



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Lisa Frazier, Growth Management Director

THRU: Suzanne Sherman, City Manager

DATE: September 19, 2024

RE: Ordinance 2024-38, amending the Code or Ordinances, Title IX, General Regulations, by creating Chapter 102, Public Nudity, final reading.

SUMMARY:

The Palm Bay 2045 Comprehensive Plan Future Land Use Element was adopted on May 1, 2023, and became effective on June 10, 2023. The remaining Palm Bay Comprehensive Plan Elements were adopted on May 18, 2023, and became effective on July 20, 2023. To bring the Land Development Code into compliance with the Comprehensive Plan, an update has been drafted for consideration by the City Council.

The proposed update is more concise and only includes requirements pursuant to Chapter 163, F.S. As such, some regulations are proposed to be moved to other parts of the Palm Bay Code of Ordinances as new "Titles", "Chapters", "Sub-Chapters", and "Sections".

To facilitate the relocation, and to retain the City's authority to regulate certain issues, new "Titles", "Chapters", "Sub-Chapters", and "Sections" were created as listed below.

- Title X, Impact Fees Chapter 103 was created for the relocation of Parks, Police, and Fire Impact Fees
- Chapter 103, Closure and Abandonment of Easements and Drainage Rights-of-Way was created and added to Title IX, General Regulations
- Chapter 204, Stormwater Management Utility was created and added to Title XX, Utilities Code
- Chapter 205, Water Shortage Emergency was created and added to Title XX, Utilities Code
- Chapter 102, Public Nudity was created and added to Title IX, General Regulations
- Provisions for emergency power and pumping equipment in residential areas was moved to Title XX, Utilities Code, Chapter 201, Sewer Use, Subchapter Private Lift Stations
- Section 74.25, Regulation of Vehicles In Residential Areas was created and added to Title VII, Traffic and Vehicles, Chapter 74, Stopping, Standing, and Parking, Subchapter Parking Regulation
- Chapter 75, Golf Carts was created and added to Title VII, Traffic and Vehicles
- Subchapter 33, Fire Prevention and Protection; Buildings and Structures was created and added

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to Title III, Administration, Chapter 33, Fire Department

Upon repeal and replacement of Title XVII, Land Development Code, the aforementioned regulations will be retained in other sections of the Palm Bay Code of Ordinances.

REQUESTING DEPARTMENTS:

City Attorney's Office

City Manager's Office

Growth Management

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed ordinance.

ATTACHMENTS:

1. Ordinance