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**AGENDA ITEM
ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS**

Deadline for Submission - Wednesday 9 a.m. – Thirteen Days Prior to BCC Meeting

5/19/2026

BCC MEETING DATE

TO: Joy Andrews, County Administrator **DATE:** April 15, 2026

FROM: Amy Ring, Special Projects Manager **PHONE:** 904 209-0590

SUBJECT OR TITLE: First Reading - LDCA 2026-02 Home-Based Business

AGENDA TYPE: Business Item, Ordinance, Public Hearing, Report

BACKGROUND INFORMATION:

This amendment amends Land Development Code Article II (Zoning Districts and Special Uses), Article III (Special Districts) and Article XII (Definitions) to codify changes to State Statute that went into effect on July 1, 2021 with the enactment of House Bill 403. The bill added Florida Statute 559.955, which stipulates the policies local governments may implement to regulate home-based businesses. This amendment brings the Land Development Code into compliance with F.S. 559.955 by adding the allowed specified criteria to Home-Based Business as permitted in zoning districts allowing residential use. The amendment also removes outdated language no longer in statute.

1. IS FUNDING REQUIRED? No **2. IF YES, INDICATE IF BUDGETED.** No
IF FUNDING IS REQUIRED, MANDATORY OMB REVIEW IS REQUIRED:
INDICATE FUNDING SOURCE:

SUGGESTED MOTION/RECOMMENDATION/ACTION:

First hearing; no Board action required.

For Administration Use Only:
Legal: Kealey West 5/4/2026 **OMB:** ARM 5/4/2026 **Admin:** Brad Bradley 5/5/2026



Growth Management Department
Growth Management Report
LDC Amendments – Home-Based Business

To: Board of County Commissioners

From: Amy Ring, Special Projects Manager

Date: May 7, 2026

Subject: **LDCA 2026-02 Home-Based Business**

Hearing Date: PZA – May 7, 2026
BCC – May 19, 2026 (first hearing)
BCC – June 2, 2026 (second hearing)

Commissioner
District: N/A

SUMMARY

This amendment revises Land Development Code Article II (Zoning Districts and Special Uses), Article III (Special Districts), and Article XII (Definitions) to codify changes to regulations for home-based businesses that went into effect on July 1, 2021 after Governor DeSantis signed HB403. HB403 established Florida Statute 559.955, which limits the policies local governments can implement to regulate a home-based business beyond specified criteria (See **Attachment 3 Supporting Documentation**).

According to F.S. 559.955, a home-based business that operates from a residential property may operate in an area zoned for residential use and may not be regulated or licensed in a manner different from other businesses in a local government's jurisdiction except as provided in the statute. A business is considered a home-based business if it operates, in whole or in part, from a residential property and complies with specific criteria dictating the number of allowable non-resident employees of the home-based business that may work at the residence, parking and storage of heavy vehicles associated with the business, and the intensity of the home-based business activities (sound, odor, hazardous materials, etc.). All retail transactions must take place within the residential dwelling.

AMENDMENT SUMMARY

A red-line version of the proposed changes to the Land Development Code to maintain consistency with F.S. 559.955 is included as **Attachment 2** of this report and includes:

1. Removing references to and the definition of Home Occupation.
2. Adding references to and a definition of Home-Based Business.
3. Removing Home Occupation as a Special Use.
4. Adding statute-allowed criteria for Home-Based Businesses for Permitted Accessory Uses.

CORRESPONDENCE/PHONE CALLS

Staff have not received any public inquiry into these proposed changes.

PLANNING AND ZONING AGENCY

The Planning and Zoning Agency recommended approval of this item on May 7, 2026 with a vote of 5:1 (Olson dissenting; Hilsenbeck absent). Agency members asked and received confirmation that community associations may limit Home-Based Businesses pursuant to F.S. 559.955(5)(a). The Agency requested general clarification on parking and signage related to Home-Based Business. There was no public comment.

BOARD ACTION

First hearing; no Board action required.

ATTACHMENTS

1. **Ordinance**
2. **Redline**
3. **Supporting Documentation**
F.S. 559.955

Attachment 1
Ordinance

ORDINANCE NO. 2026-_____

AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS, ST. JOHNS COUNTY, FLORIDA, AMENDING PORTIONS OF ST. JOHNS COUNTY LAND DEVELOPMENT CODE (ORDINANCE 1999-51, AS AMENDED), SPECIFICALLY AMENDING SECTION 2.02.04 (ACCESSORY USES), PART 2.02.00 (USES ALLOWED WITHIN ZONING DISTRICTS), ARTICLE II (ZONING DISTRICTS AND SPECIAL USES) AND TABLE 2.03.01 (TABLE OF ALLOWABLE AND SPECIAL USES), PART 2.03.00 (ALLOWABLE AND SPECIAL USES), ARTICLE II (ZONING DISTRICTS AND SPECIAL USES) AND TABLE 3.11.05, PART 3.11.00 (WEST AUGUSTINE OVERLAY DISTRICT) AND TABLE 3.12.04 (PERMITTED USES BY DISTRICT), PART 3.12.00 (HASTINGS OVERLAY DISTRICT), ARTICLE III (SPECIAL DISTRICTS), TO REMOVE HOME OCCUPATION AS A USE IN ALL ZONING CLASSIFICATIONS AND ALLOWING HOME-BASED BUSINESSES CONSISTENT WITH 559.955, FLORIDA STATUTES; AND AMENDING ARTICLE XII (DEFINITIONS) TO REMOVE THE DEFINITION FOR HOME OCCUPATION AND ADD A DEFINITION FOR HOME-BASED BUSINESS CONSISTENT WITH 559.955, FLORIDA STATUTES; PROVIDING FOR APPLICABILITY; PROVIDING FOR CODIFICATION AND INCLUSION IN THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENERS ERRORS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, local land development regulations require evaluation and revision to address public health, safety and welfare issues that may occur during the implementation of land development regulations; and

WHEREAS, St. Johns County desires to amend certain provisions of the Land Development Code, enacted pursuant to Part II of Chapter 163, Florida Statutes, to maintain consistency with Florida State Statute 559.955, relating to regulating home-based business; and

WHEREAS, pursuant to section 125.66, Florida Statutes, a business impact estimate is not required for ordinances enacted pursuant to Part II of Chapter 163, relating to compliance with federal or state law or regulation; and

WHEREAS, the Board finds and determines that the amendment to the St. Johns County Land Development Code set forth herein is in the best interest of the County and in furtherance of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

Section 1. Legislative Findings of Fact. The above Recitals and WHEREAS clauses are true and correct and are hereby adopted as legislative findings and incorporated herein by reference and made a part hereof.

Section 2. Land Development Code Regulations. Articles II, III, and XII of the St. Johns County Land Development Code, Ordinance No. 1999-51, as previously amended, are hereby amended as follows in the attached **Exhibit A**, incorporated herein and made a part of this Ordinance.

Section 3. Applicability. The remaining portions of the St. Johns County Land Development Code, Ordinance No. 99-51, as amended, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 4. Inclusion and Codification into the Land Development Code. It is the intent of the St. Johns County Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the St. Johns County Land Development Code, Ordinance No. 1999-51, as previously amended, and that the parts, sections, and attachments of this Ordinance may be renumbered, reorganized, relettered, and appropriately incorporated into the Land Development Code in order to accomplish such intentions.

Section 5. Severability. It is the intent of the St. Johns County Board of County, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is, for any reason, declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the constitutionality or validity of the ordinance as a whole, or any part thereof, other than the part so declared.

Section 6. Scriveners Errors. It is the intent of the St. Johns County Board of County Commissioners that scriveners and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

Section 7. Effective Date. This Ordinance shall take effect upon a certified copy of this Ordinance being filed with the Florida Department of State.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this _____ day of _____ 2026.

**BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA**

By: _____
Clay Murphy, Chair

Attest: Brandon J. Patty,
Clerk of the Circuit Court & Comptroller

By: _____
Deputy Clerk

Attachment 2
Redline

Sec. 2.02.04 Accessory Uses

A. Generally

1. The review of Accessory Uses shall be the same as is required for the principal Use. All required Accessory Uses for any principal Use, including but not limited to off-street parking and loading areas, retention or drainage areas, and private sewer or Water Systems shall be located on the same Parcel as the principal Use and shall have the same or similar zoning district designation as the principal Uses, except in accordance with the Site Plan review requirements in Part 5.02.00 of this Code and/or except as expressly permitted elsewhere in this Code. In no case shall the principal or Accessory Use be located in a zoning district where that Use is not either a permitted Use or a Special Use.
2. Where a Building or Structure containing such principal Use, such Building or portion shall be considered as part of a principle Building and not an accessory Building.
3. Accessory Uses and Structures shall not be located in required Front and Side Yards, in any residential district except as follows:
 - a. On double frontage Lots, through Lots and Corner Lots, Accessory Uses and Structures may be located in any required Side Yard.
 - b. Accessory Structures for the housing of persons such as Guest Houses or Employee Quarters, shall not be located in any required Yard.
 - c. Detached Accessory Structures (other than as in (b) above) which are separated from the main Structure by not less than ten (10) feet, may be located in a required Side or Rear Yard but not less than three (3) feet from any Lot line.
4. No accessory Building or Structure shall be used or occupied until the main Use Building on the Lot is being used, except for temporary storage of building supplies during the period of Construction of the main Use Building. No accessory Building or Structure shall be placed on a Lot or Parcel prior to the issuance of a Development Permit for the main Use Building or Structure. This restriction shall not apply to fences, retaining walls, boat docks, boat houses, dune walk-over Structures or well houses.

B. Permitted Accessory Uses, Residential Districts

Each of the following Uses is considered to be a customary Accessory Use, and as such, may be situated on the same Lot with, but detached from, the principal Use with which it is associated. ~~Except for Model Homes, as described in this Section, such Accessory Uses or Structures shall not involve the conduct of business of any kind and shall not attract visitors in larger numbers than would normally be expected in a residential district.~~ Accessory Uses or Structures shall not attract visitors in larger numbers than would normally be expected in a residential district.

1. Household Animals, provided that in residential districts the number of such pets

over ten (10) weeks in age shall not exceed five (5) unless a Special Use has been granted allowing a greater number. No Animals for commercial sale shall be kept or raised in residential districts. This provision shall not apply to small, contained Household Animals, including but not limited to: freshwater or saltwater fish, hamsters, turtles and similar Animals housed within the residence.

2. Guest House or Guest Quarters or Guest Cottage, provided the Structure is a unit in a Building separate from and Accessory in Use and size to the main residential Building on a Lot, intended and used only for intermittent or temporary occupancy by a non-paying guest or family member. A Guest House may contain limited kitchen facilities such as microwave oven, bar sink, less than 10 cubic foot refrigerator/freezer, provided the unit is not occupied by the same tenant in excess of thirty (30) days within the same calendar year, and the unit shall not be rented. A Guest House shall not be considered a separate Dwelling Unit provided such conditions are met. A Guest House shall also meet the same required yards as the principal Building or Structure.
3. Boat docks, piers, boat houses, boat houses, boat shelters, structures on docks, shall be permissible as accessory structures in residential districts and OR, Open Rural districts. In addition these structures may be located on parcel(s) of land that is not developed with a main use residential structure, provided adequate parking as defined in Section 6.05.02.E is placed on site, or within 300 feet of the dock parcel, unless a Special Use Permit is obtained permitting parking at distances greater than 300 feet from the dock parcel.

Boat docks, piers, boathouses, boat shelters and other structures on docks constructed or granted a permit for construction by an appropriate jurisdictional agency prior to October 30, 2007 shall be considered conforming structures. Therefore, those constructed prior to this date, or those constructed within the time frame of a permit issued by a jurisdictional agency prior to the date of adoption of this amendment shall be allowed to remain, be repaired and be replaced without consideration to the limitations and conditions of this Section. Such structures shall be exempt from this section, but shall be required to comply with all other jurisdictional agency requirements such as St. Johns River Water Management District, Army Corps of Engineers and shall continue to comply with applicable provisions of Section 4.01.00.

4. Private garages and storage Buildings, provided such Structure shall be accessory in size to the main residential Building and the maximum eave height shall be no greater than the maximum eave height of the main Use Structure, unless the Structure is placed in such a manner on the Lot that the Structure cannot be viewed from the front property line, either due to distance or by being fully screened with opaque fencing or landscape. All private garages and storage buildings shall require a building permit.
5. Air conditioning compressors including HVAC pad and unit, pool equipment and/or other equipment designed to serve the main Structure may be located in any required Side or Rear Yard but not less than five (5) feet from any Lot line.
6. Non-commercial green houses and plant nurseries, provided the Structures meet the requirements of four (4) above.

7. Personal radio, TV antennae or satellite dishes not exceeding thirty-six (36) inches in diameter, and radio antennae used exclusively for amateur radio purposes that comply with all the rules and regulations of the Federal Communications Commission, provided the following standards are met:
 - a. The proposed Structure is not located on property within an Airport overlay zone except in accordance with Article III; Part 3.04.00 nor would it result in restriction or interference with air traffic or air travel to or from any existing or proposed Airport.
 - b. The proposed Structure shall be setback from the zoning Lot line one (1) foot for every three (3) feet of height of the Structure.
 - c. A radio or television receiving dish shall be located within the rear of the zoning Lot (the portion of the zoning Lot which is more distant from the street than the portion of the principal Use) except for corner Lots. On corner Lots, the dish may be located in the portion of the Lot which functions as a Rear Yard, but shall not be located closer to the street than the front edge of the principal Use. Any dish located within a required Side Yard shall be located behind the principal Structure on any Lot.
 - d. On zoning Lots a minimum size of five (5) acres or less, radio and television receiving dishes shall not be located within required Front and Side Yards.
8. Private swimming pools, spas, as regulated herein, shall be any pool, pond, lake or open tank located either above or below the existing finished grade of the site, not located within a completely enclosed Building, and exceeding one hundred fifty (150) square feet in surface area and two (2) feet in depth, designed, used or intended to be used for swimming or bath purposes. A private swimming pool shall be allowed in a residential district as an Accessory Use only if it fully complies with the following conditions:
 - a. The pool is intended and is to be used solely for the enjoyment of the occupants or bona fide guests.
 - b. The pool meets the minimum Yard requirements of the zoning district in which it is located. Swimming pools are prohibited within the upland buffers associated with Wetlands, as described in Section 4.01.07 of this Code.
 - c. The pool shall be enclosed by a retaining wall, fence or other Structure having a minimum height of four (4) feet and so constructed or installed as to obstruct access thereto by persons other than the owners or occupants of the premises on which such swimming pool is located. All gates installed in such fences shall be self-latching with latches placed at least four (4) feet above the underlying ground. Gates shall be kept securely closed and latched at all times. If the property complies with the Residential Swimming Barrier Requirement of the Florida Building Code, as may be amended, the requirements of this subsection may be waived.
9. ~~Home-Based Businesses, including Home Office, Home Office, which shall be defined as Home Occupation consisting of a private office of a practitioner of a recognized profession, business or trade which does not involve in office contact~~

~~with clients or the public~~ shall be considered an allowable Accessory Use within all residential districts as well as any other district not allowing the Use as a allowable principal Use, subject to continuing compliance with the following criteria:-

- a. The activities of the Home-Based Business are secondary to the property's use as a residential dwelling.
- ~~a. No person shall be engaged in the conduct of the Home Office unless such person resides on the premises and that the premises shall be the primary residence for each of the persons engaged in the occupation.~~ b. 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 (2) 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.
- ~~b. The Use of the premises for the Home Office shall be clearly incidental and subordinate to its Use for residential purposes by its occupants and shall, under no circumstances, change the residential character thereof.~~ c. As viewed from the street, the use of the residential property for a Home-Based Business is 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.
- ~~d. There shall be no change in the outside appearance of the Building or premises or other visible evidence of the conduct of the Home Office.~~
- ~~e.d.~~ No one shall call upon the premises in connection with the Home Office and no traffic shall be generated by the Home Office in a greater volume than the traffic typical in the subject residential neighborhood. Parking related to the business activities of the Home-Based Business and the need for parking generated by the business may not be greater in volume than would normally be expected at a similar residence where no business is conducted. Vehicles and trailers used in connection with the business will adhere to the requirements of Sec. 2.04.02 of this Code. If allowed, 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. The parking or storage of heavy equipment for the Home-Based Business which is visible from the street or neighboring property will meet the minimum screening requirements of Sec. 6.06.04 of this Code. For purposes of this section "heavy equipment" means commercial, industrial, or agricultural vehicles, equipment, or machinery.
- e. All business activities must comply with any relevant local, state, or federal regulations with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids on residential property. There shall be no flammable or hazardous material stored on premises and
- f. All business activities must comply with any relevant local, state, or federal regulations with respect to signage and equipment or processes that create noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors on residential property.

~~In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises. No equipment or process shall be used in the Home-Based Business which creates noise, vibration, glare, fumes, odors or electrical interference off the Lot.~~

~~1. One (1) Sign may be permitted not exceeding one (1) square foot in area, non-illuminated, mounted flat against the wall of the residential dwelling at a position not more than two (2) feet from the main entrance to the residential dwelling.~~

~~f.g. _____~~

~~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. The activities of the Home Office shall occur entirely within the Dwelling Unit, excluding Accessory Structures such as garages, carports and sheds.~~

~~h. The application of this section does not supersede:~~

~~1. Any current or future declaration or declaration of condominium adopted pursuant to chapter 718, cooperative document adopted pursuant to chapter 719, or declaration or declaration of covenant adopted pursuant to chapter 720, Florida Statutes.~~

~~2. Local laws, ordinances, or regulations related to transient public lodging establishments, as defined in s. 509.013(4)(a)1., that are not otherwise preempted under chapter 509, Florida Statutes.~~

~~e. The Home Office shall not occupy more than twenty-five percent (25%) of the gross Floor Area of the Dwelling Unit, exclusive of the area of an open porch or attached garage or similar space not suited or intended for occupancy as living quarters.~~

~~d. Pick up or deliveries of any kind required by and made to the premises of the Home Office shall not exceed one business delivery per day.~~

~~e.g. _____ Any supplies stored on the premises shall be for the purpose of maintaining and operating the Home Office.~~

~~f. The physical address of the Home Office shall not be advertised and no signage of any kind be placed on the Building or property identifying the Home Office Use.~~

~~g. Home Offices not strictly conforming to all of the outlined criteria herein shall not be considered a Home Office and shall only be considered in accordance with the Home Occupation Special Use provisions contained in Part 2.03.00 of this Code.~~

~~h. The Home Office shall be open to inspection by St. Johns County inspectors upon reasonable notice to occupants and at reasonable times.~~

~~i. No person shall receive an occupational license and begin a Home Office without~~

~~first executing an affidavit with the County Administrator which certifies that the Applicant.~~

~~(1) Has received a copy of, understands, and will comply with the requirements for a Home Office set forth herein.~~

~~(2) Acknowledges that the County shall have the right to reasonably inspect the premises to assure compliance.~~

~~(3) Acknowledges that a departure from the standards will constitute a Code violation and may result in a suspension or termination of the Home Office Use.~~

E. Permitted Accessory Uses in Open Rural Districts

1. All Uses described in (B) above, except where in conflict with permitted Uses of agricultural districts or defined to apply to residential districts only. Seasonal sales and farm production tours/events are specifically permitted, as an Accessory Use, in Open Rural Districts. Such Uses shall provide for a safe surface and an adequate number of parking spaces suitable to accommodate traffic.
2. Fences, walls or hedges may be allowed along the edge of any required Yard in agricultural districts, provided that no fence, wall or hedge obstructs the view of approaching traffic in each direction and further provided that no fence wall or hedge shall conflict with Part 6.04.00, Roadway, Drainage & Utilities provisions of this Code. When a fence is required for the purpose of screening, height shall be measured from the finished grade at the minimum required setback or buffer line of the property requiring the fence.
3. Agricultural Structures

Accessory Agricultural Structures shall not be limited to a maximum height, but shall be set back from the zoning Lot line as follows:

- a. An agricultural Accessory Structure fifteen (15) feet or less in height shall be located a minimum of three (3) feet away from the side and rear zoning Lot line and shall not be located in a required Front Yard.
- b. An agricultural Accessory Structure over fifteen (15) feet up to fifty-one (51) feet in height shall be set back a minimum of one (1) additional foot from the side and rear zoning Lot line (in addition to the requirements of paragraph one (1) immediately above) for every three (3) feet of increased height up to fifty-one (51) feet. Therefore an agricultural Accessory Structure forty-five (45) feet in height shall be located a minimum of thirteen (13) feet from the zoning Lot line. Said agricultural Accessory Structure shall not be located in a required Front Yard.
- c. An agricultural Accessory Structure over fifty-one (51) feet in height shall be set back from the Side and Rear Yard an additional (in addition to the requirements of paragraphs one (1) and two (2) immediately above) one (1) foot for every foot of increased height over fifty-one (51) feet. Therefore an agricultural Accessory Structure eighty (80) feet in height shall be located a minimum of forty-four (44) feet from the zoning Lot line. Said

agricultural Accessory Structure shall not be located in a required Front Yard.

4. Rural Home Industry

- a. A Rural Home Industry shall include, but not be limited to, such activities as welding services, repair of farm equipment, furniture making, lawn maintenance services, tool sharpening, and lawn maintenance equipment repair.
- b. The primary Dwelling Unit on the site of a Rural Home Industry shall be owner-occupied. In the event that the primary Dwelling Unit ceases to be owner-occupied, the Rural Home Industry shall be terminated.
- c. External impacts, such as noise, odor or vibrations, shall not exceed those normally associated with the principal Uses allowed in the zoning district within which the property is located.
- d. The employees onsite at the home industry shall be restricted to members of the immediate family or other residents of the property except that up to a total of two (2) employees or independent contractors who do not reside at the residential dwelling may work at the business. The business may have additional remote employees who do not work at the residential dwelling.
- e. No commodity or good not produced on the premises shall be sold on the premises or displayed or warehoused on the premises for sale elsewhere. This does not preclude taking orders for sales or provisions of services offsite.
- f. No traffic shall be generated by the Rural Home Industry that is in excess of that normally expected by the principal Use.
- g. The activities and materials associated with the Rural Home Industry shall not occupy a Front Yard and shall, unless conducted within a completely enclosed Building, be setback a minimum of fifty (50) feet from any side or rear property line. If said setback is not provided, screening shall be required as per Section 6.06.04.B.5.
- h. Signage shall be allowed as per Article VII of this Code.

Sec. 2.03.07 ~~Home Occupation Reserved~~

~~Home Occupations may be permitted as a Special Use within districts as defined in Section 2.03.01 subject to all of the following conditions and limitations:~~

~~A. No person other than members of the family residing on the premises shall be engaged in such occupation.~~

~~B. The Use of the premises shall be clearly incidental and subordinate to its Use for residential purposes and shall under no circumstances change the residential character~~

~~thereof or be used as a basis for the addition of Accessory Structures related to the Home Occupation.~~

- ~~C. There shall be no change in outside appearance of Building or premises, or other visible evidence of the conduct of such Home Occupation, except that one Sign may be permitted not exceeding one (1) square foot in area, non-illuminated, mounted flat against the wall of the principal Building at a position not more than two (2) feet from the main entrance to the residence.~~
- ~~D. No traffic shall be generated by such Home Occupation in greater volumes than would normally be expected in a residential neighborhood.~~
- ~~E. No equipment or process shall be used in such Home Occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the Lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in the line voltage off the premises; no chemicals or chemical equipment shall be used, except those that are used for domestic or household purposes.~~
- ~~F. The giving of art, music or other instructions or lessons shall be limited to not more than four (4) persons at any one time.~~
- ~~G. Fabrication of articles such as are commonly classified under the terms of arts and handicraft that do not meet the requirements of a Home Office as defined by Section 2.02.04.B.9 may be deemed a Home Occupation, subject to other terms and conditions of this definition, and providing no retail sales are made at the Dwelling Unit.~~
- ~~H. The following Uses shall be prohibited as Home Occupations:
 - ~~1. Mechanical, paint and body repair, and/or detailing services upon any type motor vehicle, boat, trailer or equipment.~~
 - ~~2. Tow truck service or other trucking services.~~
 - ~~3. Antique or gift shop.~~
 - ~~4. Barber and beauty shops.~~
 - ~~5. Health salons, gyms, dance studios, aerobic exercise and massage establishments.~~
 - ~~6. Food processing, except as may be permitted or licensed by Section 500.80 of the Florida Statutes, as may be amended from time to time.~~
 - ~~7. Private clubs.~~
 - ~~8. Bed and Breakfast establishments.~~
 - ~~9. Fortune tellers, psychics and similar Uses.~~
 - ~~10. Veterinarian services which includes care, grooming or boarding at home.~~~~

- ~~11. Medical or dental office or laboratory or Nursing Home.~~
- ~~12. Nursery school or kindergarten.~~
- ~~13. Any other similar Use or activity as determined by the County Administrator.~~
- ~~I. Other conditions and safeguards, such as limitations on hours of operation may be established in the granting of the Special Use to insure residential compatibility.~~
- ~~J. An Applicant for a Home Occupation Special Use shall at the time of application file an affidavit wherein the Applicant, if approved:
 - ~~1. Agrees to comply with the standards set forth in this Section and any other conditions established in the granting of a Special Use.~~
 - ~~2. Acknowledges that the County shall have the right to reasonably inspect the premises to investigate complaints, if any, from neighbors and insure compliance with the standards of this Section and other conditions of approval.~~
 - ~~3. Acknowledges that a departure from the standards and conditions of approval will be deemed a Code violation and may result in suspension or termination of the Home Occupation.~~
 - ~~4. Agrees to obtain an occupational license by state law or County Ordinance prior to commencement of an approved Home Occupation.~~~~
- ~~K. Any professional or business office or studio that does not involve in office contact with clients or the public and where all business is conducted by mail, phone or at other premises may be determined to be a Home Office in accord with Section 2.02.04(B)(9) and not subject to the granting of a Special Use.~~

TABLE OF ALLOWABLE AND SPECIAL USES

TABLE 2.03.01

Supplemental Regulations	Uses Allowed Within Zoning Districts	OR	Open Rural	RSE	RS-1	RS-2	RS-3	RG-1	RG-2	RMH	RMH(S)	WH	Office & Professional	Commercial Neighborhood	Commercial General	Town Center Mixed Use	Commercial Highway Touris	Commercial Intensive	Commercial Rural	Commercial High Intensity	Commercial Warehouse	Industrial Warehouseing	Heavy Industrial	Public Service	Airport Development
													OP	CN	CG	TCMU	CHT	CI	CR	CHI	CW	IW	HI	PS	AD
	Residential Use																								
Sec. 2.03.39	Single Family Detached	A	A	A	A	A	A	A	A	A	A	A	Aa	Aa	Aa	A	Aa	Aa	Aa	Aa	Aa	Aa	Aa	Aa	Aa
Sec. 2.03.08	Manufactured Homes/Mobile Home	A		S	S	S	S	S	S	A	A		S	S	S		S	S	S	S	Aa	Aa	Aa	Aa	S
Sec. 2.03.09	Manufactured/Mobile Home Parks									A	S														
	Condominium Ownership cooperatives and other ownership arrangements (Multifamily, triplex)			A	A	A	A	A	A			A				A									
Sec. 2.03.04	Child and Adult Care	A	S	S	S	S	S	S	S	S	S		A	A	A	S	A	A	A			S	S		A
	Special Care Housing Level I	A	A	A	A	A	A	A	A	A	A	A													A
Sec. 2.03.23	Special Care Housing Level II	S						A	A			A				A									S
	Cemetaries/Mausoleums	A	S	S	S	S	S	S	S	S	S		S	S	S	S				S					A
Sec. 2.03.17	Private Schools	S	S	S	S	S	S	S	S	S	S		S	S	S	S			S						S
Sec. 2.03.19	Community Marinas	S	S	S	S	S	S	S	S	S	S			S	A				S						
Sec 2.03.07	Home Occupation	S	S	S	S	S	S	S	S	S	S	A													S
	Horses and Ponies	A	S	S	S	S	S	S	S	S	S														A
Sec. 2.03.35	Household Animals	A	S	S	S	S	S	S	S	S	S														A
Sec. 2.03.06	Other animals	A	S	S	S	S	S	S	S	S	S														A
Sec. 2.03.18	Two Family Dwellings		S	S	S	S	A	A	S	S	S	A	A	A	A		A	A	A	A	A	A			A
	Townhomes							A	A			A	Aa	Aa	Aa	A	Aa	Aa	Aa	Aa	Aa	Aa	Aa		
	Duplex			S	S	S	A	A				A	Aa	Aa	Aa		Aa	Aa	Aa	Aa	Aa	Aa	Aa		
Sec. 2.03.28	More than one Main Use Structure on Residential Lot	S	S	S	S	S	A	A	S	S															
	Model homes with or without sales offices and construction trailers	A	A	A	A	A	A	A	S	S	A														A

* drive thru prohibited
 ** gas pumps not permitted
 a accessory use per section 2.02.04
 A Allowed by right
 S Special use
 I all vessels to include automobiles, buses, boats, farm and garden equipment, motorcycles, trucks, recreational vehicles, manufactured mobile homes
 x limited to maximum of 10 units
 xx limited to max of 20 units

PART 3.11.00 West Augustine Overlay District

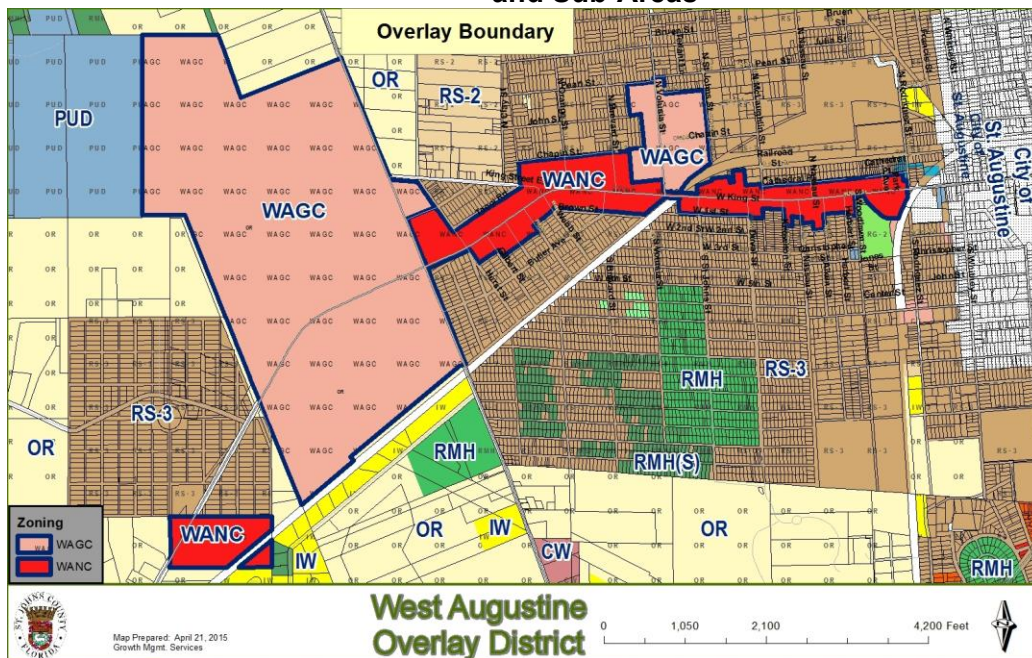
Sec. 3.11.01 Purpose

The West Augustine Community Redevelopment Agency (the “WACRA”) was created pursuant to F.S. § 163 Part III, “Community Redevelopment” to remove blighted conditions, enhance St. Johns County’s tax base, improve living conditions, encourage property development within the West Augustine CRA and achieve specific goals and objectives of the St. Johns County Comprehensive Plan. Within the WACRA, West King Street was identified as a strong focal point for neighborhood revitalization and should contain a major commercial center for the neighborhood, with multiple uses that will allow the preservation of the historical development patterns. Anticipated uses within the West Augustine Overlay District incorporate mixed use development to achieve infill, residential, and commercial redevelopment. In addition to the uses allowed by base zoning, properties within the district are permitted uses as provided in Section 3.11.05.

Sec. 3.11.02 District Boundaries

The West Augustine Overlay District delineated herein, is a special district in the form of an overlay, superimposed upon various zoning districts as applied by the map in Figure 3.11.02. This West Augustine Overlay District encompasses all that land situated within unincorporated St. Johns County within the boundaries indicated in Figure 3.11.02 – Map of the West Augustine Overlay District and sub-areas, as indicated below (reference legal description on file with the Growth Management Department and in Ordinance 2015-42, as amended):

Figure 3.11.02. - Map of the Proposed West Augustine Overlay District and Sub-Areas



Sec. 3.11.03 Application of District Regulations

All standards and uses prescribed in this Part shall apply to all Uses within all zoning categories (including PUD's and PSD's) excluding single-family dwellings, mobile homes, temporary uses, roadside stands, church/synagogues, historic structures and all publicly owned properties developed to serve a public use; however, such Uses are entitled to utilize the Site Development Criteria in Sections 3.11.06 and 3.11.07.B.1. These requirements shall apply to all other proposed Development as a permitted Use or Special Use; hereafter undertaken within the West Augustine Overlay District. Notwithstanding any provisions of the Land Development Code (the "LDC") to the contrary, the provisions of the West Augustine Overlay District including Uses prescribed within Table 3.11.05., when in conflict, shall take precedence over the existing zoning and Land Development Code regulations. Special Uses and Uses allowed by right in the West Augustine Overlay District shall be subject to the site development criteria in the referenced Special Use Permit section and Supplemental Design Standards in Section 6.08.00, unless specifically addressed in this Part.

Sec. 3.11.04 Sub Area Boundaries and Descriptions

Sub-Areas are hereby established to identify additional Uses and Use regulations, property development regulations, and supplemental standards that may differentiate from the standard regulations within the Land Development Code. Unless expressly stated herein, development must comply with the requirements of both the Sub-Area and Future Land Use Map designation. Sub-Area boundaries are based on the need for appropriate economic development incentives and special protective measures. See figure 3.11.02 – Map of the West Augustine Overlay District boundaries for the location of each subarea (reference Sub-Areas on file with the Growth Management Department and in Ordinance 2015-42, as amended)

- A. **WANC**, West Augustine Neighborhood Commercial:
Intended to be the key focal point of the development area and encourage mixed use development, including Neighborhood Business and Commercial Uses with townhouse and multifamily development.
- B. **WAGC**, West Augustine General Commercial:
Intended to encourage mixed use development, including General Business Commercial Uses with townhouse and multifamily development.

Sec. 3.11.05 Uses and Activities subject to the requirements of the West Augustine Overlay District

In the West Augustine Overlay District, mixed use means a single development consisting of the combination of residential and nonresidential uses collocated within the same building, or collocated on the same lot or on contiguous lots. Within the District, mixed use and commercial development are permitted in both Sub-Areas.

- A. **WANC and WAGC Sub-Areas: Allowable and Special Uses.** Notwithstanding any other provision in the Land Development Code, the uses for the property contained within the WANC and WAGC Sub-Areas in the West Augustine Overlay District shall be as prescribed in Table 3.11.05, except where such use is not permitted by the St. Johns County Comprehensive Plan. This table is interpreted to allow uses by right and by

Special Use approval. Those uses listed within the table that are not “Approved by right” or as a “Special Use”, shall be prohibited. Where a use is allowed in the underlying zoning district but not listed in Table 3.11.05, the use shall be allowed as in the underlying zoning district.

Table 3.11.05

A Approved by right	West Augustine Neighborhood Commercial WANC	West Augustine General Commercial WAGC
S Special Use		
*		
**		

* Must adhere to Section 3.11.07.B.		
** Gas Pumps Prohibited		
*** No outdoor boarding facilities/enclosed within a sound proofed building		
Residential Use	√	√
Single Family Detached (Ref. LDC Sec. 2.03.39)	A	A
Multi Family	A	A
Manufactured/Mobile home (Ref. LDC Sec. 2.03.08)	S	S
Condominium ownership	A	A
Cooperatives and other ownership arrangements	A	A
Special Care Housing (Ref. LDC Sec. 2.03.23)	S	S
Cemeteries (Ref. LDC Sec. 2.03.13)	S	S
Private Schools (Ref. LDC Sec. 2.03.17)	S	S
Schools (with conventional academic curriculum)	S	S
Community Marinas	S	A
Model homes with or without sales office/construction trailer	A	A
Home Occupation (Ref. LDC Sec. 2.03.07)	A	A
Horse and Ponies (Ref. LDC Sec. 2.03.05)	S	S
Other animals (Ref. LDC Sec. 2.03.06)	S	S
Household Animals (Ref. LDC Sec. 2.02.04.B.1.)	A	A
Two family dwellings (Ref. LDC Sec. 2.03.18)	A	A
More than one main use structure on residential lot (Ref. LDC Sec. 2.03.28)	A	A
Cultural/Institutional Use	√	√
Child and Adult care (Ref. LDC Sec. 2.03.04)	A	A
Museum	A	A
Library	A	A
Art Gallery	A	A
Private clubs (Ref. LDC Sec. 2.03.38)	S	A
Neighborhood Business	√	√
Commercial indoor recreation	A	A

Indoor archery ranges	A	A
Hospitality	A	A
Retail Good Store	A	A
Financial Institutions with or without drive-through facilities	A	A
Funeral homes	A	A
Neighborhood Convenience Stores	A**	A
Grocery stores	A	A
Specialty food stores	A	A
Take Out Restaurant	A	A
Pharmacies	A	A
Pharmacies w/Drive-thru	S	A
Billiards	A	A
Spas/gyms	A	A
Trade schools	A	A
Mini warehouse / personal property (Ref. LDC Sec. 2.03.16)	S	S
Service businesses (catering, printing, mail &package, laundries)	A	A
Veterinary Offices (Ref. LDC Sec. 2.03.41)	A***	A***
Beauty shops	A	A
Barbers	A	A
Photography studios	A	A
Psychics (Ref. LDC Sec. 2.03.22)	S	A
Medical/professional offices	A	A
Schools for Fine Arts	A	A
General Business / Commercial Use		√
Commercial recreation (Ref. Sec. 2.03.43)	A	A
Free standing ATMS	A	A
Indoor Farm and Garden Supply Centers		A
Outdoor Plant Sales	A	A
Gas Station		A
Car Wash facilities (Ref. LDC Sec. 2.03.50)		A
Auto Oil Change Facilities (Ref. LDC Sec. 2.03.51)		S
Tire Service Centers (Ref. LDC Sec. 2.03.52)		S
Small Car Rental Offices with Fleet		A
General Store (Ref. LDC Sec. 2.03.29)	A	A
Supermarkets		A
Bowling Alleys		A
Community Hospitals		A
Bed and breakfast (Ref. LDC Sec. 2.03.24)	S	A
Small Appliance Repair Shops		S
Upholstery Service	A	A
Employment Services		A
Bail Bonds		A
Psychiatric Care and Treatment Facilities with or without housing		A

Alcohol Rehabilitation Centers with/without housing	S	S
Social Assistance Center (Ref. LDC Sec. 2.03.53)		S
Restaurants	A	A
Restaurants w/Drive-thru	S	A
Veterinary Office (no more than 10 outside runs not to exceed 640 SF)		A***
Government Offices	S	A
Golf Driving Ranges		A
Movie Theaters with three or less screens		A
Commercial/Vocational/Business/Trade School		A
RV and Boat Storage (Ref. LDC Sec. 2.03.42)	S	S
Other uses		
Hotel/Motel	A	A
Offsite Parking and Unpaved Parking Lots (Ref. LDC Sec. 2.03.15)	A*	A*
Alcoholic Beverages (Ref. LDC Sec. 2.03.02)	S	S
Water / Wastewater Treatment Facility	S	S
Antennae Towers	S	S
Electric Substations	A	A
Outdoor Storage (Ref. LDC Sec. 2.03.54)	S	A
Large Places of Assembly (Ref. LDC Sec. 2.03.55)	S	S
Warehouse (less than 10,000 sf)		A
Urban Agriculture (Ref. LDC Sec. 3.11.11)	A	A

PART 3.12.00 Hastings Overlay District

Sec. 3.12.01 Purpose

The purpose and intent of establishing this Overlay District is to reasonably retain the specific Land Uses and design guidelines enjoyed by property owners from the area of lands formerly known as the Town of Hastings (the “Town”) and to regulate development in a manner unique to the Town. Certain Land Uses that existed within the Town are incorporated into the Hastings Overlay District and include residential, commercial, industrial, and public service/government land uses. Analysis and interpretation of uses within this Overlay will be based on historical administrative practice and construction in the unincorporated areas of St. Johns County. This Overlay maintains reasonable property rights and Land Uses specific to the Town that existed within the community prior to the dissolution of the Town. Nothing herein prevents the filing of a Vested Rights Determination pursuant to Part 10.02.00.

Sec. 3.12.02 District Boundaries

The Hastings Overlay District is a special district in the form of an overlay, superimposed upon various zoning districts as applied by the map in Figure 3.12.02. The Hastings Overlay District is coterminous with the town limits of the former Town of Hastings. This Hastings Overlay District encompasses all that land situated within unincorporated St. Johns County within the boundaries indicated in Figure 3.12.02 – Map of the Hastings Overlay District, as indicated below (reference legal description on file with the Growth Management Department and in Ordinance 2018-5, as amended):

Figure 3.12.02. - Map of the Proposed Hastings Overlay District

with all other applicable Land Development Code requirements. Uses are subject to applicable Supplemental Design Standards in Part 6.08.00.

Table 3.12.04

PERMITTED USES BY ZONING DISTRICT

USES	ZONING DISTRICT						
	RG-2	CN	CI	CG	PS	OR	IW
Residential							
Single Family	A	A	A	S	A	A	A
Mobile Home (1)	S	S	S	S	A	S	A
Multi-Family Dwelling	A						
Special Care Housing Level I	A					A	
Special Care Housing Level II	A					S	
Child Care (In the Home)	S	A	A	A		A	S
Bed and Breakfast	S	A	A	A	S	S	
Temporary Residences (Construction, model home, etc.)	S	S	S	S	S	S	S
Home Occupations (Ref. LDC Section 2.03.07)	A					A	
Guest Cottage (Ref. LDC Sec. 2.02.04.B.2.)	A					A	
Residences Above Businesses (Ref. LDC Sec. 2.02.04.C)		A	A	A			A
Offices							
Professional Offices	S	A	A	A	S		A
Business Offices	S	A	A	A	S		A
Bank		A*	A	A			
Medical Office	S	A	A	A	A		
Hospital			A		A		
Retail/Sales/Service							
Personal Services	S	A	A	A			
Day Care Center	S	A	A	A	A		S
Beauty/Barber	S	A	A	A			
Drug Store/ Apothecary		A*	A	A	S		
Repair Shops			A	A			A
Restaurants- (Ref. LDC Sec. 6.08.16)		A*	A	A			S
Funeral Home	S	A	A	A	S		
Service Station (Ref. LDC Sec. 6.08.19)			A	A			A
Specialty Shops	S	A	A	A			

PERMITTED USES BY ZONING DISTRICT

USES	ZONING DISTRICT						
	RG-2	CN	CI	CG	PS	OR	IW
Retail Sales (No outdoor storage)		A	A	A			A
Retail Sales (Outdoor storage)			A	S			A
Theaters (3 or less screens) (Ref 2.02.01.E.2)			A	A			
Convenience Stores		A**	A	A			S
Dry Cleaners, Laundromat		A*	A	A			
Restaurants (with on-site alcohol consumption)		S*	S	S			
Nightclub/Bar/Saloon (with on-site alcohol consumption)			S	S			
Nursing Homes and/or Special Care Housing Level III		A	A	A		S***	
Equipment Rental (some outside storage)			A	S			A
Personal Storage (Mini warehouse)		S	A	S			A
Veterinarian (Ref. LDC Sec. 2.03.41)		A	A	A			A
Motel/Hotel			A				
Shopping Center		A	A	A			
Wholesale Sales (No outdoor storage or display) (Ref. LDC Sec. 2.02.04.D)		S	A	S			A
Wholesale Sales (Outdoor storage or display)			A				A
Nurseries/Greenhouses (with retail sales)			A				A
Manufacturing (No outdoor storage or display)		S	A	S			A
Manufacturing (Outdoor storage or display)			A				A
Educational, Cultural, Religious Uses							
Elementary, Middle, & High Schools	A	A	A	A	A	S	A
Trade & Vocational Schools		A	A	A	A		A
Churches, Synagogues, Temples, etc.	A	A	A	A	A	A	A
Libraries, Art Museums, etc.	S	A	A	A	A	A	A
Social, Fraternal Clubs, Lodges	A	A	A	A	S	A	A

PERMITTED USES BY ZONING DISTRICT

USES	ZONING DISTRICT						
	RG-2	CN	CI	CG	PS	OR	IW
Recreation, Amusement, Entertainment							
Uses where activity is conducted entirely within building (Bowling alleys, skating rinks, exercise facilities, etc.)		S	A	A		A	S
Drive-in Movie (Ref. LDC Sec. 6.08.15)			A				S
Privately owned recreational facilities such as golf courses, country clubs, swimming pools, tennis courts, etc.	A	A	A	A	S	A	
Publicly owned and operated recreational facilities such as athletic fields, parks, swimming pool, tennis courts, etc.				A	A	A	
Golf driving range not accessory to golf course, par 3 golf, miniature golf, water slides, skate board parks and similar commercial ventures			A		S	S	S
Horseback Riding Stables			S			A	
Motor Vehicle-related Sales & Services							
Sales with installation of motor vehicle parts			A				A
Motor vehicle maintenance, repair, painting or body work			A				A
Gas Sales		S	A	A			A
Car Wash		S	A	S			A
Miscellaneous Facilities							
Utility facility not Electric Substation	S	S	A	S	S	S	A
Electric Substations	A	A	A	A	A	A	A
Post Office	S	S*	A	A	P		S
Open Air Markets, Flea Markets, Crafts, etc.		S	A	S			S

Explanation of Table 3.12.04

- A - Use is allowable by right
- S - Use is allowable by Special Use

- * -Drive-through not permitted
- ** -Gas pumps not permitted
- *** -Nursing Homes not permissible in Open Rural (OR) zoning designation

B. Per Comprehensive Plan policy A.1.11.1.J., Agricultural Uses are permissible within the lands designated with an Industrial Land Use and having an Industrial Warehouse or Open Rural zoning district.

ARTICLE XII DEFINITIONS

PART 12.01.00 DEFINITIONS

Home ~~Occupation~~Based Business: A business, profession, office, occupation or trade conducted entirely within a residential Building or a Structure accessory thereto and carried on by the family residing therein, which use is clearly accessory, incidental and secondary to the use of the Building and property for dwelling purposes and does not change the essential residential character or appearance of such Building or property (see Section ~~2.03.072.02.04~~).

Attachment 3
Supporting Documentation

The 2025 Florida Statutes

Title XXXIII

REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND SOLICITATIONS

Chapter 559

REGULATION OF TRADE, COMMERCE, AND INVESTMENTS, GENERALLY

[View Entire Chapter](#)

559.955 Home-based businesses; local government restrictions.—

- (1) Local governments may not enact or enforce any ordinance, regulation, or policy or take any action to license or otherwise regulate a home-based business in violation of this section.
- (2) A home-based business that operates from a residential property as provided in subsection (3):
 - (a) May operate in an area zoned for residential use.
 - (b) May not be prohibited, restricted, regulated, or licensed in a manner that is different from other businesses in a local government’s jurisdiction, except as otherwise provided in this section.
 - (c) Is only subject to applicable business taxes under chapter 205 in the county and municipality in which the home-based business is located.
- (3) For purposes of this section, a business is considered a home-based business if it operates, in whole or in part, from a residential property and meets the following criteria:
 - (a) 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.
 - (b) Parking related to the business activities of the home-based business complies with local zoning requirements and the need for parking generated by the business may not be greater in volume than would normally be expected at a similar residence where no business is conducted. Local governments may regulate the use of vehicles or trailers operated or parked at the business or on a street right-of-way, provided that such

regulations are not more stringent than those for a residence where no business is conducted. 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. Local governments may regulate the parking or storage of heavy equipment at the business which is visible from the street or neighboring property. For purposes of this paragraph, the term “heavy equipment” means commercial, industrial, or agricultural vehicles, equipment, or machinery.

(c) As viewed from the street, the use of the residential property is 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. 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.

(d) The activities of the home-based business are secondary to the property’s use as a residential dwelling.

(e) The business activities comply with any relevant local or state regulations with respect to signage and equipment or processes that create noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors. Any local regulations on a business with respect to noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors may not be more stringent than those that apply to a residence where no business is conducted.

(f) All business activities comply with any relevant local, state, and federal regulations with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids. Any local regulations on a business with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids may not be more stringent than those that apply to a residence where no business is conducted.

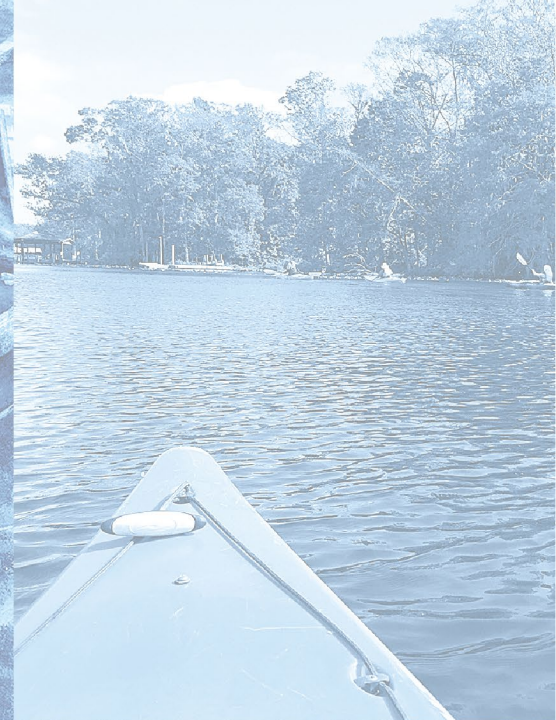
(4) Any adversely affected current or prospective home-based business owner may challenge any local government action in violation of this section. The prevailing party in a challenge may recover reasonable attorney fees and costs incurred in challenging or defending the action, including reasonable appellate attorney fees and costs.

(5) The application of this section does not supersede:

(a) Any current or future declaration or declaration of condominium adopted pursuant to chapter 718, cooperative document adopted pursuant to chapter 719, or declaration or declaration of covenant adopted pursuant to chapter 720.

(b) Local laws, ordinances, or regulations related to transient public lodging establishments, as defined in s. 509.013(4)(a)1., that are not otherwise preempted under chapter 509.

History.—s. 1, ch. 2021-202.



LDCA 2026-02

Home-Based Business

Growth Management Department
sjcfl.us



Background

- **To codify changes to 559.955, Florida Statutes, for Home-Based Business regulations**
- **House Bill 403**

F.S. 559.955 Home-Based Business

- **Operates in whole or in part from residential property in residential zoning**
- **May not be regulated in manner different than other businesses except as allowed in the statute**

F.S. 559.955 Home-Based Business

- **Staffing**
- **Parking, Vehicle Storage**
- **External modifications**
- **Activities of business are secondary to residential use**
- **Comply with local, state, federal regulations noise, hazards, etc.**
- **All retail transactions must take place within residential dwelling.**

Amendment Summary

- **Remove Home Occupation**
- **Add Home-Based Business**
- **Add allowed criteria for Home-Based Business for Permitted Accessory Uses**

LDCA 2026-02

PZA - May 7, 2026

BCC - May 19, 2026 (first hearing;
no action required)

BCC - June 2, 2026 (second
hearing)





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AFFIDAVIT OF PUBLICATION

Jennifer Gutt
Cheri Ng
Sjc Growth Management
4040 Lewis Speedway, St.

Augustine FL 32804


STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the St Augustine Record, published in St Johns County, Florida; that the attached copy of advertisement, being a , was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

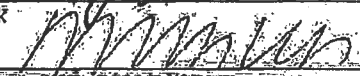
SAG St Augustine Record 04/16/2026

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

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 04/16/2026



Legal Clerk



Notary, State of W.I. County of Brown

8-25-26

My commission expires _____

Publication Cost: \$277.54
Tax Amount: \$0.00
Payment Cost: \$277.54
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THIS IS NOT AN INVOICE!

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MARIAH VERHAGEN
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARINGS OF THE ST JOHNS COUNTY PLANNING AND ZONING AGENCY AND THE ST JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS ON ESTABLISHMENT OF ORDINANCE / REGULATION

NOTICE IS HEREBY GIVEN that public hearings will be held to consider the enactment of the following proposed ordinance at regular meetings, as follows:

St. Johns County Planning and Zoning Agency
Thursday, May 07, 2026, at 1:30 PM

St. Johns County Board of County Commissioners
Tuesday, May 19, 2026, at 9:00 AM

The public hearings will be held in the St. Johns County Auditorium, located at 500 San Sebastian Vice, St. Augustine, Florida.

AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS, ST. JOHNS COUNTY, FLORIDA, AMENDING PORTIONS OF ST. JOHNS COUNTY LAND DEVELOPMENT CODE (ORDINANCE 1999-61, AS AMENDED), SPECIFICALLY AMENDING SECTION 2.02.01 (ACCESSORY USES), PART 2.02.00 (USES ALLOWED WITHIN ZONING DISTRICTS), ARTICLE II (ZONING DISTRICTS AND SPECIAL USES) AND TABLE 2.03.01 (TABLE OF ALLOWABLE AND SPECIAL USES), PART 2.03.00 (ALLOWABLE AND SPECIAL USES), ARTICLE II (ZONING DISTRICTS AND SPECIAL USES) AND TABLE 3.11.04, PART 3.11.00 (WEST AUGUSTINE OVERLAY DISTRICT) AND TABLE 3.12.04 (PERMITTED USES BY DISTRICT), PART 4.00 (HASTINGS OVERLAY DISTRICT), ARTICLE III (SPECIAL DISTRICTS), TO REMOVE HOME OCCUPATION AS A USE IN ALL ZONING CLASSIFICATIONS AND ALLOWING HOME-BASED BUSINESSES CONSISTENT WITH 559.955, FLORIDA STATUTES; AND AMENDING ARTICLE XII (DEFINITIONS) TO REMOVE THE DEFINITION FOR HOME OCCUPATION AND ADD A DEFINITION FOR HOME-BASED BUSINESS CONSISTENT WITH 559.955, FLORIDA STATUTES; PROVIDING FOR APPLICABILITY; PROVIDING FOR CODIFICATION AND INCLUSION IN THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENERS ERRORS; PROVIDING FOR AN EFFECTIVE DATE.

Interested parties may appear at the public hearings to be heard regarding any of all of the proposed amendments. Board of County Commissioners items not heard at the public hearing may be continued until the following date unless otherwise directed by the Board.

The proposed ordinance is on file and is available for review in the Planning and Zoning Department of the Growth Management Department, at the Permit Center, 4040 Lewis Square, St. Augustine, Florida and may be examined by interested parties prior to said public hearings.

Interested parties may appear at the public hearings to be heard regarding the proposed amendment.

If a person desires to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings and for such purpose, he or she must request that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING-IMPAIRED

In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County ADA Coordinator at (904) 329-6500 or at the St. Johns County Facilities Department, 2416 DuPont Trail, St. Augustine, FL 32086. Hearing-impaired persons, call Florida Relay Service (1-800-955-8770), outside of Florida, prior to the meeting.

PLANNING AND ZONING AGENCY ST. JOHNS COUNTY, FLORIDA RICHARD HILSENBECK, CHAIR LDCA2026-02 Home based Business	BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA CLAY MURPHY, CHAIR
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