

## City of Palm Bay, Florida Business Impact Estimate

*This form should be included in the City Council agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Palm Bay website by the time notice of the proposed ordinance is published, excluding the exceptions provided in 166.041(4), Florida Statutes.*

### ORDINANCE 2024-56

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE ZONING ORDINANCE OF THE CITY OF PALM BAY BY CHANGING THE ZONING OF ALL PROPERTIES WITH A ZONING DISTRICT OF BMU (BAYFRONT MIXED USE) TO CMU (COMMUNITY MIXED-USE DISTRICT); PROVIDING FOR A CHANGE OF THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE. (Case #Z24-00008)

This Business Impact Estimate is provided in accordance with Section 166.041(4), *Florida Statutes*. If one or more boxes are checked below, this means the City of Palm Bay is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Development orders and development permits, as those terms are defined in s. 163.3164, and, development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;
  - b. Comprehensive Plan Amendments and land development regulation amendments initiated by an application by a private party other than the county;
  - c. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
  - d. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or

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<sup>1</sup> See Section 166.041(4)(c), *Florida Statutes*.

- e. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Palm Bay hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare): *The proposed ordinance was initiated by the City and rezones 38 lots (consisting of 117 acres) from BMU to CMU. Both existing and proposed zoning districts are mixed-use zoning districts. As part of the 2024 update to the Land Development Code, the rezoning is proposed to allow mixed-use districts throughout the city, and to bring the LDC into compliance with the Comprehensive Plan.*

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Palm Bay, if any:  
(a) An estimate of direct compliance costs that businesses may reasonably incur;  
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and  
(c) An estimate of the City of Palm Bay regulatory costs, including estimated revenues from any new charges or fees to cover such costs.  
*No direct economic impact estimated.*

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: *None (0)*

4. Additional information the governing body deems useful (if any):  
*[You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: City of Palm Bay staff solicited comments from businesses in the City of Palm Bay as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City of Palm Bay's website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses.] Both the existing (BMU) zoning district and proposed (CMU) zoning district provide lands for a mix of residential and non-residential uses in the City of Palm Bay. Stand-alone business uses are not permitted in mixed-use districts unless the development includes residential uses, as well.*