



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 2024-33, amending the Code of Ordinances, by creating Title XVII, 'Land Development Code', providing for the governance and regulation of the City of Palm Bay Land Development Regulations including zoning, accessory uses, subdivision requirements, signs, natural resources, streets, parking, building design, and development review procedures (Case T24-00004, City of Palm Bay), final reading.

SUMMARY:

The City of Palm Bay updated the City of Palm Bay Comprehensive Plan 2045 in July 2023. In accordance with Florida Statute 163.3202 - Land development regulations; "each municipality shall adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan." The LDC must be updated to comply with the City of Palm Bay's Comprehensive Plan update, adopted in 2023.

On August 8, 2024, City Council tabled this item to August 13, 2024, which was subsequently tabled to a Special Council Meeting scheduled for August 29, 2024. Council voted to table this item to allow for additional public and stakeholder input. The City held two (2) in-person open house sessions on Thursday, August 15 and Friday, August 16. The City also held a virtual open house on Monday, August 19. There were approximately 54 attendees across all three open house session. Additionally, the City accepted all comments and input via email to input@pbfl.org. The City collected approximately 186 comments from the public and stakeholders, some of which are put forth as amendments in addition to what was presented at the August 8, 2024 public hearing. Additional public input will be considered in Phase 2, expected to kick-off at the beginning of the 2025 calendar year. Such changes include staff review that will require more input and conference with the City Attorney's Office. Other comments included concerns not germane to the amendments to the LDC required to be consistent with the adopted Comprehensive Plan. There are other comments which have been responded to or clarified, for which staff recommended no changes.

This final hearing incorporates amendments as authorized by City Council during the first public hearing on August 29, 2024. Such amendments only affected Chapters 171, Definitions, and 173,

Zoning. A detail of the changes between first and second/final hearing can be found in the attachments to this Legislative Memorandum, entitled "Summary – LDC Amendments".

REQUESTING DEPARTMENTS:

Growth Management

STAFF RECOMMENDATION:

Staff recommends case T24-00004 for approval.

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 T24-00004 to the City Council for approval.

Result: Carried 4 to 1

Aye: Good, Boerema, McLeod, Warner

Nay: Jaffe

Abstain: None

ATTACHMENTS:

1. T24-00004 Staff Report
2. T24-00004 Track Changes
3. T24-00004 Application
4. T24-00004 Legal Acknowledgement
5. T24-00004 Legal Ad
6. Ordinance 2024-33 and Exhibits
7. REVISION Changes Since Packet Distribution
8. T24-00004 Correspondence REVISED