

ORDINANCE NO. 2021-02

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO PROVIDE FOR IND (INDUSTRIAL) AND COM (COMMERCIAL) LAND USE ON 34.52 ACRES OF NEWLY ANNEXED LAND GENERALLY LOCATED ON THE NORTH 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 Amendment Number 1 in 2021 (LSA-2021-01) is hereby adopted.

Section 2.

The Future Land Use Map of the Comprehensive Plan of the City is hereby amended to provide for IND (Industrial) and COM (Commercial) land use on the property more particularly described as follows:

34.52 acres – Parcel Identification Numbers 28-36-03-00-3 and 28-36-03-00-4

LOT 29, FLORIDA INDIAN RIVER LAND COMPANY SUBDIVISION, SECTION 3, TOWNSHIP 28 SOUTH, RANGE 36 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 80 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. TOGETHER WITH THE NORTH 25.00 FEET OF A PORTION OF LOT 19, FLORIDA INDIAN RIVER LAND COMPANY SUBDIVISION, SECTION 3, TOWNSHIP 28 SOUTH, RANGE 36 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 80 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 19 AND RUN N89°31'01"E ALONG THE NORTH LINE OF SAID LOT 19 A DISTANCE OF 316.24 FEET TO THE WESTERLY RIGHT OF WAY OF COLUMBIA LANE (AN 80 FOOT RIGHT OF WAY); THENCE S00°02'55"E ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 25.00 FEET; THENCE S89°31'01"W A DISTANCE OF

316.24 FEET TO THE WEST LINE OF SAID LOT 19; THENCE N00°10'40"W ALONG THE WEST LINE OF LOT 19, 25.00 FEET TO THE POINT OF BEGINNING; TOGETHER WITH AN EASEMENT FOR INGRESS/EGRESS BEING THE NORTH 50.00 FEET OF EAST 50.00 FEET OF LOT 20, FLORIDA INDIAN RIVER LAND COMPANY SUBDIVISION, SECTION 3, TOWNSHIP 28 SOUTH, RANGE 36 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 80 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ALSO BEING SUBJECT TO A 25 FOOT DRAINAGE EASEMENT OVER THE WEST 25 FEET OF LOT 29 AND ALSO BEING SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS OVER THE SOUTH 25 FEET OF THE EAST 100 FEET OF SAID LOT 29.

Property on 192

THE WEST ½ OF SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 3, TOWNSHIP 28, RANGE 36, EXCEPT ROAD RIGHTS OF WAY AND PART OF DEED TO THE D.O.T. AS RECORDED IN OFFICIAL RECORDS BOOK 586, PAGE 644, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA

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