

## AGENDA

## PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Regular Meeting 2023-01 January 4, 2023 - 6:00 PM

City Hall Council Chambers, 120 Malabar Road SE

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

#### **ADOPTION OF MINUTES:**

1. Regular Meeting 2022-13; December 7, 2022

#### ANNOUNCEMENTS:

#### OLD/UNFINISHED BUSINESS:

1. CP-37-2022 - WITHDRAWN - Mixed Use - City of Palm Bay (Growth Management Department) - A Comprehensive Plan Textual Amendment to the FLU-1.1I language in the Future Land Use Element of the City of Palm Bay Comprehensive Plan, to ensure consistency with the City Council's intent to promote mixed use development

#### **NEW BUSINESS:**

- 1. \*\*CU-1-2023 REQUEST TO CONTINUE TO 02/01 P&Z Automotive Gas/Fuel Sales -Gary Smigiel, Ascot Palm Bay Holdings, LLC (Pursuit Development, LLC, Rep.) - A Conditional Use to allow retail automotive gas/fuel sales in a CC, Community Commercial District, in accordance with Section 185.043(D)(3) of the Palm Bay Code of Ordinances. A Portion of Tax Parcel 501, Section 21, Township 28, Range 36, Brevard County, Florida, containing approximately 2.00 acres. Located at the northeast corner of Emerson Drive NW and St. Johns Heritage Parkway NW
- T-7-2023 Citizen Participation Plan City of Palm Bay (Growth Management Department) – A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 169: Land Development Code, Section 169.005, to amend Citizen Participation Plans

#### **OTHER BUSINESS:**

#### ADJOURNMENT:

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency with respect to any matter considered at this meeting, a record of the proceedings

will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

Any aggrieved or adversely affected person desiring to become a party in the quasi-judicial proceeding shall provide written notice to the city clerk which notice shall, at a minimum, set forth the aggrieved or affected person's name, address, and telephone number, indicate how the aggrieved or affected person qualifies as an aggrieved or affected person and indicate whether the aggrieved or affected person is in favor of or opposed to the requested quasi-judicial action. The required notice must be received by the clerk no later than five (5) business days at the close of business, which is 5 p.m., before the hearing. (Section 59.03, Palm Bay Code of Ordinances)

In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall, at least 48 hours prior to the meeting, contact the Land Development Division at (321) 733-3042 or Florida Relay System at 711.

If you use assistive technology (such as a Braille reader, a screen reader, or TTY) and the format of any material on this website or documents contained therein interferes with your ability to access information, please contact us. To enable us to respond in a manner most helpful to you, please indicate the nature of your accessibility problem, the preferred format in which to receive the material, the web address of the requested material, and your contact information. Users who need accessibility assistance can also contact us by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

\*\*Quasi-Judicial Proceeding.



DATE: January 4, 2023

**SUBJECT:** Regular Meeting 2022-13; December 7, 2022

## ATTACHMENTS:

## Description

## D P&Z/LPA Minutes - Regular Meeting 2022-13; December 7, 2022

## CITY OF PALM BAY, FLORIDA

## PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY REGULAR MEETING 2022-13

Held on Wednesday, December 7, 2022, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Chairperson Leeta Jordan called the meeting to order at approximately 6:00 p.m.

Mr. Robert Good led the Pledge of Allegiance to the Flag.

ROLL CALL:

| CHAIRPERSON:       | Leeta Jordan             | Present |           |
|--------------------|--------------------------|---------|-----------|
| VICE CHAIRPERSON:  | Philip Weinberg          | Present |           |
| MEMBER:            | Donald Boerema           | Present |           |
| MEMBER:            | Robert Good              | Present |           |
| MEMBER:            | Khalilah Maragh          | Absent  | (Excused) |
| MEMBER:            | Randall Olszewski        | Present |           |
| MEMBER:            | Rainer Warner            | Absent  | (Excused) |
| NON-VOTING MEMBER: | David Karaffa            | Absent  | (Excused) |
|                    | (School Board Appointee) |         |           |

The absences of Ms. Maragh, Mr. Warner, and Mr. Karaffa were excused.

**CITY STAFF:** Present were Ms. Alexandra Bernard, Growth Management Director; Mr. Jesse Anderson, Ph.D., Assistant Growth Management Director; Mr. Stephen White, Principal Planner; Ms. Tania Ramos, Senior Planner; Ms. Uma Sarmistha, Senior Planner; Ms. Carol Gerundo, Planning Specialist; Ms. Chandra Powell, Recording Secretary; Ms. Patricia Smith, City Attorney; Ms. Suzanne Sherman, City Manager.

#### ADOPTION OF MINUTES:

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2022-12; November 2, 2022.

City of Palm Bay Planning and Zoning Board/ Local Planning Agency Regular Meeting 2022-13 Minutes – December 7, 2022 Page 2 of 6

Motion to approve the minutes as presented.

Motion by Mr. Weinberg, seconded by Mr. Boerema. Motion carried with members voting as follows:

Aye: Jordan, Weinberg, Boerema, Good, Olszewski.

#### ANNOUNCEMENTS:

1. Ms. Jordan addressed the audience on the meeting procedures and explained that the Planning and Zoning Board/Local Planning Agency consists of volunteers who act as an advisory board to the City Council.

#### OLD/UNFINISHED BUSINESS:

1. CP-37-2022 - REQUEST TO CONTINUE TO 01/04 P&Z - Mixed Use - City of Palm Bay (Growth Management Department) - A Comprehensive Plan Textual Amendment to the FLU-1.1I language in the Future Land Use Element of the City of Palm Bay Comprehensive Plan, to ensure consistency with the City Council's intent to promote mixed use development

Ms. Jordan announced the request to continue Case CP-37-2022.

Motion to continue Case CP-37-2022 to the January 4, 2023 Planning and Zoning Board Meeting.

Motion by Mr. Weinberg, seconded by Mr. Good. Motion carried with members voting as follows:

Aye: Jordan, Weinberg, Boerema, Good, Olszewski.

City Council will hear Case CP-37-2022 on February 2, 2023.

 \*\*Z-58-2022 - Lipscomb Street Canals - Paul Daly and Don Ballew (Chris Ossa, P.E., Kimley-Horn and Kinan Husainy, P.E., Kimley-Horn & Associates / Kimberly Rezanka, Lacey Lyon Rezanka Attorneys At Law, Reps.) - A Zoning change from an HC, Highway Commercial District to an RMH, Residential City of Palm Bay Planning and Zoning Board/ Local Planning Agency Regular Meeting 2022-13 Minutes – December 7, 2022 Page 3 of 6

Mobile Home District. Tract F, Palm Bay Colony Replat of Portions of Sections 1, 2, 3, Page 1 of 3 Regular Meeting 2022-12 4, Section 5, Township 29, Range 37, Brevard County, Florida, containing approximately 2.87 acres. Located north and south of Ersoff Boulevard NE, in the vicinity east of Lipscomb Street NE

Mr. Anderson presented the staff report for Case Z-58-2022. Case Z-58-2022 met the minimum requirements for a Rezoning request.

Mr. Olszewski inquired whether the subject canals would be filled in and built upon, and if the development to the north would drain into the canals. Mr. Anderson stated that the canals would not be built upon and would continue their present purpose of supporting the drainage from the Palm Bay Colony Mobile Home Park. The rezoning would keep the City's Geographic Information Systems (GIS) program from analyzing the properties as viable commercial land. He indicated that the narrow width of the properties would not permit any type of development to occur onsite. He clarified that the future Lipscomb Street PUD project was to the west and would not drain into the canals.

Ms. Kimberly Rezanka, Lacey Lyon Rezanka Attorneys At Law (representative for the applicant) stated that her client, Pulte Homes, had purchased the properties west of the site to be developed as Lipscomb Street PUD without the knowledge that the subject drainage tracts were part of the purchase. Palm Bay Colony did not want the drainage tracts; however, the tracts supported Palm Bay Colony but would not support the Lipscomb Street PUD project. The subject request would make the zoning and future land use for the site compatible, and the rezoning application was at the request of the City.

Mr. Olszewski questioned whether Pulte Homes would be maintaining the canals. Ms. Rezanka stated that she did not know who should be maintaining the canals, but as the owner of the tracts, Pulte Homes would ultimately be responsible.

The floor was opened and closed for public comments; there were no comments from the audience, and there was no correspondence in the file.

Motion to submit Case Z-58-2022 to City Council for approval.

City of Palm Bay Planning and Zoning Board/ Local Planning Agency Regular Meeting 2022-13 Minutes – December 7, 2022 Page 4 of 6

Motion by Mr. Weinberg, seconded by Mr. Good. Motion carried with members voting as follows:

Aye: Jordan, Weinberg, Boerema, Good, Olszewski.

City Council will hear Case Z-58-2022 on January 5, 2023.

3. CP-39-2022 – WITHDRAWN - Crown Square II - Centerpointe Church, Inc. (Jake Wise, P.E., Construction Engineering Group, LLC, Rep.) - A small scale Comprehensive Plan Future Land Use Map amendment from Public/Semi-Public Use and Single-Family Residential Use to Multiple-Family Residential Use. A portion of Tract B.1 of Port Malabar Unit 9 along with Tax Parcels 10 and 11, Section 5, Township 29, Range 37, Brevard County, Florida, containing approximately 13.5 acres. Located at the northeast corner of Mirage Avenue SE and Emerald Road SE

Case CP-39-2022 was withdrawn by the applicant (Centerpointe Church, Inc. - Jake Wise, P.E., Construction Engineering Group, LLC, Rep.).

Board action was not required to withdraw the case.

4. \*\*CPZ-39-2022 - WITHDRAWN - Crown Square II - Centerpointe Church, Inc. (Jake Wise, P.E., Construction Engineering Group, LLC, Rep.) - A Zoning amendment from an RS2, Single-Family Residential District and an RR, Rural Residential District to an RM-15, Single-, Two-, Multiple-Family Residential District. A portion of Tract B.1 of Port Malabar Unit 9 along with Tax Parcels 10 and 11, Section 5, Township 29, Range 37, Brevard County, Florida, containing approximately 13.5 acres. Located at the northeast corner of Mirage Avenue SE and Emerald Road SE

Case CPZ-39-2022 was withdrawn by the applicant (Centerpointe Church, Inc. - Jake Wise, P.E., Construction Engineering Group, LLC, Rep.).

Board action was not required to withdraw the case.

City of Palm Bay Planning and Zoning Board/ Local Planning Agency Regular Meeting 2022-13 Minutes – December 7, 2022 Page 5 of 6

### **OTHER BUSINESS:**

## 1. Presentation by City Attorney - Discussion on Exactions

Palm Bay City Attorney Patricia Smith informed the board of her credentials that substantiated her expertise in the area of exactions, and the board was given a handout regarding exactions. She explained how the Planning and Zoning Board was a statutory board that provided expert opinions to the City Council. Board considerations, however, had to be proper to be relied upon as competent and substantial evidence. She used case studies to outline how the board could not place unreasonable, arbitrary, and capricious burdens and conditions on developers. Exactions must be proportional to the impacts of the proposed development.

Ms. Smith responded to board questions and comments and explained that landowners had the ability to use their property so long as development was consistent with the Comprehensive Plan and followed development regulations.

# 2. Presentation by City Manager - Transportation improvements and public safety expansions

Palm Bay City Manager Suzanne Sherman gave the board an overview of City legacy issues and needs pertaining to traffic, roadway classifications, street widenings, and public safety services. Tremendous growth had led to tremendous needs. She explained how new developments paid their fair share for improvements, but existing area issues were still the responsibility of the City. The City was currently utilizing impact fees, state funding through other agencies, land negotiations for roads, development agreements, the future construction of fire stations, and additional police and fire staff to progress. Timely updates to the Comprehensive Plan; Police, Fire, and Parks Impact Fees; and the Transportation Impact Fees would put the City in a better place.

Ms. Sherman responded to board questions and comments, and City Attorney Patricia Smith asserted that the board could not make developers resolve prior area deficiencies. The board could approve projects at maximum levels and with conditions so that studies could later determine development impacts proportionately based on City ordinances.

City of Palm Bay Planning and Zoning Board/ Local Planning Agency Regular Meeting 2022-13 Minutes – December 7, 2022 Page 6 of 6

## ADJOURNMENT:

The meeting was adjourned at approximately 7:11 p.m.

Leeta Jordan, CHAIRPERSON

Attest:

Chandra Powell, SECRETARY

\*\*Quasi-Judicial Proceeding



**TO:** Planning and Zoning Board Members

- FROM: Jesse Anderson, Ph.D., Assistant Growth Management Director
- DATE: January 4, 2023
- **SUBJECT:** CP-37-2022 WITHDRAWN Mixed Use City of Palm Bay (Growth Management Department) A Comprehensive Plan Textual Amendment to the FLU-1.1I language in the Future Land Use Element of the City of Palm Bay Comprehensive Plan, to ensure consistency with the City Council's intent to promote mixed use development

Case CP-37-2022 has been withdrawn by the applicant (City of Palm Bay - Growth Management Department).

Board action is not required to withdraw the case.



TO: Planning and Zoning Board Members

- **FROM:** Tania Ramos, Senior Planner
- DATE: January 4, 2023
- SUBJECT: \*\*CU-1-2023 REQUEST TO CONTINUE TO 02/01 P&Z Automotive Gas/Fuel Sales - Gary Smigiel, Ascot Palm Bay Holdings, LLC (Pursuit Development, LLC, Rep.) - A Conditional Use to allow retail automotive gas/fuel sales in a CC, Community Commercial District, in accordance with Section 185.043(D)(3) of the Palm Bay Code of Ordinances. A Portion of Tax Parcel 501, Section 21, Township 28, Range 36, Brevard County, Florida, containing approximately 2.00 acres. Located at the northeast corner of Emerson Drive NW and St. Johns Heritage Parkway NW

A request to continue Case CU-1-2023 to the February 1, 2023 Planning and Zoning Board Meeting to allow for further review.

#### Board action is required to continue the case.

City Council will hear the request on March 2, 2023.

\*\*Quasi-Judicial Proceeding.



TO: Planning and Zoning Board Members

- FROM: Jesse Anderson, Ph.D., Assistant Growth Management Director
- DATE: January 4, 2023
- **SUBJECT:** T-7-2023 Citizen Participation Plan City of Palm Bay (Growth Management Department) A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 169: Land Development Code, Section 169.005, to amend Citizen Participation Plans

## ATTACHMENTS:

## Description

- Case T-7-2023 Staff Report
- D Case T-7-2023 Application



## STAFF REPORT LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042

landdevelopmentweb@palmbayflorida.org

Prepared by

Jesse D. Anderson, Assistant Growth Management Director

| CASE NUMBER |  |
|-------------|--|
| T-7-2023    |  |

PLANNING & ZONING BOARD HEARING DATE January 4, 2022

**APPLICANT** City of Palm Bay, Florida

Site Acreage

**PROPERTY LOCATION/ADDRESS** Not Applicable

**SUMMARY OF REQUEST** A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 169: Land Development Code, Section 169.005(B)(1), to amend Citizen Participation Plans.

Not Applicable

- Existing ZoningNot ApplicableExisting Land UseNot ApplicableSite ImprovementsNot Applicable
- SURROUNDING ZONING & USE OF LAND

| North | Not Applicable |
|-------|----------------|
| East  | Not Applicable |
| South | Not Applicable |
| West  | Not Applicable |

#### **BACKGROUND:**

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 169: Land Development Code, Section 169.005(B)(1), to modify the requirements for Citizen Participation Plan submittals and their associated timelines. See proposed changes below:

The applicant for this amendment is the City of Palm Bay, Florida. The applicant is looking to remove inconsistencies, standardized applicant reports, and broaden participation through hybrid meeting places (both physical and virtual).

Proposed language for this amendment is attached in legislative style with additions between >>arrow<< symbols and deletions in strikethrough format.

#### SECTION INTENT AND APPLICABILITY:

The purpose of the citizen participation plan is to:

(1) Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community.

(2) Ensure that citizens have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the review and decision-making process.

(3) Facilitate ongoing communication between the applicant, interested citizens, city staff, appointed and elected officials throughout the applicant review process.

(4) The citizen participation plan is not intended to produce complete consensus on all applicants, but to encourage applicants to be good neighbors and to allow for informed decision-making.

#### ANALYSIS:

The proposed changes, as textually written below, will ensure that Citizen Participation Plans are implemented in a timely manner, with forethought, as the proper implementation of said plan will be a contingency of deeming an applicable application as sufficient for review and public hearing. The proposed language also provides for the standardization of Citizen Participation Plan reports that are submitted to the city. Moreover, it broadens the ability of citizen participation in Citizen Participation Plan meetings by enabling virtual meeting links to be provided for all meetings in addition to the physical meeting location.

#### **STAFF RECOMMENDATION:**

Case T-30-2022 is recommended for approval.

## TITLE XVII: LAND DEVELOPMENT CODE

## CHAPTER 169: LAND DEVELOPMENT CODE

## § 169.005 CITIZEN PARTICIPATION PLANS.

(A) *Purpose*. The purpose of the citizen participation plan is to:

(1) Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community.

(2) Ensure that citizens have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the review and decision-making process.

(3) Facilitate ongoing communication between the applicant, interested citizens, city staff, appointed and elected officials throughout the applicant review process.

(4) The citizen participation plan is not intended to produce complete consensus on all Applicants>applications<<, but to encourage applicants to be good neighbors and to allow for informed decision-making.

(B) Applicability.

(1) Every application for development that requires a Comprehensive Plan Future Land Use Map or Zoning Map Amendment, preliminary subdivision approval, preliminary planned unit development, >>non-exempt development plan amendment<< or a conditional use shall include a citizen participation plan>>and a citizen participation report<< that must be implemented prior to an application being deemed sufficient for staff review and scheduling of public hearings.

(2) When in compliance with all other city ordinances and regulations, the following projects are exempted from the other provisions of this section.

(a) Construction of one single-family detached dwelling.

(b) Construction of ten (10) or less multi-family dwelling units, regardless of density.

(c) Amendments to an approved Planned Unit Development (PUD) >> that are exempt per section 185.066(C)(2) << provided that less than twenty percent (20%) of the total acreage of the PUD is subject to the amendment.

(C) >>Meeting Notice and<< Plan contents.

- (1) At a minimum, the >>applicant shall host at least one<< citizen participation plan >>that<< shall >>be held within city limits and may be accompanied by a virtual meeting link.<<</p>
- (2) **>>The citizen participation plan shall<<** include the following information:

(a) >>A copy of the notice containing the date, time and location of the meeting that was mailed to all <<<del>Which</del> residents, property owners, interested parties, political jurisdictions and public agencies >>that<< may be affected by the application >>within 500 feet of the subject property and a copy of the mailing list. These requirements apply in addition to any notice provisions required elsewhere in the Land Development Regulations. Citizen Participation Plan meeting dates may not overlap with any City of Palm Bay Council meetings or Planning and Zoning Board meetings.<

(b) >> A brief statement introducing the request, identifying the location of the subject parcel(s), the total acreage, its current use, its current Future Land Use designation, its current zoning designation and identifying whether it is improved or unimproved.<< How those parties identified in division (C)(1) of this section will be notified that an application has been made including a letter introducing the proposed project and describing the impact it may have on the surrounding properties, providing a proposed site plan and a contact name, phone number and address where parties may address questions;

(c) How those parties identified in division (C)(1) of this section will be informed of a substantive of change, amendment, or development to the proposed application;

(d) How those identified in division (C)(1) of this section will be provided an opportunity to discuss the applicant's proposal with the applicant and express any concerns, issues, or problems they may have with the proposal in advance of the public hearing or public review and comment period; at a minimum there should be at least one (1) informational meeting held on a Monday, Tuesday or Wednesday evening after 6:00 p.m. at least seven (7) days before the first scheduled city public hearing or administrative review;

(e) The applicant's schedule for completion of the citizen participation plan;

(f) How the applicant will keep the Growth Management Department informed as to the status of his or her citizen participation efforts.

(2) >>During the Citizen Participation Plan meeting, the applicant shall provide an overview of the request describing the potential impact the proposed request may have on the surrounding properties.<< The level of citizen interest and area of involvement will vary depending on the nature of the application and the project's location. The applicant will determine the target area for notification after consultation with and approval of the Growth Management Department. (3) >> Citizen Participation Plan meetings must be held within ninety (90) days of official submittal of a complete application to the City of Palm Bay.<< In no case shall the notification area be less than that required in other sections of the Land Development Regulations.

(4) The applicant shall notify neighborhood and homeowners' associations within the public notice area required by other sections of the Land Development Regulations.

(5) The applicant shall notify any other persons, organizations or agencies as deemed appropriate after consultation with the Growth Management Department.

(6) These requirements apply in addition to any notice provisions required elsewhere in the Land Development Regulations.

(7) At the applicant's discretion, applicant may submit a citizen participation plan, along with the required processing fee, and begin implementation prior to the formal application submittal. This shall not occur until after consultation with the Growth Management Department.

## (D) Citizen participation report.

(1) When a citizen participation plan is required, the applicant shall provide a written report, >> on a city prescribed form<< satisfactory to the Director of the Growth Management Department, documenting the results of the citizen participation >>plan meeting.<< effort prior to the notice of public hearing or notice of public review and comment period on the application. This report shall be >>required as part of the complete application submittal package and<< made a part of the administrative record and shall be filed with the Growth Management Department at for least five (5) days before the city's first public hearing or final administrative review.

(2) The citizen participation report shall >> include a copy of any meeting notice(s) and any attachments or accompanying materials included with the notice. <<describe the methods the applicant employed to involve the public, including:

(a) Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal;

(b) The content, dates mailed, and number of mailings, including letters, meeting notices, newsletters and other writings;

(c) A description of where residents, property owners and other interested parties receiving notices, newsletters, or other written materials are located; and

(d) The number of people who participated in the process.

(3) The report shall >> identify the number of attendees, include a copy of the sign-in sheet, any materials distributed or presented at the meeting and<< summarize the substance of concerns, issues and problems expressed during the >>meeting<<pre>process.

(4) The report shall describe how the applicant has addressed, or intends to address the concerns, issues and problems expressed during the process.

(5) The report shall identify which concerns, issues and problems the applicant is unwilling or unable to address, if any, and shall state >> the applicant's justification.<< why.

(Ord. 2006-45, passed 5-16-06; Am. Ord. 2014-48, passed 10-14-14; Am. Ord. 2016-12, passed 3-17-16; Am. Ord. 2022-84, passed 8-18-22)



#### LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042 Landdevelopment@palmbayflorida.org

## CODE TEXTUAL AMENDMENT APPLICATION

This application must be deemed complete and legible, and must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

#### **ORDINANCE SECTION(S) PROPOSED TO BE CHANGED:**

169.005

## PROPOSED LANGUAGE (attach addendum if necessary):

See attached

## JUSTIFICATION FOR PROPOSED CHANGE (attach other documents if necessary)

To streamline and broaden citizen participation.

#### CITY OF PALM BAY, FLORIDA CODE TEXTUAL AMENDMENT APPLICATION PAGE 2 OF 2

## THE APPLICATION FEE MUST BE SUBMITTED WITH APPLICATION TO PROCESS THIS REQUEST:

#### \*\$1,500.00 Application Fee. Make Check payable to "City of Palm Bay."

I, the undersigned understand that this application must be complete and accurate before consideration by the Planning and Zoning Board/Local Planning Agency and certify that all the answers the questions in said application, and all data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief.

Under penalties of perjury, I declare that I have read the foregoing code textual amendment application and that the facts stated in it are true.

|                      | h                                   | 17/77/27                       |
|----------------------|-------------------------------------|--------------------------------|
| Signature of Ap      | oplicant                            | Date 12/23/22                  |
| Printed Name o       | of Applicant Jesse Ano              | lessen                         |
| Full Address         | 120 Malaber RD                      | Palm Bay Florida               |
| Telephone <u>3</u> 2 | 1-73-3-42 Email 200                 | 52. ardura @palmbayflorida.org |
| PERSON TO BI         | E NOTIFIED (If different from above | e):                            |
| Printed Name         |                                     |                                |
| Full Address         |                                     |                                |
| Telephone            | Email                               |                                |

\*NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY