

ORDINANCE NO. 1748 - 2019

AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS, PART III-PROCEDURES AND PROCESSES, TO ADD A NEW SECTION 31.34, RECENTLY ANNEXED PROPERTY, ESTABLISHING PROCEDURES TO ENSURE THE PLANNING AND DEVELOPMENT OF SUCH PROPERTY IS ACCOMPLISHED IN AN ORDERLY FASHION TO DESIGNATE THE APPROPRIATE FUTURE USES FOR SUCH PROPERTY; AMENDING THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS TO ADD A DEFINITION FOR "RECENTLY ANNEXED PROPERTY" AT SECTION 1.95; DECLARING THAT INVALIDITY OF ANY PORTION HEREOF SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE HEREOF AND FOR OTHER PURPOSES.

**WHEREAS**, the Rockledge Planning Commission has reviewed the necessity for a provision in the Rockledge Land Development Regulations to ensure an organized utilization of the planning process related to property recently annexed into the City; and

**WHEREAS**, the Rockledge City Council has reviewed the Planning Commission's recommendation to amend the Rockledge Land Development Regulations to provide for a detailed and orderly process for planning and development of recently annexed property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKLEDGE, FLORIDA, AS FOLLOWS:**

**SECTION 1.** That Part III, Procedures and Processes, of the Rockledge Land Development Regulations is amended to add a new Section 31.34 as follows:

### 31.34 - RECENTLY ANNEXED PROPERTY

It is the intent of the City of Rockledge that recently annexed property be governed by this provision to allow for planning and development of the property in an organized and methodical manner and to ensure the optimum use and harmony of such property within the City. A period of time for a thoughtful and measured planning period for the future use of the property will facilitate this intent.

- a) Uses. Existing uses assigned by Brevard County Zoning classification shall continue to be the functional zoning for any recently annexed property and shall continue to govern the uses for property up to and until such time as the property is assigned City zoning and Comprehensive Plan classifications. The uses of the property shall not decrease or increase during this period.
- b) Duration of Time. The City will recognize the existing zoning classification for the recently annexed property for a period of twenty-four (24) months from the date of annexation into the City or until City future land use and zoning is designated for some or all of the property. This period may be extended by the action of the Rockledge City Council. Prior to the commencement of development, City future land use and zoning will be assigned pursuant to Chapter 163, Florida Statutes, regarding ordinances.

**SECTION 2.** That Part I, General Provisions, Section 1.95, Definitions, is amended to add a new definition for recently annexed property as follows:

#### SECTION 1.95 "DEFINITIONS:"

281. "Recently Annexed Property" shall mean any property brought into the City of Rockledge by the process of annexation pursuant to Chapter 171, Part I, Florida Statutes.

All definitions following same shall be renumbered from "281-394" to definitions "282-395."

**SECTION 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, or phrase hereof is for any reason held to be unconstitutional, invalid, or ineffective, such holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Council's intent that it would have passed the valid portions of this Ordinance without the inclusion therein of any invalid portion or portions.

**SECTION 4.** This Ordinance shall become effective ten (10) days following its adoption and signed by the Chairman of the City Council.

**ADOPTED** at a regular meeting of the City Council of the City of Rockledge, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Chairman, City Council of the  
City of Rockledge, Florida

ATTEST:

\_\_\_\_\_  
City Clerk

1<sup>st</sup> Reading: 08/21/2019\_\_\_\_\_

2<sup>nd</sup> Reading: \_\_\_\_\_