

## **ORDINANCE 2025-08**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE 2045 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM NC (NEIGHBORHOOD COMMERCIAL) (BREVARD COUNTY) AND RES-1 (RESIDENTIAL 1 UNIT PER ACRE) (BREVARD COUNTY) TO UMU (URBAN MIXED-USE); PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Palm Bay has designated the Planning and Zoning Board as its Local Planning Agency and said Local Planning Agency held a public hearing on an amendment to the Comprehensive Plan on February 5, 2025, after public notice, and

**WHEREAS**, the City Council of the City of Palm Bay, pursuant to Chapter 163, Florida Statutes, held a public hearing on an amendment to the Comprehensive Plan on February 20, 2025, after public notice, and

**WHEREAS**, the City Council of the City of Palm Bay, pursuant to Chapter 163, Florida Statutes, submitted the amendment to the Florida Department of Commerce for review and comment, and

**WHEREAS**, the Florida Department of Commerce submitted a Comment Report regarding this amendment, and

**WHEREAS**, the City Council of the City of Palm Bay has considered the Comments provided and has addressed all items, and

**WHEREAS**, the City Council of the City of Palm Bay, pursuant to Chapter 163, Florida Statutes, held an adoption public hearing on the amendment to the Comprehensive Plan on **[DATE]**, after public notice, and

**WHEREAS**, the City Council of the City of Palm Bay finds the proposed amendment consistent with the Comprehensive Plan of the City of Palm Bay.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA**, as follows:

**SECTION 1.** The Comprehensive Plan of the City of Palm Bay, Brevard County, Florida, is hereby amended to provide for the change in land use of property from NC (Neighborhood Commercial) (Brevard County) and RES-1 (Residential 1 Unit Per Acre) (Brevard County) to UMU (Urban Mixed-Use), which property is legally described as follows:

Tax Parcels 501, 502, 503, 504, and 751, of the Public Records of Brevard County, Florida; Section 13, Township 30S, Range 37E; containing 133.0 acres, more or less.

**SECTION 2.** The Future Land Use Map is hereby changed to reflect this amendment.

**SECTION 3.** All staff report conditions and limitations shall be met and those conditions and limitations shall be made a part of the Comprehensive Plan.

**SECTION 4.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 5.** This ordinance shall become effective thirty-one (31) days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the state land planning agency or the Administration Commission enters a final order

determining the adopted amendment to be in compliance pursuant to Section 163.3184(3)(c)4, Florida Statutes. The Department only issues a final order for Expedited State Review amendments if they are challenged by an affected party.

Read in title only at Meeting 2025-XX, held on \_\_\_\_\_, 2025; and read in title only and duly enacted at Meeting 2025-XX, held on \_\_\_\_\_, 2025.

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Rob Medina, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_

Applicant: Banack Family Limited Partnership  
Case: CP24-00010

cc: Brevard County Property Appraiser  
Applicant  
Case File