

ITEM 4.A

Public Hearing — First Reading — Proposed Ordinance # 26-12 — Criteria for Commercial Vehicles in Residential Districts

AN ORDINANCE AMENDING THE CODE OF THE CITY OF KISSIMMEE, FLORIDA CODE OF ORDINANCES TITLES; UPDATING CRITERIA FOR COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS, CHAPTER 42-67 ADDING HEAVY COMMERCIAL VEHICLES, CHAPTER 42-68 ADDING GROSS VEHICLE WEIGHT RATING, AND CHAPTER 42-69 ADDING GROSS VEHICLE WEIGHT RATING; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE

Request

Request approval of the proposed changes to Chapters 42-67, 42-68, and 42-69 of the City Code of Ordinances regarding commercial vehicles in residential districts.

Explanation

At the April 7, 2026, City Commission meeting, the City Commission tabled this item to allow staff additional time to research and determine the appropriate weight maximum for commercial vehicles in residentially zoned areas. At a subsequent workshop, the Commission determined 10,000 pounds is comparable to other jurisdictions in the area and provides an allowance for individuals with take-home commercial vehicles, such as plumbing and electrician vans.

Proposed ordinance 2026-12 adds Gross Vehicle Weight Rating, providing a more accurate method of determining the size of a commercial vehicle and whether said vehicle would be allowed in a residential zoned neighborhood.

Gross Vehicle Weight Rating is defined as the weight of a vehicle including the weight of the vehicle, passengers, cargo, fuel, and additional equipment. The rating is located on the vehicle's Safety Compliance Certification Label located on the driver's side door frame or door latch pillar. This information can also be found in the owner's manual or secured from the manufacturer's website.

This change will make it easier for vehicle owners, property owners, and Code Officers to determine if a vehicle is allowed in the residential area of the City.

This is for vehicles with a commercial purpose and registered with the State of Florida as a commercial vehicle.

Recommendation

Approval of the proposed changes to Chapters 42-67, 42-68, and 42-69 of the City Code of Ordinances regarding commercial vehicles in residential districts.

REQUESTED CITY COMMISSION ACTION:

Adopt

Department: Development Services

Presenter: Craig Holland

Attachment(s):

1. business-impact-estimate for proposed ordinance 26-12
City of Kissimmee

2. Proposed Ordinance #26-12 Commercial Vehicles in Residential Districts stike thru and underline version.
3. Proposed Ordinance 26-12 Proof of Advertising.
4. Proposed Ordinance #26-12 Changes to Commercial Vehicles in Residential Districts Final Version

Business Impact Estimate

Proposed ordinance's title/reference: **PROPOSED ORDINANCE NO. 26-12**

AN ORDINANCE AMENDING THE CODE OF THE CITY OF KISSIMMEE, FLORIDA CODE OF ORDINANCES TITLES; UPDATING CRITERIA FOR COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS, CHAPTER 42-67 ADDING HEAVY COMMERCIAL VEHICLES, CHAPTER 42-68 ADDING GROSS VEHICLE WEIGHT RATING, AND CHAPTER 42-69 ADDING GROSS VEHICLE WEIGHT RATING; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is 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 the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

¹ See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

This ordinance better defines the city's regulations for parking commercial vehicles within residential businesses.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

The City does not anticipate that this ordinance will have any direct economic impact on private for-profit businesses in the City.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The City does not anticipate that this ordinance will impact any businesses.

4. Additional information the governing body deems useful (if any):

PROPOSED ORDINANCE #26 - 12
ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE CITY OF KISSIMMEE, FLORIDA CODE OF ORDINANCES TITLES; UPDATING CRITERIA FOR COMMERCIAL VEHICLES ~~INS~~ RESIDENTIAL DISTRICTS, CHAPTER 42-67 ADDING HEAVY COMEMRCIAL VEHICLES, CHAPTER 42-68 ADDING GROSS VEHICLE WEIGHT RATING, AND CHAPTER 42-69 ADDING GROSS VEHICLE WEIGHT RATING; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Commission of the City of Kissimmee (the "City") recognizes that ~~the parking of large and heavy commercial vehicles in residential districts creates an undesirable impact on all the residents of that district~~these districts; and

WHEREAS, the City ~~Commission and City staff~~ recognizes that large and heavy vehicles parked in residential districts may create unsafe or adverse conditions, including but not limited to: threats to traffic and parking safety, and the possible potential storage of hazardous and/or noxious materials, and diminution in property values;s; and

WHEREAS, ~~The the City~~ has reviewed its Code of Ordinances and now seeks to further clarify the definitions and standards for commercial vehicles in residential districts to ensure compliance and enforcement. ~~should establish clear definitions and standards for commercial vehicles in residential districts.~~

SECTION 1. RECITALS. The above recitals are true and correct, are adopted and incorporated herein, and constitute the legislative findings of the City Commission of the City of Kissimmee.

SECTION 2. Chapters 42-67, 42-68 and 42-69 of the City of Kissimmee Code of Ordinances are hereby amended as follows:-

Sec. 42-67. Parking or storing restrictions of commercial and heavy commercial vehicles in residential districts.

Commercial and heavy vehicles (as defined in chapter 14-2 of the Land Development Code) shall not be parked or stored on any lot or street in any residential district except as set forth in this article.

Sec. 42-68. Ungaraged.

One commercial vehicle of ~~8,000~~ 10,000 pounds Gross Vehicular Wweight Rrating ("GVWR") or less permitted where the vehicle is used by a resident of the premises. Gross Vehicle Weight Rating-GVWR is defined as: The maximum safe operating weight for a vehicle, as set established by the manufacturer. GVWR includes the weight of the vehicle, passengers,

cargo, fuel and additional equipment., including the vehicle itself, passengers, cargo, fuel, and accessories.

Sec. 42-69. Garaged.

One commercial vehicle of 10,000 pounds Gross Vehicular Weight Rating ("GVWR") or less may be parked in any enclosed garage on a residential lot where the vehicle is used by a resident of the premises. GVWR is defined as the maximum safe operating weight for a vehicle as established by the manufacturer. GVWR includes the weight of the vehicle, passengers, cargo, fuel and additional equipment. Gross Vehicle Weight Rating is defined as: The maximum safe operating weight for a vehicle, set by the manufacturer, including the vehicle itself, passengers, cargo, fuel, and accessories.

SECTION 3. SEVERABILITY. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

SECTION 4. CONFLICT. All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5. ADMINISTRATIVE CORRECTION. This Ordinance may be re-numbered or re-lettered, and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Attorney, without the need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 6. CODIFICATION. This ordinance shall be codified as a part of the City of Kissimmee City Code. The codifier is authorized to make editorial changes not effecting the substance of this ordinance by the substitution of "article" for "ordinance", "section" for "paragraph", or otherwise to take such editorial license.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be published as provided by law and it shall become law and shall take effect immediately upon its Second Reading and Final Passage.

BE IT ORDAINED, by the City Commission of the City of Kissimmee on this _____ day of _____, 2026.

Jackie Espinosa, Mayor-Commissioner

ATTEST:

Tameara Crespo, City Clerk

Approved as to form and legality:

Kalanit Oded, City Attorney

**CITY OF KISSIMMEE
NOTICE OF PUBLIC HEARING
TEXT AMENDMENT**

The City of Kissimmee proposes to adopt the following ordinance that would update Chapter 42-67, Parking, display or storing of vehicles on up-aved portions of right-of-way; Chapter 42-68 Ungaraged; and Chapter 42-69 Garaged; as described below. A public hearing to consider the proposed ordinance will be held by the City of Kissimmee City Commission for the First Reading on Tuesday August 4, 2026 and the Second and Final Reading on Tuesday, August 18, 2026 at 6:00 p.m. or as soon thereafter as possible, in the Commission Chambers of City Hall, 101 Church Street, Kissimmee, Florida.

Any interested party wanting to be heard on this issue may submit testimony to be read into the official record to CityClerkEmail@kissimmee.gov prior to the start of the meeting or may be heard by participating in person.

Any questions regarding this public hearing may be directed to the Development Services Department at (407) 518-2140 or at planning@kissimmee.gov.

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In accordance with Florida Statutes 286.0105: any person wishing to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the

proceeding is made, which record includes the testimony and evidence upon which the appeal is made.

In accordance with Florida Statute 286.26, persons needing assistance to participate in any of these proceedings should contact the Office of the City Clerk (407) 518-2308 prior to the meeting. (FS286.26)

104363 7/17/2026 8/04/2026 8/18/2026

This Insertion Order Form forms part of the Agreement by and between Customer and Tribune Publishing Company ("**Company**"), and is governed by the terms and conditions set forth in Company's Business Terms of Service (available at <https://www.tribpub.com/central-terms-of-service/>) (the "**Business Terms**") and the Data Processing Addendum (the "**DPA**") The Business Terms, DPA, and this Insertion Order are collectively referred to as the "**Agreement**." The Business Terms and DPA constitute integral parts of this Insertion Order and are hereby incorporated into this Insertion Order by this reference. Capitalized Terms not otherwise defined in this Insertion Order have the same meanings as that ascribed to them in Business Terms. In the event of any ambiguity, conflict, or inconsistency between any of the Business Terms, this Insertion Order, and the DPA, the following order of precedence shall govern for purposes of resolving any such ambiguity, conflict, or inconsistency: (1) this Insertion Order, (2) the DPA, if applicable, and (3) the Business Terms.

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WHEREAS, the City recognizes that large and heavy vehicles parked in residential districts may create unsafe or adverse conditions, including but not limited to: threats to traffic and parking safety, potential storage of hazardous and/or noxious materials, and diminution in property values;; and

WHEREAS, the City has reviewed its Code of Ordinances and now seeks to further clarify the definitions and standards for commercial vehicles in residential districts to ensure compliance and enforcement.

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Kalanit Oded, City Attorney