

ORDINANCE NO. 2003-97

AN ORDINANCE OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, RELATING TO THE DOWNTOWN MELBOURNE REDEVELOPMENT PLAN; MAKING FINDINGS; AMENDING SECTION 10-101, CITY CODE, TO PROVIDE FOR INCLUSION OF THE HISTORIC LIGHTING AND STREETSCLAPING PROJECT IN THE PLAN; PROVIDING FOR SEVERABILITY AND INTERPRETATION; PROVIDING FOR THE REPEAL OF ORDINANCES AND RESOLUTIONS INCONSISTENT HEREWITH; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.

WHEREAS, the City Council of the City of Melbourne created (by Ordinance No. 82-58) and is operating a Chapter 163, Florida Statutes, Community Redevelopment Agency generally known as the Downtown Melbourne Redevelopment Agency within the area established by the City Council and on file with the Planning and Economic Development Department (reference Section 10-70, City Code); and

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

WHEREAS, the proposed amendment to the redevelopment plan, attached to this ordinance as Exhibit "A" and incorporated herein by reference, provides a Historic Lighting and Steetsclaping Project; 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; and

WHEREAS, the Melbourne City Council desires to amend the Downtown Redevelopment Plan to include the Historic Lighting and Streetsclaping Project.

BE IT ENACTED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. That Section 10-101 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

\* \* \* \*

Sec. 10-101. Downtown redevelopment plan, generally.

\* \* \* \*

(b) *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

\* \* \* \*

(4) "November 6, 2003 Amendment to Community Redevelopment Plan," adopted by Ordinance No. 2003-XX, adopted on December 9, 2003.

\* \* \* \*

SECTION 2. That attached hereto as Exhibit "A" and incorporated herein by this reference is the amendment to the Community Redevelopment Plan dated November 6, 2003.

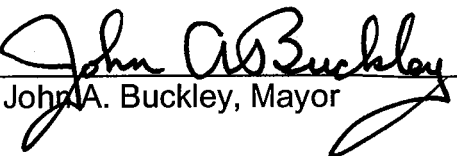
SECTION 3. That it is hereby declared to be the intention of the Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

That in interpreting this ordinance, underlined words indicate additions to the existing text. 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 the adoption of this ordinance.

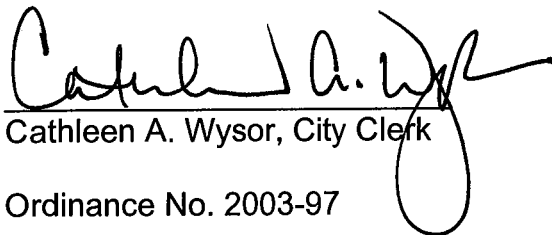
SECTION 4. That all ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 5. That this ordinance shall become effective in accordance with the City Charter.

SECTION 6. That this ordinance was passed on first reading at a regular meeting of the City Council on the 25<sup>th</sup> day of November, 2003, and adopted on the second and final reading at a regular meeting of the City Council on the 9<sup>th</sup> day of December, 2003.

BY:   
John A. Buckley, Mayor

ATTEST:

  
Cathleen A. Wysor, City Clerk

Ordinance No. 2003-97

Attachment: Historic Lighting and Streetscaping Project

**Exhibit "A" – Ordinance No. 2003-97**

**HISTORIC LIGHTING AND STREETSCAPING PROJECT**

**NOVEMBER 6, 2003**

**PROJECT SCOPE**

**New Haven Streetscape-** This aspect of the project is proposed to provide Historic Lighting to the west end of New Haven Avenue. It is proposed that lighting be installed from Livingston Street to the western junction of Strawbridge Avenue and New Haven Avenue.

The total cost estimate includes the purchase of concrete poles, hardware, lamps, directional boring, and the typical costs associated with providing electrical connects. Also planned are sidewalk improvements, curbing improvements/replacements and/or repair, west end entrance features for the district, east end entrance features for the district, and bulb-outs similar in nature to the current design that would provide an area for vegetation.

**Connection to Strawbridge-** Defining the boundary of the core district is essential and has been an objective and goal of the district and committee over the years. This aspect of the project will provide lighting on the following streets that connect directly to Strawbridge Avenue: Municipal Lane, Waverly Place, Livingston Street, McQuaid Street, Hickory Street and Oak Street.

The proposal includes placing lights on either the east or west side of each of the streets. The total cost estimate includes the purchase of concrete poles, hardware, lamps, directional boring and the typical costs associated with providing electrical connects.

**Connection to the Waterfront-** A connection to the waterfront improvements has never materialized although it has been a goal and objective of the district and committee. Over the years the intent has been to create a pedestrian friendly walk or path that would carry people from Front Street or Crane Creek Pavilion to the downtown. This aspect of the project is proposed to include lighting on Depot Drive, Melbourne Court, Henley Court; and sidewalk connection and lighting on Melbourne Avenue (the north side) from Front Street to the junction of Melbourne Avenue.

The approximate total of the project is \$1,700,000.00 and a bond will be obtained to finance the project. The bond will be repaid annually utilizing redevelopment funds from the district.