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CHAPTER 170. GENERAL PROVISIONS

~~§ 185.001 Title.~~

~~This chapter shall be known and may be cited as the “City of Palm Bay Zoning Ordinance.”~~

~~(‘74 Code, § 25-1) (Ord. 89-08, passed 4-27-89)~~

§ 170.001. § 185.002 AUTHORITY — ADOPTION.

This ~~chapter~~ Land Development Code, together with all future amendments, is adopted under the terms and authority granted by ~~Fla. Stat. Ch. 163, and Ch. 166,~~ and Ch. 177, F.S., and the Charter of the city.

~~(‘74 Code, § 25-11) (Ord. 89-08, passed 4-27-89)~~

§ 170.002. § 185.005 PURPOSE.

The city ~~zoning~~ land development code is based on, consistent with, related to and adopted to effectuate and implement the policies of the city comprehensive plan in order to protect, preserve and improve the public health, safety, order, appearance, convenience and welfare of the inhabitants of the city, including, but not limited to:

(A) ~~(A) Lessening congestion in the streets~~ Improving the safe movement of pedestrians, bicyclists, transit users and motor vehicles;

(B) ~~(B)~~ Encouraging the most appropriate use of land, water and resources;

(C) ~~(C)~~ Providing adequate light and air;

(D) ~~(D)~~ Securing safety from fire and other dangers;

(E) ~~(E)~~ Preventing the overcrowding of land;

(F) ~~(F)~~ Presenting the character and stability of residential, commercial, industrial and other areas;

(G) ~~(G)~~ Facilitating the adequate provisions for transportation, water supply, sewerage, drainage, sanitation, recreation, schools, housing, and other services; and

(H) ~~(H)~~ Conserving and enhancing the standard of living within the city.

~~(‘74 Code, § 25-31) (Ord. 89-08, passed 4-27-89)~~

~~§ 169.001 PURPOSE AND INTENT.~~

~~The purpose of this subchapter is to:~~

~~(A) Specifically delineate the chapters of this code of ordinances to be known as the “City Land Development Code,” codified as Title XVII of this code of ordinances;~~

~~(B) Make provisions for printing and offering for sale of this land development code and to fulfill the requirements of F.S. §163.3202(3).~~

~~(‘74 Code, § 18½-81) (Ord. 89-10, passed 4-27-89; Am. Ord. 2002-36, passed 5-16-02; Am. Ord. 2006-44, passed 5-16-06)~~

~~Cross-reference:~~

~~Moratoria on amendment, see § 187.02~~

~~§ 169.002 CONTENTS.~~

~~The following portions of this code of ordinances shall be compiled, printed and offered for sale to the public under the title “City Land Development Code”:~~

- ~~(A) Chapter 169: Land Development Code.~~
- ~~(B) Chapter 170: Construction Codes and Regulations.~~
- ~~(C) Chapter 171: Fair Share Impact Fees.~~
- ~~(D) Chapter 173: Adult Entertainment Code.~~
- ~~(E) Chapter 174: Floodplain and Stormwater Management.~~
- ~~(F) Chapter 175: Mining/Excavation Operations.~~
- ~~(G) Chapter 176: Fuel Storage Tank Systems.~~
- ~~(H) Chapter 177: Fire Prevention and Protection.~~
- ~~(I) Chapter 178: Signs.~~
- ~~(J) Chapter 179: Streets and Other Rights of Way.~~
- ~~(K) Chapter 180: Trees and Shrubbery; Landscaping.~~
- ~~(L) Chapter 181: Water and Sewers.~~
- ~~(M) Chapter 182: Public Improvements.~~
- ~~(N) Chapter 183: Comprehensive Plan Regulations.~~
- ~~(O) Chapter 184: Subdivisions.~~
- ~~(P) Chapter 185: Zoning Code.~~
- ~~(Q) Chapter 186: Communication Towers and Facilities.~~

~~(‘74 Code, § 18½-82) (Ord. 89-10, passed 4-27-89; Am. Ord. 2002-36, passed 5-16-02; Am. Ord. 2006-44, passed 5-16-06)~~

~~§ 169.003 LEGAL STATUS.~~

~~This subchapter is not intended to modify, repeal or amend any existing provisions of this code of ordinances or any other ordinance of the city.~~

~~(‘74 Code, § 18½-83) (Ord. 89-10, passed 4-27-89; Am. Ord. 2002-36, passed 5-16-02; Am. Ord. 2006-44, passed 5-16-06)~~

§ 170.003. ~~§ 185.003~~ APPLICABILITY; CONFORMANCE.

The provisions of this ~~chapter~~ [Land Development Code](#) shall apply to all lands, waters, buildings, structures, and the use thereof, within the jurisdictional limits of the city. No lands, waters, buildings or structures shall be used, no buildings or structures shall be erected, and no existing buildings or structures shall be moved,

added to, enlarged, altered or maintained except in conformity with the provisions of ~~this chapter~~[the Land Development Code](#).

~~(74 Code, § 25-21)~~

[§ 170.004.](#) ~~§ 185.004~~ CONFLICT.

It is not intended by this ~~chapter~~[Title](#) to repeal, abrogate, annul or in any way impede or interfere with existing provisions of other laws or ordinances, except as specifically repealed by this ~~chapter~~[Title](#). Where this ~~chapter~~[Title](#) imposes a greater restriction upon land, water, building or structures than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this ~~chapter~~[Title](#) shall control.

~~(74 Code, § 25-22) (Ord. 89-08, passed 4-27-89)~~

[§ 170.005.](#) ~~§ 169.008~~ ADOPTION OF STANDARDS BY REFERENCE.

Adoption by reference of specific documents to be utilized for administration, review of development proposals, and other related purposes shall be established by City Council by resolution. Such documents shall be considered binding on all development occurring or being reviewed for approval by the City and its adoption by City Council shall be considered administrative in nature. Adoption by resolution for adopted by reference materials shall specify the document, standard, rule, or law being adopted by name, version, and date, as applicable. Specific reference to the documents does not require adoption within each applicable chapter of this code.

~~(Ord. 2007-93, passed 10-18-07)~~

[§ 170.006.](#) ~~§ 185.180~~ ADMINISTRATION AND ENFORCEMENT.

The ~~Growth Management Director, under the supervision of the~~ City Manager [or designee](#), shall administer and enforce this [Land Development Code](#) chapter. ~~He may be provided with assistance of such other officers and employees of the city as may be necessary to enforce the provisions of this chapter.~~ If any provisions of this ~~chapter~~ [Land Development Code](#) are violated, the person responsible for such violation shall be notified in writing, indicating the nature of the violation and ordering the action necessary to correct it. The ~~Growth Management Director~~ [City Manager or designee](#), at ~~his~~[their](#) discretion, shall order discontinuance of illegal use of land, buildings, or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this chapter to ensure compliance with or to prevent violation of its provisions.

~~(74 Code, § 25-251) (Ord. 89-08, passed 4-27-89; Am. Ord. 2016-17, passed 4-21-16)~~