

ORDINANCE 25-__

AN ORDINANCE AMENDING ARTICLE III, CHAPTER 62, OF THE CODE OF ORDINANCES OF BREVARD COUNTY, ENTITLED "THE 1988 COMPREHENSIVE PLAN", SETTING FORTH THE TWELTH SMALL SCALE PLAN AMENDMENT OF 2025, 25S.12 TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN; AMENDING SECTION 62-501 ENTITLED CONTENTS OF THE PLAN; SPECIFICALLY AMENDING SECTION 62-501, PART XVI(E), THE FUTURE LAND USE APPENDIX; AND PROVISIONS WHICH REQUIRE AMENDMENT TO MAINTAIN INTERNAL CONSISTENCY WITH THESE AMENDMENTS; PROVIDING LEGAL STATUS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 et. seq., Florida Statutes (1987) established the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Section 163.3167, Florida Statutes, requires each County in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the Department of Economic Opportunity; and

WHEREAS, on September 8, 1988, the Board of County Commissioners of Brevard County, Florida, approved Ordinance No. 88-27, adopting the 1988 Brevard County Comprehensive Plan, hereafter referred to as the 1988 Plan; and

WHEREAS, Sections 163.34 and 163.3187, and 163.3189, Florida Statutes, established the process for the amendment of comprehensive plans pursuant to which Brevard County has established procedures for amending the 1988 Plan; and

WHEREAS, Brevard County initiated amendments and accepted application for small scale amendments to the Comprehensive Plan for adoption in calendar year 2025 as Small Scale Plan Amendment 25S.12; and

WHEREAS, Brevard County established Technical Advisory Groups consisting of County technical employees grouped according to their operational relationship to the subject of a plan element or sub-element being prepared or amended, and these Technical Advisory Groups have provided technical expertise for the Amendment 25S.12; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, have provided for the broad dissemination of proposals and alternatives, opportunity for written

comments, public hearings after due public notice, provisions for open discussion, communication programs and consideration of and response to public comments concerning the provisions contained in the 1988 Plan and amendments thereto; and

WHEREAS, Section 62-181, Brevard County Code designated the Brevard County Planning and Zoning Board as the Local Planning Agency for the unincorporated areas of Brevard County, Florida, and set forth the duties and responsibilities of said local planning agency; and

WHEREAS, on August 18, 2025, the Brevard County Local Planning Agency held a duly noticed public hearing on Plan Amendment 25S.12, and considered the findings and advice of the Technical Advisory Groups, and all interested parties submitting comments; and

WHEREAS, on September 4, 2025, the Brevard County Board of County Commissioners held a duly noticed public hearing, and considered the findings and recommendations of the Technical Advisory Group, and all interested parties submitting written or oral comments, and the recommendations of the Local Planning Agency, and upon thorough and complete consideration and deliberation, approved for adoption Plan Amendment 25S.12; and

WHEREAS, Small Scale Plan Amendment 25S.12 adopted by this Ordinance comply with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Plan Amendment 25S.12 adopted by this Ordinance is based upon findings of fact as included in data and analysis.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Section 1. Authority. This ordinance is adopted in compliance with, and pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section 2. Purpose and Intent. It is hereby declared to be the purpose and intent of this Ordinance to clarify, expand, correct, update, modify and otherwise further the provisions of the 1988 Brevard County Comprehensive Plan.

Section 3. Adoption of Comprehensive Plan Amendments. Pursuant to Plan Amendment 25S.12 to the 1988 Comprehensive Plan, Article III, Chapter 62-504, Brevard County Code, the 1988 Brevard County Comprehensive Plan is hereby amended based on documentation shown in Exhibit A and as specifically shown in Exhibit B. Exhibits A and B are hereby incorporated into and made part of this Ordinance.

Section 4. Legal Status of the Plan Amendments. After and from the effective date of this Ordinance, the plan amendment, Plan Amendment 25S.12, shall amend the 1988 Comprehensive Plan and become part of that plan and the plan amendment shall retain the legal status of the 1988 Brevard County Comprehensive Plan established in Chapter 62-504 of the Code of Laws and Ordinances of Brevard County, Florida, as amended.

Section 5. Severability. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section 6. Effective Date. The effective date of this small scale plan amendment shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(3), Florida Statutes. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Economic Opportunity, or the Administration Commission, finding the amendment in compliance with Section 163.3184, Florida Statutes. A certified copy of the ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten days of enactment.

DONE AND ADOPTED in regular session, this ____ day of _____, 2025.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel M. Sadoff, Clerk

By: _____
Rob Feltner, Chairman

As approved by the Board on _____, 2025.

EXHIBIT A
25S.12 SMALL SCALE
COMPREHENSIVE PLAN AMENDMENT

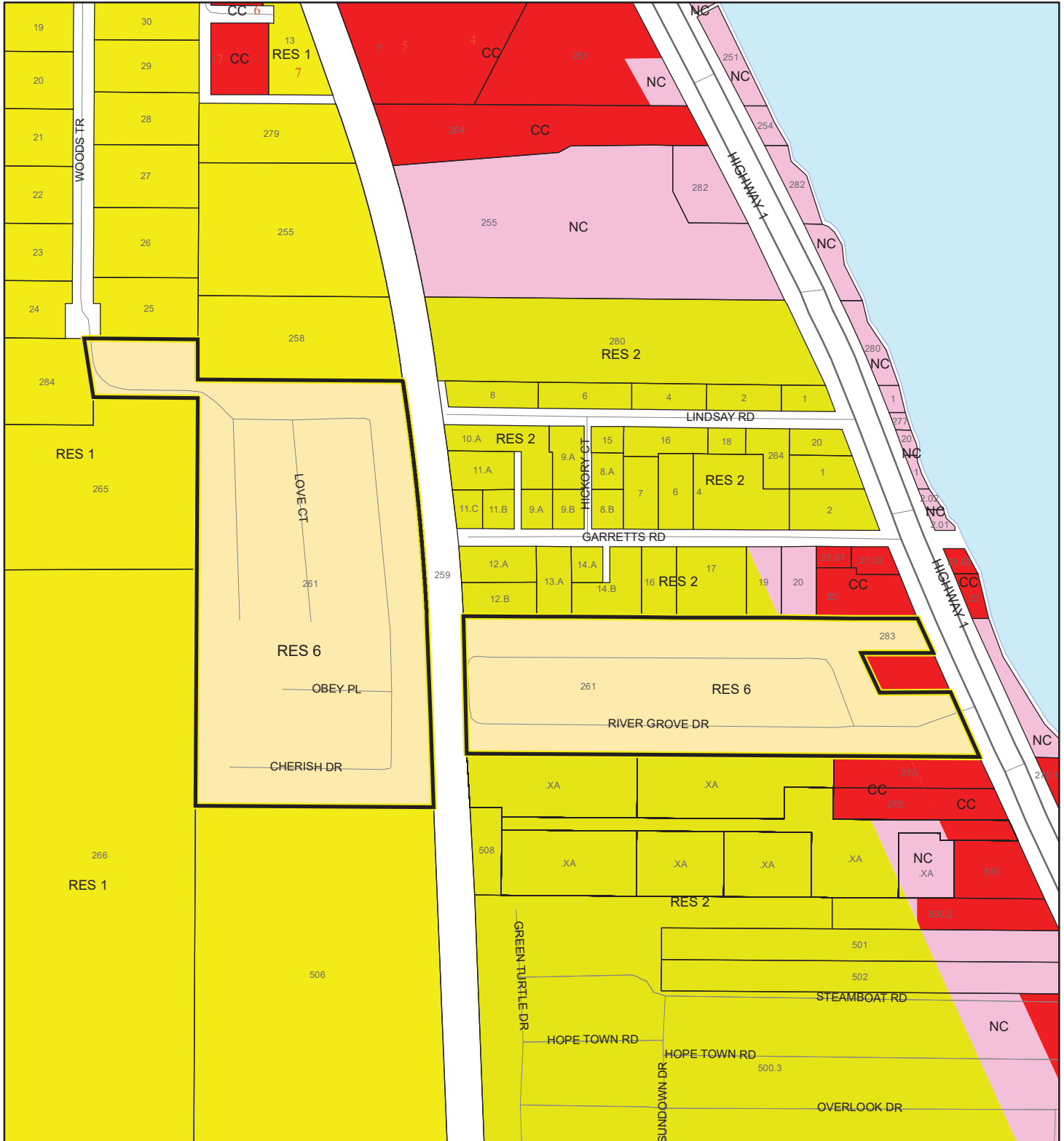
Contents

1. Proposed Future Land Use Map

PROPOSED FUTURE LAND USE MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 6/5/2025



 Subject Property
 Parcels

EXHIBIT B

Contents

1. Legal Description

A parcel of land being a part of Government Lots 2 and 5, Section 14, Township 30, Range 38 East, Brevard County, Florida, being more particularly described as follows:

BEGINNING at the intersection of the South line of the North 786.51 feet of Government Lots 2 and 5, in Section 14, Township 30 South, Range 38 East, Brevard County, Florida, and the Westerly Right-of-Way Line of U.S. Highway No. One; thence N89° 51'48"E along aforesaid South line of the North 786.51 feet a distance of 155.49 feet to a point on the Easterly Right-of-Way line of U.S. Highway No. 1; thence continue S89° 29'18"E a distance of 39.0 feet more or less, to the Mean High Water Line (as located on February 7, 2022) of the Indian River; thence Southerly along the Mean High Water line of the Indian River a distance of 449.7 feet, more or less, to a point on the North line of Submerged Land Lease per Official Records Book 4215, Page 1020 of the Public Records of Brevard County, Florida; thence S61° 57'36"W along said North line of Submerged Land Lease a distance of 27.80 feet, more or less, to point on the South line of the North 293.76 feet of the South 448.49 feet of aforesaid Government Lots 2 and 5 of Section 14; thence N89° 33'24"W along aforesaid South line a distance of 65.34 feet to a point on said Easterly Right-of-Way Line of U.S. Highway No. 1; thence N89° 33'24"W a distance of 157.90 feet to a point on the aforesaid Westerly Right-of-Way Line of U.S. Highway No. 1; thence N89° 33'24"W continuing along aforesaid South Line a distance of 1,562.37 feet to a point on the West Right-of-Way Line of Florida East Coast Railroad; thence S2° 13'14"E along said West Right-of-Way Line of the Florida East Coast Railroad a distance of 155.17 feet; thence N89° 32'04"W a distance of 684.76 feet to the Southwest corner of Government Lot 2; thence N0° 15'21"E along the West line of Government Lot 2 a distance of 1,167.02 feet; thence N89° 32'41"W a distance of 301.95 feet; thence N9° 14'29"W a distance of 170.00 feet to a point on the South Right-of-Way Line of Woods Trail as shown on the plat of PINERIDGE HEIGHTS, as recorded in Plat Book 24, Page 86, of the Public Records of Brevard County, Florida; thence S89° 32'41"E along aforesaid South Right-of-Line of Woods Trail and along the south line of Lot 25 a distance of 330.00 feet to the Northeast corner of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 14; thence S0° 15'21"W a distance of 115.00 feet; thence S89° 32'49"E a distance of 586.68 feet to a point on aforesaid West Right-of-Way Line of the Florida East Coast Railroad, said point being on a circular curve being concave Westerly, having a radius of 5,679.65 feet, a central angle of 6° 49'40" and a chord bearing of S6° 02'44"E; thence Southerly along the arc of said curve a distance of 676.83 feet to a point on the aforesaid South line of the North 786.51 feet of Government Lots 2 and 5; thence S89° 29'18"E along aforesaid South line a distance of 1,401.39 feet to the Point of Beginning, LESS AND EXCEPT: road right-of-way for U.S. Highway No. 1 (143 feet wide right-of-way). Florida East Coast Railroad (100 feet wide right-of-way).

A parcel of land lying in Section 14, Township 30 South, Range 38 East, Brevard County, Florida being a portion of those lands described in Official Records Book 3614, Page 3232, of the Public Records of Brevard County, Florida and being more particularly described as follows:

Commence at the Southwest corner of lands described in Official Records Book 5033, Page 1534 of said public records and run South $89^{\circ} 25'18''$ East along the south line of said lands and along the north line of said lands described in Official Records Book 3614, Page 3232, a distance of 118.20 feet to the POINT OF BEGINNING of the herein described parcel: thence continue South $89^{\circ} 25'18''$ East along the south line of said lands described in Official Records Book 5033, Page 1534 and the north line of said lands described in Official Records Book 3614, Page 3232, a distance of 112.78 feet to the intersection with the Westerly Right-of-Way line of U.S. Highway No. 1, a 143 foot wide public right-of-way as presently occupied, said Westerly Right-of-Way line being a circular curve concave to the Northeast and having for its elements a radius of 8672.41 feet, a chord of 134.62 feet and a chord direction of South $24^{\circ} 16'53''$ East; thence run Southeasterly along the said Westerly right-of-way line and along arc of said curve through a central angle of $00^{\circ} 53'22''$ an arc distance of 134.62 feet to a Point of Tangency; thence departing said Westerly Right-of-Way line run South $74^{\circ} 08'16''$ West a distance of 126.43 feet; thence North $16^{\circ} 25'04''$ West a distance of 165.00 feet to the Point of Beginning.

Gross Area = 1,504,084 sq.ft. = 34.529 Ac. \pm

Railroad Right-of-Way: 38,850 sq.ft. = 0.892

Ac. \pm

U.S. Road Right-of-Way: 61,713 sq.ft. = 1.417

Ac. \pm Less & Except Parcel: 17,200 sq.ft. =

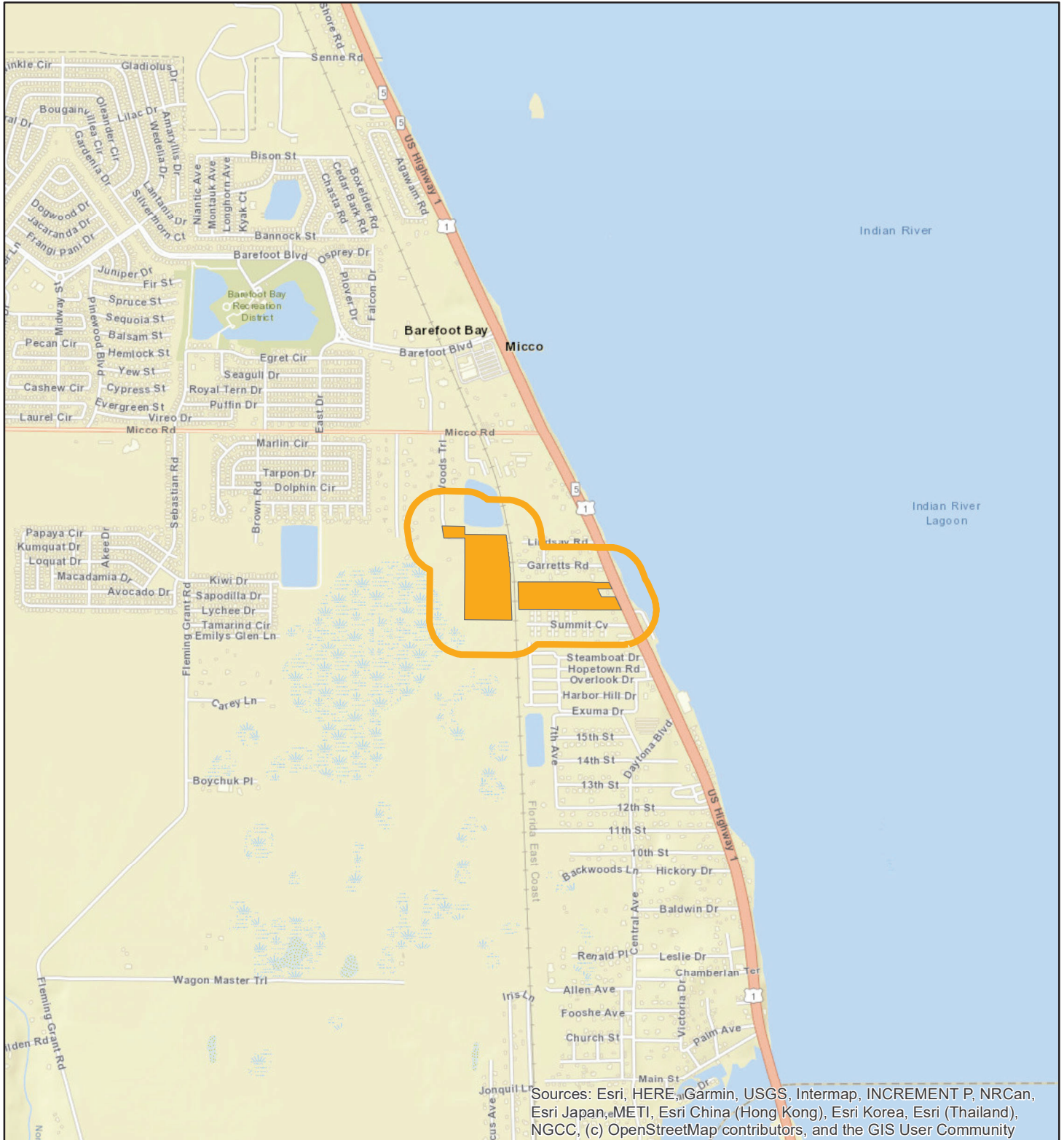
0.40 Ac. \pm

Net Area:= 1,386,321 sq.ft. = 31.826 Ac. \pm

LOCATION MAP

COBBLESTONE II RVG LLC

23SS00006





1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

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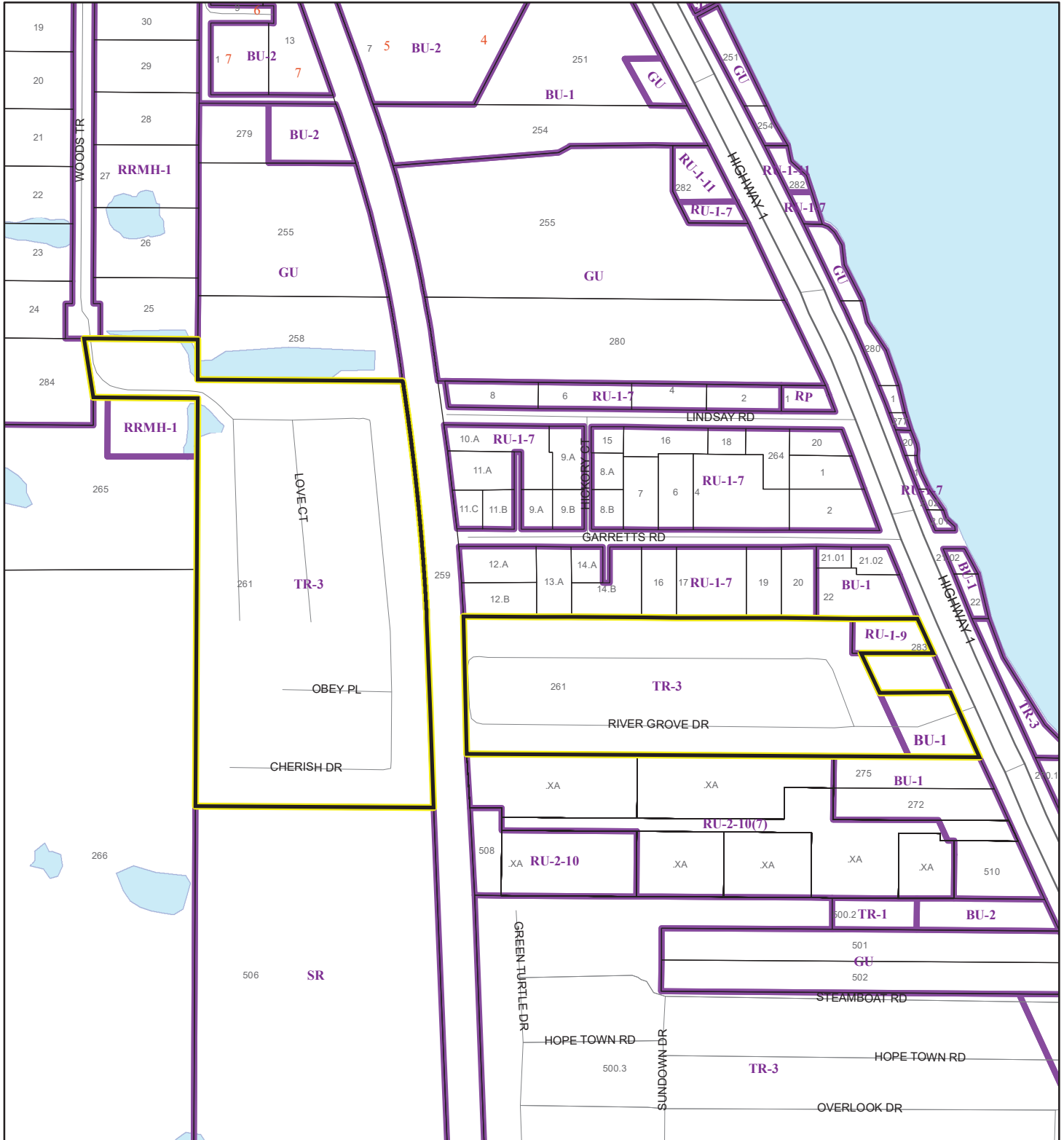
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 Buffer
 Subject Property

ZONING MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

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Subject Property

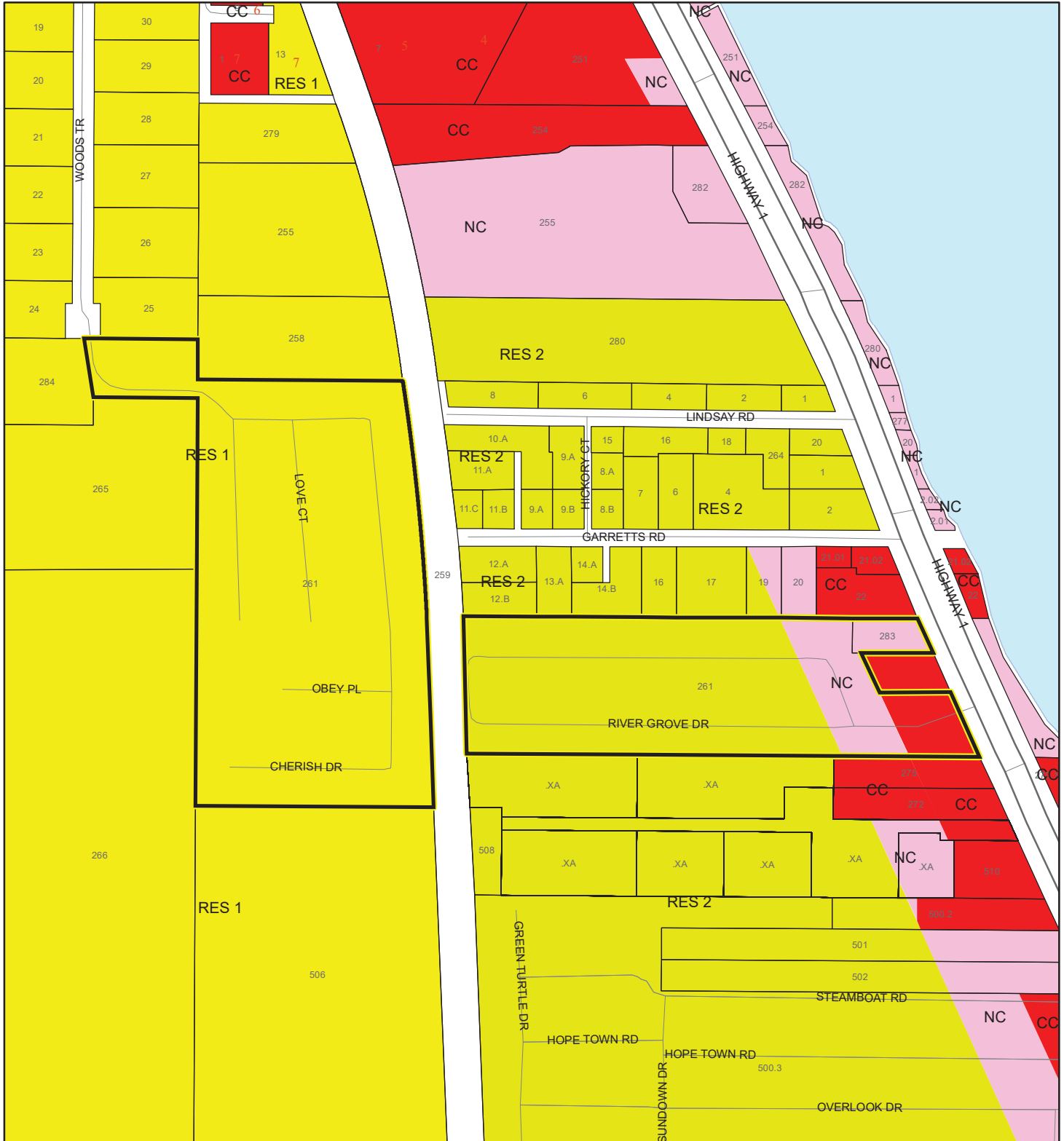
Parcels

Zoning

FUTURE LAND USE MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

Subject Property
Parcels

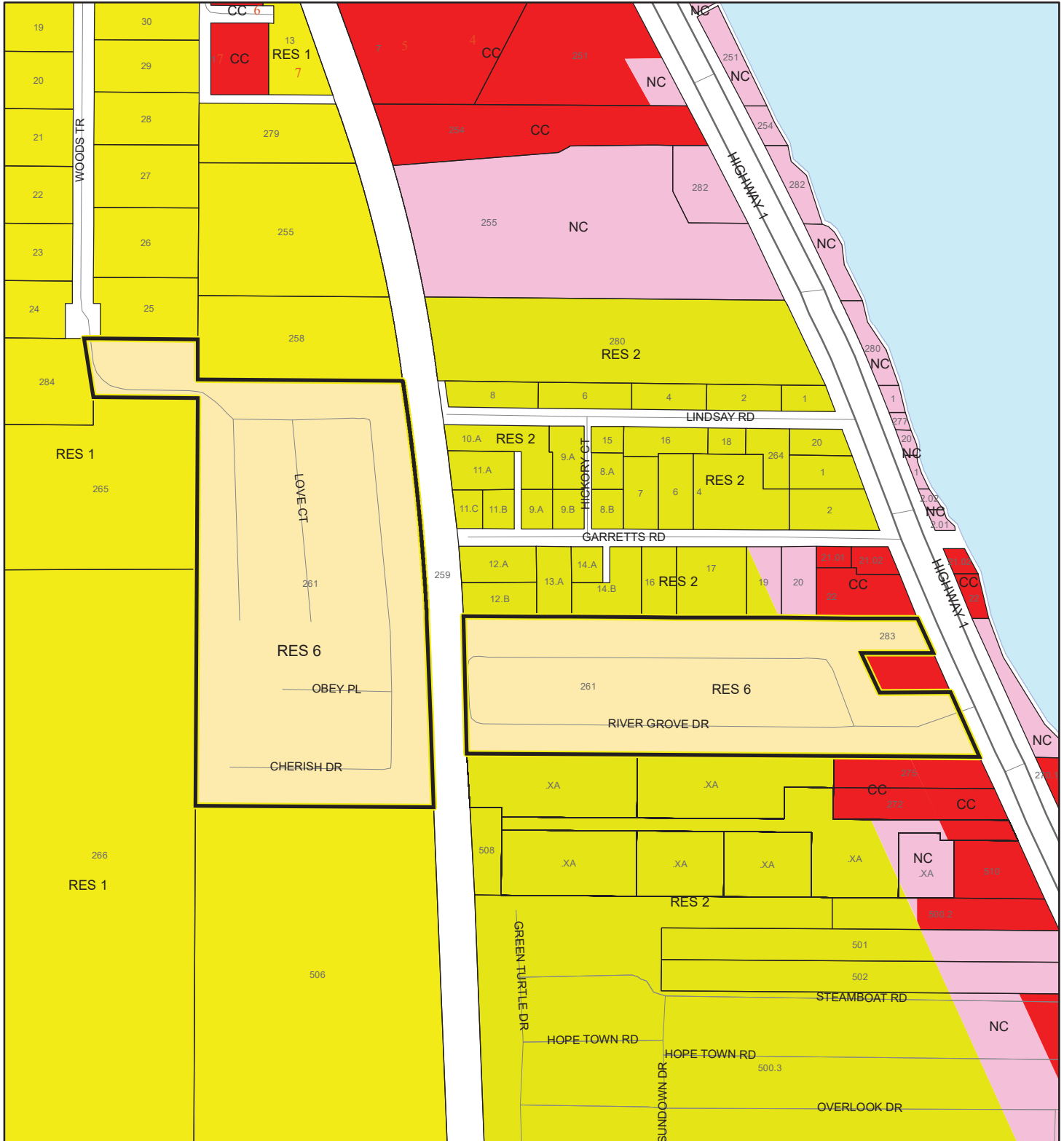
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PROPOSED FUTURE LAND USE MAP

COBBLESTONE II RVG LLC

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Subject Property
Parcels

AERIAL MAP

COBBLESTONE II RVG LLC

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PHOTO YEAR: 2024

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