

ORDINANCE NO. 2020-14

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 44.72 ACRES OF NEWLY ANNEXED LAND GENERALLY LOCATED ON THE SOUTH SIDE OF U.S. 192, WEST OF INTERSTATE 95, AND EAST OF 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 Amendments Number 2 in 2020 (LSA-2020-02) 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 property more particularly described as follows:

44.72 acres – Parcel Identification Numbers 28-36-03-00-751, 28-36-03-00-760, and 28-36-03-00-762

LEGAL DESCRIPTION: (BY SURVEYOR)

A PORTION OF LOTS 2, 3, 14 AND 15, INDIAN RIVER LAND COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 80, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; SAID LANDS LYING IN THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 28 SOUTH, RANGE 36 EAST, SAID BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF TRACT D, SPACE COAST TOWN CENTRE EAST-PHASE I, RECORDED IN PLAT BOOK 68, PAGE 50, SAID PUBLIC RECORDS; THENCE N89°37'47"E ALONG THE SOUTH LINE OF SAID TRACT D, A DISTANCE OF 550.00 FEET; THENCE N00°12'58"W ALONG THE EAST LINE OF SAID TRACT D, A DISTANCE OF 308.79 FEET TO THE WEST RIGHT-OF-WAY LINE OF BRANDYWINE LANE (A 60.00 WIDE LIMITED ACCESS RIGHT-OF-WAY) PER FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) RIGHT-OF-WAY MAP SECTION 70220-2403 THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE FOR THE FOLLOWING SEVEN (7) COURSES: S53°55'19"E, A DISTANCE OF 107.68 FEET; THENCE S43°37'58"E, A

DISTANCE OF 197.48 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 542.96 FEET, A CENTRAL ANGLE OF 20°00'00" AND A RADIAL BEARING OF S56°56'00"W; THENCE SOUTHERLY FOR AN ARC DISTANCE OF 189.53 FEET TO THE END OF SAID CURVE; THENCE S13°04'00"E, A DISTANCE OF 356.92 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 1115.92 FEET, A CENTRAL ANGLE OF 6°46'26"; THENCE SOUTHERLY FOR AN ARC DISTANCE OF 131.93 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S06°17'34"E, A DISTANCE OF 203.36 FEET TO THE POINT OF CURVATURE A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 3335.36 FEET, A CENTRAL ANGLE OF 19°53'38" AND A RADIAL BEARING OF N83°21'32"E; THENCE SOUTHERLY FOR AN ARC DISTANCE OF 1158.08 FEET TO THE NORTH RIGHT-OF-WAY LINE OF MELBOURNE TILLMAN DRAINAGE DISTRICT CANAL 84 (A 96.00 FOOT WIDE DRAINAGE RIGHT-OF-WAY) THENCE S89°35'02"W ALONG SAID NORTH RIGHT-OF-WAY, A DISTANCE OF 1293.14 FEET TO THE SOUTHEAST CORNER OF SAID SPACE COAST TOWN CENTRE EAST-PHASE I, THENCE N00°12'58"W ALONG THE EAST LINE OF SAID SPACE COAST TOWN CENTRE EAST-PHASE I A DISTANCE OF 1860.60 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LANDS.

SAID LANDS CONTAINING 44.72 ACRES OF LAND MORE OR LESS.

Section 3.

The Comprehensive Plan of the City is hereby amended to establish a proper and appropriate future land use for the 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 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 2nd day of March, 2021.

1ST READING: December 15, 2020

2ND READING: March 2, 2021

Effective date: April 3, 2021