

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA APPROVING TEXT AMENDMENTS TO APPENDIX B OF THE CITY OF PALMETTO CODE OF ORDINANCES TO AMEND REGULATIONS FOR HOME OCCUPATION AND HOME-BASED BUSINESSES; FINDING THIS REQUEST TO BE CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of Palmetto, Florida, has been given authority by the State of Florida pursuant to Chapter 163, Florida Statutes, to adopt, amend and update the text of the City of Palmetto Code of Ordinances; and

WHEREAS, the Florida Legislature amended Chapter 559, Florida Statutes, to add Section 559.955 provide for restrictions on permitting of home-based business uses by local governments; and

WHEREAS, the City Commission desires to clarify and amend provisions regulating and relating to home occupations and home-based businesses to be consistent with Florida law; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, did hold a duly noticed public hearing on September 19, 2024, to consider said amendments to the Code of Ordinances; and

WHEREAS, after holding the required public hearings and considering all information provided, the City Commission adopts text amendments to Appendix B of the Palmetto Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF PALMETTO, FLORIDA, AS FOLLOWS:

Section 1: The above “Whereas” clauses are hereby adopted and incorporated herein as findings of fact.

Section 2: Amend Appendix B of the Palmetto Code of Ordinances to replace all references from “City Council” to “City Commission.”

Section 3: Section 6.12 of Appendix B of the City of Palmetto Code of Ordinances is hereby amended to read in its entirety as follows:

Sec. 4.2. Schedule of permitted and conditional uses by district.

X=Permitted use
 C=Conditional use (see Ordinance No. 196)
 —=Prohibited use

Use	Zoning District													
	E-R	RS-1	RS-2	RS-3	RS-4	MHP-1	RM-5	RM-6	GO	CN	CC	CG	CHI	P
<i>Residential support uses</i>														
Home occupation (see sections 6.12)	X	X	X	X	X	X	X	X	—	—	—	—	—	—

Sec. 6.12 – Home Occupations/Home-Based Businesses.

Home occupations or home-based businesses are permitted in any dwelling unit or from any residential property, subject to the following provisions:

1. The employees of the business who work at the residential dwelling must also reside in the residential dwelling, except that up to a total of two employees or independent contractors who do not reside at the residential dwelling may work at the business. The business may have additional remote employees that do not work at the residential dwelling.
2. Vehicles and trailers used in connection with the business must be parked in legal parking spaces that are not located within the right-of-way, on or over a sidewalk, or on any unimproved surfaces at the residence.
3. The parking or storage of heavy equipment (i.e., commercial, industrial, or agriculture vehicles, equipment, or machinery) shall not be visible from the street or neighboring property.

4. As viewed from the street, the use of the residential property shall be consistent with the uses of the residential areas that surround the property. External modifications made to a residential dwelling to accommodate a home-based business must conform to the residential character and architectural aesthetics of the neighborhood.
5. The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property.
6. The activities of the home-based business shall be secondary to the property's use as a residential dwelling.
7. The business activities of the home-based business shall comply the applicable Code of Ordinances sections:
 - a. Chapter 3, Signs.
 - b. Chapter 5, Article I, Noise.
 - c. Such regulations in 7.a. and 7.b above shall not be more stringent than those that apply to a residence where no business is conducted.

Section 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6: That if any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 7: Upon becoming effective, the City Clerk is hereby directed to provide for codification of the text changes as provided herein.

Section 8: This Ordinance shall become effective upon the execution by the Mayor, or if disapproval occurs, upon reconsideration by the City Commission and the passing of the Ordinance by at least four (4) votes.

PASSED AND DULY ADOPTED, by the City Commission, in open session, with a quorum present and voting, this 18th day of November, 2024.

First Reading: 08/12/2024

Publication: 09/08/2024 + 10/30/2024

Second Reading and Public Hearings: 09/23/2024 + 11/18/2024

CITY OF PALMETTO, FLORIDA, BY
AND THROUGH THE CITY
COMMISSION OF THE CITY OF
PALMETTO

By: 
DANIEL WEST, MAYOR

ATTEST: James R. Freeman, City Clerk

By: 
City Clerk/Deputy Clerk



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36043	589048	CITY PALMETTO	ORDINANCE NO. 2024-04	\$967.00	3	10.18 in

Attention: Cassi Bailey

CITY PALMETTO
 PO BOX 1209
 PALMETTO, FL 34220

C.Bailey@palmettofl.org

Copy of ad content
 is on the next page

THE STATE OF TEXAS COUNTY OF DALLAS

Before the undersigned authority personally appeared Crystal Trunick, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of Public Notice, was published in said newspaper in the issue(s) of:

1 insertion(s) published on:

09/08/24

THE STATE OF FLORIDA COUNTY OF MANATEE

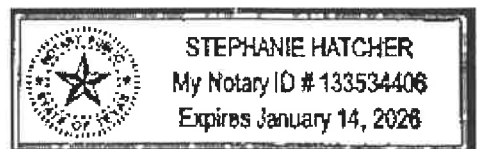
Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The McClatchy Company complies with all legal requirements for publication in chapter 50, Florida Statutes.

Crystal Trunick

Sworn to and subscribed before me this 9th day of September in the year of 2024

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

NOTICE OF HEARING CITY OF PALMETTO

HEARINGS MAY BE CONTINUED FROM TIME TO TIME

The City of Palmetto Planning and Zoning Board, serving as the Local Planning Agency, will hold a public hearing on Thursday, September 18, 2024, at 6:45 PM. The City Commission will hold public hearing on Monday, September 23, 2024 and on October 7, 2024 at 7:00PM. All meetings will be held in the Palmetto City Hall Chambers, 818 2nd Avenue West, Palmetto, FL., to consider an application initiated by the City of Palmetto, to consider the adoption of the following ordinance:

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA APPROVING TEXT AMENDMENTS TO APPENDIX B OF THE CITY OF PALMETTO CODE OF ORDINANCES TO AMEND REGULATIONS FOR HOME OCCUPATION AND HOME-BASED BUSINESSES; FINDING THIS REQUEST TO BE CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

The proposed text amendments will affect all the properties within the City of Palmetto City limits as shown in the below map:



The Public Hearing may be continued until final action is taken. All interested persons are invited to appear and be heard. Written comments filed at City Hall will be heard and considered.

If any person desires to appeal any decision of the City Commission or any other Board of the City, that person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 206.0104).

The City of Palmetto does not discriminate on the basis of race, color, national origin, sex, religion, age, marital status or handicapped status in employment or in the provision of services. Handicapped individuals may receive special accommodation in services on 48 hours' notice (Fla. Stat. 296.26). Anyone requiring reasonable accommodation for this meeting, as provided for in the American with Disabilities Act, should contact the City Clerk at 841-723-4670, FAX 841-723-4676 or email thecityclerk@palmettofl.org or CS@palmettofl.org.



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

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 CITY PALMETTO
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 PALMETTO, FL 34220

CBailey@palmettofl.org

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 is on the next page

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Before the undersigned authority personally appeared Crystal Trunick, who on oath says that he/she is Legal Advertising Representative of the The Bradenton Herald, a newspaper published in Manatee County, Florida, that the attached was published on the publicly accessible website of The Bradenton Herald or by print in the issues and dates listed below.

1 insertion(s) published on:
 10/30/24

THE STATE OF FLORIDA COUNTY OF MANATEE

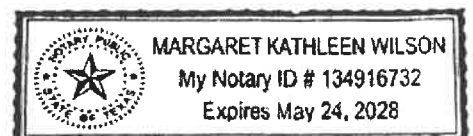
Affiant further says that The Bradenton Herald website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.'

Crystal Trunick

Sworn to and subscribed before me this 30th day of
 October in the year of 2024

Margaret K. Wilson

Notary Public in and for the state of Texas, residing in
 Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy

NOTICE OF HEARING CITY OF PALMETTO

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