



MEMORANDUM

TO:	Honorable Mayor and Members of the City Council
FROM:	Suzanne Sherman, City Manager
THRU:	Lisa Frazier, AICP, Growth Management Director
DATE:	September 19, 2024
RE:	Ordinance 2024-32, amending the Code of Ordinances, Title XVII, 'Land Development Code,' by repealing the Land Development Code in its entirety, first reading (Case T24-00003, City of Palm Bay), 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. Pursuant to Chapter 163.3202, F.S., a local government must adopt and enforce land development regulations that are consistent with and implement the adopted comprehensive plan.

Case T24-00003 is the first action taken to bring the land development regulations into compliance with the Palm Bay Comprehensive Plan, adopted in 2023. The proposed textual amendment to the Code of Ordinances presented as Case T24-00003 will repeal (Title XVII) the Land Development Code, in its entirety. A new Title XVII will be established in a separate text amendment (T24-00004, Ordinance 2024-33).

The adoption and enforcement of a land development code for the City of Palm Bay shall be based on, be related to, and be a means of implementation for the adopted comprehensive plan as required by Chapter 163.3201, F.S. This direct relationship to the comprehensive plan also establishes land development regulatory authority within the Palm Bay city limits.

REQUESTING DEPARTMENTS:

Growth Management

STAFF RECOMMENDATION:

Staff recommends approval of Case T24-00003, a proposed textual amendment to repeal the existing Land Development Code, which is in full compliance with the City's Comprehensive Plan.

Planning & Zoning Board Recommendation:

Planning and Zoning Board minutes are not fully transcribed at this time; the following is an excerpt:

Motion by Mr. Boerema, **Seconded** by Mr. McLeod to submit Case T24-00003 to the City Council for approval.

Result: Carried 4 to 1

Aye: Good, Boerema, McLeod, Warner

Nay: Jaffe

Abstain: None

ATTACHMENTS:

1. T24-00003 Staff Report
2. T24-00003 Application
3. T24-00003 Legal Acknowledgement
4. T24-00003 Legal Ad
5. T24-00003 Ordinance