

## **RESOLUTION 2025-13**

**A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, GRANTING A CONDITIONAL USE FOR A TREE AND LANDSCAPE RECYCLING FACILITY IN LI (LIGHT INDUSTRIAL AND WAREHOUSING DISTRICT) ZONING; WHICH PROPERTY IS LOCATED SOUTH OF AND ADJACENT TO FOUNDATION PARK BOULEVARD, IN THE VICINITY WEST OF BABCOCK STREET, AND LEGALLY DESCRIBED HEREIN; GRANTING THE USE AS A CONDITIONAL USE; PROVIDING FOR A COMMENCEMENT PERIOD; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, application for a conditional use in LI (Light Industrial and Warehouse District) zoning to allow for tree and landscape recycling on property legally described herein, has been made by Foundation Park Future Investments, LLC, and

**WHEREAS**, the request was duly considered by the Planning and Zoning Board of the City of Palm Bay on March 5, 2025, which voted to recommend to the City Council approval, and

**WHEREAS**, all provisions applicable to the conditional use under Chapter 172, Development Review Procedures, Section 172.024, Conditional Uses, Palm Bay Code of Ordinances, have been addressed by the applicant, and

**WHEREAS**, the City Council of the City of Palm Bay has determined that such conditional use will neither be injurious to the neighborhood nor otherwise detrimental to the public welfare.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA**, as follows:

**SECTION 1.** The City Council of the City of Palm Bay hereby grants a conditional use to allow for tree and landscape recycling on property zoned LI (Light Industrial and Warehousing District) zoning, which property is legally described as follows:

Tax Parcel 24, of the Public Records of Brevard County, Florida; Section 9, Township 29S, Range 37E; containing 36 acres, more or less.

**SECTION 2.** The conditional use is granted subject to the applicant complying with the following:

- A. The Land Development Division Staff Report which is, by reference, incorporated herein as Exhibit 'A'.
- B. Burning of materials shall not be permitted.
- C. Construction debris, to include pressure treated wood, shall not be processed.
- D. There shall be required street sweeping of Foundation Park Boulevard SE frontage.
- E. The required buffers shall be placed into a conservation easement.
- F. All provisions of the Code of Ordinances of the City of Palm Bay and all other state and federal rules, regulations, and statutes.

**SECTION 3.** The conditional use must be commenced within two (2) years from the effective date of this resolution. Commencement shall mean the issuance of the appropriate permit(s), which must remain active. Failure to commence within two (2) years of issuance of the first permit shall void the conditional use. The Applicant may seek an administrative extension of one (1) year by submitting a written request within sixty (60) days prior to the date of expiration.

**SECTION 4.** This resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2025-XX, of the City Council of the City of Palm Bay, Brevard County, Florida, held on \_\_\_\_\_, 2025.

ATTEST:

\_\_\_\_\_  
Rob Medina, MAYOR

\_\_\_\_\_  
Terese M. Jones, CITY CLERK

Applicant: Foundation Park Future Investments, LLC

Case: CU24-00008

cc: Brevard County Recording  
Applicant  
Case File