

ORDINANCE NO. 2024-56

AN ORDINANCE OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, RELATING TO THE MELBOURNE DOWNTOWN REDEVELOPMENT PLAN; MAKING FINDINGS; AMENDING CHAPTER 20 OF THE CITY CODE, ENTITLED "COMMUNITY PLANNING AND DEVELOPMENT;" AMENDING SECTION 20-64, ADOPTION, FOR INCLUSION OF A DOWNTOWN CRA PUBLIC-PRIVATE DEVELOPMENT PROGRAM PROJECT; PROVIDING FOR SEVERABILITY AND INTERPRETATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.

WHEREAS, the City operates a Florida Statutes, Chapter 163, Community Redevelopment Agency ("CRA") known as the Downtown Melbourne Community Redevelopment Agency ("Agency") within the area established by the City Council and described in Section 20-40 of the City Code; and

WHEREAS, Florida Statutes, Section 163.361, provides that if it becomes necessary or desirable to amend or modify a redevelopment plan, a governing body may amend such plan upon the recommendation of the agency; and

WHEREAS, the Melbourne City Council, as the governing body of the CRA Agency, intends on partnering in a redevelopment project located at 2100 Melbourne Court known as "View Apartments" under the current Downtown CRA Public-Private Development Program; and

WHEREAS, adoption of this ordinance provides additional transparency of the Agency's intent to commit future CRA funding attributable from the redevelopment of the project site by DTM Apartments Joint Venture, LLC, consistent with Sections 163.370 and 163.387, Florida Statutes; and

WHEREAS, attached as Exhibit "A" and incorporated herein by this reference is the amendment to the redevelopment plan identifying DTM Apartments Joint Venture, LLC as a Downtown CRA Public-Private Development Project that may be eligible for CRA funding; and

WHEREAS, the Melbourne City Council and the Local Planning Agency reviewed the plan and found the proposed amendment to the redevelopment plan to be consistent with Section 163.360, Florida Statutes, and the Comprehensive Plan.

BE IT ENACTED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. That Section 20-64 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

Sec. 20-64. Adoption.

The Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area consists of the document entitled "Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area," adopted by Ordinance No. 82-58 on December 28, 1982, together with amendments entitled:

\* \* \* \*

(14) "September 2024 Amendment to Community Redevelopment Plan," adopted by Ordinance No. 2024-56 on September 25, 2024.

A copy of the plan, and the amendments, are on file in the City Clerk's office.

SECTION 2. That attached hereto as Exhibit "A" and incorporated herein by this reference is the amendment to the Community Redevelopment Plan dated September 25, 2024.

SECTION 3. Severability/Interpretation Clause.

(a) That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, illegal or otherwise void by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, illegality, or other declaration shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

(b) That in interpreting this ordinance, underlined words indicate additions to existing text and ~~stricken words~~ indicate deletions from existing text. Asterisks (\* \* \*) indicate an omission from the ordinance of text, which exists in the Code of Ordinances. It is intended that the text in the

Code of Ordinances denoted by the asterisks and not set forth in this ordinance shall remain unchanged from the language existing prior to adoption of this ordinance.

SECTION 4. That this ordinance shall become effective immediately upon its adoption in accordance with the Charter of the City of Melbourne.

SECTION 5. That this ordinance was passed on the first reading at a regular meeting of the City Council on the 11<sup>th</sup> day of September, 2024 and adopted on second/final reading at a regular meeting of the City Council on the 25<sup>th</sup> day of September, 2024.

BY:   
Paul Alfrey, Mayor

ATTEST:   
Keyin McKeown, City Clerk



Attachment: Exhibit "A" – Amendment to the Community Redevelopment Plan  
Ordinance No. 2024-56

Melbourne Downtown Redevelopment Plan  
2024 Public-Private Development Project Inclusion

**Exhibit A – Ordinance 2024-56**

<b>CRA Public-Private Development Program</b>		
<b>Program Name</b>	<b>Length</b>	<b>Strategy</b>
Public Private Development	New Applications 12/31/2024; Program Funding Duration 2042*	Continue incentives for residential, hotel, office or retail catalyst developments with a real estate investment over \$5,000,000. Each project is considered on case-by-case basis. <ul style="list-style-type: none"> <li>❖ Approved Commitments of CRA Funding extends no later than 2042:               <ol style="list-style-type: none"> <li>1. Highline Apartments, LLC, \$2.4 M Bond</li> <li>2. 801 Strawbridge Hotel, LLC, "Melby" 20-Yr TIF Reimbursement</li> <li>3. DTM Apartments Joint Venture, LLC "View"- 10-Yr TIF Reimbursement</li> </ol> </li> </ul>

**\*CRA Sunset Date:**

December 31, 2042 termination date by Ordinance 2019-58 and pursuant to Sec. 163.3755(1), Florida Statutes.