



# MEMORANDUM

DATE: April 7, 2025  
TO: City Commission  
FROM: Jordan Smith, AICP, PP Planning and Development Services Director  
THRU: Doc Dougherty, City Manager  
SUBJECT: Ordinance No. 06-2025, Amendment to Section 110-807, of Article VIII, of Chapter 110 "Zoning, of the Land Development Code (Legislative – Public Hearing) (Jordan Smith, Project Manager)

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**REFERENCES:** City Comprehensive Plan, Code of Ordinances.

**Request:** Updating Section 110-807, of Article VIII, of Chapter 110 "Zoning" in the Land Development Code, to be consistent with Florida Statute.

**Background:** On June 17, 2013, the Mayor and City Commission adopted Ordinance No. 06-2013, which included provisions for regulation Home Occupations (Section 110-807). This section of the code regulates the performance standards for such uses. In short, if a resident wished to operate a business from their home, they would apply for a home-based Business Tax Receipt, staff would ensure that the request met the requirements of Section 110-807, and the license would be issued. The resident would then be required to continue meeting said requirements.

During the 2021 Legislative Session, on June 29, 2021, the Governor signed Florida House Bill 403, creating Florida Statute (F.S. 559.955, "Home-based businesses; local government restrictions". As can be seen in the attachment, F.S. 559.955 effectively pre-empts local governments from regulating home-based businesses in any manner and requires residents to follow the requirements of F.S. 559.955. State law now prohibits local governments from regulating or restricting home-based businesses any different from other businesses in the local government's jurisdiction, except as provided in the legislation.

Due to the changes made by F.S. 559.955, the City needs to update the previously mentioned sections of the Code of Ordinances to follow Florida Statutes. The proposed changes are outlined in attached Ordinance No. 06-2025.

**PLANNING AND ZONING BOARD:** At their regular meeting on March 19, 2025, the Planning and Zoning Board voted unanimously, 6 to 0, to recommend that the Mayor and City Commission approve Ordinance 06-2025.

**NEXT STEPS:** The Mayor and City Commission will hear this item on April 7, 2025, for 1<sup>st</sup> Reading and May 5, 2025, for 2<sup>nd</sup> Reading.

**STAFF RECOMMENDATION:** Staff recommends approval of Ordinance No. 06-2025.

**ATTACHMENTS:**

- Ordinance No. 06-2025.
- HB 403 (For Reference)
- Section 110-810 – Redline.
- Section 110-810 – No Redline.