

ORDINANCE NO. 2019-22

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO PROVIDE FOR P-I (PARKWAY INTERCHANGE) LAND USE FOR A NEWLY ANNEXED 24.65 ACRE PARCEL GENERALLY LOCATED WEST OF INTERSTATE 95, ON THE NORTH SIDE OF U.S. 192 AT THE INTERSECTION OF U.S. 192 AND ST. JOHNS HERITAGE PARKWAY, AND AS MORE FULLY DESCRIBED HEREIN; ESTABLISHING AN APPROPRIATE LAND USE FOR THE PROPERTY; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; EXTENDING THE GOALS, OBJECTIVES, AND POLICIES AND OTHER LAND USE PLANNING REQUIREMENTS TO THE PROPERTY; AND, PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the City Council of the City of West Melbourne, Brevard County, Florida, that:

Section 1.

Large Scale Comprehensive Plan Amendment Number 3 in 2019 (LSA-2019-03) is hereby adopted.

Section 2.

The Future Land Use Map of the Comprehensive Plan of the City is hereby amended to provide for P-I (Parkway Interchange) land use on the newly annexed property more particularly described as follows:

West of Interstate 95, on the north side of U.S. 192 at the intersection of St. Johns Heritage Parkway and U.S. 192 – (24.65 acres)
Parcel Identification Number 28-36-03-00-252

PARCEL 1:

A portion of Lot 23, Florida Indian River Land Company Subdivision of Section 3, Township 28 South, Range 36 East, as recorded in Plat Book 2, Page 80, of the Public Records of Brevard County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Northwest 1/4 of said Section 3, thence North 89 degrees 36'32" East along the South line of the Northwest 1/4 of said Section 3, a distance of 659.61 feet to the Point of Beginning, this being the Southwest corner of said Lot 23, Thence North 0 degrees 1 0 '30" West along West line of said Lot 23, a distance of 913.89 feet, thence North 89 degrees 25'30" East 659.75 feet to the East line of said Lot 23, thence South 0 degrees 12'01" East along East line of said Lot 23, 916.01 feet to the South line of Lot 23, this being the South line of the Northwest 1/4 of said Section 3, thence South 89 degrees 36'32" West along said line, 659.61 feet

to the Point of Beginning, LESS AND EXCEPT the South 68 feet for road right-of-way; and

PARCEL 2:

A portion of Lot 24, Florida Indian River Land Company Subdivision of Section 3, Township 28 South, Range 36 East, as recorded in Plat Book 23 Page 80, of the Public Records of Brevard County, Florida, being more particularly described as follows:

Begin at the Southwest corner of the Northwest 1/4 of said Section 3, thence North 0 degrees 1258" West along West line of said Northwest 1/4 of Section 3, a distance of 911.80 feet to a point, thence North 89 degrees 25'30" East 659.75 feet to East line of said Lot 24, thence South 0 degrees 12'30" East along said Lot 24, 913.89 feet to the South line of said Lot 24, this being the South line of Northwest 1/4 of said Section 3, thence South 89 degrees 36'32" West along said line 659.61 feet to the Point of Beginning. LESS AND EXCEPT the South 68 feet and the West 50 feet for roads right-of-way.

Section 3.

The Comprehensive Plan of the City is hereby amended to establish a proper and appropriate future land use for the newly annexed property described in Section 2 of this ordinance.

Section 4.

The City's goals, objectives, and other land use planning requirements set forth in the Comprehensive Plan are hereby extended to and imposed upon the newly annexed property described in Section 2 of this Ordinance.

Section 5.

The Planning Director is hereby authorized and directed to cause the provisions of Sections 2 through 4 of this Ordinance to be incorporated into and made part of the City's Comprehensive Plan.

Section 6.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED by the City Council of the City of West Melbourne,
Brevard County, Florida, this ____ day of _____, 2019.

1ST READING: September 17, 2019

2ND READING: December 3, 2019

Effective date: January 3, 2020