or drive aisle.
- c. As an Accessory Use. Operations of such an accessory use within a vehicular use area (such as a parking lot or internal drive aisle) shall provide on-site marking of the MFDV area with traffic cones a minimum of at least a three feet high every six feet surrounding the area of operations. Traffic cones markings are not required in the event that the MFDV area is not in a vehicular use area on the site.

E. Minimum Dimensional Requirements.

- a. As a Principal Use. MFDV sites developed as a principal use shall be limited as depicted in Table 4-7. Each MFDV operated as a principal use shall require its own space as provided in Table 4-7. Restrooms for MFDV sites developed as a principal use are required regardless of Florida Administrative Code 61C-

4.010(8)(a), as that exemption is limited in scope for individual MFDVs operating in a temporary capacity and does not extend to a permanent MFDV site.

Table 4-7: Dimensional Requirements for MFDV sites developed as Principal Use.

| <u>Standard</u> | <u>Dimension</u> |
|---|---|
| <u>Minimum Lot Size</u> | <u>20,000 sq. ft.</u> |
| <u>Minimum Space per MFDV</u> | <u>500 sq. ft.</u> |
| <u>Minimum Space length per MFDV</u> | <u>25'</u> |
| <u>Minimum Space width per MFDV</u> | <u>20'</u> |
| <u>Maximum Number of MFDV Spaces</u> | <u>15</u> |
| <u>Minimum MFDV Space Setbacks from Property Boundaries</u> | <u>As required by the underlying zoning district or MPD Development Agreement.</u> |
| <u>Minimum Separation Between MFDV Spaces</u> | <u>10 feet</u> |
| <u>Minimum Parking</u> | <u>2 parking spaces per MFDV + 1 space per 75 sq ft of dining areas.</u> |
| <u>Minimum Seating Area</u> | <u>10 seats per MFDV</u> |
| <u>Maximum Seating Area</u> | <u>30 seats per MFDV</u> |
| <u>Minimum Restroom Requirements</u> | <u>Refer to Florida Building Code Assembly Occupancy group for minimum restroom requirements.</u> |

- b. As an Accessory Use. MFDV sites developed as an accessory use shall be limited to sites developed with an existing conforming permitted principal use. Additionally, MFDV sites developed as an accessory use shall meet the minimum dimensional requirements as depicted in Table 4-8. Each MFDV

operated as an accessory use shall require its own space as provided in Table 4-8.

Table 4-8: Dimensional Requirements for MFDV sites developed as an Accessory Use.

| <u>Standard</u> | <u>Dimension</u> |
|--|--|
| <u>Minimum Lot Size</u> | <u>20,000 sq. ft.</u> |
| <u>Minimum Space per MFDV</u> | <u>500 sq. ft.</u> |
| <u>Minimum Space length per MFDV</u> | <u>25'</u> |
| <u>Minimum Space width per MFDV</u> | <u>20'</u> |
| <u>Maximum Number of MFDV Spaces</u> | <u>3</u> |
| <u>Minimum Setbacks from Property Boundaries</u> | <u>As required by the underlying zoning district or MPD Development Agreement.</u> |
| <u>Minimum Separation Between MFDV Space</u> | <u>10 feet</u> |

- c. Administrative Deviations. Administrative deviations of these standards shall be subject to the approval of the Land Use Administrator pursuant to the following limitations and LDC Section 2.13. Deviations to the minimum width of an MFDV space shall be conditioned upon the space providing a minimum of a two foot increase to the minimum length of the MFDV space for every foot reduced as the minimum width is intended to provide an adequate safe space for customers to queue. Deviations increasing the maximum number of spaces shall require an increase of 10,000 sq. ft. to the minimum lot size for every additional space provided, not to exceed a maximum of five additional spaces. The minimum separation distance between MFDVs shall not be reduced, as that space is intended for fire separation purposes.

F. Outdoor Dining and Signage.

- a. *As a Principal Use.* MFDV sites that are permitted as a principal use shall provide permanent dining areas as required in Table 4-7 above.
- b. *As an Accessory Use.* An MFDV that operates as an accessory use within a vehicular use area shall not provide any outdoor dining areas, tents, or canopies. MFDVs that operate as an accessory use outside of a vehicular use area may provide temporary seating, tents, or canopies, that are removed when the MFDV ceases daily operations, subject to the approval of the property owner. Each MFDV shall be required to provide its own waste receptacle for customer use during its hours of operation. A MFDV shall be able to provide a temporary A-fame sign to be located no further than five feet from the MFDV for purposes of providing a menu board, pursuant to LDC Section 12.06.03. Any provided seating, tents, or canopies shall be fully enclosed within the approved MFDV space and setback at least five (5) feet from any adjacent vehicular use area.

G. *Fire Safety.* Obstructions shall not be placed or kept near fire hydrants, fire department inlet connections, or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately visible and accessible. A clear and unobstructed path of a width at least eight (8) feet shall be provided and maintained for access to the fire department inlet connections. All MFDVs shall have a fully charged fire extinguisher located on the premises at all times during operations.

H. *Noise and Lighting.* Amplified music or other sounds from any MFDV is prohibited. Outdoor lighting utilized for the operations of MFDV shall comply with LDC Section 9.08.

I. *Illicit Discharge.* MFDVs shall be prohibited from discharging fat, oil, grease, or wastewater into the sanitary sewer system. Spills of oil, fuel, coolant, or similar hazardous liquids shall be immediately contained and cleaned up to minimize

potential environmental impacts. Such liquids shall be prohibited from being discharged into the sanitary sewer system. Any illicit discharge shall be reported to the City of Palm Coast.

K. *Limitations and Code Enforcement.* MFDVs authorized by this section shall meet the definition of “mobile food dispensing vehicle” or “temporary commercial kitchen” as defined by Section 509.102, Florida Statutes. Further, MDFVs authorized by this section shall meet the definition of a “public food service establishment” as defined in Section 509.013, Florida Statutes. This section shall not authorize mobile vendors that provide other non-food related services. Operating a MFDV site or MFDV within the City of Palm Coast without complying with the provisions established within this section or as exempted, in subsection 4.22.01 above, shall be subject to code enforcement action pursuant to Chapter 2 Article V Division 1 – Code Enforcement Board of the City’s Code of Ordinances.

4.22.06 *Utilization MFDVs on City-Owned or Leased Land.* The City may permit the development of a MFDV site to allow for the limited operations of MFDVs on City-owned or leased land pursuant to the above regulations outside of an approved special event permit in accordance with Chapter 28, Article II – Special Events of the City’s Code of Ordinances. The operations of such a site shall be established by City operating policies which may be amended from time to time.

SECTION 4. AMENDMENT TO SECTION 14.02 GLOSSARY. That Section 14.02, *Glossary*, of Chapter 14, *Glossary*, of the Unified Land Development Code, City of Palm Coast, Florida, is hereby amended to read as follows:

Sec. 14.02. - Glossary.

* * *

MFDV: This acronym shall refer to either Mobile Food Dispensing Vehicle or Temporary Commercial Kitchen.

MFV: MFV shall be an acronym used interchangeably with Mobile Food Vendor.

Mobile Food Dispensing Vehicle: Mobile Food Dispensing Vehicle shall have the same definition as found in Section 509.102(1)(a), Florida Statutes, as amended.

Mobile Food Vendor: A vendor that operates a Mobile Food Dispensing Vehicle or Temporary Commercial Kitchen.

Public Food Service Establishment: Public Food Service Establishment shall have the same definition as found in Section 509.013(5)(a), Florida Statutes, as amended.

Temporary Commercial Kitchen: Temporary Commercial Kitchen shall have the same definition as found in Section 509.102(1)(b), Florida Statutes, as amended.

* * *

SECTION 5. 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 6. CONFLICTS. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 7. 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 Unified Land Development Code 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 8. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and adoption.

APPROVED on first reading this 20th day of January 2026.

ADOPTED on second reading after due public notice and hearing this 3rd day of February 2026.

ATTEST:

CITY OF PALM COAST

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: February 3, 2026

Ordinance Number: 2026-XX

Posted To Webpage: December 10, 2025

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

**AN ORDINANCE AMENDING THE CITY OF PALM COAST
UNIFIED LAND DEVELOPMENT CODE SECTION 3.03,
NONRESIDENTIAL AND MIXED-USE ZONING DISTRICTS;
ADDING UNIFIED LAND DEVELOPMENT CODE SECTION 4.22,
MOBILE FOOD DISPENSING VEHICLES AND TEMPORARY
COMMERCIAL KITCHENS; AMENDING UNIFIED LAND
DEVELOPMENT CODE SECTION 14.02 GLOSSARY;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
CONFLICTS; PROVIDING FOR CODIFICATION; 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

X 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 city;
- 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 is implemented to ensure compliance with §509.102 Florida Statutes (F.S.) regarding the operation of Mobile Food Dispensing Vehicles and Temporary Commercial Kitchens. Therefore, it is exempt for analysis of the following sections.

ECONOMIC IMPACT ON BUSINESS

a. Estimated number of businesses impacted: Not applicable.

b. Types of businesses affected: Not applicable.

Estimated direct economic impact: Not applicable.

Negative impact: Not applicable.

Compliance Costs: Not applicable.