

## **ORDINANCE 2024-33**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY CREATING TITLE XVII, 'LAND DEVELOPMENT CODE', TO PROVIDE FOR THE GOVERNANCE AND REGULATION OF THE CITY OF PALM BAY LAND DEVELOPMENT REGULATIONS INCLUDING ZONING, ACCESSORY USES, SUBDIVISION REQUIREMENTS, SIGNS, RESOURCES, STREETS, PARKING, BUILDING DESIGN, AND DEVELOPMENT REVIEW PROCEDURES; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

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

**SECTION 1.** The City of Palm Bay Code of Ordinances, is hereby amended to create Title XVII, Land Development Code, Chapter 170, "General Provisions," Chapter 171, "Definitions, Chapter 172, Development Review Procedures," Chapter 173 "Zoning," Chapter 174 "Accessory, Temporary, And Permanent Uses," Chapter 175, "Tree Protection, Landscaping, Buffering," Chapter 176 "Streets, Parking, Loading," Chapter 177 "Subdivision and Site Design," Chapter 178 "Signs," Chapter 179 "Natural Resources," and Chapter 180 "Adult Entertainment," inclusive of all sub-chapters, as provided in Exhibit "A".

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.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 3.** It is the intention of the City Council of the City of Palm Bay that the City of Palm Bay Code of Ordinances be revised to recreate Title XVII, Land Development Code as specified above.

**SECTION 4.** If any portion, clause, phrase, sentence, or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative, or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative, or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 5.** The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2024-XX, held on \_\_\_\_\_, 2024; and read in title only and duly enacted at Meeting 2024-XX, held on \_\_\_\_\_, 2024.

\_\_\_\_\_  
Rob Medina, MAYOR

ATTEST:

\_\_\_\_\_  
Terese M. Jones, CITY CLERK

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

***Strikethrough words shall be deleted; highlighted words that will included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.***