

## **ORDINANCE NO. 2010-04**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 183, COMPREHENSIVE PLAN REGULATIONS, SECTION 183.01, COMPREHENSIVE PLAN, SUBSECTION (C), ADOPTION OF COMPREHENSIVE PLAN; 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 November 9, 2009, after public notice, and

**WHEREAS**, the City Council of the City of Palm Bay, pursuant to Chapter 163, Florida Statutes, held public hearings on an amendment to the Comprehensive Plan on December 3, 2009, 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 Community Affairs for review and comment, and

**WHEREAS**, the Florida Department of Community Affairs submitted an Objections, Recommendations and Comments Report regarding this amendment, and

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

**WHEREAS**, the City Council of the City of Palm Bay, pursuant to Chapter 163, Florida Statutes, held an adoption public hearing on an amendment to the Comprehensive Plan on March 2, 2010, after public notice, and

**WHEREAS**, the City Council of the City of Palm Bay desires to adopt said amendment to 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 adoption of a Public School Facilities Element and related element amendments as identified in Exhibit 'A', attached hereto, and made an integral part of this ordinance.

**SECTION 2.** All staff report conditions and limitations shall be met and those conditions and limitations shall be made a part of the Comprehensive Plan.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.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 4.** The effective date of this plan amendment shall be the date a final order is issued by the Florida Department of Community Affairs or Administrative Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable.

\*Read in title only and duly enacted at Meeting No. 2010-05, held on March 2, 2010.

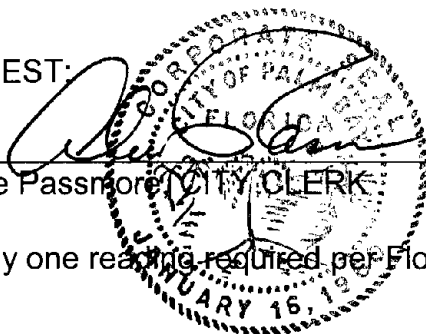
ATTEST:

Alice Passmore

CITY CLERK

John J. Mazziotti, MAYOR

\*Only one reading required per Florida Statutes, Chapter 163, Section 163.3184(15).



City of Palm Bay, Florida  
Ordinance No. 2010-04

Applicant: City of Palm Bay  
Case No.: CP-24-2009

cc: 03-03-10 Case File