

## ORDINANCE NO. 2021-05

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO PROVIDE FOR LD-RES (LOW DENSITY RESIDENTIAL) LAND USE ON 23.37 ACRES OF NEWLY ANNEXED LAND GENERALLY LOCATED SOUTHWEST OF INTERSTATE 95, WEST OF MINTON ROAD, AND SOUTH AND WEST OF CARRIAGE GATE DRIVE, 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 2 in 2021 (LSA-2021-02) is hereby adopted.

### **Section 2.**

The Future Land Use Map of the Comprehensive Plan of the City is hereby amended to provide for LD-RES (Low Density Residential) land use on the property more particularly described as follows:

Parcel Identification Number 28-36-13-00-750 by the Property Appraiser of Brevard County

LEGAL DESCRIPTION: (BY SURVEYOR)

The Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , of Section 13, Township 23 South, Range 36 East, Lying Southwesterly of I-95; Less and except the West 132 Feet, Canal, Highway and Road 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 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 6th day of April 2021.

1ST READING: January 19, 2021

2ND READING: April 6, 2021

Effective date: May 7, 2021