

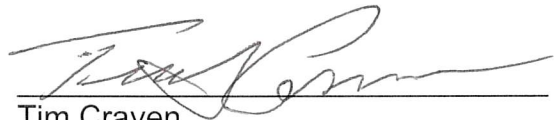
RECORD and TRANSCRIPT

CERTIFICATION

STATE OF FLORIDA)
COUNTY OF BREVARD)

I, Tim Craven, Senior Planner with the Brevard County Planning and Development Department, do hereby certify that the following pages are true and correct copies of the July 9, 2026, Board Agenda Item for Turtle Mound Ventures, LLC, Application No. 26Z00007, prepared by the Planning and Development Department and provided to the Board of County Commissioners via Legistar for the July 9, 2026, Zoning Board Meeting for property: Tax Account 2316247, 2316452, 2316451, and 2315413.

Dated this 28 day of July, 2026.

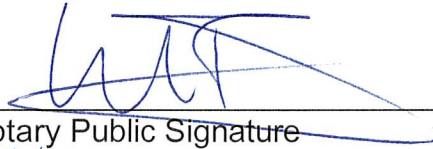
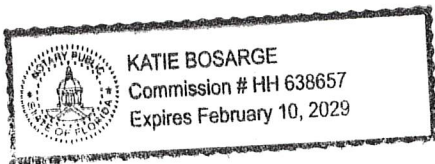


Tim Craven
Senior Planner
Brevard County Planning & Development

STATE OF FLORIDA)
COUNTY OF BREVARD)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 28 day of July, 2026, by Tim Craven, Senior Planner with the Brevard County Planning and Development Department, who is personally known to me or who has produced _____ as identification.

[Notary Seal]



Notary Public Signature

Katie Bosarge
Name typed, printed or stamped

My Commission Expires: 2/10/29

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

Administrative Policy 1

The Brevard County zoning official, planners and the Director of the Planning and Development, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

Administrative Policy 2

Upon Board request, members of the Brevard County planning and zoning staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for zoning, conditional uses, comprehensive plan amendments, vested rights, or other applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

Criteria:

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For development applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use.

- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:
 - 1. historical land use patterns;
 - 2. actual development over the immediately preceding three years; and
 - 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Administrative Policy 4

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- B. In determining whether an established residential neighborhood exists, the following factors must be present:
 - 1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.
 - 2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.
 - 3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the

use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following:

Criteria:

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;
- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

Administrative Policy 6

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

Administrative Policy 7

Proposed use(s) shall not cause or substantially aggravate any, (a), substantial drainage problem on surrounding properties; or (b), significant, adverse and unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

Administrative Policy 8

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application."

CONDITIONAL USE PERMITS (CUPs)

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

- (b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in

support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.
 - a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:

- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
- b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
- c. Noise levels for a conditional use are governed by Section 62-2271.
- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.

- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

“The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.”

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

DEFINITIONS OF CONCURRENCY TERMS

Maximum Acceptable Volume (MAV): Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

Current Volume: Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

Volume with Development (VOL W/DEV): Equals Current Volume plus trip generation projected for the proposed development.

Volume/Maximum Acceptable Volume (VOL/MAV): Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

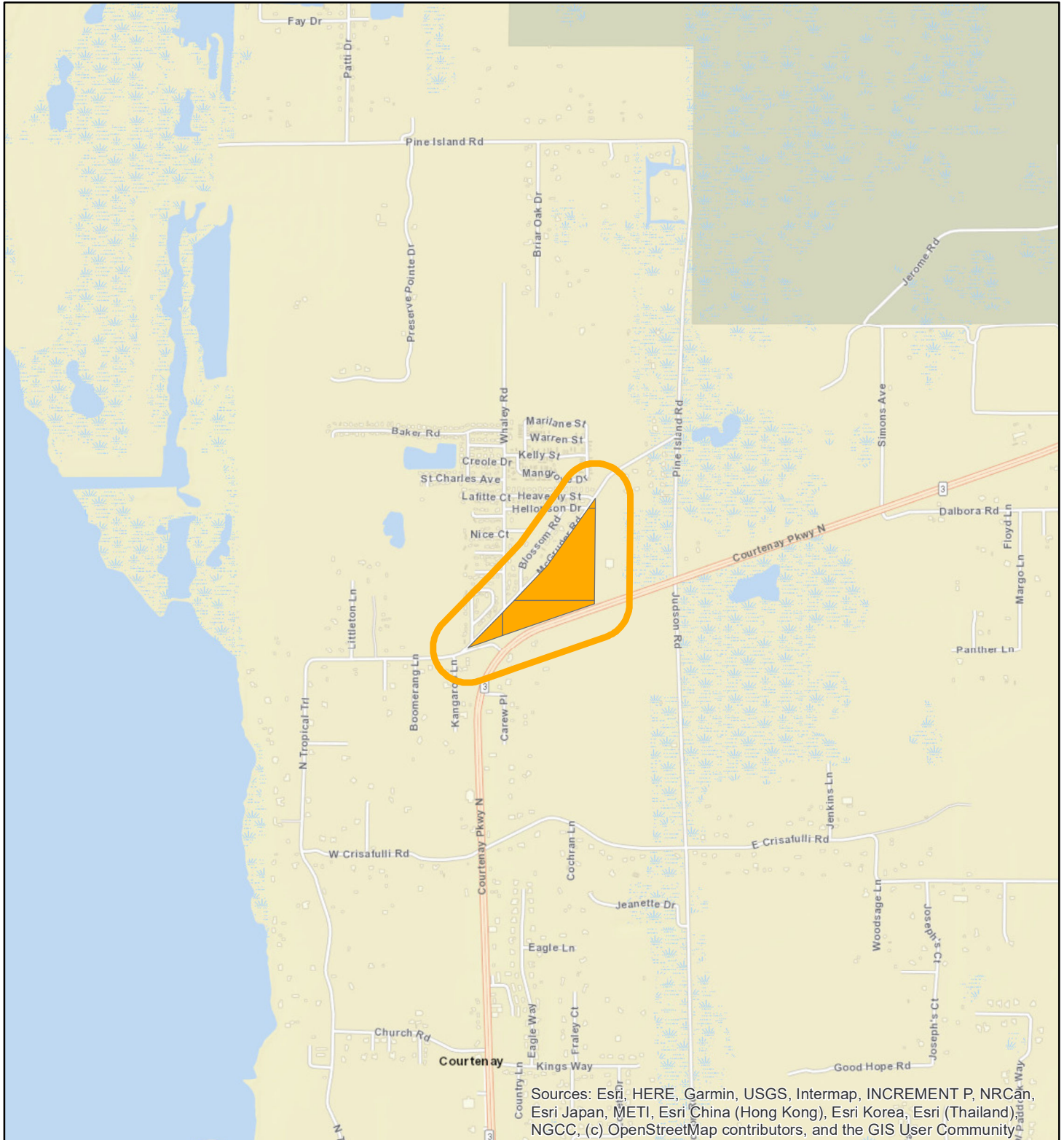
Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV): Ratio of volume with development to the Maximum Acceptable Volume.

Acceptable Level of Service (CURRENT LOS): The Level of Service at which a roadway is currently operating.

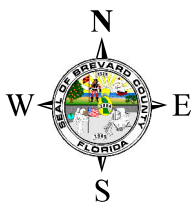
Level of Service with Development (LOS W/DEV): The Level of Service that a proposed development may generate on a roadway.

LOCATION MAP

Turtle Mound Ventures, LLC
26Z00007



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



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

Buffer Distance: 500 feet

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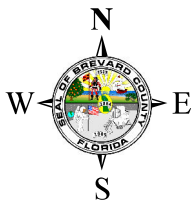
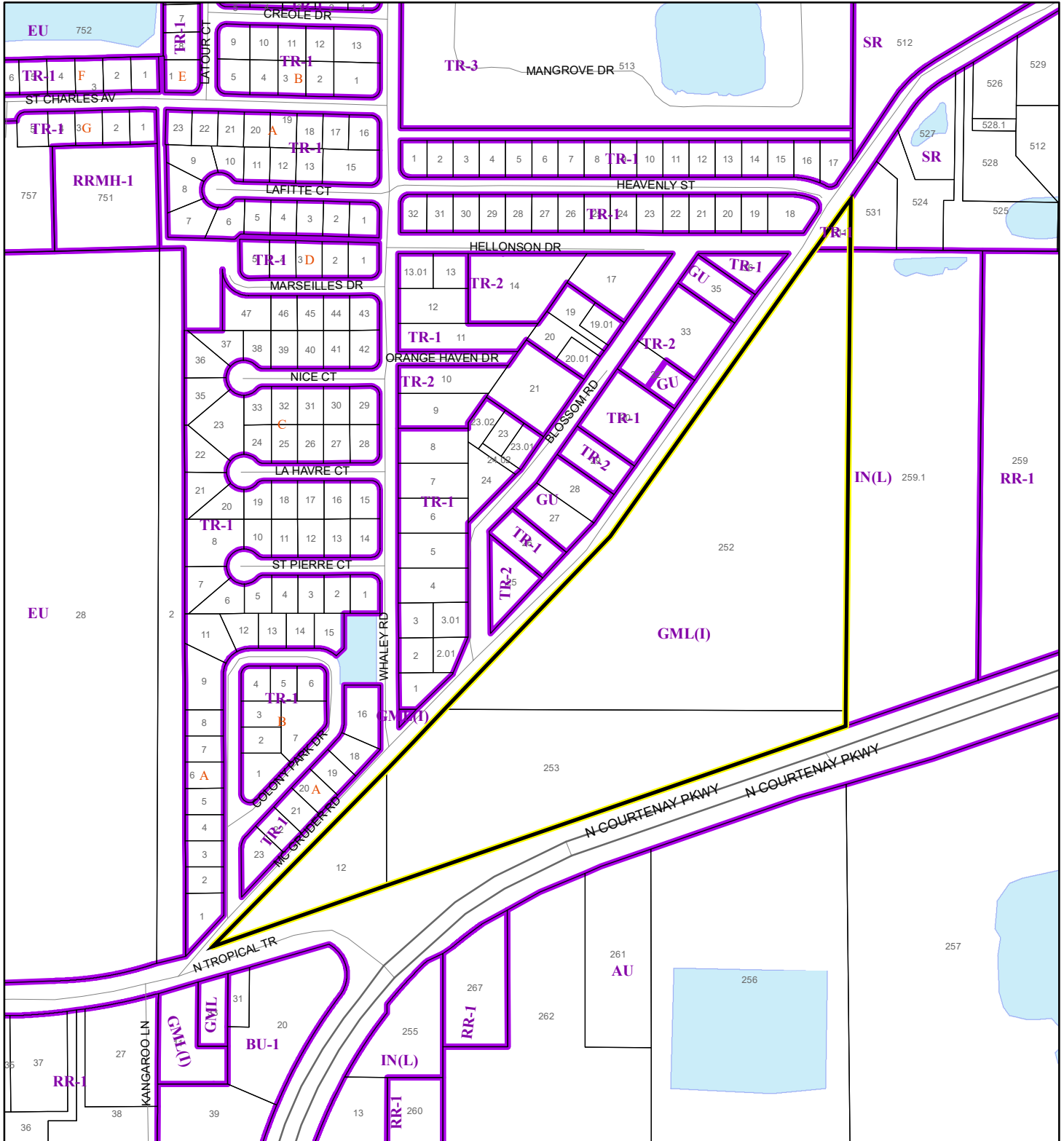
 Buffer
 Subject Property

R-10

ZONING MAP

Turtle Mound Ventures, LLC

26Z00007



1:4,800 or 1 inch = 400 feet

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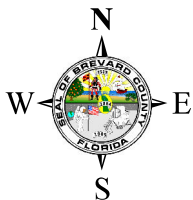
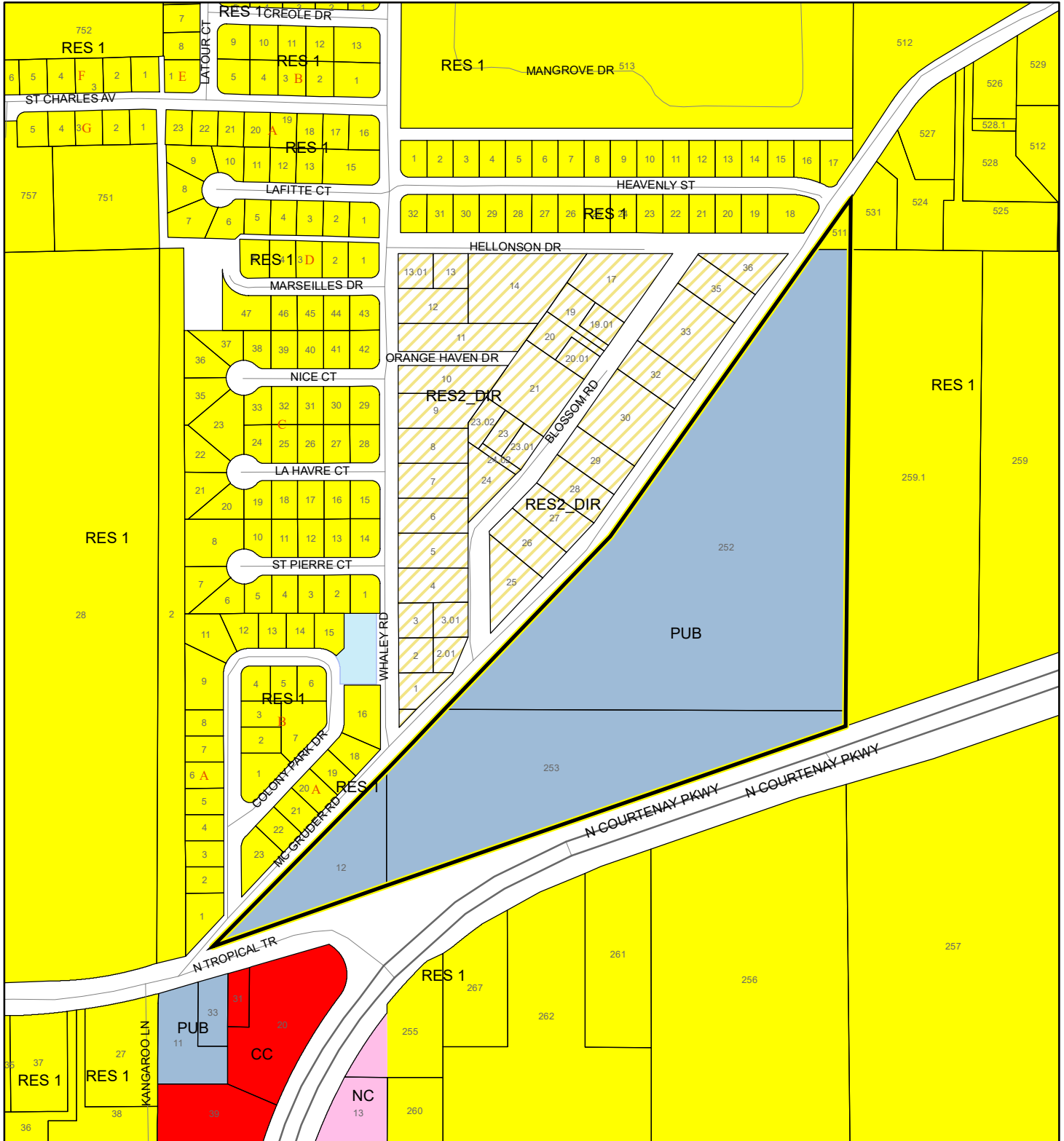
 Subject Property

Parcels

Zoning

FUTURE LAND USE MAP

Turtle Mound Ventures, LLC
26Z00007



1:4,800 or 1 inch = 400 feet

Subject Property
Parcels

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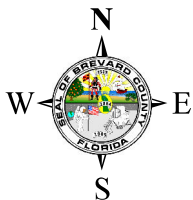
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R-12

AERIAL MAP

Turtle Mound Ventures, LLC

26Z00007



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PHOTO YEAR: 2025

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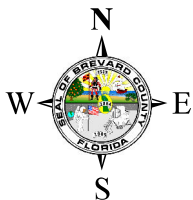
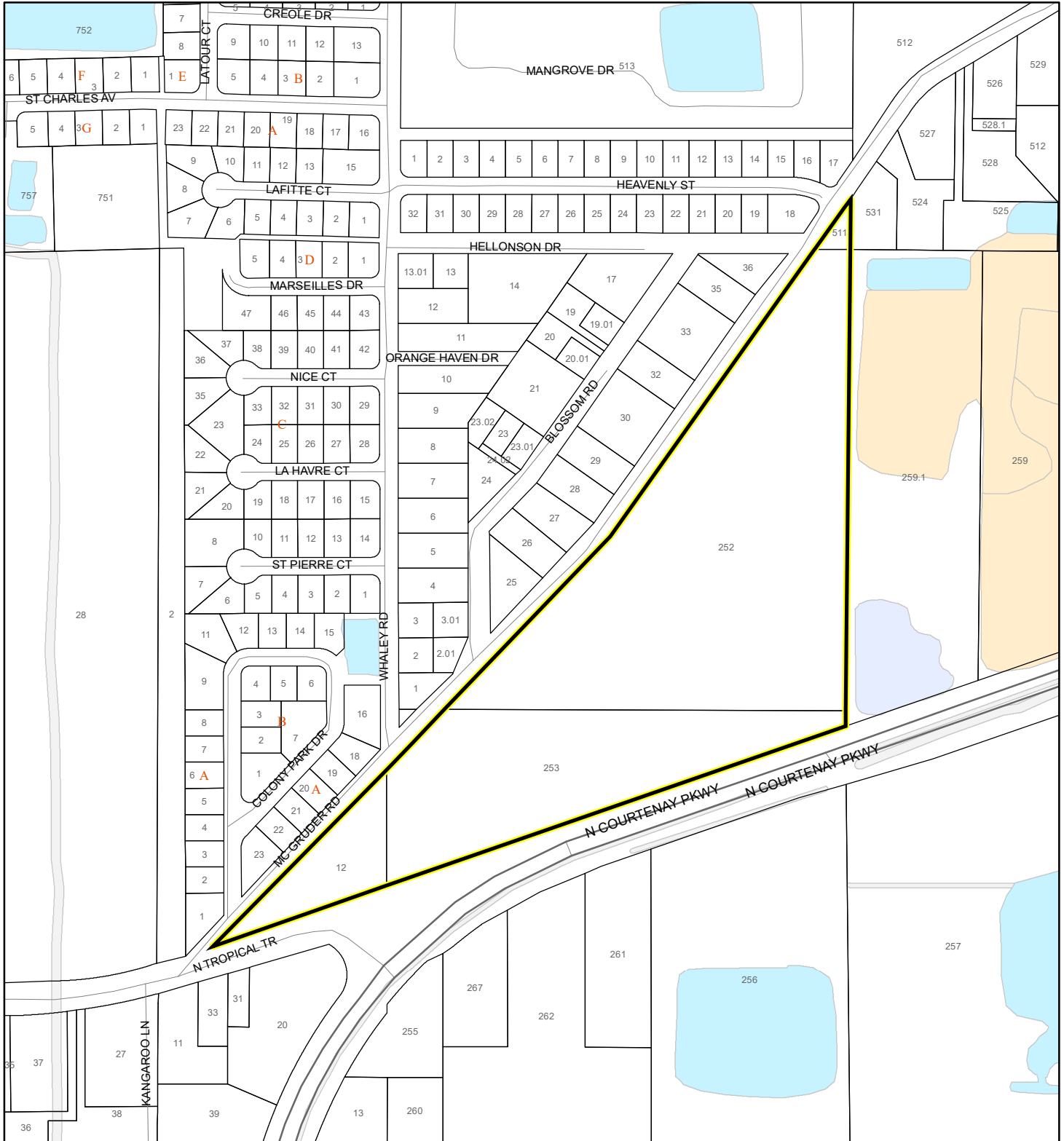
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 Subject Property

 Parcels

NWI WETLANDS MAP

Turtle Mound Ventures, LLC
26Z00007



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National Wetlands Inventory (NWI)

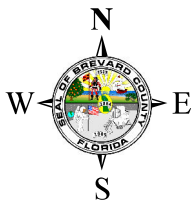
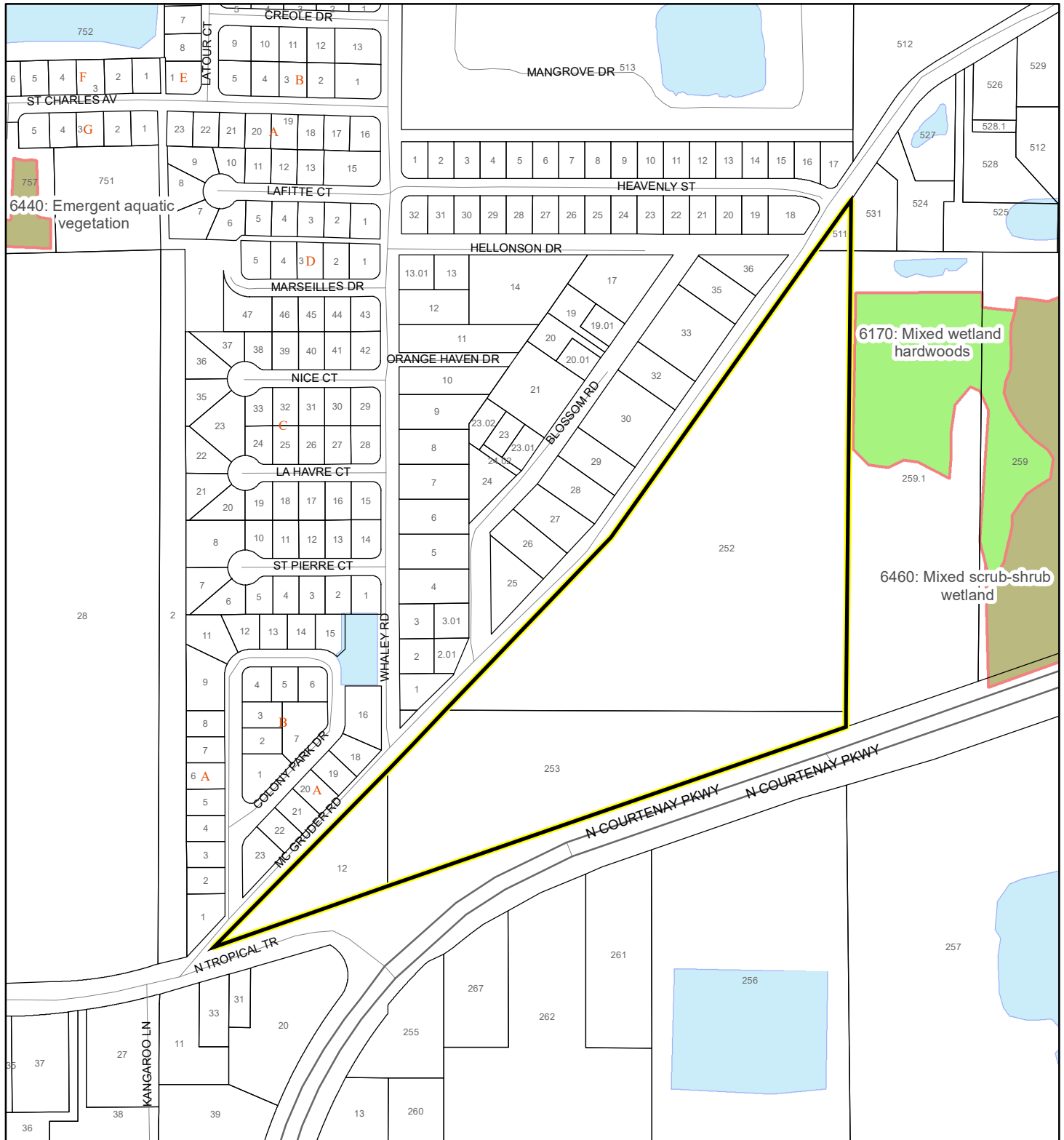
- | | |
|-----------------------------------|-----------------|
| Estuarine and Marine Deepwater | Freshwater Pond |
| Estuarine and Marine Wetland | Lake |
| Freshwater Emergent Wetland | Other |
| Freshwater Forested/Shrub Wetland | Riverine |
| Subject Property | |
| Parcels | |

R-14

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

Turtle Mound Ventures, LLC

26Z00007



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SJRWMD FLUCCS WETLANDS

- Wetland Hardwood Forests - Series 6100
- Wetland Coniferous Forest - Series 6200
- Wetland Forested Mixed - Series 6300
- Vegetated Non-Forested Wetlands - Series 6400
- Non-Vegetated Wetland - Series 6500

Subject Property

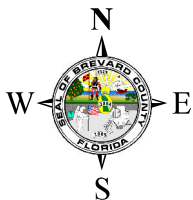
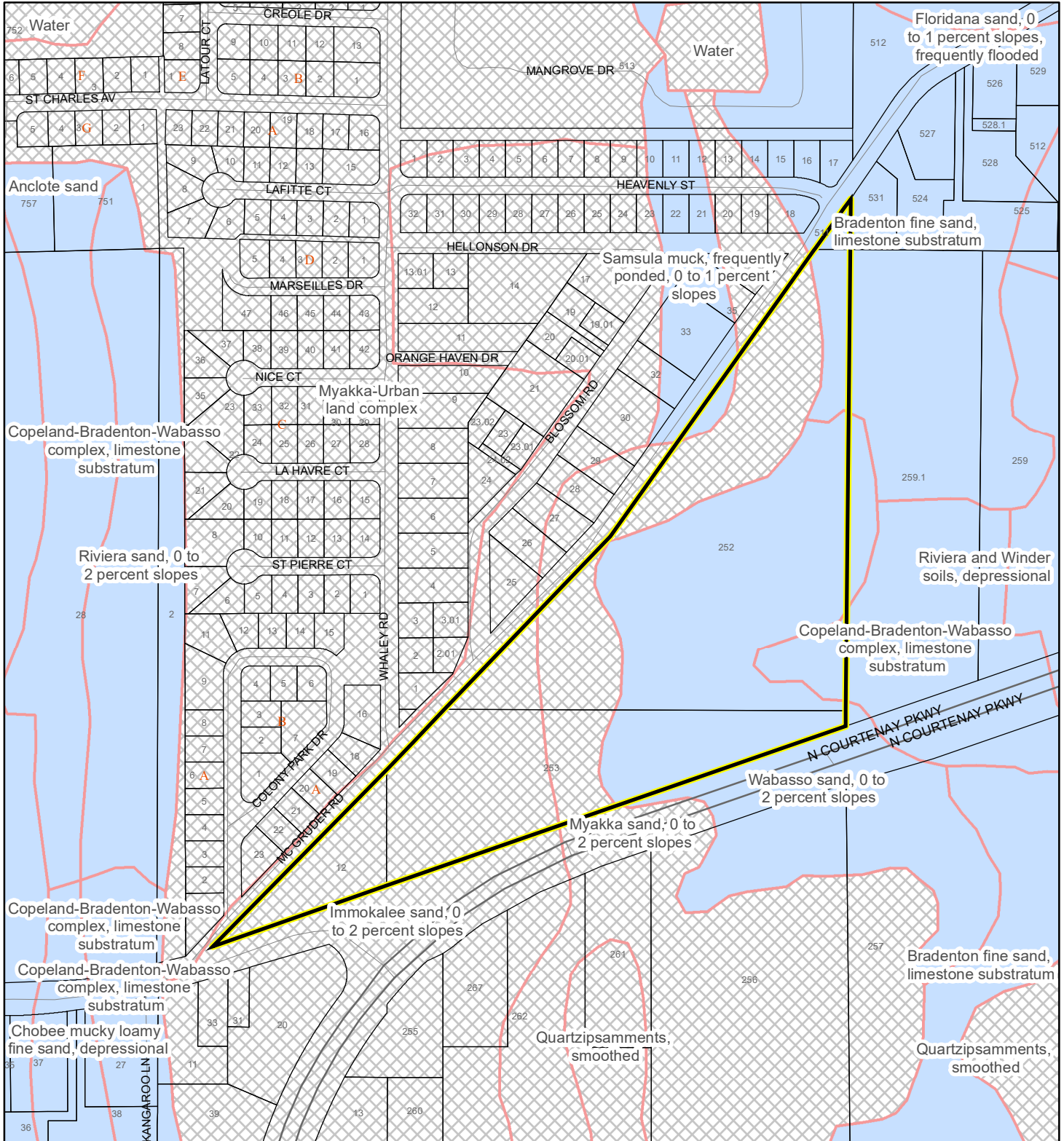
Parcels

R-15

USDA SCSSS SOILS MAP

Turtle Mound Ventures, LLC

26Z00007



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USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

Subject Property

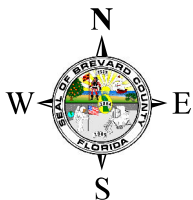
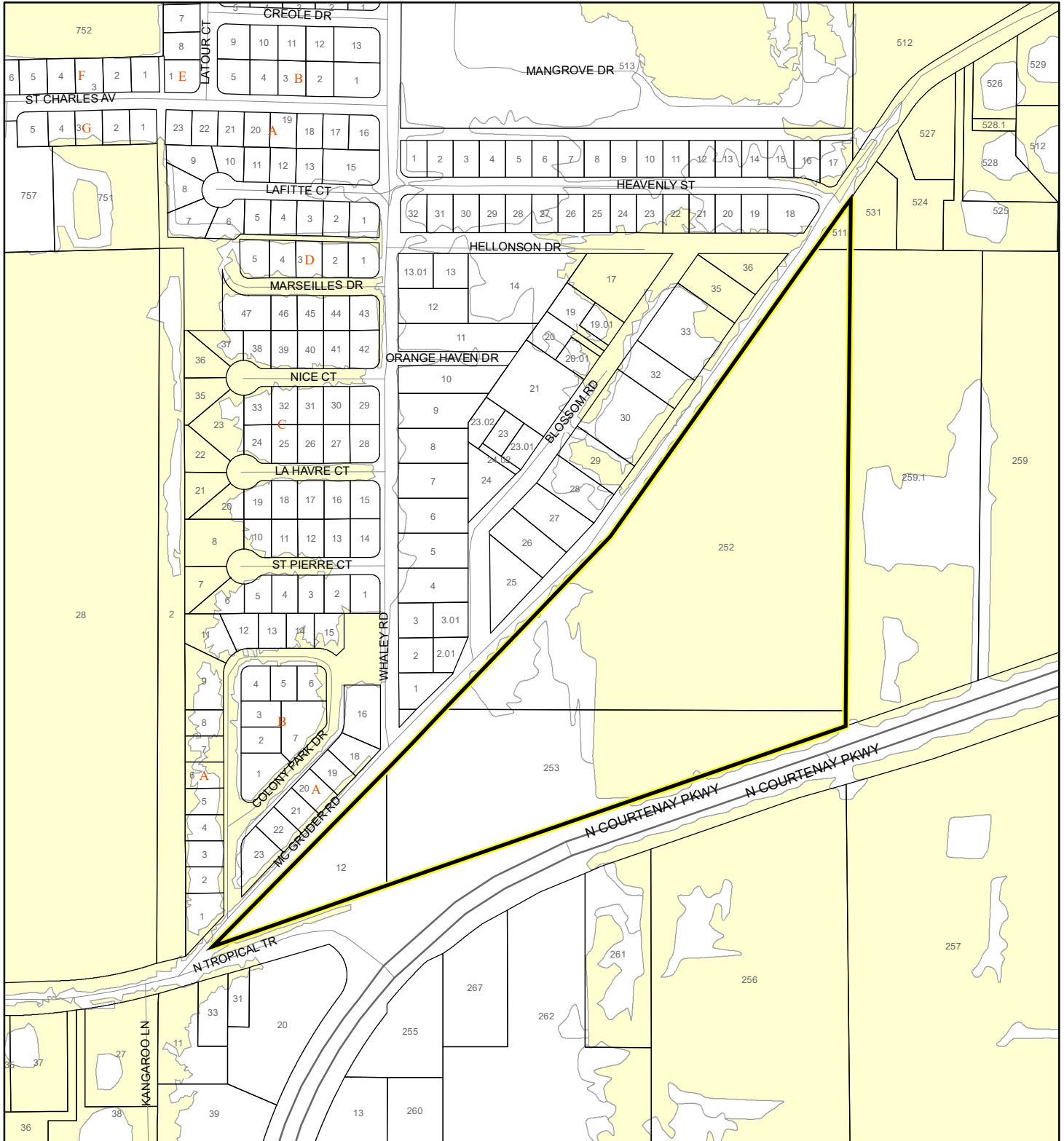
Parcels

R-16

FEMA FLOOD ZONES MAP

Turtle Mound Ventures, LLC

26Z00007



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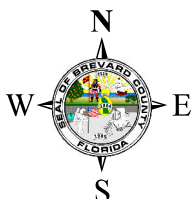
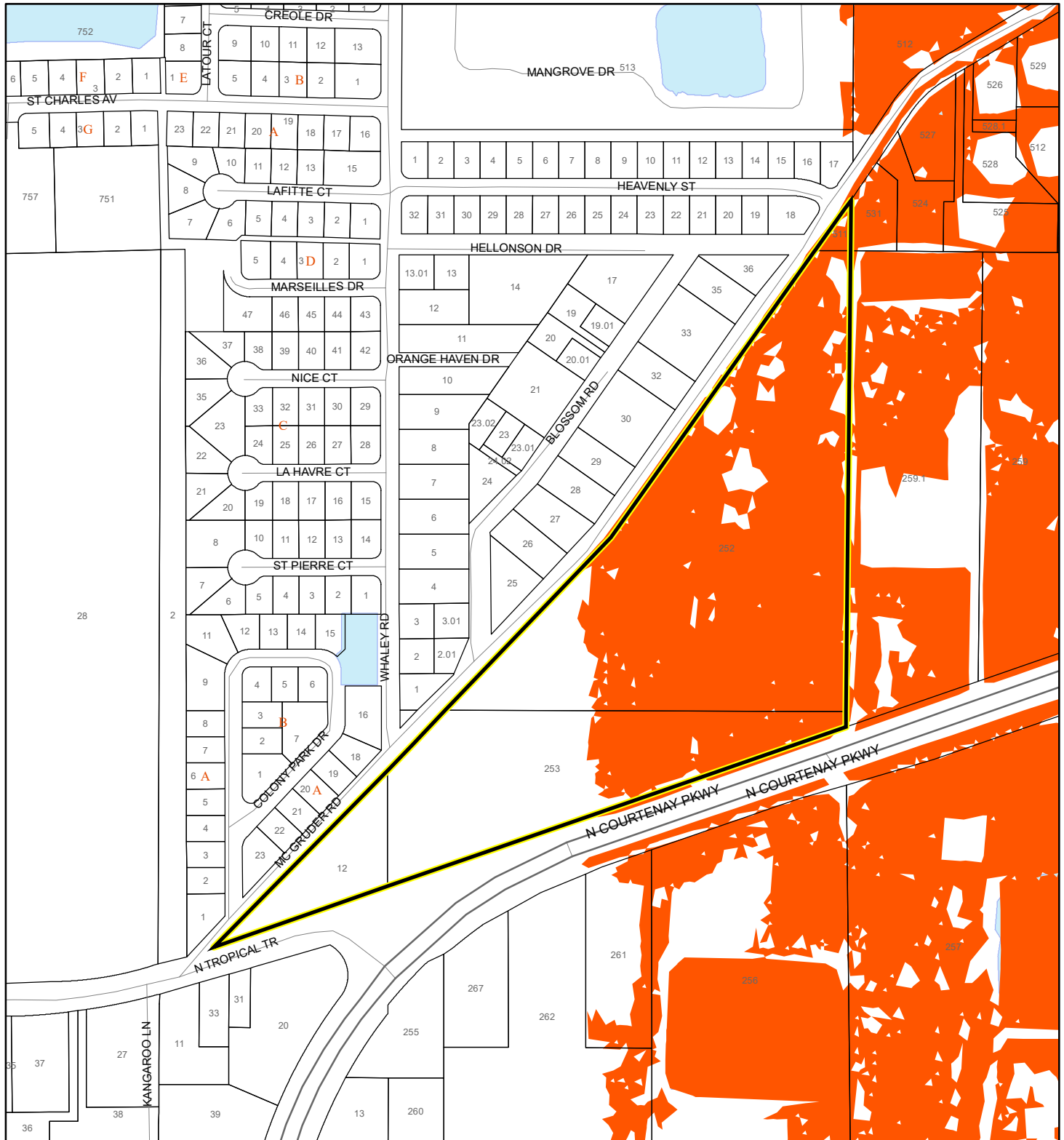
FEMA Flood Zones

A	AO	X
AE	Open Water	
AH	VE	
Subject Property	Parcels	

R-17

COASTAL HIGH HAZARD AREA MAP

Turtle Mound Ventures, LLC
26Z00007



1:4,800 or 1 inch = 400 feet

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 Subject Property

 Parcels

Coastal High Hazard Area

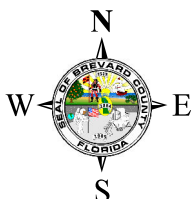
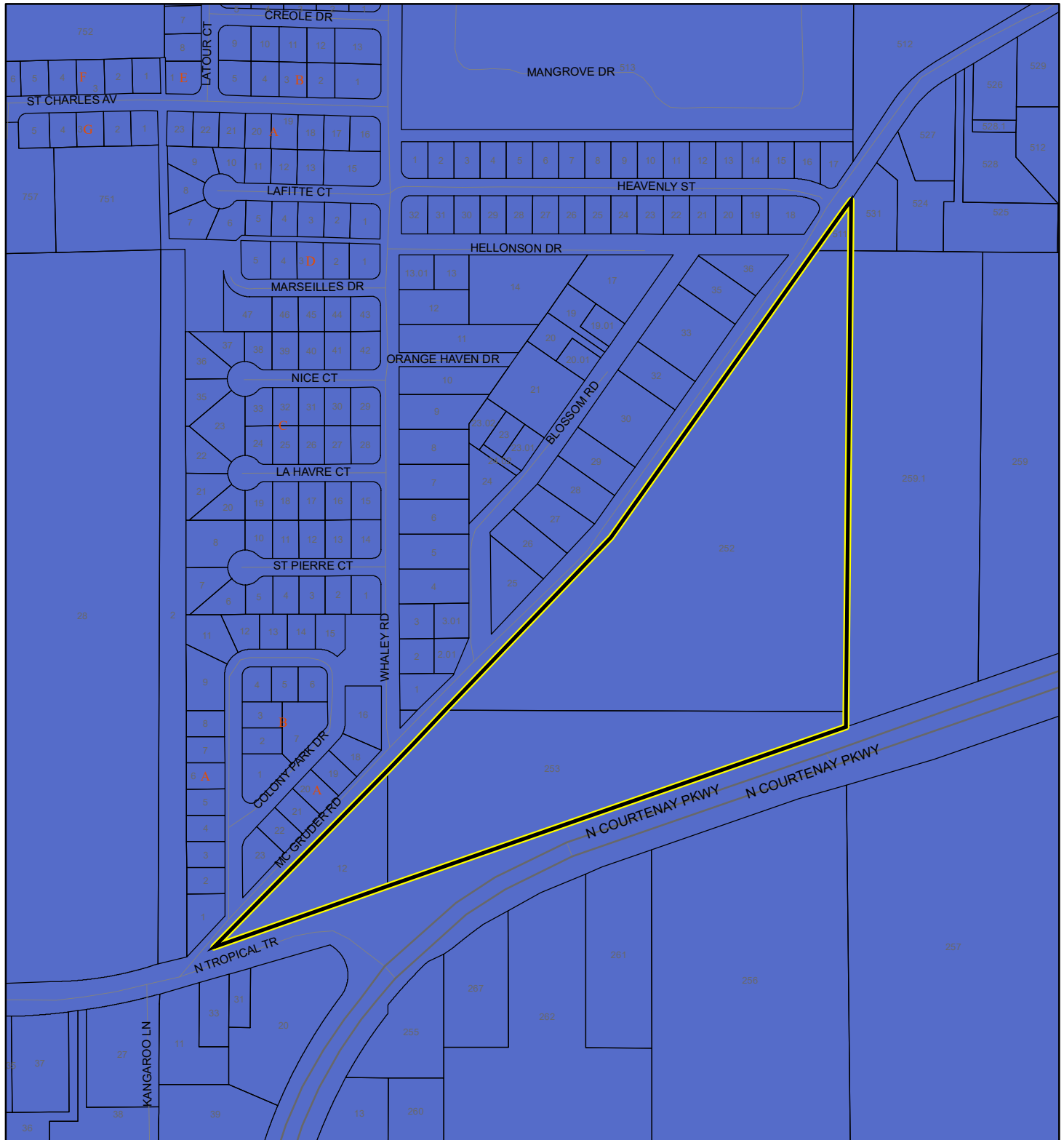
 SurgeZoneCat1

R-18

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

Turtle Mound Ventures, LLC

26Z00007



1:4,800 or 1 inch = 400 feet

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 Subject Property

 Parcels

Septic Overlay

 40 Meters

 60 Meters

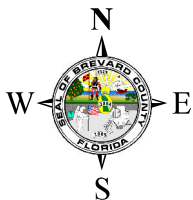
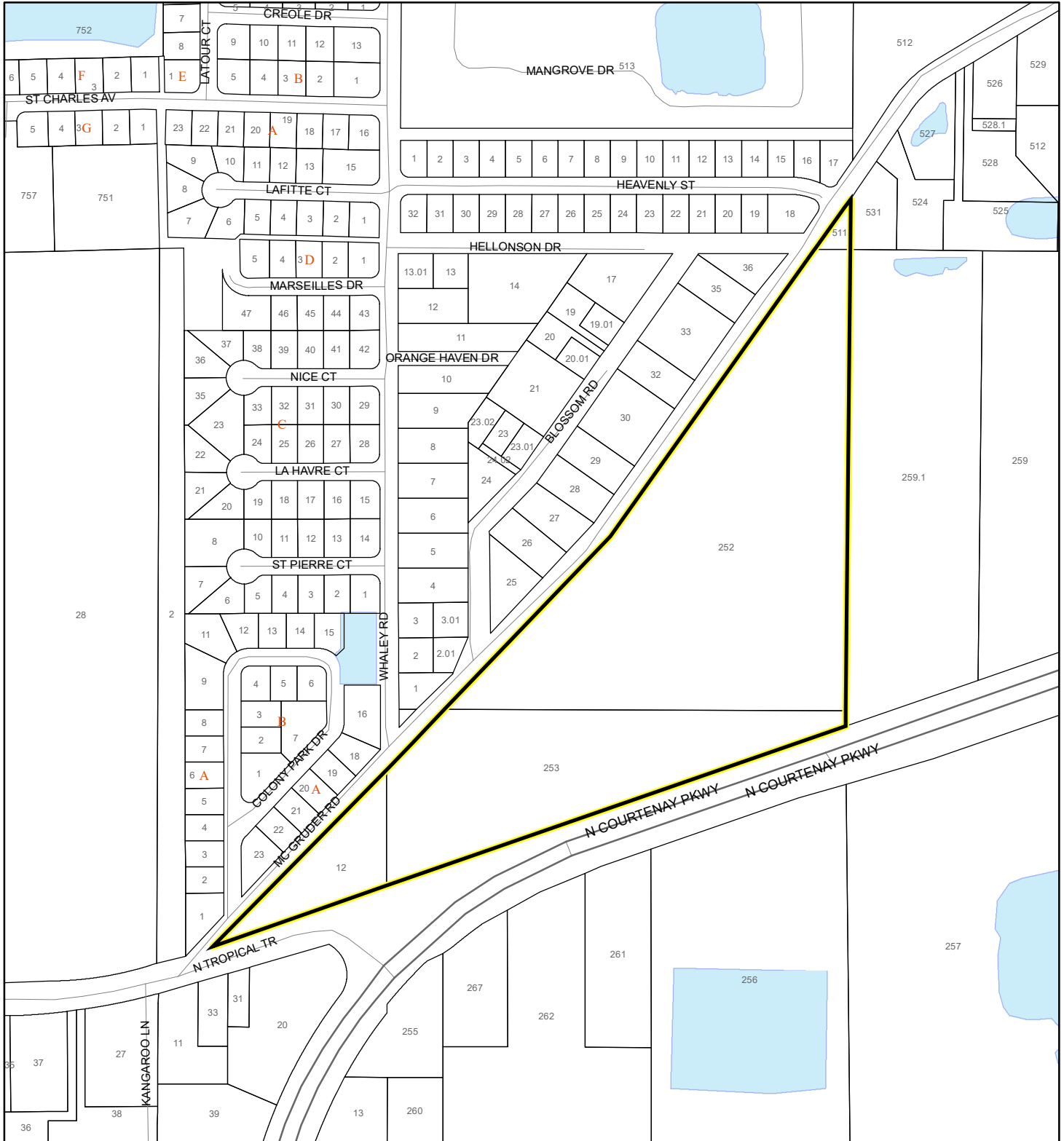
 All Distances

R-19

EAGLE NESTS MAP

Turtle Mound Ventures, LLC

26Z00007



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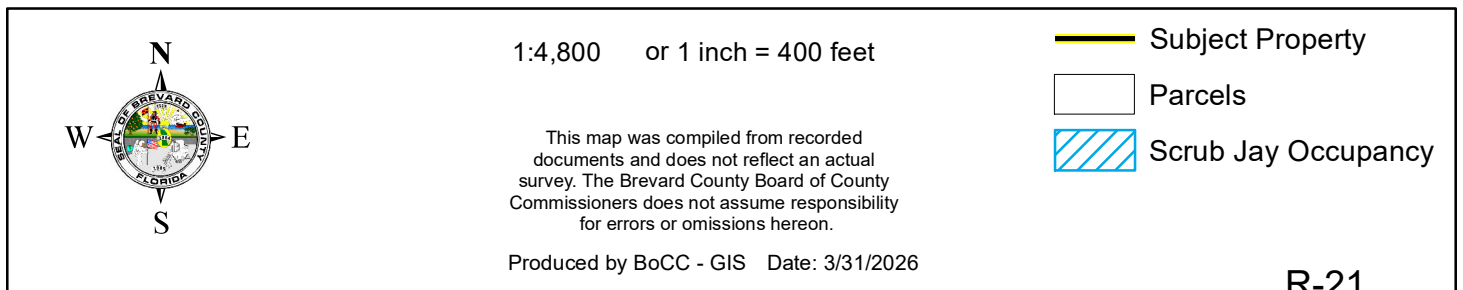
 Subject Property

 Parcels

 Eagle Nests FWS

R-20

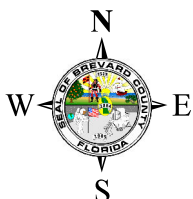
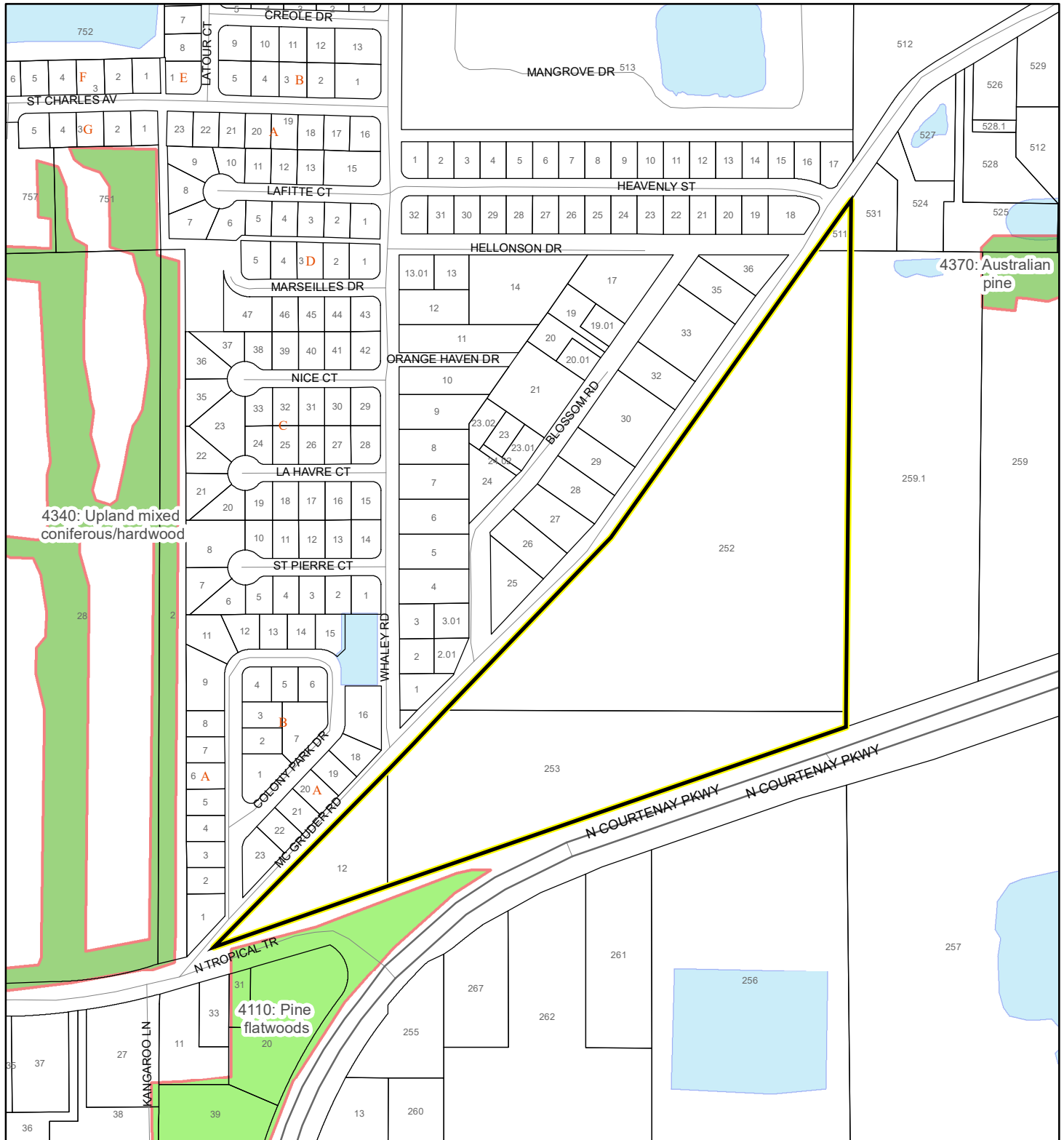
Turtle Mound Ventures, LLC
26Z00007



SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

Turtle Mound Ventures, LLC

26Z00007



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 3/31/2026

SJRWMD FLUCCS Upland Forests

- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

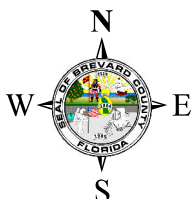
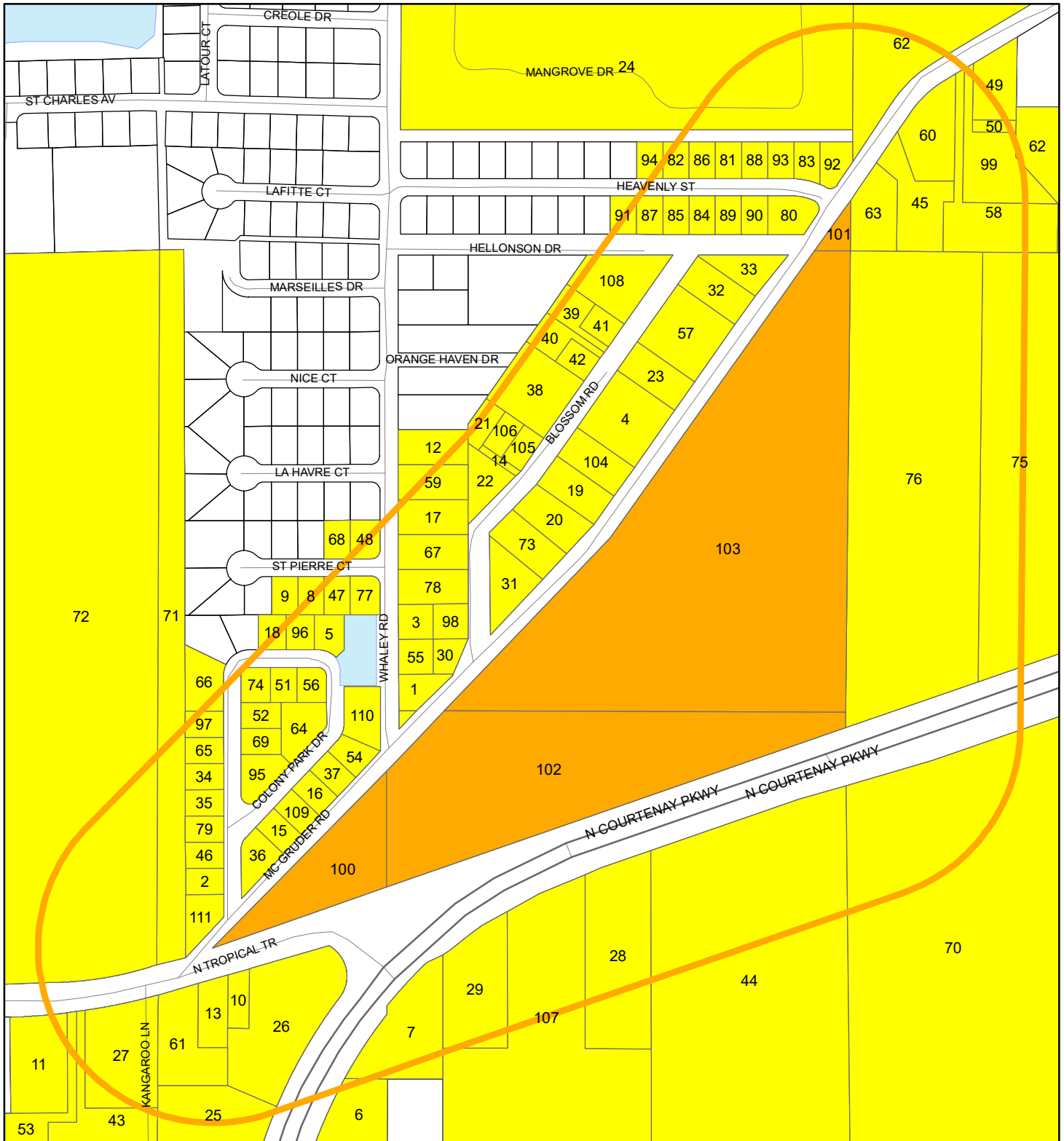
Subject Property

Parcels

R-22

RADIUS MAP

Turtle Mound Ventures, LLC
26Z00007



1:4,800 or 1 inch = 400 feet

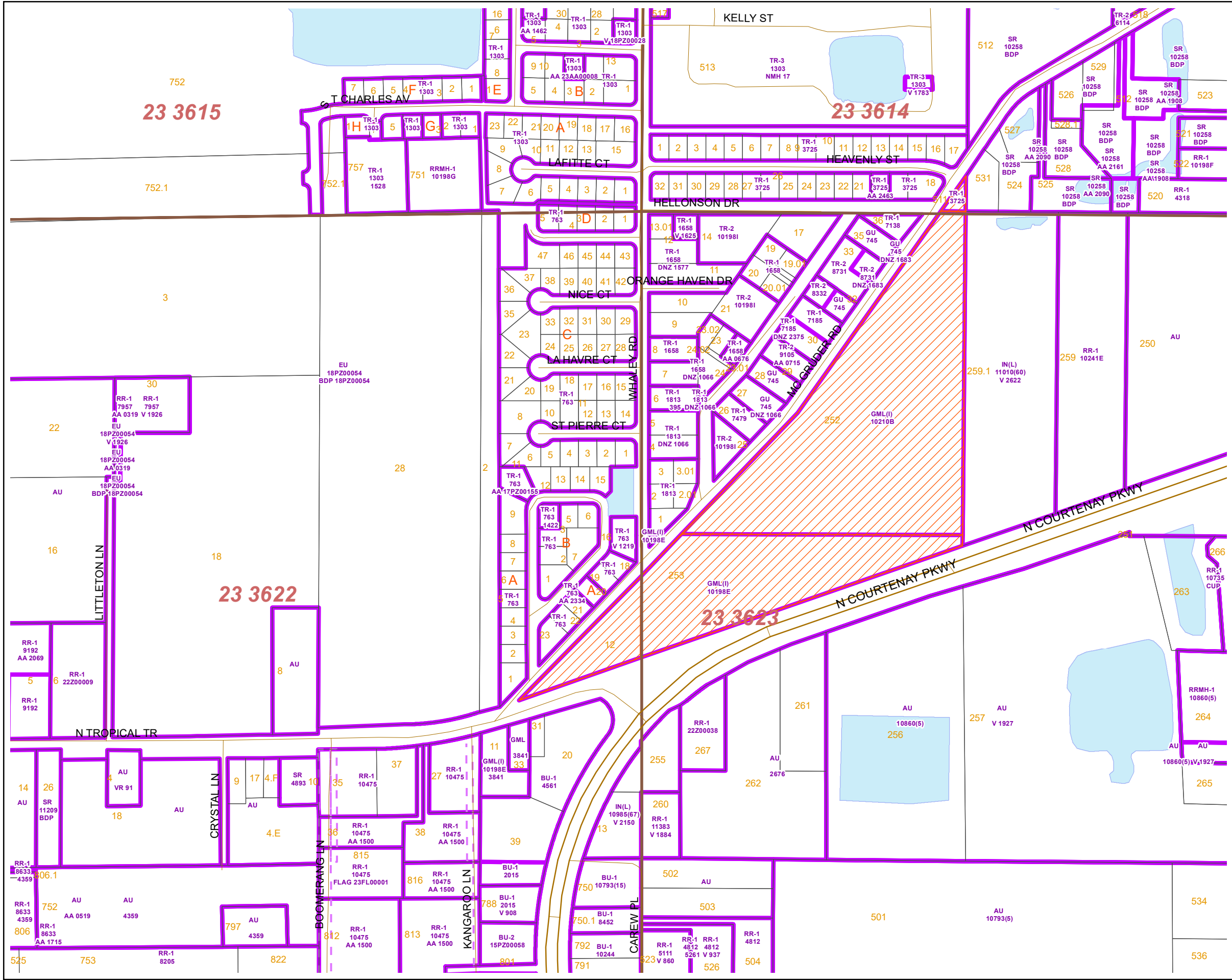
Buffer Distance: 500 feet

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: 3/31/2026

- Buffer
- Subject Property
- Notify Property
- Parcels

R-23



TOWNSHIP 23, RANGE 36, SECTION 14, 22, 23

26Z00007

Brevard County Official Planning & Development Map

Legend

- Subject Property
- TwnRng_Lines
- Sections
- Parcels
- Streets
- Zoning Easements
- Zoning Actions
- Municipality

DISCLAIMER AND TERMS OF USE:

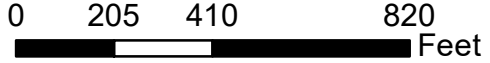
The official version of the Brevard County Zoning Map and Future Land Use Map can be viewed during regular business hours at the Brevard County Planning and Development Department, 321-633-2070, 2725 Judge Fran Jamieson Way, Bldg A-114, Viera, FL 32940.

Data is provided "as-is" without any warranty or representation that the data is accurate, timely or complete. The County makes no warranty, express or implied, that the data, graphics and maps presented are up-to-date or that the information shown is reliable for the viewer's intended purposes or uses. The viewer acknowledges and accepts the above limitations on the data portrayed and acknowledges that the data shown is dynamic and is in a constant state of maintenance, correction and update.

Though this map purports to depict properties within the unincorporated area of Brevard County, Florida, the County does not warrant or represent that the map has been updated to show properties that may have been annexed or included within the boundaries of one or more municipalities.

This map is for display and informational purposes only. The viewer must consult the official Zoning Map or Future Land Use Map on file in the Brevard County Planning and Zoning Office for official and precise Zoning or Future Land Use configurations.

MAPS MAY NOT BE RESOLD: Data, maps or digital files are prepared by employees of Brevard County and may not be resold without prior consent from the Brevard County Board of



1 Inch = 400 Feet

Produced by Information Technology Department - GIS
Date: 3/31/2026

Kimberly Rezanka
6013 Farcenda Pl
Melbourne, FL 32940

ACKERMANN, SUSAN
6500 WHALEY ROAD
MERRITT ISLAND FL 32953-

ALCANTER, ROBERT R
6467 COLONY PARK DR
MERRITT ISLAND FL 32953-

B&T WORLD LLC
4550 ALAN SHEPARD AVE
COCOA FL 32926-3878

BAHR, PATRICIA A
6560 BLOSSOM RD
MERRITT ISLAND FL 32953-6819

BAKER, ROGER
6492 COLONY PARK DR
MERRITT ISLAND FL 32953-6851

BANANA RIVER BAPTIST CHURCH INC
6250 N COURTENAY PKWY
MERRITT ISLAND FL 32953-7007

BARKLOW, DIANE
335 SAINT PIERRE CT
MERRITT ISLAND FL 32953-6848

BARKLOW, DIANE M
335 SAINT PIERRE CT
MERRITT ISLAND FL 32953-6848

BELLSOUTH TELECOMMUNICATIONS INC
D/B/A A T & T FLORIDA
1010 PINE ST, # 9E-L-01
ATTN PROPERTY TAX DEPT
SAINT LOUIS MO 63101-2015

BELTRAN, JULIE Y
JACK, DUSTIN L
6360 N TROPICAL TRL
MERRITT ISLAND FL 32953-7217

BIEBEL, ROBERT L
6570 WHALEY RD
MERRITT ISLAND FL 32953-6801

BREVARD REALTY INC
2507 N COCOA BLVD
COCOA FL 32922-7067

BRUNER, RICHARD K
BRUNER, GLORILEE JEAN
6550 WHALEY RD
MERRITT ISLAND FL 32953-6801

CANNON, LARRY MACK, JR
CANNON, MICHELLE LEE
6488 COLONY PARK DR
MERRITT ISLAND FL 32953-6851

CHANDLEE, JESSE
6545 MCGRUDER RD
MERRITT ISLAND FL 32953-7026

CHANDLEE, JESSE
419 POINSETTIA AVE
TITUSVILLE FL 32796-3722

COFFEY, ZAKARY
GUERTLER, MELANIE
6525 BLOSSOM RD
MERRITT ISLAND FL 32953-6820

COFFEY, ZAKARY
GUERTLER, MELANIE
6525 BLOSSOM RD
MERRITT ISLAND FL 32953-6820

COLEMAN, PATRICIA ANN
6595 MCGRUDER RD
MERRITT ISLAND FL 32953-7026

COLONY MHP LLC
PO BOX 249
ENGLEWOOD NJ 07631-0249

CONCEPT DEVELOPMENT INC
1449 SW 74TH DR, STE 200
GAINESVILLE FL 32607-0013

CONCEPT DG INVESTMENT LLC
1449 SW 74TH DR, STE 200
GAINESVILLE FL 32607-0013

CORNAIRE, STACIE
WHITE, ROSS
6370 N TROPICAL TRL
MERRITT ISLAND FL 32953-7217

CRISAFULLI, ESTELLE K TRUSTEE
2045 S TROPICAL TRAIL
MERRITT ISLAND FL 32952-

CRISAFULLI, SHELLEY
6270 N COURTENAY PKWY
MERRITT ISLAND FL 32953-7007

CUSMANO, PERRY
CUSMANO, KATHLEEN
6490 MCGRUDER RD
MERRITT ISLAND FL 32953-7023

DAVIS, ROBERT
227 HEAVENLY STREET
MERRITT ISLAND FL 32953-

DAVIS, ROBERT PATRICK
6635 MCGRUDER RD
MERRITT ISLAND FL 32953-7028

DIAMOND, CLAY
3992 TRADEWINDS TRL
MERRITT ISLAND FL 32953-

DOMINGUE, PRESTON
516 EL SHADDAI DR
LAFAYETTE LA 70508-7429

DYE, HARLAND T
BARTALL-DYE, RHONDA ANN
6512 COLONY PARK DR
MERRITT ISLAND FL 32953-

EDWARDS, VICKI LYNN COOK
COOK, BRIAN EUGENE
6504 COLONY PARK DR
MERRITT ISLAND FL 32953-6851

EQUITY TRUST COMPANY C/F/B/O
ACCOUNT #Z144828 IRA
PO BOX 540291
MERRITT ISLAND FL 32954-0291

EQUITY TRUST COMPANY C/F/B/O
ACCOUNT Z144828 IRA
PO BOX 540291
MERRITT ISLAND FL 32954-0291

EQUITY TRUST COMPANY CUST
F/B/O #200351962
120 VENETIAN WAY, STE 25
MERRITT ISLAND FL 32953-4174

EQUITY TRUST COMPANY F/B/O
#200351962
120 VENETIAN WAY, STE 25
MERRITT ISLAND FL 32953-4174

ERNST, RICHARD A
10584 WILDHORSE LN
LITTLETON CO 80125-7965

ESTELLE CRISAFULLI LIVING TRUST
WAYNE FRANK CRISAFULLI & SONJA
ANETTE CRISAFULLI LIVING TRUST
6270 N COURTENAY PKWY
MERRITT ISLAND FL 32953-7007

FRIEDMANN, THOMAS
MOSER, SUSAN
6690 MC GRUDER RD
MERRITT ISLAND FL 32953-

GALLACHER, KARLA A MCDONALD
6469 COLONY PARK DR
MERRITT ISLAND FL 32953-6822

GASSER, THOMAS J
GASSER, NANCY
10639 BISHOP RD
SAINT CHARLES MI 48655-9616

HARDMAN, JAMES F
310 SAINT PIERRE CT
MERRITT ISLAND FL 32953-6848

HARLOW, ALAINA N
HARLOW, MATTHEW T
6760 MCGRUDER RD
MERRITT ISLAND FL 32953-7029

HARLOW, MATTHEW
HARLOW, ALAINA N
6760 MCGRUDER RD
MERRITT ISLAND FL 32953-7029

HINTON, JANET M
HINTON, LILLIE M
1811 HIGH RD
TALLAHASSEE FL 32303-4407

HOFFMEISTER, DAVID JOHN
6480 COLONY PARK DR
MERRITT ISLAND FL 32953-6821

JACK, DUSTIN L
BELTRAN, JULIE Y
6360 N TROPICAL TRL
MERRITT ISLAND FL 32953-7217

JOHNSON, KYLE
JOHNSON, CLAIRE
6502 COLONY PARK DR
MERRITT ISLAND FL 32953-6851

JOHNSON, WAYNE
JOHNSON, PAMELA
6510 WHALEY RD
MERRITT ISLAND FL 32953-6801

KING, LINDA P
6491 COLONY PARK DR
MERRITT ISLAND FL 32953-

KOLODGIE, DAVID F
6605 MCGRUDER RD
MERRITT ISLAND FL 32953-7028

KUNKEL, MATTHEW
6720 MCGRUDER RD
MERRITT ISLAND FL 32953-7029

LATORRE, GLORIA
ROMAN, DONATO
6560 WHALEY RD
MERRITT ISLAND FL 32953-6801

MCCARVER, ISAAC JOSEPH WILLIAM
MCCARVER, KATHERINE NICOLE
2275 N TROPICAL TRL
MERRITT ISLAND FL 32953-4249

MERRITT ISLAND VOLUNTEER FIRE
DEPT INC
PO BOX 540263
MERRITT ISLAND FL 32954-0263

MERRITT LAND COMPANY
5525 N COURTENAY PKWY
MERRITT ISLAND FL 32953-7250

MERRITT LAND COMPANY LLC
5525 N COURTENAY PKWY
MERRITT ISLAND FL 32953-7248

MISENTA, PABLO A
BRACAMONTE, MYRIAM T
913 VILLAGE PL
DAVENPORT FL 33896-5239

NGUYENHO, ELIZABETH
6477 COLONY PARK DR
MERRITT ISLAND FL 32953-6822

OBRIEN, SHERRY
OBRIEN, SEAN
6481 COLONY PARK DR
MERRITT ISLAND FL 32953-6822

OSBORN, JENNIFER KAY
6540 WHALEY RD
MERRITT ISLAND FL 32953-6801

OSBORNE, JOHN R
320 SAINT PIERRE CT
MERRITT ISLAND FL 32953-6848

QUICKSELL, TIMOTHY
QUICKSELL, CHRISTINE
475 SUNDORO CT
MERRITT ISLAND FL 32953-3240

RCB FAMILY TRUST
ESTELLE CRISAFULLI LIVING TRUST
6270 N COURTENAY PKWY
MERRITT ISLAND FL 32953-7007

RONALD E DIMENNA FAMILY TRUST
3850 S BANANA RIVER BLVD
COCOA BEACH FL 32931-3481

ROSE, VICKI
419 POINSETTIA AVE
TITUSVILLE FL 32796-3722

SAVOIE, LINDA SOSA
6487 COLONY PARK DR
MERRITT ISLAND FL 32953-6853

SEED OF ABRAHAM MINISTRIES INC
2105 ROCKLEDGE DR
ROCKLEDGE FL 32955-5401

STEWART, ARTHUR
340 SAINT PIERRE CT
MERRITT ISLAND FL 32953-6848

SWICKERT, DONALD
6530 WHALEY RD
MERRITT ISLAND FL 32953-

TEAMSOSAFINANCIAL 1.0 LLC
4230 MOUNT VERNON AVE, APT 101
TITUSVILLE FL 32780-6694

TEEN MISSIONS INTERNATIONAL INC
885 E HALL RD
MERRITT ISLAND FL 32953-8418

TEEN MISSIONS INTERNATIONAL INC
885 EAST HALL RD
MERRITT ISLAND FL 32953-

TEEN MISSIONS INTERNATIONAL INC
885 EAST HALL ROAD
MERRITT ISLAND FL 32953-

TEEN MISSIONS INTERNATIONAL INC
885 E HALL RD
MERRITT ISLAND FL 32953-

TESTER, ROCHELLE A
6476 COLONY PARK DR
MERRITT ISLAND FL 32953-6821

THOMAS D STRICKLAND & CHERYL
R STRICKLAND REVOCABLE TRUST
1778 ANGEL AVE
MERRITT ISLAND FL 32952-2707

THORNTON, LINDA MICHELLE
6479 COLONY PARK DR
MERRITT ISLAND FL 32953-6822

TONY'S COOLING & HEAT INC
PO BOX 100987
PALM BAY FL 32910-0987

TRETT, DUSTIN LEE
TRETT, ERA JEAN
6730 MCGRUDER RD
MERRITT ISLAND FL 32953-7029

TURTLE MOUND VENTURES LLC
1275 SOUTH PATRICK DR, # 90
SATELLITE BEACH FL 32937-3963

VERNOTZY, TIMOTHY A
320 LAROCHE COURT
MERRITT ISLAND FL 32953-6833

WALRATH, CARA
6535 BLOSSOM RD
MERRITT ISLAND FL 32953-6820

WALRATH, JOEL
WALRATH, CARA
6545 BLOSSOM RD
MERRITT ISLAND FL 32953-6820

WAYNE FRANK CRISAFULLI & SONJA
ANETTE CRISAFULLI LIVING TRUST
6270 N COURTENAY PKWY
MERRITT ISLAND FL 32953-7007

WILLIAM HERBERT BOGGS III
& PATTI SIZEMORE BOGGS REVOCABLE LIVING T
1671 HARBOR DR
MERRITT ISLAND FL 32952-5669

26Z00007
Page4

WILSON, TORI L
RENIER, TONI D
3675 SHELLIE CT
COCOA FL 32926-4479

WRIGHT, GEORGE
WRIGHT, ELAINE
6498 COLONY PARK DR
MERRITT ISLAND FL 32953-6851

ZINGER FAMILY TRUST
6465 COLONY PARK DR
MERRITT ISLAND FL 32953-6822



Planning and Development
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
321-633-2070

BOARD OF COUNTY COMMISSIONERS

3rd Amended Application

**Application for Zoning Action, Comprehensive Plan Amendment, or
Variance**

Applications must be submitted in person. Please call 321-633-2070 for an appointment at least 24 hours in advance. Mailed, emailed, or couriered applications will not be accepted.

PZ # 

Existing FLU: PUB/RES1/RES2 Existing Zoning: GML (I)/ TR-1

Proposed FLU: CC Proposed Zoning: RVP

PROPERTY OWNER INFORMATION

If the owner is an LLC, include a copy of the operating agreement.

<u>Steve Emtman</u>		<u>Turtle Mound Ventures, LLC</u>	
Name(s)		Company	
<u>850 Wickham Lakes Dr.</u>	<u>Viera</u>	<u>FL</u>	<u>32940</u>
Street	City	State	Zip Code
<u>steve@segrandhomes.com</u>	<u>509-499-9349</u>		
Email	Phone	Cell	

APPLICANT INFORMATION IF DIFFERENT FROM OWNER:

☒ Attorney ☐ Agent ☐ Contract Purchaser ☐ Other

<u>Kimberly Rezanka</u>		<u>Lacey Rezanka</u>	
Name(s)		Company	
<u>6013 Farcenda Pl.</u>	<u>Melbourne</u>	<u>FL</u>	<u>32940</u>
Street	City	State	Zip Code
<u>KRezanka@llr.law</u>	<u>321-608-0892</u>		
Email	Phone	Cell	

APPLICATION NAME

- ☐ Large Scale Comprehensive Plan Amendment (CP) (greater than 50 acres)
- ☒ Small Scale Comprehensive Plan Amendment (CP) (less than 50 acres)
- ☐ Text Amendment (CP): Element _____
- ☐ Other Amendment (CP): Name _____
- ☒ Rezoning Without CUP (RWOC)
- ☐ Combination Rezoning and CUP (CORC)
- ☐ Conditional Use Permit (CUP)
- ☐ Binding Development Plan (BDP)
- ☐ Binding Development Plan (BDP) (Amendment)
- ☐ Binding Development Plan (BDP) (Removal)
- ☐ Variance(s) (V) (building permits will not be approved until 30 days after the date the order is signed)
- ☐ Administrative Approval of Setbacks, Lot Size, or Accessory Structures
- ☐ Administrative Approval of Flag Lot or Easement
- ☐ Administrative Approval of On-Premises Consumption of Alcoholic Beverages for Restaurants / Snack Bars
- ☐ Other Action: Name _____

Acreage of Request: 28.37+/-

Reason for Request:

To create a recreational vehicle park.

The undersigned understands this application must be complete and accurate prior to advertising a public hearing:

- ☐ I am the owner of the subject property, or if corporation, I am the officer of the corporation authorized to act on this request.
- ☒ I am the legal representative of the owner of the subject property of this application. (Notarized Authorization to Act must be submitted with application)
- ☒ An approval of this application does not entitle the owner to a development permit.
- ☒ For Variances, I understand that building permits will not be approved until 30 days after the date the order is signed, in order to comply with the appeal procedure.
- ☒ I certify that the information in this application and all sketches and data attached to and made part hereof are true and accurate to the best of my knowledge.

Kimberly B. Rezanka
Signature of Property Owner or
Authorized Representative

3/9/26
Date

State of Florida

County of Brevard

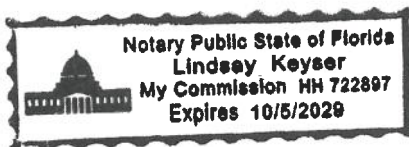
Subscribed and sworn before me, by ✓ physical presence or _____ online notarization,

this 9th day of, March, 20 26, personally appeared

Kimberly B. Rezanka, who is personally known to me or produced
_____ as identification, and who did / did not take an oath.

Lindsey Keyser
Notary Public Signature

Seal



Office Use Only:

Accela No. 20000 Fee: 95 rece Date Filed: 1/20 District No.

Tax Account No. (list all that apply) 2316247, 2316451

Parcel I.D. No. 23-36-22-00-12, 23-36-23-00-252, 23-36-23-00-253

Twp Rng Sec Sub Block Lot/Parcel
Planner: Sign Issued to: Notification Radius:

MEETINGS	DATE	TIME
P&Z	<u></u>	<u></u>
PSJ Board	<u></u>	<u></u>
NMI Board	<u>9-20</u>	<u>9:30</u>
LPA	<u>10-20</u>	<u></u>
BOA	<u></u>	<u></u>
BCC	<u>10-20</u>	<u></u>

Wetland survey required by Natural Resources Yes ☐ No ☒ Initials

Is the subject property located in a JPA, MIRA, or 500 feet of the Palm Bay Extension?

☒ Yes ☐ No If yes, list

Location of subject property:

the northeast corner of N. Tropical Trail and

Description of Request:

to construct



RECEIPT OF PAYMENT

Payment Date: 2/3/2026
Receipt #: 837259
Transaction Id# 191129936

Payment Method	Payment Reference #	Amount Paid	Comments
	191129936	\$2,404.00	
		\$2,404.00	Total

Rezoning \$2,404.00

26Z00007

Fee	Invoice #	Amount
Rezoning Natural Resources Review	1023886	\$300.00
Rezoning Recreation Vehicle Park	1023886	\$2,104.00

Grand Total \$2,404.00

Reprint Date: 03/12/26

**Additional Fees may apply to obtain a Certificate of Completion, a Certificate of Occupancy, Pre-Power, or Final Inspection.
To verify fees please visit the Brevard County Planning & Development Search.**

www.brevardcounty.us/PlanningDev

P (321) 633-2068 F (321) 633-2052



RECEIPT OF PAYMENT

Payment Date: 1/30/2026
Receipt #: 836935
Transaction Id# 190917311

Payment Method	Payment Reference #	Amount Paid	Comments
	190917311	\$25.00	
		\$25.00	Total
Rezoning 26Z00007		\$25.00	
Fee	Invoice #	Amount	
Application Processing Fee	1023428	\$25.00	
Grand Total			\$25.00

Reprint Date: 03/12/26

Additional Fees may apply to obtain a Certificate of Completion, a Certificate of Occupancy, Pre-Power, or Final Inspection.
To verify fees please visit the Brevard County Planning & Development Search.

www.brevardcounty.us/PlanningDev

P (321) 633-2068 F (321) 633-2052

Zoning Information Worksheet

Owner(s): MOOND VENTURE

(Does this match the warranty deed?)

Applicant(s): Rezani

(Does this person have authorization from everyone listed on the warranty deed?)

Parcel ID#: 23-36-22-00-12; 23-36-23-00-25; 23-36-23-00-26

(If more than one parcel, they must share a property line to be on the same application.)

Present Zoning: (I) and (I)

Is there a BDP or a CUP on the property? Yes/No: (If yes, attach BDP)

Existing BDP states:

Requested Zoning/CUP: in application 26Z00007 request

BDP Requested? Yes/No:

If CUP Request, do you have a CUP worksheet filled out by the applicant? Yes/No

Previously Approved Zoning Actions on lot:

rezoned from I to Res

administratively rezoned from Res to

Is this a non-conforming lot of record? Yes/No: Why?

Non-Conforming to:

Is this a substandard lot? Yes/No: Why? the lot does not meet current or previous zoning

What is the FLU Designation of the property?: Res I & II

- Is the requested zoning consistent with the FLU? Yes/No (See compatibility table)
- If no, what is the requested **small scale plan amendment**? (Must be 10 acres or less)

Character of the Area – List the recent zoning changes in same section? (Last 3 years)

Action #, Date of action and State what changed?

Z# 3 changed rezoning from BU-1 to BU-2

If this is a CUP request, list all CUP's on adjacent properties: _____

Abutting property zoning: N  _____ S  _____ E  _____ W  _____

JPA/Special Board/Special Section? Yes/No (Circle one and make a note on the application) PSJ, NMI, MIRA
ROCKLEDGE, MELBOURNE, PALM SHORES, TITUSVILLE, PALM BAY or within 500' of PALM BAY EXTENSION

Reason for Rezoning Request:  _____

- If proposing single-family or multi-family how many units? _____
- If proposing a CUP for alcohol, how many seats? _____ Bar or Restaurant? _____
 - Do you have a certified survey indicating there are no churches or schools within 400'? Yes/No
 - Do you have a site plan showing the layout and parking configuration? Yes/No
 - Do you have a CUP worksheet filled out by the applicant? Yes/No
- If the request is for commercial zoning, do you have a wetland survey that includes a legal description of the wetland? Yes/No (If no, NR must have checked no on the front of the application)

Existing structures/uses on the property?  _____

Describe the character of the area based upon Administration Policy 3 of FLUE (attached):

 _____

Concerns raised as part of request:  _____

Other options discussed with applicant:  _____

Did you print out the Property Appraiser's Map for this property?
Did you mark the map?
Did you stamp the deed(s)?

Jackson, Desiree  Digitally signed by Jackson,
Desiree
Date: 2026.03.11 16:59:30 -04'00'

Planner Signature

Date

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foresee ably be affected by the proposed use;
- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:
 - 1. Historical land use patterns;
 - 2. Actual development over the immediately preceding three years; and
 - 3. Development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.



BOARD OF COUNTY COMMISSIONERS

Planning and Development

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
Phone 321-633-2070

NOTICE TO APPLICANTS FOR CHANGE OF LAND USE

The Planning and Development Department staff will be preparing written comments concerning your request. These comments will be provided to the Planning and Zoning Board/Local Planning Agency and Board of County Commissioners. The comments will address the following:

- The current zoning of the property along with its current development potential and consistency with the Brevard County Comprehensive Plan use and density restrictions.
- The proposed zoning of the property along with its development potential and consistency with the Brevard County Comprehensive Plan use and density restrictions.
- The proposal's impact on services, such as roads and schools.
- The proposal's impact upon hurricane evacuation, if applicable.
- Environmental factors.
- Compatibility with surrounding land uses.
- Consistency with the character of the area.

You may place your own written comments on these items into the record. Up to two typewritten pages can be included in the package if received at least 10 working days prior to the Planning and Zoning Board hearing. You are not required to provide written comments. **An applicant presentation to the Planning and Zoning Board is required regardless of written submittals.** The board may approve the requested classification, or a classification which is more intensive than the existing classification but less intensive than the requested classification.

Note:

If your application generates public opposition, as may be expressed in letters, petitions, phone calls, testimony, et cetera, you are advised to meet with concerned parties in an effort to resolve the differences prior to the Board of County Commission (BCC) taking final action on the request; therefore, you are encouraged to meet with affected property owners prior to the public hearing by the Planning and Zoning Board / Local Planning Agency (P&Z / LPA). During the course of conducting the public hearing, if the P&Z / LPA finds the application is controversial, and the applicant has not met with affected property owners, the item shall be tabled to the next agenda to allow such a meeting to take place. If the item is controversial, despite the applicant's efforts to meet with affected property owners, the Planning and Zoning Board / Local Planning Agency may include, in their motion, a requirement to meet with interested parties again prior to the BCC public hearing. The BCC may also table your request

Revised 09/2021

in order for you to meet with interested parties if this has not occurred prior to the public hearing before the BCC. If you need assistance to identify these parties, please contact the Planning and Development Department.

Brevard County Board of County Commissioners approval of a zoning application does not vest a project nor ensure issuance of a permit. At the time of permit application, land development regulations and concurrency-related level of service standards must be met.

Staff comments will be available approximately one week prior to the Planning and Zoning Board hearing. These comments will be made available to you at that time. In order to expedite receipt of staff's comments, please provide an email address, or indicate if you wish to receive the comments by U.S. mail.

Krezanka@lhr.law
E-mail address

Receipt of Comments by U.S. Mail

☐ Yes

☒ No

Kimberly B. Rezanka
Applicant Signature

Prepared by and return to:

Frank Amsalem
Azur Title Corp
20295 NE 29th Place, Suite 200
Aventura, FL 33180
Tel: (305)988-3310
File Number: 25-0354

Property Appraiser's ID #: 23-36-14-00-511/2315413; 23-36-22-00-12/2316247
23-36-22-00-252/2316451; 23-36-22-00-253/2316452

_____[Space Above This Line For Recording Data]_____

WARRANTY DEED

This Warranty Deed made this ¹⁴~~27~~ day of ^{August}~~July~~, 2025, between Turtle Mound Ventures II, LLC, a Washington limited liability company whose post office address is 1275 South Patrick Dr, Suite 90, Satellite Beach, FL 32937, grantor, and Turtle Mound Ventures, LLC, a Florida limited liability company whose post office address is 1275 South Patrick Dr, Suite 90, Satellite Beach, FL 32937, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Brevard, Florida** to-wit:

Parcel I:

Commence at the steel post in the Northeast corner of the NW 1/4 of the NW 1/4 of Section 23, Township 23 South, Range 36 East and for a first course of the property to be included in this description go West along the North line of said Section a distance of 132 feet more or less to the center of the County Road as at present located; thence for a second course of the property to be included in this description go Southwesterly and down the centerline of said County Road as at present located to point of intersection with the West line of said Section 23; thence for a third course of the property to be included in this description go South and along the West line of said Section 23, a distance of 434.5 feet more or less to point of intersection with the centerline of new State Road #3; thence for a fourth course of the property to be included in this description go North 70 degrees 34' East 1403.2 feet to a point on the East line of the W 1/2 of the NW 1/4 of said Section 23; thence for a fifth course of the property to be included in this description go North and along the East line of the W 1/2 of the NW 1/4 of said Section 23 to steel post at the Northeast corner of the NW 1/4 of the NW 1/4 of the said Section 23 and the Point of Beginning of the property to be included in this description.

Together with that portion of the S 1/2 of the W 1/2 of the NW 1/4 of said Section 23 lying Northerly and Westerly of the County Road aforesaid.

Together with that portion of the SW 1/4 of the SW 1/4 of Section 14, Township 23 South, Range 36 East lying Southerly and Easterly of the County Road aforesaid.

Less all road rights of way

Parcel II:

Commencing at an iron rod set in the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 23, Township 23 South, Range 36 East; thence South 158.8 feet, more or less, and along the West line of Section 23 to the intersection thereof with the South line of the right-of-way of County Road for the Point of Beginning; thence Southwesterly and along the said South right-of-way line the bearing of which is South 43 degrees 59 minutes West, 725 feet, more or less, to an iron pipe set in the intersection of said South right-of-way line of the County Road with the North right-of-way line of the new State Road; thence Northeasterly and along the said North right-of-way line of the new State Road the bearing of which is North 70 degrees 34 minutes East, 539.5 feet to a concrete monument set in the intersection of said North right-of-way line with the West line of said Section 23; thence North along said West line of said Section, a distance of 346.7 feet, more or less, to the intersection thereof with the said South right-of-way line of the County Road, the Point of Beginning. The above-described property being in Section 22, Township 23 South, Range 36 East, Brevard County, Florida. Less all road rights of way

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2024.

Documentary stamp taxes are not due: The sole Member and Manager of Grantor and of the Grantee are one and the same and there is no actual change of beneficial ownership of the property. There is no consideration for this transfer other than as stated above.

[SIGNATURE AND NOTARY PAGE TO FOLLOW – INTENTIONALLY LEFT BLANK]

In Witness Whereof, Grantor has signed and sealed these presents the day and year above written.

Signed, sealed and delivered

in the presence of:

AME

Signature of Witness 1

Ashley Emtman

Print Name of Witness 1

5323 S. Bella Vista Dr

Address of Witness 1 Veradale, WA 99037

John Coy

Signature of Witness 2

John Coy

Print Name of Witness 2

121 2nd St Cheney WA

Address of Witness 2

Turtle Mound Ventures II, LLC, a Washington limited liability company

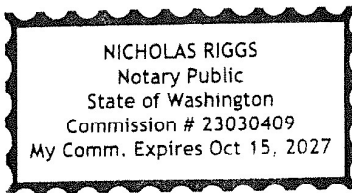
BY: [Signature]

Steve Emtman
Chief Executive Manager

State of Washington

County of Spokane

The foregoing instrument was sworn, subscribed, and acknowledged before me by means of ☒ physical presence or ☐ online notarization this 28 day of July, 2025 by Steve Emtman as Chief Executive Manager of Turtle Mound Ventures II, LLC, a Washington limited liability company who [] is/are personally known to me or [] who has/have produced drivers license as Identification.



[Signature]

Notary Public

My Commission Expires: 10/15/27



BOARD OF COUNTY COMMISSIONERS

Planning and Development

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

AUTHORIZATION TO ACT ON BEHALF OF OWNER

I, Steven Emtman, of Turtle Mound Ventures LLC,

authorize Kimberly B. Rezanka of Lacey Rezanka/ Jack Wise of Construction Engineering Group, LLC

to act on my behalf, which may include representing me in public hearings pertaining to the submittal of the attached application.

Choose the applicable application type. More than one may apply.

- | | |
|---|--|
| ☒ Administrative Action | ☒ Comprehensive Plan Amendment |
| ☒ Development Plan | ☒ Rezoning |
| ☒ Variance | |

[Signature]
Signature

2.24.26
Date

State of Florida

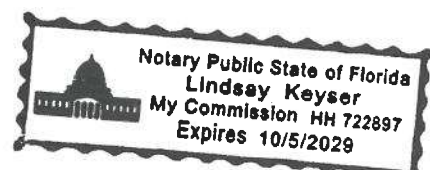
County of Brevard

The foregoing instrument was acknowledged before me this 24th day of February, 20 26

by Steven Emtman, who is personally known to me or has produced
Florida Driver license as identification, and who did or did not take an oath.

[Signature]
Signature of Notary

Seal:



LEGAL DESCRIPTION

Jackson,
Desiree

Digitally signed by
Jackson, Desiree
Date: 2026.03.11
16:59:55 -04'00'

DESCRIPTION:

(AS PROVIDED) PARCEL 1: COMMENCE AT THE STEEL POST IN THE NORTHEAST CORNER OF THE NW 1/4 OF THE NW 1/4 OF SECTION 23, TOWNSHIP 23 SOUTH, RANGE 36 EAST AND FOR A FIRST COURSE OF THE PROPERTY TO BE INCLUDED IN THIS DESCRIPTION GO WEST ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 132 FEET MORE OR LESS TO THE CENTER OF THE COUNTY ROAD AS AT PRESENT LOCATED; THENCE FOR A SECOND COURSE OF THE PROPERTY TO BE INCLUDED IN THIS DESCRIPTION GO SOUTHWESTERLY AND DOWN THE CENTERLINE OF SAID COUNTY ROAD AS AT PRESENT LOCATED TO POINT OF INTERSECTION WITH THE WEST LINE OF SAID SECTION 23; THENCE FOR A THIRD COURSE OF THE PROPERTY TO BE INCLUDED IN THIS DESCRIPTION GO SOUTH AND ALONG THE WEST LINE OF SAID SECTION 23, A DISTANCE OF 434.5 FEET MORE OR LESS TO POINT OF INTERSECTION WITH THE CENTERLINE OF NEW STATE ROAD #3; THENCE FOR A FOURTH COURSE OF THE PROPERTY TO BE INCLUDED IN THIS DESCRIPTION GO NORTH 70 DEGREES 34' EAST 1403.2 FEET TO A POINT ON THE EAST LINE OF THE W 1/2 OF THE NW 1/4 OF SAID SECTION 23; THENCE FOR A FIFTH COURSE OF THE PROPERTY TO BE INCLUDED IN THIS DESCRIPTION GO NORTH AND ALONG THE EAST LINE OF THE W 1/2 OF THE NW 1/4 OF SAID SECTION 23 TO A STEEL POST AT THE NORTHEAST CORNER OF THE NW 1/4 OF THE NW 1/4 OF THE SAID SECTION 23 AND THE POINT OF BEGINNING OF THE PROPERTY TO BE INCLUDED IN THIS DESCRIPTION. TOGETHER WITH THAT PORTION OF THE S 1/2 OF THE W 1/2 OF THE NW 1/4 OF SAID SECTION 23 LYING NORTHERLY AND WESTERLY OF THE COUNTY ROAD AFORESAID. TOGETHER WITH THAT PORTION OF THE SW 1/4 OF THE SW 1/4 OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 36 EAST LYING SOUTHERLY AND EASTERLY OF THE COUNTY ROAD AFORESAID, LESS ALL ROAD RIGHTS OF WAY

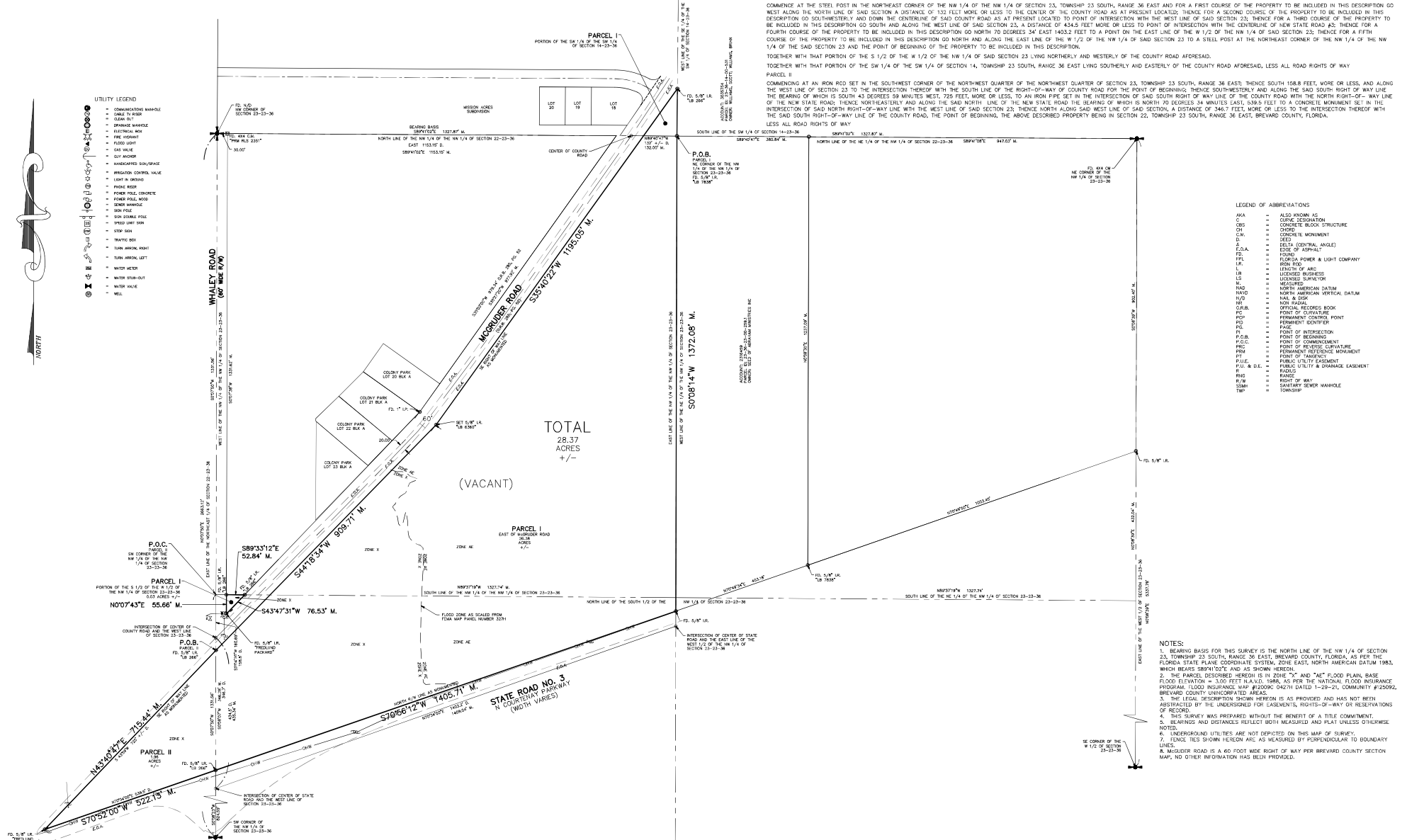
PARCEL II

COMMENCING AT AN IRON ROD SET IN THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 23 SOUTH, RANGE 36 EAST; THENCE SOUTH 158.8 FEET, MORE OR LESS, AND ALONG THE WEST LINE OF SECTION 23 TO THE INTERSECTION THEREOF WITH THE SOUTH LINE OF THE RIGHT-OF-WAY OF COUNTY ROAD FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AND ALONG THE SAID SOUTH RIGHT OF WAY LINE THE BEARING OF WHICH IS SOUTH 43 DEGREES 59 MINUTES WEST, 725 FEET, MORE OR LESS, TO AN IRON PIPE SET IN THE INTERSECTION OF SAID SOUTH RIGHT OF WAY LINE OF THE COUNTY ROAD WITH THE

NORTH RIGHT-OF- WAY LINE OF THE NEW STATE ROAD; THENCE NORTHEASTERLY AND ALONG THE SAID NORTH LINE OF THE NEW STATE ROAD THE BEARING OF WHICH IS NORTH 70 DEGREES 34 MINUTES EAST, 539.5 FEET TO A CONCRETE MONUMENT SET IN THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE WITH THE WEST LINE OF SAID SECTION 23; THENCE NORTH ALONG SAID WEST LINE OF SAID SECTION, A DISTANCE OF 346.7 FEET, MORE OR LESS TO THE INTERSECTION THEREOF WITH THE SAID SOUTH RIGHT-OF-WAY LINE OF THE COUNTY ROAD, THE POINT OF BEGINNING, THE ABOVE DESCRIBED PROPERTY BEING IN SECTION 22, TOWNSHIP 23 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA. LESS ALL ROAD RIGHTS OF WAY

MAP OF BOUNDARY SURVEY

SECTIONS 14, 22 & 23 TOWNSHIP 23 SOUTH, RANGE 36 EAST
BREVARD COUNTY, FLORIDA



DESCRIPTION: (AS PROVIDED)

PARCEL I:
COMMENCE AT THE STEEL POST IN THE NORTHEAST CORNER OF THE NW 1/4 OF THE NW 1/4 OF SECTION 23, TOWNSHIP 23 SOUTH, RANGE 36 EAST AND FOR A FIRST COURSE OF THE PROPERTY TO BE INCLUDED IN THIS DESCRIPTION GO WEST ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 132 FEET MORE OR LESS TO THE CENTER OF THE COUNTY ROAD AS AT PRESENT LOCATED; THENCE FOR A SECOND COURSE OF THE PROPERTY TO BE INCLUDED IN THIS DESCRIPTION GO SOUTHWESTERLY AND DOWN THE CENTERLINE OF SAID COUNTY ROAD AS AT PRESENT LOCATED TO POINT OF INTERSECTION WITH THE WEST LINE OF SAID SECTION 23; THENCE FOR A THIRD COURSE OF THE PROPERTY TO BE INCLUDED IN THIS DESCRIPTION GO SOUTH AND ALONG THE WEST LINE OF SAID SECTION 23, A DISTANCE OF 434.5 FEET MORE OR LESS TO POINT OF INTERSECTION WITH THE CENTERLINE OF NEW STATE ROAD #3; THENCE FOR A FOURTH COURSE OF THE PROPERTY TO BE INCLUDED IN THIS DESCRIPTION GO NORTH 70 DEGREES 34' EAST 1403.2 FEET TO A POINT ON THE EAST LINE OF THE 1/2 OF THE NW 1/4 OF SAID SECTION 23; THENCE FOR A FIFTH COURSE OF THE PROPERTY TO BE INCLUDED IN THIS DESCRIPTION GO NORTH AND ALONG THE EAST LINE OF THE W 1/2 OF THE NW 1/4 OF SAID SECTION 23 TO A STEEL POST AT THE NORTHEAST CORNER OF THE NW 1/4 OF THE SAID SECTION 23 AND THE POINT OF BEGINNING OF THE PROPERTY TO BE INCLUDED IN THIS DESCRIPTION.
TOGETHER WITH THAT PORTION OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 23 LYING NORTHERLY AND WESTERLY OF THE COUNTY ROAD AFORESAID, LESS ALL ROAD RIGHTS OF WAY.

PARCEL II:
COMMENCING AT AN IRON ROD SET IN THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 23 SOUTH, RANGE 36 EAST, THENCE SOUTH 158.8 FEET, MORE OR LESS, AND ALONG THE WEST LINE OF SECTION 23 TO THE INTERSECTION THEREOF WITH THE SOUTH LINE OF THE RIGHT-OF-WAY OF COUNTY ROAD FOR THE POINT OF BEGINNING, THENCE SOUTHWESTERLY AND ALONG THE SAID SOUTH RIGHT-OF-WAY LINE THE BEARING OF WHICH IS SOUTH 43 DEGREES 59 MINUTES WEST, 725 FEET, MORE OR LESS, TO AN IRON PIPE SET IN THE INTERSECTION OF THE COUNTY ROAD WITH THE NORTH RIGHT-OF-WAY LINE OF THE NEW STATE ROAD; THENCE NORTHEASTERLY AND ALONG THE SAID NORTH LINE OF THE NEW STATE ROAD THE BEARING OF WHICH IS NORTH 70 DEGREES 34' MINUTES EAST, 539.5 FEET TO A CONCRETE MONUMENT SET IN THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE WITH THE WEST LINE OF SAID SECTION 23, THENCE NORTH ALONG SAID WEST LINE OF SAID SECTION, A DISTANCE OF 346.7 FEET, MORE OR LESS TO THE INTERSECTION THEREOF WITH THE SAID SOUTH RIGHT-OF-WAY LINE OF THE COUNTY ROAD, THE POINT OF BEGINNING, THE ABOVE DESCRIBED PROPERTY BEING IN SECTION 22, TOWNSHIP 23 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, LESS ALL ROAD RIGHTS OF WAY.

LEGEND OF ABBREVIATIONS

- AKA = ALSO KNOWN AS
- CB = CONCRETE BLOCK STRUCTURE
- CH = CHISEL
- CM = CONCRETE MONUMENT
- CL = CEMENT
- DELTA (CENTRAL ANGLE)
- ED = EDGE OF ASPHALT
- FPL = FLORIDA POWER & LIGHT COMPANY
- IR = IRON ROD
- LA = LENGTH OF ARC
- LB = LICENSED BUSINESS
- LS = LICENSED SURVEYOR
- M = MEASURED
- MAD = NORTH AMERICAN DATUM
- NAD = NORTH AMERICAN VERTICAL DATUM
- NAD = NAD 83
- NR = NON-RADIAL
- OR = OPTIONAL RECORDS BOOK
- PCP = PERMANENT CONTROL POINT
- PERM = PERMANENT
- PG = PAGE
- POINT OF INTERSECTION
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- P.O.R. = POINT OF REVISION CURVATURE
- PRM = PERMANENT REFERENCE MONUMENT
- PT = POINT OF TANGENCY
- P.U.E. = PUBLIC UTILITY EASEMENT
- P.U.L. & D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
- R = RADIUS
- RHS = RIGHT-OF-WAY
- S = SATISFACTORY SURVEY MONUMENT
- TWP = TOWNSHIP

NOTES:

1. BEARING BASIS FOR THIS SURVEY IS THE NORTH LINE OF THE NW 1/4 OF SECTION 23, TOWNSHIP 23 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AS PER THE FLORIDA STATE PLANNING COORDINATE SYSTEM, ZONE 18E, NORTH AMERICAN DATUM 1983, WHICH BEARS S89°41'52"E AND AS SHOWN HEREON.
2. THE PARCEL DESCRIBED HEREON IS IN ZONE "X" AND "M" FLOOD PLAIN BASE FLOOD ELEVATION = 3.00 FEET M.A.S.L. 1986, AS PER THE NATIONAL FLOOD INSURANCE PROGRAM (FLOOD INSURANCE MAP #2509C 04/21 DATED 1-29-21, COMMUNITY #2509C, BREVARD COUNTY UNINCORPORATED AREAS).
3. THE LEGAL DESCRIPTION SHOWN HEREON IS AS PROVIDED AND HAS NOT BEEN ABSTRACTED BY THE UNDERSIGNED FOR EASEMENTS, RIGHTS-OF-WAY OR RESERVATIONS OF RECORD.
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
5. BEARINGS AND DISTANCES REFLECT BOTH MEASURED AND PLAT UNLESS OTHERWISE NOTED.
6. UNDERGROUND UTILITIES ARE NOT DEPICTED ON THIS MAP OF SURVEY.
7. FENCE LINES SHOWN HEREON ARE AS MEASURED BY PERPENDICULAR TO BOUNDARY LINES.
8. MCQUIBBIN ROAD IS A 60 FOOT WIDE RIGHT OF WAY PER BREVARD COUNTY SECTION MAP, NO OTHER INFORMATION HAS BEEN PROVIDED.

HORIZON SURVEYORS
OF CENTRAL FLORIDA, INC. LB 6360
5445 MURRELL RD, UNIT 101, ROCKLEDGE, FLORIDA 32955
E-MAIL: INFO@HORIZONSURVEYORS.COM
PHONE : (321) 806-4171

SCALE 1" = 120'
DATE 6-12-25
FIELD BOOK 273
& PAGE 68
FIELD DATE 6-10-25

REVISION TABLE			
DATE	DESCRIPTION	BY	APVD

PREPARED FOR THE EXCLUSIVE USE OF:
EMTMAN

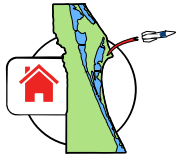
I HEREBY CERTIFY THAT THE PROPERTY HEREON WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THAT THIS MAP OF SURVEY IS ACCURATE AND CORRECT. I FURTHER CERTIFY THAT THIS SURVEY MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS IN CHAPTER 9J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

ROBERT R. DOERRER, JR.
PROFESSIONAL LAND SURVEYOR #3982

NOTE: THIS SKETCH IS NOT VALID UNLESS IT BEARS A SIGNATURE AND A SURVEYOR'S SEAL.



SURVEY FOR:
EMTMAN
DRAWING NUMBER:
6737

**Dana Blickley, CFA, Brevard County Property Appraiser**

Titusville • Viera • Melbourne • Palm Bay

(321) 264-6700

www.bcpao.us[Disclaimer](#)**REAL PROPERTY DETAILS**
Account 2315413 - Roll Year 2025

Owners	TURTLE MOUND VENTURES LLC
Mailing Address	1275 SOUTH PATRICK DR, # 90 SATELLITE BEACH FL 32937
Site Address	NONE
Parcel ID	23-36-14-00-511
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	0006 - VACANT - LESS THAN 5 ACRES
Total Acres	0.18
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0000/0000
Subdivision	--
Land Description	SW 1/4 OF SW 1/4 E OF RD

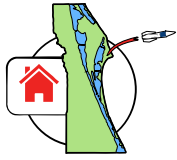
**VALUE SUMMARY**

Category	2025	2024	2023
Market Value	\$3,960	\$3,960	\$2,650
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$3,200	\$2,910	\$2,650
Assessed Value School	\$3,960	\$3,960	\$2,650
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$3,200	\$2,910	\$2,650
Taxable Value School	\$3,960	\$3,960	\$2,650

SALES / TRANSFERS

Date	Price	Type	Instrument
08/28/2025	--	WD	10420/1398
04/29/2022	\$1,500,000	WD	9493/2275
10/01/1990	\$585,000	PT	3088/0144
05/31/1963	--	--	0592/0119

No Data Found

**Dana Blickley, CFA, Brevard County Property Appraiser**

Titusville • Viera • Melbourne • Palm Bay

(321) 264-6700

www.bcpao.us[Disclaimer](#)**REAL PROPERTY DETAILS**
Account 2316247 - Roll Year 2025

Owners	TURTLE MOUND VENTURES LLC
Mailing Address	1275 SOUTH PATRICK DR, # 90 SATELLITE BEACH FL 32937
Site Address	6455 N TROPICAL TRL MERRITT ISLAND FL 32953
Parcel ID	23-36-22-00-12
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	0006 - VACANT - LESS THAN 5 ACRES
Total Acres	2.02
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0000/0000
Subdivision	--
Land Description	PART OF E 1/2 OF SE 1/4 OF NE 1/4 AS DES IN DB 288 PG 146

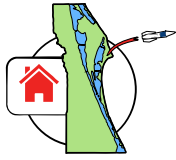
**VALUE SUMMARY**

Category	2025	2024	2023
Market Value	\$44,440	\$44,440	\$33,930
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$41,050	\$37,320	\$33,930
Assessed Value School	\$44,440	\$44,440	\$33,930
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$41,050	\$37,320	\$33,930
Taxable Value School	\$44,440	\$44,440	\$33,930

SALES / TRANSFERS

Date	Price	Type	Instrument
08/28/2025	--	WD	10420/1398
04/29/2022	\$1,500,000	WD	9493/2275
10/01/1990	\$585,000	PT	3088/0144
04/01/1975	\$20,000	--	1520/0542

No Data Found

**Dana Blickley, CFA, Brevard County Property Appraiser**

Titusville • Viera • Melbourne • Palm Bay

(321) 264-6700

www.bcpao.us[Disclaimer](#)**REAL PROPERTY DETAILS**

Account 2316451 - Roll Year 2025

Owners	TURTLE MOUND VENTURES LLC
Mailing Address	1275 SOUTH PATRICK DR, # 90 SATELLITE BEACH FL 32937
Site Address	NONE
Parcel ID	23-36-23-00-252
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	9900 - ACREAGE - VACANT, 5 ACRES OR MORE
Total Acres	19.00
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0000/0000
Subdivision	--
Land Description	N 1/2 OF W 1/2 OF NW 1/4 E OF MC GRUDER RD

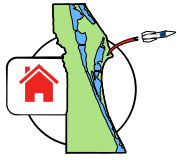
**VALUE SUMMARY**

Category	2025	2024	2023
Market Value	\$418,000	\$418,000	\$285,000
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$344,850	\$313,500	\$285,000
Assessed Value School	\$418,000	\$418,000	\$285,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$344,850	\$313,500	\$285,000
Taxable Value School	\$418,000	\$418,000	\$285,000

SALES / TRANSFERS

Date	Price	Type	Instrument
08/28/2025	--	WD	10420/1398
04/29/2022	\$1,500,000	WD	9493/2275
10/01/1990	\$585,000	PT	3088/0144
05/31/1963	--	--	0592/0119

No Data Found

**REAL PROPERTY DETAILS**
Account 2316452 - Roll Year 2025

Owners	TURTLE MOUND VENTURES LLC
Mailing Address	1275 SOUTH PATRICK DR, # 90 SATELLITE BEACH FL 32937
Site Address	NONE
Parcel ID	23-36-23-00-253
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	9900 - ACREAGE - VACANT, 5 ACRES OR MORE
Total Acres	8.20
Site Code	0370 - N COURTENAY
Plat Book/Page	0000/0000
Subdivision	--
Land Description	PART OF S 1/2 OF W 1/2 OF NW 1/4 AS DES IN DB 228 PG 593 EX RD R/W

**VALUE SUMMARY**

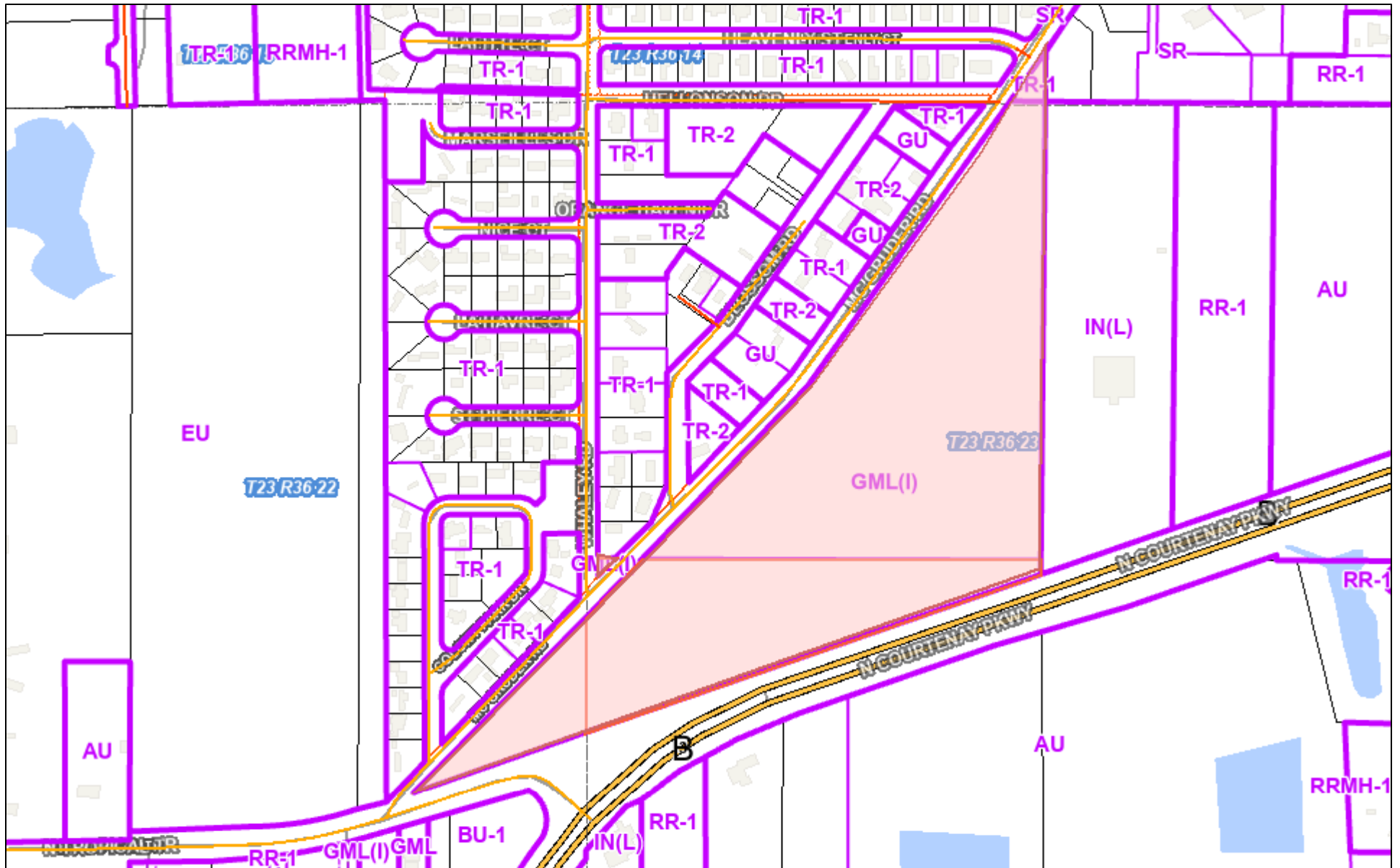
Category	2025	2024	2023
Market Value	\$180,400	\$180,400	\$120,540
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$145,840	\$132,590	\$120,540
Assessed Value School	\$180,400	\$180,400	\$120,540
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$145,840	\$132,590	\$120,540
Taxable Value School	\$180,400	\$180,400	\$120,540

SALES / TRANSFERS

Date	Price	Type	Instrument
08/28/2025	--	WD	10420/1398
04/29/2022	\$1,500,000	WD	9493/2275
10/01/1990	\$585,000	PT	3088/0144
05/31/1963	--	--	0592/0119

No Data Found

Tax Account 2315413, 2316247, 2316451, 2316452



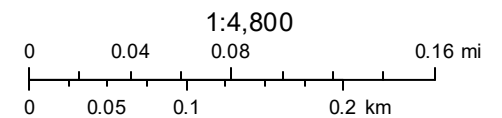
Search Results: Parcel (Tax Account)

- Override 1
- Sidewalk Waivers

Roadway

- County
- County ROW/Non-Maintained
- County ROW (Under Maintenance Bond)

- Zoning
- Zoning Actions
- Zoning Easements



MAP OF BOUNDARY SURVEY

SECTIONS 14, 22 & 23 TOWNSHIP 23 SOUTH, RANGE 36 EAST
BREVARD COUNTY, FLORIDA

DESCRIPTION: (AS PROVIDED

PARCEL 1:

[illegible]

PARCEL II

[illegible]

SECTION 14-23-
100.84' M

NORTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SECTION 22-23-36 SR&F 187E 947.02' M.

NO. 204 C&C
NE CORNER OF THE
NW 1/4 OF SECTION
22-23-36

LEGEND OF ABBREVIATIONS

AGA	ALSO KNOWN AS
AB	ABANDONMENT
CB	CONCRETE BLOCK STRUCTURE
CH	CHIMNEY
CM	CONCRETE MASONRY
CS	CEILING
E.C.A.	EXTERIOR (CENTRAL ANGLE)
FL	FLOOR
FLP	FLUOROPOLYMER & LIGHT COMPANY
LR	LONG RICH
MA	MATERIAL
MD	METAL
NA	NORTH AMERICAN DATUM
NATO	NORTH AMERICAN DATUM
ND	NORTH
OR.B.	OFFICIAL RECORDS BOOK
PC	PERMANENT CONTROL POINT
PCP	PERMANENT CONTROL POINT
PI	PAGE
PI.	POINT OF INTERSECTION
PI.	POINT OF INTERSECTION
P.O.C.	POINT OF COMMENCEMENT
PR	POINT OF RESURVEY
PRM	PERMANENT RESURVEY
PS	POINT OF SANGUINE
PS	PUBLIC UTILITY ESTIMATE
S.A. D.E.	STANDARD & SANGUINE ESTIMATE
ING	INCH
IN	INCH
SSH	SANITARY SEWER MANHOLE
	TORQUE

NOTES:

1. BEARING BASE FOR THIS SURVEY IS THE NORTH LINE OF THE NW 1/4 OF SECTION 36, T10N, R18E, S4M, PLAT 17, RANGE 18 EAST, TOWNSHIP 10 NORTH, COUNTY OF FLORIDA STATE PLANE COORDINATE SYSTEM, ZONE EAST, NORTH AMERICAN DATUM 1983, WHICH BARS SB94°02'ET AND AS SHOWN HEREON.

2. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF, AND "M" FLOOD PLAIN, BASE FLOOD ELEVATION = 3.00 FEET NAD 1983, 1988, AS PER THE NATIONAL FLOOD INSURANCE POLICY MAP, EFFECTIVE DATE 04/27H 1991, 1-29-21, COMMUNITY #125092, LOCATED AT THE CORNER OF SECTION 36, TOWNSHIP 10 NORTH, COUNTY OF FLORIDA.

3. THE LEGAL DESCRIPTION SHOWN HEREON IS AS PROVIDED AND HAS NOT BEEN REVISED BY ANY INSTRUMENT OR COURT ORDER, RIGHTS-OF-WAY OR RESERVATIONS OF RECORD.

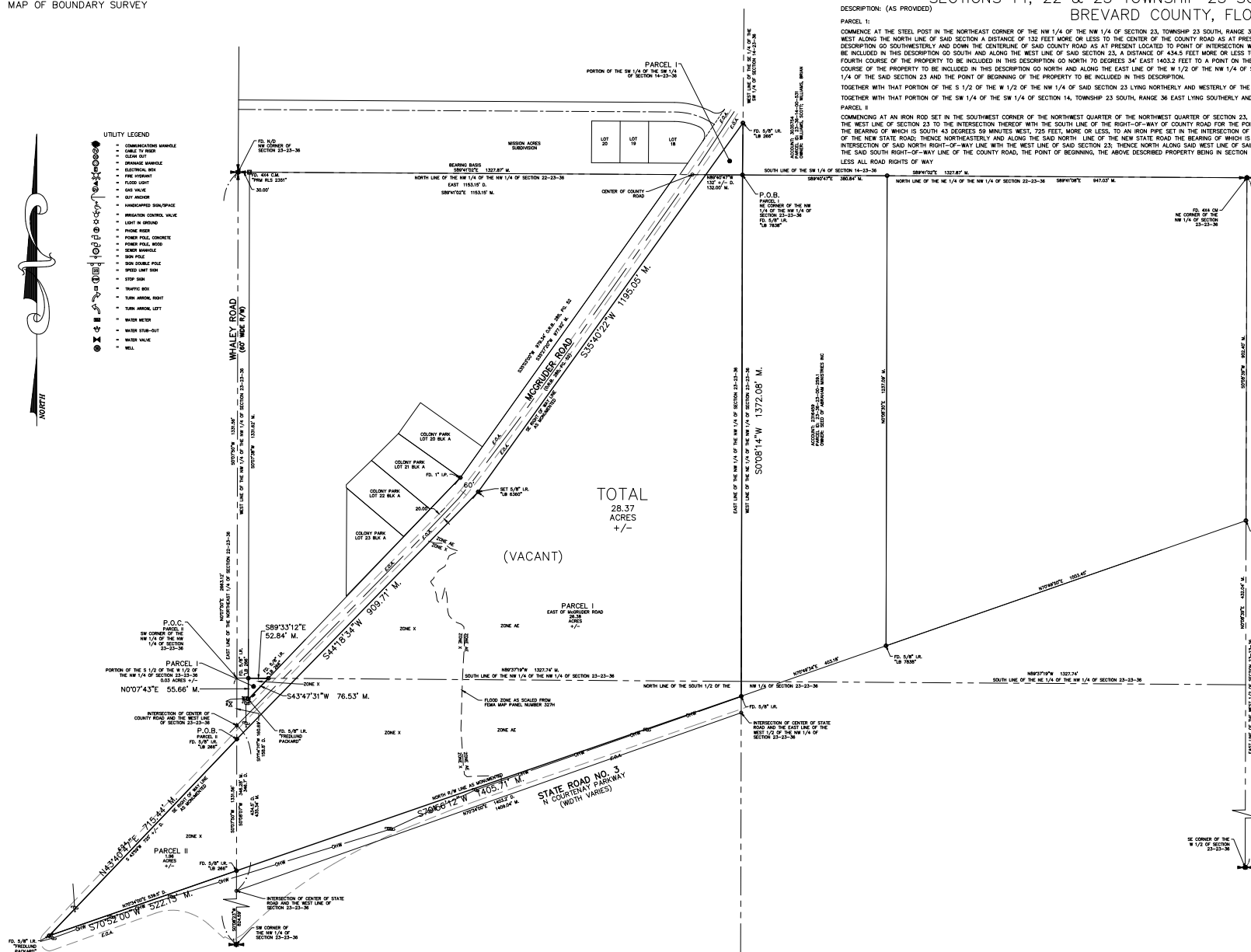
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

5. ALL DIMENSIONS AND DISTANCES REFLECT BOTH MEASURED AND PLAT UNLESS OTHERWISE NOTED.

6. UNDERGROUND UTILITIES ARE NOT DEPICTED ON THIS MAP OF SURVEY.

7. FENCE THIS SURVEY AREON ARE AS MEASURED BY PERPENDICULAR TO BOUNDARY LINES.

8. WOODROW ROAD IS A 60 FOOT WIDE RIGHT OF WAY PER BREVARD COUNTY SECTION MAP. NO OTHER INFORMATION HAS BEEN PROVIDED.



TOTAL
28.37
ACRES
+/-

(VACANT)

NO. 3
PARKWAY
(VARIES)

HORIZON SURVEYORS
OF CENTRAL FLORIDA, INC. LB 6360
L RD, UNIT 101, ROCKLEDGE, FLORIDA 32955
EIL: INFO@HORIZONSURVEYORS.COM
PHONE : (321) 806-4171

SCALE	1" = 120'
DATE	6-12-25
FIELD BOOK	273
& PAGE	68
FIELD DATE	6-10-25

REVISION TABLE			
DATE	DESCRIPTION	BY	APPROVED

PREPARED FOR THE EXCLUSIVE USE OF:
EMTMAN

I HEREBY CERTIFY THAT THE PROPERTY HEREON WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THAT THIS MAP OF SURVEY IS ACCURATE AND CORRECT. I FURTHER CERTIFY THAT THIS SURVEY MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARD SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

ROBERT R DOERRER

Digitally signed by
ROBERT R DOERRER
Date: 2025.06.12
12:01:14 -04'00'

ROBERT R. DOERRER, JR.
PROFESSIONAL LAND SURVEYOR #3982

NOTE: THIS SKETCH IS NOT
VALID UNLESS IT BEARS
A SIGNATURE AND A
SURVEYOR'S SEAL.



SURVEY FOR:	EMTMAN
DRAWING NUMBER:	6737



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
(321)633-2070 Phone / (321)633-2074 Fax
<https://www.brevardfl.gov/PlanningDev>

**STAFF COMMENTS
26Z00007**

Turtle Mound Ventures LLC (Kimberly Rezanka)

GML(I) (Government Managed Lands - Institutional) and TR-1 (Single-family Mobile Home) to RVP (Recreational Vehicle Park)

Tax Account Number: 2316247, 2316452, 2316451, and 2315413
Parcel I.D.: 23-36-22-00-12, 23-36-23-00-253, 23-36-23-00-252, and 23-36-14-00-511
Location: 6455 North Tropical Trail, at the intersection with, and south of McGruder Road (District 2)
Acreage: 28.37 acres

North Merritt Island Board: 04/09/2026
Planning and Zoning Board: 04/20/2026
Board of County Commissioners: 05/07/2026

Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
Zoning	GML(I) and TR-1	RVP**
Potential*	0	283 lots
Can be Considered under the Future Land Use Map	Yes PUB and RES 1 No RES 2-DIR	Yes CC

* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations. Application of these regulations may reduce development potential.

** Approval is pending approval of a companion request 26SS00001, which proposes to amend the Future Land Use designation from PUB, RES 1, and RES 2-DIR to all CC.

Background and Purpose of Request

The applicant requests a change of zoning classification from GML(I) (Government Managed Lands - Institutional) and TR-1 (Single-family Mobile Home) to RVP (Recreational Vehicle Park) on 28.37 acres to allow for the development of a recreational vehicle park at 10 spaces or lots per acre.

The eastern portion of the property is located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), and as shown on the CHHA Map. The Coastal Management Element of the Comprehensive Plan, Policy 6.1, designates Coastal High Hazard Areas to be those areas below the elevation of the Category 1 storm surge elevation as defined in Chapter 163, Florida Statute. Objective 7 of the Coastal Management Element aims to limit densities within the coastal high hazard area and direct development outside of this area. The eastern portion of the property is also located in FEMA Special Flood Hazard Area AE. Furthermore, the property is subject to other environmental constraints, such as hydric soils, and potential wetlands, which may limit development potential.

Additionally, the parcel is located on North Merritt Island (NMI), north of Hall Road. Section 62-3724(4) contains additional criteria including compensatory storage and written certification from the engineer of record that there will be no adverse flooding impacts upon properties resulting from the proposed development. The applicant is encouraged to contact NRM prior to any plan or permit submittal or prior to performing any land clearing activities.

The Board should consider the proposed point of ingress and egress in relation to the character of the surrounding area, as access from a local residential roadway may introduce compatibility concerns, whereas access from a higher-capacity arterial roadway may better accommodate the anticipated traffic and intensity of the proposed use.

The subject property is comprised of four parcels which were combined under one deed on August 28, 2025, as recorded in ORB 10420, PG 1398. The property has access to south side of McGruder Road, at the intersection with North Tropical Trail, both county-maintained roads, and on the north side of North Courtenay Parkway.

TR-1 was established as the zoning classification on the northern parcel (Tax ID 2315413) through Resolution Z-3725 on August 8, 1974. The original zoning for this property upon adoption of the Brevard County Zoning Regulations on May 22, 1958, was TR-3.

The next parcel (Tax ID 2316451) was established as GML(I) through Resolution Z-1021b on March 9, 1999. The original zoning for this property upon adoption of the Brevard County Zoning Regulations on May 22, 1958, was AU.

The remaining parcels (Tax ID 2316452 and 2316247) were established as GML(I) through Resolution Z-10198e on January 28, 1999. The original zoning for these properties upon adoption of the Brevard County Zoning Regulations on May 22, 1958, was AU.

RVP recreational vehicle park zoning classification encompasses lands devoted for recreation vehicle, tent, park trailer and cabin uses together with such ancillary structures as allowed to promote a recreational type atmosphere for both park owners and/or their guests. Minimum

park size shall be five acres. Recreational vehicle sites shall have a minimum area of 2,000 square feet, and shall have a minimum width of 30 feet and minimum depth of 60 feet.

The subject property is within the septic moratorium area. Any proposed development requiring a septic permit could be affected by this moratorium. For further information regarding the septic moratorium, the property owner would need to reach out to the Department of Environmental Health, which issues septic permits.

There are no current code enforcement complaints on the property.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Road ROW, Single-Family Residences, and Vacant	GU, TR-1, TR-2, and GML(I)	RES 1 and RES2_DIR
South	Road ROW, Vacant, Single-Family Residences. Agricultural and a Church	GML, BU-1, IN(L), RR-1 and AU	PUB, CC, and RES 1
East	Single-Family Residences and a Church	SR and IN(L)	RES 1
West	Road ROW, Single-Family Residences, and Vacant	GU, TR-1, TR-2, and GML(I)	RES 1 and RES2_DIR

Northwest of the subject property, across McGruder Road, are nineteen (19) properties, seventeen (17) of which are developed with single-family residences or mobile homes, and two (2) remain vacant. The largest of these lots is 0.92 acres. Eight (8) of these properties have RES 1 FLU designations and TR-1 zoning. The remaining eleven (11) properties have RES2_DIR FLU designations and a mix of GU, TR-1, and TR-2 zoning.

South of the subject property, across North Tropical Trail, is a 0.8-acre property owned by Merritt Island Volunteer Fire Department, Inc. and a 0.39-acre property owned by Brevard County with PUB FLU designations and GML and GML (I) zoning. Next to that are a 0.22-acre property with AT&T utility equipment and a vacant 2.05-acre property with CC FLU designations and BU-1 zoning. Across North Courtenay Parkway are five (5) properties with RES 1 FLU designations. The first is a 1.35-acre church property with IN(L) zoning, next to a vacant 1.15-acre, RR-1 zoned property. The next three (3) properties are 6.91 acres, 2.25 acres, and 14.17 acres all zoned AU with residential and/or agricultural uses.

To the east there are two (2) properties with RES 1 FLU designations. The first is a vacant, 0.71-acre property with SR zoning, and the second is an 11.99-acre, IN(L) zoned property developed with a church.

GU classification is a holding category, that encompasses rural single-family residential development or unimproved lands for which there is no definite current proposal for development or land in areas lacking specific development trends on five acre lots with a minimum width and depth of 300 feet. The minimum house size in GU is 750 square feet.

TR-1 is a single family residential mobile home zoning classification which permits mobile homes or residences of standard construction on lots of 7,500 square feet (minimum) with lot width of 65 feet and lot depth of 100 feet.

TR-2 is a single family residential mobile home zoning classification which permits mobile homes or residences of standard construction on one-half acre lots.

The GML zoning classification encompasses government managed lands to recognize the presence of lands and facilities which are managed by federal, state and local government, special districts, nongovernmental organizations (NGOs) providing economic, environmental and/or quality of life benefits to the county, electric, natural gas, water and wastewater utilities that are either publicly owned or regulated by the Public Service Commission, and related entities. GML(I) zoning classification permits office and institutional uses.

BU-1 classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling.

IN(L) is an Institutional (Light) zoning classification, intended to promote low impact private, nonprofit, or religious institutional uses to service the needs of the public for facilities of an educational religious, health or cultural nature.

RR-1 classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on a minimum one-acre lot, with a minimum lot width and depth of 125 feet. The RR-1 classification permits horses, barns and horticulture as accessory uses to a single-family residence. The minimum house size is 1,200 square feet. Keeping of horses and agricultural uses are accessory to a principle residence within the RR-1 zoning district.

AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl, beekeeping, plant nurseries, and the packing and processing of commodities raised on site. Conditional uses in AU include hog farms, zoological parks, and land alteration.

SR classification encompasses lands devoted to single-family residential development of relatively spacious character, together with such accessory uses as may be necessary or are

normally compatible with residential surroundings on minimum half acre lots, with a minimum width of 100 feet and a depth of 150 feet. The minimum house size in SR is 1,300 square feet.

Future Land Use

The subject property's GML(I) zoning classification can be considered consistent with the PUB Future Land Use designation, but not with the RES 2-DIR (Residential 2-Directive) Future Land Use designation provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County's Comprehensive Plan. The subject property's TR-1 zoning classification can be considered consistent with the RES 1 FLU designation.

The proposed RVP zoning classification can be considered consistent with the proposed CC FLU designation.

Applicable Land Use Policies

The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 – 8 of the Future Land Use Element.

Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area.

Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use;

The proposed RV park could be considered a higher-intensity residential use compared to the prevailing development pattern in the area. Although the presence of non-residential and corridor-oriented uses suggests the area is not strictly homogeneous, those uses (e.g., church, fire station, utilities) are generally lower intensity in terms of daily operational impacts compared to an RV park. However, its compatibility may be influenced by factors such as location relative to major roadways, buffering, site design, and scale. Any proposed commercial use will be subject to compliance with all performance standards in Sections 62-2251 through 62-2272 during site plan review.

The Board should consider the proposed point(s) of ingress and egress for the recreational vehicle park in evaluating compatibility with the surrounding area. McGruder Road is a two-lane local roadway that primarily serves adjacent residential properties, whereas North Courtenay Parkway functions as a higher-capacity arterial corridor. Directing access to North Courtenay Parkway, rather

than McGruder Road, may be more appropriate given the anticipated traffic generation and operational characteristics of an RV park, and would minimize potential impacts to the established residential character served by the local road network.

Traffic from the proposed development will increase the percentage of MAV utilization by 0.75%. The corridor is anticipated to operate at 47.67% of capacity daily. Specific concurrency issues will be addressed at the time of site plan review.

- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.

Only a certified MAI (Member Appraisal Institute) appraisal can determine if material reduction has or will occur due to the proposed request.

- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:
1. historical land use patterns;

There are seven (7) FLU designations within a 0.5-mile radius of the subject property: Residential 1:2.5 (RES 1:2.5), Residential 1 (RES 1), Residential 2 (RES 2), Residential 2-Directive (Res 2-DIR), Community Commercial (CC), Neighborhood Commercial (NC), and Public Conservation (PUB-CON). The predominant FLU designation in the area is RES 1. The predominant commercial FLU in the area is CC. There have been no FLU amendments within 0.5 miles of the subject property in the past three years.

The proposed use would be located in a transitional area with residential uses zoned TR-1, TR-2 and GU to the north. East is a church in IN(L) zoning. To the south is an agricultural area with AU and RR-1, and also commercial development with BU-1, BU-2, and IN(L) zoning along the North Courtenay Parkway corridor.

The area includes a mix of small-lot single-family residences and mobile homes, as well as larger residential and agricultural parcels, reflecting varying residential densities. Institutional uses, such as places of worship and public facilities, along with utility infrastructure and commercially designated properties, are present along nearby corridors, contributing to a more diverse land use pattern. Overall, the area does not exhibit a uniform character but instead reflects a blend of residential, institutional, and limited non-residential uses influenced by its proximity to major roadways.

2. actual development over the immediately preceding three years; and

Development within the preceding three years includes:

- A permit for a new single-family residence was approved in 2024 on a 26.84 acre property, 0.77 miles south of the subject property in AU zoning.
- **25Z00033:** In December 2025, a conditional use permit for a private heliport was approved for a 26.84 acre property, 0.77 miles south of the subject property.
- **25Z00057:** A conditional use permit was approved on 37.5 acres for the expansion of land excavation activities at an existing mining site 1.14 miles northeast of the subject property in 2026.

3. development approved within the past three years but not yet constructed.

In 2024, a site plan for a Dollar General was approved at the corner of North Tropical Trail and North Courtenay Parkway. The site has CC FLU and BU-1 zoning. It appears that construction began, but the subsequent building permits have now expired.

D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Only a certified MAI (Member Appraisal Institute) appraisal can determine if material reduction has or will occur due to the proposed request.

Analysis of Administrative Policy #4 - Character of a neighborhood or area.

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic, parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

The character of the surrounding area reflects a transitional pattern consisting of predominantly low-density residential development interspersed with institutional, utility, and limited commercial uses. The proposed use will introduce commercial activity not already present within the immediate area. However, a preliminary concurrency evaluation did not indicate that the proposal has the potential to cause a deficiency in the transportation adopted level of service.

B. In determining whether an established residential neighborhood exists, the following factors must be present:

1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.

The area has clearly established boundaries including roads and open spaces.

2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.

Sporadic neighborhood commercial uses are present in the area along North Courtenay Parkway.

3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

The area is transitional. Within the previous five years, there have been three (3) commercial, industrial, or non-residential uses applied for and approved during the previous five (5) years:

- **21Z00009: Rezoning from BU-1 to BU-2 with a Binding Development Plan (BDP) on 1.02 acres. 0.71 miles south of the subject property.**
- **25Z00033: Conditional use permit on 26.84 acres for a private heliport was approved in AU zoning, 0.77 miles south of the subject property.**
- **25Z00057: Conditional use permit on 37.5 acres for the expansion of land excavation activities at an existing mining site in Planned Industrial Park (PIP) zoning, 1.14 miles northeast of the subject property.**

FLUE Administrative Policy 7

Proposed use(s) shall not cause or substantially aggravate any (a) substantial drainage problem on surrounding properties; or (b) significant, adverse and unmitigable impact on significant natural wetlands, water bodies or habitat for listed species.

Approximately 2/3 of this property is located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), and as shown on the CHHA Map. The Coastal Management Element of the Comprehensive Plan, Policy 6.1, designates Coastal High Hazard Areas to be those areas below the elevation of the Category 1 storm surge elevation as defined in Chapter 163, Florida Statute. Objective 7 of the Coastal Management Element aims to limit densities within the coastal high hazard area and direct development outside of this area.

A portion of the subject parcel contains mapped hydric which are indicators that wetlands may be present on the property. A wetland assessment/delineation will be required prior to any land clearing activities, site plan design, or building permit submittal. The wetland assessment/delineation shall be verified at time of site plan submittal.

This property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) AE, as identified by the Federal Emergency Management Agency, and as shown on the FEMA Flood Map. The parcel is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance, including compensatory storage. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties."

Federally and/or state protected species may be present on the property. A portion of the property is located within a large area of mapped Florida Scrub Jay habitat / occupancy.

Additionally, the parcel is located on North Merritt Island (NMI), north of Hall Road. Section 62-3724(4) contains additional criteria including compensatory storage and written certification from the engineer of record that there will be no adverse flooding impacts upon properties resulting from the proposed development. The applicant is encouraged to contact NRM prior to any plan or permit submittal or prior to performing any land clearing activities.

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

Preliminary Concurrency

The closest concurrency management segment to the subject property is North Courtenay Parkway, between Hall Road and North Tropical Trail, which has a Maximum Acceptable Volume (MAV) of 39,170 trips per day, a Level of Service (LOS) of D, and currently operates at 46.92% of capacity daily. The proposed rezoning increases the percentage of MAV utilization by 0.75%. The corridor is anticipated to operate at 47.67% of capacity daily.

The concurrency management segment for North Tropical Trail, between Crisafulli Road and North Courtenay Parkway was also analyzed. This segment has a Maximum Acceptable Volume (MAV) of 22,400 trips per day, a Level of Service (LOS) of E, and currently operates at 8.17% of capacity daily. The proposed rezoning increases the percentage of MAV utilization by 1.31%. The corridor is anticipated to operate at 9.48% of capacity daily.

The maximum development potential of the proposal is not anticipated to create a deficiency in LOS. Specific concurrency issues will be addressed at the time of site plan review. This is

only a preliminary review and is subject to change. The concurrency analysis was based on a recreational vehicle park with 283 lots.

No school concurrency information has been provided as the development proposal is for commercial and not residential use.

The subject property is within access to centralized sanitary sewer from Brevard County Merritt Island Utilities and centralized water from the City of Cocoa.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Coastal High Hazard Area (CHHA)
- Hydric Soils
- Floodplain Protection in North Merritt Island
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Protected and Specimen Trees
- Protected Species

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

For Board Consideration

The Board should consider whether the proposed zoning request is consistent and compatible with the surrounding area. The Board should also consider whether the request is consistent policies and objectives of the Brevard County Comprehensive Plan.

The Board should consider the proposed point(s) of ingress and egress for the recreational vehicle park in evaluating compatibility with the surrounding area.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 26Z00007

Applicant: Kimberly Rezanka (Owner: Turtle Mound Ventures LLC)

Zoning Request: GML(I) and TR-1 to RVP

Note: To create a recreational vehicle park

NMI Advisory: 04/09/2026; **Zoning Hearing:** 04/20/2026; **BCC Hearing:** 05/07/2026

Tax ID No.(s): 2316452, 2315413, 2316247, and 2316451

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management Department (NRM) and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Coastal High Hazard Area (CHHA)
- Hydric Soils
- Floodplain Protection in North Merritt Island
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Protected and Specimen Trees
- Protected Species

Land Use Comments:

Coastal High Hazard Area

Approximately 2/3 of this property is located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), and as shown on the CHHA Map. The Coastal Management Element of the Comprehensive Plan, Policy 6.1, designates Coastal High Hazard Areas to be those areas below the elevation of the Category 1 storm surge elevation as defined in Chapter 163, Florida Statute. Objective 7 of the Coastal Management Element aims to limit densities within the coastal high hazard area and direct development outside of this area.

Hydric Soils

A portion of the subject parcel contains mapped hydric soils (Wabasso sand, 0 to 2 percent slopes; Copeland-Bradenton-Wabasso complex, limestone substratum; and Bradenton fine sand, limestone substratum); indicators that wetlands may be present on the property. **A wetland assessment/delineation will be required prior to any land clearing activities, site**

plan design, or building permit submittal. The wetland assessment/delineation shall be verified at time of site plan submittal.

Section 62-3694(c)(3)(b) has allowances for wetland impacts for commercial uses along "Mitigation Qualified Roadways" (MQRs). N. Courtenay Parkway is an MQR at this location. If wetlands are found, the applicant shall complete High Function and Landscape Level wetlands assessments prior to the allowance of any impacts. Board approval may be required for impacts. Any permitted wetland impacts must meet the requirements of Section 62-3694(e), including avoidance of impacts, and will require no net loss mitigation in Brevard County in accordance with Section 62-3696.

Section 62-3694(c)(3)b also provides that for a project encompassing multiple properties assembled under one site plan development order, wetland impacts for those properties without direct frontage on the mitigation qualified roadway may be permitted only if the properties are combined so that any proposed wetland impact is contained within a property with direct frontage on the mitigation qualified roadway. The assemblage shall be deed restricted for commercial or industrial use.

Floodplain Protection in North Merritt Island

This property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) AE, as identified by the Federal Emergency Management Agency, and as shown on the FEMA Flood Map. The parcel is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance, including compensatory storage. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties."

Additionally, the parcel is located on North Merritt Island (NMI), north of Hall Road. Section 62-3724(4) contains additional criteria including compensatory storage and written certification from the engineer of record that there will be no adverse flooding impacts upon properties resulting from the proposed development. **The applicant is encouraged to contact NRM prior to any plan or permit submittal or prior to performing any land clearing activities.**

Indian River Lagoon Nitrogen Reduction Septic Overlay

The entire property is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. Per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay, if adequate sewer for the development is not available, then the use of an alternative septic system, designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes, shall be required. NRM requires a Septic Maintenance Notice be filed with the Brevard Clerk of Courts.

Protected and Specimen Trees

Protected and Specimen trees may exist on the parcel. The applicant shall perform a tree survey prior to any site plan design in order to incorporate valuable vegetative communities or robust trees into the design. Per Article XIII, Division 2, entitled Land Clearing, Landscaping,

and Tree Protection, Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements and buffer requirements. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**

Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. A portion of the property is located within a large area of mapped Florida Scrub Jay habitat / occupancy. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the U.S. Fish and Wildlife Service (Florida Ecological Services State Office: 352-448-9151; or email: FW4FLESRegs@fws.gov).



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

2725 Judge Fran Jamieson Way
Building A, Room
114 Viera,
Florida 32940

(321)633-2070 Phone / (321)633-2074 Fax
<https://www.brevardfl.gov/PlanningDev>

April 26, 2026

Addendum Number 1 – 26Z00007 Turtle Mound Ventures, LLC

Subsequent to the issuance of the staff report, the County conducted further analysis with respect to applicable regulatory constraints on the subject property. Specifically, the County reviewed the interplay of the applicant's requested zoning classification (Recreational Vehicle Park, RVP) and the requested land use designation (Community Commercial, CC) based on site-specific considerations, especially as it relates to the potential density allowed on the property.

As with all properties, the maximum density of a particular property must be evaluated in conjunction with the applicable Future Land Use (FLU) designation(s); potential environmental constraints, including, but not limited to, limitations associated with the Coastal High Hazard Area (CHHA) and Special Flood Hazard Area; and, Brevard County Comprehensive Plan policies and land development regulations.

Based on Section 62-1255, Brevard County Code, the requested land use of CC and zoning of RVP are considered consistent, but only to the extent that the density limits conform to Policy 2.10 of the Future Land Use Element of the Comprehensive Plan. Policy 2.10 provides as follows:

Residential Development in Neighborhood Commercial and Community Commercial
Land Use Designations – Policy 2.10:

Residential development or the integration of residential development with commercial development shall be permitted in the Neighborhood Commercial and Community Commercial land use designations, provided that the scale and intensity of the residential/mixed use development is compatible with abutting residential development and areas designated for residential use on the Future Land Use Map. Residential development is permissible in these commercial land use designations at density of up to one category higher than the closest residentially designated area on the Future Land Use Map (FLUM) which is on the same side of the street. *Increases in density beyond this allowance may be considered through a public hearing. In the CHHA, however, residential development is strictly limited to the density of the closest residentially designated area on the FLUM that is on the same side of the street.* [emphasis added]

The Code specifically points to Policy 2.10, and its associated density calculation, to establish the density of RVP-zoned properties. In accordance with Policy 2.10, the closest residential designation is RES-1; therefore:

- The upland portion generally may be considered consistent with RES-2 (2 units per acre) based on the applicable bonus. The upland portion (9.5 acres) yields approximately 19 units, with the Board having the option to increase density to a maximum yield of 95 in this portion.
- The CHHA portion of the subject property is limited to RES-1 (1 unit per acre) and is not eligible for any density increase. This cap also complies with Objective 7 of the Coastal Management Element of the Comprehensive Plan ("Limit Densities within the coastal

high hazard area and direct development outside of this area.”). The CHHA portion (18.9 acres) yields approximately 18 units (there is no provision in the Comprehensive Plan for the Board to increase density in this portion).

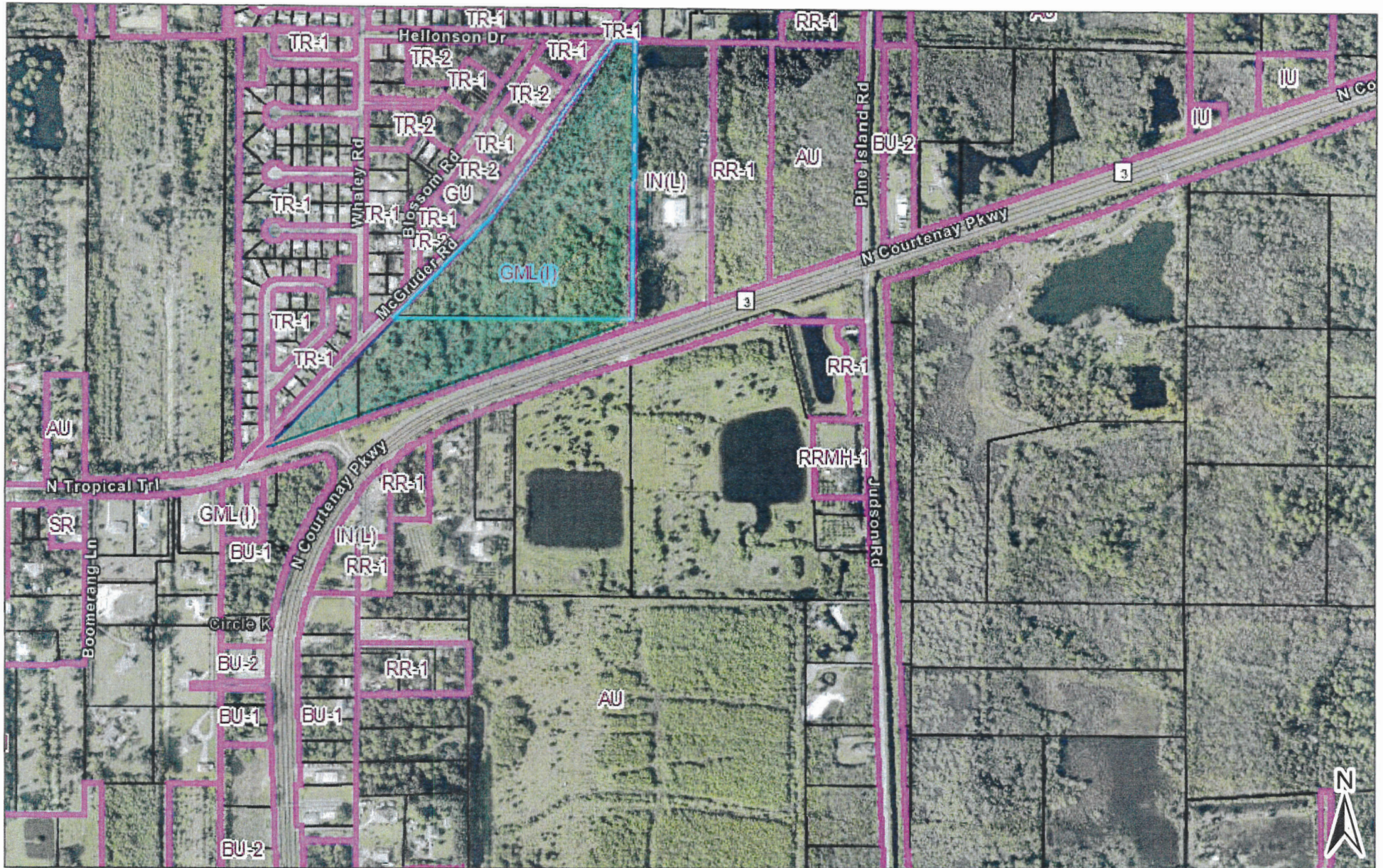
Based on this analysis, the estimated development potential is approximately thirty-seven (37) RV sites, subject to site design, environmental constraints, and compliance with all applicable land development regulations. However, if the Board so determines at a public hearing, Policy 2.10 allows for the density of the uplands portion of the subject property to be increased beyond the allowance of one category higher than the closest residentially designated area on the Future Land Use Map on the same side of the street. This increased amount could reach a maximum potential density of ten (10) RV spaces per acre pursuant to Section 62-1406, Brevard County Code, and the recreational vehicle park definition found in the Glossary of the Comprehensive Plan, which caps the density of recreational vehicle parks at ten (10) units per acre. Such a determination would yield a total development potential to be as high as one hundred thirteen (113) RV spaces for the subject property.

This clarification reflects a refined application of existing Comprehensive Plan policies and land development regulations. As previously noted, zoning potential noted on the staff report is provided for planning and concurrency analysis purposes only and does not constitute a guarantee of development yield. Final density may be further adjusted based on site-specific conditions, including, but not limited to, wetland impacts, CHHA, infrastructure requirements, and overall site design.

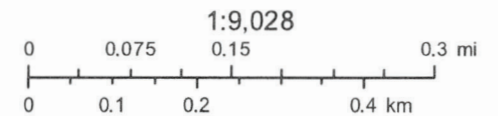




Zoning Map (26Z00007)



- Zoning
- Parcel Property
- Parcels



Brevard County Property Appraiser Office
Source: Esri, Vantor, Earthstar Geographics, and the GIS User Community

R-70

ArcGIS Web AppBuilder

North Merritt Island Dependent Special District Board

The North Merritt Island Dependent Special District Board met on Thursday, April 09, 2026, at 6:00 p.m., at the Merritt Island Service Complex, 2575 N. Courtenay Pkwy., Second Floor, Merritt Island, Florida.

The meeting was called to order at 6:00 p.m.

Board members present: Mary Hillberg, Chris Cook, Gina Lindhorst, and Jim Carbonneau.

Staff members present: Trina Gilliam, Planning and Zoning Manager; Tania Ramos, Planner; and Alice Randall, Operations Support Specialist.

Item H.1. Turtle Mound Ventures (Kim Rezanka) are requesting a Small-Scale Comprehensive Plan Amendment (26S.01) to change the Future Land Use designation from PUB, RES-1, and RES-2-DIR to CC. (26SS00001) (Tax Account 2315413, 2316247, 2316451, and 2316452) (District 2)

Item H.2. Turtle Mount Ventures (Kim Rezanka) are requesting a zoning classification change from GML(I) and TR-1 to RVP. (26Z00007) (Tax Account 2315413, 2316247, 2316451, and 2316452) (District 2)

Trina Gilliam read both applications into the record as they are companion applications but will need separate motions.

Jake Wise spoke to the application. He explained he is the civil engineer for the project. Nathan Wise is also present to take notes. We don't have a site plan; we are proposing a land use change and rezoning. We just want to hear the feedback and go through the process. And if approved we would later come back with a site plan. We think it is a good project for the area. And we just want to hear your feedback. We're asking for the Community Commercial underlying land use and the RVP zoning. Our intent is to do a high-end rental RV park. RV park is considered commercial not residential so density and things like that don't apply with commercial projects. We know we are adding trips to the roads, more people going across the bridge, and we know that's always a concern in North Merritt Island. I have some photos to give you an idea of what they're trying to do. This property used to be owned by the school board. They decided they didn't need it for educational purposes, so our client purchased it. RVP is specific to a recreational vehicle park; the zoning code has some very strict guidelines. No one can be there for more than 180 days. The maximum is 10 sites per acre. Normally we're much less than that with the RV parks we've designed in the past. We would do an environmental assessment. If there are any wetlands we would work around them. The county has very strict regulations about not impacting wetlands. We preserve the wetlands and provide an average 25-foot upland buffer around them. We provide nice amenities such as a swimming pool, pickle ball courts, and things like that for the residents of the RV park. We would also like to have some commercial type of accessory that would be open to the public like a convenience store, laundromat, nail salon, things like that that are community type benefits. Access would be off Courtenay and not off any of the residential roads. We would tie it into utilities, water and sewer. No septic systems. We plan a nice buffer along the northern edge for the residential off McGruder. Anything that would be public or commercial would have Courtenay frontage and would be in the southeast corner, furthest away from the single-family houses. To the east we have a canal and an

existing church. The code limits anyone to staying a maximum of 180 days; these are not year-round residents. We expect more launches so we believe this RV park would be very good for that type of tourist coming and seasonal residents. We are very comfortable and used to coastal high hazard zones. Flood zone AE and flood zone X are both on the property. We are comfortable and used to working through those requirements. We also know about the compensatory storage requirements, and we will comply with those.

Mary Hillberg inquired about the type of drainage that is proposed for the project. Are you going to have cement pads?

Mr. Wise responded as you can see in the pictures we'll do the driveways in asphalt, typically the campsites are concrete. Each will have a pad for a table or something like that. Some have awnings that come out of them. So, a percentage will be the RV park, the other will be the amenities, also the storm water compensatory storage. The base flood elevation is AE3, which means everything must be an elevation of 3 or higher. We'll make sure we're out of that coastal high hazard area, which is 12" above elevation 3 for this site.

Ms. Hillberg stated the picture looks like everything is cemented.

Mr. Wise states the pictures are from a project that is out of state and doesn't represent what we do. See the mountains? That's definitely not Florida.

Ms. Hillberg continued I see that, but what I'm saying is that it wouldn't be this hard.

Mr. Wise responded no, it couldn't be. And we don't want that. We want to make sure there are a lot of amenities, green, wetland preservation, upland buffers, stormwater treatment, and that's a big part of it. We'll mostly use those to be buffers to the north.

Ms. Hillberg inquired about a plan for how they plan to arrange it.

Mr. Wise responded we haven't taken it as far as the site plan because we're not at the point where we have zoning and land use. We're just not there yet because of the process we have to go through.

Ms. Hillberg inquired how many they wanted there.

Mr. Wise responded we don't have a number because we don't have a site plan. Code doesn't allow more than 10 per acre, but we're going to be much less than that. Other RV parks we've done in the past are usually around 4 or 5 sites per acre. I think this one will be even less because of some of the green preservation things I mentioned earlier.

Ms. Hillberg inquired if they would leave some of the vegetation.

Mr. Wise responded absolutely. They make the best buffers. There are trees that have been there for hundreds of years. We want it to look and feel mature the day we open.

Gina Lindhorst stated it looks more than 10 per acre based on the picture here.

Mr. Wise responded I believe this is a site in the state of Washington. They don't have stormwater rules, it was an open valley, there were no trees. This was just to give you the flavor of trying to be a high-end RV park.

Jim Carbonneau stated you're looking at approximately 1/4-acre size lots. You said 4 to 5 per acre.

Mr. Wise responded we usually get about that with a site of this size, with the green space being presented as well. It's 28 acres total. It will be a mix of the RV park, preservation, buffers, stormwater, and some of the commercial.

Mr. Carbonneau stated that you're looking at 9 acres of the 28 acres.

Mr. Wise responded no.

Chris Cook states 9 acres is what's out of the coastal high hazard zone.

Mr. Carbonneau inquired if these are rental spaces and not for purchase.

Mr. Wise responded correct, rental only.

Mr. Carbonneau stated the typical RV can be very long. Especially the class A motor homes that are towing boats, other trailers. The roads around this area, McGruder, North Tropical, especially that turn coming off Pine Island are very tight. Will there be road improvement and at who's cost will they be.

Mr. Wise responded we don't have any plans to have access to anything but Courtenay. We don't plan to access McGruder or North Tropical Trail at all. So, we wouldn't have any RV's going on those roads, unless they got lost.

Ms. Lindhorst stated you're trying to get it to community commercial zoning classification; it isn't limited to anything in particular.

Mr. Wise responded that the future land use does not, but the zoning does. And, if we try to do anything different at all, we'll be right back before you. The owner of the property is from the state of Washington and that's why he sent me photos from that area.

Ms. Lindhorst stated it looks like it's all covered in concrete and pavement to me. Wouldn't work out well with wetlands.

Mr. Wise responded we work around all that. Plus, the stormwater treatment, compensatory storage, coastal high hazard, we would work around all of those.

Mr. Cook stated state road 3 is a divided highway. So, with these big RV's coming in, where are they going to turn around?

Mr. Wise responded that it's a DOT road and we will work with DOT to provide a long-left turn lane, median cut. And that would be part of our site plan process.

Mr. Cook stated you are bringing sewer up there. The sewer line's not that far up.

Mr. Wise responded there's a moratorium, so we couldn't do septic even if we wanted to. We don't want to. Yes, it will definitely be water and sewer. No septic at all.

Mr. Cook inquired where it stops right now.

Mr. Wise responded he didn't bring the map with him. It's not that far up. We have to extend it. Which will be a benefit to that whole area, to extend the sewer up there.

Mr. Cook stated this says it's a rental RV park. Would that be RV's or cabins, or anything like that that would be located on there that people could just come up and rent?

Mr. Wise responded they could do tents and cabins per the zoning, but the intent is just to do the RV's.

Mr. Cook continued one of the problems with these RV parks is they become de facto Air BnB's, which is not allowed in North Merritt Island, unless you're in a resort area.

Ms. Gilliam stated multi-family. It can't about single-family.

Mr. Wise started there's not Air BnB.

Mr. Carbonneau stated that's a what-if situation. Is the 180 days limited to the trailer or vehicle specific or the occupants of the vehicle?

Mr. Wise responded it's the rental. You can only rent for 180 days and then you can't rent any longer than that. That's in the zoning code.

Ms. Hillberg stated if you rent for 180 days, left and took a ride, came back.....

Mr. Wise responded maybe they switch sites.....it's a rental park where we expect people to be there a short period of time.

Mr. Carbonneau inquired about what you do with a derelict trailer.

Mr. Wise responded that's a process. There is a process we must go through. That doesn't have a limitation of 180 days. You must go through the police department. Maybe work with the family.

Mr. Carbonneau inquired to prevent that piece of property from becoming derelict who maintains the trailer as you go through that process.

Mr. Wise responded that the owners of the RV park. Normally you find a family member that can come to help with it. It's unusual, but it happens.

PUBLIC COMMENT

Rose Plummer stated based on the review by the North Merritt Island Homeowners Association she is here to speak in opposition to the requested small-scale comprehensive plan amendment. It is clear that the request to allow for an RV park does not meet the requirements for a small-scale comprehensive plan amendment. North Courtenay Parkway is not designated as a major multi-transportation corridor. For these reasons the site does not meet the locational criteria of policy 2.8.F with respect to interstate accessibility or corridor designation. For these reasons we respectfully ask that you deny the request.

Brian Bussin stated he is here at the request of a client that has an approved subdivision in the area. I haven't seen any aerial or anything that shows me where this parcel is and how close it is to the 164 unit upper-end subdivision. My client has strong concerns about this type of use that is close to a new subdivision that's high-end.

Ms. Hillberg inquired if the subdivision is to the south of this piece of property.

Mr. Bussin responded it is to the west on North Tropical Trail. The lots are a minimum half-acre in size, 164 units. Known as the Outback Reserve. So, I just want to express my client's concern about this type of use so close....

John Hopengarten stated if he heard the gentleman correctly, he said they were going to put in a convenience store on his property. There was one that was started just across North Tropical Trail on the corner of Courtenay and North Tropical Trail, a Dollar General, I don't know if it's going to proceed or not, but it's there. One of my main concerns, since I live in that area, is flooding. You're putting a lot of impervious surfaces there and we already have a flooding problem up in that area. I'd like them to consider looking at that and see how they're going to handle it. This is a major route to go to the space center and I'm wondering if they can put a buffer along Courtenay so that we wouldn't see RV's, which would be quite unsightly to see from the road. Regarding access, how are they going to make a left turn to go into that sight? The only way to do it is at Pine Island Road if they're using Courtenay as their entrance. That will cause a real problem. The church doesn't have a left turn lane when you're going north, so Pine Island is the only way. Unless they're going to pay for a curb cut through the median. And, are they going to have on-site management of this property?

Joel Walrath inquired how many total RV spots will be on the whole section. McGruder Road has a ditch that is used as a junkyard. There's a lot of waste pouring into it. So, what's the plan for managing that? It's a big concern for us because we're having to deal with it on our road.

END PUBLIC COMMENT

Mr. Wise stated the convenience store would be accessory for the residents and for the public. We know flooding is a concern. We've been working on that here for decades to try and help with that. We not only have to meet the compensatory storage requirement, which is anything north of Hall Road, we must meet the flood zone, the compensatory storage, the high hazard. We have an AE flood zone on about half of the property. By state statute and Brevard County code we cannot impact our neighbors. We must reduce any discharge that goes off the site, so anything we do would only be positive when it comes to stormwater treatment, storage, anything like that. We want to do that, and we're required to. I promise you we will be held with our feet to the fire with all those agencies. We can only make it better; we can't make things worse. The buffer along North Courtenay is a great idea. Tree preservation, we try to maximize around the perimeter. Typically, we must raise the elevation of our sites. We want to look and feel like a mature site the day we open. Access would be only off Courtenay. We will not go on Tropical Trail or McGruder. We will work with DOT to make a median cut and a left turn lane; that is part of our plan. We are just in zoning and land use right now, so those are details that we'll work out down the road. Onsite management would be the case. We're not far enough along to know how many units we'll have. And, anything we can do to help clean up the area; we want our RV park and the people that rent there to want to be there. It will only be successful if it's cleaned up.

Ms. Lindhorst stated the FEMA flood zone map says AE is covering more than half the property. And, you say you're not going to build on the AE section.

Mr. Wise responded it is AE with a base flood elevation of 3. The AE means we have to build above elevation 3 and the coastal high hazard requires to be elevation 3 as well.

Ms. Lindhorst stated the coastal high hazard area is again almost exactly the same as AE. You're limited in building there. It's more than half the property.

Mr. Wise responded we still can build on it, we just have to meet all those requirements and restrictions. That's how we provide compensatory storage, storm water storage, and we want to bring it up out of the base flood elevation, so there won't be any flooding concerns on site or off site.

Ms. Lindhorst continued with concerns about buffers around the residential housing in the area. That's a lot of buffering to do.

Mr. Wise responded with “like I said, we want to make the site feel mature the day it opens, so we would have a preservation area with the trees that are out there. It’s a very heavily wooded site, so a great opportunity for preservation especially around the perimeter.”

Mr. Cook stated under the FLU policy 2.8.C it says community commercial clusters up to 10 acres in size should be spaced at least 2 miles apart. And, community commercial clusters up to 40 acres in size should be spaced at least 5 miles apart. So, according to you it says on the east side you have a CC is 0.1 mile away.

Ms. Gilliam responded with I believe the CC you’re referring to is less than 10 acres.

Mr. Cook continued with if they’re less than 10 acres they don’t have to be 5 miles apart. I’m focusing on the CC right now.

Ms. Gilliam responded that it would be something for the board to consider. You have these community commercial clusters so close together, so that’s a great question and something for them to consider whether the use is appropriate.

Mr. Carbonneau stated if you look at the use of those 2 CC properties to the south they’re totally different.

Mr. Cook continued with the CC you have a density of 10 per acre. That’s too high a density for this area. They get the CC then decide they don’t want to build an RV park, they want to build a high-density multi-family housing...

Ms. Gilliam responded they’d have to come back before the board, as he stated, and request a different zoning.

Mr. Cook or they could say we’re not going to do 10, we’re only going to do 5, so it will be better. My other concern is we have over 40 RV parks in the county, and they’re supposed to be close to the interstate or a major intra-county road not inter-county, and it doesn’t meet that criteria as well.

Ms. Gilliam responded it’s about 24 miles from 528.

Mr. Cook continued if you look at where all the RV parks are clustered they’re up in Titusville, on the interchange. That’s where they’re located. And, of course on the beach. Near a resort area, this is not a resort area. It’s a rural, agricultural area and it’s in transition to residential. I don’t think an RV park there is the proper use at this point in time. The other thing is what a lot of people do is rent these spaces in the RV parks and then list them on Air BnB and you end up having big parties and people there. And the county does not have the resources to police that.

Ms. Hillberg stated there are homes along there with a rural, quiet environment.

Mr. Cook stated it goes to the character of the neighborhood.

Motion to recommend denial of Item H.1. by Chris Cook, seconded by Gina Lindhorst. Motion passed 3:1.

Motion to recommend denial of Item H.2. by Jim Carbonneau, seconded by Gina Lindhorst. Motion passed unanimously.

The meeting adjourned at 7:00 p.m.

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, April 20, 2026**, at **3:30 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:30 p.m.

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D2); John Hopengarten (D1); Ruth Amato (D1); Ron Bartcher (D2); Robert Wise (D2); Neal Johnson (D4); Ana Saunders (D5); Erika Orriss (D3); Robert Brothers (D5); and Melissa Jackson (D5).

Staff members present were Trina Gilliam, Planning and Zoning Manager; Paul Body, Planner; Alex Esseesse, Deputy County Attorney; and Alice Randall, Operations Support Specialist.

EXCERPT OF COMPLETE AGENDA

H.3. Turtle Mound Ventures, LLC (Kim Rezanka) are requesting a Small-Scale Comprehensive Plan Amendment (26S.01) to change the Future Land Use designation from PUB (Public Facilities), RES-1 (Residential 1), and RES-2-DIR (Residential 2-Directive) to CC (Community Commercial). (26SS00001) (Tax Accounts 2316247, 2316452, 2316451, and 2315413) (District 2)

H.4. Turtle Mound Ventures, LLC (Kim Rezanka) are requesting a zoning classification change from GML(I) (Government Managed Lands - Institutional) and TR-1 (Single-Family Mobile Home) to RVP (Recreational Vehicle Park). (26Z00005) (Tax Accounts 2316247, 2316452, 2316451, and 2315413) (District 1)

Trina Gilliam read both item H.3. and H.4. into the record as they are companion applications. She added at their meeting on April 09, 2026, the North Merritt Island Dependent Special District Board unanimously recommended denial of both items. Also on this one, we are asking the board to consider the proposed point of ingress egress in relation to the character of the surrounding area as access to the local roads. One other thing that was not mentioned in the staff report that kind of is mentioned in the staff report is the density of the number of units. So, here we say proposed that they can get 283 lots. Of course, we know application of regulations can typically reduce development potential. And so, on this we are also asking the board to consider policy 2.10 as well which talks about limiting the density. It gives you the option if you want to make a recommendation to cap the density on this project.

Kim Rezanka spoke to the application. This is a project up in North Merritt Island off North Courtenay Parkway. This is old school board property that was surplus that my client bought several years ago. So, obviously, it was land that couldn't be used for schools but was intended for schools and now it has a future land use of public facilities and a zoning of governmentally managed lands which is very interesting. So, there are two applications. One is to change the future land use to community commercial and then to change the zoning to recreational vehicle park. This is on state road 3. It's only about 5 miles north of State Road 528, not 24 miles as was in the staff reports. As I said, it's formerly owned by the school board of Brevard County. It's approximately 28.37 acres and we need to change the community commercial future land use to allow RV park. We have no issues with limiting access to State Road 3. That makes perfect sense. We wouldn't go on McGruder. So, if we need a BDP for that, that's fine. Mr. Hopengarten, I heard you were at the North Merritt Island Special Dependent District Board meeting.

Mr. Hopengarten responded yes, I was.

Ms. Rezanka asked if he spoke against this item.

Mr. Hopengarten responded no, I did not. I just asked questions. Because I live just north of there.

Ms. Rezanka asked Do you own property up there.

Mr. Hopengarten responded, "No I rent."

Ms. Rezanka continued with the government managed lands is to recognize the presence of facilities that are managed by federal, state and local government special districts, organizations that partner with government. Obviously this is not appropriate any longer for government managed lands. The permitted uses are interesting. None of which my client wants to do. My client has developed a recreational vehicle park in Washington state. Those are the pictures that you have in your packet that were presented. Obviously there are different land use requirements in Washington than here. We have storm water. We have all kinds of things they may not have. So those pictures were just representative of something he has developed in the past. His business model is RV parks. But what could be here are cemeteries and mausoleums, group homes, parking lots or garages, space related activities, assisted living facilities, hospitals, recycled materials facilities, and then there's lots of conditional uses. Arsenals and explosives. We could have another night's armament here. Electrical, natural gas, water, wastewater utilities, hazardous waste facility, prison camps, solid waste management, and water and sewage treatment facilities. Obviously, none of those are appropriate in this place either. So, my client wants to come in and bring a luxury resort style recreational vehicle park to serve the needs of tourists, space launches, things along those lines. This property was purchased with that intent. Might have wanted to come to you first but did not; so here we are. This is a commercial use. There are many references in the staff report to residential use, but this is purely a commercial use, limited to the number of days you can stay at an RV park. 180 days is the maximum. The maximum intensity of the park is 10 sites per acre. Minimum site size is 2,000 square feet. Again, we don't have a site plan. It hasn't been developed. We don't have elevations. We don't have a lot of things to do a site plan yet. But all those things will be designed at the site plan stage as well as performance standards, lighting, noise, things along those lines. Buffering. Code requires that 10% of the land be used for recreational activities for the residents of the recreational vehicle park. So that'd be close to three acres if not more. The accessory uses allow be a laundry facility, playgrounds, picnic areas, swimming pools, ball and game courts, and a manager's residence. All of those are proposed for this. RV parks are not allowed to be permanent residences. So again, this is a commercial use. What I provided to you was a larger version of what you get in your packet. I don't believe the very limited narrow scope of your maps shows the full picture of this area. When you look at the future land use map, you see the area in blue that I colored, and you'll see what is around it. There is residential to the west. North, that is an old 1962 manufactured home community of quarter acre lots. There's also Teen Mission which has about 20 homes back there, which I was surprised to find as well. So, this is an interesting neighborhood. It's an old neighborhood. Most of them are not homesteaded, so they're mostly rental properties. Not that that matters, but they'll still be protected from any of the uses here. So, as you see if you go further north on Courtenay, you wind up with Air Liquide and the borrow pit, which came before you just two months ago. So, you have some commercial activities to the north, you have commercial activities to the south. You don't have many commercial activities. I don't believe you have a community cluster because there's not 10 acres of commercial activities to the south of here. But there are community commercial future land uses and neighborhood commercials all along Courtenay Parkway, which is considered a commercial corridor. If you look at the zoning map which is on the back side you have institutional which is the church

immediately to the east. Then going forward you have BU2. Then you have industrial going south. You have the fire station. You have a Dollar General store that's been permitted but not built, and several different BU1 uses and BU2 uses to the south. So again, this is a commercial corridor. This is intended for commercial use. Originally intended for a school that didn't work out. The staff report says there are no identifiable concurrency issues. North Courtenay Parkway will operate at 47.67% of maximum average vehicle utilization. Brief research on the internet says the average trip per site is about 4.1 which is much less than town homes, apartments or single-family homes. It will not generate school children as the park is a commercial use. It's located in a transitional area according to the staff report. The staff report does mention that there are a great deal of coastal high hazard and flood plain issues. Again, these will be addressed at site plan stage. This is not increasing residential density as the comp plan says. This is a commercial intensity issue. Coastal management element object 7 aims to limit densities. This is again not residential. Jake Wise is working on a concept plan. We don't have one, but he was the one who attended North Merritt Island Special Dependent District Board. If you have any questions about storm water, development, things that will come along with a site plan, he can answer those questions. We request approval of the change of the comprehensive plan to community commercial and the change of zoning to recreational vehicle park. If you want to put conditions on that through a BDP, we understand that, especially as to access.

Mr. Johnson inquired as far as RV Park, do you have any idea at this point since you're not at site plan, but how many sites would it have.

Ms. Rezanka responded the max it can have is 280, but when you start looking at flood plains and things like that, the recreational, the buffering, we don't know.

Mr. Hopengarten stated yes, he had been at the North Merritt Island District meeting inadvertently. So, it wasn't like I knew about this one coming up. I had a couple of questions at the time. Number one, how do you all propose to get into the park? The gentleman had said that they were coming in off Courtenay, but there's no lane to do that. It's a divided highway. And I was concerned because they would have to make a U-turn at Pine Island Road, which is where I live, and that would be a mess. Because there's no other way to go if you're going north to make the left turn into that property. So, that was one concern I had. Also, I had asked him if they would be willing to put a tree buffer along Courtenay so that we wouldn't see all the RV vehicles from the road and he was amenable to it. I also asked him if the RV vehicles were going to be parked on hardened pads.

Ms. Rezanka responded they must be, by the code.

Mr. Hopengarten continued with it's going to have your impervious surface issue. And, because you don't have a conceptual site plan, we don't know how much retention because flooding is a big issue up here. And we're very concerned about that. The last big storm in October, it took a week for the water to go away. It was quite a mess. Also, he had said something about putting a convenience store on the property and staff said that that was not allowed.

Ms. Rezanka stated I believe the "he" you're referring to is Jake Wise just to keep the record. I don't know about the access. Again, that's a site plan issue and it's going to have to be reviewed with FDOT since this is an FDOT road. So, I do not know what that is, but again, county is going to have to approve it. FDOT is going to have to approve it. Tree buffer is fine. RVs must be on pads, concrete pads pursuant to the code. And storm water is something that is addressed as a site plan. Also, with the flood plain issue and the coastal hazard area, those are going to have to be addressed. And it's

going to be run through the storm water modeling for North Merritt Island, which is the new protocol in that area. So, it's going to be looked at by many, many people.

Mr. Hopengarten asked if this was going to be on sewer.

Ms. Rezanka responded yes, it must be on sewer.

Mr. Bartcher asked about access to the park. It's my understanding they're going to have to create a cut through the median and DOT would have to authorize that. If DOT were to decide not to authorize that is that a deal breaker?

Ms. Rezanka responded with I do not know. Again, we're in site plan. I haven't had that conversation with the client. I don't know if Jake has. But even if it's access I don't know. I do not think there's that many median cuts that would prevent another one, but I do not know. I'm not an engineer.

PUBLIC COMMENT

Bill Boggs stated he has serious concerns. I've personally experienced flooding and know of the sensitivity of that area. The land that they show.... a bunch of stuff. Your people that did the research and the summary, excellent job. But you know the part that's the surge zone and the hydraulic and everything, four to six months out of the year that is underwater. That's almost half the property. If they are allowed to add fill that water's got to go somewhere and the only place it can go is the neighborhood to the northwest. Courtenay is built up much higher and it's almost like a wall. It's got to go north. It can't go south. I'd also like to point out the awkwardness of that location with Tropical Trail dumping out onto the middle of a curve of Courtenay and the major traffic flow during rush hours for the Cape. And the turn lanes are not appropriate for larger vehicles. I'm opposed.

Brian Bussen stated he's the land development manager for Outback Reserve which is the Dominus subdivision within 500 feet that hasn't started yet immediately to the west of this property. The engineers spent four years working with the county to get the drainage right, to get the permits for these 164 lots. Minimum half acres on 164 acres with the future being 40-acre botanical gardens in the middle of the subdivision. Our problem is having something that's going to be a high-end subdivision, probably the best-looking subdivision on North Merritt Island since the Savannas, and to have this commercial activity which will have its own management office and must be able to buy things on the run. So just part of that I'm sure will come in with some commercial usage, and there are 10 units per acre. My client spent four years getting the permits to start at one unit per acre. That's where I have a little bit of a problem with this. I'm speaking against this super commercial activity this close.

Mr. Minneboo stated I've known you long enough, Mr. Bussen, to call you Brian and marvelous job at the Savannas. Those lots, with the way that the property up there has been escalating in cost, those lots that you all are working on have got to be \$200,000 lots. Am I being realistic from what everybody else up there wants? \$100,000 an acre and then you fill another 100,000. So, I mean it's crazy.

Mr. Bussen responded I'm guessing at this point, but based on what I see, the numbers coming out, working with the plans, are going to be \$300,000 lots. It's going to have to be an upper end community and it's the prettiest piece of land on North Merritt Island.

Jack Kirschenbaum stated he is a trustee of the trust that is developing the Outback. It was the Ron

Demina property, and it's owned by the Domina Family Trust. For 45 years I came before this board and talked as a lawyer and now I'm talking as a representative of the owner, as an owner, and I'm not real comfortable with it. We've been working for over four years on the Outback. It is as complicated an engineering project as a lawyer that I've ever worked on. These lots are going to be spectacular. They're going to be half acre. They're going to be hugely expensive. The development will be something that North Merritt Island hasn't seen before. We are in the throes of completing it and getting it to the subdivision level and working the drainage out with the help of your staff. It has been a monumental project. I hardly ever speak against projects because all I ever did was come before you and ask for permissions and rezonings and the like, but we don't think this is consistent with the land use. We don't think it's compatible. We think the traffic issues are going to be insurmountable. We believe that this isn't the right project for this parcel. We would very much like to have seen a site plan. We would have liked to have seen answers to all the questions your staff has already asked, and it would be premature to grant these two requests before all that information is available and before you. We are so sensitive to transportation issues and drainage issues and development issues that it's just not the right time or place for this project.

Rose Plummer stated she is representing the North Merritt Island Homeowners Association. Based on our review, I'm here to speak in opposition to the requested small-scale comprehensive plan amendment. After reviewing this proposal, it's clear that the request to allow an RV park does not meet the requirements for a small-scale comprehensive plan amendment. There are already numerous RV parks operating in Brevard County and there is existing commercial space just 0.25 miles from the property. The applicant has not demonstrated a need that would justify changing the land use designation and additionally North Courtenay Parkway is not designated as a major multi-county transportation corridor. For these reasons, the site does not meet the locational criteria of policy 2.8F with respect to interstate accessibility or corridor designation. Approving this amendment would open the door for further land use changes down the road that are not in this community's best interest or long-term interest. Any amendment must be consistent with the comprehensive plan, and this proposal does not meet that threshold. Additionally, there are way too many unanswered questions. For these reasons, I respectfully recommend that you deny the request to change the SSCPA.

Christianne Connor began with I'm not an attorney and I wasn't prepared to speak. I wanted to see what other people were saying, but I'm just a concerned citizen. I think it's strange that this is called Turtle Mound Ventures. I can't even imagine. I have so many turtle mounds on my property. At some point, I'm hoping Brevard's going to step in and take care of the natural resources we have. I can't imagine 280 RVs on this piece of property. We already have a lot of environmental impact going on around that area. Additionally, I make a left right there to get on North Tropical Trail and I cannot make a left anymore between the hours of 3:30 and 5:00 p.m. at night as all the SpaceX and Blue Origin traffic comes down that way. We're going to have to have a light. So, I can't imagine the traffic impact of all these RVs and all the people going in and out of North Tropical Trail and Courtenay Parkway. The traffic with the barge bridge there, getting in and out. And as you all know, we don't have a school, so parents trying to get their kids to and from must get over the Barge bridge with all this traffic. Adding any more traffic is going to be devastating for this area. And again, yes, I think it would be great to have a tree line, but this area of Brevard is suffering from flooding and all the natural impacts. Even with the sewer system, I've been told multiple times, we can't have sewer on our property. Brevard can't handle the number of new residents in the sewer system that we have currently. So, I just don't know how we're going to tax it further. And that's just those are just my concerns. I'm opposed.

Katie McCarver stated from my back door, you can see the very tiptop of this piece of property that they're looking at to build this. And we are opposed. My husband and I are opposed to this because. I'm kind of piggybacking off what she said, and I'm glad you also brought it up, sir. The traffic would be monumental on my street, McGruder, which is kind of that back road between Pine Island and Tropical. And so, especially since it hasn't been improved yet, like he was saying, to have that left-hand turn and it's a lot of unanswered questions. It's a big concern of ours and mine and my neighbors that inevitably all these RVs are going to miss this turn and they're going to turn down Pine Island, come across McGruder where we do have children that play out there. We have several houses and things with small kids, me included. And we're very worried about that. And, we just would ask that you would consider all the neighbors back there that live and have to deal with that traffic and things. And the things that would come because of this and the worry that it's going to lower our property value as well. To have the tree line would help, but I can see the top of this property from my back door. And it's a concern for sure. And so, we appreciate your consideration that we oppose this.

Mary Hillberg started with I'm on the North Merritt Island special advisory board. Part four of the excellent staff comments that the staff has created for us noted that RES 1 is in all directions of this property. So, if we have RES 1 in every direction, then that would be our recommendation for the request. Pages 40, 41, 42, and 45 of the staff comments plainly demonstrate hydric soil, coastal flood zones, coastal high hazard areas and scrub jay occupancy on all those areas respectively. To suggest that traffic would not negatively affect this development or proposal is absurd. It would be a real nightmare. It'll congest that whole curve and it is very congested now and it's not going to get any less. The North Merritt Island Special Advisory Board voted to recommend denial of this application based on administrative policies 3A B C D and administrative policy 4A and B4 5B C and E and administrative policy 6A and B and administrative policy 7 as well as section 62 1151 of the Brevard code 1 3 4 and 5 as well as factors to consider 1 3 and 5 as firm basis for denial. We respectfully ask this board to follow our recommendations since we tried to offer an option. We would recommend RES1.

END PUBLIC COMMENT

Ms. Rezanka stated she wants to turn back to the zoning map again. There are many zonings in this area. We are not seeking residential use. The need for the change is because this was school board surplus property that is not being used as surplus. So, it needs a new use, and this is along a commercial corridor. With tourism as it's becoming, having these high-end luxury resorts that can have the RVs is going to be of great benefit to the community. The traffic concerns are not supported by the record, nor has any evidence been presented here today. In fact, the only evidence is the staff report. However, a traffic study will be required at site plan stage and that will require turn lanes, whatever we need to do to make it safe because we don't want anyone in the community not to be safe. We don't want the people that are staying here to not be safe. As for commercial use, there may be a little general store for laundry detergent and beer, but there's a Circle K less than half a mile down the street. So, there's not going to be full-blown commercial uses on this property. Looking at the staff report they're pretty much the same, but looking at the comprehensive plan analysis, it talks about the existing commercial development, talks about the gas and convenience store, that there was a Dollar General store approved, talks about community commercial activities located south of the subject property. It does talk about this being a transitional area. It's not truly residential. The outback development that Mr. Bussen is working on will be substantially buffered from here. And again, he is not an MIA appraiser. Mr. Kirschbaum's not an MIA appraiser. No one here has said that

there's going to be a depreciation value of their property by a high-end luxury RV park. Regarding the request for a site plan, Florida law does not require it. In fact, you cannot require it at zoning. It can be offered, but again, it's not even binding. You don't have a binding way to do that other than a binding development plan. There are conditions you want in the binding development plan such as buffering, no access on McGruder or things like that that can be put into a binding development plan. The drainage and flooding issues will obviously have to be addressed. We're going through that right now with the land alteration burrow pit. Spacewalk Groves is going through the storm water modeling program. It's costing them \$40,000 just to have it run by the experts. So, it's something that this project will also have to do. We're very aware of the flooding and we don't want the site to flood either nor the neighbors to flood. Again, this development proposal is for commercial and not residential use. Regarding the statement that the administrative policies support denial, they do not. There's nothing in your staff report that supports denial. It supports perhaps a review of whether it's compatible. This is a commercial corridor, it's compatible. It can be more compatible by buffering. There are no facts that are in the staff report or that were stated here today that support denial of this request. We have shown the need by the fact that this is surplus property that can only be developed for public facilities for governmental land. And so, a zoning change is needed. The request is for an RV park. We ask for approval of both requests.

Mr. Bartcher stated in the minutes from the North Merit Island meeting, Mr. Wise said that he expected there probably would be four to five trailer sites on the property as opposed to the 10 that's allowed.

Ms. Rezanka I didn't find those minutes anywhere. They weren't up on the website this morning when I looked.

Jake Wise stated he represented the project at the North Island Special Advisory Board, and they asked about the intensity because it is a commercial use, the number of potential sites. We've designed multiple RV parks in the past. Typically, we end up somewhere between four or five or six units per acre. This site has a triangular shape. It's a luxury. So bigger sites, more amenities, things like that, we anticipate being towards the lower end. So that's why we discussed the less than 10 units an acre. I've never seen one that was that intense and we are again just at the initial stage of zoning and land use. So, as Ms. Rezanka identified earlier all the points of access, utility extensions, buffering, wetland preservation, all those things are to be coming with the site plan, and we don't have any objection at all to a binding development plan. We would be happy to do that as we move forward with our specific site plan for this but it's a unique piece of property. It was supposed to be for school. So, buses would have had to be coming and going. Your peak hour AM would have been rough. RV parks are generally a very low traffic generator. There's not a lot of traffic coming and going daily for them. Any type of commercial use as Ms. Rezanka identified would be accessory to the RV park to provide a campground store or something like that for the residents well.

Mr. Bartcher stated he was wondering if they would be willing to, like Ms. Rezanka, entertain a BDP for example one that restricts the number of sites to say five or to six.

Mr. Wise responded yes, 10 would be high in our experience and so that is just the maximum that this zoning code happens to allow.

Mr. Bartcher stated I was wondering if you would be willing to entertain a BDP that would limit it to six.

Mr. Wise responded that it's something I'll have to confer with our client, and I can give you a quick answer on that.

Mr. Bartcher stated the other issue that I heard was traffic entrance way. Entrance into the property and out how it exits only on State Road 3 as opposed to using some of the side streets.

Mr. Wise stated they would not use the residential road to the north of them. That would not be our access at all. We fully anticipate, as I stated in the other meeting, that it would be coming off North Courtenay, but we'd have to of course work that out with DOT. Without a specific site plan, we don't know with 100% certainty how that'll be, but we would fully anticipate just like if it was a school site, school buses would have access to it from the main road. Typically, we would have the same. There could be a median cut that allows left ingress only. There's a lot of different things we can do to make sure there's plenty of safe travel. There's nothing we want more than to be able to come and go from a luxury RV park safely for the traveling public and for the residents. We're very aware of how busy it is in the PM peak hour, especially when people are leaving the space center in the evening. I've been in this area for a long time. I'm completely aware of that and especially the special flood zone areas. It's got a lot of different overlay districts. It's got the AE zoning on it and X zoning. So, that'll be a big part of our overall site plan. By county rule, by DOT rule, by state statute with St. John's we're not allowed to do anything that impacts adjacent property. So, we will have to maintain all our storm water on site. We'll provide a higher efficiency nutrient removal and all the other requirements that they have in addition to compensatory storage because it's on Merritt Island north of Hall Road. There are also additional restrictions for that as well.

Ms. Orriss stated that Ms. Rezanka had said that it is commercial, so we're not worried about increasing density in this area, but it is increasing density in a coastal high hazard area, is it not, it is significantly increasing density.

Mr. Wise responded density is based on residential uses and because it is a commercial use they look at it as intensity, that's how the staff report's written. So yes it would increase any use on this site, especially a school for example, which was the intention, would significantly increase trips and so that would be the case for any type of development on the site at all, would be an increase in trips. But we're proposing one that is a very low trip generator compared to most single-family homes, town homes typically are 10 trips a day. RV parks three or four. So, it's a significant reduction.

Ms. Saunders stated that in the meeting minutes from North Merritt Island, you had mentioned there was talk about this tree buffer and you had mentioned that was a great idea and the intent was to kind of create a more mature.... This place has been here for a while. Can you talk about that a little bit? I know it's not part of a site plan requirement. It's not technically in here, but can you give us an idea of the flavor of what you're looking for? Will you be trying to design around some of the larger trees and kind of create those moments or do we just not know that yet?

Mr. Wise responded what we typically do on most of our site plans, because of the new requirements, especially in Merrit Island, we elevate the sites to provide the treatment to not allow any runoff. So, our preservation opportunities are typically around the perimeter. And as I mentioned in the meeting, they were looking at some pictures with a beautiful mountain landscape at the back, from the state of Washington. It was in a valley. So, they were trying to compare that project to what it would look like. We were explaining that we wanted to have established preservation trees as much as we could around the perimeter where we're not typically elevating the site. Then we have more than likely

some wetland preservation areas and an upland buffer typically that we would preserve. I heard about a beautiful botanical garden on the other project nearby. We probably have similar vegetation and trees. So, there might be an opportunity for something like what they were talking about earlier. That's our best opportunity is that and we do want it to look mature. We do want to buffer especially the residential to the north. But we want it to be an attractive luxurious site that will be successful. And so that is the key component to that. And we will do a very specific site tree survey, and we'll make sure that we work around all the native mature trees as best we can.

Mr. Minneboo stated I probably know Merritt Island as good as any. We have really worked hard up there to try to make the North Courtenay corridor a business corridor. And we've tried not to add to the negative impacts of some of the things that have gone through there. This site just doesn't justify in anybody's mind that the true Merritt Islanders where it makes sense to operate or to have this in this triangle. You got a tremendous business, and you had two great spokesmen today to talk about a piece there that has been under development for four years just trying to get the permits and try to meet all the requirements, etc. And now this thing has become a three and \$400,000 lot location; and that's what you really want up there. Everybody owns land up there. I'm one of those people. We all own land and when you start talking about more modular homes, RV things, the inside talk is up there. They call it the combat zone. Nobody said today. But nobody checked with the sheriff's office. How many times do you go up there and there's negative things going on up there? You can't get a pizza delivered to your home on North Merritt Island on a tremendous piece of land because they don't want to go up there. They're not going to tell you that. But you must understand that area up there. It's designed for houses of major magnitude. You have Blue Origin just surrounds us. You have SpaceX that tries to buy us out every day. And so, there is no way I can support anything. I can't support a binding development plan for anything other than it's just not conducive to North Merritt Island.

Motion to recommend denial of item H.3. by Henry Minneboo, seconded by Robert Wise. Motion passed with a vote of 10:1.

Motion to recommend denial of item H.4. by Henry Minneboo, seconded by Erika Orriss. Motion passed with a vote of 10:1.

Meeting adjourned at 5:10 p.m.



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

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July 10, 2026

M E M O R A N D U M

TO: Billy Prasad, Planning and Development Director Attn: Trina Gilliam

RE: Board Actions on Planning and Zoning Board Recommendations

The Board of County Commissioners, in regular session on July 9, 2026, took action on Planning and Zoning Board Recommendations.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK



Kimberly Powell, Clerk to the Board

/sj

Encl. (1)

cc: Alice Randall, Zoning
County Attorney

PLANNING AND ZONING BOARD RECOMMENDATIONS

- Item H.1. **Turtle Mound Ventures, LLC.** Goodson/Feltner. Denied the request for a Small-Scale Comprehensive Plan Amendment (26S.01) to change the Future Land Use designation from PUB, RES-1, and RES-2-DIR to CC; and directed the County Attorney to prepare a Finding of Facts to bring back for Board consideration. (26SS00001) (Tax Accounts 2316247, 2316452, 2316451, 2315413).
- Item H.2. **Turtle Mound Ventures, LLC.** Goodson/Feltner. Denied the request for a zoning classification change from GML(I) and TR-1 to RVP; and directed the County Attorney to prepare a Finding of Facts to bring back for Board consideration. (26Z00007) (Tax Accounts 2316247, 2316452, 2316451, 2315413).
- Item H.3. **Sunshine State Wildlife Conservation LLC and Bernard Egan & Company.** Altman/Adkinson. Approved the request for a CUP for land alteration in AU and GU (25Z00061) (Tax Accounts 3001213, 3001181, 3020488, 3020489, and part of 3001207, 3030338, and 3030339).
- Item H.4. **Underwood's Equipment Repair LLC.** Goodson/Adkinson. Approved the request for a zoning classification change from BU-2 with a BDP to BU-2 with removal of the BDP. (26Z00006) (Tax Account 2316318).
- Item H.5. **Defender Homes Airway Heights LLC.** Withdrawn by the applicant. (26SS00002).
- Item H.6. **Defender Homes Airway Heights LLC.** Withdrawn by the applicant. (26SS00002).
- Item H.7. **Gunnar Downes.** Adkinson/Feltner. Approved the request for a zoning classification change from GU to AU. (26Z00009) (Tax Account 2405759).
- Item H.8. **Joshua Law and Jennifer Law.** Feltner/Adkinson. Adopted the Ordinance No. 26-08, setting forth the third Small-Scale Comprehensive Plan Amendment (26S.03) to change the Future Land Use designation from AGRIC to RES 1:2.5. (26SS00004) (Tax Account 2005257).
- Item H.9. **Joshua Law and Jennifer Law.** Feltner/Adkinson. Approved the request for a zoning classification change from GU to AU. (26Z00013) (Tax Account 2005257).
- Item H.10. **DiPrima Construction Corporation and Daniel Carson.** Altman/Adkinson. Approved the request for a zoning classification change from RU-1-13 and RU-2-10 to RU-2-15. (26Z00014) (Tax Accounts 2716291 & 2716290).

Item H.11. **Robin R. and Maxine M. Bland, and Tara Brozman.** Tabled the request for a zoning classification change from GU to RR-1.

CHAPTER X

COASTAL MANAGEMENT ELEMENT

TABLE OF CONTENTS

Estuarine Pollution.....	1
Water Quality/Seagrasses	2
Fisheries.....	3
Beaches and Dunes	4
Water-Dependent Land Uses	9
Coastal High Hazard Areas	24
Coastal Residential Densities	26
Hurricane Evacuation	26
Hurricane Shelters.....	29
Post-Disaster Redevelopment	30
Coastal Access.....	33
Coastal Development and Redevelopment	38
APPENDIX	42

GOAL, OBJECTIVES AND POLICIES

GOAL

ESTABLISH GROWTH MANAGEMENT STRATEGIES THAT WILL ALLOW GROWTH TO CONTINUE WITHIN THE COASTAL ZONE WHICH DOES NOT DAMAGE OR DESTROY THE FUNCTION OF COASTAL RESOURCES, PROTECTS HUMAN LIFE AND LIMITS PUBLIC EXPENDITURES IN AREAS SUBJECT TO DESTRUCTION BY NATURAL DISASTERS.

Estuarine Pollution

Objective 1

Improve areas within the Indian River Lagoon basin with fair or poor water quality as measured by the State of Florida Department of Environmental Protection using the trophic state index, and maintain areas with good water quality.

Policy 1.1

The Brevard County Natural Resources Management Department shall coordinate with the Florida Department of Environmental Protection to develop and implement Basin Management Action Plans to comply with National Pollutant Discharge Elimination System Permits and meet the Total Maximum Daily Loads established for local surface waters.

Policy 1.2

Brevard County shall maintain within the land development code regulations that implement standards consistent with National Pollutant Discharge Elimination System Permits and Total Maximum Daily Loads.

Policy 1.3

Brevard County shall continue to cooperate with other agencies and municipalities that perform fisheries studies and submerged aquatic vegetation mapping and use this data to assist in establishing priority areas for surface water improvement efforts. In addition, Brevard County shall coordinate the manatee protection plan with municipalities and appropriate agencies.

Policy 1.4

The Brevard County Natural Resources Management Office shall review and comment, as necessary, on dredge-and-fill applications and/or Environmental Resource Permits from the Florida Department of Environmental Protection, St. Johns River Water Management District (SJRWMD), the U.S. Army Corps of Engineers, or other appropriate agencies.

Policy 1.5

Brevard County shall continue to consider recommendations of Marine Resources Council and other appropriate groups in the development of estuarine studies.

Policy 1.6

Brevard County shall coordinate surface water management and protection efforts with the Indian River National Estuary Program (IRNEP), FDEP, SJRWMD and other appropriate agencies.

Policy 1.7

Brevard County supports coordinated regional fisheries management plans developed by the Atlantic States Marine Fisheries Commission.

Water Quality/Seagrasses**Objective 2**

Improve existing water quality to enhance seagrass and other submerged aquatic vegetation quantity, health, diversity, and distribution within the Indian River Lagoon.

Policy 2.1

Brevard County shall support the St. Johns River Water Management District's (SJRWMD) mapping of submerged aquatic vegetation within the Indian River Lagoon system. Evaluation results shall be made available to municipalities and other agencies or programs. Areas that show decline should be targeted for increased watershed management, including non-point source pollution, and restoration. Management strategies shall be coordinated with the municipalities and other agencies.

Policy 2.2

Brevard County shall continue to participate in the Indian River Lagoon Advisory Committee and its associated advisory groups.

Policy 2.3

Brevard County shall continue to protect Submerged Aquatic Vegetation (SAV) from the impacts of local land development by implementing the Surface Water Protection Ordinance. At a minimum, the following criteria shall be addressed:

Criteria:

- A. Maintain upland vegetation within required setbacks to reduce runoff.
- B. Require proper use of turbidity screens during construction activities.

- C. Control discharge rates to promote on-site settlement of sediment loads and meet minimum retention requirements for runoff from storm events.
- D. Coordinate with FDEP Aquatic Preserve staff when development is within or adjacent to an aquatic preserve.

Policy 2.4

Brevard County shall address modification of existing development which does not meet stormwater management standards.

Policy 2.5

Brevard County supports the goals of the National Estuary Program's Comprehensive Conservation and Management Plan (CCMP) for recovery of the Lagoon. This support is reflected in the strategies identified in the County's Action Plan Implementation Status Report for the CCMP.

Policy 2.6

Where possible, local stormwater, as well as state and federal surface water programs should reduce or eliminate freshwater inputs to the Indian River Lagoon via interbasin diversions.

Fisheries**Objective 3**

Maintain fisheries in and adjacent to Brevard County through habitat production, maintenance and restoration.

Policy 3.1

Brevard County shall encourage habitat evaluation and fisheries studies. These studies should be coordinated with federal and state programs and funded through a combination of the proceeds from a saltwater fishing license and state and federal grants.

Policy 3.2

Mosquito impoundments should be reconnected to the Indian River Lagoon where benefits can be demonstrated to increase habitat value of the impoundments and benefits to the Lagoon.

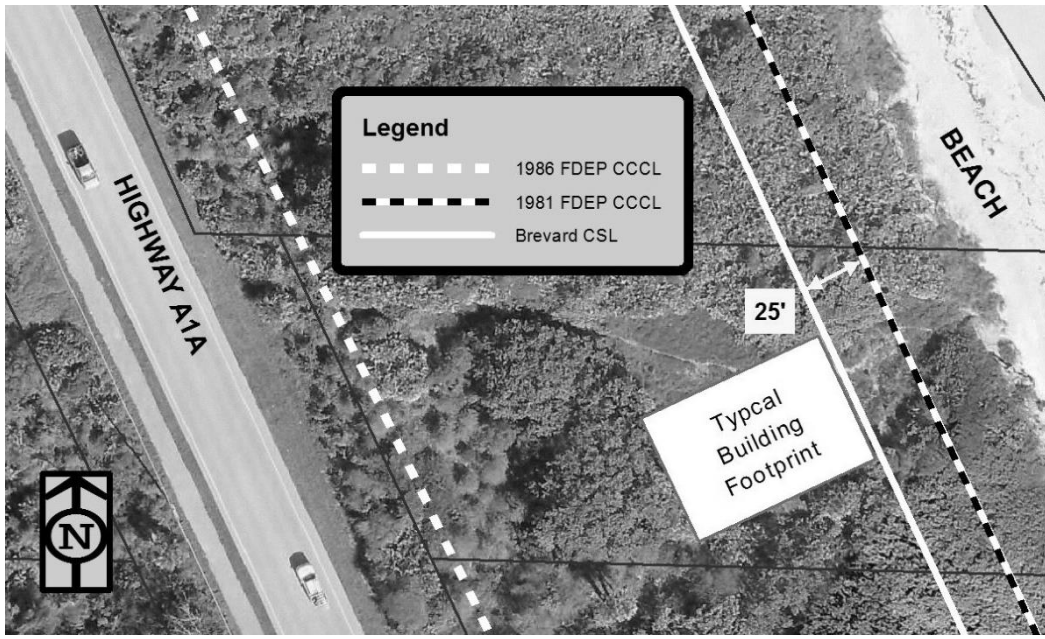


Figure 1

Note: Figure 1 is intended for illustrative purposes only. Actual delineations shall be determined by survey.

Beaches and Dunes

Objective 4

Brevard County shall implement and improve as necessary a comprehensive beach and dune management program which protects, enhances and restores a naturally functioning beach system as funding is available.

Policy 4.1

The Land Development Regulations shall maintain regulations governing the location, construction and maintenance of development adjacent to the Atlantic shoreline. Development seaward of the Florida Department of Environmental Protection (FDEP) 1981 Coastal Construction Control Line (CCCL), which coincides with the Brevard County Coastal Construction Line (CCL), shall be governed by the following conditions, at a minimum:

Criteria:

- A. The 1981 FDEP CCCL coincides with the Brevard County CCL, as adopted by Brevard County in Ordinance 85-17. The Brevard County Coastal Setback Line (CSL) is described as a line which is twenty five (25) feet west

of the 1981 FDEP CCCL by perpendicular measurement. Figure 1 schematically depicts the spatial relationship of these reference lines. Actual delineations shall be determined by survey.

- B. Oceanfront development shall be required to maintain at least 50% of the native dune vegetation on site. Native dune vegetation seaward of the FDEP 1981 Coastal Construction Control Line (CCCL) shall not be removed unless necessary for approved emergency vehicle access or coastal protection needs.
- C. In order to maintain the freshwater lens of the surficial aquifer and reduce saltwater intrusion, post-development groundwater recharge volume and rate shall equal pre-development recharge volume and rate.
- D. No new shoreline hardening structures shall be permitted in unincorporated Brevard County south of Patrick Air Force Base (PAFB) property or within the Archie Carr National Wildlife Refuge, with exception of emergency provisions as provided for in Florida Statutes Chapter 163.3187(1)(a) "Amendment of Adopted Comprehensive Plan".
- E. North of the PAFB, no new shoreline hardening structures should be permitted.
- F. Pursuant to Criteria C and D of this policy, if a shoreline hardening structure is deemed necessary, the following criteria shall apply:
 - 1. Vertical wood or concrete structures and rock revetments shall only be approved when less structural alternatives, such as beach renourishment, dune restoration and sandbag systems have been determined not to be feasible.
 - 2. All shoreline protection measures shall be designed to minimize adverse impacts to the naturally functioning beach and dune system and adjacent properties.
 - 3. The County may require dune restoration and revegetation as a component of the shoreline hardening approval both landward and seaward of the proposed structure.
 - 4. All shoreline protection shall be designed and constructed so as to not impede public access to or along the shore.
- G. Setbacks or other non-structural methods of shoreline protection shall be given the highest priority. Reducing setbacks from A1A will be

considered where it is necessary to maintain and maximize setback requirements from the ocean.

- H. Reconstruction of existing hard erosion control structures which are more than fifty (50) percent destroyed should be considered new construction and should be regulated as such, except for the maintenance of existing public navigational projects, such as Port Canaveral and Sebastian Inlet.
- I. Underground storage tanks or the storage of hazardous materials are not permitted.
- J. Septic tank or septic tank drainfields shall not be permitted seaward of the Brevard County Coastal Setback Line (CSL). Septic tanks shall be located landward of the most seaward portion of the habitable structure.
- K. All activities seaward of the 1986 FDEP Coastal Construction Control Line (CCCL) shall be subject to FDEP permitting requirements.

Policy 4.2

Brevard County shall enforce development restrictions associated with the Brevard Coastal Setback Line (CSL), and the Brevard County Coastal Construction Line (CCL) and re-evaluate the effectiveness of these lines from time to time as coastline changes dictate. The County shall provide FDEP with their findings and request a review of the FDEP Coastal Construction Control Line, if deemed appropriate.

Policy 4.3

Brevard County shall continue to adopt and enforce standards for maintenance or re-establishment of dune areas. These standards shall include, at a minimum, the following provisions:

Criteria:

- A. Native dune vegetation shall be maintained on site unless removal or alteration is permitted by both Brevard County and the Florida Department of Environmental Protection, or other appropriate regulatory agency.
- B. Public and private beach access shall be allowed only at designated cross-over structures or historical access sites.
- C. Erosion control strategies will be utilized at unimproved public access sites until these can be improved or alternate access provided.

- D. Dune cross-overs, boardwalks, walkways and other permissible structures seaward of the Brevard County Coastal Setback Line shall be elevated above dune vegetation and shall be designed to allow adequate light penetration.
- E. Shore-parallel boardwalks shall be prohibited seaward of the Coastal Setback Line, except as required for handicap access.
- F. Publicly owned dunes, especially those identified for beach access sites, which have been denuded or damaged by vehicular or pedestrian traffic shall be prioritized for dune renourishment and revegetation. Improvements or erosion controls shall be implemented at the time of renourishment to prevent further site degradation.
- G. Private property owners should be encouraged to re-establish dune vegetation which has been destroyed by non-designated access activities or storm damage.
- H. Structures and impacts that are necessary for public safety or meet the best public interest shall be permitted if approved by the Board of County Commissioners.

Policy 4.4

Brevard County's beach and dune restoration program shall include an analysis of environmental, financial and social criteria.

Criteria:

- A. The first priority for beach renourishment shall be given to the protection of life and property.
- B. Priority shall also be given to environmental considerations.
- C. Public areas which are heavily utilized for recreation, including surfing, fishing or swimming, shall be considered for beach or dune renourishment or restoration, as applicable. Long-term management of these areas shall be included with all site improvements.
- D. A feasibility or benefit/costs analysis should be performed for any renourishment project. Such analyses shall include, as appropriate, present and future benefits for property protection, recreation and tourism over the life of the project.

Policy 4.5

The County shall continue to utilize the information and materials available from the State regarding dune maintenance and revegetation and supplement these materials, as necessary.

Policy 4.6

Brevard County shall maintain an ongoing program to initiate and monitor data collection projects related to beach dynamics, sand transport and coastal processes. This program should include data generated by the Florida Department of Environmental Protection, the U.S. Army Corps of Engineers, the Florida Sea Grant College, universities and other appropriate agencies.

Policy 4.7

Brevard County shall develop an inter-local agreement with adjacent municipalities and the State of Florida for funding of beach maintenance and restoration programs.

Policy 4.8

Brevard County shall prohibit motorized vehicles on the dune and beach system except for governmental vehicles (police and sheriff), fire trucks, ambulances or vehicles necessary to repair utilities, or vehicles utilized during approved renourishment programs or approved scientific investigations. Pedestrian traffic within the vegetated dune areas shall be limited to emergency operations, scientific research, maintenance, cleaning or improvements as authorized by the Natural Resources Management Department and consistent with FDEP regulations.

Policy 4.9

Brevard County shall continue to collect and make available to the public information related to sea level changes.

Policy 4.10

Outer Continental Shelf (OCS) activities such as oil and gas exploration or mining adjacent to Brevard County are discouraged for several reasons. The County's beaches are the most heavily nested beaches by sea turtles in the western Atlantic. Impacts to water quality, beach quality and fisheries could negatively impact the threatened and endangered species that nest here. Brevard County should review and comment on all Outer Continental Shelf (OCS) and off shore drilling leases proposed for waters adjacent to the county. This policy does not discourage OCS sand and gravel mining conducted as part of Brevard County's shore protection and restoration strategy.

Water-Dependent Land Uses

Objective 5

By 2010, Brevard County shall develop and adopt guidelines which direct the location and management of water-dependent, water-related and water-enhanced facilities, giving highest priority to water-dependent uses along the Indian River Lagoon System in order to provide for the increased demand for these facilities.

Policy 5.1

Brevard County shall continue to implement performance standards for marinas and marine-related facilities within the coastal zone which include at a minimum: setbacks, height limitations, parcel size, architectural guidelines, seagrass protection, and the protection of water quality including the maintenance and containment of stormwater runoff and wash-down water for dry storage areas. Marina performance standards shall include the following minimum criteria:

Criteria:

- A. Existing marina facilities should be allowed to continue their operation provided these facilities meet the County's adopted operational standards.
- B. While the expansion of existing facilities is preferred over construction of new facilities, the development of new marinas must remain a viable alternative as many existing marinas will not be capable of meeting adopted operational and environmental standards.
- C. Policies and incentives should encourage new and expanded marina facilities to utilize dry storage to the fullest extent possible.
- D. New marina facilities shall retain all work area runoff in a separate retention area. In addition, the first inch of stormwater runoff from a 10-year 24-hour storm shall be retained on site.
- E. Prior to operation of any new marina fueling facility, a fuel management/spill contingency plan will be developed and provided to the Natural Resources Management Department for review. The plan shall describe methods to be used in dispensing fuel and all the procedures, methods, and materials to be used in the event of a fuel spill and shall meet Brevard County Fire Prevention Codes and Rules of the State Fire Marshall's office.

Policy 5.2

Brevard County should continue to develop and implement regulations governing live-aboards within the coastal zone. The regulations shall include the following criteria at a minimum:

Criteria:

- A. Floating structures shall be considered within live-aboard regulations. Floating structures shall be defined as: A vessel with no means of operative propulsion which is inhabited for thirty (30) consecutive days or more.
- B. Motorized live-aboard vessels shall be defined as vessels which are occupied for more than seven (7) consecutive days within Brevard County. These shall not include floating structures (as defined in Criterion A).
- C. The County shall investigate designating certain areas of the Indian River Lagoon for mooring of motorized live-aboard vessels which are not docked within marinas. Live-aboard vessels moored outside of marinas shall be required to utilize pump-out facilities or a municipal sewer facility if they are moored for over three (3) days.
- D. The County shall coordinate with the Marine Patrol to eliminate live-aboards permanently anchored outside of a marina or area specially designated for live-aboards.
- E. Floating structures shall be required to moor within marinas or to privately owned riparian property, and shall be connected to pump-out facilities or a municipal sewer facility.
- F. Live-aboards shall be considered as part of the community and will be considered as residential units when assessing impacts of such development on community facilities and services.

Policy 5.3

Retrofitting or modification of existing marina facilities within the coastal zone shall be required to meet the following minimum criteria:

Criteria:

- A. Stormwater retention/detention requirements established in the Stormwater Management Criteria Ordinance as adopted on August 23, 1993.

- B. Substantially expanded marina facilities shall retain all work area runoff. For those projects with combined detention areas of five (5) acres or greater, the work area runoff shall be retained in a separate retention area. In addition, the first inch of stormwater runoff from a 10-year, 24 hour storm event shall be retained on site or shall meet the water quality standards as required by the state, whichever is more restrictive. For projects with a combined detention area of less than five (5) acres, stormwater and work area runoff may be retained in a single retention/ detention area.
- C. When ten (10) slips or ten (10) percent or more of the total number of slips, whichever is greater, are added, pumpout facilities shall be required, as recommended by the Marine Sanitation Study (1990), sufficient to accommodate the pump-out requirements concurrent with the total number of slips.
- D. Prior to operation of any new marina fueling facility or expansion due to an existing facility, a fuel management/spill contingency plan will be developed and provided to the Natural Resources Management Department for review. The plan shall describe methods to be used in dispensing fuel and all the procedures, methods, and materials to be used in the event of a fuel spill.

Policy 5.4

Brevard County shall continue to implement standards for marina siting within the coastal zone which shall address the following criteria at a minimum:

Criteria:

- A. All proposed marina siting projects in unincorporated areas of Brevard County shall come before the Board of County Commissioners for their review. Marina development may be considered within any appropriate zoning classification, if it is consistent with the performance standards developed by the County. Uplands at the marina site shall be greater than or equal to one acre. Residential marinas shall be allowed as a permitted use, subject to the boat facility siting criteria established in section B below and in the policies under Objectives 3 and 9 of the Conservation Element, in all of the current conditional use zoning classifications for residential/recreational marinas, except Recreational Vehicle Park (RVP) and Government Managed Lands (GML).
- B. At the beginning of the zoning process, all marina development proposals must submit a conceptual plan to be reviewed by the Natural Resources Management Department for compliance with the following boat facility

siting criteria:

PRELIMINARY ASSESSMENT CRITERIA

The following listed criteria are recommended as the preliminary test of suitability for boat facility siting.

1. Water Depth
 - a. Water depth at the proposed mooring area of the site shall be at least four (4) feet mean low water.
 - b. Water depth at the site must be adequate for the proposed vessel use such that there be a minimum of one foot clearance between the deepest draft of the vessel (including the engine) and the bottom at mean low water.
 - c. Proposed boat facilities in areas that contain seagrass shall not be approved unless water depth at the site's turning basin, access channel, and other such areas will accommodate the proposed vessel use to insure that a minimum of one (1) foot clearance is provided between the deepest draft of the vessel (including the engine) and the top of the resources at mean low water.
2. Seagrass
 - a. Marinas shall not be located in areas containing 10% or more seagrass.
 - b. Designated boat docking areas shall not be located over seagrasses.
 - c. Covered boat slips, covered walkways, or covered terminal platforms shall not be permitted in areas containing seagrass.
 - d. Boat docks using open mesh grating and pilings made from recycled materials (plastic/ wood composites for example) are preferred to pressure treated wood. Any materials or permitted construction techniques proven to allow a minimum of 75% light transmittance may be exempt from design criteria e and f below in this subsection.
 - e. For Residential Marinas, main access docks and connecting or crosswalks shall not exceed six (6) feet in width.
 - f. Access piers should be located and designed to minimize their shadowing impact on seagrass.
 - g. Reasonable alteration to these criteria may be authorized to accommodate persons with disabilities.
3. Manatee Related Best Management Practices
 - a. Dock designs shall not entrap manatees or otherwise prevent them from accessing forage areas.
 - b. Docks with exposed reinforcement structures on floating docks shall be prohibited due to their potential to entrap or entangle manatees in the structure itself or in the marine debris that commonly occurs in these areas.

4. Water Quality
 - a. New seawalls or bulkheads should be prohibited along the Indian River Lagoon except as provided in Brevard County Code Section 62-3666 or when the project would improve the water quality by acting as a swale and reducing the amount of pollutants which would enter the Indian River Lagoon, where the placement of a seawall does not disturb existing native vegetation, prohibit the reestablishment of native vegetation, or where the reestablishment of native vegetation is not viable.
 - b. All facilities shall adhere to the provisions for surface water protection per the guidelines set forth in Brevard County Code Section 62-3666. The provisions for a shoreline protection buffer established in the Code and Conservation Element (CE) policies include the following:
 - Class I waters - 200 foot buffer – Conservation Element Policy 3.2 A
 - Class II waters - 50 foot buffer - Conservation Element Policy 3.3 A
 - Class III waters - 25 foot buffer – Conservation Element Policy 3.4 A
 - On lots with unarmored shorelines the waterward extent of the buffer is the mean high water line. On bulkheaded lots, the waterward extension of the buffer is established by the bulkhead line. A maximum width of 25 feet or 20% (whichever is greater) may be cleared for access.
5. Powerboat-To-Shoreline Ratios
 - a. ***Boat Facility Siting Zone A:*** In Boat Facility Siting Zone A, powerboat siting ratios shall be limited to one powerboat slip per 100 feet of contiguous linear shoreline that is owned or legally controlled by the applicant, as applied to all new and expanding boating facilities. Boat facilities in Zone A may qualify for a variance under Section e, Variance Criteria. Also, the establishment of new boating research, design, development or manufacturing facilities whose operations include on-water testing of motorized watercraft, are prohibited from locating in uplands within Boat Facility Siting Zone A.
 - b. ***Boat Facility Siting Zone B (Barge Canal):*** In Boat Facility Siting Zone B along the Barge Canal (as defined), powerboat siting ratios shall be limited to a 1:100 powerboat-to-shoreline ratio (tied to a parcel's deed). Any boat facility, which desires to exceed the 1:100 powerboat-to-shoreline ratio, must acquire additional development rights from other properties, which have linear shoreline parallel to the Barge Canal and adjoin the Port Canaveral control easement. Any development rights transferred must be recorded on both the selling and receiving parcels deeds.
 - c. ***Boat Facility Siting Zone C (Port Canaveral Harbor):*** In Boat Facility Siting Zone C, there shall be no powerboat-to-shoreline restrictions

within the Canaveral Harbor provided current slow speed regulations remain in effect.

- d. **Boat Facility Siting Zone D:** The map features described in Table 1 below are to be applied in Boat Facility Siting Zone D. Manatee habitat feature points per Table 1 shall be determined using the map series and data update schedule identified in Appendix C of this Element and using current site surveys for seagrass. In Boat Facility Siting Zone D, Manatee habitat feature points from Table 1 shall be summed and the sum shall be used in Table 2 below to determine the applicable powerboat-to-shoreline ratio per 100 feet of contiguous owned or controlled linear shoreline.

Limiting Habitat Features	Criteria for Evaluation (each increases the number of habitat features by 1, unless otherwise specified)
Manatee Abundance	1st level: 10 or more manatees observed/overflight within 5 mile radius (1 point) 2nd level: 25 or more manatees observed/overflight within 5 mile radius (2 points)
Manatee Mortality	1st level: # of watercraft mortalities within a 5 mile radius/total number of watercraft mortalities in Brevard (≥ 0.05 is significant) (1 point) 2nd level: # of watercraft-related deaths within a 5 mile radius in the last 5 years/total number of watercraft mortalities in Brevard in the last 5 years (> 0.10 is significant) (2 points)
Seagrass Class II, OFW, or Aquatic Preserves	5% or more present on the project site is significant Site is located in one of these designated areas
Offsetting Features	Criteria for Evaluation (each decreases the number of habitat features by 1)
Speed Zones Within 3 miles of Sebastian inlet	Site is located within a year-round "Slow Speed" or "Idle Speed" Zone Site is located within 3 mile radius of Sebastian Inlet

Table 1

# Manatee Habitat Features	Existing Facility	New Facility
0	5:100	4:100
1	5:100	4:100
2	3:100	2:100
3	2:100	1:100
4	1:100	1:100
5	1:100	1:100
6	1:100	1:100

Table 2

- e. **Variance Criteria:** It is recommended that a variance may be given to the powerboat-to-shoreline ratio for those existing marina and boat launching facilities subject to the 1 powerboat slip to 100 feet of owned contiguous shoreline restriction (1:100), provided the facility meets all the variance criteria listed below and can demonstrate that it will not have an adverse impact on manatees. If an existing facility meets all of the variance criteria, it may be permitted to increase the powerboat-to-shoreline ratio by 1:100 if the waters in and adjacent to the channels leading to the facility are designated "slow speed" or "idle speed" year-round as authorized by the Florida Manatee Sanctuary Act Chapter 68C-22.003, F.A.C. or other federal regulations or local ordinances, or if the facility is within 3 miles of the Sebastian Inlet. The facility may be allowed to increase the powerboat-to-shoreline ratio by 2:100 if both are applicable. In no case shall the maximum total buildout of 3 powerboat slips per 100 feet of owned contiguous shoreline (3:100) be exceeded. However, adherence to these criteria does not automatically ensure the applicant's ability to exceed the allowable powerboat restrictions as defined above. The plan restrictions will remain in effect, if at the time of review, additional information about manatees or the proposed facility indicates threats not addressed by these criteria. Consideration can be given for additional site-specific factors or operating practices (e.g. seasonal operation, etc.) that may be proposed by either the applicant or the County that may result in improved conditions for manatees or manatee protection. Nothing in this section shall exempt any marina from obtaining the usual required permits and/or authority from all applicable reviewing agencies with proper jurisdictional authority.

Criteria:

- 1) The facility is not located within a 1st or 2nd level manatee aggregation area (using the Manatee Abundance Habitat Feature as defined in 5 d of this Policy and in the Table above), or other area where sensitive manatee activities occur.
 - 2) The facility must provide net benefit to manatees and/or their habitat. For example, facilities may include a manatee “refuge” space as part of the design, a conservation easement, restoration of adjacent wetlands such as mangrove or seagrass restoration to increase the net coverage of the nearby area, reduced nutrient input to receiving waters, requiring prop guards on any high traffic vessels such as water taxis or dive boats or rental boats, etc. The marina construction and subsequent uses will neither destroy nor negatively impact mangrove and benthic (seagrass, hard bottom, etc.) communities and the water quality.
 - 3) The facility must have sufficient water depth, as stated in B. 1. a. of this Policy, in the marina basin and in any access channel, and does not require any new dredging or filling that would degrade shallow water habitat (this may exclude maintenance dredging, or pile installation). Entrance/exit channels near marinas shall be adequately marked if marina repairs or expansion are proposed.
 - 4) The site shall contain appropriate signage (including vessel speed and manatee information signs), and provide educational material advising boaters of essential manatee habitats in the vicinity.
 - 5) Multi-family residential docking facilities will require that all vessels moored at the site be registered to individuals residing at the site.
 - 6) The marina has adequate water circulation, tidal flushing, and meets State of Florida and local water quality standards.
 - 7) Before expanding and exceeding the allowable powerboat slips defined above, an existing facility must demonstrate not less than 85% occupancy over the previous 2 years of operation. New facilities should be able to demonstrate the need for additional boat slips in the vicinity based on occupancy of existing marina slips within the boater’s sphere of influence. The boater’s sphere of influence shall be a five (5) mile radius.
6. Boat Ramps
In order to minimize adverse impacts to manatees, boat ramps are best located in areas with few natural resources, with relatively low manatee

abundance and relatively low watercraft-induced manatee mortalities, and with deep water access and marked navigation channels. Boat ramp siting or expansion in Brevard County shall be evaluated using the following criteria:

- a. All sites considered by Brevard County for new or expanded boat ramp facilities shall be evaluated for site suitability prior to acquisition and development.
- b. All proposed new boat ramps or the expansion of existing boat ramps in the unincorporated areas of Brevard County shall be brought before the Board of County Commissioners for their review.
- c. The siting of new or the expansion of existing boat ramp facilities shall be limited to areas that meet the Preliminary Assessment Criteria for water depth stated in section B. 1. a. of this Policy.
- d. The siting of new or the expansion of existing boat ramp facilities shall be prohibited in areas that meet or exceed the 2nd level of manatee abundance or the 2nd level of manatee mortality as shown in Table 1 above.
- e. The siting of new or expansion of existing boat ramp facilities shall be prohibited in areas with greater than 5% seagrass coverage including all ramps, docks, access walkways, finger piers, mooring areas, turning basins, and ingress and egress pathways.
- f. The siting of new or the expansion of existing boat ramp facilities shall be required to meet the criteria included in Policy 3.3 E of the Conservation Element and Section B. of this Policy with the exception of Seagrass (5.4 B. 2.), Manatee Related Best Management Practices (5.4 B. 3.), and Water Quality (5.4 B. 4.).
- g. All sites considered for the siting of new or the expansion of existing boat ramp facilities shall be evaluated for the number of habitat features present using the Boat Ramp Feature Assessment table below and using the manatee mortality and abundance criteria as defined under Manatee Habitat Features in the glossary.
- h. Boat Facility Siting Zone A is not considered preferable for additional boat ramp siting due to the high number of habitat features present. In Boat Facility Siting Zone A, a site that has less than 2 habitat features based on the criteria in the Boat Facility Feature Assessment may be considered for a new or expanded boat ramp with up to a maximum of 15 parking spaces.
- i. In Boat Facility Siting Zone B (Barge Canal), the establishment of a new public or private boat ramp for public use shall be the same requirements as for the development of a new or expanded marina as described in Boat Facility Siting Zone B (5.4 B. 5.). For the purposes of boat ramps, one boat-trailer parking space shall be considered the

equivalent of one powerboat slip. New or expanded boat ramps on the Barge Canal which are associated with a marina and which are to be used solely by the tenants of that marina for the launching of boats stored at that marina shall not be limited in the number of parking spaces.

- j. In Boat Facility Siting Zone C (Port Canaveral Harbor), the siting of new or expansion of existing boat ramps shall be unrestricted.

LIMITING HABITAT FEATURES	Criteria for Evaluation (each increases number of habitat features by 1, unless otherwise specified)
Manatee Abundance	1st level: 10 or more manatees observed/overflight within 5 mile radius (1 point) 2nd level: 25 or more manatees observed/overflight within 5 mile radius (2 points)
Manatee Mortality	1st level: # of watercraft mortalities within a 5 mile radius/total number of watercraft mortalities in Brevard (≥ 0.05 is significant) (1 point) 2nd level: # of watercraft-related deaths within a 5 mile radius in the last 5 years/total number of watercraft mortalities in Brevard in the last 5 years (> 0.10 is significant) (2 points)
Class II, OFW, or Aquatic Preserves	Site is located in one of these designated areas
Offsetting Features	Criteria for Evaluation (each decreases the number of habitat features by 1)
Speed Zones Within 3 miles of an inlet	Site is located within a year-round "Slow Speed" or "Idle Speed" Zone Site is located within 3 mile radius of Sebastian Inlet

Table 3
Boat Ramp Feature Assessment

- k. In Boat Facility Siting Zone D, a site with no more than 2 habitat features shall be considered suitable for siting of a new boat ramp or the expansion of an existing boat ramp. Sites with 0 or 1 habitat feature shall be eligible for a boat ramp with up to a maximum of 40 boat trailer parking spaces. Sites with 2 habitat features shall be eligible for a boat ramp with up to a maximum of 15 boat trailer parking spaces.
- l. Boat Ramp Variance Criteria: The ability to secure additional parking slots at public ramps could be reconsidered by the FWC if additional law enforcement, additional preservation, or impact reduction along the lagoon is demonstrated.
- m. The following specific sites are identified individually to address existing boat ramp deficiencies in Brevard County and are exempted from the boat ramp siting criteria above:

- 1) It is recommended that Brevard County's relocation of the Pineda Landing facility include 36 parking spaces.
 - 2) It is recommended that Brevard County provide 50 additional parking spaces by expanding existing public ramp facilities or by developing a new location in the south mainland area. The expansion of an existing facility or the siting of a new facility, as provided for above shall minimize impacts to manatees and natural resources and should be evaluated by the Boat Ramp Manatee Habitat Feature Assessment as defined above. It is recommended that the evaluation result in a score of no greater than two habitat features. The County will screen sites to select the most appropriate and coordinate with FWC staff on the site selection.
- C. Commercial/industrial and commercial/recreational marina development within commercial, heavy and light industrial and planned industrial park land use designations shall require a Conditional Use Permit. Residential/recreational marinas shall be a permitted use in these land use designations.
- D. Residential/recreational marinas may be considered within residential land use designations with a Conditional Use Permit and a Binding Development Plan.
- E. No fueling or repair facilities are permitted within residential zoning classifications.
- F. When locating new marinas or expanding existing marinas, biologically productive habitats shall be preserved to the fullest extent possible. Mitigation is the last resort for habitat destruction, and shall be of a two-to-one or greater ratio of in-kind replacement.
- G. Marina facilities shall be located where maximum physical advantage for flushing and circulation exists, where the least dredging and maintenance are required, and where marine and estuarine resources will not be significantly affected.
- H. Marina basins shall be sited where there is an existing basin and access channel with an average water depth of three (3) feet below mean low water, except at the shoreline.
- I. Marinas and docking facilities should be approved which require minimal or no dredging or filling to provide access by canal, channel or road.

Preference shall be given to marina sites with existing channels. In the event that dredging is required, the mooring areas and the navigation access channels shall not be dredged to depths greater than eight (8) feet. Any required dredging operations shall utilize appropriate construction techniques and materials to comply with state water quality standards, such as turbidity screens, hydraulic dredges, properly sized and isolated spoil deposition area to control spoil dewatering. All dredging activities must be done with effective turbidity controls. Where turbidity screens or similar devices are used, they should be secured and regularly monitored to avoid manatee entrapment.

- J. Marinas shall be located in areas with good flushing and circulation. New marina or substantially expanded facilities shall be designed to take advantage of existing water circulation and shall not adversely affect existing circulation patterns. Improvement of circulation shall be a consideration when expanding or upgrading existing facilities. However, any buffer zone established by the Florida Department of Environmental Protection Shellfish Environmental Assessment Section (FDEP-SEAS) shall be maintained.
- K. The proposed site shall be compatible with existing land use designations. Marinas shall demonstrate that they have sufficient upland areas to accommodate all needed support facilities. These standards include, but should not be limited to, adequate parking, work areas and retention areas for stormwater and work area runoff, and shoreline protection buffers.
- L. Marina facilities shall not degrade water quality below existing Florida Department of Environmental Protection water classification standards.
- M. Marinas shall not be located in approved or conditionally approved shellfish harvesting waters or Class II waters, or other environmental areas designated by the County so as to substantially and materially have a negative impact on these waters.
- N. Commercial/recreational and commercial/industrial marinas shall not be located in Aquatic Preserves, or Outstanding Florida Waters, or other environmental areas designated by the County so as to substantially and materially have a negative impact on these waters.
- O. Construction of multi-slip docking facilities and boat ramps shall be directed to locations where there is quick access to deep, open water at least eight (8) feet in depth (dredgeable), where the multi-slip docking

facilities take the place of several single-slip docks and allow public access to the water, and where the associated increase in boat traffic will be outside of known manatee aggregation areas, and where seagrass beds or other wetlands supporting manatee habitat will not be disturbed.

- P. All marina facilities shall comply with manatee protection measures established in Conservation Element Policy 9.9.

Policy 5.5

Brevard County shall require hurricane plans to be submitted to the Florida Division of Emergency Management in conjunction with marina site plans for review.

Policy 5.6

Marinas within the coastal zone shall be inspected annually by Brevard County and results of these inspections shall be coordinated with other agencies. Inspections shall be coordinated with existing programs and duplication with existing inspection programs shall be avoided. It is recommended that inspection of commercial marinas occur as part of the business license renewal procedure. Items to be inspected and reviewed may include the following.

Criteria:

- A. Pumpout facilities/marine sanitation devices, if required.
- B. Compliance with power/sailboat mix, if required.
- C. Spill prevention, control, containment and cleanup plans.
- D. Waste collection and disposal methods.
- E. Fire fighting equipment, if required.
- F. Monitoring of marina basin water quality for bacteriological levels to insure compliance with state and federal standards. Live-aboards at marinas shall be inspected to ensure that marine sanitation devices (MSDs) are present and operational. If a water monitoring program is required, water-dependent uses shall be assessed an annual fee adequate to fund a water quality monitoring program.

Policy 5.7

Brevard County shall investigate the utilization of tourist taxes or boating improvement funds to develop public boat launching facilities and related amenities.

Policy 5.8

Brevard County should consider the acquisition of property for boat ramps in their recreational purchasing program.

Policy 5.9

All new boat ramps should have parking areas constructed utilizing permeable pavement where appropriate and have the proper stormwater management system in place.

Policy 5.10

Brevard County shall review shore-line development within the coastal zone in order to maximize opportunities for water-dependent land uses. The following criteria, at a minimum, shall be utilized.

Criteria:

- A. Water-related uses shall be built on uplands.
- B. Development which is feasible only through creation of land by dredging and filling of areas below the mean high water line shall not be approved. Exceptions may be considered where overriding benefit to the natural resource can be demonstrated.
- C. Water-dependent commercial and industrial uses may be considered for siting adjacent to the Indian River Lagoon.
- D. Water-related commercial and industrial uses may be considered for siting only adjacent to Class III waters of the Indian River Lagoon.

Policy 5.11

The Brevard County Land Development Regulations shall include a provision for water-enhanced commercial development within the coastal zone. Such uses shall be permitted as Conditional Uses within the BU-1 zoning category.

Policy 5.12

Brevard County should develop and implement a water and sediment quality monitoring program for water-dependent users, man-made canals and other selected areas with significant upland runoff within the coastal zone.

Criteria:

- A. Brevard County shall establish a classification program for the various water dependent uses.
- B. Brevard County shall establish a water quality monitoring program for each of the designated classes of water dependent uses.

- C. Water-dependent uses shall be assessed an annual fee adequate to fund the required water quality monitoring program.
- D. The County shall require the activity to cease if adopted water quality standards are not maintained.
- E. Continued operation resulting in degradation of the water quality below accepted standards shall result in a fine, as established by Brevard County.
- F. Waiver provisions should be included for operations below an established threshold.
- G. This program shall be in coordination with the Florida Department of Environmental Protection and other appropriate agencies.

Policy 5.13

Brevard County shall support environmentally and economically sound development of Port Canaveral and related facilities, which is consistent with this Comprehensive Plan (Policy 5.4 of the Transportation Element).

Policy 5.14

Brevard County should continue to monitor boating activity and boat facility demand.

Policy 5.15

During rezoning and other development order approval reviews, Brevard County should give immediate shoreline use priorities (in descending order of priority) to:

Criteria:

- A. Water-dependent uses such as fish, shellfish and wildlife production, recreation, water dependent industry and utilities, marinas and navigation;
- B. Water-related uses such as certain utilities, commerce and industrial uses;
- C. Water-enhanced uses such as some recreation uses;
- D. Non-water dependent or related activities such as residential; and

- E. Of lowest priority are those uses which are non-water-dependent, non-water enhanced and which result in an irretrievable commitment of coastal resources.

Policy 5.16

Brevard County should encourage the construction of marine sanitation device (MSD) pumpout facilities.

Policy 5.17

Brevard County shall utilize available management plans in developing standards for marina siting and other water-dependent uses. These management plans include, but are not limited to, Aquatic Preserve Management Plans, the Surface Water Improvement Management (SWIM) Plan and the IRLCCMP.

Coastal High Hazard Areas

Objective 6

Limit future public expenditures for infrastructure and service facilities which subsidize growth within the coastal high hazard areas of Brevard County. Expenditures for public land acquisition or enhancement of natural resources shall be encouraged.

Policy 6.1

Brevard County shall designate coastal high hazard areas to be those areas below the elevation of the Category 1 storm surge elevation as established by a Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, as defined in Chapter 163, Florida Statute (see Maps 3a, 3b, and 3c).

Policy 6.2

Brevard County shall not support or finance new local transportation corridors which lie within the coastal high hazard area or areas zoned as Environmental Area, except where there are no other cost-feasible alternatives. Corresponding improvements may only be considered when the facilitation of such improvements is needed to support the densities programmed on the Future Land Use Map (FLUM) series of the Comprehensive Plan.

Policy 6.3

Brevard County should not locate sewer and water transmission lines within the coastal high hazard area, except where there is no practical and cost-feasible alternative due to engineering, safety and cost considerations, lack of alternative existing rights-of-way, or for septic to sewer conversion projects selected specifically to improve ground and surface water quality.

Policy 6.4

If County utility lines are relocated for any purpose, they should be located outside of the coastal high hazard area, except where there is no cost-feasible alternative.

Policy 6.5

Public facilities, except for recreational facilities, shall not be located by Brevard County within the coastal high hazard area, except where there are no other cost-feasible alternatives. Corresponding improvements may only be considered when the facilitation of such improvements is needed to support the densities programmed on the Future Land Use Map (FLUM) series of the Comprehensive Plan.

Policy 6.6

Brevard County shall continue to implement the Transfer of Development Rights program which has been established to transfer density from transfer districts within the coastal high hazard area to receiving districts outside of the coastal high hazard area.

Policy 6.7

Brevard County shall review federal and state development proposals which are to be located within the coastal high hazard areas, and shall support those projects which are consistent with this Plan.

Policy 6.8

The existence of sewer, water, roadways or other public infrastructure shall not be considered adequate rationale for an increase in zoning density or intensity within the coastal high hazard area.

Policy 6.9

Once public acquisition of recreation and/or conservation lands occurs within coastal high hazard areas, the Future Land Use Map shall be amended to designate the same as Recreation or Conservation lands. Such redesignation shall not serve as a basis for increasing established residential density designations in said coastal high hazard area.

Coastal Residential Densities

Objective 7

Limit densities within the coastal high hazard area and direct development outside of this area.

Policy 7.1

Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet.

Policy 7.2

Brevard County shall continue its program of land acquisition and management for recreation and preservation, contingent upon availability of funding.

Policy 7.3

Brevard County shall maintain the Brevard County Comprehensive Emergency Management Plan (BrevCEMP). This plan shall be consistent with this Comprehensive Plan, and shall be coordinated with the municipalities, the appropriate state and federal agencies, and be approved by the appropriate state agency(s).

Policy 7.4

Public facilities, such as hospitals, wastewater treatment plants or fire stations, shall not be located on causeways.

Hurricane Evacuation

Objective 8

Reduce excessive evacuation times where they currently exist, and maintain all other evacuation times within the acceptable standard. Acceptable evacuation standards will be reviewed and updated as necessary but shall not exceed the times indicated in the current Brevard County Comprehensive Emergency Management Plan

Policy 8.1

Brevard County shall maintain acceptable hurricane evacuation times based upon the following:

Criteria:

- A. The most current behavioral response scenario.
- B. The requirement to evacuate prior to sustained tropical storm force (40 mph) winds.

Policy 8.2

Brevard County shall coordinate with the municipalities and appropriate state agencies to develop Evacuation Zone Management Plans to reduce evacuation times above the current optimum behavioral response time. The following shall be considered, at a minimum:

Criteria:

- A. Roadway and other infrastructure improvements and funding mechanisms.
- B. Programs designed to improve the behavioral response to hurricane evacuation orders.
- C. Land use strategies.

Policy 8.3

Brevard County Emergency Management shall continue to coordinate with NASA to allow evacuation of North Merritt Island through Kennedy Space Center, if necessary.

Policy 8.4

Brevard County shall identify roadway and operational improvements to the hurricane evacuation network based upon the number of people who cannot be evacuated within an optimum evacuation time limit.

Criteria:

- A. Priority shall be given to improvements serving the zone with the highest number of people remaining after the current optimum evacuation time.
- B. The remaining improvements shall be given priority in descending order according to the number of people remaining after the optimum evacuation time.
- C. Brevard County, in cooperation with the Florida Department of Transportation, shall identify key hurricane evacuation routes that are vulnerable to flooding, erosion and critical points of congestion during the established evacuation time.
- D. Brevard County shall present recommended roadway, operational and maintenance improvements to the appropriate implementing and funding agencies.

Policy 8.5

In those areas where citizens cannot be evacuated within the evacuation standards in the Brevard County Emergency Management Plan adopted January 1, 2008, development orders may be deferred until such time as adequate evacuation capacity has been programmed.

Policy 8.6

Brevard County shall consider hurricane evacuation times, as well as other factors, in determining the timing and priority of roadway improvements which are programmed by the Board of County Commissioners.

Policy 8.7

Brevard County shall cooperate with the Red Cross and other agencies to develop an on-going public education program to notify the public as to the necessity to evacuate as quickly as possible in order to reduce or eliminate evacuation times in excess of the optimum behavioral response time.

Policy 8.8

Brevard County's Comprehensive Emergency Management Plan (BrevCEMP) shall be consistent with the state comprehensive emergency management plans.

Policy 8.9

Based upon hurricane vulnerability concerns and excessive evacuation times, new mobile home development or recreational vehicle parks shall not be permitted on the barrier island, to the extent permitted by law. Expansions to an existing mobile home development may be permitted if such development results in a decrease in land use intensity and an overall reduction in programmed residential densities and is consistent with the character of the surrounding area.

Policy 8.10

Brevard County shall require a hurricane management plan which reduces excessive hurricane evacuation time for existing recreational vehicle park development within the south beaches.

Policy 8.11

Brevard County shall encourage the State of Florida to identify a dedicated funding source for the improvement of primary hurricane evacuation routes, such as US 192, SR 528, SR 520 and Interstate 95. The funding source should be in addition to state and federal funds already received by Brevard County for urban area roadway improvements.

Hurricane Shelters

Objective 9

Provide adequate, safe hurricane shelter space to meet the needs of the at risk and special needs population ("shelter space" shall be considered to include both private and public shelters).

Policy 9.1

Brevard County shall continue to cooperate with the Red Cross and State Emergency Management to provide an emergency shelter manager training course and encourage interested citizens of Brevard County to become shelter managers.

Policy 9.2

Brevard County Office of Emergency Management shall continue to cooperate with the Red Cross to develop a public education program on hurricane preparedness, including the locations of hurricane evacuation shelters and the need for emergency shelter managers.

Policy 9.3

Brevard County shall cooperate with the Red Cross in designating appropriate public and private structures as hurricane shelters.

Policy 9.4

Brevard County shall utilize the Housing and Human Services Department to provide appropriate facilities and adequate staffing for the special needs shelters.

Policy 9.5

Brevard County shall support the School Board in their efforts to utilize enhanced hurricane shelter protection standards for all reconstruction and new development in accordance with FS 235.26.

Policy 9.6

Public buildings within Brevard County should be reviewed to determine if qualified to be utilized as hurricane sheltering. Beginning in the year 2000, all newly constructed public buildings shall meet the criteria established for enhanced shelter protection in the State Requirements for Educational Facilities (SREF).

Policy 9.7

Brevard County shall study the feasibility of increasing residential construction standards to reduce hurricane shelter deficits and ensure the delivery of safe housing for citizens of Brevard County.

Policy 9.8

Brevard County shall develop a hazard mitigation strategy in its land development regulations which prohibits the development of new recreational, mobile or manufactured housing and the expansion of existing recreational, mobile or manufactured housing unless the developer/owner has provided emergency sheltering sufficient to house a minimum of 50% of the residents of that development.

Policy 9.9

Brevard County will encourage all existing recreational, mobile or manufactured housing communities to have emergency shelters and a hurricane management plan that will result in faster evacuation times for their residents.

Post-Disaster Redevelopment

Objective 10

Expedite post-disaster recovery and reduce or eliminate the future risk to human life, and public and private property from natural hazards via recovery and re-development strategies adopted in the BrevCEMP.

Policy 10.1

Brevard County shall review all non-emergency and long-term redevelopment proposals utilizing the following:

Criteria:

- A. If utility lines, including but not limited to sewer, water, gas, electric and cable TV, must be relocated after a storm event, they should be permanently located landward (west) of the 1986 FDEP Coastal Construction Control Line and underground, except for feed lines servicing individual parcels. Repair of these lines on a temporary basis to protect health and safety shall be permitted in their existing locations.
- B. Underground storage tanks which are located seaward of the Brevard County Coastal Setback Line (CSL) shall be relocated landward (west) of the 1986 FDEP Coastal Construction Control Line.
- C. Water-dependent commercial uses seaward of the 1981 FDEP Coastal Construction Control Line which are damaged by more than 50% of their assessed value or fair market value as determined by an MAI appraisal supplied by the property owner may be reconstructed seaward (east) of the 1981 FDEP CCCL consistent with the coastal zone construction requirements.

- D. Water-related commercial uses seaward (east) of the 1981 FDEP Coastal Construction Control Line which are damaged by more than 50% of their assessed value or fair market value as determined by an MAI appraisal supplied by the property owner should be relocated landward (west) of the 1981 FDEP CCCL unless the project has no feasible alternative and is found to be in the public interest.
- E. Water-enhanced commercial uses seaward (east) of the 1981 FDEP Coastal Construction Control Line which are damaged by more than 50% of their assessed value or fair market value as determined by an MAI appraisal supplied by the property owner should be relocated landward (west) of the 1981 FDEP CCCL.
- F. If non-habitable minor structures which are damaged by more than fifty (50) percent of their assessed value or fair market value as determined by an MAI appraisal supplied by the property owner are reconstructed, they shall be relocated and constructed in compliance with coastal zone construction requirements.
- G. Brevard County should develop a program for the possible relocation of residential housing, if required after a natural disaster.

Policy 10.2

The replacement of infrastructure shall be constructed in conjunction with existing development or as part of an integral network of infrastructure.

Policy 10.3

Brevard County should analyze those public structures within the coastal zone which are most likely to be damaged or destroyed during a hurricane. The analysis shall be coordinated by the Planning and Development Department and shall consider the following, at a minimum:

Criteria:

- A. The cost effectiveness of relocation versus repair shall be analyzed.
- B. Alternatives shall be considered in the light of mitigative impacts, growth management consistency, impacts to the public, timeliness, legal issues, environmental impacts and cost.
- C. The following alternatives, at a minimum, shall be analyzed:
 - 1. Repair of the structure to the pre-disaster conditions.
 - 2. Repair of the structure to the pre-disaster conditions with physical protective structures, as may be legally permissible, such as

- seawalls or revetments when consistent with policy 5 of this element.
3. Vertical relocation of the structure, e.g. elevating roadways with bridges.
 4. Relocation further inland.
- D. Reconstruction or relocation of SR A1A and other roadway segments within the coastal high hazard area shall be included within this study.
- E. Analysis of County service center and other facilities shall be in conjunction with the County's Space/Needs Assessment.
- F. Those structures within the high risk vulnerability zone to be included are the Central Brevard Service Complex, District II Commission Office, District II Road and Bridge, County Sign Shop, public libraries and County fire stations.
- G. The study shall be consistent with the East Central Florida Regional Planning Council studies. The hurricane scenarios and loss estimates shall be consistent with the Hurricane Loss Study and shall be coordinated with other appropriate agencies.
- H. The impact of sea level rise and the projected 30-year erosion line shall also be analyzed.

Policy 10.4

In the event of a disaster, all infrastructure and other County owned improvements, which were not included within the above outlined study, shall be analyzed to determine the cost effectiveness of relocation versus repair.

Policy 10.5

The Brevard County shall provide copies of building permits which have been issued for storm damage repair to the County Hazard Mitigation Team for their evaluation for identification of areas susceptible to repeated damage by hurricane erosion and flooding.

Policy 10.6

Brevard County shall continue to conduct disaster related exercises at regular intervals, as determined by the Emergency Management Office, or in conjunction with the East Central Florida Regional Planning Council, Local Emergency Planning Committee and other state or federal agencies.

Policy 10.7

As identified in the BrevCEMP, Emergency Support Function 18 (ESF 18) shall be the primary lead to conduct a post-disaster evaluation to assess property damages necessary for disaster relief and post-disaster redevelopment funds. The ESF 18 should have available a listing of property values coordinated with land use maps to facilitate such property assessment procedures. County staff, such as the Planning and Development Department, will be utilized as manpower.

Policy 10.8

The BrevCEMP shall be coordinated with other local, regional and state entities. As additional interagency hazard mitigation reports are received, they shall be reviewed and incorporated into the BrevCEMP.

Policy 10.9

Brevard County should require that when utility lines, including, but not limited to sewer, water, gas, electric and TV cable, are relocated for any purpose, they shall be placed underground.

Coastal Access

Objective 11

Provide adequate public access to the beach, estuarine and river shorelines consistent with public needs and the shoreline's natural resource requirements.

Policy 11.1

Brevard County shall acquire new beach access sites, improve existing sites or provide alternative access to non-designated beach access points. The following minimum criteria shall apply:

Criteria:

- A. Acquisition and site improvements of those areas of the beach identified as most deficient for beach access shall be given the highest priority. Efforts shall be undertaken to provide public access to all of Brevard County's beaches consistent with the FDEP's criteria for state cost-share funding for beach management.
- B. Site improvements, parking facilities and drainage shall be secondary to improvements to the naturally functioning dune system.
- C. Access shall be consistent with the standards included in the Recreation and Open Space Element of this Plan.

- D. Priority shall be given to those sites which are heavily utilized for beach recreation.
- E. Brevard County shall make efforts to balance the demand for beach access with the protection of the beach and dune habitat and species.

Policy 11.2

Brevard County shall complete the Beach and Riverfront Acquisition Program, contingent upon availability of funding, with priority being given to the acquisition of land to fulfill the Identified Needs, as adopted by the Brevard County Board of County Commissioners.

Policy 11.3

Brevard County shall prioritize future improvements to those oceanfront properties, contingent upon availability of funding, which have been purchased and are identified for additional beach access development.

Policy 11.4

Brevard County shall continue to coordinate with all beachfront municipalities the continued development and implementation of the Brevard County Beach Management Program. The Beach Erosion Advisory Committee, established by Chapter 70-603, Laws of Florida, should continue to function as a mechanism to communicate with the beachfront municipalities on beach-related issues and as the primary technical advisory committee to the Board of County Commissioners on the beach program.

Policy 11.5

Brevard County shall continue to pursue funds for dune revegetation to be used when constructing dune crossovers as replacements for unimproved dune access.

Policy 11.6

Brevard County shall coordinate with the Florida Department of Transportation in providing waterfront access on causeways and bridges.

Policy 11.7

Brevard County shall require private property owners to allow public use of beaches which are renourished with public funds. Access can be accomplished through publicly owned access points or improved dune crossovers located on easements.

Policy 11.8

Brevard County shall review beachfront development to ensure that it does not interfere with public access in those instances where the public has established ocean

access-ways through private lands by prescription, prescriptive easement or other legal means. The developer may improve, consolidate, or relocate such public access provided it is consistent with this Plan.

Policy 11.9

Brevard County shall investigate the feasibility of acquiring narrow strips of land along the Indian River Lagoon, where such areas could provide visual access or provide parking for passive recreation within the Lagoon.

Port Canaveral

Objective 12

Brevard County will continue to identify provisions of the Port Master Plan which it considers inconsistent with the Coastal Management Element of the County Comprehensive Plan and will continue to offer to coordinate with Port Canaveral in resolving any inconsistencies. Brevard County shall continue to request copies of proposed plan amendments submitted for transmittal to the Department of Economic Opportunity and shall continue to review and comment on such amendments to the Port Master Plan consistent with the County's procedure for reviewing plans of other jurisdictions and Chapter 163.3177 (6) (g).

Policy 12.1

Brevard County shall continue to cooperate with the Port Canaveral Authority and the Florida Inland Navigation District in the identification of suitable spoil disposal sites within unincorporated Brevard County.

Recreational and Commercial Working Waterfronts

In 2005 and 2006, the Legislature recognized that there is an important state interest in facilitating boating and other recreational access to the state's navigable waters. This access is vital to recreational users and the marine industry in the state, to maintaining or enhancing the \$57 billion economic impact of tourism and the \$14 billion economic impact of boating in the state annually, and to ensuring continued access to all residents and visitors to the navigable waters of the state. The Legislature recognizes that there is an important state interest in maintaining viable water-dependent support facilities, such as public lodging establishments, boat hauling and repairing and commercial fishing facilities, and in maintaining the availability of public access to the navigable waters of the state. The Legislature further recognizes that the waterways of the state are important for engaging in commerce and the transportation of goods and people upon such waterways and that such commerce and transportation is not feasible

unless there is access to and from the navigable waters of the state through recreational and commercial working waterfronts.

The purpose of the Brevard County Working Waterfront Objective is to implement the relevant and mandated provisions of Chapter 2005-157, and Chapter 2006-220 of the Laws of Florida. The Legislature requires that local governments, through their comprehensive plans, address development activities that diminish access to the state's navigable waters. The recreation and open space element of all local comprehensive plans now must include waterways. (F.S. § 163.3177(6)(e)) In addition, all coastal counties and municipalities in Florida now have a legislatively-mandated duty to include, in the coastal management element of their Comprehensive Plan, strategies that will be used to preserve recreational and working waterfronts. (F. S. § 163.3178(2)(g)) Further, coastal counties must amend the future land use element of their comprehensive plan to create "regulatory incentives and criteria" that encourage the preservation of recreational and commercial working waterfronts. More specifically, the purpose is to protect and promote Brevard County as a recreational and commercial working waterfront community; protect and improve public access to the shorelines and waters of Brevard County; preserve and protect the cultural heritage and physical character of the area as a working waterfront community; and enhance the aesthetic character of the area by directing development in a manner that maintains the working waterfront identity of the County.

Objective 13

To establish a comprehensive program to promote and protect public access to the marine and coastal waters of the County, and to ensure the economic viability of recreational and commercial working waterfronts.

Policy 13.1

The County shall identify, inventory and characterize all existing publicly-accessible recreational and commercial working waterfronts in Brevard County on a parcel-by-parcel basis, including but not limited to parking facilities for beach and shoreline access, coastal roads, facilities providing scenic overlooks, public lodging establishments, docks, wharfs, lifts, wet and dry marinas, boat ramps, boat hauling and repair facilities, commercial fishing facilities, boat construction facilities, and other support structures over the water and shall continue to maintain this inventory.

Policy 13.2

The County shall identify, inventory and characterize all private facilities that would otherwise qualify as recreational or commercial working waterfronts because they provide access to the marine and coastal waters of the County and shall continue to maintain this inventory.

Policy 13.3

The County should identify, inventory and characterize all parcels suitable for future development as publicly-accessible recreational and commercial working waterfronts in Brevard County. Suitable for future development includes vacant parcels and developed parcels not currently being used for water dependent activities which, because of their proximity, biophysical nature or other factors, could become recreational and commercial working waterfronts through a change in land use.

Policy 13.4

The County should identify, inventory and characterize existing right-of-ways, easements and other public property interests adjacent to or capable of providing public access or enhancing public access to the shorelines and waters of Brevard County.

Policy 13.5

The County should assess the future demand for public water access to the shorelines and waters of Brevard and shall establish activity-based levels of service standards for public water access.

Policy 13.6

The Brevard Marine Advisory Council shall continue to review and make recommendations to the Board concerning recreational and commercial working waterfronts in Brevard County.

Policy 13.7

The County shall continue to develop strategies to ensure continued public access to navigable waters through the identification and implementation of regulatory incentives and criteria.

Policy 13.8

The County shall prioritize recreational and commercial working waterfronts in existing or new land acquisition programs to purchase suitable parcels or the non-water dependent development rights to suitable parcels as determined by the inventory created under the Coastal Management Element of the comprehensive plan. Current funding strategies can include tourist taxes, or boating improvement funds to develop public launching facilities and related amenities.

Criteria:

- A. Funding may come from fees, bonds, community redevelopment district financing, or other sources as approved by Board, and may be supplemented through revenue sharing with appropriate state and federal programs.

- B. The County's share of revenue collected from boating registration fees shall be spent on boating infrastructure projects pursuant to Chapter 328.72(15), F.S.

Policy 13.9

The County shall not vacate, diminish, or otherwise impair publicly-owned pathways, sidewalks, roads, parking areas, docks or boat launching facilities, and other access points that are currently used, or susceptible to use, by the public to access the shorelines unless specific findings are made demonstrating that the action is necessary and suitable mitigation measures are or will be in place and only after a public hearing and decision by a super majority of the Board of Commissioners. (currently in Board Policy)

Policy 13.10

The County shall continue to inventory the waters of Brevard County to determine appropriate sites for one or more managed anchorages and/or mooring fields that shall be available to the boating public on a first come, first served basis. If one or more suitable sites are found, the County may establish a publically accessible-managed anchorage and mooring field(s), taking into account environmental protection requirements and the concerns of shore side residents.

Policy 13.11

The County should develop incentives for encouraging private waterfront property owners to make their properties available for public use for purposes that are consistent with the uses permitted in recreational and commercial working waterfronts.

Coastal Development and Redevelopment

Objective 14

Create procedures to allow consideration of the changing dynamics of flooding, sea level rise, and storm surge in growth management decisions within the unincorporated areas of Brevard County over short, mid, and long-term planning horizons.

Policy 14.1

The County should utilize a range of sea level rise projections as recommended in the adopted East Central Florida Regional Resilience Action Plan (RRAP), as amended, for planning purposes based upon vulnerability, risk, project service life of a facility or growth management.

Policy 14.2

The County should consider designating Adaptation Action Areas (AAAs), as allowed by Florida Statute, as a mechanism to prioritize resilient planning, infrastructure investments, and strategies to address current and future flood impacts in areas identified as vulnerable to coastal flooding, storm surge, and sea level rise.

Policy 14.3

Using best available data, the County should consider identifying areas vulnerable to current and future flooding impacts which may benefit from nature-based design standards and/or Low Impact Development projects that reduce run-off; mitigate flood impacts; provide for the on-site absorption, capture, and reuse of stormwater; and preserve and restore natural drainage characteristics.

Policy 14.4

The County should consider the results of the Vulnerability Analysis when planning for development, redevelopment, and improvements to critical facilities and infrastructure.

Policy 14.5

The County should consider initiatives within the Brevard County Emergency Operations Local Mitigation Strategy (LMS) and ECFRPC RRAP that focus on solutions for flood impacts; and develop methodologies for prioritizing public project expenditures based on a cost-benefit analysis, feasibility, and short- versus long-term benefits.

Policy 14.6

The County must develop mechanisms to evaluate and recommend new design and development standards for public and private infrastructure projects that consider future climate conditions, and amend Land Development Regulations to reduce obstacles that hinder nature-based design standards and/or Low Impact Development unless it can be clearly demonstrated that:

- a. Strict application will be contrary to the public interest;
- b. The public values being protected are insignificant and strict application will result in an excessive hardship to the project;
- c. Strict application will place an excessive hardship on the project, and an alternative action is available which is equal to or superior than the original requirements in reaching the policy's objective, or
- d. The activity is not financially feasible for the local government.

Policy 14.7

The County should identify development and redevelopment performance standards designed to minimize or withstand permanent and/or temporary inundation

from flooding, sea level rise, and storm surge. These standards may include increased freeboard elevations, the consideration of future tailwater elevations for stormwater infrastructure, and/or multi-use temporary flood storage areas.

Policy 14.8

The County should continually identify strategies and engineering solutions that minimize the loss of flood storage capacity in all floodplains and areas vulnerable to natural hazards such as flooding, storm surge, and sea level rise, and consider incorporating them into the Land Development Regulations.

Policy 14.9

Based on the 2021 Resilient Brevard Community Survey, completed by the ECFRPC, the County must encourage nature-based design standards and/or Low Impact Development design for development and redevelopment within areas vulnerable to current and future flooding impacts unless it can be clearly demonstrated that:

- a. Strict application will be contrary to the public interest;
- b. The public values being protected are insignificant and strict application will result in an excessive hardship to the project;
- c. Strict application will place an excessive hardship on the project, and an alternative action is available which is equal to or superior than the original requirements in reaching the policy's objective, or
- d. The activity is not financially feasible for the local government.

Such adaptation strategies may include:

- a. Multi-use stormwater parks,
- b. Bioswales as stormwater management techniques,
- c. Green streets,
- d. Reduced impervious areas,
- e. Florida-friendly landscaping/xeriscaping, and
- f. Ecological asset preservation (e.g., tree canopy, natural areas, mangroves, wetlands, dunes, aquifer recharge areas).

Policy 14.10

The County should educate the community about flood mitigation principles, strategies, and engineering solutions that can be implemented to protect property and reduce insurance losses.

Policy 14.11

The County should pursue private and public funding sources for the implementation of flood resiliency strategies – including, but not limited to, avoidance, protection, accommodation, strategic relocation - within areas identified as vulnerable to current and future flooding impacts. As funding opportunities arise, the County should consider removing real property structures from coastal FEMA flood zones through acquisition of repetitive loss properties, for use as green space or stormwater management.

Policy 14.12

The County should continue to implement policies within the Comprehensive Plan, including but not limited to the Conservation Element, to ensure avoidance and minimization of impacts to natural coastal ecosystems, including wetlands, floodplains, aquifer recharge areas, and dunes.

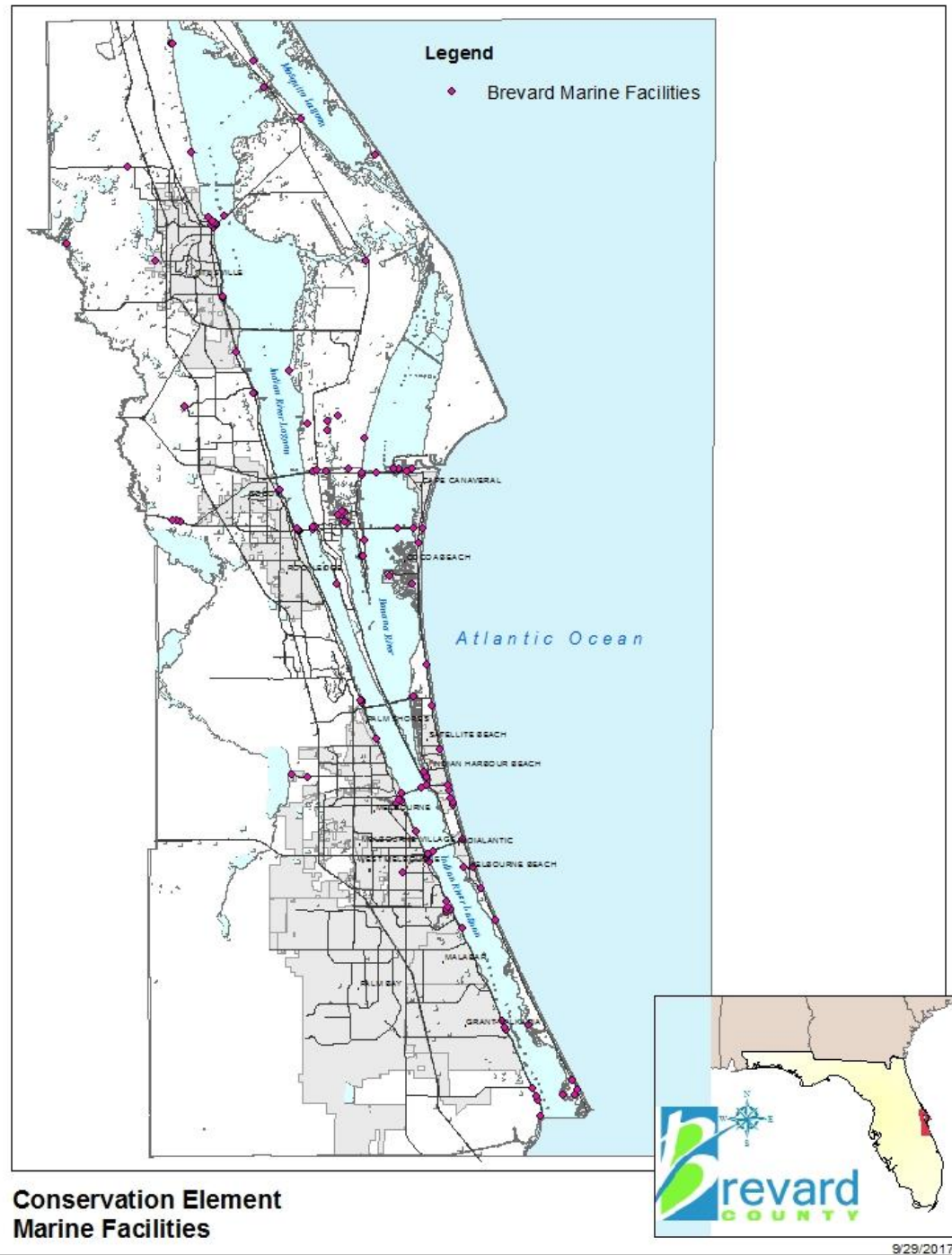
Policy 14.13

The County should continue to analyze best available data to maintain or update relevant and current coastal hazard vulnerability projections and update maps, as applicable. The County should continue to identify and understand the risks, vulnerabilities, and opportunities for strategies within short, mid, and long-term planning horizons as established in the RRAP Formal Recommendation, as amended.

APPENDIX A

LIST OF MAPS

Map	Title
1	Marine Facilities
2	Evacuation Routes
3a, 3b, 3c	Coastal High Hazard Areas



**Map 1
Marine Facilities**

Map 1 Legend
(Webpage Note: Reverse Side of Map – Enlarged for Display Online)

MAP REF #	STREET	CITY	WATERBODY
1	2000 Jones Av.	Mims	Indian River
2	801 Marina Road	Titusville	Indian River
3	451 Marina Road	Titusville	Indian River
4	419 N. Washington Ave.	Titusville	Indian River
5	41 N. Broad Street	Titusville	Indian River
6	S. Washington Ave. North of SR 50	Titusville	Indian River
7	4749 S. Washington Ave.	Titusville	Indian River
8	River Moorings Drive	N. Merritt Island	Indian River
9	1300 E. Hall Rd.	Merritt Island	Banana River
10	505 Glen Cheek Dr.	Port Canaveral	Port Canaveral
11	520 Glen Cheek Drive	Port Canaveral	Port Canaveral
12	628 Glen Cheek Drive	Port Canaveral	Port Canaveral
13	960 Mullet Road	Port Canaveral	Port Canaveral
14	350 SeaRay Dr.	Merritt Island	Barge Canal
15	2700 Harbortown Drive	Merritt Island	Barge Canal
16	800 Scallop Dr.	Port Canaveral	Port Canaveral
17	910 Mullet Road	Port Canaveral	Port Canaveral
18	290 Marine Harbor Drive	Merritt Island	Barge Canal
19	2750 Tingley Drive	Merritt Island	Barge Canal
20	6701 N. Atlantic Ave.	Cape Canaveral	Banana River
21	6815 N. Atlantic Ave.	Cape Canaveral	Banana River
22	Winar Drive	Merritt Island	Sykes Creek
23	20 Myrtice Ave.	Merritt Island	Indian River
24	14 Myrtice Ave.	Merritt Island	Indian River
25	P.O. Box 1886	Cocoa	Indian River
26	12 Marina Isles Blvd.	Indian Harbor Beach	Banana River
27	96 Willard St. Unit 101	Cocoa	Indian River
28	410 E. Cocoa Beach Cswy.	Cocoa Beach	Banana River
29	1872 E. 520 Cswy.	Merritt Island	Banana River
30	1872 E. 520 Cswy.	Merritt Island	Banana River
31	96 Willard St. Unit 101	Cocoa	Indian River
32	480 Cocoa Beach Cswy.	Cocoa Beach	Banana River
33	100-104 Riverside Dr.	Rockledge	Indian River
34	582 S. Banana River Dr	Merritt Island	Banana River

COASTAL MANAGEMENT ELEMENT

September 2024

X - 44

R-134

35	1025 Riveredge Drive	Rockledge	Indian River
36	200 S. Banana River Drive	Merritt Island	Banana River
37	1360 S. Banana River Dr.	Merritt Island	Banana River
38	1825 Minuteman Cswy.	Cocoa Beach	Banana River
39	1611 Minuteman Cswy.	Cocoa Beach	Banana River
40	1525 Minuteman Cswy.	Cocoa Beach	Banana River
41	2705 S. Tropical Trail	Merritt Island	Indian River
42	760 S. Brevard Ave.	Cocoa Beach	Banana River
43	2290 S. Hwy A1A	Cocoa Beach	Banana River
44	3360 S. Atlantic Ave.	Cocoa Beach	Banana River
45	5695 U.S. Highway 1	Viera	Indian River
46	199 Utopia Circle	Merritt Island	Indian River
47	1629 Atlas Ave.	PAFB	Banana River
48	Tequesta Harbor	Merritt Island	Indian River
49	6155 N. U.S. Hwy 1	Melbourne	Indian River
50	6175 N. Harbor City Blvd.	Melbourne	Indian River
51	5435 N. U.S. Highway 1	Melbourne	Indian River
52	4399 N. Harbor City Blvd.	Melbourne	Indian River
53	876 Marina Road	PAFB	Banana River
54	10 Palmer Road	Indian Harbor Beach	Banana River
55	1399 Banana River Drive	Indian Harbor Beach	Banana River
56	100 Datura Drive	Indian Harbor Beach	Banana River
57	96 E. Eau Gallie Cswy.	Melbourne	Indian River
58	587 Young Street	Melbourne	Eau Gallie River
59	1135 U.S. Highway 1	Melbourne	Eau Gallie River
60	911 N. Harbor City Blvd.	Melbourne	Eau Gallie River
61	729 N. Harbor City Blvd.	Melbourne	Indian River
62	705 S. Harbor City Blvd.	Melbourne	Indian River
63	2210 S. Front Street.	Melbourne	Crane Creek
64	1202 E. River Drive	Melbourne	Crane Creek
65	1208 E. River Drive	Melbourne	Crane Creek
66	1308 E. River Drive	Melbourne	Crane Creek
67	Riverside Drive	Melbourne Beach	Indian River
68	160 Versailles Drive	South Beaches	Indian River
69	Landings Road off A1A	South Beaches	Indian River
70	Solway Drive off A1A	South Beaches	Indian River
71	Ocean Way off A1A	South Beaches	Indian River
72	4220 Dixie Hwy NE	Palm Bay	Turkey Creek

COASTAL MANAGEMENT ELEMENT

September 2024

X - 45

R-135

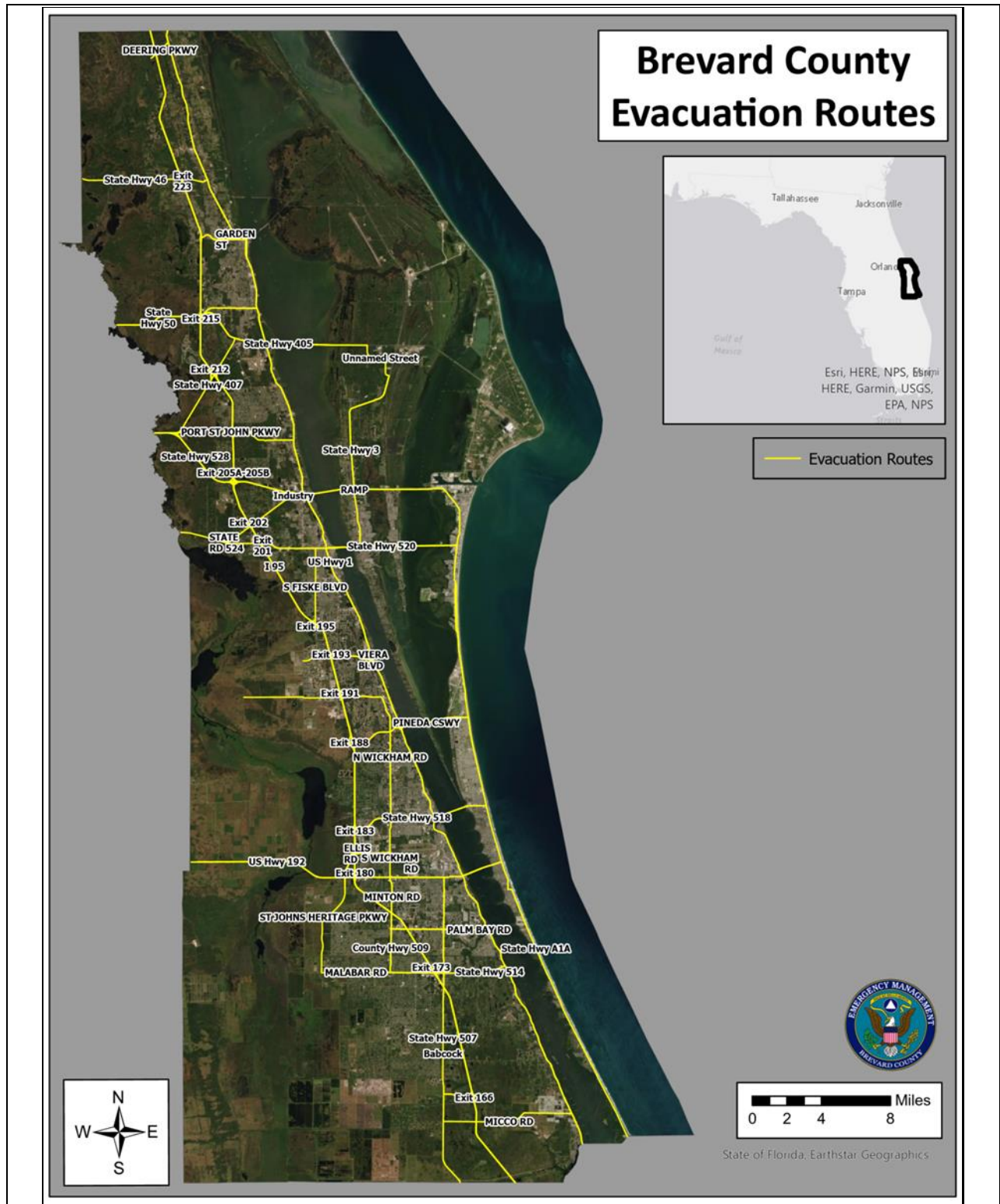
73	4350 Dixie Hwy NE	Palm Bay	Indian River
74	5001 Dixie Hwy NE	Palm Bay	Indian River
75	3800 U.S. Highway 1	Valkaria	Indian River
76	750 Mullet Creek Rd.	South Beaches	Indian River
77	240 Hammock Shore Dr.	South Beaches	Mullet Creek
78	4660 U.S. Highway 1	Grant	Indian River
79	5185 U.S. Highway 1	Grant	Indian River
80	6075 U.S. Highway 1	Grant	Indian River
81	8525 U.S. Highway 1	Micco	Indian River
82	9502 S. A1A	South Beaches	Indian River
83	8685 N. U.S. Highway 1	Micco	Indian River
84	4015 Main Street	Micco	Sebastian River
85	6485 S. U.S. Highway 1	Rockledge	Indian River
86	6533 S. U.S. Highway 1	Melbourne	Indian River
87	4263 N. U.S. Highway 1	Melbourne	Indian River
88	2459 Pineapple Ave.	Melbourne	Indian River
89	1477 Pineapple Ave.	Melbourne	Indian River

COASTAL MANAGEMENT ELEMENT

September 2024

X - 46

R-136



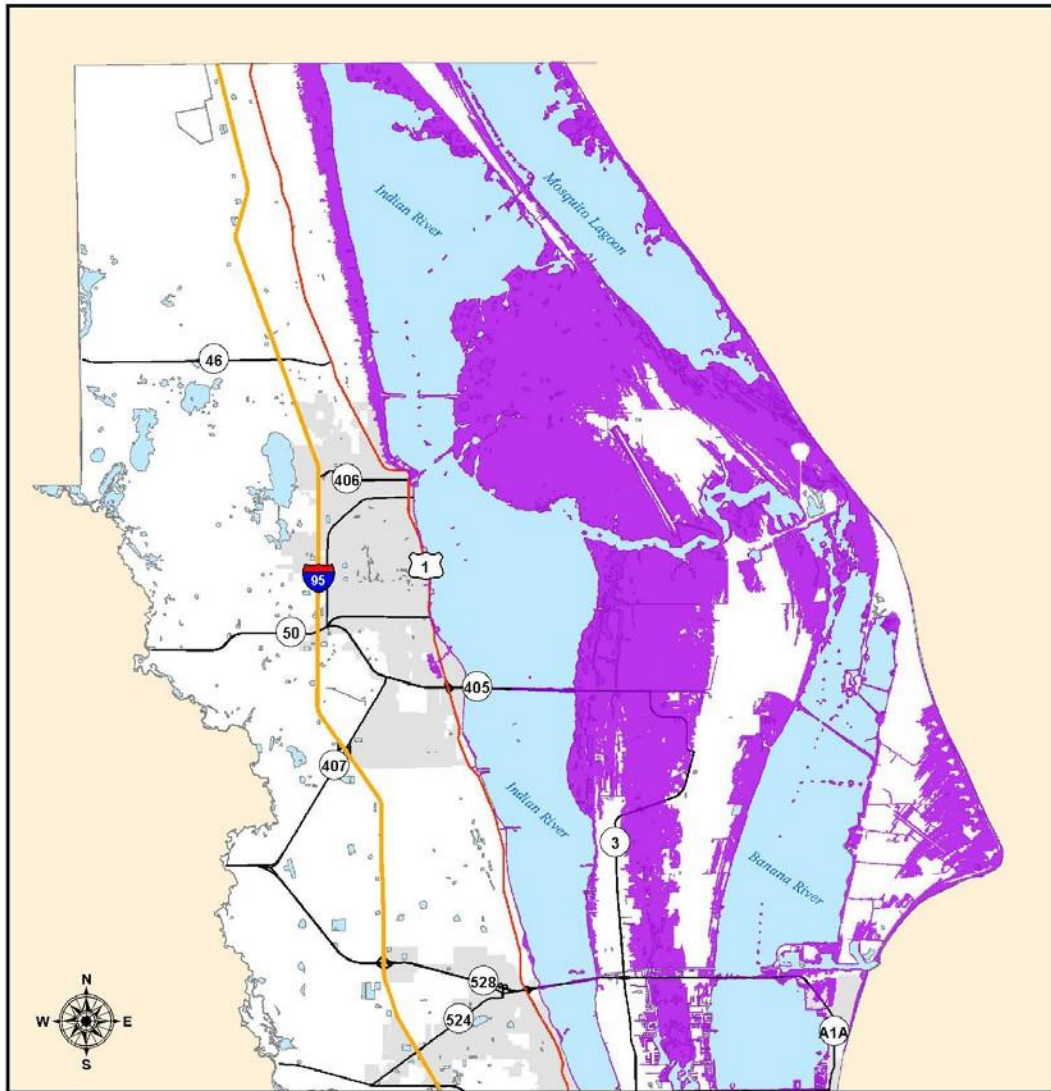
**Map 2
Evacuation Routes**

COASTAL MANAGEMENT ELEMENT

September 2024

X - 47

Brevard Coastal High Hazard Area Map



Category 1

Coastal High Hazard Area

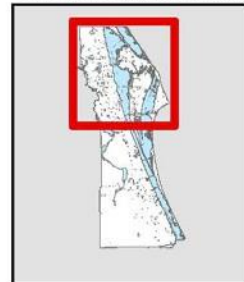
Source: East Central Florida Regional Planning Council
Regional Evacuation Study Program - Storm Tide Atlas



Map generated by best available data on 4/29/2022. Map subject to change, please contact Brevard County for map confirmation.

Disclaimer: This map displays general County information and was created from best data available. It is not suitable for site-specific uses. The Brevard County Board of Commissioners expressly disclaims all responsibility for errors or omissions thereof.

North Brevard CHHA Region Display



Map 3a
Coastal High Hazard Area (north Brevard region)

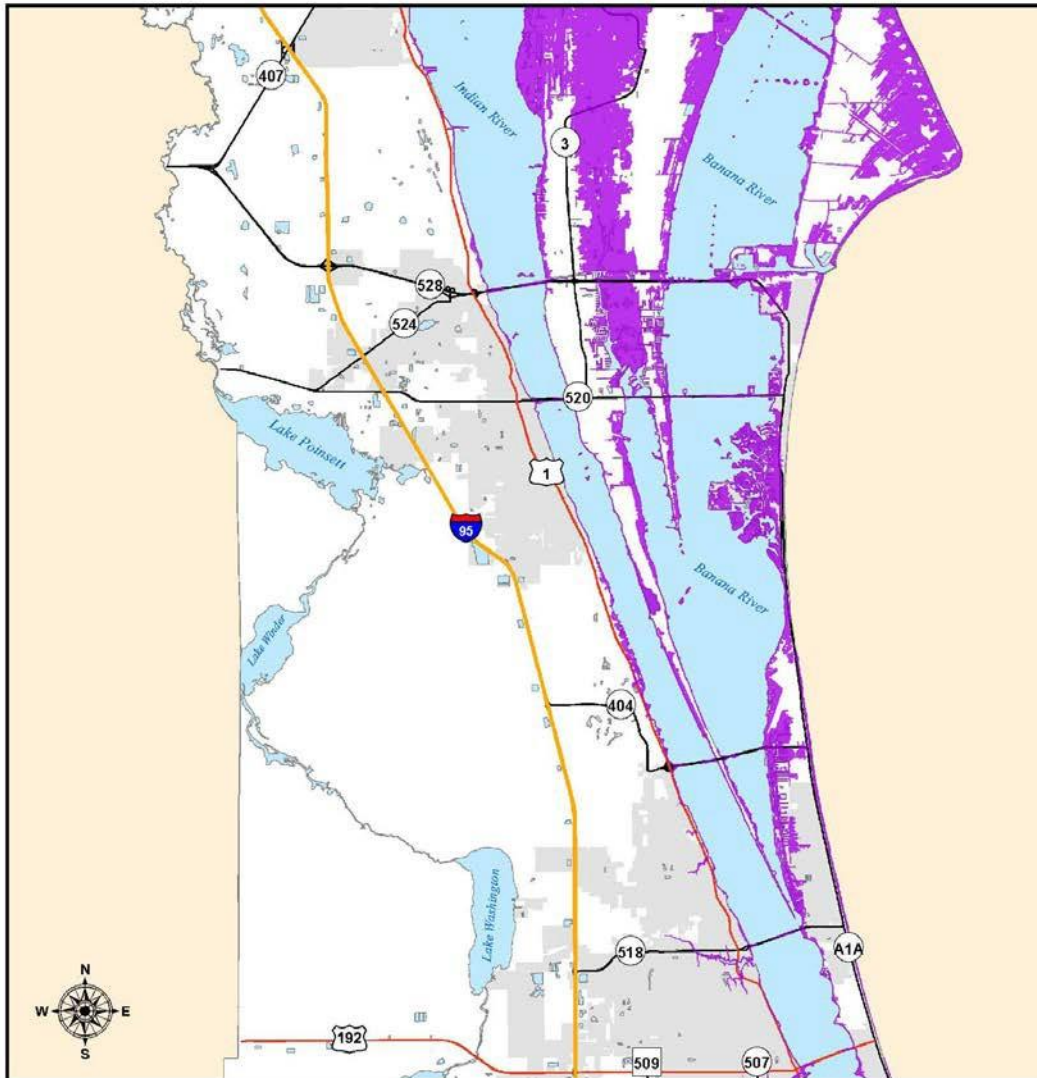
COASTAL MANAGEMENT ELEMENT

September 2024

X - 48

R-138

Brevard Coastal High Hazard Area Map



Category 1

 Coastal High Hazard Area

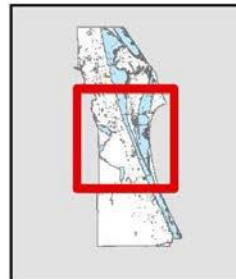
Source: East Central Florida Regional Planning Council
Regional Evacuation Study Program - Storm Tide Atlas



Map generated by best available data on 4/29/2022. Map subject to change, please contact Brevard County for map confirmation.

Disclaimer: This map displays general County Information and was created from best data available. It is not suitable for site-specific uses. The Brevard County Board of Commissioners expressly disclaims all responsibility for errors or omissions thereof.

Central Brevard CHHA Region Display



Map 3b
Coastal High Hazard Areas (central Brevard region)

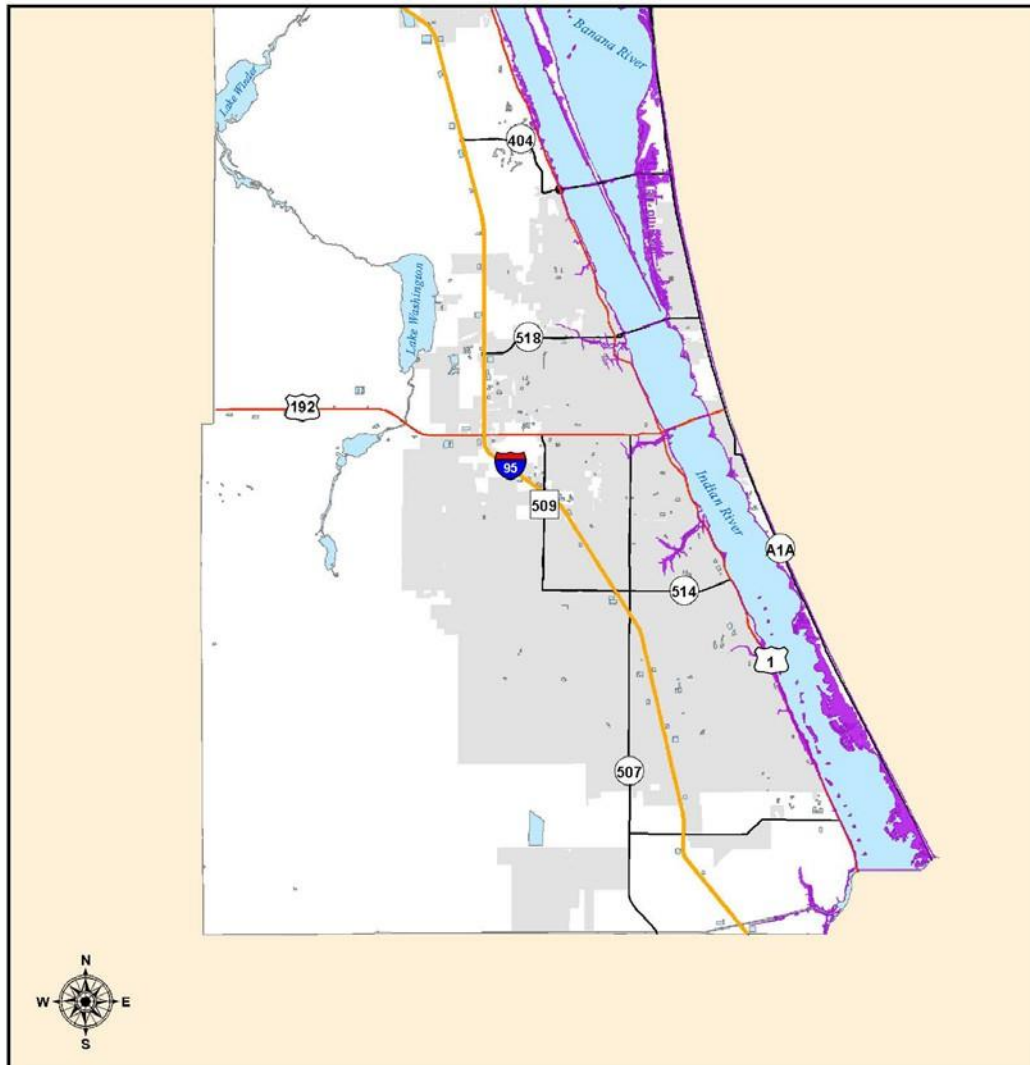
COASTAL MANAGEMENT ELEMENT

September 2024

X - 49

R-139

Brevard Coastal High Hazard Area Map



Category 1

Coastal High Hazard Area

Source: East Central Florida Regional Planning Council
Regional Evacuation Study Program - Storm Tide Atlas



Map generated by best available data on 4/29/2022. Map subject to change, please contact Brevard County for map confirmation.

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South Brevard CHHA Region Display



Map 3c
Coastal High Hazard Area (south Brevard region)

COASTAL MANAGEMENT ELEMENT

September 2024

X - 50

R-140

APPENDIX

LIST OF FIGURES

Figure	Title	Page
1	Diagram Reflecting the Spatial Relationship between the FDEP 1981 Coastal Construction Control Line (CCCL) and the Brevard County Coastal Setback Line (CSL)	6

MANATEE HABITAT FEATURE MAP SERIES AND UPDATE SCHEDULE

MAPS:

1. **Submerged Aquatic Vegetation (SAV)** - 1994 coverage supplied with the draft MPP.

Source:

St. Johns River Water Management District
(904) 329-4500

Update Schedule: As available

2. **Manatee Abundance (Aerial Surveys)** - September 1997-September 1999 map supplied with the draft MPP.

Source:

Florida Fish and Wildlife Conservation Commission
Bureau of Protected Species Management
(904) 922-4330

Update Schedule: As available

3. **Manatee Mortality** - Watercraft-related or Total Manatee Mortality (all causes) from 1974-2001 supplied with the draft MPP.

Source:

Florida Fish and Wildlife Conservation Commission
Bureau of Protected Species Management
(904) 922-4330

Update Schedule: As available

4. **Manatee Protection Boat Speed Zones** - October 2000 as provided with the draft MPP, or more recent data.

Source:

Florida Fish and Wildlife Conservation Commission
Bureau of Protected Species Management
(904) 922-4330

Update Schedule: As needed

5. **Manatee Freshwater Sources Map** - March 1994 as provided with the MPP.

Source:

Brevard County
Natural Resources Management Department
(321) 633-2016

Update Schedule: As available

6. **Class II Waterbody, Outstanding Florida Waterway (OFW), or Aquatic Preserve -**
2001 as provided in the MPP.

Source:

Florida Department of Environmental Protection
Division of Surface Water Quality
(850) 245-8427

Update Schedule: As available

Sec. 62-3723. General provisions.

All site plans, subdivision plats, building permits, and other active development orders shall be reviewed by the Natural Resources Management Department to determine their impact upon the estuarine, isolated, and riverine floodplains. The following regulations shall apply to development and redevelopment in, or impact to, designated floodplains and flood-prone areas:

- (1) The following uses shall be permitted within the riverine 100-year, riverine 25-year, riverine ten-year, estuarine, and isolated floodplains of the county:
 - (a) Agricultural pursuits, including forestry silviculture operations, utilizing best management practices, and agricultural structures which will not restrict the flow of floodwaters above the ten-year floodplain elevation;
 - (b) Recreation consistent with the requirements of the floodplain;
 - (c) Fish and wildlife management; and
 - (d) Open space.

All site plans, subdivision plats, building permits, and other active development orders shall meet floodway criteria in chapter 62, article XI, division 3, standards for flood hazard reduction, section 62-4062(5).

- (2) Development within floodplain areas shall not have adverse impacts upon adjoining properties.
- (3) Development within all floodplains shall be required to obtain a land alteration permit, if subsequently required by ordinance, with the exception of residences which are limiting fill to house pads, septic systems and single access roads. However, the amount and placement of fill being used must be included within the building permit applications for such single-family residences. This exception is not an exemption from 44 CFR § 60.3(a)(1), (b)(1), (c)(1), (d)(1), or (e)(1), but only from the requirement of obtaining a land alteration permit under article XIII, division 4.
- (4) Elevations of the riverine 100-year, riverine 25-year, and ten-year floodplains shall be determined utilizing the best available data, which includes FIRM maps and the Flood Insurance Study for Brevard County, Florida and Unincorporated Areas, April 3, 1989, prepared by the Federal Emergency Management Agency; and the Mean Annual, ten-year, 25-year and 100-year Profiles for the Upper St. Johns River Under the Existing Conditions, prepared by Dr. Donthamesetti V. Rao, P.E., St. Johns River Water Management District (March 1985).
- (5) Development in isolated floodplain areas shall ensure that off-site post development stormwater discharge rates shall not exceed off-site predevelopment discharge rates. All site plans, subdivision plats, building permits, and other active development orders shall meet the criteria in chapter 62, division 6, stormwater criteria, and article XI, division 3, standards for flood hazard reduction, section 62-3724(e)(4) as it relates to isolated floodplains.
- (6) All site plans, subdivision plats, building permits, and other active development orders shall meet standards for flood hazard reduction criteria in chapter 62, article XI, division 3, and stormwater criteria in chapter 62, division 6.
- (7) Development practices shall be encouraged to minimize total imperviousness and runoff within the riverine floodplain and preserve the flood storage capacity in order to minimize cost to life and property. Practices may include clustering of developed area, provisions for open space, low impact design features, and floodproofing.

(Code 1979, § 14-84.2; Ord. No. 02-08, § 3, 2-26-02; Ord. No. 2014-14, § 1, 5-1-14; Ord. No. 2015-27, § 2, 9-3-15;
Ord. No. 2019-26, § 1, 12-5-19)

Sec. 62-3724. Development regulations.

- (1) There shall be no net change in the rate and volume of floodwater discharged from the pre-development 100-year, 25-year, ten-year, or mean annual riverine floodplain.
 - (a) Within the 100-year riverine floodplain (that is the area that is below the 100-year flood elevation but above the 25-year flood elevation).
 - (i) Residential density shall be limited to no more than two dwelling units per acre.
 - (ii) Commercial, institutional, and industrial land uses shall be limited to a filled footprint of no more than 15,000 square feet per acre, except for redevelopment as specified in subsection 62-3724(1)(f).
 - (iii) Density may be transferred from areas within the 25-year to 100-year riverine floodplain to areas above the riverine 100-year floodplain at a density consistent with the service sector.
 - (iv) Any expansion of commercial and industrial structure footprint, including parking areas, within the 100-year to 25-year riverine floodplain greater than 25 percent of the earliest permitted development footprint size shall be reviewed by the natural resources management department for compliance.
 - (v) Development shall not adversely impact the drainage of adjoining properties. There shall be no net loss of flood storage capacity of the 100-year riverine floodplain, except that undeveloped parcels created prior to February 17, 2011, may fill up to $\frac{1}{3}$ acre for development without providing compensatory storage. For other parcels, compensatory storage shall be required for all fill within the floodplain. Compensatory storage calculations for proposed development shall be submitted and approved by engineering staff prior to final approval of any new lot creation, site plan or subdivision application. All site plans, subdivision plats, building permits, and other active development orders shall meet the criteria in chapter 62, division 6, stormwater criteria specific to CLOMR requirements, and increase(s) in flood elevations must be investigated by detailed hydraulic modeling in volume-sensitive floodplains (e.g. lakes, closed basins).
 - (vi) Development of a lot or parcel within the 100-year to 25-year riverine floodplain shall provide a contiguous area that includes the primary structure and perimeter buffer, accessory structures, on-site sewage disposal system and buffer, potable on-site well and buffer, and access to the primary and accessory structures. These areas shall be elevated to or above the 100-year base flood elevation (BFE). All site plans, subdivision plats, building permits, and other active development orders shall meet the criteria in chapter 62, division 6, stormwater criteria specific to CLOMR requirements, and increase(s) in flood elevations must be investigated by detailed hydraulic modeling in volume-sensitive floodplains (e.g. lakes, closed basins). All site plans, subdivision plats, building permits, and other active development orders shall also meet floodplain protection criteria in chapter 62, article X, division 5; standards for flood hazard reduction criteria in chapter 62, article XI, division 3; and stormwater criteria in chapter 62, division 6.
 - (vii) Access to single-family residential structures on lots adjoining a government maintained road that is not elevated to or above the 100-year BFE and not scheduled to be upgraded within five years from the time of residential permit submittal, may be developed at the elevation of the abutting government maintained roadway. This exception shall not apply to construction in FEMA Regulatory Floodways.
 - (b) Within the 25-year floodplain (that is the area that is at or below the 25-year flood elevation but above the ten-year flood elevation).

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- (i) Residential density shall be limited to not more than one dwelling unit per two and one-half acres.
 - (ii) Commercial and institutional land uses shall be limited to a filled footprint of no more than 3,000 square feet per acre. Commercial uses shall be no greater than one acre, except for redevelopment as specified in section 62-3724(1)(f).
 - (iii) Within the same project, the following transfer of densities may occur consistent with the service sector:
 - 1. Development densities of one dwelling unit per acre may be transferred out of areas in the ten-year to 25-year floodplain to areas in the 25-year to 100-year riverine floodplain.
 - 2. Development densities consistent with the service sector may be transferred out of the ten-year to 25-year floodplain to areas above the riverine 100-year floodplain.
 - (iv) Industrial land uses shall be prohibited, unless the activity is in the best public interest, or except for mining where it does not increase the filled footprint within the 25-year floodplain.
 - (v) Any expansion of commercial structures, including parking areas, greater than 25 percent of the earliest permitted development footprint size shall be reviewed by the natural resources management department for compliance.
 - (vi) Development shall not adversely impact the drainage of adjoining properties. There shall be no net loss of flood storage capacity of the 25-year riverine floodplain. Compensatory storage calculations for proposed development shall be submitted and approved by engineering staff prior to final approval of any new lot creation, site plan or subdivision application. All site plans, subdivision plats, building permits, and other active development orders shall meet the criteria in chapter 62, division 6, stormwater criteria specific to CLOMR requirements, and increase(s) in flood elevations must be investigated by detailed hydraulic modeling in volume-sensitive floodplains (e.g. lakes, closed basins).
 - (vii) Development requiring a land alteration permit, if subsequently required by ordinance, shall not cause a net loss in flood storage capacity within the floodplain.
 - (viii) Development of a lot or parcel within the ten-year to 25-year floodplain shall provide a contiguous area that includes the primary structure and perimeter buffer, accessory structures, on-site sewage disposal system and buffer, potable on-site well and buffer, and access to the primary and accessory structures. These areas shall be elevated to or above the 100-year base flood elevation. All site plans, subdivision plats, building permits, and other active development orders shall meet floodplain protection criteria in chapter 62, article X, division 5; standards for flood hazard reduction criteria in chapter 62, article XI, division 3; and stormwater criteria in chapter 62, division 6.
 - (ix) Access to single-family residential structures on lots adjoining a government maintained road that is not elevated to or above the 100-year BFE and not scheduled to be upgraded within five years from the time of residential permit submittal, may be developed at the elevation of the abutting government maintained roadway. This exception shall not apply to construction in FEMA Regulatory Floodways.
- (c) Within the ten-year riverine floodplain (that is the area that is at or below the ten-year flood elevation but above the mean annual flood elevation).
- (i) Residential density shall be limited to not more than one dwelling unit per ten acres.
 - (ii) Commercial, institutional, and industrial land uses shall be prohibited unless they are in the public interest and the location of the use is integral to its operation.

-
- (iii) Within the same project, the following transfer of densities may occur consistent with the service sector:
 - 1. Development densities of one dwelling unit per five acres may be transferred out of areas below the ten-year floodplain to areas in the ten-year to 25-year riverine floodplain.
 - 2. Development densities of one dwelling unit per acre may be transferred out of areas below the ten-year floodplain to areas in the 25-year to 100-year riverine floodplain.
 - 3. Development densities consistent with the service sector may be transferred out of the ten-year floodplain to areas above the riverine 100-year floodplain.
 - (iv) Development, except for permitted uses, shall be transferred out of the ten-year floodplain unless the project has a special reason or need to locate below the ten-year floodplain and is found to be in the overriding public interest.
 - (v) Any expansion of commercial structures, including parking areas, greater than 25 percent of the earliest permitted development footprint size shall be reviewed by the natural resources management department for compliance.
 - (vi) Development shall not adversely impact the drainage of adjoining properties. There shall be no net loss of flood storage capacity of the ten-year riverine floodplain. Compensatory storage calculations for proposed development shall be submitted and approved by engineering staff prior to final approval of any new lot creation, site plan or subdivision application. All site plans, subdivision plats, building permits, and other active development orders shall meet the criteria in chapter 62, division 6, stormwater criteria specific to CLOMR requirements, and increase(s) in flood elevations must be investigated by detailed hydraulic modeling in volume-sensitive floodplains (e.g. lakes, closed basins).
 - (vii) Development requiring a land alteration permit, if subsequently required by ordinance, shall not cause a net loss in flood storage capacity within the floodplain.
 - (viii) Development of a lot or parcel within the ten-year to mean annual floodplain shall provide a contiguous area that includes the primary structure and perimeter buffer, accessory structures, on-site sewage disposal system and buffer, potable on-site well and buffer, and access to the primary and accessory structures. These areas shall be elevated to or above the 100-year base flood elevation. All site plans, subdivision plats, building permits, and other active development orders shall also meet floodplain protection criteria in chapter 62, article X, division 5; standards for flood hazard reduction criteria in chapter 62, article XI, division 3; and stormwater criteria in chapter 62, division 6.
 - (ix) Access to single-family residential structures on lots adjoining a government maintained road that is not elevated to or above the 100-year BFE and not scheduled to be upgraded within five years from the time of residential permit submittal, may be developed at the elevation of the abutting government maintained roadway. This exception shall not apply to construction in FEMA Regulatory Floodways.
 - (d) Within the mean annual riverine floodplain (that is the area that is at or below the annual flood elevation) residential, commercial, institutional, and industrial land uses shall be prohibited unless the project has a special reason or need to locate within the annual floodplain and it is in the best public interest. The annual riverine floodplains within Brevard County should be left in their natural state, and re-established where feasible.
 - (e) To facilitate redevelopment of commercial and industrial land uses, the filled footprint restrictions may be exceeded if compensatory storage is provided. If on-site storage is not feasible, non-contiguous

compensatory storage, hydrologically connected to the impacted floodplain may be considered. Off-site compensatory storage shall require an easement that secures perpetual off-site drainage.

- (f) Basins historically separated from the riverine floodplain by berms, dikes, pumps, or other manmade methods shall be considered connected to the floodplain unless such flood control measures are accredited by FEMA. The filled footprint restrictions for commercial and industrial development on a parcel may be exceeded if all of the following criteria are met:
- (i) The basin was established and continuously maintained prior to September 9, 1988.
 - (ii) The parcel shall have had a commercial or industrial zoning classification prior to and since September 9, 1988; and its current commercial or industrial zoning classification and FLU designation are consistent pursuant to section 62-1255.
 - (iii) Historical flow of water is maintained or rerouted in such a way as the upstream and downstream property owners are not negatively impacted.
 - (iv) Where the basin is managed through the operation of pump(s), the applicant shall provide flood management independent of any off-site flood control measures. Where off-site pumping controls or assists removal of stormwater from the basin, a pumping agreement detailing pumping elevations, rates, and cost sharing shall be created which is binding on all parties and transfers with the properties and any subdivisions thereof until or unless a property is removed from the basin.
 - (v) A flood study of the basin shall be completed by a professional engineer registered in the State of Florida. The flood study shall affirmatively demonstrate that the modified filled footprint restrictions shall not adversely impact the drainage of adjoining properties, both internal and external to the basin. The flood study shall include the 24- and 96-hour storms for critical floods including, but not limited to, the mean-annual, ten-year, 25-year, and 100-year storm events.
 - (vi) A subsequent conversion to a non-commercial or non-industrial future land use shall require a retrofit of compensatory storage.

(2) Estuarine floodplain.

- (a) Development within an estuarine floodplain shall not negatively impact adjacent properties or receiving water body quality.
- (b) Development of a lot or parcel within an estuarine floodplain shall provide a contiguous area that includes the primary structure and perimeter buffer, accessory structures, onsite sewage disposal system and buffer, access to the primary and accessory structure. These areas shall be elevated to or above the 100-year base flood elevation. All site plans, subdivision plats, building permits, and other active development orders shall also meet floodplain protection criteria in chapter 62, article X, division 5; standards for flood hazard reduction criteria in chapter 62, article XI, division 3; and stormwater criteria in chapter 62, division 6.
- (c) Access to single-family residential structures on lots adjoining a government maintained road that is not elevated to or above the 100-year BFE and not scheduled to be upgraded within five years from the time of residential permit submittal, may developed at the elevation of the abutting government maintained roadway. This exception shall not apply to construction in FEMA Regulatory Floodways.

(3) Isolated floodplain.

- (a) Development within an isolated floodplain shall not negatively impact adjacent properties or receiving water body quality.
- (b) Development of a lot or parcel within an isolated floodplain shall provide a contiguous area that includes the primary structure and perimeter buffer, accessory structures, onsite sewage disposal

-
- system and buffer, access to the primary and accessory structure. These areas shall be elevated to or above the 100-year base flood elevation. All site plans, subdivision plats, building permits, and other active development orders shall also meet floodplain protection criteria in chapter 62, article X, division 5; standards for flood hazard reduction criteria in chapter 62, article XI, division 3; and stormwater criteria in chapter 62, division 6.
- (c) Access to single-family residential structures on lots adjoining a government maintained road that is not elevated to or above the 100-year BFE and not scheduled to be upgraded within five years from the time of residential permit submittal, may be developed at the elevation of the abutting government maintained roadway. This exception shall not apply to construction in FEMA Regulatory Floodways.
 - (d) Compensatory storage shall be required for fill in excess of that which will provide an upland buildable area within the floodplain greater than one-third acre in size regardless of the date the lot was created. Compensatory storage for lots within a platted subdivision created after the effective date of this ordinance shall be provided. Compensatory storage calculations for proposed development shall be submitted and approved by engineering staff prior to final approval of any new lot creation, site plan or subdivision application. All site plans, subdivision plats, building permits, and other active development orders shall meet the criteria in chapter 62, division 6, stormwater criteria specific to CLOMR requirements, and increase(s) in flood elevations must be investigated by detailed hydraulic modeling in volume-sensitive floodplains (e.g. lakes, closed basins).
- (4) Development, land alteration, or grading on North Merritt Island in the area from Hall Road, north to State Road 405, excluding federally owned lands, hereinafter referred to as "area," are subject to the following requirements:
- (a) Compensatory storage; and
 - (b) Written certification from the engineer of record that there will be no adverse flooding impacts upon properties within the area resulting from the proposed development. Written certification shall be required prior to issuance of a land alteration permit, building permit, site plan, preliminary plat approval, or any other authorization for grading or drainage modifications. The engineer of record shall certify that the proposed development will not increase flood stages, and will not increase the duration of the peak flood stages within the area. Such certification shall be accompanied by a report supporting the certification. This report shall include full engineering data and analysis, in compliance with good engineering practices, and any and all applicable standards, criteria, and regulatory requirements, including the hydraulic and hydrologic modelling and analysis demonstrating that there is no impact; and
 - (c) Sealed pre-existing topographic survey or engineered site plan delineating floodplain limits on the property, if any, with base flood elevation using best available flood elevation data. Delineation of floodplains shall use best available pre-alteration ground elevation data.
 - (d) A waiver from the compensatory storage requirement may be granted by the county manager or designee where the engineer of record certifies that the proposed design does not increase peak flood stage or duration, based on a stormwater model accepted by the board of county commissioners. Any such stormwater model shall be based on best available data addressing, at minimum; water storage, water volume, groundwater elevations, peak stages, and peak rates for the area.
 - (e) Compensatory storage for fill in the area shall be required for single family parcels created prior to the effective date of the ordinance from which this section is derived. However, written certification in subsection (4)(b) shall not be required. If compensatory storage is not available as a result of insufficient depth to groundwater, a compensatory storage waiver must be obtained from the county manager or designee by property owner or designee. The amount of fill for which a waiver may be granted shall be limited to the volume necessary to construct no more than the minimum floor area designated by the applicable zoning classification, plus on-site disposal system and necessary ingress

and egress. Compensatory storage waivers shall not be granted for accessory structures requiring fill in the floodplain.

- (f) Properties, including portion thereof, demonstrating discharge of site runoff directly to the Indian River Lagoon, through sheet flow, channels, and/or stormwater systems, without reliance on other conveyances and/or stormwater systems serving other properties, and without impeding flows from other properties to the Indian River Lagoon, are exempt from the compensatory storage requirement.
- (g) An as-built survey shall be submitted to the county within 60 days of project completion.
- (h) Any engineered compensatory storage approved by the county shall be maintained by the owner in perpetuity. Any modifications to the system require approval under this section.
- (i) Land alteration and grading in the area are prohibited unless reviewed and approved under this subsection and subsection 62-4421(a)(5).

(Code 1979, § 14-84.3; Ord. No. 02-08, § 4, 2-26-02; Ord. No. 04-07, § 1, 2-24-04; Ord. No. 09-03, § 1(Attch. C), 1-13-09; Ord. No. 2014-14, § 1, 5-1-14; Ord. No. 2015-27, § 3, 9-3-15; Ord. No. 2019-26, § 2, 12-5-19; Ord. No. 2023-014, § 1, 7-11-23)

FUTURE LAND USE ELEMENT

CHAPTER XI

TABLE OF CONTENTS

PREFACE.....	I
ADMINISTRATIVE POLICIES	II
GOAL, OBJECTIVES AND POLICIES.....	1
RESIDENTIAL LAND USES.....	1
COMMERCIAL LAND USES.....	9
INDUSTRIAL LAND USES.....	22
AGRICULTURAL LAND USES.....	30
CONSERVATION LAND USES.....	32
PUBLIC FACILITIES LAND USES.....	34
RECREATION LAND USES	35
DEVELOPMENTS OF REGIONAL IMPACT (DRIs).....	36
NEW TOWN OVERLAY	40
TRANSFER OF DEVELOPMENT RIGHTS (TDRs).....	54
REDEVELOPMENT & REGENTRIFICATION	55
SERVICE DELIVERY, CONCURRENCY, AND GROWTH.....	62
LAND DEVELOPMENT REGULATIONS	66
ESTABLISHMENT OF ZONING CLASSIFICATIONS TO MEET RESIDENTIAL NEEDS	68
CONSISTENCY WITH COMPREHENSIVE PLAN, ZONING AND LAND DEVELOPMENT REGULATIONS.....	69
MILITARY BASE LAND USE COMPATIBILITY	72
THE FARMTON LOCAL PLAN	73
IMPLEMENT DIRECTIVES FROM SMALL AREA STUDIES.....	104
RESIDENTIAL DENSITY RIGHTSIZING STUDY AREAS.....	107
APPENDIX.....	108
LIST OF MAPS	108
LIST OF FIGURES.....	130

PREFACE

Future Land Use Map Designations

The following Future Land Use designations shall be adopted as part of the Future Land Use Map:

Residential

- Residential 30 Directive (up to 30 dwelling units per acre)
- Residential 15 (up to 15 dwelling units per acre)
- Residential 10 (up to 10 dwelling units per acre)
- Residential 6 (up to 6 dwelling units per acre)
- Residential 4 (up to 4 dwelling units per acre)
- Residential 2 (up to 2 dwelling units per acre)
- Residential 1 (up to 1 dwelling unit per acre)
- Residential 1:2.5 (up to 1 dwelling unit per 2.5 acres)

Commercial

- Neighborhood Commercial (NC)
- Community Commercial (CC)

Industrial

- Heavy/Light Industrial
- Planned Industrial

Agricultural

Conservation

- Public Conservation
- Private Conservation

Public Facilities

Recreation

Developments of Regional Impact

ADMINISTRATIVE POLICIES

Administrative Policy 1

The Brevard County zoning official, planners and the Director of the Planning and Development Department, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception and variance applications.

Administrative Policy 2

Upon Board request, members of the Brevard County planning and zoning staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for zoning, conditional uses, comprehensive plan amendments, vested rights or other applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

Criteria:

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For development applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the

enjoyment of, safety or quality of life in existing neighborhoods within the area which could foresee ably be affected by the proposed use;

- B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:
 - 1. historical land use patterns;
 - 2. actual development over the immediately preceding three years; and
 - 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Administrative Policy 4

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, etc.), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- B. In determining whether an established residential neighborhood exists, the following factors must be present:
 - 1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.
 - 2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.
 - 3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following:

Criteria:

- A. Whether adopted levels of service will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;
- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

Administrative Policy 6

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with (a) all written land development policies set forth in these administrative policies; and (b) the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and

open space element, surface water element and transportation elements of the comprehensive plan.

Administrative Policy 7

Proposed use(s) shall not cause or substantially aggravate any (a) substantial drainage problem on surrounding properties; or (b) significant, adverse and unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

Administrative Policy 8

These policies, the staff analysis based upon these policies and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits and vested rights determinations.

GOAL, OBJECTIVES AND POLICIES

GOAL

TO MANAGE GROWTH IN BREVARD COUNTY IN A MANNER THAT ENHANCES NATURAL AND MAN-MADE SYSTEMS AND MEETS THE PUBLIC'S SOCIAL AND ECONOMIC NEEDS.

Residential Land Uses

Objective 1

Brevard County shall facilitate the development of residential neighborhoods that offer the highest quality of life to the citizenry through the implementation of policies that accomplish the following:

Criteria:

- A. Ensure the compatibility of new development with its surroundings;
- B. Ensure the delivery of services that meet or exceed established levels of service;
- B. Discourage the occurrence of inefficiencies inherent in urban sprawl as defined by Florida Statutes;
- C. Strive to decrease identified hurricane evacuation deficiencies;
- D. Produce neighborhoods that complement adjacent land uses;
- E. Permit mixed use developments which, through the application of appropriate performance standards, juxtaposes neighborhood services and employment centers with residential uses in order to promote efficient use of land; and
- G. Encourage open space within residential developments and promote interconnectivity with surrounding land uses through innovative land regulations and bonus incentives.

Residential Land Use Designations

Policy 1.1

The residential land use designations adopted as part of the Future Land Use Map represent maximum density thresholds. Approved densities may be lower than the maximum allowed by a residential land use designation as a result of one or more of the following:

Criteria:

- A. Environmental constraints identified in applicable objectives and policies of the Conservation Element which impose more stringent density guidelines;
- B. Land use compatibility pursuant to Administrative Policy 3;
- C. Unavailability or inadequacy of public facilities and services, including educational facilities, to accommodate adopted density allowances, as set forth in Policy 1.2 and the policies found in the 'Service Delivery, Concurrency and Growth' section of this Element as well as related objectives and policies in the Capital Improvements Element;
- D. Character of the general area, pursuant to Administrative Policy 4;
- F. Hurricane evacuation capabilities; and
- F. Policies established in specialized plans as may be adopted by the Board of County Commissioners.

Public Facilities and Services Requirements

Policy 1.2

Minimum public facilities and services requirements should increase as residential density allowances become higher. The following criteria shall serve as guidelines for approving new residential land use designations:

Criteria:

- A. Adequate roadways, solid waste disposal, drainage and recreation facilities to serve the needs of associated development shall be available concurrent with development in all residential land use designations.
- B. Fire and police protection and emergency medical services to serve the needs of associated development shall be available concurrent with development in all residential land use designations in accordance with policies set forth in the 'Service Delivery, Concurrency and Growth' section of this Future Land Use Element.
- C. In the Residential 30 Directive, Residential 15, Residential 10, Residential 6 and Residential 4 land use designations, centralized potable water and wastewater treatment shall be available concurrent with the impact of the development.
- D. Where public water service is available, residential development proposals with densities greater than four units per acre shall be required to connect to a centralized sewer system.

- E. Where public water service is not available, residential development proposals with densities greater than two units per acre shall be required to connect to a centralized sewer system.
- F. The County shall not extend public utilities and services outside of established service areas to accommodate new development in Residential 2, Residential 1 and Residential 1:2.5 land use designations, unless an overriding public benefit can be demonstrated. This criterion is not intended to preclude acceptance of dedicated facilities and services by the County through MSBU's, MSTU's and other means through which the recipients pay for the service or facility.

Residential 30 Directive (maximum of 30 dwelling units per acre)

Policy 1.3

The Residential 30 Directive land use designation affords the highest density allowance, permitting a maximum density of up to thirty (30) units per acre, except as otherwise may be provided for within this element. Parameters for this future land use designation include:

Criteria:

- A. The Residential 30 Directive land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan.
 - 1. Areas located east of Interstate-95; and
 - 2. Unincorporated enclaves located within or adjacent to incorporated areas which permit similar or greater density allowance; or
 - 3. Areas adjacent to existing Residential 30 land use designation; and
 - 4. Areas with direct access to an arterial or collector roadway, without impacting existing or designated lower density/intensity areas.
- B. In the Merritt Island Redevelopment Area, Brevard County should encourage high density development in clustered patterns that maximize the provision of open space to avoid the impacts of "strip" or "checkerboard" land use patterns and to assist in the development of an urban atmosphere. The Residential 30 Directive land use designation may permit development in excess of 30 units per acre, provided that one of the following applies:
 - 1. Residential density of up to 37.5 dwelling units per acre, may be considered if approved as part of a redevelopment plan; or
 - 2. Developments which are tied to a binding development plan and propose a mixture of residential and commercial uses may permit the residential portion of the project with density of up to 50 dwelling units per acre.

- C. A 25% density bonus to permit up to 37.5 dwelling units per acre may be considered, except in the Coastal High Hazard Area (CHHA), where the Planned Unit Development concept is utilized, where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized for properties within the CHHA.

Residential 15 (maximum of 15 units per acre)

Policy 1.4

The Residential 15 land use designation affords the second highest density allowance, permitting a maximum density of up to fifteen (15) units per acre, except as otherwise may be provided for within this element. The Residential 15 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas located east of Interstate-95, except in instances where they are adjacent to existing or designated residential densities of an equal or higher density allowance; and
- B. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 15 area;
- C. Areas adjacent to an existing Residential 15 land use designation; and
- D. Areas which have access to an arterial or collector roadway, without impacting existing or designated lower density/intensity areas.
- E. Up to a 25% density bonus to permit up to 18.75 dwelling units per acre may be considered where the Planned Unit Development concept is utilized, where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized for properties within the CHHA.

Residential 10 (maximum of 10 dwelling units per acre)

Policy 1.5

The Residential 10 land use designation affords a transition in density between highly urbanized areas and lower intensity residential uses. This land use designation permits a maximum density of up to ten (10) units per acre, except as otherwise may be provided for within this element. The Residential 10 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas adjacent to existing Residential 10 or higher land use designations; or
- B. Areas which serve as a transition between existing land uses or land use designations with density greater than ten (10) units per acre and areas with density of less than ten (10) units per acre; or
- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 10; and
- D. Areas which have access to an arterial or collector roadway, without impacting existing or designated lower density/intensity areas.
- E. Up to a 25% density bonus to permit up to 12.5 dwelling units per acre may be considered where the Planned Unit Development concept is utilized, where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized for properties within the CHHA.

Residential 6 (maximum of 6 dwelling units per acre)

Policy 1.6

The Residential 6 land use designation affords a transition in density between higher urbanized areas and lower intensity land uses. This land use designation permits a maximum density of up to six (6) units per acre, except as otherwise may be provided for within this element. The Residential 6 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas adjacent to existing Residential 6 land use designation; or

- B. Areas which serve as a transition between existing land uses or land use designations with density greater than six (6) units per acre and areas with density of less than six (6) units per acre; or
- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 6.
- D. Up to a 25% density bonus to permit up to 7.5 dwelling units per acre may be considered where the Planned Unit Development concept is utilized, where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized for properties within the CHHA.

Residential 4 (maximum of 4 dwelling units per acre)

Policy 1.7

The Residential 4 land use designation affords an additional step down in density from more highly urbanized areas. This land use designation permits a maximum density of up to four (4) units per acre, except as otherwise may be provided for within this element. The Residential 4 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas adjacent to existing Residential 4 land use designation; or
- B. Areas which serve as a transition between existing land uses or land use designations with density greater than four (4) units per acre and areas with density of less than four (4) units per acre; or
- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 4.
- D. Up to a 25% density bonus to permit up to five (5) units per acre may be considered with a Planned Unit Development where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to maximize the integration of open space within the development and promote inter-

connectivity with surrounding uses. This density bonus shall not be utilized for properties within the CHHA.

Residential 2 (maximum of 2 units per acre)

Policy 1.8

The Residential 2 land use designation permits lower density residential development with a maximum density of up to two (2) units per acre, except as otherwise may be provided for within this element. The Residential 2 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas adjacent to existing Residential 2 land use designation; or
- B. Areas which serve as a transition between existing land uses or land use designations with density greater than two (2) units per acre and areas with density of less than two (2) units per acre; or
- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 2.
- D. Up to a 25% density bonus to permit up to 2.5 dwelling units per acre may be considered where the Planned Unit Development concept is utilized, where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized for properties within the CHHA.

Residential 1 (maximum of 1 unit per acre)

Policy 1.9

The Residential 1 land use designation permits low density residential development with a maximum density of up to one (1) unit per acre, except as otherwise may be provided for within this element. The Residential 1 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas adjacent to existing Residential 1 land use designation; or
- B. Areas which serve as a transition between existing land uses or land use designations with density greater than one (1) unit per acre and areas with lesser density; or

- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 1.
- D. Up to a 25% density bonus to permit up to 1.25 dwelling units per acre may be considered with a Planned Unit Development where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized by properties within the CHHA.

Residential 1:2.5 (maximum of 1 unit per 2.5 acres)

Policy 1.10

The Residential 1:2.5 land use designation, which establishes the lowest density of all the residential future land use designations, permits a maximum density of up to one (1) unit per 2.5 acres, except as otherwise may be provided for within this element. Development in the Residential 1:2.5 land use designation should seek to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. The Residential 1:2.5 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas adjacent to existing Residential 1:2.5 land use designation; or
- B. Areas which serve as a transition between existing land uses or land use designations with density greater than 1:2.5 units per acre and areas with lesser density or lower intensity uses; or
- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 1:2.5.

Density in Coastal High Hazard Areas (CHHA)

Policy 1.11

The construction of additional infrastructure intended to remedy existing deficiencies, such as any new bridges or improvements to existing causeways over the Indian River Lagoon, shall not serve as a basis for increasing residential densities nor allowing residential density bonuses within the Coastal High Hazard Area (CHHA) above those programmed on the Future Land Use Map.

Protection of Residential Riverside Lands

Policy 1.12

Brevard County shall identify lineal land use patterns which parallel the U.S. 1 corridor and the Indian River in order to promote the protection of residential designated lands lying easterly of U.S. 1 and to discourage the expansion and encroachment of non-residential designated lands into such lineal residential areas. These lineal land use patterns shall generally be identified in, but not limited to, the following areas of Brevard County:

- 1) Generally from the southern Titusville city limits (Section 26 Township 22 Range 35) to SR 528 (Section 8 Township 24 Range 36).
- 2) Generally from south of Gus Hipp Boulevard (Section 23 Township 25 Range 36) to Pineda Causeway (Section 19 Township 26 Range 37).
- 3) Generally south of the southern Malabar city limits (Section 17 Township 29 Range 38) to the south Brevard County line (Section 23 Township 30 Range 38).

Promotion of Linear Parks in Residential Subdivisions

Policy 1.13

Brevard County shall prepare and implement development incentives to encourage the inclusion of linear parks which promote the integration of open space within residential subdivisions and interconnectivity with adjacent development.

Commercial Land Uses

Objective 2

Brevard County shall provide for adequate and appropriate lands for the location of commercial land uses, through the Land Development Regulations, to serve the needs of the projected residents and visitors to the County. Brevard County shall direct new commercial land use designations to areas which are determined to be appropriate based upon a suitability analysis, character of the area, compatibility with surrounding land uses, and public facilities and services. These uses shall be directed to sites where there are sufficient uplands for the intended use and for all other measures to ensure wetland function. During the review of proposed amendments to the Future Land Use Map, which would allow commercial uses, Brevard County shall ensure that the site is suitable for the proposed use with regard to environmental features. The proposed designation shall be consistent with the following suitability criteria:

Criteria:

- A. Floodplain policies contained within Conservation Objective 4;
- B. Aquifer protection policies contained within Conservation Objective 11;
- C. Types, values, conditions, functions, and locations of wetlands, and wetlands protection policies contained in Conservation Objective 5.

Role of the Comprehensive Plan in the Designation of Commercial Lands

Policy 2.1

The Comprehensive Plan takes into consideration broad criteria for evaluating requests for commercial land use designations within Brevard County. At a minimum, these criteria address the following:

Criteria:

- A. Overall accessibility to the site;
- B. Compatibility and inter-connectivity with adjacent adopted Future Land Use designations and land uses;
- C. Existing commercial development trend in the area;
- D. Fundamental changes in the character of an area prompted by infrastructure improvements undertaken by the County;
- E. Availability of required infrastructure at/above adopted levels of service;
- F. Spacing from other commercial activities;
- G. Size of proposed commercial designation compared with current need for commercial lands;
- H. Adherence to the objectives/policies of the Conservation Element and minimization of impacts upon natural resources and systems;
- I. Integration of open space; and
- J. Impacts upon strip commercial development.

Role of Zoning Regulations in the Designation of Commercial Lands

Policy 2.2

The zoning process regulates the types and intensities of uses for a parcel of land. Criteria which aid in assessing zoning compatibility shall include consideration of the following standards:

Criteria:

- A. Permitted/prohibited uses;
- B. Existing commercial zoning trends in the area;
- C. Compatibility of the proposed use with the area, pursuant to Administrative Policy 3;

- D. Impact upon Level of Service (LOS) standards for roads, potable water service, sanitary sewer service and solid waste disposal;
- E. Impact upon natural resources, including wetlands, floodplains, and endangered species; and
- F. Other issues which may emerge specific to a particular property which may be addressed through performance based zoning criteria.

Role of Land Development Regulations in the Designation of Commercial Lands

Policy 2.3

Land development regulations provide performance standards for evaluating the acceptability of proposed commercial development activities, including:

Criteria:

- A. Integration of vehicular and non-vehicular access into the site and access management features of site in terms of driveway cuts and cross access between adjacent sites, including use of frontage roads and/or shared access, where feasible, as determined by Brevard County;
- B. Buffering from adjacent existing/potential uses;
- C. Open space provisions and balance of proportion between gross floor area and site size;
- D. Adequacy of pervious surface area in terms of drainage requirements;
- E. Placement of signage;
- F. Adequacy of site lighting and intrusiveness of lighting upon the surrounding area;
- G. Safety of on-site circulation patterns (patron, employee and delivery vehicles), including parking layout and drive aisles, and points of conflict;
- H. Landscaping, as it relates to the requirements of the Comprehensive Plan and Land Development Regulations;
- I. Unique features and resources which may constrain site development, such as soils, existing vegetation and historic significance; and
- J. Performance based zoning requirements which may serve as a substitute for or accompany land development regulations in attaining acceptable site design.

Commercial Future Land Use Designations

Policy 2.4

The following two (2) commercial land use designations are adopted as part of the Future Land Use Map:

- Neighborhood Commercial (NC)
- Community Commercial (CC)

Activities Permitted in Neighborhood Commercial (NC) Future Land Use Designations

Policy 2.5

Neighborhood Commercial (NC) development activities are intended to be low-impact in nature and serve the needs of the immediate residential area. Intrusion of these land uses into surrounding residential areas shall be limited. Existing BU-1-A uses, which were established as of the adoption date of this provision shall be considered consistent with this policy. Development activities which may be considered within Neighborhood Commercial (NC) Future Land Use designation, provided that listed criteria are met, include the following:

- a) Professional offices (no drive through lanes permitted);
- b) Personal Services (no drive through lanes permitted);
- c) Convenience stores (no drive through lanes permitted);
- d) Residential uses;
- e) Institutional uses;
- f) Recreational uses;
- g) Public facilities; and
- h) Transitional uses pursuant to Policy 2.12.

Locational and Development Criteria for Neighborhood Commercial Uses

Policy 2.6

Locational and development criteria for neighborhood commercial land uses are as follows:

Criteria:

- A. Neighborhood commercial clusters should be located at collector/collector or collector/arterial intersections, except as otherwise provided for in this Comprehensive Plan.
- B. Due to the linear nature and lack of intersections along SR A1A south of Melbourne Beach, new neighborhood commercial uses may be considered along those roadways if there is sufficient infrastructure to support commercial development; if the area has an established commercial character; and if they are consistent with the other applicable policies of this Comprehensive Plan.
- C. New neighborhood commercial land use sites should incorporate no more than two acres maximum at each corner of an intersection, as set forth in

Criterion A of this policy. Neighborhood commercial land uses at such intersections should not exceed eight (8) acres total.

- D. Neighborhood commercial development clusters should be spaced at least 1/2 mile apart, except in the south beaches where neighborhood commercial clusters should be spaced at least three (3) miles apart.
- E. The gross floor area of neighborhood commercial complexes should not exceed a Floor Area Ratio (FAR) of 0.75.
- F. Recreational vehicle parks shall be located in areas which serve the needs of tourists and seasonal visitors to Brevard County. The location of recreational vehicle parks shall have access to interstate interchanges via arterial and principal collector transportation corridors or the property shall be located on a major multi-county transportation corridor.

In summary, Table 2.1 reiterates the specific development parameters and issues for consideration discussed in Policies 2.1 and 2.6 when evaluating requests for NC land use designations. This table also outlines issues which affect decision making for rezoning requests and for site plan review, as described in Policies 2.2 and 2.3.

Activities Permitted in Community Commercial (CC) Future Land Use Designations Policy 2.7

Community Commercial (CC) development activities are intended to serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses. Development activities which may be considered within the Community Commercial (CC) Future Land Use designation, provided that the guidelines listed in Table 2.2 are met, include the following:

- a) Existing strip commercial;
- b) Transient commercial uses;
- c) Tourist commercial uses;
- d) Professional offices;
- e) Personal service establishments;
- f) Retail establishments;
- g) Non-retail commercial uses;
- h) Residential uses;
- i) Institutional uses;
- j) Recreational uses;
- k) Public facilities;
- l) Transitional uses pursuant to Policy 2.1; and
- m) Planned Industrial Park development (as permitted by PIP zoning).

Locational and Development Criteria for Community Commercial Uses

Policy 2.8

Locational and development criteria for community commercial land uses are as follows:

Criteria:

- A. Community Commercial clusters of up to ten (10) acres in size should be located at arterial/arterial intersections. Collector/arterial intersections are acceptable for clusters of up to ten (10) acres in size, however, the collector roadways must serve multiple residential areas. Intrusion of these land uses into the surrounding residential areas shall be limited. For Community Commercial clusters greater than ten (10) acres in size, they must be located at principal arterial/principal arterial intersections.
- B. Community commercial complexes should not exceed 40 acres at an intersection.
- C. Community commercial clusters up to 10 acres in size should be spaced at least 2 miles apart and community commercial clusters up to 40 acres in size should be spaced at least five (5) miles apart.
- D. The gross floor area of community commercial complexes should not exceed 150,000 square feet for commercial clusters up to 10 acres in size and shall not exceed 400,000 square feet for commercial clusters greater than 10 acres but less than 40 acres in size unless within a Planned Unit Development (PUD) zoning classification. The square footage may be increased if it is located within a PUD zoning classification.
- E. Floor Area Ratio (FAR) of up to 1.00 will be permitted for Community Commercial sites unless accompanied with a PUD zoning classification wherein the FAR may be increased up to 1.75.
- F. Recreational vehicle parks shall be located in areas which serve the needs of tourists and seasonal visitors to Brevard County. The location of recreational vehicle parks shall have access to interstate interchanges via arterial and principal collector transportation corridors or the property shall be located on a major multi-county transportation corridor.

In summary, Table 2.2 reiterates the specific development parameters and issues for consideration, as discussed in Policies 2.1 and 2.8, when evaluating requests for CC land use designations. This table also outlines issues which affect decision making for rezoning requests and for site plan review, as described in Policies 2.2 and 2.3.

TABLE 2.1 THREE LAYER DEVELOPMENT REVIEW PROCESS FOR EVALUATING NEW NEIGHBORHOOD COMMERCIAL (NC) FUTURE LAND USES		
FIRST LEVEL OF REVIEW CONSISTENCY WITH COMPREHENSIVE PLAN¹	SECOND LEVEL OF REVIEW CONSISTENCY WITH ZONING REGULATIONS²	THIRD LEVEL OF REVIEW CONSISTENCY WITH LAND DEVELOPMENT REGULATIONS³
Issues for Evaluation	Issues for Evaluation	Issues for Evaluation
Overall accessibility to the proposed NC site. (Policy 2.1.A)	Permitted/prohibited uses. (Policy 2.2.A)	Integration of vehicular and non-vehicular access into the site plan. (Policy 2.3.A)
Compatibility and inter-connectivity of proposed NC site with adjacent adopted Future Land designations and uses. (Policy 2.1.B)	Proposed zoning is consistent with zoning trends for the area. (Policy 2.2.B)	Access management features of the site design. (Policy 2.3.A)
Existing commercial development trend in the area. (Policy 2.1.C)	Compatibility of proposed zoning with surrounding land uses. (Policy 2.2.C)	Adequacy of buffering provided. (Policy 2.3.B)
Changes in character of an area due to infrastructure improvements. (Policy 2.1.D)	Availability of public facilities to accommodate proposed zoning at or above adopted Level of Service standards. (Policy 2.2.D)	Open space provisions and balance of proportion between gross floor area and site size. (Policy 2.3.C)
Availability of public facilities to accommodate proposed NC Future Land Uses at or above adopted Level of Service standards. (Policy 2.1.E)	Impacts upon natural resources, including wetlands, floodplains and endangered species. (Policy 2.2.E)	Adequacy of pervious surface area in terms of drainage requirements of Land Development Code. (Policy 2.3.D)
Minimum Spacing from Nearest Commercial Land Use: .5 (one half) mile, with exceptions. (Policies 2.1.F and 2.6.D)	Other issues which may emerge specific to a particular property. (Policy 2.2.F)	Placement of signage on site. (Policy 2.3.E)
Size of proposed NC designation compared with current need. (Policy 2.1.G)	Development Parameters Addressed by BU-1A Zoning Regulations	Adequacy of site lighting and intrusiveness of lighting upon the surrounding area. (Policy 2.3.F)
Adherence of proposed NC land use to objectives/policies of the Conservation Element and the minimization of impacts upon natural systems. (Policy 2.1.H)	Listing of permitted/prohibited uses.	Safety of on site circulation patterns and points of conflicts. (Policy 2.3.G)
Integration of open space. ⁴ (Policy 2.1.I)	Minimum building setbacks requirements.	Landscaping conforms with policies of the Comprehensive Plan and the Land Development Code. (Policy 2.3.H)
Effect upon strip commercial development as a result of approving NC Future Land Use. (Policy 2.1.J)	Minimum lot size requirements.	Site plan sensitivity to protecting unique natural features. (Policy 2.3.I)
Location: Limited to intersections of Collector/Collector or Collector/Arterial roadways. (Policy 2.6.A)	Minimum floor area requirements.	Other performance based requirements. (Policy 2.3.J)
NC Future Land Use Site Size: 2 acres maximum (Policy 2.6.C)	Maximum building height allowances.	³ This table serves as a summary. Refer to Policies 2.3 and 2.6 for full details.
Maximum Floor Area Ratio (FAR): .75 ⁴ (Policy 2.6.E)	Buffering requirements.	
¹ This table serves as summary. Refer to Policies 2.1 and 2.6 for full details. ⁴ These parameters will be applied during the plan review process.	Traffic impact allowances.	
	² This table is a summary. Refer to Policies 2.2 and 2.8 for full details.	

TABLE 2.2 THREE LAYER DEVELOPMENT REVIEW PROCESS FOR EVALUATING NEW COMMUNITY COMMERCIAL (CC) FUTURE LAND USES		
FIRST LEVEL OF REVIEW CONSISTENCY WITH COMPREHENSIVE PLAN¹	SECOND LEVEL OF REVIEW CONSISTENCY WITH ZONING REGULATIONS²	THIRD LEVEL OF REVIEW CONSISTENCY WITH LAND DEVELOPMENT REGULATIONS³
Issues for Evaluation	Issues for Evaluation	Issues for Evaluation
Overall accessibility to the proposed CC site. (Policy 2.1.A)	Permitted/prohibited uses. (Policy 2.2.A)	Integration of vehicular and non-vehicular access into the site plan. (Policy 2.3.A)
Compatibility and inter-connectivity of proposed CC site with adjacent adopted Future Land designations and uses. (Policy 2.1.B)	Proposed zoning is consistent with zoning trends for the area. (Policy 2.2.B)	Access management features of the site design. (Policy 2.3.A.)
Existing commercial development trend in the area. (Policy 2.1.C)	Compatibility of proposed zoning with surrounding land uses. (Policy 2.2.C)	Adequacy of buffering provided. (Policy 2.3.B)
Changes in character of an area due to infrastructure improvements. (Policy 2.1.D)	Availability of public facilities to accommodate proposed zoning at or above adopted Level of Service standards. (Policy 2.2.D)	Open space provisions and balance of proportion between gross floor area and site size. (Policy 2.3.C)
Availability of public facilities to accommodate proposed CC Future Land Uses at or above adopted Level of Service standards. (Policy 2.1.E)	Impacts upon natural resources, including wetlands, flood plains, and endangered species. (Policy 2.2.E)	Adequacy of pervious surface area in terms of drainage requirements of Land Development Code. (Policy 2.3.D)
Minimum Spacing from Nearest CC Land Use: 2 miles for sites up to 10 acres and 5 miles for sites >10 acres. (Policies 2.1.F and 2.8.C)	Other issues which may emerge specific to a particular property. (Policy 2.2.F)	Placement of signage on site. (Policy 2.3.E)
Size of proposed CC designation compared with current need. (Policy 2.1.G)	Development Parameters Addressed by BU-1 & BU-2 Zoning Regulations	Adequacy of site lighting and intrusiveness of lighting upon the surrounding area. (Policy 2.3.F)
Adherence of proposed CC land use to objectives/policies of the Conservation Element and the minimization of impacts upon natural systems. (Policy 2.1.H)	Listing of permitted/prohibited uses.	Safety of on site circulation patterns and points of conflicts. (Policy 2.3.G)
Integration of open space. ⁴ (Policy 2.1.I)	Minimum building setbacks requirements.	Landscaping conforms with policies of the Comprehensive Plan and the Land Development Code. (Policy 2.3.H)
Effect upon strip commercial development as a result of approving CC Future Land Use. (Policy 2.1.J)	Minimum lot size requirements.	Site plan sensitivity to protecting unique natural features. (Policy 2.3.I)
Locations: Limited to intersections of Arterial/Arterial or Collector/Arterial roadways for sites up to 10 acres (with exceptions) and limited to Principal Arterial/Principal Arterial intersections for sites >10 acres. (Policy 2.8.A)	Minimum floor area requirements.	Other performance based requirements. (Policy 2.3.J)
CC Future Land Use Site Size: >2 acres and <40 acres. (Policy 2.8.B)	Maximum building height allowances.	³ This table serves as a summary. Refer to Policies 2.3 and 2.8 for full details.
Minimum spacing from nearest CC land use: 2 miles for sites up to 10 acres and 5 miles for sites > 10 acres. (Policy 2.8.C)	Buffering requirements.	
Maximum Building Size: up to 150,000 square feet for sites up to 10 acres and up to 400,000 square feet for sites > 10 acres unless within an approved PUD, then a maximum of 76,230 GFA per acre. ⁴ (Policy 2.8.D)	² This table is a summary. Refer to Policies 2.2 and 2.8 for full details.	
Maximum Floor Area Ratio (FAR): 1.0 .for sites up to 10 acres and 1.0 for sites >10 acres unless with PUD zoning classification wherein the FAR is up to 1.75. ⁴ (Policy 2.8.E)		
¹ This table serves as summary. Refer to Policies 2.1 and 2.8 for full details.		
⁴ These parameters will be applied during the plan review process.		

Regional Commercial Centers

Policy 2.9

Regional commercial centers are those which meet the standards for Developments of Regional Impact, as defined by Chapter 380, F.S. Such land uses shall only be located within the Development of Regional Impact (DRI) future land use designation. Project design and review standards shall be in accordance with the requirements of Chapter 380, F.S.

Residential Development in Neighborhood Commercial and Community Commercial Land Use Designations

Policy 2.10

Residential development or the integration of residential development with commercial development shall be permitted in the Neighborhood Commercial and Community Commercial land use designations, provided that the scale and intensity of the residential/mixed use development is compatible with abutting residential development and areas designated for residential use on the Future Land Use Map. Residential development is permissible in these commercial land use designations at density of up to one category higher than the closest residentially designated area on the Future Land Use Map (FLUM) which is on the same side of the street. Increases in density beyond this allowance may be considered through a public hearing. In the CHHA, however, residential development is strictly limited to the density of the closest residentially designated area on the FLUM that is on the same side of the street. Such residential development, as described above, shall be allowed to utilize the following characteristics:

Criteria:

- A. Residential uses within Neighborhood Commercial and Community Commercial designations shall be encouraged to utilize neo-traditional neighborhood development techniques, such as narrower road rights-of-way, mid-block pedestrian pass-throughs, alleys, smaller lot sizes, on-street parking, reduced lot line setbacks and public transit facilities.
- B. Residential density bonuses as set forth in Policy 11.2 may be considered in addition to the bonus stated in the above policy within Neighborhood Commercial and Community Commercial designations as an incentive for redevelopment and regentrification if the proposed development will address serious incompatibility with existing land uses, is adequately buffered from other uses, is located along major transportation corridors, and meets the concurrency requirements of this Comprehensive Plan.

Transitional Commercial Activities

Policy 2.11

As a result of their intrinsic nature and scale of intensity, offices, non-retail and neighborhood commercial activities may be utilized as transitional activities to afford

buffering between higher and lower intensity uses, including transportation corridors. The criteria listed below, as summarized by Table 2.3, should serve as locational guidelines for employing such development as transitional uses. Projects which are approved as transitional uses may be subject to special requirements by the County, such as buffers, lighting, hours of operation, access/egress points, etc. in order to minimize impact upon adjacent lower intensity uses. In residential land use designations, strict adherence to development parameters outlined in Policies 2.6 and 2.8 must be maintained to qualify for consideration as a transitional activity under this policy. Once a transition is achieved between a higher and lower intensity land use, this policy should not be construed to justify the extension or enlargement of such uses onto adjacent lower intensity lands.

Criteria:

- A. Non-retail commercial land uses shall be limited to those areas where non-retail commercial or industrial characteristics are established or planned so as to protect residential areas from their influence. Non-retail uses, including wholesaling, contracting, heavy repair services, paint and body shops, storage and warehousing uses, may serve as a transitional use between the following higher intensity and lower intensity uses, in the following listed Future Land Use designations:

Higher Intensity Uses:	Heavy Industrial or Light Industrial activities.
Lower Intensity Uses:	Community Commercial, Planned Industrial Park or Planned Business Park uses.
Future Land Use designations:	Community Commercial, Heavy/Light Industrial or Planned Industrial (Planned Industrial permits PIP zone uses only).
Roadway Access Requirements:	Convenient access to a major transportation corridor or along a railroad corridor with visual buffering from such corridors.

- B. Professional Office uses may serve as a transition between the following higher intensity and lower intensity uses, in the following listed Future Land Use designations:

Higher Intensity Uses:	Light Industrial, Heavy Industrial, Planned Industrial Park, Planned Business Park, Neighborhood Commercial or a transportation corridor.
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Lower Intensity Uses:	Residential 4, Residential 6, Residential 10, or Residential 15
Future Land Use Designations:	Neighborhood Commercial, Community Commercial, Residential 4, Residential 6, Residential 10, Residential 15. These residential land use designations permit RP zone uses only.
Roadway Access Requirements:	Direct access to collector or higher roadway.

- C. Neighborhood Commercial uses may serve as a transition between the following higher intensity and lower intensity uses, in the following listed Future Land Use designations:
- | | |
|-------------------------------|---|
| Higher Intensity Uses: | Any higher intensity uses listed in
Criteria A and B above. |
| Lower Intensity Uses: | Professional Offices (RP and BU-1-
A zone uses only) and any
residential. |
| Future Land Use Designations: | Neighborhood Commercial and all
Residential designations. |
| Roadway Access Requirements: | Direct access to collector or higher
roadway. |

TABLE 2.3 LOCATIONAL CRITERIA FOR TRANSITIONAL COMMERCIAL & INDUSTRIAL LAND USES¹				
TRANSITIONAL¹ USE	TRANSITION FROM...	TRANSITION TO...	PERMITTED FUTURE LAND USE DESIGNATION	ROADWAY ACCESS REQUIREMENTS
Non-retail ² Uses	Light Industrial or Heavy Industrial	Community Commercial, Planned Industrial Park, or Planned Business Park	Community Commercial, Heavy/Light Industrial, or Planned Industrial ⁴	Convenient access to a major transportation corridor or along a railroad corridor, but must be visually buffered from such corridors.
Professional Office	Light Industrial, Heavy Industrial, Planned Industrial Park, Planned Business Park, Neighborhood Commercial, or Transportation Corridors	Residential (4 units per acre or higher density)	Neighborhood Commercial, Community Commercial, Residential 4 ³ , Residential 6 ³ , Residential 10 ³ , Residential 15 ³ , or Residential 30 ³	Direct access to collector or higher.
Neighborhood Commercial	Any of the above uses, plus Community Commercial	Professional Offices ³ Residential	Neighborhood Commercial and all Residential Designations	Direct access to collector or higher.
¹ This table serves as a summary. Refer to Policy 2.11 for full details. ² Generally includes wholesaling, contracting, heavy repair services, paint and body shops, storage and warehousing uses. ³ Permits RP and BU-1-A zoning uses only. ⁴ Permits PIP zoning uses only.				

Strip Commercial Development

Policy 2.12

The creation/promotion of strip pattern of commercial development shall be discouraged. Infill within established strip commercial areas is preferred over extension of a strip commercial pattern. Extension of a commercial land use designation may be considered in circumstances where the proposed commercial parcel is located within a block in which at least fifty percent (50%) of the block face (in linear feet) is either currently developed with commercial land uses or is designated for commercial use. In either case, the proposed commercial land use extension shall not constitute an encroachment into a residential area. Refer to Figure 1 in the Appendix, "Illustrative Examples of Commercial Infill vs. Extension of Strip Development." Judging the suitability of a location for an extension of strip commercial development activities shall be based upon the following minimum criteria:

Criteria:

- A. Impacts upon traffic circulation should be anticipated and mitigated through the reservation of right-of-way for road widening and marginal access streets. Access points for strip commercial complexes shall seek to minimize points of conflict by utilizing frontage roads, providing cross access between parcels or installing shared use curb cuts for access driveways to the maximum extent feasible, as determined by Brevard County.
- B. Setbacks and landscaped or other appropriate buffers shall be established to mitigate the visual impacts of strip commercial development.
- C. A sidewalk or bicycle path shall be required where appropriate, as encouraged by Tables 2.1 and 2.2 to provide convenient access to surrounding residents and to reduce traffic volumes on the roadways.
- D. Adequacy of off-street parking, off-street loading facilities and stormwater facilities.

Periodic Review of Commercial Area Allocations

Policy 2.13

As part of each Evaluation and Appraisal Report (EAR), Brevard County shall analyze the allocation of commercial acreage in the Future Land Use Map. The evaluation of said allocations shall be based upon the following minimum criteria:

Criteria:

- A. Commercial development trends;
- B. The types, intensities, locations, and land areas of commercial land use designations; and
- C. Commercial acreage allocations shall consider all commercial development, whether within or outside of commercial land use designations.

Institutional Future Land Use Designations

Policy 2.14

Because of the contrasting nature of institutional activities, two types of institutional land uses are identified below. Institutional uses shall be evaluated according to the following location and development criteria:

Criteria:

- A. Low Intensity Institutional Uses
 - 1. Permitted in all Residential Land Use Designations and in the Neighborhood Commercial Land Use Designation
 - 2. Access to a roadway classified as a local street or higher
 - 3. Pedestrian access required
 - 4. Building scale and design compatible with the surrounding neighborhood
- B. High Intensity Institutional Uses
 - 1. Permitted in the Community Commercial Land Use Designation
 - 2. Access to a roadway classified as an arterial or higher
 - 3. Access to a roadway classified as a collector or higher in established Community
 - 4. Commercial areas' intrusion into residential areas shall be limited. High Intensity Institutional Uses shall be located in areas where commercial development is planned or established.

Industrial Land Uses

Objective 3

Brevard County shall provide for adequate and appropriate lands for the location of industrial land uses to support the role of these uses in the County's economy. Brevard County shall direct new industrial land use designations to areas which are determined to be appropriate based upon a suitability analysis, character of the area, compatibility with surrounding land uses, and public facilities and services. These uses shall be directed to sites where there are sufficient uplands for the intended use and for all other measures to ensure wetland function. During the review of proposed amendments to the Future Land Use Map, which would allow industrial uses, Brevard County shall ensure that the site is suitable for the proposed use with regard to environmental features. The proposed designation shall be consistent with the following suitability criteria:

Criteria:

- A. Floodplain policies contained within Conservation Objective 4.
- B. Aquifer protection policies contained within Conservation Objective 11.

- C. Types, values, conditions, functions, and locations of wetlands, and wetland protection policies contained in Conservation Objective 5.

Role of the Comprehensive Plan in the Designation of Industrial Lands

Policy 3.1

The Comprehensive Plan shall impose broad criteria for consideration in evaluating proposals for new industrial designated lands within Brevard County. At a minimum, these criteria shall address the following:

Criteria:

- A. Compatibility with adjacent adopted Future Land Use designations and land uses;
- B. Existing industrial development trend in the area;
- C. Availability of required infrastructure at/above adopted levels of service;
- D. Size of proposed industrial designation compared with current need for industrial lands;
- E. Accessibility to major transportation corridors, as well as air, water and rail transportation facilities;
- F. Adherence to the objectives/policies of the Conservation Element and minimization of impacts upon natural resources and systems; and
- G. Accessibility to labor, raw materials and markets.

Role of Zoning Regulations in the Designation of Industrial Lands

Policy 3.2

Zoning regulates the specific types and intensities of uses. Criteria which aid in assessing zoning compatibility shall consider the following standards:

Criteria:

- A. Permitted/prohibited uses;
- B. Existing industrial zoning trends in the area;
- C. Compatibility of proposed use with area;
- D. Impact upon Level of Service (LOS) standards for roads, potable water service, sanitary sewer service and solid waste disposal; and

- E. Impact upon natural resources, including air and water, wetlands, floodplains, and endangered species.
- F. Other issues which may emerge specific to a particular property which may be addressed through performance based zoning criteria.

Role of Land Development Regulations in the Designation of Industrial Lands

Policy 3.3

Once a proposed project is designed, site plan/land development regulations provide the final level of review for evaluating the acceptability of proposed industrial development activities. Criteria include:

Criteria:

- A. Accessibility of site for vehicular and non-vehicular modes;
- B. Buffering from adjacent existing/potential uses in terms of set backs, landscaping, and open space as well as the arrangement of access and parking for the site;
- C. Open space provisions and balance of proportion between gross floor area and site size;
- D. Adequacy of pervious surfaces in terms of drainage requirements;
- E. Safety of on site vehicular circulation patterns (patrons, employees, and delivery vehicles) including loading facilities, truck parking and points of conflict;
- F. Storage locations and buffering from the surrounding area;
- G. Adequacy of site lighting and intrusiveness of lighting upon the surrounding area;
- H. Building placement/arrangement on the site;
- I. Provision of breezeway/visual corridor for riverfront properties;
- J. Placement of signage;
- K. Unique features and resources which may constrain site development, such as soils, existing vegetation and historic significance.

- L. Performance based zoning requirements which may serve as a substitute for or accompany Land Development Regulations in attaining acceptable site design;
- M. Suitability of mixture of uses (if multiple uses proposed);
- N. Blending of the project with the character of the area; and
- O. Landscaping conforms with the policies of the Comprehensive Plan and land development code.

Industrial Future Land Use Designations

Policy 3.4

The two (2) industrial land use designations adopted as part of the Future Land Use Map are:

- Planned Industrial
- Heavy/Light Industrial

Planned Industrial Land Use Designation

Policy 3.5

The Planned Industrial land use designation is intended to accommodate the clustering of light industrial and business uses in settings which provide special attention to the integration of infrastructure, such as circulation, parking, and utilities, while placing emphasis upon aesthetics of the project and compatibility with abutting properties and properties within the industrial park. These parks shall be designed to limit intrusion into residential areas. Appropriate uses are those that operate within enclosed buildings such as manufacturing, assembling, fabricating, warehousing and retailing activities. Hotel and motel accommodations that serve the travel needs of employees or clients associated with firms within the planned industrial or business parks are also appropriate. Marinas may also be considered within this land use designation. Appropriate locations for planned industrial parks shall be based upon the criteria listed below. Table 3.1 summarizes the specific development parameters listed below as well as issues that affect decision making for rezoning requests and for site plan review, as described in Policies 3.2 and 3.3.

Criteria:

- A. Planned industrial park project sites shall incorporate at least three (3) acres.
- B. Planned industrial parks must be within 660 feet of the major transportation corridors. Major transportation corridors include such roadways as Interstate 95, U.S. Highways 1 and 192, and State Roads 3, 46, 50, 528, 524, 520, 518, and 516.

TABLE 3.1 THREE LAYER DEVELOPMENT REVIEW PROCESS FOR EVALUATING NEW PLANNED INDUSTRIAL FUTURE LAND USES		
FIRST LEVEL OF REVIEW CONSISTENCY WITH COMPREHENSIVE PLAN¹	SECOND LEVEL OF REVIEW CONSISTENCY WITH ZONING REGULATIONS²	THIRD LEVEL OF REVIEW CONSISTENCY WITH LAND DEVELOPMENT REGULATIONS³
Issues for Evaluation	Issues for Evaluation	Issues for Evaluation
Compatibility of proposed Planned Industrial Future Land Use with adjacent adopted Future Land designations and uses. (Policy 3.1.A)	Permitted/prohibited uses. (Policy 3.2.A)	Accessibility of site. (Policy 3.3.A)
Existing Planned Industrial development trend in the area. (Policy 3.1.B)	Proposed zoning is compatible with zoning trends for the area. (Policy 3.2.B)	Buffering of adjacent existing/potential uses. (Policy 3.3.B)
Availability of public facilities to accommodate proposed Planned Industrial Future Land Uses at or above adopted Level of Service standards. (Policy 3.1.C)	Proposed zoning is compatible with surrounding land uses. (Policy 3.2.C)	Open space provisions and balance of proportion between gross floor area and site size. (Policy 3.3.C)
Size of proposed Planned Industrial designation compared with current need for such lands. (Policy 3.1.D)	Availability of public facilities to accommodate the proposed zoning at or above adopted Level of Service standards. (Policy 3.2.D)	Adequacy of pervious surface area in terms of drainage requirements. (Policy 3.3.D)
Accessibility to major transportation corridors, as well as air, water and rail transportation facilities. (Policy 3.1.E)	Impacts upon natural resources, including wetlands, flood plains and endangered species. (Policy 3.2.E)	Safety of on site vehicular circulation, loading facilities and truck parking. (Policy 3.3.E)
Adherence to objectives/policies of the Conservation Element and the minimization of impacts upon natural systems. (Policy 3.1.F)	Other issues which may emerge specific to a particular property. (Policy 3.2.F)	Storage locations and buffering from surrounding area. (Policy 3.3.F)
Planned Industrial Park land use designation minimum acreage: 3 acres (Policy 3.5.A)	Development Parameters Addressed by PIP & PBP Zoning Regulations	Arrangement of site lighting and intrusiveness of lighting upon the surrounding area. (Policy 3.3.G)
Planned Industrial Park land use designation must be within 660' of a major transportation corridor. (Policy 3.5.B)	Listing of permitted/prohibited uses.	Building placement/arrangement. (Policy 3.3.H)
¹ This table serves as a summary. Refer to Policies 3.1 and 3.5 for details. ² This table serves as a summary. Refer to Policies 3.2 and 3.5 for full details. ³ This table serves as a summary. Refer to Policies 3.3 and 3.5 for full details.	Minimum parks size requirements.	Provision of breezeway/visual corridor for riverfront properties. (Policy 3.3.I)
	Minimum buffering requirements.	Location of signage. (Policy 3.3.J)
	Minimum lot size requirements.	Site plan sensitivity to protecting unique natural features. (Policy 3.3.K)
	Minimum building setback requirements.	Other performance based requirements. (Policy 3.3.L)
	Maximum lot coverage requirements.	Suitability of mixture of uses (if multiple uses proposed). (Policy 3.3.M)
	Maximum building height allowances.	Blending with the character of the area. (Policy 3.3.N)
	Loading facility requirements.	Landscaping conforms with policies of the Comprehensive Plan and land development code. (Policy 3.3.O)
	Lighting standards.	

Future Land Use Element

Heavy/Light Industrial Land Use Designation

Policy 3.6

The Heavy/Light Industrial land use designation is intended to accommodate an array of industrial activities ranging from those which involve indoor manufacturing to those which utilize prepared materials in the outdoor production of goods. IU and IU-1 uses may be permitted only within an area designated for Heavy/Light Industrial uses, unless treated as a transitional use pursuant to Policy 2.2. Heavy/Light industrial land uses shall be deemed appropriate provided that the generalized locational factors listed below are satisfied. Table 3.1 summarizes the specific development parameters listed below as well as issues that affect decision making for rezoning requests and for site plan reviews, as described in Policies 3.2 and 3.3.

Criteria:

- A. Industrial development shall be located with convenient access to major transportation corridors, as well as air, water and rail transportation facilities. Major transportation corridors include such roadways as Interstate 95, U.S. Highways 1 and 192, and State Roads 3, 46, 50, 528, 524, 520, 518, and 516.
- B. Industrial land uses should be located with convenient access to the labor supply, raw material sources and market areas.
- C. Natural vegetative and other appropriate buffers, potentially in the form of performance based standards, shall be employed as part of industrial site development to minimize the nuisance effects of industrial land uses, including noise, odor and visual effects, and to provide aesthetically pleasing settings for such uses.

Light Industrial Uses in the Heavy/Light Industrial Designation

Policy 3.7

Light industrial land uses involve manufacturing, assembling, fabricating and warehousing activities which are generally conducted indoors. Such uses have the potential to adversely affect surrounding land uses; therefore, light industrial development proposals shall be reviewed for compatibility with surrounding land uses. Locations for light industrial land uses shall be based upon the following minimum criteria:

Criteria:

- A. Light industrial land uses shall not be located within 660 feet of major transportation corridors, unless such uses are located west of railroad right-of-way along U. S. Highway 1 and are served by a spur or other connection to the rail line or are water-dependent or water-dependent uses or meet the criteria below.

- C. Light industrial land uses may also be considered within 660 feet of the major transportation corridors if they are located contiguous to an established industrial park (lands separated by roads are considered contiguous), and if such lands have existing IU (light industrial) zoning and such zoning has existed for at least ten years, provided that such lands contain natural vegetation affording sufficient visual screening from the transportation corridor. Under these circumstances, all natural vegetation shall be retained within a minimum 15 foot roadway buffer area unless it is determined by the County that such vegetation needs to be replaced due to the poor health or viability of the vegetation. Drainage works and all other improvements shall not be permitted within the 15 foot roadway buffer area. The landscaping requirements of this provision shall be carried out in addition to the requirements of Brevard County Landscaping Regulations. Major transportation corridors include such roadways as Interstate 95, U.S. Highways 1 and 192, and State Roads 3, 46, 50, 528, 524, 520, 518 and 516.
- C. Sites for light industrial land uses shall be at least 20,000 square feet in size.
- D. Floor Area Ratio (FAR) for a light industrial land use project should not exceed 2.48.

Heavy Industrial Uses in the Heavy/Light Industrial Land Use Designation Policy 3.8

Heavy industrial land uses include indoor and outdoor activities such as cement and concrete production, chemicals and fertilizer processing, lumber mills, foundries and forge works, and paint and plastics production. Heavy industrial land uses have the potential to adversely affect surrounding land uses; therefore, such development proposals shall be reviewed for compatibility with surrounding land uses. Locations for heavy industrial land uses shall be based upon the following minimum criteria:

Criteria:

- A. Heavy industrial land uses shall not be located within 660 feet of major transportation corridors, unless such uses are existing or are located west of the railroad right-of-way along U.S. Highway 1 and are served by a spur or other connection to the rail line or are water-dependent or water-related uses. Major transportation corridors include such roadways as Interstate 95, U.S. Highways 1 and 192, and State Roads 3, 46, 50, 528, 524, 520, 518 and 516.
- B. Sites for heavy industrial land uses shall incorporate at least 40,000 square feet.
- C. Floor Area Ratio (FAR) for a heavy industrial land use project should not exceed 1.76.

TABLE 3.2 THREE LAYER DEVELOPMENT REVIEW PROCESS FOR EVALUATING NEW HEAVY/LIGHT INDUSTRIAL FUTURE LAND USES		
FIRST LEVEL OF REVIEW CONSISTENCY WITH COMPREHENSIVE PLAN¹	SECOND LEVEL OF REVIEW CONSISTENCY WITH ZONING REGULATIONS²	THIRD LEVEL OF REVIEW CONSISTENCY WITH LAND DEVELOPMENT REGULATIONS³
Issues for Evaluation	Issues for Evaluation	Issues for Evaluation
Compatibility of proposed Heavy/Light Industrial Future Land Use with adopted Future Land Uses in the surrounding area. (Policy 3.1.A)	Permitted/prohibited uses. (Policy 3.2.A)	Accessibility of the site. (Policy 3.3.A)
Existing Heavy/Light Industrial development trend in the area. (Policy 3.1.B)	Proposed zoning is consistent with zoning trends for the area. (Policy 3.2.B)	Buffering of adjacent existing/potential uses. (Policy 3.3.B)
Availability of public facilities to accommodate proposed Heavy/Light Industrial Future Land Uses at or above adopted Level of Service standards. (Policy 3.1.C)	Proposed zoning is compatible with surrounding land uses. (Policy 3.2.C)	Open space provisions and balance of proportion between gross floor area and site size. (Policy 3.3.C)
Size of proposed Heavy/Light Industrial designation compared with current need for Heavy/Light Industrial lands. (Policy 3.1.D)	Availability of public facilities to accommodate proposed zoning at or above LOS standards. (Policy 3.2.D)	Adequacy of pervious surface areas in terms of drainage requirements (Policy 3.3.D)
Accessibility to major transportation corridors, air, water and rail transportation facilities. (Policies 3.1.E and 3.6.A)	Adherence of proposed zoning to the objectives/policies of the Conservation Element and minimization of impacts upon natural systems. (Policy 3.2.E)	Safety of on site vehicular circulation, loading facilities and truck parking. (Policy 3.3.E)
Minimization of impacts upon natural systems. (Policy 3.1.F)	Development Parameters Addressed by IU and IU-1 Zoning Regulations	Storage locations and buffering from rights of way and the surrounding area. (Policies 3.3.F and 3.7.B)
Convenient access to labor, raw materials and market areas. (Policies 3.1.G and 3.6.B)	Permitted/prohibited uses.	Arrangement of site lighting and intrusiveness of lights upon the surrounding area. (Policy 3.3.G)
Provision of natural vegetative or other appropriate buffers to minimize nuisance effects. ⁴ (Policy 3.6.C)	Minimum lot size requirements.	Building placement/arrangement. (Policy 3.3.H)
Other performance based standards to minimize nuisance effects. ⁴ (Policy 3.6.C)	Minimum building setback requirements.	Provision of breezeway/visual corridor for riverfront properties. (Policy 3.3.I)
Light Industrial uses should not be located within 660' of major transportation corridors, unless contiguous with the railroad along US 1 or are water dependent/related uses. (Policies 3.7.A and 3.7.B)	Floor Area Ratio requirements.	Location of signage. (Policy 3.3.J)
Minimum Lot Size for Light Industrial Uses: 20,000 s.f. ⁴ (Policy 3.7.C)	Maximum building height allowances.	Site plan sensitivity to the protection of unique natural features. (Policy 3.3.K)
Maximum Floor Area Ratio (FAR) for Light Industrial use: 2.48 ⁴ (Policy 3.7.D)	Minimum buffering requirements.	Other performance based requirements. (Policy 3.3.L)
Heavy Industrial uses should not be located within 660' of major transportation corridors, unless contiguous with the railroad, adjacent to US 1, or are water related/dependent uses. (Policies 3.8.A)	Traffic impacts associated with the proposed use(s).	Suitability of mixture of uses (if multiple uses proposed). (Policy 3.3.M)
Minimum Lot Size for Heavy Industrial Uses: 40,000 s.f. ⁴ (Policy 3.8.B)		Provision of natural vegetative buffers, fencing materials or other buffers to minimize nuisance effects such as noise, odor, visual impacts. (Policies 3.3.B and 3.3.N)
Maximum Floor Area Ratio (FAR) for Heavy Industrial use: 1.76 ⁴ (Policy 3.8.C)		Landscaping conforms with policies of the Comprehensive Plan and land development code. (Policy 3.3.O)
¹ This table serves as a summary. Refer to Policies 3.1, 3.6, 3.7 and 3.8 for full details. ² This table serves as a summary. Refer to Policies 3.2 and 3.6, 3.7, and 3.8 for full details. ³ This table serves as a summary. Refer to Policies 3.3 and 3.6, 3.7, and 3.8 for full details. ⁴ These parameters will be applied during the plan review process.		

Water-Related and Water-Dependent Industrial Uses

Policy 3.9

Waterfront parcels may be designated for Heavy/Light Industrial land use to satisfy unique locational needs for water-dependent and water-related industrial activities, provided that such activity is compatible with surrounding existing and programmed development and is consistent with these Industrial land use policies. Appropriate locations for water-dependent and water-related industrial land uses shall be based upon the following minimum criteria:

Criteria:

- A. Only water-dependent industrial land uses, which must be carried out only on, in or adjacent to water areas, may be considered for location along the Indian River lagoon system.
- B. Water-related industrial land uses shall be considered only on the uplands adjacent to Class III waters of the Indian River lagoon system. Water-related uses are those which are not directly dependent upon access to a water body but which provide goods and services to uses which are water-dependent.
- C. Directives, policies and criteria in the Coastal Management and Conservation elements of this Comprehensive Plan which address water-dependent and water-related land uses shall be utilized in the location of industrial uses adjacent to water bodies.

Agricultural Land Uses

Objective 4

Brevard County recognizes the importance of agricultural lands to the community as the industry benefits the economy, reduces the extent of urban sprawl, and the costs of providing public facilities and services, provides environmental benefits, and provides open space and visual beauty. The County shall enhance and protect agricultural lands, and provide for the continuing viability of the agricultural industry in the County's economy.

Permitted Uses in Agricultural Land Use Designation

Policy 4.1

Appropriate and adequate lands shall be designated Agricultural on the Future Land Use Map. Agricultural activities include, but are not limited to, row, vegetable and fruit crop production; dairy, poultry and livestock production; aquaculture, silviculture, horticulture, and apiariculture. Large lot residential development which does not impede the use of lands for agricultural

purposes shall be permitted in this land use designation. The following minimum criteria shall govern activities in this land use designation:

Criteria:

- A. Residential densities shall not exceed one dwelling unit per five (5) acres.
- B. The County shall not extend public utilities and services outside of the service areas to Agricultural areas for new development, unless there is an overriding public benefit which accrues to an area larger than the specific Agricultural area. However, the County will accept facilities through dedication, and provide services and utilities through MSBU's, MSTU's and other means through which the recipients pay for the service or facility.
- C. The County shall actively promote Transfer of Development Rights from Agricultural Lands and restrict Open Space Subdivisions and corresponding density bonuses in those areas designated as Agricultural Future Land Use Map.

Maintenance of Agricultural Designated Lands

Policy 4.2

Brevard County shall support voluntary federal, state and private acquisition and incentive programs for the maintenance of agricultural lands as opposed to eminent domain procedures.

Policy 4.3

Agricultural lands which are unique to Brevard County should be identified and programs for the protection of such lands should be evaluated as part of each Evaluation and Appraisal Report.

Criteria:

- A. Unique agricultural lands would be those lands in Brevard County which possess the physical and chemical conditions for a high level of production with a low level of input. Other factors to be used in defining these lands would include the location, growing season, climate, moisture supply, or technique utilized.
- B. Programs to be considered for protection of these agricultural lands should include, but not be limited to voluntary agricultural districts, time-certain dedications, purchase or transfer of development rights, and voluntary fee simple purchase of agricultural lands.

Policy 4.4

Brevard County shall support the Florida Greenbelt Law, Chapter 193, F.S., in an effort to provide incentives for agricultural property owners to maintain their lands in agriculture.

Policy 4.5

Brevard County shall encourage the use of cost-sharing programs and technical assistance offered through agencies such as the Soil & Water Conservation District to assist in the application of technology to conserve water and land resources.

Conservation Land Uses**Objective 5**

Brevard County shall protect the natural and historic resources in the County from the adverse impacts of development, and coordinate development with appropriate topography and soil conditions.

Conservation Future Land Use Designations**Policy 5.1**

The following two (2) conservation land use designations are adopted as part of the Future Land Use Map:

- Public Conservation
- Private Conservation

Public Conservation Lands**Policy 5.2**

The Future Land Use Map shall designate lands as Public Conservation to provide for the protection of publicly held environmentally sensitive areas. The Public Conservation future land use designation is intended to accommodate lands and facilities which are managed by federal, state and local governments within unincorporated Brevard County for conservation or preservation uses. Such uses shall conform to the following minimum criteria:

Criteria:

- A. The Public Conservation land use designation should include lands under the ownership of Brevard County, the St. Johns River Water Management District, or other such agencies, for the purpose of environmental protection, publicly owned lands within the Environmental Area (EA) zoning classification, and publicly owned areas in which it is demonstrated that the preservation of environmentally sensitive resources will provide an overriding public benefit.

- B. Development activities within lands designated as Public Conservation shall be consistent with the specific policies in the Conservation Element related to natural resources, and the intent of this Comprehensive Plan. Specifically, activities that are conducted on Public Conservation lands that enhance, protect or manage such lands for nature-based recreation, conservation or preservation purposes for the benefit of the public shall be considered as consistent with this criterion.
- C. Other environmentally sensitive lands (i.e., floodplains, wetlands, or aquifer recharge areas) which are located outside of the Public Conservation land use designation are protected through the policies of the Conservation Element of this Comprehensive Plan.
- D. Privately owned land shall not be designated as Public Conservation. If privately owned lands are acquired by state, regional, or local agencies for conservation or preservation purposes, the participating agencies should provide such information to the County so that the Future Land Use Map may be amended pursuant to Florida Statute 163.3187, as may be amended. The County shall annually request such information from the applicable agencies so that any necessary amendments can be made to the Future Land Use Map.

Residential Uses in Public Conservation Areas

Policy 5.3

Residential densities for Public Conservation lands should not exceed one (1) dwelling unit per fifty (50) acres. Dwelling units on publicly held lands, including those zoned EA which are in public ownership, are limited to accommodating park rangers or other authorized personnel as deemed appropriate in order to manage or protect such Public Conservation lands.

Private Conservation Lands

Policy 5.4

This land use designation related to privately owned lands with significant environmental features. The land use designation applies to privately held lands that were designated Conservation on the Future Land Use Map prior to adoption of the Future Land Use Element on May 16, 2000 regardless of their zoning classification. Any land uses designated Private Conservation after May 16, 2000 are lands which are privately owned and zoned Environmental Area (EA) or so designated by an approved binding development plan shall be

designated as Private Conservation. Such privately owned parcels shall permit a maximum residential density of one (1) unit per ten (10) acres.

Public Facilities Land Uses

Objective 6

Brevard County shall provide for adequate lands to meet the existing and future needs for public facilities and services, consistent with the Capital Improvements Program and the policies and the criteria of this Comprehensive Plan.

Designation of Public Facilities Lands

Policy 6.1

Brevard County shall adopt a Public Facility land use designation as part of the Future Land Use Map.

Locational Criteria for Public Facilities

Policy 6.2

Appropriate locations for public facility land uses should be based upon the following minimum criteria:

Criteria:

- A. Public facilities are those uses which, at a minimum, relate to government-managed transportation, sanitary sewer, potable water, solid waste, drainage, conservation, education, government service systems, and other utilities such as gas, electric, telephone and cable. An exception should be made for transmission or collection facilities, rights-of-ways, and easements. Public facilities are also those uses classified as scientific research and technology development activities conducted by non-governmental organizations (NGOs) in formal partnership with governmental entities. Such NGOs shall provide economic, environmental and/or quality of life benefits to Brevard County. Specific land-use activities include either: life science research, ocean, coastal and marine research and technology development, or environmental science research. Public Facilities that are NGOs in formal partnership with governmental entities shall not exceed a FAR of .25
- B. Public facilities land uses may be considered for locations within all land use designations on the Future Land Use Map provided such uses are compatible with adjacent land uses consistent with this Comprehensive Plan.

- C. Following the purchase, lease or dedication of property for public facility purposes, the Comprehensive Plan shall be amended to depict the property as Public Facility on the Future Land Use Map.
- D. Brevard County shall encourage the use of common corridors for utility systems, including sanitary sewer, potable water, re-use, electricity, gas and other utilities.

Co-location of Public Facilities with Public School Sites

Policy 6.3

In order to maximize the efficiency of public facilities and resources, Brevard County and the Brevard County School Board should strive to coordinate use of existing school facilities for public use. In addition, development of new libraries, parks and recreation facilities, children's services facilities, and other appropriate public uses on properties adjoining school sites should also be coordinated.

Recreation Land Uses

Objective 7

Brevard County shall acquire or dedicate adequate public lands for parks and recreation to meet the County's existing and future recreational needs consistent with the objectives and policies in the Recreation and Open Space Element of this Comprehensive Plan.

Locational Criteria for Recreation Lands

Policy 7.1

The Recreation land use designation shall be adopted as part of the Future Land Use Map to identify appropriate locations for public recreation land uses, based upon the following minimum criteria:

Criteria:

- A. Recreation land uses may be considered within all land use designations on the Future Land Use Map, provided such uses are compatible with adjacent land uses.
- B. Following determination by Brevard County to utilize property for public recreational purposes, the Future Land Use Map shall be amended to depict said property as Recreation on the Future Land Use Map.

Developments of Regional Impact (DRIs)

Objective 8

Brevard County shall review and regulate Developments of Regional Impact (DRIs) pursuant to the requirements of Chapter 380, Florida Statutes, Chapters 9J-2 and 28-24 Florida Administrative Code and applicable local ordinances.

Designation of Development of Regional Impact on the Future Land Use Map Policy 8.1

Brevard County shall adopt a Development of Regional Impact (DRI) land use designation which depicts approved DRIs on the Future Land Use Map. Each DRI shall adhere to the conditions contained within its adopted Development Order as amended from time to time. The approved development amounts for each land use type are listed below for each DRI and may be exceeded by amending the approved Development Order only if the approved changes do not represent a Substantial Deviation pursuant to the requirements of Subparagraph (b) of Subsection (19), Chapter 380.06, Florida Statutes.

1. The Viera Development of Regional Impact

The following shall guide land use and development of the Viera New Town:

Viera is planned as a mixed use community that incorporates smart growth principles with the functional integration of uses including residential, retail, office, attraction, theater, hotel, institutional, hospital, light industrial, educational, medical and recreation uses and supporting infrastructure. The residential uses will provide for a full range of housing types including single family ownership and rental units supporting a broad range of family sizes and incomes and will be linked by pedestrian/bicycle friendly pathways to the various non-residential components. The town will also have interconnected systems of open space that provide recreational opportunities and provide for the conservation of natural resources. The overall approximate acreage of the DRI is 20,500 acres.

The Future Land Use Map Designation for Viera is Development of Regional Impact (DRI). The DRI area west of I-95 is a New Town as described in Objective 9. Map 7 identifies the location of the New Town Land Use Areas/Districts of Viera including: Community; Regional Commerce; Town Center; Village; Interchange; Rural; and Conservation. These “Areas/Districts” (as defined in Policy 9.1) are not separate future land use designations, but are intended to further guide the form and design of the development that is permitted within Viera. Viera is distinct from existing urban areas and surrounding land uses and is generally situated between Wickham Road and Barnes Boulevard on the east side of I-95 and between Post Road and Barnes Boulevard on the west side of I-95.

A. Viera DRI: Allowable Uses

The following land uses and substantially similar land uses and corresponding densities and intensities are allowable in the Viera New Town:

Land Use	Maximum Density/Intensity
• Single Family Residential	7 units per net acre*
• Multi Family Residential, including Nursing Home, ALF and ILF	20 units per net acre*
• Rural Residential (within the Rural Development District)	1 unit per 2.5 gross acres*
• Retail; Office including Medical Office and Clinic; Hotel; Movie Theaters, Attractions in Town Center**	3.0 FAR
• Retail; Office including Medical Office and Clinic; Hospital Hotel; Movie Theaters, Attractions Outside Town Center	2.0 FAR
• Institutional/Civic/Education	.5 FAR
• Light Industrial/Office Warehouse	.5 FAR
• Educational Campus	2.0 FAR
• Sports Stadium	9,000 seats
• Parks and Recreation	Not Applicable
• Agricultural Use (as defined in Policy 9.1) is permitted within the Rural Area and the Conservation Area prior to the transition of such areas to the Rural District and the Conservation District, respectively, in accordance with an approved staging plan set forth in the DRI Development Order. Upon transitioning to such districts, Agricultural Use is permitted within the Rural District and the Conservation District only in a manner consistent with the Habitat Management Plan and applicable conservation easements and regulatory permits. Agricultural Use is permitted within any district in which development is occurring up to and until approval of a Site Plan or Subdivision Plat applicable to land which is subject to Agricultural Use.	Not Applicable
• Land excavation for the creation or enhancement of lakes, water bodies, or drainage facilities and removal of materials in association or connection therewith are allowable uses.	Not Applicable

Notes:

- * Maximum Density/Intensity is based on net developable acreage, which does not include additional acreage needed for storm water management, roads, parks and recreation and conservation areas. Maximum Density/Intensity relates to the overall net density of the entire DRI, except as applied to Rural Residential which relates to the overall gross density of the Rural Development District, and is not intended to apply as a site specific maximum density limitation during sketch plan or site plan review.
- ** The Town Center is generally located in an area north of Wickham Road, west of I-95; east of Stadium Parkway and south of Viera Boulevard. (See Map 7). Town Center uses within the Viera Town Center shall include government facilities as well as a full mix of other land uses such as office, retail, civic and residential.
- *** Agricultural Use within the Rural Area includes a limited number of temporary housing units for agricultural workers, not to exceed 50 total units.
- **** Within the Conservation District and the Rural District no residential development will be permitted. Only that non-residential development which is consistent with an approved Habitat Management Plan (as part of the DRI Development Order) shall be permitted in the Conservation and Rural District.

(1) Special Standards for the Rural District

The following land uses and substantially similar land uses and corresponding densities and intensities are allowable in the Rural District:

Land Use	
•	Habitat Protection
•	Agricultural Use
•	Recreation

Notes:

1. These uses are only permitted to the extent that they are consistent with the provisions of the approved Habitat Management Plan.

B. Viera: Mix of Uses

The mix of uses for Viera (gross acreage) is as follows:

Table 8.1: Viera DRI Development Program (2009 Development Order)

*

Land Use (See Notes)	Totals
Residential (units)	29,945
Office Development (s.f.)	3,569,702
- General Office (s.f.)	3,391,702
- Government Office (s.f.)	178,000
Hospital, Health Clinic (beds and s.f.)	
- VA Clinic (s.f.)	137,500
- Hospital Beds	322
- ACLF Nursing Home (beds)	1,060
Industrial Plants or Parks Distribution, Warehousing or Wholesaling Facilities	302,518
- Office/Warehouse (s.f.)	22,500
- Light Industrial (s.f.)	280,018
Retail and Service Development (s.f.)	3,438,127
Hotel or Motel Development (rooms)	1,000
Attractions and Recreation Facilities	
- Stadium (seats)	7,500
- Theaters (screens/seats)	16 Screens/ 3,600 Seats
-Golf Course	72 Holes

Government Office for Phases 1 and 2A is included in General Office

Notes:

1. Office use includes medical office uses. Medical offices may include physician offices, medical clinics, labs, and diagnostic centers, ambulatory facilities, surgery centers, urgent care centers, rehabilitation centers, medical equipment sales and service, hospice, home health, pharmacies, cancer centers, hospitals or other similar medical office or specialty medical services or uses.
2. Medical uses may include but are not limited to physician offices, medical clinics, labs, diagnostic centers, ambulatory facilities, surgery centers, urgent care centers,

rehabilitation centers, medical equipment sales and service, pharmacies, cancer centers, hospitals, health fitness, hospice or home health care or other similar medical or health care uses, so long as they are consistent with the terms of the Viera DRI Development Order.

3. Retail service use includes fitness center/health club uses.
4. Residential use includes independent living uses.
5. Land uses such as elementary and secondary schools (public and private), churches, libraries, post offices, fire or police stations, golf courses and other public/civic uses are allowable in any development district, in addition to other designated uses shown on the DRI Map H.

New Town Overlay

Objective 9

Brevard County shall maintain development standards for large scale mixed use New Town projects and provide incentives for large-scale environmental design.

Definitions

Policy 9.1

Agricultural Use: Any use of land for bona fide agricultural purposes as described in Section 193.461(3)(b), Florida Statutes or for activities of a farm operation as described in Section 823.14(3), Florida Statutes or for Agriculture as defined in Section 570. 02(1), Florida Statutes; including, but not limited to, temporary housing for agricultural workers not to exceed a total of 50 units.

Community District: That portion of the New Town Overlay promoting mixed-use development in both infill and redevelopment scenarios. Allowed uses include residential, office, retail, light industrial and institutional.

Conservation Area: That portion of the New Town Overlay to be dedicated to conservation purposes as mitigation for impacts related to development within subsequent phases of the DRI. Portions of the Conservation Area shall be dedicated to conservation purposes and designated as part of the Conservation District pursuant to an approved staging plan set forth in the DRI Development Order. Prior to designation as part of the Conservation District, Agricultural Use is permitted within the Conservation Area.

Conservation District: That portion of the New Town Overlay dedicated to conservation purposes and providing mitigation for impacts to wetlands and listed species habitat resulting from development within the New Town Overlay. Land Uses and Agricultural Use within the Conservation District will be permitted only in a manner consistent with

the Habitat Management Plan and applicable conservation easements specifically imposed on lands within the Conservation District.

Neighborhood: Neighborhoods are predominantly residential areas, the collection of which constitutes a Village. They are designed around a centrally located park or other public space (a Neighborhood Center) and are characterized by a mix of residential housing and local services that include schools, parks, and churches. (For more specific standards see Policy 9.7.)

Habitat Management Plan: Guidelines and practices for maintaining, enhancing and managing listed species habitat and conducting Agricultural Use within the Rural District and the Conservation District which shall be attached as an exhibit to the DRI Development Order. (For more specific provisions see Policy 9.9.1)

Interchange District: That portion of the New Town Overlay dedicated to providing opportunities for development compatible with adjacency to a major I-95 interchange. Potential uses include multi-family residential, office, retail, light industrial and institutional.

Neighborhood Center: The required public focal point of a Neighborhood. Uses may include parks, open space or public type facilities such as churches, community centers or recreational facilities.

Public/Civic: A class of land uses that includes government service centers, public parks and recreational space, educational institutions, libraries, museums, and religious institutions.

Recreational Space: The lands within the Developed area of the New Town that are required to meet the recreational needs of residents; may include both active and passive parks.

Regional Commerce: That portion of the New Town Overlay dedicated to providing employment opportunities. Allowed uses include office, retail, light industrial, and higher density residential.

Rural Area: That portion of the New Town Overlay to be dedicated to listed species habitat enhancement and management as mitigation for impacts to listed species habitat within the New Town Overlay related to subsequent phases of the DRI. Rural Areas shall be dedicated to habitat enhancement and management purposes and designated as part of the Rural District pursuant to an approved phasing plan set forth in the DRI Development Order. Prior to designation as part of the Rural District, Agricultural Use (including temporary housing units for agricultural workers, not to exceed 50 total units) is permitted within the Rural Area.

Rural District: That portion of the New Town Overlay dedicated to providing listed species habitat as mitigation for impacts arising from development within the New Town Overlay and accommodating long-term Agricultural Use in a manner consistent therewith in accordance with the Habitat Management Plan. Listed species habitat will be enhanced and managed, and Land Uses and Agricultural Use are only permitted within the Rural District in a manner consistent with the Habitat Management Plan.

Rural Development District: That portion of the New Town Overlay designated for low-impact rural residential development. Rural residential development occurring within the Rural Development District shall be designed in a context sensitive manner to minimize impacts on the adjoining Rural District and/or Rural Area.

Sketch Plan: An illustration that demonstrates the specific requirements for development areas that further support and implement the baseline standards established as part of the PUD zoning. This is a required component of development approval within the Village District. (For more specific standards, see Policy 9.9.2)

Town Center: That portion of the New Town Overlay designated as the central, mixed-use core for an entire New Town; emphasizes Traditional Neighborhood Design (TND) or Transit Oriented Design (TOD) development form as specified in Objective 8, Section 3.D. Special Provisions. Allowed uses include higher density residential, office, light industrial, retail, and institutional. (For more specific standards see Policy 9.6.)

Village: That portion of the New Town Overlay designated to provide a sustainable mixed-use development form. Villages are a collection of Neighborhoods, offering a diverse mix of housing types, of which at least 50 percent are within ½ mile of a Village or Neighborhood Center. Villages shall be supported by centrally located, mixed-use Village Centers (designed specifically to serve the daily needs of Village residents). Residential densities transition from high within and around the Village Center to lower densities on the edges of each village. (For more specific standards see Policy 9.7.)

Village Center: A centrally located and required mixed-use component of a Village designed to provide a sufficient mixture of non-residential uses so as to provide for the daily commercial needs of Village residents and residential uses of various densities, intensities, and types. This development form promotes walking between uses and a variety of transportation modes such as bicycles, transit, and automobiles. Allowed uses includes residential, retail, office, and civic uses including a park and/or school. (For more specific development standards see Policy 9.5)

New Town: General Principles

Policy 9.2

Brevard County adopts, as part of the Future Land Use Map, a New Town Overlay to include those areas having the characteristics of a new town community.

Criteria:

- A. A New Town Overlay shall consist of and be regulated by the following:
 - 1. Size of 1,500 acres at a minimum.
 - 2. All new town communities shall provide acceptable funding mechanisms such as Community Development Districts, Special Districts formed pursuant to Florida Law, other private funding and developers' agreements to the County that ensure all services and facilities proposed by the applicant will be funded, operated, and maintained, through the acceptable funding mechanism, for the utilization of the new town's citizenry.
 - 3. A full and balanced mix of all major future land use categories set forth in Rule 9J-5, F.A.C. shall be provided, with the possible exception of agriculture, with a goal of planning land uses that will result in a balance of jobs to households.
 - 4. Initial control by a master developer of the land within the new town area.
 - 5. Development based on a master development plan for the new town area.
 - 6. Development that is clearly functionally distinct or geographically separated from existing urban areas and surrounding land uses.
 - 7. Central potable water and sewer service and availability of other public facilities and services including roads, storm water management, parks and recreation, police and fire protection, emergency medical services, schools and solid waste service shall be planned and provided in accordance with applicable policies of the Capital Improvements Element, if not already available.
 - 8. It shall be clearly demonstrated in a conceptual manner how future land uses will function as an interrelated community.
 - 9. All New Town Overlay areas shall be evaluated as part of the Evaluation and Appraisal Report (EAR) process.
- B. Maximum allowable residential densities and non-residential intensities within a New Town Overlay area shall be established as provided by other policies of this element.
- C. A full range of housing types meeting the Standard Housing Code, including single family ownership and rental units that are considered affordable to all income levels, shall be allowed within a new town. Provision of this range of housing shall be supported by cooperative

developer/ government efforts to provide opportunities for affordable single family home ownership. Specifically, opportunity for development of a variety of affordable housing units shall be made available which reflect the incomes of persons employed within the new town area.

- D. A New Town Overlay area shall have interconnected systems of open space that provide recreational opportunities and provide for the conservation of natural resources
- E. All New Town Overlay areas should have similar land use designations, directives, policies, and criteria. The new town developer shall assist local governments in developing uniform new town designations, policies, directives, and criteria. Brevard County shall, as part of its Evaluation and Appraisal Report (EAR) process, initiate appropriate amendments to fulfill this requirement.
- F. The establishment of a New Town Overlay area on the Future Land Use Map is not intended to imply, nor does it express an intent by the Board of County Commissioners, that development is being directed to a New Town Overlay area, and to guide development away from other areas of Brevard County. Nor does Brevard County plan to reduce development potential in other areas of the County. Brevard County will always support additional development elsewhere in the County wherever appropriate.
- G. The County recognizes that prevention of urban sprawl and the creation of compact, mixed-use development support an important public purpose. The County also recognizes the value of regional resource protection and accepts that wetland protection and enhancement measures shall be addressed as a part of established mitigation managed pursuant to a Habitat Management Plan.
- H. New Towns shall conserve, appropriately use and protect native vegetative communities, including forests as appropriate through the protection of regionally valuable ecological resources adjacent to publicly-owned lands, located wholly within Brevard County, and managed pursuant to an approved Habitat Management Plan.
- I. In order to provide community green space and clustering developments, all development shall comply with environmental design criteria in the form of alternative land clearing, tree protection and landscaping standards included in applicable PUD zoning (approved by the Natural Resources Management Department).

- J. Landscaping, Land Clearing & Tree Protection
In order to facilitate development consistent with the objectives, principles and standards of the New Town Overlay, development shall follow alternative standards for landscape, land clearing and tree protection as set forth in applicable PUD zoning.
- K. Brevard County shall continue to implement regulations for land excavation operations within a New Town Overlay. The regulations which shall include the following:
1. Provisions to prevent adverse effects on water quality and quantity.
 2. Depiction of stormwater ponds and recreational lakes, including approximate locations and configurations, with details of side slopes, pond depths, normal water levels and any required planting areas.
 3. Material removed from recreational lakes and stormwater ponds, or other excavation areas approved and consistent with the requirements as listed in Policy 9.2 (K)(4), may be utilized for fill material inside and outside of a New Town.
 4. Construction and operation of Stormwater ponds and recreational lakes and associated facilities that are part of a Stormwater Management system approved by the County Engineer and included within an approved subdivision, sketch plan, site plan or plat shall not be considered a Land Alteration activity and shall not be subject to the regulations titled or pertaining to Land Alteration or Private Lakes.
- L. New Town developments require central water, wastewater and irrigation services except in the Rural Development District. The New Town development shall identify, through the Zoning Approval Process, the method for the provision of infrastructure for the water, wastewater and irrigation systems for the development.
- M. All subsequent development submittals within a New Town shall demonstrate that the integrity of the mixed-use district is not compromised by allowing extensive single-uses. The land use mix shall be phased to provide an adequate mix of non-residential uses to serve residential development within each development phase.

New Town: Commercial and Industrial Location Standards in Community District Policy 9.3

If consistent with other criteria in this policy and the plan, uses within the New Town Overlay Community District area need not be consistent in all cases with

commercial and industrial locational criteria, due to the integrated nature and large scale of New Town development, if they comply with the following:

Criteria:

A. Commercial Land Uses

Regional commercial uses shall be located in proximity to Interstate highways or other existing or planned arterial roadways. Sites for regional commercial centers shall be a minimum of 50 acres in size and should consist of 500,000 square feet of gross leasable area. A major component of the regional center may be a mall with at least two anchor stores. The site plan for the center shall ensure for a pedestrian circulation system that is integrated with the new town's overall pedestrian system. The site plan for all regional commercial development shall ensure that a pedestrian circulation system is provided that is integrated into the Town Center's overall pedestrian system, where such regional commercial development is in close proximity to the Town Center. The regional commercial center shall be compatible with adjacent uses, provided however such use shall be deemed compatible where it is consistent with an applicable Preliminary Development Plan.

1. Tourist commercial uses shall be located in proximity to other tourist uses such as sports facilities, entertainment facilities, and other tourist-related uses. These uses shall be accessed from an existing or planned arterial street. Tourist commercial uses shall be compatible with adjacent uses, provided however such use shall be deemed compatible where it is consistent with an applicable Preliminary Development Plan.
2. Local commercial centers shall be integrated with residential uses and shall be accessible from the New Town's pedestrian/bicycle pathway system and an additional transit corridor. The minimum acreage of a local commercial center is 10 acres with a gross leasable area to 125,000 square feet or less. Local centers may be spaced from 1 to 1.5 miles apart within the community. The centers are intended to serve the shopping needs of the residents living within the community and the immediate surrounding neighborhood. Sub-regional uses shall be permitted within local commercial centers, they shall have a minimum acreage of 20 acres and may have a gross leasable area of 500,000 square feet or less. Sub-regional uses shall be located adjacent to existing or planned arterial roadways. Local commercial centers shall be compatible with adjacent uses, provided however such use shall be deemed compatible where it is consistent with an applicable Preliminary Development Plan.
3. Convenience commercial shall consist of a minimum of 1 to 5 acres in size, and shall provide access to residential neighborhoods via the New Town's pedestrian/bicycle pathway system. The gross leasable

area shall be up to 50,000 square feet. The convenience commercial center shall be compatible with adjacent uses, provided however such use shall be deemed compatible where it is consistent with an applicable Preliminary Development Plan.

B. Office Uses

Office uses may be located in regional commercial centers, local commercial centers, convenience commercial centers, or serve as a transitional use between residential uses and more intense non-residential uses and between residential uses and transportation facilities. Office uses shall be compatible with adjacent uses, provided however such use shall be deemed compatible where it is consistent with an applicable Preliminary Development Plan.

C. Industrial Uses

The negative impacts of industrial land uses on the functions of the natural systems shall be minimized. Sites for industrial development shall be accessible to essential public and private facilities and services including transportation, potable water, an appropriate sewage treatment facility, solid waste, and drainage. Sites for industrial development shall be located with access from existing planned arterial streets or highways. Industrial use shall be compatible with adjacent uses, provided however such use shall be deemed compatible where it is consistent with an applicable Preliminary Development Plan.

New Town: Regional Commerce District Standards
Policy 9.4

For those areas within a New Town that are designated as “Regional Commerce District”, the following standards shall apply:

Criteria:

- A. Regional Commerce Districts should be developed with the goal of increasing full-time employment opportunities through office uses. Retail, light industrial, and high density residential uses are also allowed.
- B. Regional Commerce Districts shall include a mixture of uses wherein the residential uses are integrated with the non-residential uses through an interconnected network of streets. This street network shall also be interconnected and accessible from the New Town's pedestrian/bicycle pathway system and a transit corridor. Site plans for development shall ensure that the pedestrian circulation system for the Regional Commerce development is integrated with the New Town's overall pedestrian system.

New Town: Urban Design Principles

Policy 9.5

Districts within a New Town that are designated as either “Town Center”; or “Village” shall exhibit elements of the following Traditional Neighborhood Design principles:

Criteria:

- A. Village or Town Centers with Mixed Uses. Village Center and Town Centers shall be designed to insure a mixture of non-residential and residential uses of various densities, intensities, and types designed to promote walking between uses and a variety of transportation modes such as bicycles, transit, and automobiles.
- B. Pedestrian Scale Commercial Development. Commercial areas shall be designed to a pedestrian scale and orientation served by an urban street network with a block structure and urban building frontages along street faces.
- C. Functional Neighborhoods. Residential areas shall be located and designed as neighborhoods, which embrace a full range of urban facilities including neighborhood retail centers, a variety of housing types, public/civic space and a variety of open space amenities, schools, central water and sewer, and fire/safety accessibility.
- D. Walkable Streets. Neighborhoods shall be designed to reinforce reasonable walking distances from Village or Neighborhood Centers and the location of parking, and the design of streetlights, signs and sidewalks shall respect the pedestrian orientation of the development.
- E. Interconnected Circulation Network. The Villages and Town Center shall be designed along an interconnected street system that accommodates pedestrians and bicycle features and links neighborhoods to shopping areas, civic uses, parks and other recreational features.

New Town: Town Center Standards

Policy 9.6

For those Districts within a New Town that are designated as a Town Center, the additional following standards shall apply:

Criteria:

- A. The Town Center is a strong core of higher density residential, employment and commercial uses, which shall be interconnected and accessible by pedestrians to surrounding areas and shall be designed to encourage and accommodate regional transit.

- B. The quantity of non-residential development permitted in the Town Center will be related to the demand for community commercial, office, civic and government use development within the New Town.

New Town: Village Standards

Policy 9.7

For those Districts within a New Town that are designated as a Village, the additional following standards shall apply:

Criteria:

- A. The planning principles that shall guide the development of all Villages shall include the following:
- B. The development pattern of all Villages shall respect the environment by reinforcing the consolidated, connected open space systems of the New Town which enhances regional environmental systems where appropriate;
- C. The development shall create self-sufficient communities that provide a fully connected system of streets and roads that encourage alternative means of transportation such as pedestrians, bicycle, and transit; and
- D. The development shall be formed around the Village Center and Neighborhoods which, collectively, shall include a diversity of housing types.
- E. Villages shall be a minimum of 1000 acres and shall be designed as a collection of Neighborhoods where a majority of the housing units are within a half mile walking distance of a Village or Neighborhood Center with higher densities closer to the Village Center. Villages shall be supported by internally designed, mixed-use Village Centers (designed specifically to serve the daily needs of Village residents).
- F. Villages shall include a mix of uses, including residential, commercial, office, Public/Civic, schools, and Recreational Space, that serve the daily needs of residents;
- G. Villages shall include a Village Center with sufficient non-residential uses to provide for the daily needs of Village residents, by phase of development, in a form that can be conveniently served by regional bus service;
- H. Villages shall include a range of housing types that supports a broad range of family sizes and incomes.
- I. Villages shall include compact design that includes a system of land subdivision and development which links one Neighborhood to another;

- J. Villages shall include interconnected streets that are designed to balance the needs of all users, including pedestrians, bicyclists and motor vehicles, and which are built with design speeds that are appropriate. Villages shall include alternatives for pedestrians and bicyclists through the provision of sidewalks, street trees and on-street parking which provide distinct separation between pedestrians and traffic; and provide adequate lighting that is designed for safe walking and signage which has a pedestrian orientation. Within Village Centers, spatially define primary streets and sidewalks by arranging commercial and multi-family buildings in a regular pattern that are unbroken by parking lots;
- K. Villages shall provide Recreational Spaces that meet the recreational needs of the community, reinforce the design of the development by providing a variety of Recreational Space amenities that serve a range of interests and distribute Recreational Space amenities throughout the development.
- L. Villages shall have a system of connected open space which includes elements of public edge throughout the neighborhoods that connect each village.

New Town: Rural Development Standards

Policy 9.8

For those Districts within a New Town that are designated as Rural Development, the additional following standards shall apply:

Criteria:

- A. Residential development shall be limited to a specified acreage.
- B. The development design shall be context-sensitive in order to minimize adverse impacts to adjacent lands.
- C. Residential development should promote rural character when viewed from public roads and from abutting properties.
- D. Low-density residential development and rural residential clusters shall both be considered compatible forms of development.
- E. At the request of an applicant, the boundary of the Rural Development District (as shown on an overlay map) may be changed administratively by Brevard County provided that the change does not create a development enclave, does not exceed the overall approved acreage of the Rural Development District or reduce the existing overall acreage of the Rural District.

New Town: Standards for Rural and Conservation Districts

Policy 9.9

The Rural District and the Conservation District shall accommodate and provide mitigation for impacts to wetlands and/or listed species habitat resulting from development within the New Town Overlay. The transition of land into either the Rural District or the Conservation District shall occur in accordance with a phasing plan set forth in the DRI Development Order. Such transition shall be implemented by the conveyance of either (1) fee simple title to such lands or (2) a conservation easement over such lands, to an independent special district formed under Chapter 189 or Chapter 190 of the Florida Statutes or other governmental entity, which may include, but not be limited to, the Viera Stewardship District, Brevard County, the St. Johns River Water Management District, the Florida Fish and Wildlife Conservation Commission, or the U.S. Fish and Wildlife Service. The following criteria apply to the Rural District and the Conservation District within the New Town Overlay:

Criteria:

- A. Agricultural Use is only permitted within the Rural District and the Conservation District in a manner consistent with the Habitat Management Plan and applicable conservation easements and regulatory permits.
- B. Passive recreational uses are allowed within the Rural District and the Conservation District in a manner consistent with the Habitat Management Plan and applicable conservation easements and regulatory permits.
- C. The Rural District and the Conservation District shall be administered by an independent special district formed under Chapter 189 or Chapter 190 of the Florida Statutes or other governmental entity satisfactory to Brevard County, which administrator shall provide for the long term management of such districts and the implementation of all management, enhancement and preservation activities required in accordance with the Habitat Management Plan and applicable conservation easements and regulatory permits.

Habitat Management Plan

Policy 9.10

A Habitat Management Plan shall be submitted to and approved by Brevard County Natural Resources Management Department, as a part of the DRI approval process and compliance with said plan shall become a condition of the development approval. The specific requirements listed below shall be defined through the subsequent permitting process and incorporated into the Habitat Management Plan in accordance with the DRI Development Order.

Criteria:

- A. Resource protection and conservation will occur through the legal protection of Conservation and Rural Districts;

- B. Specific responsibilities for the regular and periodic operation and maintenance of the area including the identification of on-going management strategies for conservation and/or restoration of native habitats to meet mitigation requirements;
- C. Standards and timelines for monitoring that will evaluate listed species behavior and productivity, enhancement activities, and ongoing land management;
- D. Operational standards, including the standards for regular maintenance of infrastructure, and providing wildlife management, to ensure the long-term success of natural resource management in a mitigation area.
- E. Operational standards to ensure the continuation of Agricultural Use in a manner compatible with long-term natural resource management goals.

Review and Approval Process

Policy 9.11

Criteria:

- A. Standards for Review
Development within the New Town Overlay Village, Town Center, Regional Commerce and Interchange Districts must demonstrate the following:
 - 1. That the development complies with all applicable County environmental preservation regulations provided, however, that the development shall also separately comply with applicable federal and state environmental preservation regulations.
 - 2. That the location of the developed areas on the site respects existing adjacent development patterns;
 - 3. Permits the most density and intensity in areas that are most proximate to Town Centers and Village Centers;
 - 4. That, where applicable, the integrity of the mixed-use district is not compromised by allowing extensive single-uses. The land use mix shall be phased to provide an adequate mix of non-residential uses to serve residential development within each development phase.
- B. Approval Process
Development within the New Town Overlay includes the approval of a Planned Unit Development Zoning District rezoning and a more specific Sketch Plan approval process for each Village within the Village District. As part of the Planned Unit Development Zoning, each Village must be master planned as shown on a Preliminary Development Plan before an individual

neighborhood can proceed through the Sketch Plan Process. The applicant may submit more than one Village Sketch Plan at a time for review and approval.

C. Approval Process: Zoning Standards

The Planned Unit Development Zoning District rezoning shall establish the general baseline regulation for the development including standards for physical design, development approval processing, proposed phasing, and the identification and definition of the types of major modifications to the Zoning District approval that shall require the review and approval of the County Commission and minor modifications that shall require only the review and approval of county staff. The Planned Unit Development Zoning shall include a Preliminary Development Plan as required by Brevard County Land Development Code Section 62 Subdivision V.

D. Approval Process: Sketch Plan Standards

The Sketch Plan review and approval process shall establish the specific requirements for Village development that further support and implement the baseline standards established as a part of the Planned Unit Development Zoning and shall include the following information:

- Location of each Neighborhood, Neighborhood Center, Village, and a block layout of a Village Center or Town Center where applicable
- Recreational Space
- Land Use Mix
- Density and intensity of land uses proposed
- Circulation routes for auto, transit (where applicable), pedestrian and bicycles modes
- Design Criteria for landscaping and signage
- Transportation Network Connections
- Preserved wetland areas, associated upland buffers, impacted wetland areas and a quantification of wetland impacts within the Sketch Plan area.

A Sketch Plan shall be considered an integrated site plan or commercial subdivision as referenced in Chapter 1 Policy 5.2 (5) (a) (iii). The approval of a Sketch Plan and modifications thereto shall only require the review and approval of county staff.

E. Approval Process: Site Plan or Subdivision Plan

Site Plan or Subdivision Plan review for individual sites within an approved Sketch Plan shall follow the procedures outlined in Articles VII and VIII of the Brevard County Land Development Regulations, provided

that Site Plans and Subdivision Plans for individual sites within any Sketch Plan area shall be consistent with such Sketch Plan.

- F. Appeals related to any administrative decision or determination concerning implementation or application of Policy 9.9 provisions shall follow the established appeal procedures as included in the Brevard County Code of Ordinances (Sec. 62-506. Appeals generally.)

Transfer of Development Rights (TDRs)

Objective 10

Brevard County shall encourage preservation of unique aspects of the natural environment by recognizing Transfer of Development Rights (TDRs) which permit more intense activity in areas deemed suitable for development.

Criteria for Transfer of Development Rights

Policy 10.1

Transfer of development rights (TDRs) may be obtained through the Conditional Use Permit or DRI process to direct residential development to areas which are deemed suitable for growth with the intent of furthering County goals related to preservation of the physical (including historic) and/or natural environment. TDRs may be transferred: (1) to an approved offsite location which is designated a receiving district; or (2) internally within a project from an approved sending district. In either circumstance, the utilization of TDRs must adhere to the following minimum criteria:

Criteria:

- A. TDRs may be utilized in a project via Planned Unit Development (PUD), DRI process, or binding development agreements with binding development restrictions.
- B. The density of a project receiving TDRs shall not exceed 150% of the density permitted in the designated land use category. The maximum allowable density of a development shall take into consideration all other requirements of the Comprehensive Plan.
- C. The density assigned to a wetland area on the Future Land Use Map series may be transferred to an upland area within the same project. The transfer shall be subject to the provisions contained in Criterion B above.
- D. Compatibility with surrounding development patterns within receiving areas shall be ensured.

- E. TDRs may be considered due to environmental considerations; for the protection of historic resources; to encourage the preservation of Agricultural lands, to encourage urban infill development; to provide additional open space; and to encourage development within specified area(s).
- F. Applications for projects proposing to utilize TDRs shall include an analysis of the impacts that the increased density will have on public facilities and infrastructure as well as the school system.
- G. The CHHA is considered a sending district for TDRs, but cannot be a receiving district, except for intra-area transfers.
- H. To promote the protection of Agricultural lands, the transfer of development rights from Agricultural land will receive a 25% density bonus. Example: A TDR of 4 dwelling units from an Agricultural sending district will be 5 dwelling units to the non-Agricultural receiving district.

Receiving Districts for Transfer of Development Rights

Policy 10.2

The following land use designations may be considered receiving districts for Transfer of Development Rights:

- Residential 30 Directive
- Residential 15
- Residential 10
- Residential 6
- Residential 4
- Neighborhood Commercial
- Community Commercial

Sending Districts for Transfer of Development Rights

Policy 10.3

The following land use designations may be considered as sending districts for Transfer of Development Rights:

- Agricultural (25% bonus applicable)
- Conservation
- Coastal High Hazard Areas

Redevelopment & Regentrification

Objective 11

Brevard County shall alleviate the impacts of inadequate public facilities and services,

substandard structures and lot configurations in blighted or other affected areas in the County through redevelopment initiatives.

Criteria for Redevelopment Plans

Policy 11.1

Brevard County shall continue to identify areas that are candidates for redevelopment, such as those addressed in the Merritt Island Redevelopment Plan and adopt redevelopment plans in order to improve traffic circulation and parking, and to provide for aesthetically pleasing and environmentally sound commercial, office and residential opportunities, consistent with this Comprehensive Plan. At a minimum, the following criteria shall apply:

Criteria:

- A. Redevelopment plans shall be coordinated with the availability of the following public facilities and services at levels of service adopted in this Comprehensive Plan: roadways, potable water, sanitary sewer, drainage, solid waste and emergency services.
- B. Redevelopment plans shall be coordinated with transportation improvements including marginal access, existing roadway networks in the study area, limitation of access points, parking, pedestrian and bicycle facilities and mass transit.
- C. Redevelopment plans shall address the impacts of redevelopment activities on the natural systems. Redevelopment activities shall be conducted consistent with the Conservation, Coastal Management and Surface Water Management elements of this Comprehensive Plan.
- D. Redevelopment plans shall address appropriate development patterns in the study area. Primary emphasis shall be given to compatible retail commercial, high density residential, professional office and mixed-use projects. Clustered development patterns shall be preferred over strip development patterns.
- E. Redevelopment plans shall provide for the visual continuity of the study area through landscaping, signage and architectural and design requirements.
- F. Redevelopment plans shall address economic development strategies such as business recruitment, commercial revitalization and marketing campaigns.
- G. Redevelopment plans shall identify structures which are substandard and shall address measures for rehabilitation or replacement.

- H. Redevelopment plans shall include relocation strategies for residents and businesses displaced by implementation of said Plan. These strategies shall ensure that those displaced are provided adequate notice, equitable compensation and assistance in locating comparable relocation accommodations.

Policy 11.2

Redevelopment Districts may be established consistent with criteria set forth in Chapter 163, Part III, F.S. Such districts may receive special attention and flexibility, in accordance with current or new land development regulation which may be adopted by the Board of County Commissioners in accordance with Criterion C, in order to assure the elimination of factors contributing to economic debilitation. To that end, Redevelopment Districts shall be developed according to the following minimum criteria:

Criteria:

- A. A Redevelopment District shall be developed in accordance with its adopted Redevelopment Plan.
- B. Redevelopment Districts shall be permitted in any land use designation.
- C. Redevelopment agencies shall promulgate land development regulations, design standards, rehabilitation and maintenance standards, and other regulatory or planning programs to establish performance standards, guide growth, or implement the adopted Redevelopment Plan, as may be amended and adopted by the Brevard County Board of County Commissioners.
- D. Allowable non-residential development activities shall reflect the character and nature of the District. If a Redevelopment District has the potential to become an urban central business district, then adequate opportunities should be provided for pedestrian movement, activity centers, urban spaces and other characteristics of urban core areas.
- E. Residential development activities shall be encouraged to complement the types, styles and ranges of residential development standards assigned through the respective Redevelopment Agency's Land Development Regulations.
- F. A density bonus program that provides developer incentives for the rehabilitation and reconstruction of housing should be implemented in appropriate Redevelopment Districts, as follows:

<u>Land Use Designation</u>	<u>Maximum Number of Units Permitted</u>
Residential 30 Directive	37.5 du/ac.
Residential 15	18.75 du/ac.
Residential 10	12.5 du/ac.
Residential 6	7.5 du/ac.
Residential 4	5 du/ac.
Residential 2	2.5 du/ac.
Residential 1	1.25 du/ac.

Density bonuses in the CHHA shall be approved by the Board of County Commissioners and shall be subject to environmental constraints, availability of public facilities, land use compatibility, and level of service requirements set forth in this Plan. Residential densities, of up to 37.5 dwelling units per acre, may be considered in the Merritt Island Redevelopment Area and shall be incorporated if approved by the Board of County Commissioners as part of a redevelopment plan.

- G. Appropriate areas shall be set aside within each Redevelopment District for conservation, open space, recreation, or public facility usage.

Platted Lands with Development Limitations

Policy 11.3

Brevard County shall continue to support State and local initiatives that seek to address those lands which are platted but possess limitations to development based upon inadequate public facilities and services, substandard lot configurations, or environmental constraints.

Property Rights

Policy 11.4

Brevard County shall address all constitutional considerations in the evaluation of applications for development orders and permits and shall maintain a process for appeals.

Policy 11.5

Brevard County shall encourage private redevelopment projects which are not regulated under Chapter 163, Part III, F.S. through the establishment of the Planned Redevelopment District Future Land Use designation. This land use designation is intended to enable the County to consider preliminary redevelopment proposals in which only maximum thresholds for buildout and other general development information are provided. Under this approach, the identification of specific land use tracts may be reserved until re-zoning (if required) or the site plan approval process. The following minimum criteria must be met in order to request the Planned Redevelopment District land use designation:

Criteria:

- A. Parcels seeking this designation must currently be substantially improved and proposed for redevelopment ; and
- B. The minimum land assemblage requirement for this future land use designation is twenty-five (25) acres, all of which is held under one ownership, consolidated under a Unity of Title or similarly bound by other legal instrument, to ensure that the site remains undivided and that the project is built out and maintained in a manner contemplated at the time of the FLUM amendment approval; and
- C. A property utilizing this future land use designation must abut one or more improved arterial roadways at the time of the FLUM amendment request.

Policy 11.6

Since the Planned Redevelopment District land use designation is based upon broad conceptual information rather than specific details relating to the proposed layout/arrangement of use(s) on site, such amendment requests shall, at a minimum, be accompanied by the following information:

Criteria:

- A. Project description explaining the intent/scope of the project; and
- B. Listing of the types of general land uses proposed (i.e., residential, commercial, industrial, etc.) and potential zoning classifications in the project; and
- C. Details of each residential component, if proposed, including acreage breakdown(s), maximum number of dwelling units, density caps, and types of housing styles for each residential component of the project; and
- D. Details of each non-residential component, if proposed, including acreage breakdown(s) and type(s) of non-residential uses; and
- E. Description of special amenities proposed for the project to promote a cohesive character and encourage alternative transportation modes. Such amenities may include, but are not limited to the following:
 - 1. Greenbelts;
 - 2. Sidewalks;
 - 3. Bikepaths;
 - 4. Features to accommodate mass transit services.
- F. Analysis of the compatibility of the proposed project with surrounding land uses and the Future Land Use designations in the area; and

- G. Anticipated time limit for build out of the project (time extensions may be considered by the Board and shall require amendment to the Comprehensive Plan); and
- H. Relocation plan for displaced residents/business, if applicable; and
- I. At the time of adoption for a particular parcel, the developer must proffer a fully executed development agreement which specifies the nature of the approved development, as outlined by the above criteria.

Policy 11.7

When reviewing a request for Planned Redevelopment District, the County shall consider the following factors:

Criteria:

- A. Future land use designations and residential density guideline allowance for the subject parcel and surrounding area;
- B. Development trends in the area;
- C. Compatibility and interconnectivity with adjacent adopted future land use designations and existing land uses;
- D. Accessibility of the site;
- E. Availability of required infrastructure at or above adopted level of service standards;
- F. Adherence to the objectives/policies of the Conservation Element and minimization of impacts upon natural resources and systems;
- G. Integration of open space and interconnectivity within the proposed project area; and
- H. Promotion of alternative transportation modes, including pedestrian movement, bicycles and mass transit within the project.

Policy 11.8

During the zoning process for projects designated Planned Redevelopment District, the County shall consider the following factors:

Criteria:

- A. Types of permitted/prohibited uses associated with the requested zoning;

- B. Impact of anticipated land use mix in maximizing trip capture within the project;
- C. Existing zoning trends in the area;
- D. Compatibility of requested zoning with the area;
- E. Impact upon Level of Service (LOS) standards for roads, potable water service, sanitary sewer service and solid waste disposal;
- F. Impact upon natural resources, including wetlands, floodplains and endangered species; and
- G. Other issues which may emerge specific to a particular property which may be addressed through performance based zoning criteria.

Policy 11.9

Development within the Planned Redevelopment District land use designation shall be designed to encourage a cohesive arrangement of interdependent land uses which promote internal interconnectivity and support the use of alternative circulation modes within the project boundaries. At the time of site plan review, the County shall consider the following, at a minimum:

Criteria:

- A. Buffering from adjacent existing/potential uses;
- B. Arrangement of land uses in terms of maximizing trip capture within the development;
- C. Provision of open space, as defined by Section 62-1102 of the Zoning Code, as set forth in applicable zoning districts and in this Comprehensive Plan;
- D. Adequacy of pervious areas in terms of drainage requirements;
- E. Unique features and resources which may constrain site development, such as soils, existing vegetation, and historic significance;
- F. Safety of on-site circulation patterns and interconnectivity within the project area to encourage alternative transportation modes, such as pedestrian movement, bicycling, and mass transit options;
- G. Landscaping, as it relates to applicable land development regulations and the Comprehensive Plan;

- H. Performance based zoning requirements which may serve as a substitute for or accompany land development regulations in attaining acceptable site design.

Policy 11.10

Once a Planned Redevelopment District future land use designation is adopted for a parcel, the specific development criteria approved by the County shall be incorporated into the Future Land Use Element. Modifications to approved development criteria shall require amendment to the Comprehensive Plan.

Service Delivery, Concurrency, and Growth

Objective 12

Through concurrency management, Brevard County shall oversee development activities in order to assure that existing and future needs for public facilities and services are available consistent with the Capital Improvements Program and the policies of this Comprehensive Plan. Brevard County shall utilize a 5 year short range and 10 year long range planning periods.

Public Facilities Siting and Capacity Needs

Policy 12.1

Public facilities and services shall be designed with capacities sufficient to support the needs of the projected population and the intensity of future development.

Policy 12.2

Planning for public facility and service expansions should consider the area's suitability for urbanization based upon environmental constraints, existing and future land uses, the availability of potable water and the availability of other facilities and services. The provision of public facilities and services shall be encouraged within existing or future service areas as designated in this Comprehensive Plan, unless an overriding public benefit can be demonstrated, in an effort to limit urban sprawl. Plans for the expansion of existing facilities, services and corridors or the construction of new facilities, services and corridors should include measures to mitigate negative impacts upon the surrounding area during construction.

Policy 12.3

Future public facility sites and corridors should be identified in currently undeveloped areas to anticipate and plan for the needs of future development.

Rights of Way Needs

Policy 12.4

Brevard County should coordinate with appropriate authorities including, but not limited to, the Florida Department of Transportation, the Space Coast TPO, and affected

municipalities in defining right-of-way needs for proposed roadway improvements, extensions or new corridors and establishing mechanisms for right-of-way acquisition and protection, as identified in the Transportation Element of this Comprehensive Plan.

Public Drainage Facilities Needs

Policy 12.5

The provision of public drainage facilities should be contingent upon the Master Storm-water Management Plan, recommended in the Surface Water Management Element of this Comprehensive Plan, which will identify deficiencies and establish priorities for facility improvements.

Community Facilities Needs (Fire and Police Stations, Libraries, Schools, Water Facilities, and Prisons)

Policy 12.6

Brevard County shall designate, acquire or dedicate adequate and appropriate lands for community facilities, such as public schools, water system facilities, fire and emergency medical services, police protection, and libraries as established in the Capital Improvements Element of this Comprehensive Plan based upon the following minimum criteria:

Criteria:

- A. Fire and emergency medical service stations should be located so as to provide a level of service consistent with the response time goals adopted by the Emergency Medical Services Advisory Council. Access should be available to roadways of sufficient capacity to allow for emergency vehicle accessibility.
- B. Sheriff offices should be located so as to minimize the response time within the districts to be served. Districts should be comprised of a homogeneous area, not limited by natural or physical barriers such as water bodies, major transportation corridors or railroads. Stations should be located near concentrations of commercial or industrial uses and the areas with the highest crime rates. Access should be available to roadways of sufficient capacity to allow for vehicle accessibility.
- C. New public library sites should be located at least five miles from existing public libraries.
- D. Sites for correctional facilities should be of sufficient size, no less than 50 acres, to allow for a secure compound and to limit the impacts upon the surrounding community. The site should be located within 15 miles of the communities which provide staff or other support and at least 1/2 mile from the nearest residential area. The population within a two-mile radius of the site should not exceed 1,000.

- E. To the extent allowed by law, the construction of a new Community Water System (per 62-550.200(12), F.A.C.) located within the unincorporated area of Brevard County which is designed to serve at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents, shall be reviewed and approved by Brevard County. This review shall be limited to those construction activities which increase existing or create new supply, treatment or storage facilities. Brevard County review shall be consistent with the provisions of Brevard County Ordinance No. 2003-32 and the consents recited therein.

Public School Needs

Policy 12.7

Brevard County should encourage the School Board to locate public schools in accordance with the following criteria:

Criteria:

- A. School facilities should be centrally located within the residential areas to be served and should be of sufficient size to accommodate the projected enrollment.
- B. Convenient pedestrian access to school sites is desirable.
- C. Locations on major roadways, in commercial or industrial areas should be avoided to limit the hazards of vehicular traffic, and to minimize disturbances from noise, odors or fumes.
- D. Joint locations with recreational facilities should be encouraged.
- E. The general location of school facilities should be consistent with the comprehensive plan of the appropriate local governing body developed pursuant to provisions of Chapter 163., F.S.

Concurrency Evaluation Practices

Policy 12.8

Brevard County shall continue to utilize a concurrency evaluation system to review the impacts of all development proposals on existing public facilities to ensure that service levels are not degraded below acceptable level of service standards as adopted in this Comprehensive Plan.

Policy 12.9

Brevard County shall continue to implement a concurrency evaluation system using Best Evaluation Practices, and shall conduct and apply the system, and any subsequent system, in accordance with the following criteria:

Criteria:

- A. The concurrency evaluation system shall measure the potential impact of any development order or permit proposal upon the established minimum acceptable level of service for a roadway, solid waste, potable water, drainage, sanitary sewer or park facility or service.
- B. The most current available information and data regarding the above public facilities or services operating levels of service shall be utilized for concurrency evaluations.
- C. If the concurrency evaluation test finds that any development order proposal will cause a deficiency on any public facility or service serving the proposed development site for which a minimum acceptable level of service has been established, Brevard County reserves the authority to deny or defer the development proposal, to cause the development order proposal to be modified to achieve consistency with the minimum acceptable levels of service, or to process it as a conditional development order proposal pursuant to Policy 12.10.
- D. A non-deficiency finding for a development order proposal by a concurrency evaluation test shall remain valid for the following prescribed time-frames, provided the permit application is submitted within 180 days after the date of the test results:
 - 1. For a site development plan approval, the finding shall remain valid for a period not to exceed 18 months, except where the intensiveness of the approved use is exceeded. In the latter instances, another concurrency evaluation test shall be required.
 - 2. For a residential subdivision, or phase or unit thereof, including residential subdivision phases of planned unit developments, the finding shall remain valid for a period not to exceed 36 months from the date of the construction permit's approval, providing the work authorized proceeds in a timely manner.
 - 3. For a commercial, industrial or multi-family building permit, the finding shall remain valid until construction has been completed and a certificate of occupancy issued; or for the life of the permit until it is revoked or suspended for failure to proceed in a timely manner as prescribed.
- E. A non-deficiency finding for an individual single-family development proposal shall remain valid for 24 months, provided a construction building permit is obtained within that timeframe, and work authorized proceeds in a timely manner.

- F. Concurrency evaluation tests for commercial and industrial subdivisions, for the purpose of approving a final development order, shall be conducted as a component of a development agreement, and if concurrency is found or guaranteed, the timeframe for the finding's validity shall be set forth in the agreement.
- G. Property owners shall have the option of pursuing a development agreement with Brevard County as provided for in Policy 13.2, as opposed to the reliance upon a development permit.
- H. The concurrency evaluation system shall maintain a cumulative record of the level of service allocations permitted by the approval of final development orders relative to the operating levels of service for all applicable public facilities and services which have established levels of service.

Conditional Approval of Development Orders Which May Result in Concurrency Deficiencies
Policy 12.10

If the concurrency evaluation test indicates that the potential impact of a proposed rezoning, site development plan, subdivision or building development order will cause a deficiency to occur to minimum acceptable level of service, Brevard County may conditionally approve the development order pursuant to the policies of the Capital Improvements Element.

Co-location Opportunities for Aero-Space Related Development
Policy 12.11

Brevard County shall secure long term global economic opportunity for its residents by maximizing its advantages of unique space-related resources, high tech manufacturing, transportation systems, education strategies, telecommunications industries and geographic location. The County, in cooperation with the State of Florida, will capitalize on the National Space Policy and growth in this industry by encouraging technology driven development proposals within the boundaries of the County.

Land Development Regulations

Objective 13

Brevard County shall manage growth and development through the preparation, adoption, amendment, implementation and enforcement of the Land Development Regulations which fulfill the intent of this Comprehensive Plan.

Regulations to Implement the Comprehensive Plan

Policy 13.1

Brevard County shall maintain Land Development Regulations to implement this Comprehensive Plan which, at a minimum, meet the requirements of Chapter 163, F. S. governing County and Municipal Planning and Land Development Regulation.

Regulations to Permit Development Agreements

Policy 13.2

Brevard County shall provide for provisions in the Land Development Regulations that allow Brevard County to enter into development agreements with property owners, consistent with the Comprehensive Plan, pursuant to the requirements set forth in Chapter 163 F.S., the "Florida Local Government Development Agreement Act," with the following additional requirements:

Criteria:

- A. A description of the level of service allocations to be permitted by the development agreement;
- B. Specific dates shall be identified that define the development's phasing, if applicable, and the commencement and completion of construction in each phase.
- C. Contrary to the requirement of Chapter 163, F. S., the duration shall not exceed five years, unless extended by mutual agreement according to prescribed due process.

Regulations for Zoning Classifications to be Consistent with the Future Land Use Map

Policy 13.3

The Land Development Regulations shall designate adequate zoning classifications for the location of residential and non-residential development activities which implement the Future Land Use Element, Housing Element, and Future Land Use Map.

Regulations to Require Economic and Environmental Impact Assessments

Policy 13.4

As directed by the Board of County Commissioners, all new land development regulations prepared pursuant to this Comprehensive Plan should include an economic and environmental impact assessment for the public and private sectors.

Establishment of Zoning Classifications to Meet Residential Needs

Objective 14

Brevard County shall maintain zoning regulations as part of its Land Development Regulations to establish adequate zoning classifications for residential development in terms of allowing for a variety of housing types while providing residents with choices in terms of residential locations.

General Zoning Regulations Criteria

Policy 14.1

Zoning regulations shall adhere to the following criteria:

Criteria:

- A. Residential zoning classifications shall be designated for single family, multi-family, and mobile home developments to meet the housing needs demonstrated in the Housing Element of this Comprehensive Plan.
- B. The densities of these classifications, as applied, shall not exceed those established for each residential designation as adopted on the Future Land Use Map, unless otherwise provided for by this Element.
- C. Proposed locations for residentially-zoned lands should be consistent with the residential designations shown on the Future Land Use Map and consistent with this Comprehensive Plan.
- D. At a minimum, residential zoning classifications shall provide for a variety of minimum lot sizes, minimum floor areas, setbacks, and residential land use mixes that allow for choice in housing types, designs and price levels. These residential zoning classifications shall provide for both urban and rural residential environments.

Zoning Regulations to Promote Creative Utilization of Land

Policy 14.2

Zoning regulations should continue to provide for flexibility regarding development patterns and land use mix. The County encourages implementation of innovative residential and commercial development patterns and lot layout techniques which achieve efficient use of public resources, reduced land consumption, and preservation of interconnected open spaces. These techniques include:

Criteria:

- A. The Planned Unit Development concept, where appropriate, to encourage creativity in development design, provision of connected open spaces, protection of environmental features, and an integrated mix of residential and non-residential land uses and employment opportunities.

- B. The use of zero-lot line residential development patterns, shared driveways and reduced setbacks, where appropriate, to encourage more compact subdivision layouts and to generally provide increased flexibility in the design and use of the lot area.
- C. Designed integration of residential, employment and commercial uses as permitted in the context of this Element, to promote compact mixed use development patterns within a single structure or complex of structures.
- D. Mixed use developments to promote efficient use of land and public resources by integrating neighborhood support services and employment centers with residential uses. Mixed use patterns should be implemented and achieved through the use of performance standards and other mitigating techniques to ensure compatibility between land uses.
- E. Creative clustering of residential and commercial lots and streets which preserve undisturbed vegetative corridors and consolidate cleared land areas. Innovative techniques may include reduced lot sizes, shared driveways and other design features. In furtherance of the County's Master Plan of Linear Open Spaces, clustered development schemes which permanently preserve interconnected networks of open space within subdivisions and link same with adjacent subdivisions and parks will be considered for density bonuses or other development incentives (Figure 2 in the Appendix depicts an example of a clustered land development technique in comparison with a conventional subdivision layout).

Consistency with Comprehensive Plan, Zoning and Land Development Regulations

Objective 15

Brevard County shall eliminate inconsistencies between the Comprehensive Plan and the zoning regulations of the Land Development Regulations, and thereafter, shall reduce the number of existing land uses which are non-conforming to the Comprehensive Plan.

Authority to Initiate Administrative Actions

Policy 15.1

Brevard County retains the authority to initiate appropriate administrative actions, such as administrative rezonings.

Administrative Rezoning for Consistency with the Future Land Use Map

Policy 15.2

County staff may initiate administrative rezonings for those properties that are found to be inconsistent with the Future Land Use Map at the time of a development permit application.

Criteria:

- A. Determination of appropriate zoning classifications for these properties shall be pursuant to the policies and criteria which govern the Future Land Use Map and future land use designations established in this element.
- B. The zoning classifications which are appropriate pursuant to the Future Land Use Element and Maps shall be presented as options to the property owner.

Policy 15.3

Brevard County shall continue to administratively rezone those properties with zoning classifications which are inconsistent with the Future Land Use Map, the acceptable levels of service, and this Comprehensive Plan.

Criteria:

- A. Administrative rezonings shall not be required for single family or duplex residential lots which meet the requirements of the Brevard County Zoning Code and which are located within Neighborhood Commercial, Community Commercial Agricultural or any residential land use designations.
- B. Prior to commencement of the administrative rezonings, small area plans shall be completed by the appropriate County staff for each area. These plans shall consider, at a minimum, compatibility issues, character of the area, environmental constraints, hurricane evacuation capabilities, and the availability of public facilities and services. Advisory committees may be appointed by the Commission to work with staff in the development of these plans and public hearings shall be held for the adoption of these plans.

Provisions for Non-conforming Uses

Policy 15.4

Brevard County shall maintain procedures that address existing land uses which are non-conforming with this Comprehensive Plan. At a minimum, the following criteria shall apply:

Criteria:

- A. Non-conforming land uses are those existing development activities which were conforming to the zoning and Comprehensive Plan regulations of Brevard County at the time of record but which are inconsistent with this Comprehensive Plan.

- B. Existing non-conforming land uses, damaged beyond 50 percent of their assessed value by natural or man-made causes, shall not be allowed to be reconstructed to a use which is non-conforming to this Comprehensive Plan, except as provided for in the Zoning Code.
- C. The addition, expansion or re-establishment of existing non-conforming land uses shall be governed by Chapter 62, Article VI, Division 2, Subdivision II, "Non Conforming Uses" of the Brevard County Land Development Regulations.

Policy 15.5

The following provisions for the development of non-conforming lots to allow for the reasonable use of such properties shall apply. At a minimum, the following criteria shall apply:

Criteria:

- A. Non-conforming lots of record are those properties which meet the non-conforming provisions of the Brevard County Zoning Code but which are non-conforming to this Comprehensive Plan and/or Zoning regulations.
- B. Non-conforming lots of record may be developed to a use permitted by Chapter 62, Article VI, Division 2, Subdivision II, "Non Conforming Uses" of the Brevard County Land Development Regulations, provided that it is also a use permitted by the Future Land Use Map of this Comprehensive Plan.
- C. The Land Development Regulations should continue to include provisions for minimum lot dimensions and setbacks for non-conforming lots of record to ensure that these uses will be compatible with surrounding land uses.
- D. If an existing non-conforming lot does not meet the minimum lot size established by this element, relief may be obtained in accordance with the Zoning Code of Brevard County.

Provisions for Pre-existing Uses

Policy 15.6

Brevard County should maintain and enforce criteria for Pre-existing Uses, as defined by the County's Land Development Regulations. Applications for Pre-existing Uses shall be reviewed against the requirements found in the Land Development Regulations.

Preclusion of Development

Policy 15.7

If a land use designation in the Comprehensive Plan is determined to preclude all development of such land and an amendment to the Comprehensive Plan is required, an amendment alleviating the preclusion of development may be considered at the next available transmittal or adoption public hearing of the Comprehensive Plan. A development order consistent with the proposed amendment, may be submitted for review; however, final approval will not be granted until a finding of compliance and after the appeal period pursuant to Chapter 163, F.S.

Provision for Appeals

Policy 15.8

Brevard County shall provide a method of appeals to address alleged errors in any order, requirement, decision or determination made in the enforcement of any ordinance, regulation, law, policy or procedure relative to the Land Use Regulations.

Military Base Land Use Compatibility

Objective 16

Brevard County shall cooperate with Patrick Air Force Base (PAFB) to encourage compatible land use, help prevent incompatible encroachment of new development, and facilitate the continued presence of Patrick Air Force Base. This Objective and its policies are intended to only apply to new development. Development, including but not limited to buildings and structures, existing on the effective date of this amendment are exempt from the requirements of Objective 16 and its policies, as long as there are no increases in building height or residential density beyond that which is permitted by the applicable zoning classification.

Policy 16.1

Brevard County shall transmit to PAFB information relating to proposed changes to the Comprehensive Plan, plan amendments, and proposed changes to land development regulations which, if approved, would affect the density, intensity or use of land on Merritt Island south of the Pineda Causeway. Brevard County shall provide PAFB an opportunity to review and comment on the proposed changes.

Policy 16.2

PAFB is encouraged to provide comments to the County on the impact such proposed changes may have on the mission of PAFB, whether the proposed changes are compatible with the safety and noise standards in the Air Installation Compatible Use Zone adopted by PAFB, and whether such changes are incompatible with the findings of the Joint Land Use Study for PAFB.

Policy 16.3

Brevard County shall take into consideration any comments provided by PAFB when such decision regarding comprehensive planning or land development regulation. Brevard County shall include a copy of any such comments to the Florida Dept. of Economic Opportunity or its successor agency.

Policy 16.4

To facilitate the exchange of information, Brevard County shall maintain a representative appointed by PAFB as an ex officio, nonvoting member of the County's Local Planning Agency as required by Section 62-182, Brevard County Code.

Policy 16.5

The Commanding Officer of PAFB is encouraged to provide information about any community planning assistance grants that may be available to Brevard County through the Federal Office of Economic Adjustment to facilitate joint community planning efforts.

Policy 16.6

To ensure continuing compatibility with the operations of PAFB and the existing character of the neighborhood, the Future Land Use designation for properties located on Merritt Island south of the Pineda Causeway shall not exceed the adopted Future Land Use designation of Residential 2.

The Farmton Local Plan**Objective 17**

Establish a long-range, sustainable plan for the Farmton Tract in northern Brevard County based upon permanent conservation of Regional Wildlife Corridors, together with reservation of suitable areas for future compact mixed use development which meet the highest levels of sustainability.

Policy 17.1

The Farmton Local Plan is defined by Objective 17 and implementing policies. It is a flexible and innovative planning strategy to allow the conversion of agricultural lands to other uses while protecting environmentally sensitive areas. The plan uses transfer of development rights and provisions for open space protection, clustering, and mixed use development with high standards of sustainability to preserve environmental resources and reserve suitable areas for sustainable development.

Criteria:

- A. The Farmton Local Plan is the planning framework for the Farmton Tract consisting of approximately 11,500 acres in northern Brevard County. The Farmton Local Plan shall establish land uses, objectives and policies for

resource conservation and sustainable development. The policies are designed to:

1. Provide opportunities for economic development and job growth
 2. Preserve lands prioritized by natural resources stakeholders
 3. Preserve significant integrated habitat for regional wildlife corridors
 4. Provide for a variety of land uses to support residences of diverse ages, incomes, and family sizes
 5. Direct population growth and development away from flood plains
 6. Discourage urban sprawl
 7. Avoid large lot rural subdivisions which fragment natural resources
 8. Create efficiencies in provision for infrastructure
 9. Conserve water and energy
 10. Balance jobs with housing
 11. Continue opportunities for agriculture
 12. Reduce vehicle miles traveled
 13. Reduce greenhouse gas emissions
- B. The Farmton Local Plan is the result of a peer reviewed collaborative stakeholder process designed to holistically address varying community needs in a flexible, yet systematic manner. Land Development Regulations, Mixed Use Zoning provisions, Master Plans, and Development of Regional Impact Development Orders which implement this plan shall utilize innovative land use techniques, creative urban design, highest levels of environmental protection, and the use of sustainable development principles as they may evolve over time.
- C. The overall planning horizon shall be consistent with the County's Comprehensive Plan horizon. There shall be no increases in the number of residential units beyond what is allowed by the future land use plan in effect at the time of adoption of this amendment.
- D. The Farmton Local Plan shall maintain at least 75% of the total area as Agriculture. These lands shall include prioritized conservation lands that have been identified by stakeholders, mitigation banks, and lands adjacent to Buck Lake Conservation Area together with buffers and designated uplands so as to establish interconnected regional wildlife corridors. Such lands shall be subject to a conservation easement and conservation management plan which shall sever all development rights and protect the lands in perpetuity.
- E. The Future Land Use Map shall identify two land uses within the Farmton Local Plan: Agriculture and Farmton Mixed Use Area (FMU). Within FMU are districts with distinct policies as set forth herein. The final shape and

acreage for the developable portion of the Farmton Mixed Use Area shall be determined at the time of rezoning, but the total buildable area, exclusive of stormwater management facilities, shall not exceed 1,500 upland acres. In making the determination of which lands are suitable for development, decision support models used in the Greenprint process described in Policy 17.2 A and groundtruthing shall be utilized to identify wetlands, floodplains, mitigation areas, vegetative buffers, specialized habitat for listed species, and under-represented natural communities. Priority shall be given to lands on the perimeter of the FMU which are contiguous to Agriculture lands to promote habitat connectivity. Such lands shall be re-zoned Environmental Area (EA) and made subject to a perpetual conservation easement and conservation management plan.

- F. Maximum development potential: The Farmton Local Plan shall utilize an internal system of transfer of development rights to establish densities. For the purposes of this plan, Agriculture shall be designated Sending Areas and the Farmton Mixed Use (FMU) Area shall be designated as the Receiving Area. The underlying residential densities for the planning area shall be based upon existing Future Land Use. Upon the adoption of the Farmton Local Plan and after the transfer of development rights, the underlying density of Agriculture shall be Zero and the Farmton Mixed Use Area shall have a maximum of 2,306 dwelling units.
1. Maximum Development Potential through buildout: The residential component through buildout of the Farmton Local Plan shall not exceed 2,306 dwelling units.
 2. The maximum non-residential square footage through buildout of the Farmton Local Plan shall not exceed 1.25 million square feet exclusive of public institutional uses (i.e., fire stations, government office, public schools, etc...). The term "Commercial" as referenced in the implementing policies for Objective 17 includes retail, service, restaurants and other customary business uses. The total maximum and minimum development for Residential and non-residential land uses, within the FMU shall be:

	Maximum	Minimum
Residential	2,306 units	2,000 units
Commercial	340,000 SF	200,000 SF
Office	420,000 SF	180,000 SF
Industrial	390,000 SF	192,000 SF
Hotel	200 rooms	120 Rooms
Public Inst	50,000 SF	20,000 SF

- G. Farmton Mixed Use Areas within the Farmton Local Plan shall be located within the areas identified as most suitable for development. The total FMU area shall not exceed 2,800 acres. FMU shall be designed in a compact form including sustainable development planning and building techniques as more fully set forth herein. Densities and intensities for districts within Farmton Mixed Use Area are as set forth in Policy 17.3. The mix of uses shall be in accordance with Policy 17.1F (2) for the Farmton Mixed Use Area.
- H. No development shall take place within Farmton Mixed Use Area until special land development regulations are approved as part of a Mixed Use Zoning (MXD) district or upon approval of a Master Plan as part of a Development of Regional Impact Development Order pursuant to Ch. 380.06, Fl. Stat.. No certificate of occupancy may be issued for development within the Farmton Mixed Used Area prior to January 1, 2016. The timing restriction regarding certificates of occupancy shall not apply in the event that a comprehensive plan amendment is adopted and in effect prior to January 1, 2016, which results in a financially feasible capital improvement schedule, taking into account the impacts of the FMU land use change and anticipated development through January 1, 2016 as presented in the supporting analysis for the capital improvement schedule amendment.
- I. This plan shall be consistent with the provisions of the Conservation Element, with particular emphasis on Policy 5.2.E.(6) and Policy 5.2.E.(7), as amended.

Policy 17.2

Protect Natural Resources of Regional Significance by promoting perpetual preservation of interconnected regional wildlife corridors.

Criteria:

- A. Decision Support Models. The designation of at least 8,700 acres of Agriculture in perpetuity is the result of a Greenprinting process which utilizes recognized decision support models, including but not limited to the Natural Resources of Regional Significance model (NRORS) of the East Central Florida Regional Planning Council (ECFRPC), Critical Lands and Waters Identification Project (CLIP) of the Florida Century Commission, consultation areas of the USFWS, and biodiversity matrix of Florida Natural Areas Inventory, to make preliminary identification of significant habitat. As these areas were identified, the landowner used ground-truthing through scientifically accepted procedures to identify habitats and ecosystems in order to identify regional wildlife corridors, an integrated habitat protection area, and reserve areas for future development. As Farmton Mixed Use Area is planned in the future for development, these

decision support models shall be employed to identify additional lands within which can be rezoned to Environmental Area (EA) and made subject to a conservation easement and conservation management plan. Priority shall be given to lands on the perimeter of the FMU which are contiguous to Agriculture lands.

- B. As a result of the process identified in Policy 17.2A, at least eighty percent (80%) of lands within the Farmton Local Plan shall be subject to a conservation easement and conservation management plan and preserved in perpetuity. This will include all lands designated as Agriculture together with those wetlands, mitigation areas, vegetative buffers, specialized habitat for flora or fauna, passive parks, and trails designated as EA within Farmton Mixed Use Area during the rezoning or DRI process.
- C. The identification of areas to be maintained as permanent Agriculture and subject to a conservation management plan shall be approved in consultation with the Florida Fish and Wildlife Conservation Commission, Florida Department of Environmental Protection, St. Johns River Water Management District, the Brevard Environmentally Endangered Lands Program and the Brevard Natural Resources Management Department, and by at least one tax exempt conservation organization, such as the Florida Audubon Society as consistent with Policy 17.6M.
- D. Landowners shall implement an ecological monitoring program to monitor the quality and quantity of habitat type as well as species number and diversity. This information shall be used in preparation of the conservation management plan and the landowner shall not undertake management practices which diminish the quality of habitat within the area.
- E. Agriculture land and land rezoned to EA shall be subject to a conservation management plan which shall provide for ongoing conservation of listed species and other indigenous species which may require special habitat protection. The plan shall include a black bear management plan which shall be developed in consultation with the Florida Fish and Wildlife Conservation Commission consistent with its Black Bear Habitat Management Guidelines.
- F. Any future transportation facilities built across Agriculture land shall be designed to avoid and minimize conflicts between motor vehicles and the movement of wildlife consistent with the Transportation Element. To the greatest extent practicable, the transportation spine network will be within the Farmton Mixed Use Area and cross agricultural lands at suitable locations. Tools to minimize this conflict include locational criteria,

landscaping techniques, fencing, speed limits, wildlife underpasses or overpasses, and bridging over known corridors. Transportation facilities shall be designed to avoid the area permitted for mitigation banking.

Policy 17.3

Establish principles of sustainability and land use standards for Agriculture and Farmton Mixed Use Area.

Criteria:

- A. Principles of Sustainability. To ensure that the Farmton Local Plan is truly sustainable, the following principles shall be applied throughout the planning process:
 - 1. The Farmton Local Plan shall preserve regional wildlife corridors, and important environmental systems first as part of a holistic approach to sustainability of the land.
 - 2. Farmton Mixed Use Area (FMU) shall contain a mixture of uses that provide for a balance of commercial, residential, recreational, open space (active and passive), resource protection, educational and other supporting uses.
 - 3. FMU shall be designed with principles of smart growth, traditional neighborhood design ("TND"), New Urbanism or transit oriented development ("TOD") including walkability, compact development patterns, quality architecture and urban design and a hierarchy of street systems to foster connectivity and pedestrian mobility as well as alternate modes of travel, including transit.
 - 4. FMU shall promote income diversity and choice through a mixture of housing types and price points using higher density, compact development patterns and variety to limit sprawl.
 - 5. FMU shall provide opportunities throughout all phases of the development for residents to work in the community they live in, thereby reducing automobile dependence.
- B. FMU shall utilize sustainable development techniques that promote the reduction of greenhouse gases and efficient and effective use of infrastructure.
- C. Permanent designation of Agriculture shall be used as the foundation of land use decisions. Other areas may be reserved for future Mixed Use Zoning which shall demonstrate how the values of the adjacent conservation area will be protected and maintained.
- D. Agriculture shall be subject to a conservation easement approved by the County, and the residential density shall be zero units per acre after the

transfer of development rights is completed. Water resource development, stormwater management facilities, or central potable water wellfields shall be allowed within Agriculture and Mixed Use lands after obtaining required permits.

E. Farmton Mixed Use Areas. Within areas designated on the Future Land Use Map as Farmton Mixed Use Area, the following districts are permitted:

1. WorkPlace. The WorkPlace land use district is intended to provide and promote employment centers as well as provide work force housing in close proximity. Permitted uses include industrial uses, community and regional scale commercial, institutional uses, hotels and residential uses. The WorkPlace district shall have a minimum density of 10 units per acre and a maximum of 15 units per acre as applied to lands developed with residential use. The maximum overall floor area ratio (FAR) for lands developed with non residential uses is as follows:

Commercial	1.0 FAR (0.35 minimum)
Light Industrial	2.48 FAR
Hotel	2.0 FAR

The DRI development order or MXD zoning and/or special land development regulations shall require a mix of uses, including maximums and minimums for the WorkPlace land use district.

2. Villages. Villages are compact residential areas containing a mix of residential housing types to encourage affordability for a wide range of economic levels. Villages shall be supported by internally designed mixed use village centers which provide key goods and services and public facilities at the neighborhood level. Villages shall include interconnected streets that are designed to balance the needs of all users, including pedestrians, bicyclists and motor vehicles, and which are built with design speeds that are appropriate for neighborhoods. Villages shall be adjacent to large expanses of Agriculture land that are designed to protect the character of the rural landscape.

Villages shall adhere to the following basic guidelines:

- a. Villages shall include compact design that includes a system of land subdivision and development which links one neighborhood to another. No Village shall be greater than 900 acres in size. Preserved wetlands and floodplain within a Village shall be excluded from the calculation of the maximum acreage;

- b. Villages shall include interconnected streets that are designed to balance the needs of all users, including pedestrians, bicyclists and motor vehicles, and which are built with design speeds that are appropriate for neighborhoods;
- c. Villages shall include alternatives for pedestrians and bicyclists through the provision of sidewalks, street trees and on-street parking which provide distinct separation between pedestrians and traffic, spatially define streets and sidewalks by arranging buildings in a regular pattern that are unbroken by parking lots; and provide adequate lighting that is designed for safe walking and signage which has a pedestrian orientation;
- d. At least 75% of all housing in a Village shall be within one half mile of the village center to encourage walkability.
- e. Each village shall contain a village center, the purpose of which is to provide key goods and services at the neighborhood level (vs. regional level).
- f. The village center shall be located approximately in the center of a designated village and shall not exceed 90 acres in size (excepting wetlands and school campuses).
- g. The target market of a village center shall have a focus towards the residential areas within one mile. In addition to commercial, village centers shall include civic and recreational uses as well as open space in the form of greens, commons, parks, squares and recreation areas.
- h. The transportation system within a village shall consist of collector and local streets and pedestrian and bike systems that provide linkages to other land use components of the Farmton Mixed Use Area.
- i. Each village center shall be designed to accommodate a transit stop to help facilitate transition from bicycling or walking to bus or trolley. Therefore, the transit stop should include bicycle racks and/or the bus or trolley should include racks.
- j. The village center shall be located near the juncture of two collector roads, but may, depending on environmental constraints, be located near the juncture of a collector and local road.
- k. Each village shall contain a mix of housing types to encourage affordability for a wide range of economic levels.

Approved uses within a Village include single and multi family residential, office, commercial, institutional, open space, bed and breakfast. Non-residential uses, except for licensed home

occupations, are limited to the village center. The maximum overall floor area ratio for non residential developments within a village center shall be as follows:

Commercial: 1.0 FAR (min. 0.3)

The following densities apply to lands developed with residential use within Villages:

	Maximum dupa	Minimum dupa
Single Family	8 <	4
Multi-family	15	8

The Village Center shall achieve a average density of 7 dupa applied to lands developed with residential use.

3. Mixed Use Requirements. To ensure a sustainable mix of uses the minimums and maximums per use are per policy 17.1F.

Policy 17.4

Development within Farmton shall incorporate and promote high standards for sustainability, water conservation, energy efficiency and greenhouse gases.

Criteria:

- A. Farmton Mixed Use Area shall require protection of green infrastructure, natural resource protection, water and energy conservation features, and lower impact development and compact development. Higher density, mixed use and compact development shall be required as it is recognized as a more energy efficient land use pattern to reduce trip lengths, promote walking, support regional mass transit and reduce the development foot print. It also is recognized to provide tangible social and cultural benefits by encouraging more connected social support systems and a stronger sense of community.
- B. Reduction in Greenhouse Gases. By utilizing higher standards of sustainability and the principles of smart growth including traditional neighborhood design and transit oriented development, the Farmton Local Plan seeks to reduce reliance on the automobile; and, therefore, reduce the production of greenhouse gases. Additionally, the Farmton Local Plan desires to lessen the demand for energy utilized to heat and cool houses and commercial structures built in the Farmton Mixed Use Area, not only to reduce the production of greenhouse gases, but to conserve available energy resources.
- C. The Farmton Local Plan shall promote carbon neutrality through energy conservation features such as protecting natural areas, greenways,

wetlands, forests, and other natural resources that reduce energy demand; energy efficient land use patterns which reduce energy consumption, promote walkability and reduce automobile use; water and energy conservation, and promotion of solar power and other alternatives to achieve overall reduction in production of greenhouse gases.

- D. Farmton Mixed Use Area shall undertake the physical development of the community using a whole systems approach to the design, development, construction and operation of the community and to do so in a way where defined benchmarks and metrics can be used to measure its success. The details for these standards will be developed in cooperation with the University of Florida Program for Resource Efficient Communities (PREC) and will be set forth in the Master Plan and DRI Development Order and will implement the following goals of sustainability:
1. Site Design and Land Use shall encourage a walkable transit-ready community with a jobs-to-dwelling-units ratio to create the required synergies for a sustainable community. At build out, all homes shall be within one half (0.5) mile of transit, a village center, workplace, or an institutional or civic use such as a school or government office.
 2. Landscape design shall incorporate biodiversity using native vegetation with a goal of reducing water usage and treating groundwater.
 3. Transportation design shall create multi-modal synergies that facilitate a reduction in the use of the automobile, promote pedestrian and bicycle utilization and the use of mass transit when available.
 4. FMU design shall incorporate water conservation measures so that as nearly as possible it incorporates water neutrality into the construction and operation of the development. Water neutrality shall mean that potable and nonpotable sources of water are provided solely within the boundaries of the Farmton Local Plan and sources outside the boundaries of the Farmton Local Plan are not needed to support development within.
 5. Community design shall incorporate walkability with linkages to employment centers and developing around multi-use compact cores so that the community can coexist harmoniously with the natural, social and economic environment.
- E. Proposed development shall meet the requirements of a certification program from either USGBC LEED for Neighborhood Development, FGBC Green Development Designation Standard, or another third party program deemed acceptable by Brevard County.

- F. Outdoor lighting in the community will be encouraged to achieve the standards of the International Dark-Sky Association. Particularly effective best practices established in cooperation with the PREC or other credible agency will be integrated as prerequisites or established as minimum community standards such as solar powered street and pathway lighting.
- G. Infrastructure within the Farmton Local Plan shall incorporate water and energy conservation standards as part of the land development regulations.
- H. Individual septic tanks shall be prohibited.
- I. ENERGY STAR® and Florida Water Star standards shall be met for residential development.
- J. Solar panels shall be permitted on all buildings and in all districts.
- K. Waterwise and Florida Friendly principles shall be applied in the design of all landscape areas.
- L. Energy Efficiency Criteria. The Farmton Local Plan shall develop in a manner that establishes energy efficient land use patterns. The specific criteria to be evaluated and incorporated in the implementing land development regulations shall include:
 - 1. Measures to promote walkability;
 - 2. Inclusion of a bike trail system in future development applications that demonstrates connectivity to a larger external system, to include the regional bike trail network, and provision for bicycle racks at all transit stops;
 - 3. A mix of uses that provides residents and employees with opportunities to obtain goods and services utilizing non automotive travel modes;
 - 4. Permitting solar panels on any structure;
 - 5. The provision of at least one recharging station at each Village Center, and WorkPlace for personal electric vehicles (PEV);
 - 6. Demonstration that the application was coordinated with the school board to promote safe, alternative travel modes for school children;
- M. Adaptive Management. It is recognized that the standards and protocols which define sustainability are constantly evolving such that what is determined to be acceptable today may be unacceptable in the future and that supportive programs may emerge tomorrow that more adequately accomplish the goal of the Farmton Local Plan. For the purpose of achieving sustainability goals, adaptive management will be employed over the life of

the plan so as to ensure that the most current programs, policies, and protocols are used throughout the life of the community.

- N. Environmental Education. Proposed development shall provide for an on-site naturalist to provide environmental education and uphold the environmental and sustainability standards for any proposed development within the Farmton Local Plan. Environmental education shall focus on the following and be the responsibility of the Homeowners Association or Community Development District as appropriate:
1. Landscaping activities;
 2. Monitoring of environmental conditions and sustainability performance such as energy consumption, greenhouse gas emissions, water consumption, water quality on site and biodiversity;
 3. Analysis and education on community performance standards for energy and water use efficiency and facilitation of carbon credit sales for energy efficiency;
 4. Distribution of educational materials for home buyers that include landscape plans/lists of plants installed on their lots and basic maintenance requirements of any home features that received credits under the ENERGY STAR® or Florida Water StarSM certification programs;
 5. Distribution of educational and interpretive materials on bikeways and trail systems, wildlife and habitat protection issues.
- O. Jobs to housing ratio. The Farmton Local Plan shall develop and implement a program designed to ensure an adequate number of jobs per residential dwelling unit exist in the Farmton Mixed Use Area at buildout. The standard jobs-to-housing balance of 0.65 jobs per residential unit shall be required concurrently with housing development after the first 1,000 dwelling units are permitted.
- P. Diversity of Dwelling Styles. Residential neighborhoods and mixed use areas shall include a variety of dwelling types and lot sizes to provide opportunities for different age and income groups within an integrated and diverse community so as to avoid rigid segregation of dwelling types by price point within the community. Housing types may include, but are not limited to, mid-rise multifamily, single family detached, residential above commercial, townhouses, carriage houses, garden apartments, duplexes, triplexes, zero lot line, owner-occupied and for rent product. The mix of housing product will vary depending on the section of the community in which the housing is developed.

- Q. Within Farmton, ten (10) percent of residential units shall qualify as “affordable housing” as currently defined by the Comprehensive Plan and Land Development Regulations.
- R. The 10% allocation required by subpolicy Q shall be located within a 1/3 mile of transit stops or on-site employment opportunities.
- S. Institutional uses (e.g. churches, libraries, public and private schools, recreation facilities, government buildings, police/fire/emergency medical services, water and sewer plants) shall be allowed in the FMU land use category, but shall not be allowed in the Agriculture land use category.
- T. Implementing land development regulations of the Farmton Mixed Use Area shall require the early identification of external access locations and a process through which access improvements, if needed, will be guaranteed.
- U. Implementation of appropriate “firewise” community planning practices shall be identified during the subdivision/site plan review process. As part of the development review process, a covenant will be placed on properties near or adjacent to public conservation or preservation land to notify future property owners and residents that the nearby or adjacent public land or conservation areas will be managed by natural resource management practices including prescribed fire and other techniques.
- V. A phase I cultural resource assessment survey shall occur prior to initiating any project related land clearing or ground disturbing activities that are not agriculturally related within the project area. The purpose of this survey will be to locate and assess the significance of any historic properties present. The resultant survey report must conform to the specifications set forth in Chapter 1A- 46, Florida Administrative Code, and be forward to the Division of Historical Resources for comment and recommendation in order to complete the process of reviewing the impact of the proposed project on historic resources. Should significant resources be present, additional archaeological testing may be necessary, and/or protection and preservation of significant sites may be required.

Policy 17.5

Adopt general development guidelines and standards for Farmton Mixed Use Areas which provide for delivery of services and provision for infrastructure and fiscal neutrality.

- A. Floodplains. Any development within the Farmton Local Plan shall be consistent with Objective 4 of the Brevard County Conservation Element

and its implementing land development regulations including those policies promoting clustering of residential densities and non-residential intensities.

- B. Development proposals within Farmton Mixed Use Area shall only be processed with a Master Plan associated with a Development Order reviewed as a development of regional impact (DRI) per Chapter 380 of Florida Statutes or a MXD. As required through the DRI process, financial feasibility of required mitigation to regionally significant off-site transportation facilities will be identified. Recognizing that regionally significant transportation facilities can also be impacted by auto-occupancy factors and transportation mode shifts due to influences such as economic and environmental changes affecting lifestyles, the Farmton Mixed Use Area land use planning and site design must further the goals of trip reduction and vehicle miles of travel reduction, both on- and off-site.
- C. The use of septic tanks is prohibited within Farmton unless preexisting.
- D. Minimum buffers and setbacks
 1. Boundary buffer: The purpose of the boundary buffer is to minimize visual and noise impacts on surrounding land owners. The boundary buffer around Farmton Mixed Use Areas shall be a minimum of 200 feet. There shall be no encroachment within the buffer except for bike paths, equestrian, and walking trails, fire lines, existing logging roads and public roadways.
 2. Arterial buffer: The purpose of buffers and setbacks on arterial roads shall be to minimize visual intrusion of development activity on the traveling public. A minimum 75 foot “no encroachment” buffer is required on arterials. The no encroachment buffer prohibits intrusion of any kind, excepting intersecting roadways and one monument project signage at such intersections intended for project identification and way finding. Lakes may also encroach into this buffer. However, in such an event, any building setback shall be 200 feet from the arterial right of way.
 3. Collector buffer: For roads that are functionally classified as “collector” by the County, an applicant shall provide a buffer of 50 feet, except that stormwater facilities may be located within this buffer or for roadway segments within the village center(s).
 4. Wetland buffer: All preserved wetlands shall have a minimum 50 foot upland buffer or greater, if required by law or administrative rule.
 5. East Central Regional Rail Trail Buffer: A rail trail corridor ranging in width between 100 and 200 feet extends through the area of the

Farmton Local Plan and will ultimately be developed as a public access multi-use trail. A minimum 200 feet wide vegetative buffer shall be maintained on each side of the centerline of the trail right of way so as to minimize encroachments on the trail and enhance the experience of the trail user.

- E. Water Resources. Farmton Water Resources LLC (FWR) is a utility certified by the Florida Public Service Commission and is the authorized water provider to the Farmton Local Plan area. FWR and the City of Titusville have established TIFA LLC which is a joint venture for development of water supply on Farmton which initially reserves 0.6 million(s) of gallons per day (mgd) for the Farmton Mixed Use Area. FWR, through extensive well placement and stress testing, has determined that significant groundwater resources exist within its jurisdictional perimeter that are far in excess of the water needs required by buildout under the Farmton Local Plan. TIFA LLC shall apply for a CUP from SJRWMD to supply groundwater to the area and the proposed development allowed by the Farmton Local Plan. In the event that St. Johns River Water Management District (SJRWMD) deems the existing ground water insufficient to serve buildout of the Farmton Local Plan, then any additional water supply needed shall be provided by an alternative water supply source identified in SJRWMD's District Water Supply Plan. FWR shall coordinate with the City of Titusville and, County, to revise their 10-year water supply facilities work plans to include FWR's service area and descriptions of projects needed to provide potable and nonpotable water to the service area. In addition, shall propose additions to the District Water Supply Plan to provide for water resource development and alternative water supply plans including storage of water, and acceptance of reuse or storm water, and augmentation or wetlands restoration. FWR is responsible for providing onsite and offsite infrastructure improvements necessary to provide potable and nonpotable water and waste water to development within the Farmton Local Plan area. Infrastructure improvements shall include wells, surface water intake facilities, pumps, raw water transmission lines, water treatment plants, wastewater treatment plants (meeting public access reclaimed water standards), finished water transmission lines, reclaimed water transmission lines, and potable and nonpotable water storage facilities. As the infrastructure projects are identified and approved by the County and the SJRWMD, those projects shall be included in the County's Water Supply Facilities Work Plan and Capital Improvements Element during the annual update.
- F. The County shall not issue any development orders or development permits for Farmton without first determining that adequate water supplies

(potable and nonpotable) exist to serve the new development and will be available no later than the anticipated date of issuance of building permits.

The availability of water supply shall be demonstrated through:

1. Before the County issues a DO (except a DO issued under Chapter 380), the County shall receive a Concurrency Certificate from the water supplier verifying that it has the facilities and capacity to serve the development;
2. CUP issued by SJRWMD to TIFA LLC for potable water to site;
3. The availability of reclaimed water and stormwater for irrigation use within the developments and the quantity of potable water these sources will offset; and
4. The potential for water conservation practices to reduce demand, such as installation of high-efficiency plumbing fixtures, appliances, and other water conserving devices in households, as well as public and commercial restroom facilities and the use of waterwise and Florida Friendly principles in all landscaped areas, where ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable so as not to require irrigation. The Farmton Local Plan shall comply with the Aquifer Recharge policies of the Brevard County Comprehensive Plan (Conservation Element) and its implementing land development regulations. Reuse and water conservation methods shall be implemented in accordance with the applicable requirements of policy 17.4 to reduce water demand.

- G. The owner shall also reserve and dedicate at no expense to the County a 200 foot right of way to allow the for future extension of an arterial roadway from the SR 5A interchange with I-95 through the FMU to the County line to connect with Williamson Road Extension in Volusia County in the event that road is established. The developer shall also reserve and dedicate a utility easement along any transportation facilities that connects to the SR 5A interchange with I-95 to the FMU. The alignment of the transportation and utility facilities shall be as generally depicted on the "Farmton Local Plan Boundary & Arterial Transportation Network" Map 13, but the final alignment shall be after groundtruthing to avoid, to the greatest extent practicable, impacts to wetlands and flood plains within the Agriculture lands.

Policy 17.6

Agriculture within Farmton shall be managed for natural resource protection and conserved in perpetuity.

Criteria:

- A. Lands designated as Agriculture together with lands rezoned EA within FMU shall be subject to a conservation management plan and protected by a perpetual conservation easement.
- B. The initial conservation easement severing development rights for the area designated as Agriculture on the Future Land Use Map shall be recorded by the owner with the Clerk of the Circuit Court within 30 days of effective date of the Ordinance adopting the Farmton Local Plan which is subject to the final determination of compliance and the expiration of any and all deadlines for appeal. Additional areas designated as EA within Farmton Mixed Use shall be recorded prior to the issuance of certificate of occupancy(ies) for the associated development. Conservation easements shall be conveyed to the County and combination of other public agencies or qualified conservation organizations experienced in holding and maintaining conservation easements (such as the Florida Audubon Society) subject to their acceptance after review and approval of the easement as to form and content.
- C. The conservation easement(s) shall accommodate a limited number of crossings of the easements for arterial roads, utilities, and trails. Roads and utilities shall share crossings unless the utility is pre-existing. The conservation easement(s) shall also accommodate potable wellfields or other water resource development to supply water to the FMU(s) subject to required permitting. No new roads or new utility crossings shall be allowed in the area permitted for mitigation banking.
- D. The conservation easement(s) shall incorporate provisions for a conservation management plan which shall include agriculture, silviculture, and conservation objectives and outcomes and a financial plan for meeting the obligations of the program over time.
- E. Areas set aside for Agriculture may be accessed by walkways, boardwalks, trails and bikeways where such access is consistent with the maintenance of the ecological resource, its habitat values and the bone fide commercial agricultural operation, as well as consistent with the Conservation Management Plan. Agriculture may include facilities for environmental education and research and potable wellfields subject to required permitting.
- F. Uses within Agriculture designated areas may include agriculture, conservation, and passive recreation.

- G. Agriculture land shall have the highest level of protection and conservation management plans shall protect natural resource values identified within those areas consistent with agriculture.
- H. Agriculture land shall be designed to eliminate or minimize fragmentation and promote the formation of linked networks to adjacent properties managed for conservation purposes.
- I. To the extent that transportation and utility facilities are necessary for access to the Farmton Mixed Use Area, they shall be designed to avoid wetlands and other ecological resources except as allowed by policy and as necessary, and shall avoid the area permitted for mitigation banking.
- J. Conservation Management Plan. A conservation management plan shall be adequately funded to meet the requirements of the plan over time. The conservation management plan shall set resource protection standards and management protocols designed to ensure the long-term maintenance of the ecology of the areas subject to a conservation easement. The plan shall be developed within one year of the recording of the initial conservation easement. The County and the owner shall establish an advisory committee made up of representatives of the owner and grantees under the conservation easement and the community stewardship organization and others with special expertise to develop the management plan which, upon approval of the landowner, and owner of the conservation easements, shall be incorporated into the conservation easement and made enforceable. The intent of the conservation management plan is to prevent the quality of habitat in the Farmton Local Plan from being diminished and encourage the improvement of habitat quality which may include habitat restoration.

Areas which have been formally opened as a mitigation bank shall be managed subject to the permit conditions, financial responsibility provisions, and terms of the conservation easement pertaining to the mitigation bank. The conservation management plan shall establish conservation goals and objectives for diversified habitats within the Farmton Local Plan which are consistent with respective habitat requirements, ecological communities, and other natural resource requirements, as well as conditions associated with public access, hunting, and passive recreational use. The conservation management plan shall address at a minimum, the following matters:

1. A prioritized list of natural resource management objectives for the site and implementation methods that protect and enhance ecosystem integrity, function, and biodiversity.

2. Identification of special areas, including but not limited to the Maytown Flatwoods Florida Forever Project and USFWS consultation areas.
3. Identification of natural and cultural resources in need of protection and discussion on how those resources will be protected.
4. Description of natural communities and establish desired future conditions by specific habitat type.
5. Identification of known threatened or endangered plants and animals occurring on site and strategies and habitat management plans as identified in the best available scientific literature.
6. Identification of exotic species and a plan for treatment/control .
7. Forestry stewardship provisions consistent with Best Management Practices for silviculture, including location and logging road access management plan.
8. Provisions for significant water resources (such as streams, creeks, natural drainage ways, floodplains, and wetlands) protection, enhancement, and restoration and planned hydrological restoration.
9. Provisions for protection of habitat of listed or imperiled species and other indigenous species which may require special habitat protection.
10. Provisions for water resource development, well fields, and protection of wellfields
11. Erosion control.
12. Fencing, appropriate public access, hunting, and, if consistent with maintenance of the ecological resource, its habitat values and the bone fide commercial agricultural operation, possible development of trails, boardwalks, and interpretive facilities.
13. Provisions for elevated roadways or wildlife crossings.
14. Prescribed fires specific to habitat types, Division of Forestry criteria, and addressing flexibility associated with climatic conditions and catastrophic events.
15. Coordination of management plans with adjacent conservation lands and mitigation banks.
16. Identification of ownership and management responsibilities including financial responsibility.
17. Establishment of a timetable for implementation of the conservation management plan and development of a monitoring and reporting program to track the implementation.
18. Provisions for passive recreational use, environmental education, and public access where appropriate.
19. Provisions for security and maintenance.
20. Coordination of conservation management plans with the management plan of the East Central Florida Regional Trail.

- K. To the extent that transportation and utility facilities are necessary for access to the Farnton Mixed Use Area, they shall be designed to avoid wetlands and other ecological resources except as allowed by policy and as necessary, and shall avoid the area permitted for mitigation banking.
1. bicycle, pedestrian, and equestrian trails, trailheads and rest areas for trails to include restrooms, water fountains, government initiated parking facilities for trail users, shelters to provide protection/ relief from the weather
 2. utility lines
 3. solar energy facilities to provide all, or portions of, the power source for illumination of on-site signage or on-site security
 4. stormwater retention facilities only when required for public infrastructure projects
 5. roads, rights of way or transportation facilities which cross Agriculture land.
 6. fencing if specifically directed by appropriate public agency
 7. agricultural or silvicultural activities using BMPs and which do not require irrigation.
 8. replacement of existing structures.
 9. environmental education or interpretation facilities.
 10. well fields, water storage and water reservoirs and other water resource development projects.
 11. Maintenance or replacement of existing hunting camp facilities
- L. The maximum impervious surface ratio for uses identified in Policy 17.6K shall not exceed those established in the County's Land Development Regulations.
- M. Agriculture land shall be permanently protected by conservation easement such that areas are and remain undeveloped in perpetuity. The applicant shall draft a conservation easement agreement in a format acceptable to the County. The easement shall be conveyed to the County and combination of other public agencies or qualified conservation organizations experienced in holding and maintaining conservation easements subject to their acceptance after review and approval of the easement as to form and content.
- N. A Community Stewardship Organization or other tax exempt not for profit conservation organization (CSO) pursuant to Sec. 170(h)(3) I.R.C. shall have perpetual existence and be established for the purpose of conservation of areas of significant ecological integrity through fee acquisition of natural sites, acceptance or creation of conservation easements, development of managed and interpretive public access to areas of special ecological,

aesthetic, and educational value. The owner/applicant shall fund and facilitate the creation of the CSO, but its governance shall be independent from the owner/applicant. The CSO shall be governed by a board of directors of seven individuals. At least four of the members of the board shall be representatives of statewide or national non-profit environmental/conservation organizations in existence at the time of the adoption of the Farmton Local Plan such as the Nature Conservancy, Florida Audubon Society, Trust for Public Lands, and Florida Wildlife Federation. The owner shall be represented on the board and other board members may include representatives of public agencies, stakeholders, and other interested citizens who participated in the development of the plan. The CSO may take title to designated Agriculture or EA lands, or co-hold a conservation easement over such lands and shall participate in the development of the conservation management plan. The CSO may enter into contracts with the landowner or public agencies to undertake management responsibilities set forth in the conservation management plan and may manage and operate environmental or interpretive facilities associated with the site.

Policy 17.7

The Farmton Local Plan shall promote Sustainable Agriculture.

Criteria:

- A. Unless modified by DRI Development Order or MXD zoning or Conservation Management Plans adopted as part of a Conservation Easement, agricultural activities may continue on Farmton lands.
- B. Future agricultural operations may be provided for within the Farmton Mixed Use Area as may continue in the DRI Development Order or MXD zoning.
- C. Silviculture may continue subject to Best Management Practices approved by the Commissioner of Agriculture and Consumer Services.
- D. Right to Farm. Florida's Right to Farm laws apply to existing and new agricultural uses in the Farmton Local Plan. DRI Development Orders or MXD shall have requirements for purchasers of homes within Farmton to acknowledge, via covenants, conditions and restrictions that existing silvicultural/agricultural activities are allowed to continue on surrounding lands.

Policy 17.8

The Farmton Local Plan shall promote an efficient transportation system that maximizes on-site traffic capture, mitigates its impacts and provides for continuous

modeling and monitoring to assess the operation of the transportation system. The Farmton Local Plan shall be developed in a manner to promote a transportation system, both on-site and off-site, consistent with the goals of providing mobility that is energy efficient, includes green development principles and is financially feasible. A key component of the Plan shall be a shift in emphasis from providing for the movement of vehicles to the provision of mobility of people. The Plan shall also identify the procedures for determining transportation needs, identifying funding mechanisms, the protection of transportation facilities and the monitoring of transportation impacts.

Criteria:

- A. The Farmton Local Plan shall include the concept of transportation mobility in all aspects of the transportation network design. This emphasis is consistent with the concepts of reduced energy requirements, reduced greenhouse emissions and reduced transportation facility expenditures. All development within the Farmton Local Plan shall implement these design concepts.
 - 1. The Farmton Local Plan shall be developed consistent with walkable community design standards to encourage walking as a means of transportation, recreation and social interaction.
 - a. A mix of land uses, multi-modal transportation stations and transit stops shall be provided in close proximity to each other to foster walking as a viable means of transportation.
 - b. Shade shall be provided in the form of tree canopy or man-made structures in the WorkPlace and Villages to accommodate walking by providing relief from direct sunlight and the elements.
 - c. Sidewalks shall be wide enough to accommodate pedestrian activity and shall otherwise comply with the land development regulations.
 - d. Safely lit sidewalks with physical separation from adjacent roadways (via curbing or otherwise adequate spatial separation) shall be provided to encourage night-time use.
 - 2. The Farmton Local Plan shall include a network of interconnected multiuse paths designed to accommodate pedestrian, bicycle and low speed electric vehicles. The path network shall connect neighborhoods to reasonably proximate destinations including public and commercial land uses. The County shall require the developer to submit to the County both a bicycle routing plan and mobility plan, including a trail plan as part of the MXD master development plan to be reviewed and approved by the County.
 - a. Multi-use paths shall be provided connecting neighborhoods with the WorkPlace, Villages, recreational centers, schools and parks.
 - i). Multi-use paths shall not be less than 12 ft. in width.

- ii). Multi-use paths shall accommodate pedestrians, bicycles, skaters, rollerbladers, skateboarders and low speed electric vehicles.
 - iii). Rest areas, including parking areas, water fountains, restroom facilities, shelter from the weather, shall be provided for trail users with access from public roads.
 - b. Accommodation of electric vehicles shall be provided in the development of residential units and at significant public, recreational, educational and commercial destinations.
 - i). Use of low speed electric vehicles on local streets and on multi-use paths shall be permitted.
 - ii). Major public and commercial destinations as well as multimodal stations in the WorkPlace and Village Centers shall provide for parking spaces specifically designed and designated for low speed electric vehicles. The provision of electric vehicle charging stations should be provided where practical.
- 3. The Farmton Local Plan shall incorporate the features of transit-oriented development in the WorkPlace and Villages.
 - a. The WorkPlace shall incorporate a multi-modal station accommodating transit adjacent to the core area.
 - b. Villages shall incorporate transit stops within the Village Center.
 - c. Transit stops shall be designed to provide convenient walking distances for all neighborhoods.
 - d. Bicycle racks for the temporary, secure storage of bicycles shall be provided at all transit stops and at major public facilities, commercial destinations, recreational facilities and schools.
- 4. FMU within the Farmton Local Plan shall include an efficient road network designed to safely accommodate access to the external road network and the internal road network for all modes of transportation.
 - a. A hierarchy of roads shall be developed that accommodates local transportation needs as well as access to the external road network. An approved plan providing for a hierarchy of transportation facilities will be required to accommodate this goal prior to the development of the FMU.
 - i). Internal access within the WorkPlace and the Villages shall consist of interconnected local streets and collectors meant to disperse traffic and avoid funneling traffic to a reduced number of collectors and arterials. This design requires a pattern of mixed uses,

- commercial and residential in proximity to each other. Cul-de-sacs shall be prohibited except in perimeter areas. The interconnected network of local streets shall be posted at lower, bicycle/pedestrian friendly speeds (30 mph or less). On-street bicycle use and on-street parking shall be accommodated on local streets.
- ii). Access between the Workplace and the Villages, as well as access to the external road network, shall be provided by a system of arterial(s).
5. The Master Plan shall include a designation of arterial roads identifying approximate alignments, right-of-way widths, path crossings, wildlife corridor crossings, setbacks and design elements consistent with the needs of access between major uses on-site and access to the external transportation network.
- a. Concurrency requirements may require improvements, including interchange improvements, which shall be evaluated in determining the use of proportionate share funds and other contributions toward prioritized improvements that will benefit the regional transportation system.
- b. The owner shall reserve and dedicate at no expense to the County a 200 foot right of way to allow for the future extension of an arterial from the SR 5A interchange with I-95 through the FMU to the County line. All development within the Farmton Local Plan shall provide for, and protect, this corridor and shall include accommodations for multi-modal transportation. Future interchange access to Interstate 95 at the existing SR 5A interchange shall be included in the Master Plan and may be required as mitigation to any over-capacity conditions projected with the development of the Farmton Local Plan. Development shall be setback from the proposed SR 5A interchange and shall be required to protect the traffic-handling capacity of the proposed interchange. Said access to Interstate 95 at the existing SR 5A interchange shall be included in the Traffic Element.
- c. Designated bicycle lanes shall be provided on all arterial roads.
6. The Farmton Local Plan shall accommodate a transit system design within its major transportation facilities connecting on-site transit stops and stations to external transit line routes as may be developed by transit providers in Brevard County.
7. Given the potential for innovation in transportation, provision should be made for accommodating state-of-the-art travel modes

(both for on-site facilities and access to off-site facilities) as they evolve throughout the development of the Farmton Local Plan to the extent practical.

- B. The transportation mobility focus for the Farmton Local Plan represents a change from the historic approach to providing for mobility which previously focused on the personal automobile. This new focus is on reduction of vehicle miles traveled, increased vehicle occupancy, reduced energy costs and reduced greenhouse gas emissions while increasing the mobility of the traveling public. A byproduct of this approach will be a reduction in the rate of trip generation on a per vehicle basis. This is a necessary goal given the prevalent and growing deficits in the public's ability to fund new roads. Transportation goals are now focused on reducing travel demand while preserving existing transportation facilities. The County's goal for the Farmton Mixed Use Area is to attain a 30 percent internal traffic capture by encouraging a balanced mix of uses. In order to document the effectiveness of this objective, several policies are proposed that address transportation needs through the build-out.
1. Any proposed development within the Farmton Local Plan shall be required to meet concurrency or mobility standards as may be established by Brevard County. Satisfaction of the standards shall include providing proportionate share funding for off-site transportation improvements. Transportation impact fees and/or mobility fees will be fully-creditable against off-site proportionate share funding of transportation improvements. On-site transportation improvements shall be the sole responsibility of developer(s) of the Farmton Local Plan.
 2. Monitoring of the transportation system impacts, both on-site and off-site, will be required at least every seven years after the commencement of construction of the first development in the FMU within the Farmton Local Plan and shall coincide with the County's Evaluation and Appraisal Report Process.
 - a. The monitoring effort shall address transportation impacts for a study area inclusive of transportation facilities impacted by existing approved Farmton Local Plan development at five percent or greater of each facility's capacity at the adopted level of service (significant impacts) as established by the governing body of the facility's jurisdiction.
 - b. The monitoring effort shall be documented in a written report detailing the analysis procedure, results, recommendations and funding sources necessary to mitigate any transportation deficiencies whereon the trip generation caused by the Farmton Local Plan is significant and results in total traffic

- volumes exceeding the established capacity (adverse impacts) of the facility.
- c. The monitoring effort shall document the extent to which external trip generation varies from anticipated industry standards as projected by the Model. The documentation shall address which strategies of travel demand management are being implemented and shall assess the probable effectiveness of each strategy.
 3. Modeling of future transportation system impacts due to the Farmton Local Plan shall be required at least every seven years following commencement of construction of the first development in the FMU within the Farmton Local Plan and shall coincide with the County's Evaluation and Appraisal Report Process. The modeling period shall address, at a minimum, a 5-year and a 10-year future analysis development period from the date of the biennial modeling effort. The modeling effort shall address transportation impacts for a study area inclusive of transportation facilities impacted by proposed Farmton Local Plan cumulative development at five percent or greater of each facility's capacity at the adopted level of service (significant impacts) as established by the governing body of the facility's jurisdiction. The modeling effort shall be documented in a written report detailing the analysis procedure, results, recommendations and funding sources necessary to mitigate any transportation deficiencies whereon the trip generation caused by the Farmton Local Plan is significant and results in total traffic volumes exceeding the established capacity (adverse impacts) of the facility.
 4. Transportation impact analyses of the Farmton Local Plan shall be coordinated with adjacent jurisdictions including Seminole County as well as significantly impacted municipalities and towns within Brevard and Volusia Counties (significance shall be determine consistent with procedures identified in Ch 380.06, F.S.).

Policy 17.9

Establish a Farmton implementation strategy and development review process.

- A. Contemporaneously with the adoption of the Farmton Local Plan, the Future Land Use Map shall be amended to show Agriculture and Farmton Mixed Use Area. The County shall adopt a Mixed Use Zoning District (MXD) to implement the Farmton Mixed Use Area land uses, land use districts, concurrency management systems, and procedures for development within the Farmton Local Plan.
- B. Land Development Regulations. The County shall adopt amendments to the Zoning Ordinance and Land Development Code to establish the specific

requirements for developments within the Farmton Mixed Use Area to ensure consistency with the plan through a Mixed Use Zoning District (MXD). The Zoning Ordinance and Land Development Code will establish a Mixed Use Zoning district and design standards with general baseline regulations including physical design, development approval processing, requirements for the fiscal neutrality plan, the ratio of non-residential to residential development, as well as baseline design guidelines for Workplace and Village development. The general design standards will include, at minimum, architectural standards, street design, transit friendly design requirements, landscaping, lighting, access and circulation, parking, lot development standards, parks and internal recreational space and facility requirements. In addition, innovative resource conservation measures will also be included to address water conservation, non-potable water usage and other resource conservation measures including, but not limited to, materials and energy. No development may be approved or permitted until this Mixed Use Zoning District and design standards are adopted.

- C. FMU Re-Zoning Process: Development activity within Farmton Mixed Use Area must be approved through a MXD district and/ or Development of Regional Impact process and shall be planned through a master development plan process that integrates development, Agriculture land, and infrastructure. In addition to standard requirements for a MXD or DRI application, the application and development order shall include the following:
1. Master Development Plan
 2. Specific Design Guidelines for the Development
 3. Fiscal Neutrality Plan and Procedure for Monitoring Fiscal Neutrality for on-site improvements and proportionate share mitigation for off-site improvements.
 4. Conservation Management Plan for Agriculture land
 5. Phasing Plan for development (including timing and amount and phasing of residential and non-residential development)
 6. Adequacy of infrastructure including transportation and public schools
 7. Provisions for water and energy conservation measures.
- D. Master Development Plan Requirements. The County shall adopt amendments to the Zoning Ordinance and Land Development Code to establish the specific requirements of Master Development Plan submittals and the standards for the review of those Master Development Plans.

- E. Phasing. Development within the Farmton Local Plan shall be phased according to a plan approved in the Master Plan and MXD zoning or DRI Development Order which shall establish the timing and conditions upon when future phases will be approved.
- Facilities Capacity. The phasing conditions of each development shall address at a minimum:
- a. The requirement that adequate public facilities and services be available to accommodate the development and maintain the adopted level of service standards, and
 - b. The availability of water supply to serve the development, and
 - c. The provision of a transportation network within the Farmton Mixed Use Area that is projected to be needed to support the development through buildout.
- F. Monitoring Program. To ensure efficient planning for public infrastructure, the County shall annually monitor the actual growth within the County, including development within the FMU, and adopt any necessary amendments to the Farmton Local Plan in conjunction with the update of the Capital Improvements Plan. Any amendments to the Capital Improvements Plan will be made consistent with the requirement for Fiscal Neutrality for FMU.
- G. Fiscal Neutrality. Development within the Farmton Mixed Use Area shall provide adequate infrastructure that meets or exceeds the levels of service standards adopted by the County and be fiscally neutral or results in a fiscal benefit to the County, School Board, and residents outside that development. The intent of Fiscal Neutrality is that the costs of additional local government services and infrastructure that are built or provided for the Farmton Mixed Use Area shall be funded by properties within the approved FMU.
1. Landowners, developers, or Community Development Districts shall demonstrate fiscal neutrality as part of the master development plan approval process, according to the procedures established by the County. Such procedures shall require that Fiscal Neutrality be determined for development on a case-by-case basis, considering the location, phasing, and development program of the project. For off-site impacts, the procedures will require that the total proportionate share cost of infrastructure be included and not simply the existing impact fee rates. Notwithstanding the provisions of the Concurrency Management System, this shall include, but not be limited to, both localized and Countywide impacts on County, City, State, and

Federal transportation facilities (such as roads, intersections, sidewalks, lighting, medians, etc.), public transit, schools, water supply and delivery, sewage transmission and treatment, solid waste, storm and surface water management.

2. For off-site transportation improvements, if a development needs to pay proportionate fair-share or proportionate share toward a needed improvement to meet concurrency and the remainder of that improvement's cost is not programmed for funding in either the 5 year Capital Improvements Element or the 10-year Concurrency Management System, then the sum of those proportionate share dollars shall be directed to improve specific facilities (pipe-lining) on a priority basis as determined by the county, except as it relates to the Florida Department of Transportation (FDOT) Strategic Intermodal System (SIS) facilities wherein FDOT will determine how funds will be directed. The County will consult and coordinate with all impacted roadway maintaining agencies (including FDOT and the Cities) regarding priorities on other than SIS facilities. The development will be approved if an agreement is executed on how the funds will be directed. The County reserves the right to condition approval of development on the availability of funding for all necessary infrastructure to support and provide capacity for the proposed development. Off-site county roads constructed by the developer with proportionate share dollars may be eligible for transportation impact fee and/or mobility fee credits. However, any said credit shall not exceed the amount of impact fee and/or mobility fees actually paid by the development. The arterial connection from SR 5A interchange to and within the Farmton Mixed Use Area shall be the sole responsibility of the developer(s) of Farmton and not eligible for transportation impact fee and/or mobility fee credits.
3. The County may require that these procedures for measuring fiscal neutrality may be reviewed and certified by independent advisors retained by the County at the expense of the landowner, developer or Community Development District prior to acceptance by the County.
4. Development within the FMU shall have a financial strategy approved by the County to construct and maintain all required infrastructure. Community Development Districts are identified as the preferred financing technique for infrastructure needs.

- H. Review by State Agencies. The Farmton Local Plan provides no exemption from reviews otherwise required by state and regional agencies.

Sustainability/Energy Efficiency

Objective 18

Brevard County shall aim at achieving a sustainable/energy efficient environment by minimizing the emission of greenhouse gases and reducing the vehicle miles of travel.

Policy 18.1

LEED Certification. The County shall encourage new development to be LEED certified by the US Green Building Council or similar program.

Policy 18.2

Reduction of Vehicle Miles of Travel. The County shall promote walking, bicycle\riding and use of public transit by requiring compact design, shared facilities between adjacent or nearby uses, and providing for interconnected walkways, bicycle ways and parking, and bus stops as part of development approvals, where applicable.

Policy 18.3

Bicycle Parking. The County shall continue to utilize and enhance bicycle parking standards, including quantity and location of bike racks, to help reduce parking demand and encourage the use of alternative transportation modes

Working Waterfronts

Objective 19

To manage future growth and development in order to promote and preserve the recreational and commercial working waterfronts of Brevard County and to provide incentives and criteria to ensure the continued availability of publicly accessible recreational and commercial working waterfronts countywide.

Policy 19.1

Brevard County shall provide land-use bonuses or incentives to encourage non-residential development that provides public access to the shorelines and waters of Brevard County. These bonuses or incentives may be granted in the form of increased FAR of twenty percent, a twenty-five percent increase in number of slips, a twenty-five percent increase in area for other uses, or other measure as provided for in the Land Use Regulations. Mixed use developments that include a publically accessible water-dependent, water-related or water-enhanced residential component may be eligible for these incentives.

Policy 19.2

Waterfront parcels may be designated for use as water-dependent, water-related as defined in Florida Statutes. Waterfront parcels may also be designated for water

enhanced uses as defined in the Glossary. The underlying land-use and unique locational needs for water-dependent and water-related activities shall be given development priority and be compatible with surrounding existing and programmed development at these sites. In order to ensure appropriate use of the County's waterfront, shoreline development shall be prioritized and based upon the following minimum criteria:

Criteria:

- A. Priority shall be given to water-dependent and water-related land uses, which must be carried out only on, in or adjacent to water areas, may be considered for location along the Indian River lagoon system. Priority may also be given consistent with Policy 5.15 and may also include the expansion of working waterfronts.
- B. Water-related land uses shall be considered only on the uplands adjacent to Class III waters of the Indian River lagoon system. Water-related uses are those which are not directly dependent upon access to a water body but which provide goods and services to uses which are water-dependent.
- C. For Industrial land uses, directives, policies and criteria in the Coastal Management, Conservation and Future Land Use elements of this Comprehensive Plan which address water-dependent and water-related shall be utilized in the location of industrial projects adjacent to water bodies utilizing criteria established in Policy 3.9.

Public Airport Land Use Compatibility

Objective 20

Brevard County shall cooperate with the relevant airport authority responsible for the oversight of Merritt Island Airport to discourage incompatible encroachment of new land uses and facilitate the continued presence of the Merritt Island Airport.

Policy 20.1

Brevard County shall transmit to the airport authority information relating to proposed changes to the Comprehensive Plan, plan amendments, and proposed changes to land development regulations which, if approved, would affect the density, intensity, or use of land within a one half mile radius of the airport property.

Policy 20.2

The airport authority is encouraged to provide comments on the impact that such proposed changes may have upon the airport and whether the proposed changes are compatible with the safety, and noise standards as regulated by State and Federal agencies.

Policy 20.3

Brevard County will take into consideration any comments provided by the airport authority or his or her designee when such a decision regarding comprehensive planning or land development regulation is being considered. Brevard County shall include a copy of any such comments to the Florida Department of Community Affairs or its successor agency.

Implement Directives from Small Area Studies

Objective 21

Brevard County may establish Citizen Resource Groups, appointive bodies, to evaluate a community's future development needs or desires. This group may be tasked with making recommendation(s) regarding future development trends, evaluating the character of the area and/or conceptualizing a new vision for previously undeveloped parcels within a study area.

Policy 21.1

Future Development Trends

The Board may create a specialized local plan called a Small Area Study (SAS) be initiated to support a community's desires to participate in its own vision of the future. The outcome of the SAS may culminate with an amendment of the Future Land Use Map, this Element, other Elements of the Comprehensive Plan and/or update of county land development codes. At a minimum, these criteria address the following:

Criteria:

- A. Identify recent development trends in the area;
- B. Identify changes to the character of an area;
- C. Encourage development or preservation of residential densities in rural areas;
- D. Preservation of existing agricultural areas;
- E. Evaluate commercial expansion techniques for new development areas.

Port St. John Study Area

Policy 21.2

Brevard County shall implement the recommendations of the Port St. John Small Area Study through the following directive:

1. Residential densities east of the Florida East Coast Railroad from Kings Highway to Camp Road will be implemented by the following densities: East of US-1 to the Indian River from Kings Highway to Camp Road, densities may be a maximum of 12 residential dwelling units per acre. This would include portions of Sections 18, 19 and 30, Township 23, Range 36 and a portion of Section 13, Township 23, Range 35, as generally depicted on Map 9. West of US-1 to the Florida East Coast railroad tracks from Kings Highway to Camp Road, densities may be 12 dwelling units per acre with a maximum cap of 8 residential dwelling units per acre. This would

include portions of Sections 13, 18, 19 and 30, Township 23, Range 36 and portions of Sections 13 and 24, Township 23, Range 35, as generally depicted on Map 9.

Canaveral Groves Study Area

Policy 21.3

Brevard County shall implement the recommendations of the Canaveral Groves Small Area Study through the following directives:

1. The maximum density to be considered for the Friday Acres subdivision, located in Section 14, Township 24, Range 35, shall be three dwelling units per acre (3 du/ac). This area is depicted in Map 10.
2. The maximum density to be considered in a portion of the northeast quarter of Section 15, Township 24, Range 35 shall be five dwelling units per acre (5 du/ac). This area is depicted in Map 10.
3. The maximum density to be considered in the northeastern portion of Section 13, Township 24, Range 35 shall be 6 dwelling units per acre where existing RU-1-9 is designated. The area is depicted on Map 11.
4. All types of commercial uses shall be considered in the neighborhood/community commercial district lying in the portion of Section 27, Township 24, Range 35 north of State Route 524. This area is depicted on Map 11a.
5. The maximum density to be considered in the portion of Section 27, Township 24, Range 35 north of State Route 524 shall be eight dwelling units per acre (8 du/ac). This area is depicted on Map 11b.

North Merritt Island Study Area

Policy 21.4

Brevard County shall implement the recommendations of the North Merritt Island Small Area Study through the following directives.

1. In the area described as Orange Haven Unrecorded Lots in Section 23, Township 23, Range 36, the residential density designation shall be two (2) dwelling units per acre. This area is depicted on Map 12.
2. In the area described as Parcel 17 and Kings Park Unit #3, Lots 9, 10, 11, 12 not to include the east 100 feet parallel to the west right of way of Eagle Way in Section 26, Township 23, Range 36, the residential density designation shall be four (4) dwelling units per acre. This area is depicted on Map 13.

South Beaches Study Area

Policy 21.5

Brevard County shall implement the recommendations of the South Beaches Small Area Plan Study through the following directives.

1. The property described as Parcel 4, Sections 33 and 34, Township 28 South, Range 38 East shall be designated with a maximum density of six (6) dwelling units per acre. This area is depicted on Map 14.
2. The property described as Parcels 3, 5 and 6, Section 34, Township 28 South, Range 38 East shall be designated with a maximum density of six (6) dwelling units per acre. This area is depicted on Map 15.
3. The property described as Parcels 763 and 776, Sections 10 and 11, Township 29 South, Range 38 East shall be four (4) dwelling units per acre. This area is depicted on Map 16.
4. The property described as Parcel 3.1, Section 23, Township 29 South, Range 38 East shall be designated as four (4) dwelling units per acre. This area is depicted on Map 17.
5. The property described as Lot 32, Block 7, New Melbourne Beach Subdivision Section 3, Township 29 South, Range 38 East shall be designated with a maximum density of six (6) dwelling units per acre. This area is depicted on Map 18.
6. The properties described in the south 1260 feet of Section 17, Township 28 South, Range 38 East and the properties described as the north 1280 feet of Sections 20 and 21, Township 28 South, Range 38 East shall be limited to the maximum residential densities as depicted on Map 19. The maximum residential density within this directive is eight (8) dwelling units per acre.
7. The properties described in Sections 20 and 21, Township 28 South, Range 38 East, starting 1280 feet from the north section(s) line and ending 3770 feet from the north section(s) line shall be limited to the maximum residential densities range from two (2) dwelling units per acre to eight (8) dwelling units per acre. The area is depicted on Map 20.

Central and South Merritt Island Study Area

Policy 21.6

Brevard County shall implement the recommendations of the Central and South Merritt Island Small Area Study through the following directives:

1. Within the area depicted on Map 21 (Sections 11, 12, 13, 24 and 25, of Township 25, Range 36 and the western portions of Sections 18, 19 and a portion of Section 30, Township 25, Range 37), the only residential zoning classifications that may be considered in shall be EU, SR, SEU, RR-1, REU, AU, PA, GU, AGR, RRMH-1, RRMH-2.5, RRMH-5 and TR-2. RP residential professional zoning may be considered on South Courtenay Parkway with a minimum lot size consistent with EU zoning and/or the aforementioned zonings. The maximum density within the described area shall be three (3) dwelling units per acre.

Residential Density Rightsizing Study Areas

Objective 22

Brevard County shall maintain maximum densities in the Residential Density Rightsizing Study Areas.

Avon by the Sea

Policy 22.1

1. The property described as Winslow Reserve Subdivision #27, Lot 13, in Section 26, Township 24, Range 37 shall have a maximum residential density of 30 dwelling units per acre. This property is depicted on Map 5.
2. The property described as Avon by the Sea Subdivision #CG, Block 101, Lots 12, 12.01, and 14 shall have a maximum residential density of 30 dwelling units per acre. This property is depicted on Map 5.
3. The property described as Avon by the Sea Subdivision #CG, Block 101, Lots 2, 3, 4, and 5 shall have a maximum residential density of 30 dwelling units per acre. This property is depicted on Map 5.

Merritt Island Area

Policy 22.2

1. The property described as Moore and Catine Subdivision #52, Lot 13, Section 35, Township 24, Range 36 shall have a maximum residential density of 30 dwelling units per acre. This property is described on Map 6.

South Cocoa Beach Area

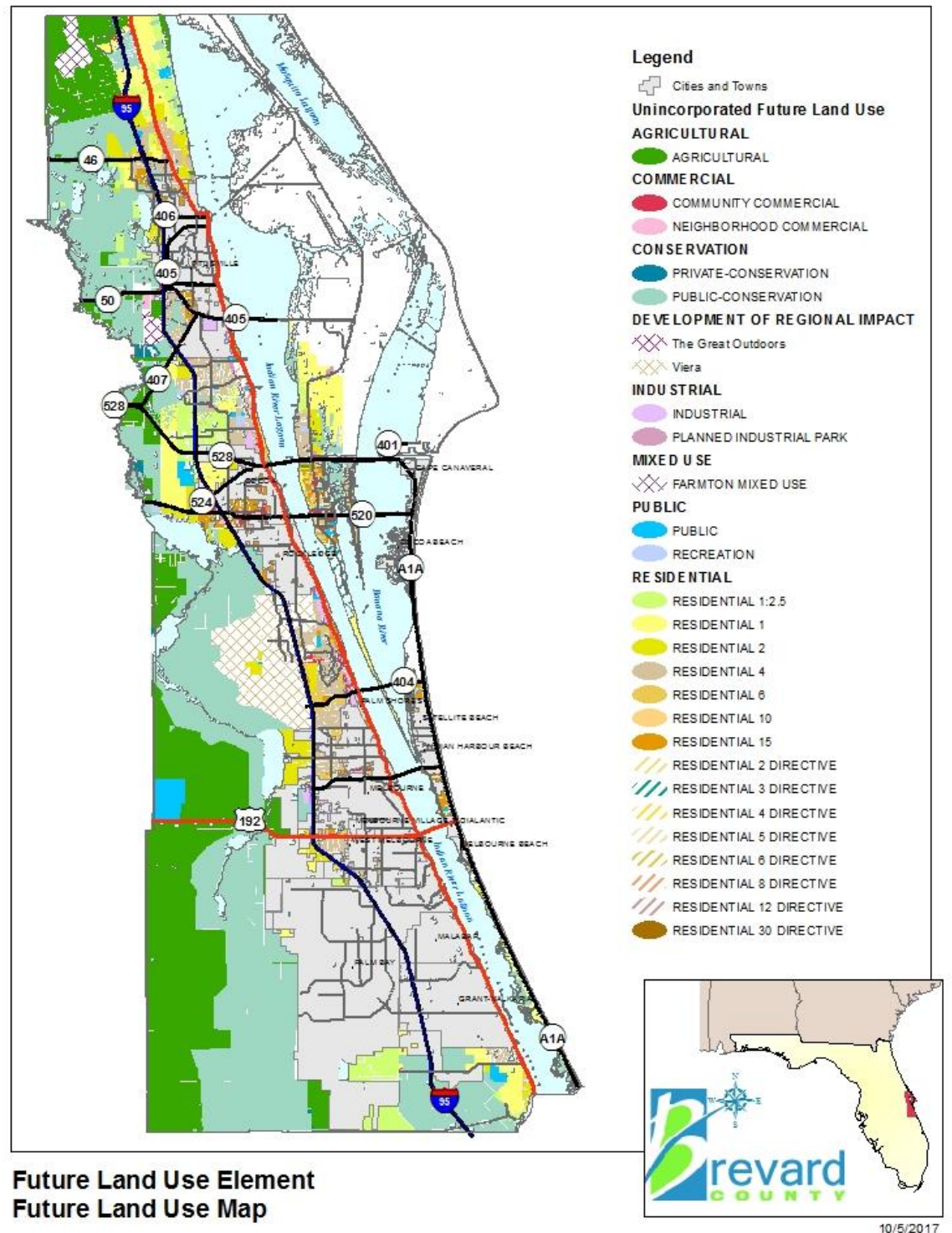
Policy 22.3

1. The property described as Bruner's Resubdivision #25, Block A, Lot 6, Section 26, Township 25, Range 37 and the property described as Birchfield and Bruner's Addition #26, Block B, Lot 1, Section 26, Township 25, Range 37 shall have a maximum residential density of 30 dwelling units per acre. These properties are depicted on Map 7.

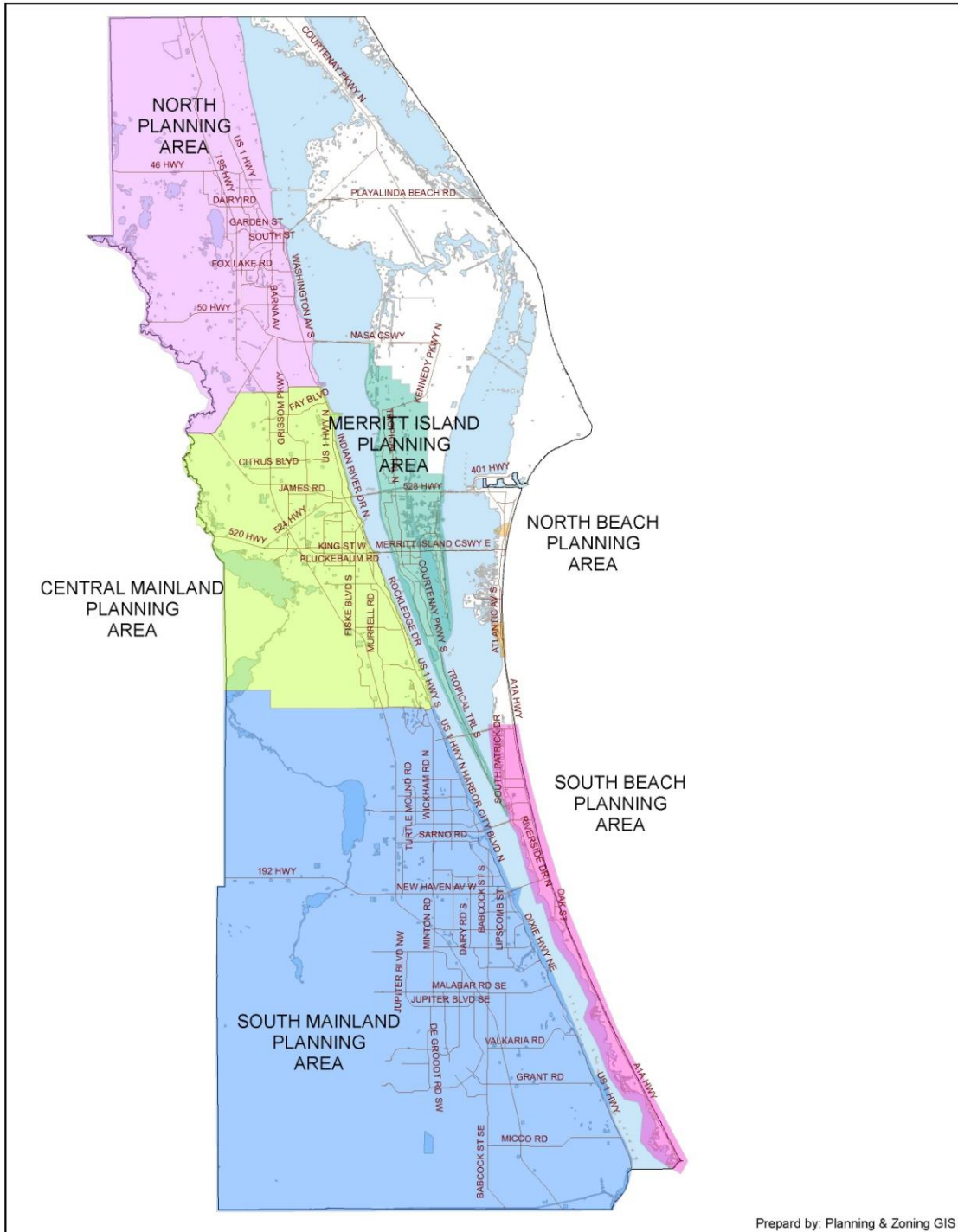
APPENDIX

LIST OF MAPS

Map	Name
1	Brevard County Future Land Use Map
2	Conservation Areas
3	Land Use Planning Areas
4	Viera New Town Overlay
5	Residential Density Rightsizing Study – Avon by the Sea Area
6	Residential Density Rightsizing Study – Merritt Island Area
7	Residential Density Rightsizing Study – South Cocoa Beach Area
8	Farnton Local Plan Boundary & Arterial Transportation Network
9	St. John Directives
10	Canaveral Groves Directives 1 and 2
11	Canaveral Groves Directive 3
11a and 11b	Canaveral Groves Directives 4 and 5
12	North Merritt Island Study Area Directive 1
13	North Merritt Island Study Area Directive 2
14 and 15	South Beaches Study Area Directives 1 and 2
16	South Beaches Study Area Directive 3
17	South Beaches Study Area Directive 4
18	South Beaches Study Area Directive 5
19 and 20	South Beaches Study Area Directives 6 and 7
21	Central and South Merritt Island Study Area Directive 1
22	Energy Conservation Areas

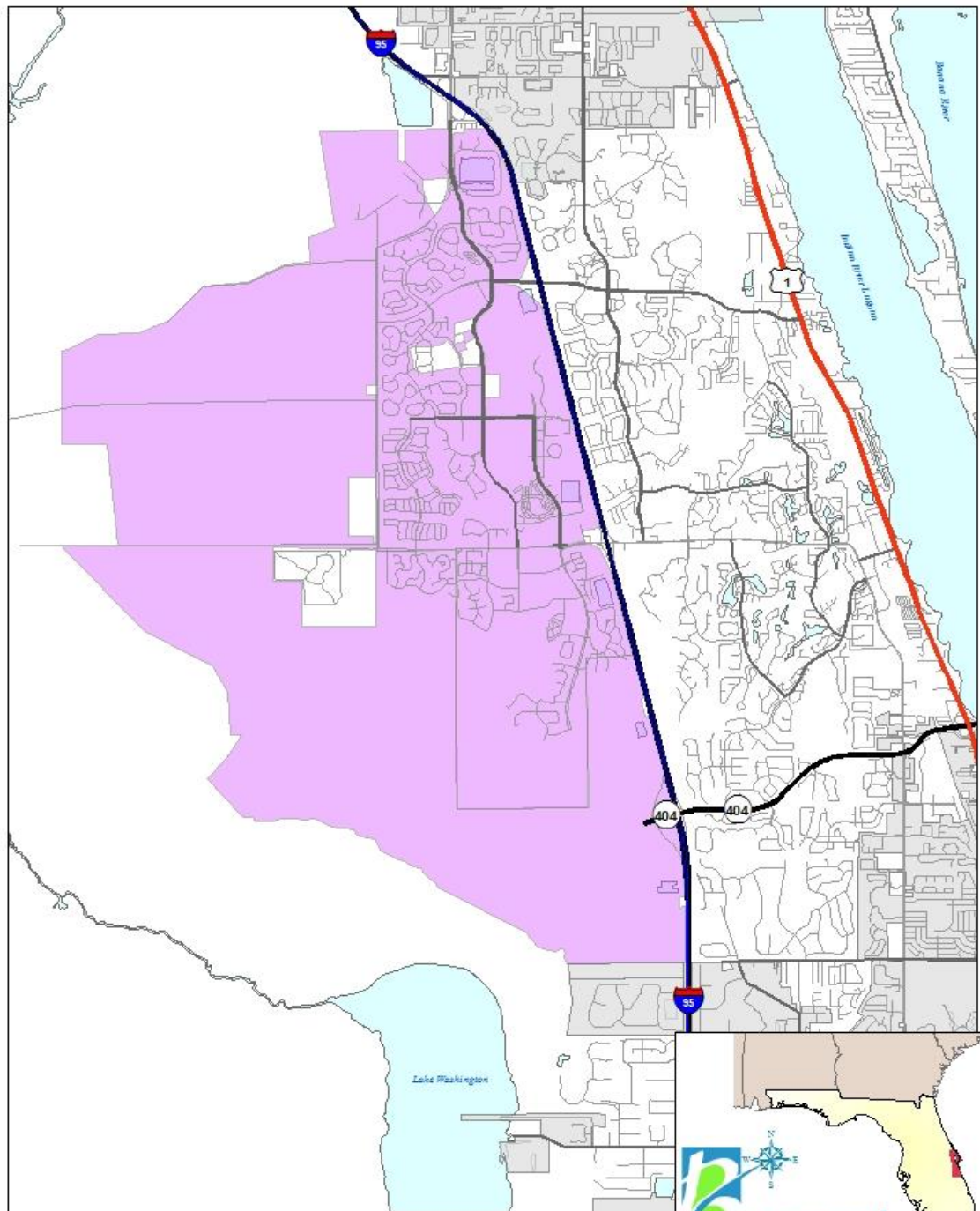






April 7, 2010

Land Use Planning Areas - 2025



**Future Land Use Element
Viera New Town Overlay**

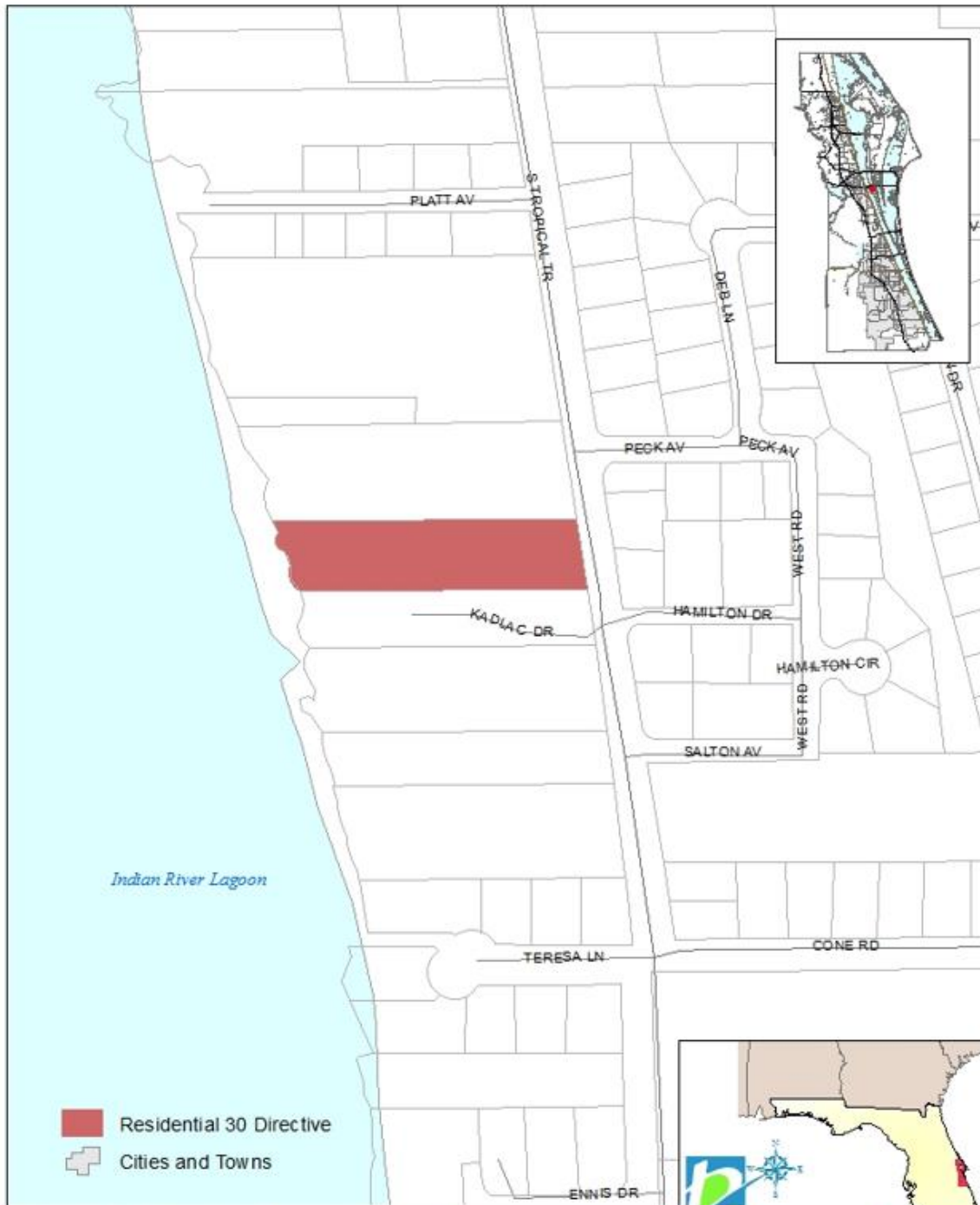
10/4/2017



Residential Density Rightsizing Study **Map 5**
Avon by the Sea
Area Directives



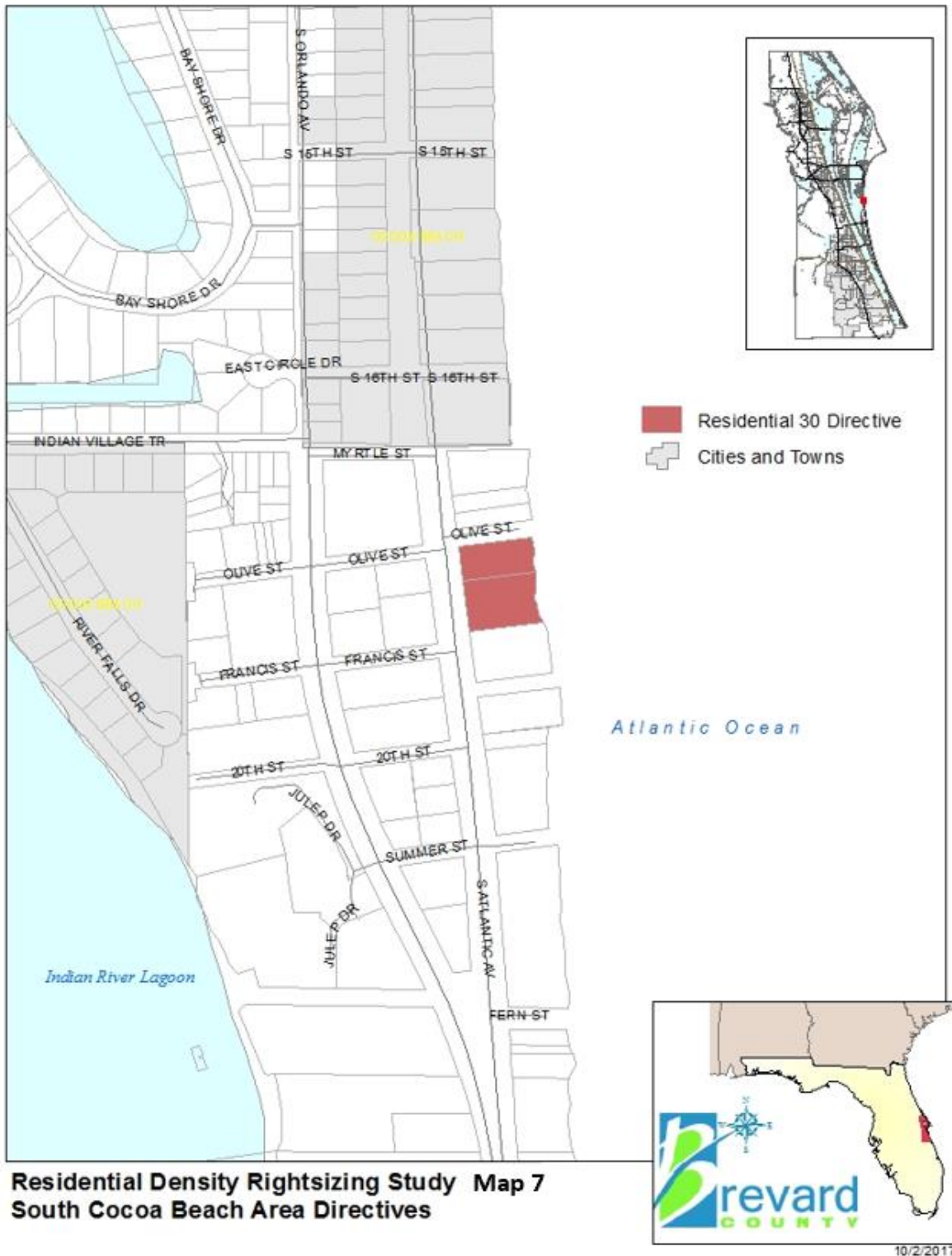
10/2/2017



**Residential Density Rightsizing Study Map 6
Merritt Island Area Directives**

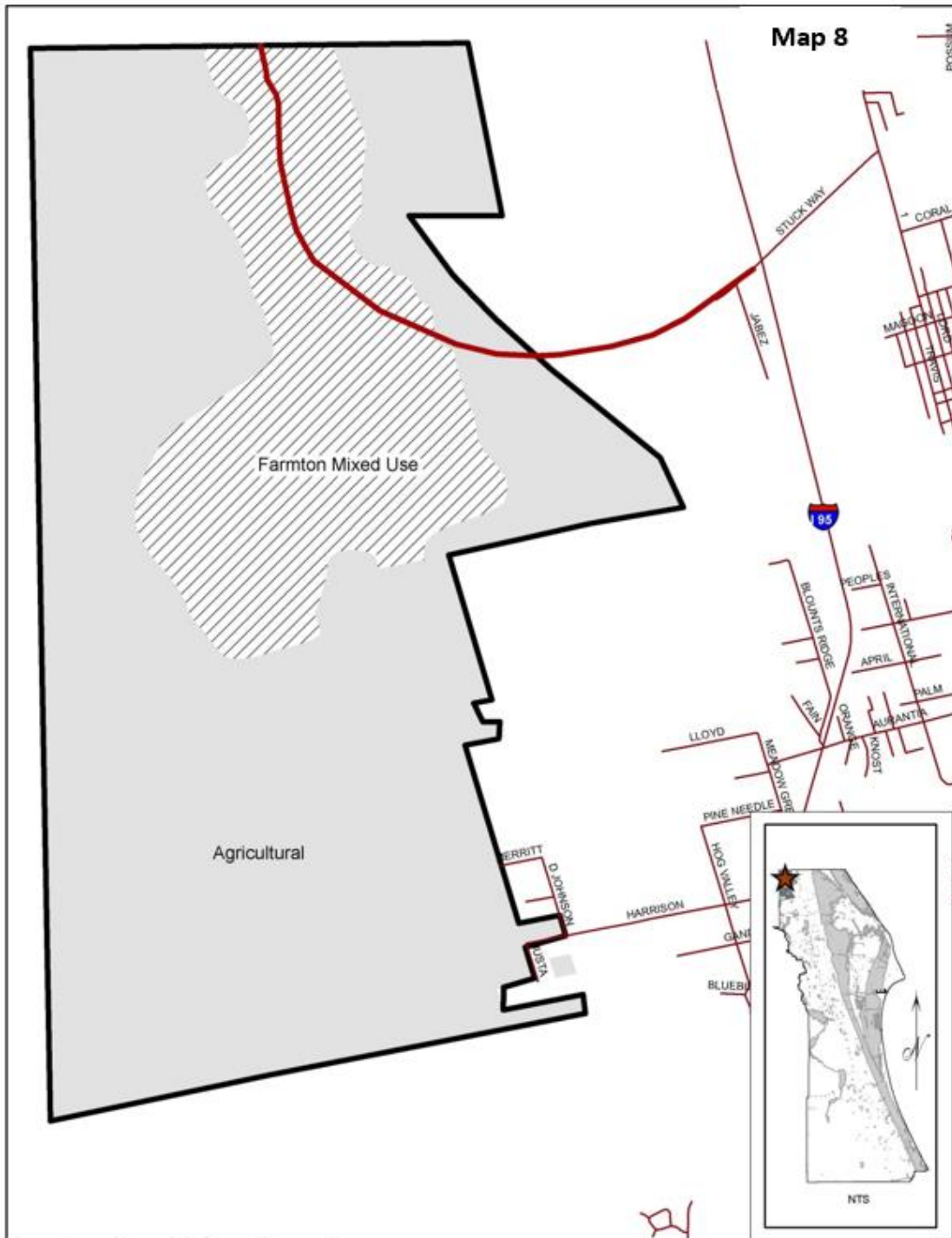


10/2/2017



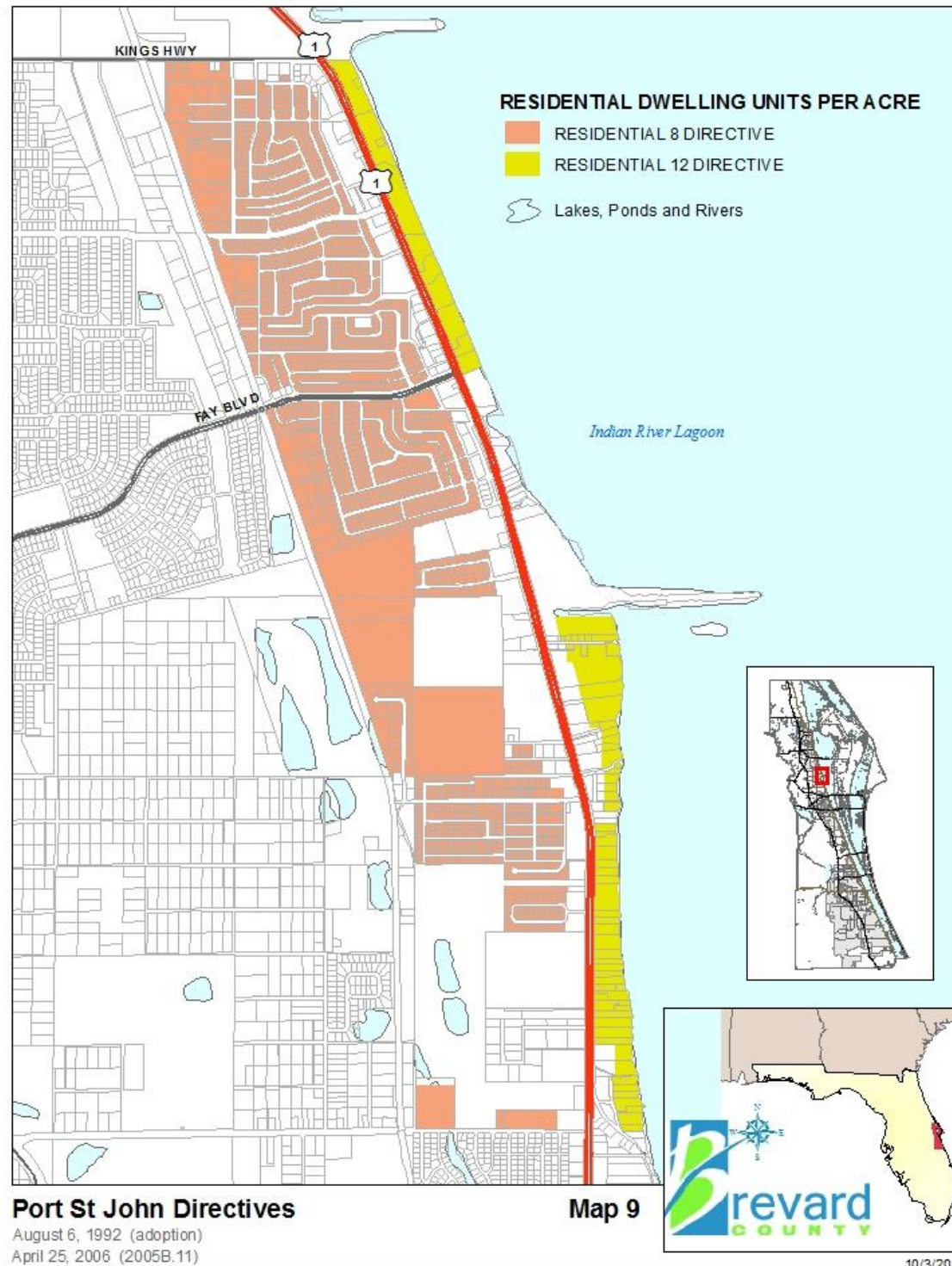


Map 8

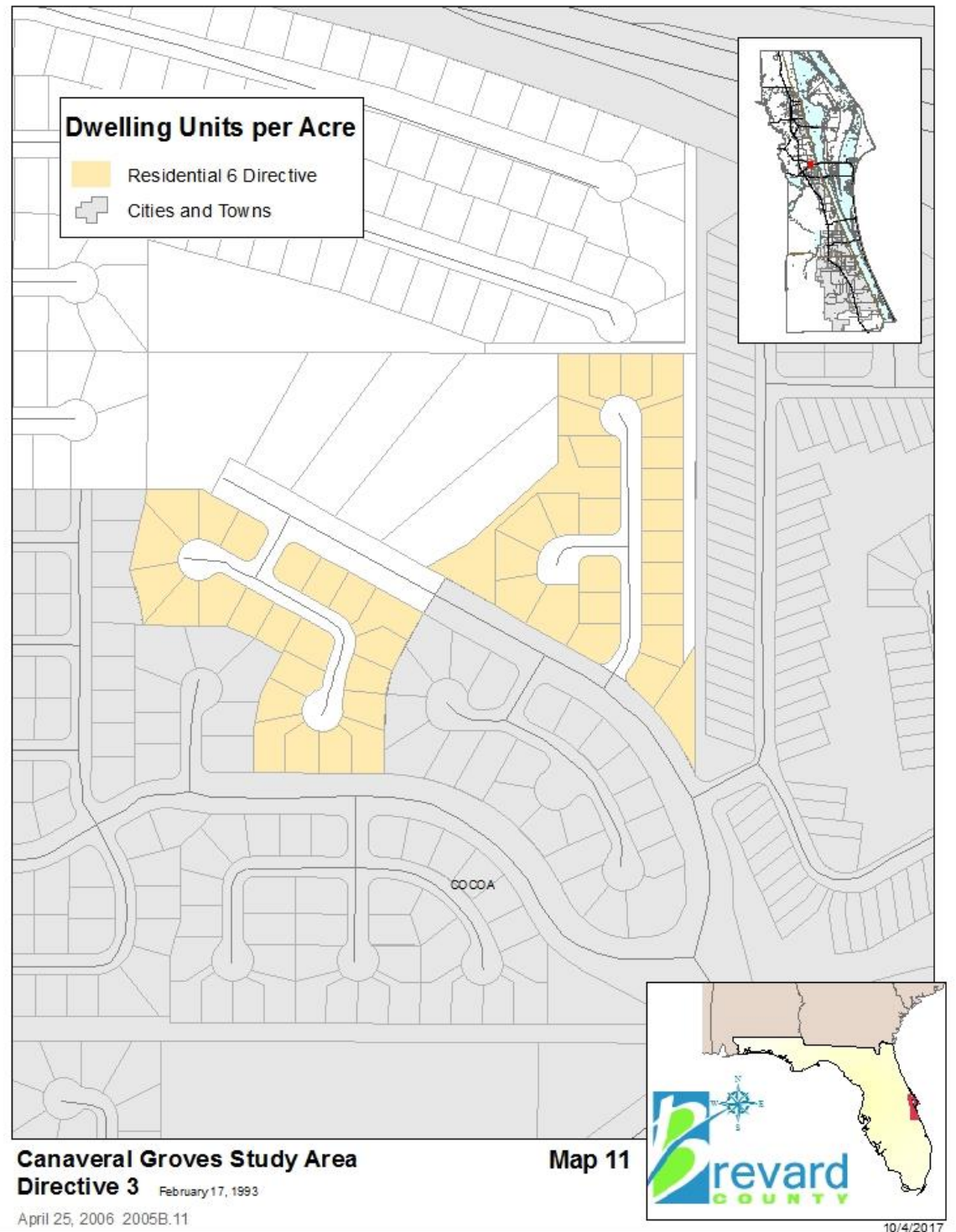


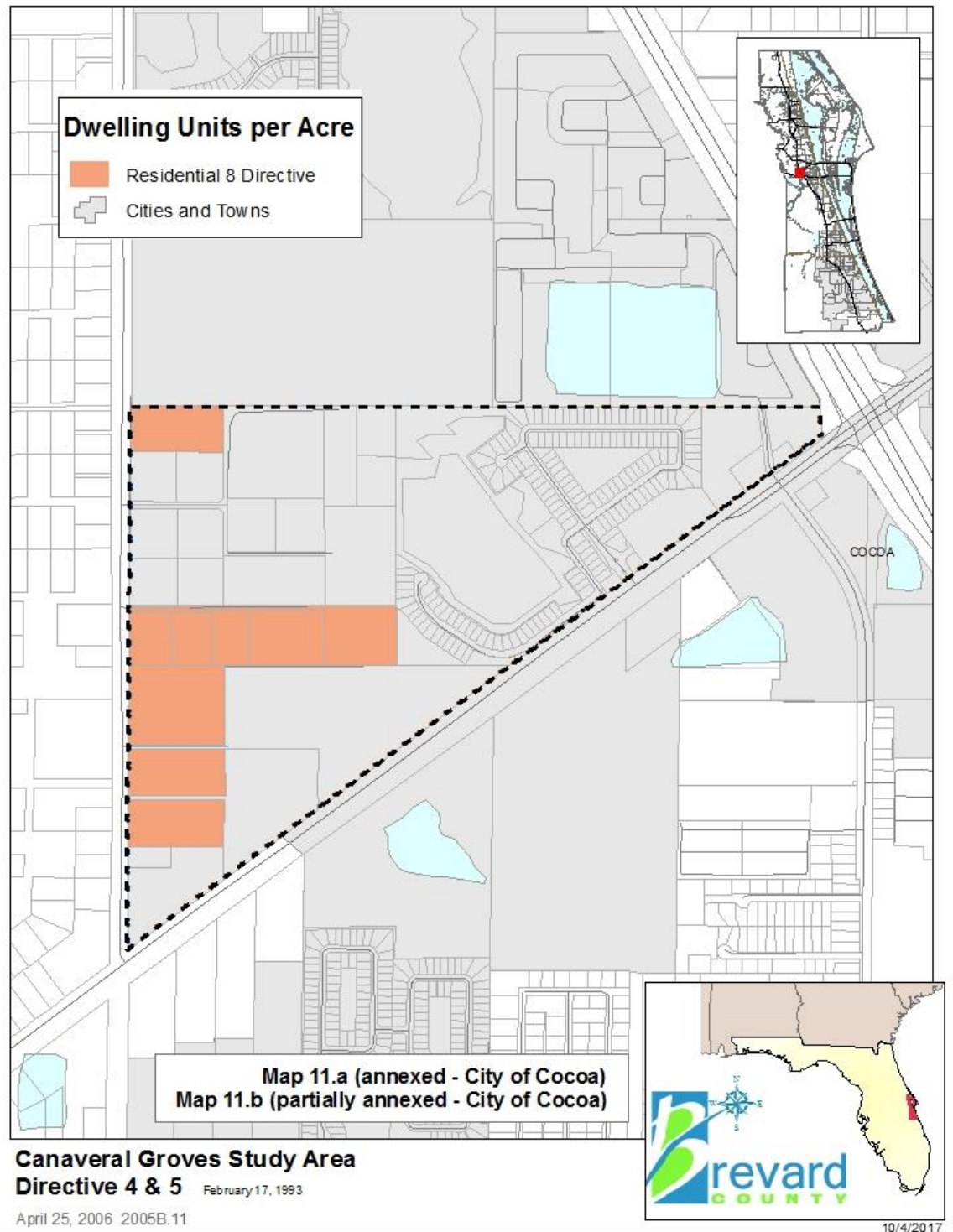
Farmton Local Plan Boundary
& Arterial Transportation Network

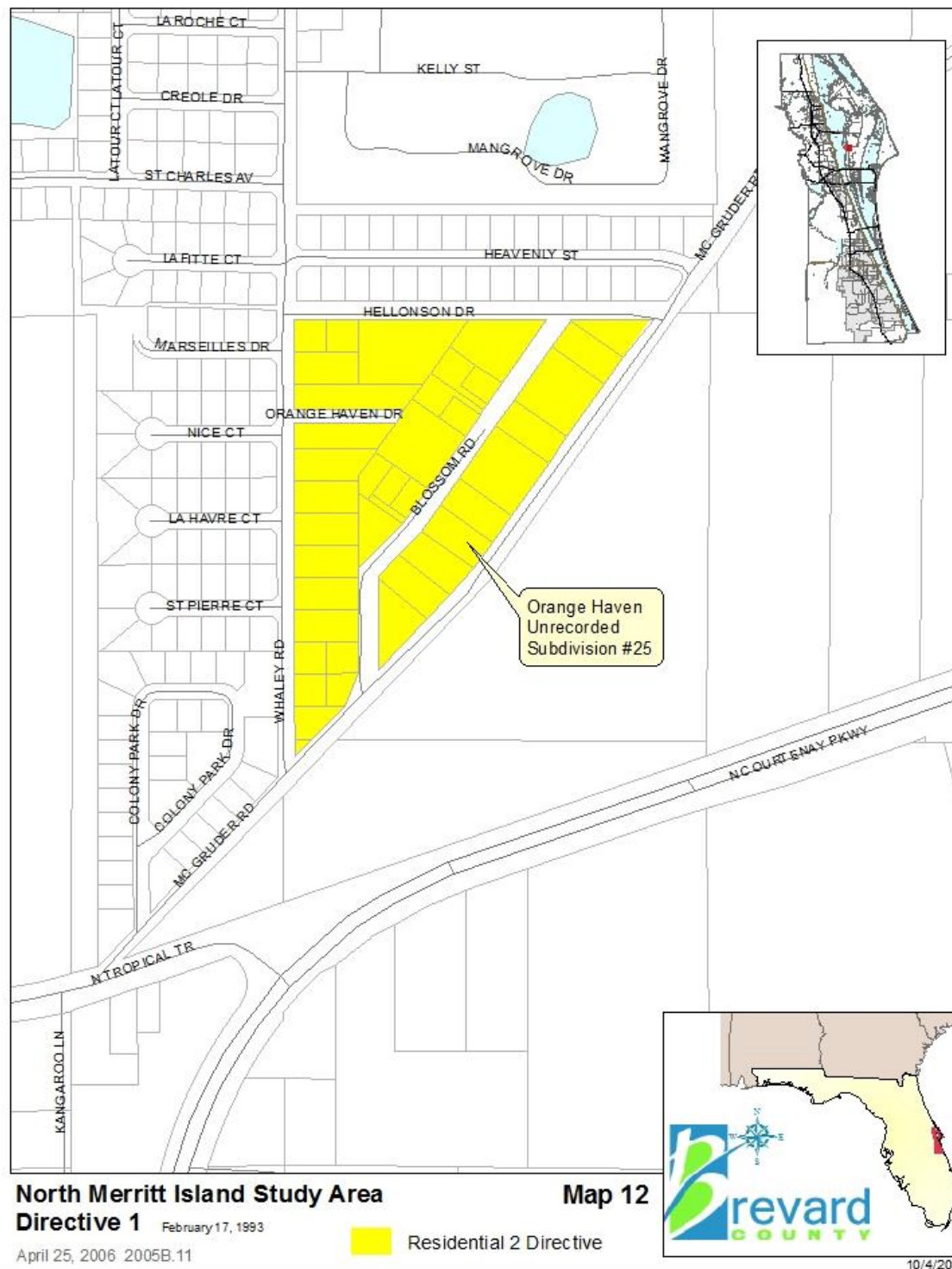
December 2010













North Merritt Island Study Area
Directive 2

February 17, 1993

April 25, 2006 2005B.11

Map 13

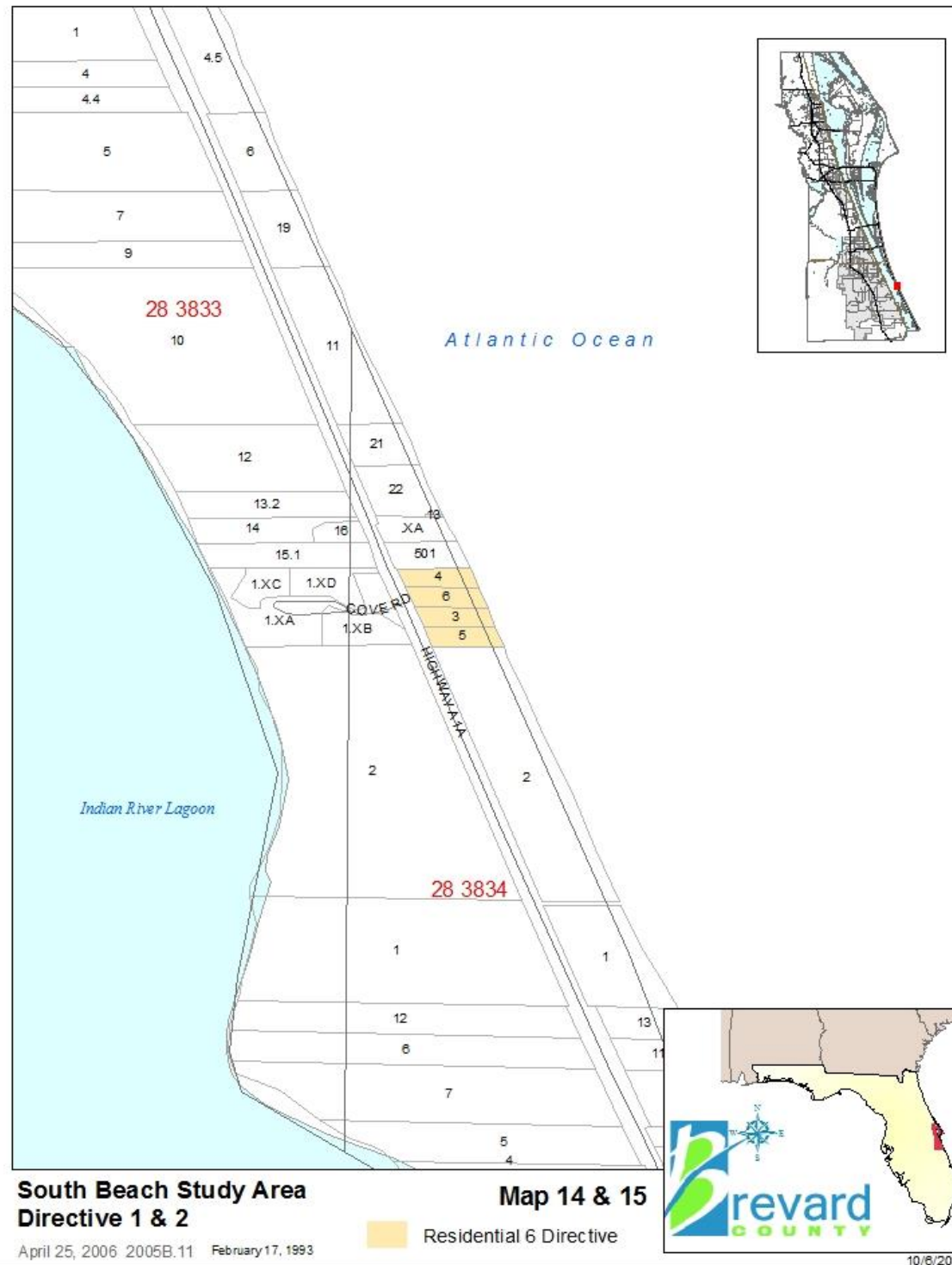
Residential 4 Directive



10/4/2017

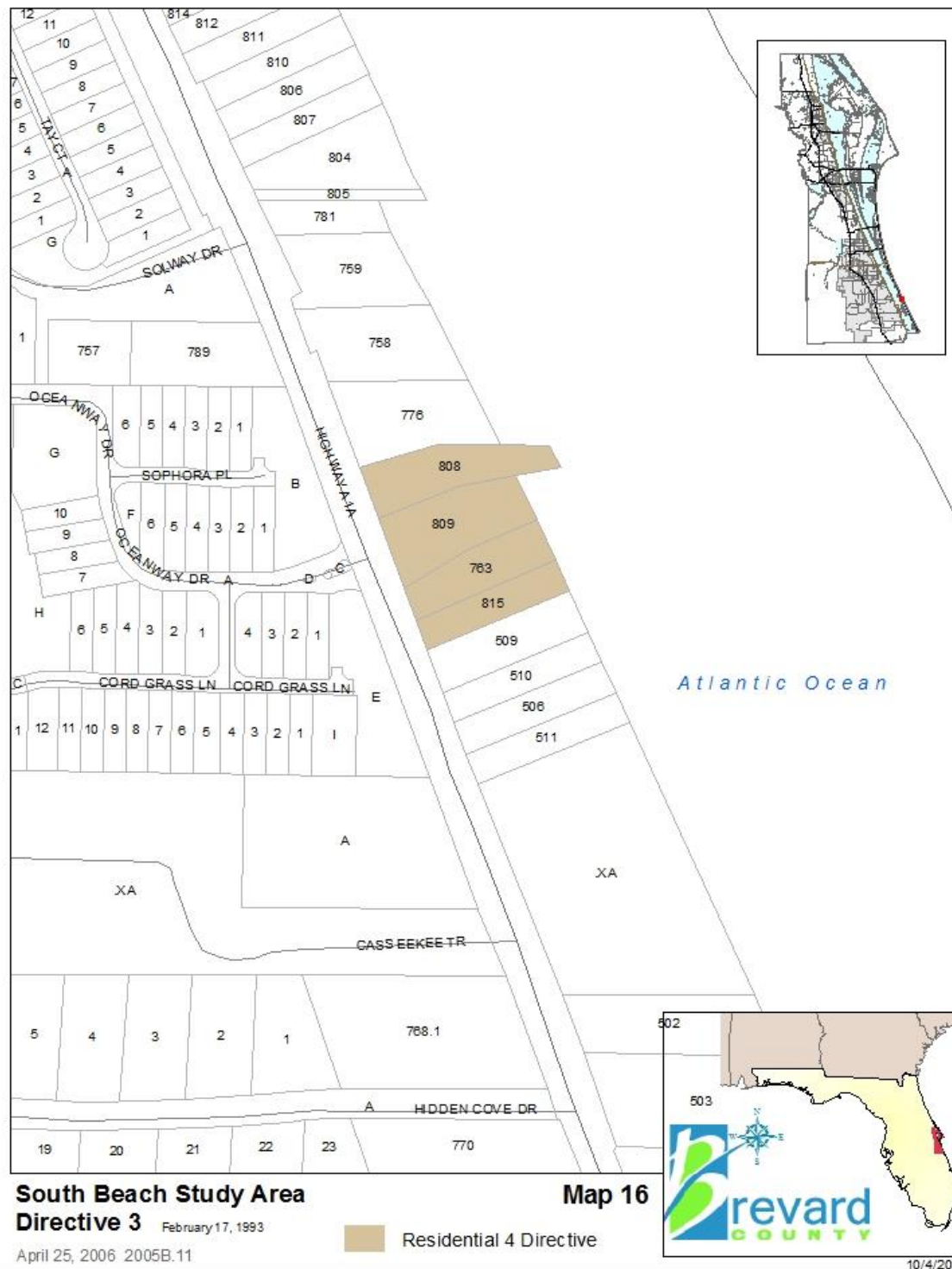
Comprehensive Plan

EAR Amendments 2017



Comprehensive Plan

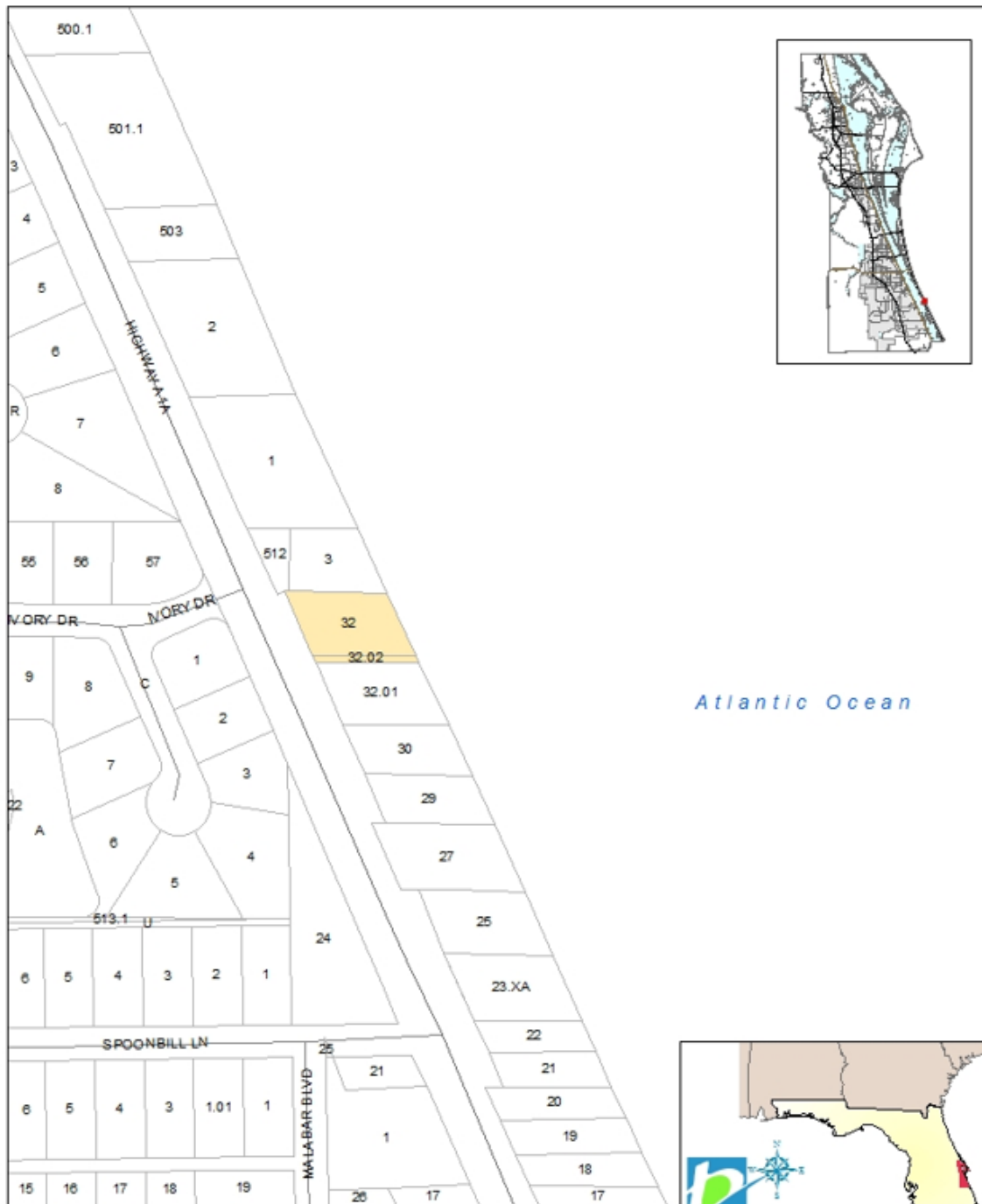
EAR Amendments 2017





Comprehensive Plan

EAR Amendments 2017



South Beach Study Area

Map 18

Directive 5 February 17, 1993

April 25, 2006 2005B.11

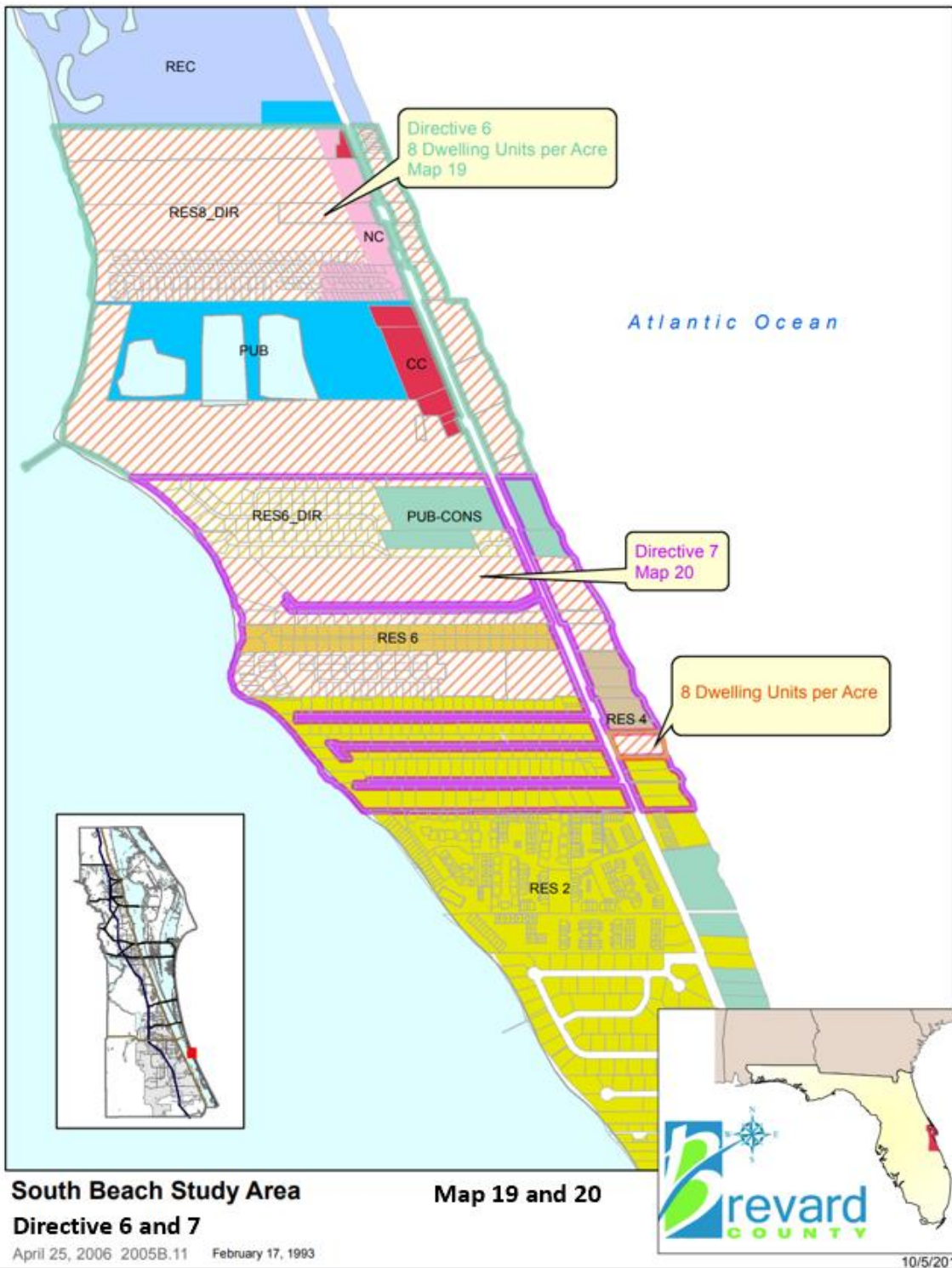
 Residential 6 Directive

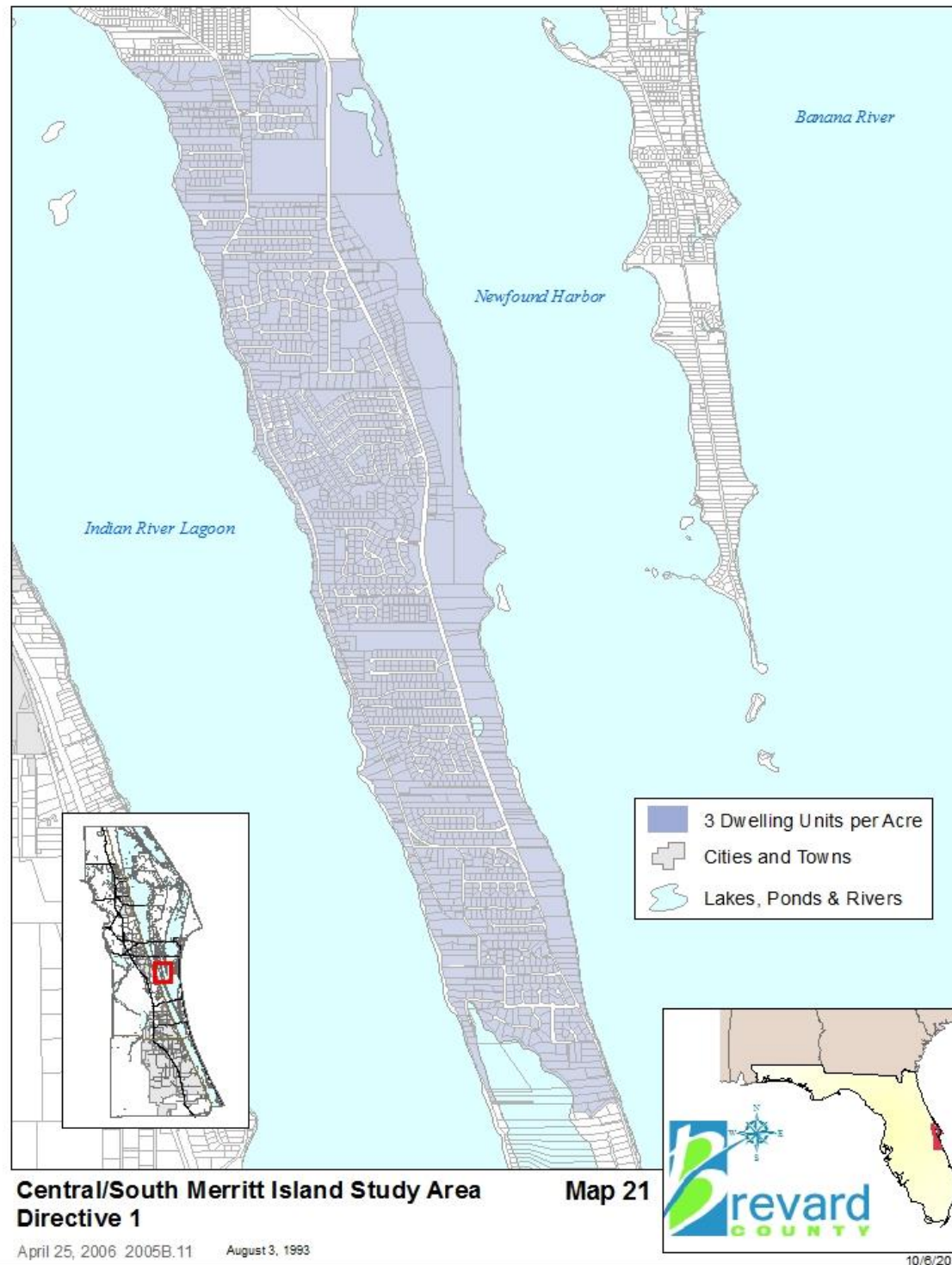


10/6/2017

Comprehensive Plan

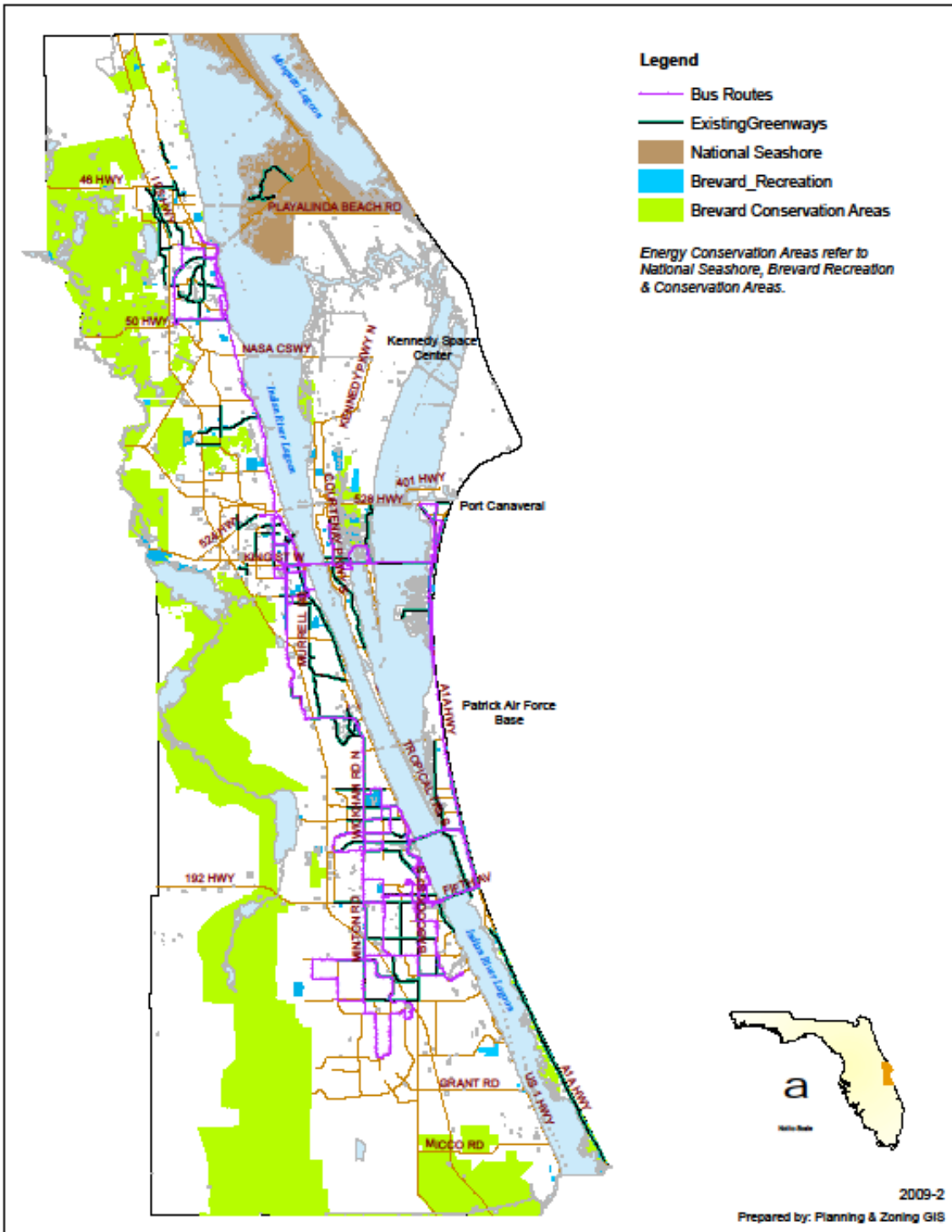
EAR Amendments 2017







Brevard County - Comprehensive Plan



Future Land Use Element - Energy Conservation Areas - 2025

June 2, 2010

LIST OF FIGURES

Figure	Name
1	Illustrative Examples of Commercial Infill vs. Extension of Strip Development
2	Comparative Depiction of Conventional vs. Clustering Land Development Techniques

FIGURE 1
ILLUSTRATIVE EXAMPLES
OF
COMMERCIAL INFILL vs. EXTENSION OF STRIP DEVELOPMENT

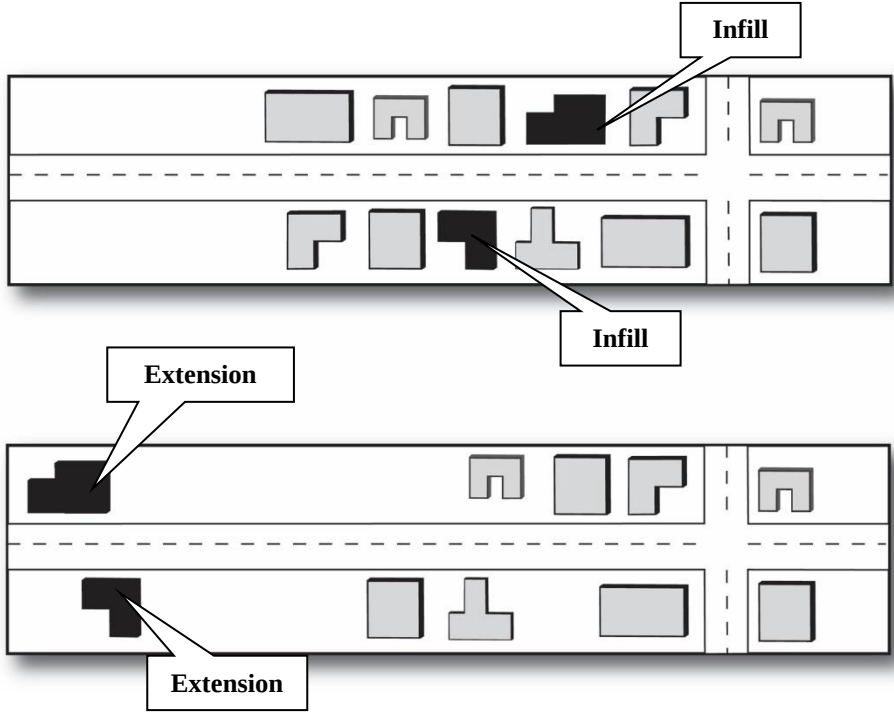
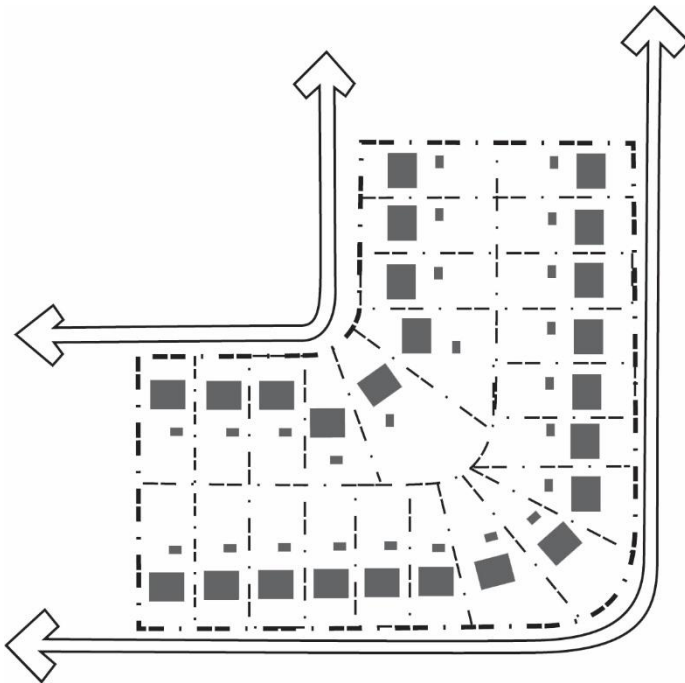


FIGURE 2
COMPARATIVE DEPICTION OF
CONVENTIONAL VS. CLUSTERING LAND DEVELOPMENT TECHNIQUES

(See Policy 14.2.E)



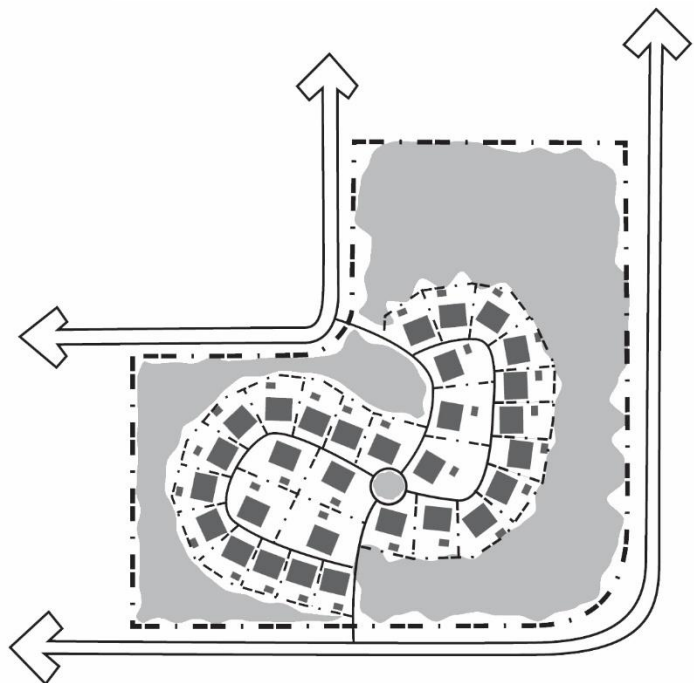
Example of a Parcel with a Conventional large Lot Subdivision

Residential Lot Yield	24
Non Residential Lot Yield	0
Open Space Preservation	0%

Example of the Same Parcel with a Clustered, Mixed Use Subdivision

Residential Lot Yield	28*
Non Residential Lot Yield	2
Open Space Preservation	50%

* assumes a theoretical density bonus for creation and clustering of smaller lots; integration of non-residential uses; connection of undisturbed linear open spaces.



Sec. 62-1255. Establishment of zoning classifications and consistency with comprehensive plan.

- (a) *Zoning classifications established.* Within the unincorporated areas of the county, the following zoning classifications are hereby established, such zoning classifications being created under this article or being zoning classifications incorporated by reference under this article:
- (1) Unimproved, agricultural and residential zoning classifications:
 - a. General use zoning classification, GU.
 - b. Productive agricultural zoning classification, PA.
 - c. Agricultural zoning classification, AGR.
 - d. Agricultural residential zoning classification, AU.
 - e. Rural estate use residential zoning classification, REU.
 - f. Rural residential zoning classification, RR-1.
 - g. Suburban estate residential use zoning classification, SEU.
 - h. Suburban residential zoning classification, SR.
 - i. Estate use residential zoning classifications, EU, EU-1 and EU-2.
 - j. Single-family residential zoning classifications, RU-1-13 and RU-1-11.
 - k. Single-family residential zoning classification, RU-1-9.
 - l. Single-family residential zoning classification, RU-1-7.
 - m. Single-family attached residential zoning classifications, RA-2-4, RA-2-6, RA-2-8 and RA-2-10.
 - n. Residential-professional zoning classification, RP.
 - (2) Multiple-family residential zoning classifications:
 - a. Low-density multiple-family residential zoning classifications, RU-2-4, RU-2-6 and RU-2-8.
 - b. Medium-density multiple-family residential zoning classifications, RU-2-10, RU-2-12 and RU-2-15.
 - c. High-density multiple-family residential zoning classification, RU-2-30.
 - (3) Mobile home residential and recreational vehicle park zoning classifications:
 - a. Rural residential mobile home zoning classifications, RRMH-1, RRMH-2.5 and RRMH-5.
 - b. Single-family mobile home zoning classifications, TR-1 and TR-1-A.
 - c. Single-family mobile home zoning classification, TR-2.
 - d. Mobile home park zoning classification, TR-3.
 - e. Single-family mobile home cooperative zoning classification, TRC-1.
 - f. Recreational vehicle park zoning classification, RVP.
 - (4) Planned unit development zoning classifications:
 - a. Planned unit development zoning classification, PUD.
 - b. Residential planned unit development zoning classification, RPUD.

-
- c. Tiny House planned unit development zoning classification, THPUD.
- (5) Commercial zoning classifications:
- a. Restricted neighborhood retail commercial zoning classification, BU-1-A.
 - b. General retail commercial zoning classification, BU-1.
 - c. Retail, warehousing and wholesale commercial zoning classification, BU-2.
- (6) Tourist commercial and transient commercial zoning classifications:
- a. General tourist commercial zoning classification, TU-1.
 - b. Transient tourist commercial zoning classification, TU-2.
- (7) Industrial zoning classifications:
- a. Planned business park zoning classification, PBP.
 - b. Planned industrial park zoning classification, PIP.
 - c. Light industrial zoning classification, IU.
 - d. Heavy industrial zoning classification, IU-1.
- (8) Special zoning classifications:
- a. Environmental area zoning classification, EA.
 - b. Government managed land zoning classification, GML.
 - c. Institutional zoning classification, IN.
- (b) *Consistency of zoning classifications with comprehensive plan.* The 1988 county comprehensive plan establishes specific future land use designations, which are depicted on the future land use map within the future land use element. The future land use element also has policies and criteria which delineate how the various designations shall be applied. The zoning classifications depicted on the official zoning map of the county shall be consistent with the future land use map and the policies and criteria relating to the application of future land use designations on the future land use map.
- (1) *Future land use designations.*
- a. *Residential.* Residential uses include single-family detached, single-family attached, multiple-family, recreational vehicle park and mobile home developments.
 - 1. Residential 30:
 - A. Maximum, unless otherwise provide herein: 30 units per acre.
 - B. Merritt Island redevelopment area: Development containing a mixture of uses: 50 units per acre per policy 1.3(B)(2) of the Future Land Use Element.
 - C. Redevelopment district: 37.5 units per acre per policies 1.3(B)(1) and 11.2(F) of the Future Land Use Element.
 - D. Planned unit development: 37.5 units per acre per policy 1.3(C) of the Future Land Use Element.
 - 2. Residential 15:
 - A. Maximum, unless otherwise provide herein: 15 units per acre.

-
- B. Redevelopment district: 18.75 units per acre per policy 11.2(F) of the Future Land Use Element.
 - C. Planned unit development: 18.75 units per acre per policy 1.4(E) of the Future Land Use Element.
3. Residential 10:
- A. Maximum, unless otherwise provide herein: 10 units per acre.
 - B. Redevelopment district: 12.5 units per acre per policy 11.2(F) of the Future Land Use Element.
 - C. Planned unit development: 12.5 units per acre per policy 1.5(E) of the Future Land Use Element.
4. Residential 6:
- A. Maximum, unless otherwise provide herein: 6 units per acre.
 - B. Redevelopment district: 7.5 units per acre per policy 11.2(F) of the Future Land Use Element.
 - C. Planned unit development: 7.5 units per acre per policy 1.6(D) of the Future Land Use Element.
5. Residential 4:
- A. Maximum, unless otherwise provide herein: 4 units per acre.
 - B. Redevelopment district: 5 units per acre per policy 11.2(F) of the Future Land Use Element.
 - C. Planned unit development: 5 units per acre per policy 1.7(D) of the Future Land Use Element.
6. Residential 2:
- A. Maximum, unless otherwise provide herein: 2 units per acre.
 - B. Redevelopment district: 2.5 units per acre per policy 11.2(F) of the Future Land Use Element.
 - C. Planned unit development: 2.5 units per acre per policy 1.8(D) of the Future Land Use Element.
7. Residential 1:
- A. Maximum, unless otherwise provide herein: 1 unit per acre.
 - B. Redevelopment district: 1.25 units per acre per policy 11.2(F) of the Future Land Use Element.
 - C. Planned unit development: 1.25 units per acre per policy 1.9(D) of the Future Land Use Element.
8. Residential 1:2.5: 1 unit per 2.5 acres.
- b. *Neighborhood commercial.* Appropriate uses within the neighborhood commercial designation are specified in the Future Land Use Element. Residential densities shall be subject to the conditions set forth in the Future Land Use Element.

- c. *Community commercial.* Appropriate uses within the community commercial designation are specified in the Future Land Use Element. Residential densities shall be subject to the conditions set forth in the Future Land Use Element.
 - d. *Planned industrial.* Appropriate uses within the planned industrial designation are specified in the Future Land Use Element.
 - e. *Heavy/light industrial.* Appropriate uses within the heavy/light industrial designation are specified in the Future Land Use Element.
 - f. *Agricultural.* Appropriate uses within the agricultural designation are specified in the Future Land Use Element. Residential densities shall not exceed one dwelling unit per five acres.
 - g. *Public facilities.* Appropriate uses within the public facilities designation are specified in the Future Land Use Element.
 - h. *Recreation.* Recreation uses include all public parks and recreational facilities.
 - i. *Public conservation.* Conservation land uses include lands under the ownership of the county, the St. Johns River Water Management District or other such agencies for the purpose of environmental protection and lands within the environmental area (EA) zoning classification. Residential densities shall not exceed one unit per 50 acres.
 - j. *Private conservation.* Conservation land uses include lands under private ownership and are zoned (EA) zoning classification. Residential densities shall not exceed one unit per ten acres.
 - k. *Developments of Regional Impact (DRI).* DRI land uses include lands that have an adopted Development Order pursuant to the requirements of Chapter 380, Florida Statutes, Chapters 9J-12 and 28-24 Florida Administrative Code and applicable local ordinances.
- (2) *Consistency with future land use map.* The following table depicts where the various zoning classifications can be considered based upon the geographic delineation of future land uses on the future land use map and locational criteria defined in the policies of the future land use element of the 1988 county comprehensive plan. Where an application for a change of residential zoning classification is not consistent with the residential future land use map designation as depicted on the following table, the rezoning may be considered if the applicant limits the project to a density equal to or less than the maximum density threshold for the subject property.

EXHIBIT A. CONSISTENCY OF ZONING CLASSIFICATIONS WITH FUTURE LAND USE MAP SERIES

	Land Use Designations																
Zoning Classifications	Agric	Res 1:2.5	Res 1	Res 2	Res 4	Res 6	Res 10	Res 15	Res 30	NC	CC	PI	H/L	PUB	REC	PR CON	PUB CON
GU, PA, AGR, RRMH-5, PUD, RPUD, THPUD, RVP	Y									Y*		N		N			
AU, REU, RRMH-2.5	N	Y								Y*		N		N			
ARR, RR-1, SEU, RRMH-1	N		Y							Y*		N		N			
SR, TR-2	N			Y						Y*		N		N			
EU, EU-1, EU-2, RU-1-13, RU-1-11, TR-	N				Y					Y*		N		N			

1, RA-2-4, RU-2-4					
RU-1-7, RU-1-9, TR-1-A, TR-3, TRC-1, RU-2-6, RA-2-6	N	Y	Y*	N	N
RU-2-8, RA-2-8, RA-2-10, RU-2-10	N	Y	Y*	N	N
RU-2-12, RU-2-15	N	Y	Y*	N	N
RU-2-30	N	Y	Y*	N	N
BU-1-A, IN	Y**		Y**	N	N
RP	N	Y**	Y	N	N
BU-1, TU-1, TU-2	N		N	Y	N
BU-2	N		N	Y	Y**
PBP	N		N	Y	N
PIP	N		N	Y	N
IU, IU-1	N		N	N	Y
EA, GML	Y		Y	Y	Y

Land Use Designations	
Agric—Agriculture	NC—Neighborhood Commercial
Res 1:2.5—Residential (one unit per 2.5 acres)	CC —Community Commercial
Res 1—Residential (one unit per acre)	PI—Planned Industrial
Res 2—Residential (two units per acre)	H/L—Heavy/Light Industrial
Res 4—Residential (four units per acre)	PUB—Public Facilities
Res 6—Residential (six units per acre)	REC—Recreation
Res 10—Residential (ten units per acre)	PR CON—Private Conservation
Res 15—Residential (fifteen units per acre)	PUB CON—Public Conservation
Res 30—Residential (thirty units per acre)	

Explanation of Symbols

Y—Yes, classification may be considered.

Y*—Yes, classification may be considered, if permitted by Policy 2.10 of the Future Land Use Element.

Y**—Yes, classification may be considered if use is transitional, per Policy 2.11 or if permitted by Policy 2.14 of the Future Land Use Element, as applicable.

N—No, classification may not be considered.

(Code 1979, § 14-20.07; Ord. No. 99-07, § 8, 1-28-99; Ord. No. 2000-38, § 1, 8-1-00; Ord. No. 2002-01, § 4, 1-8-02; Ord. No. 04-29, § 2, 8-5-04; Ord. No. 2018-27, § 3, 12-4-18; Ord. No. 2022-32, § 1, 11-3-22)

Sec. 62-1572. Government managed lands, GML.

The purpose of the GML government managed lands zoning classification is to recognize the presence of lands and facilities which are managed by federal, state and local government, special districts, nongovernmental organizations (NGOs) providing economic, environmental and/or quality of life benefits to the county, electric, natural gas, water and wastewater utilities that are either publicly owned or regulated by the Public Service Commission, and related entities. Activities encompassed within this classification include but are not limited to aviation, education and public services. Emphasis is on protecting existing and future public and private investments, as well as ensuring that such activities are managed in accordance with the comprehensive plan and any regulations or ordinances relating to such activity. A concept plan may be required.

- (1) *Permitted uses.* Each application for government managed lands zoning shall designate the intended use of the property as either Parks and Conservation (P), Institutional (I), Utility (U), or High-Intensity (H). The parks and conservation designation shall include active and passive recreational uses as well as permanent or temporary conservation uses. The institutional use designation shall include offices, schools, meeting rooms, parking garages, police and fire stations, and hospitals. The utility designation shall include electric, natural gas, water and wastewater utilities that are either publicly owned or regulated by the Public Service Commission. The high-intensity designation includes industrial activities, correctional facilities, ports, airports or other transportation hubs and other high-intensity activities which are not considered institutional uses. Proposed conversions of any property zoned GML but not containing the (P), (I), (U), or (H) suffix designation to a more intense use will require a rezoning.

- a. The following is a list of uses permitted within this classification, as well as the required use designation:

Administrative offices for government or other public agencies. (I)

Cemeteries and mausoleums. (I)

Fire stations. (I)

Group homes, levels I and II. (I)

Historical landmarks, sites and memorials. (I)

Libraries. (I)

Nongovernmental organizations conducting life science, ocean, coastal and marine research, or environmental science research in partnership with a government entity. (I)

Parking lots or garages. (I)

Parks and recreational facilities. (P)

Ports and related activities. (H)

Post offices. (I)

Preservation and wildlife management. (P)

Public golf courses. (P)

Public museums. (I)

Public schools. (I)

Sewer lift stations. (H)

Space-related activities. (H)

Towers and antennae. (P), (I), (U), (H)

Wellfields and water towers. (H)

- b. The following uses require the high-intensity use designation and are permitted subject to development standards set forth for the light industrial zoning classification as delineated in section 62-1543:

Bus line shops and storage.

Laboratories and other facilities for research.

Printing, engraving and other reproduction processes, as well as publishing and distribution of printed material.

Public utility rights-of-way and publicly owned structures and garages.

Warehousing and storage yards.

Other similar public buildings and facilities.

- c. Within the high intensity use designation, permitted uses with conditions are as follows (see division 5, subdivision II of this article):

Dredged material management areas.

- d. Within either the institutional or high intensity use designations, permitted uses with conditions are as follows (see division 5, subdivision II, of this article):

Assisted living facilities.

Athletic complexes and stadiums.

Crematoriums.

Hospitals.

Recovered materials processing facility.

- e. Within either the parks and conservation, institutional, or high intensity use designations, permitted uses with conditions are as follows (see division 5, subdivision II, of this article):

Cattle grazing.

- (2) *Accessory uses.* Uses secondary and incidental to permitted uses are permitted, including but not limited to the following:

Caretaker's or watchman's residence.

Dining and recreational facilities for occupants of a site.

Laundry facilities.

Parking garages.

Power plants.

Machine shops.

Maintenance shops.

Temporary security trailer.

- (3) *Conditional uses.* The following conditional uses require the high-intensity (H) or utility (U) use designation, as indicated. Conditional uses are as follows:

Airports and aviation-related activities, including industrial parks, subject to the development standards set forth in section 62-1544.

Arsenals and explosives. (H)

Composting facility. (H)

Convention, civic or exhibition center. (H)

Electric, natural gas, water and wastewater utilities. (U)

Hazardous waste facility. (H)

Land alteration (over five acres and up to 30 acres). (H)

Manufacturing, processing and storage of asphalt and asphalt products, sand and gravel, subject to development standards set forth in section 62-1544. (H)

Motorcross. (H)

Mulching facility. (H)

Prison camp correctional facilities. (H)

Residential/recreational marina. (H)

Solid waste management facilities. (H)

Water and sewage treatment facilities. (H)

Zoological parks. (H)

- (4) *Minimum floor area.* All principal structures shall contain at least 300 square feet of floor area.
- (5) *Minimum lot size.* An area of not less than 7,500 square feet is required, having a width and depth of at least 75 feet.
- (6) *Setbacks.* The front setback shall be 25 feet from the property line, the rear setback shall be 20 feet, and the side setbacks shall be ten feet. The side setback for corner lots shall be 15 feet from the side lot line which abuts a road. If a corner lot is contiguous to a key lot, the side setback shall be not less than 25 feet.
- (7) *Structural height standards.*
 - a. Where the property abuts any other land located in the GU, AGR, AU, ARR, REU, RU-1-7, RU-1-9, RU-1-11, RU-1-13, RR-1, EU, EU-1, EU-2, SEU, SR, RVP, TR-1-A, TR-1, TR-2, TR-3, TRC-1, RRMH-1, RRMH-2.5, RRMH-5, EA, PA or GML zoning classification, the maximum height threshold of any structure or building thereon shall be 35 feet.
 - b. Where the property abuts any other land located in the RA-2-4, RA-2-6, RA-2-8, RA-2-10, RU-2-4, RU-2-6, RU-2-8, RU-2-10, RU-2-12, RP or BU-1-A zoning classification, the maximum height threshold of any structure or building thereon shall be 45 feet.
 - c. Where the property abuts any other land located in the RU-2-15, RU-2-30, BU-1, BU-2, PIP, PBP, IU, IU-1, TU-1 or TU-2 zoning classification, the maximum height threshold of any structure or building thereon shall be 60 feet.
 - d. Where any structure or building exceeds 35 feet in height, all conditions enumerated in section 62-2101.5 as applicable shall be fully satisfied.
 - e. Structures or buildings may not exceed the maximum height thresholds stated in this subsection unless otherwise permitted by section 62-2101.5.

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- f. Towers owned or operated by the county for public service and public safety purposes are exempt from Section 62-2101.5 and all height limitations in this subsection.

(Code 1979, § 14-20.15(B); Ord. No. 95-47, §§ 70, 71, 10-19-95; Ord. No. 97-41, § 1, 10-14-97; Ord. No. 98-11, § 8, 2-26-98; Ord. No. 98-62, § 7, 12-3-98; Ord. No. 01-30, § 18, 5-24-01; Ord. No. 2003-03, § 30, 1-14-03; Ord. No. 03-18, § 1, 4-29-03; Ord. No. 04-29, § 32, 8-5-04; Ord. No. 2004-52, § 31, 12-4-04; Ord. No. 06-26, § 2, 5-4-06; Ord. No. 2007-59, § 5, 12-6-07; Ord. No. 08-40, § 1, 10-2-08; Ord. No. 2010-22, § 4, 11-23-10; Ord. No. 2013-28, § 1, 8-1-13)

Sec. 62-1402. Single-family mobile home, TR-1 and TR-1-A.

The TR-1 and TR-1-A single-family mobile home zoning classifications encompass land devoted to single-family mobile homes.

- (1) *Permitted uses.*
 - a. Permitted uses are as follows:
 - Single-family mobile home units.
 - Single-family detached dwelling units with minimum floor area of 600 square feet.
 - Foster homes.
 - Parks and public recreational facilities.
 - b. Permitted uses with conditions are as follows (see division 5, subdivision II, of this article):
 - Group homes, level I, subject to the requirements set forth in section 62-1835.9.
 - Power substations, telephone exchanges and transmission facilities.
 - Preexisting use.
 - Temporary living quarters during construction of a residence.
- (2) *Accessory buildings or uses.* Accessory buildings and uses customary to residential uses are permitted. (Refer to definition cited in section 62-1102 and standards cited in section 62-2100.5).
- (3) *Conditional uses.* Conditional uses are as follows:
 - Change of nonconforming agricultural use.
 - Land alteration (over five acres and up to ten acres).
 - Residential/recreational marina.
 - Sewer lift stations.
 - Single-family residential second kitchen facility.
 - Substantial expansion of a preexisting use.
 - Wireless telecommunication facilities and broadcast towers.
- (4) *Minimum lot size.* Minimum lot size is as follows:

Classification	Lot size (square feet)	Lot width (feet)	Lot depth (feet)
TR-1	7,500	65	100
TR-1-A	5,000	50	100

The platting of diagonal lots in mobile home subdivisions is prohibited.

- (5) *Setbacks from property lines.*
 - a. Setbacks from property lines shall be as follows:

Classification	Front (feet)	Rear (feet)	Side (feet)
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TR-1	25	20	7.5
TR-1-A	25	20	5

- b. On a corner lot, the side street setback shall be not less than 15 feet, including accessory buildings. If a corner lot is contiguous to a key lot, then the side street setback shall be not less than 25 feet, including accessory buildings.
- c. Detached accessory buildings shall be located to the rear of the front building line of the principal building or structure and shall be set back not less than seven and one-half feet (or five feet for the TR-1-A classification) from the rear and side lot lines, but in no case within the setback from a side street, with a minimum spacing of five feet.

(6) *Minimum living area.* Minimum living area is 600 square feet.

(7) *Maximum height of structures.* Maximum height of structures is 35 feet.

(Code 1979, § 14-20.10(B); Ord. No. 95-47, §§ 38, 39, 10-19-95; Ord. No. 95-49, §§ 18, 23, 10-19-95; Ord. No. 96-16, §§ 41, 42, 3-28-96; Ord. No. 98-08, § 2, 2-10-98; Ord. No. 2000-03, § 12, 1-11-00; Ord. No. 2002-49, § 22, 9-17-02; Ord. No. 2003-03, § 22, 1-14-03; Ord. No. 04-29, § 22, 8-5-04; Ord. No. 2004-52, § 19, 12-14-04; Ord. No. 2007-59, § 25, 12-6-07; Ord. No. 2014-30, § 2, 10-2-14)

Sec. 62-1406. Recreational vehicle park, RVP.

The RVP recreational vehicle park zoning classification encompasses lands devoted for recreational vehicle, tent, park trailer and cabin use together with such ancillary structures as allowed to promote a recreational type atmosphere for both park owners and/or their guests. Regulations for the RVP recreational vehicle park zoning classification are as follows:

- (1) *Permitted uses.*
 - a. Spaces or lots in RVP recreational vehicle parks may be used by a recreational vehicle or equivalent facilities constructed in or on automotive vehicles, or tents, or other shortterm housing devices, or park trailers, or cabins. Cabins or park trailers utilized for shortterm use may comprise no more than 20 percent of the permitted spaces or lots, and shall not exceed a maximum of 1,000 square feet each in size.
 - b. Nonrecreational services and administrative buildings are permitted.
 - c. Parks and public recreational facilities.
 - d. Permitted uses with conditions:
 - Convenience store as accessory use to recreational vehicle park.
 - Preexisting use.
 - Recreational vehicle destination park. (see section 62-1841.5)
 - e. Attachments to principal structures:
 1. In no event shall the principal structure be expanded in any manner that changes the structure of the base unit.
 2. Attachments are further limited as follows: No attachment or combination of attachments and accessory structures shall exceed 50 percent of the square footage of the recreational vehicle unit, not including a carport. An administrative approval for accessory buildings or attachments may be allowed up to a maximum of 100 percent of the square footage of the recreational vehicle unit as long as the additional square footage is consistent with the character of the surrounding area. Unless otherwise provided for in this chapter attachments shall have no kitchen facilities.
- (2) *Accessory buildings or uses.* Accessory buildings and uses customary to residential uses are permitted. (Refer to definition cited in section 62-1102 and standards cited in section 62-2100.5). Additional accessory uses are as follows:
 - a. The following uses are permitted as accessory to the recreational vehicle park primarily as a convenience for the guests of the park:
 1. Laundry facilities.
 2. Private golf courses, playgrounds and picnic areas.
 3. Recreational ball and game courts.
 4. Swimming pools.
 5. Boat rental, including bait, fishing and sports accessories sales serving only guests of the recreational vehicle park.
 6. Manager's residence.

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- (3) *Conditional uses.* Conditional uses are as follows:
- Change of nonconforming agricultural use.
 - Land alteration (over five acres and up to ten acres).
 - Residential/recreational marina.
 - Substantial expansion to a preexisting use.
 - Wireless telecommunication facilities and broadcast towers.
- (4) *Site plan or subdivision plat approval.* Final site plan approval shall be in accordance with the provisions of article VIII of this chapter. If the park is to be platted, the park shall meet all applicable requirements of article VII of this chapter, pertaining to subdivisions.
- (5) *Definitions.* For the purpose of this section, the following words and phrases shall have the meanings ascribed to them by this subsection:
- a. *Cabin* means a structure, the use of which may be for permanent housing, that is permanently affixed to the ground and shall comply with the building code and regulations as adopted by the board of county commissioners and the statutes and regulations of the state concerning buildings, electrical installations, plumbing and sanitation systems.
 - b. *Cabin lot* means a lot which is utilized for a cabin, the numbers of which are based upon the applicable limitations provided in either section 62-1406(1)(a) or section 62-1841.5(1).
 - c. *Park trailer* means a transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and which does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to U.S. Department of Housing and Urban Development standards. A park trailer may be considered for use as a permanent residence within a recreational vehicle park destination resort consistent with section 62-1841.5(1), when it is permanently affixed to the ground and complies with the building code and regulations as adopted by the board of county commissioners, and with all of the applicable state laws regulating the standards for structural adequacy, electrical installations, plumbing and sanitation systems, fire and life safety codes.
 - d. *Recreational vehicle* means for the purposes of this section, a vehicular portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreation or vacation uses, permanently identified as a recreational vehicle by the manufacturer of the vehicle, having a width not exceeding 14 feet, and an overall dimension not exceeding 500 square feet, when constructed to the U.S. Department of Housing and Urban Development standards and shall include the following:
 - 1. *Camping trailer* (includes the terms pop-up or pop-out trailer) means a canvas folding structure, mounted on wheels and designed for travel, recreation or vacation use.
 - 2. *Motor home* means a portable, temporary dwelling to be used for travel, recreation or vacation uses, and constructed as an integral part of a self-propelled vehicle.
 - 3. *Travel trailer*, (includes the term fifth-wheel trailer) means primarily designed and constructed to be drawn by another vehicle.
 - 4. *Truck camper* (includes the terms pick-up coach, topper or slide out camper) means a structure designed to be mounted on the bed or chassis of a truck.
 - e. *Recreational vehicle park* means a development, under single ownership or condominium, or cooperative ownership, or subdivided into lots pursuant to article VII of this chapter, in which

sites are utilized for the placement of recreational vehicles or tents for temporary use as living quarters or cabins for shortterm use.

- f. *Recreational vehicle site or lot* means a parcel of land within a recreational vehicle park designed and improved for the accommodation of not more than one recreational vehicle or equivalent facility or one tent.
 - g. *Sanitary station* means a facility used for removing and disposing of waste from recreational vehicle holding tanks.
 - h. *Service building* means any building in a recreational vehicle park used for recreational, maintenance, sanitary or office purposes which may be necessary for the development and management of the recreational vehicle park.
 - i. *Tent* means a collapsible structure of canvas or other material, stretched and sustained by poles and usually made fast by ropes attached to pegs or stakes hammered into the ground.
- (6) *Design and Locational standards for parks.*
- a. *Minimum size.* Each parcel of land to be used for a recreational vehicle park shall be a minimum of five acres in size.
 - b. *Density.* The density of recreational vehicle parks located within lands designated neighborhood commercial or community commercial on the Future Land Use Map (FLUM) shall not exceed a maximum density of ten recreational vehicle sites or lots per acre. For recreational vehicle park properties located outside of neighborhood commercial or community commercial land use designations on the Future Land Use Map, there shall be a maximum of ten recreational vehicle sites or lots per acre, or the maximum designated residential density, whichever is less. This density allowance shall also apply to tent camping areas.
 - c. *Locational Requirements* Recreational vehicle parks shall be located in areas which serve the needs of tourists and seasonal visitors to Brevard County. The location of recreational vehicle parks shall meet one of the following minimum locational criteria:
 - 1. Within lands designated as Neighborhood Commercial (NC) or Community Commercial (CC) on the future land use map (FLUM) location shall have access to interstate interchanges via arterial and principal collector transportation corridors; or
 - 2. Outside of community commercial and neighborhood commercial FLUM designations only those locations where the surrounding existing or planned land uses are recreational, mobile home or tourist related, and where the character of the proposed development is compatible with existing, surrounding uses, utilizing the land use compatibility matrix in section 62-1255.
 - d. *Recreational areas.*
 - 1. A minimum of ten percent of the total land area of a recreational vehicle park shall be devoted to one or more common use areas for recreational activity.
 - 2. Such recreational areas shall be exclusive of recreational vehicle sites, buffer strips, street right-of-way and storage areas; however, the periphery of such recreational areas may contain utility sites and other nonrecreational service buildings, the area of which will be subtracted from the computed recreational area. Recreational areas shall be easily accessible to all park users and management. Although the required space for recreational usage may be met through more than one recreational site, the minimum size of any such area shall be 20,000 square feet.

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3. Provisions for all common open space and the construction of recreational facilities which are shown on the site plan or subdivision plat shall proceed at an equivalent or greater rate as the construction of individual recreational vehicle sites or lots.
 - e. *Tent camping.* Areas may be set aside for tent camping in accordance with all provisions of this section, except:
 1. There shall be a stabilized pad on the site for parking of the transportation vehicle.
 2. Tent camping may be permitted on a recreational vehicle site or lot.
- (7) *Design requirements for recreational vehicle sites or lots.*
- a. *Minimum lot size.* Each recreational vehicle site shall have a minimum area of 2,000 square feet, and shall have a minimum width of 30 feet and minimum depth of 60 feet.
 - b. *Access.* Each recreational vehicle site or lot shall abut on at least one street within the boundaries of the recreational vehicle park, and access to the site shall be only from such an internal street.
 - c. *Setbacks.*
 1. The front setback, from the lot line in a platted park or from the street in an unplatted park, shall be ten feet.
 2. The side setback shall be five feet on one side and ten feet on the other side.
 3. The rear setback shall be ten feet.
 - d. *Appurtenances and accessory structures.* Temporary appurtenances, such as cabanas and awnings, may be erected on a recreational vehicle site or lot as long as such appurtenances do not violate the following setback requirements: Any appurtenance or accessory structure shall be located at least five feet from any side or rear site or lot line and ten feet from any front site or lot line.
- (8) *Provision of services.*
- a. *Storage.* Outdoor storage of recreational vehicles is permitted, provided that such storage takes place within an area especially set aside for such use.
 - b. *Animal control.* It shall be the responsibility of the park manager to ensure that no owner or person in charge of an animal shall permit the animal to run at large or to commit any nuisance within the limits of any recreational vehicle park.
- (9) *Park operation.*
- a. *Responsibilities of park management.* The owner of a recreational vehicle park or the park management shall at all times maintain the park and its facilities in a clean, orderly and sanitary condition. The park management shall inform all park occupants of the provisions of this section and other related ordinances and statutes, and of their responsibilities thereunder.
 - b. *Length of occupancy.* No established or new recreational vehicle unit as defined within these regulations shall be considered to be a permanent residence, and occupancy shall be limited to no more than 180 consecutive days, except for cabins and park trailers within a recreational vehicle park destination resort as provided by section 62-1841.5(1).

(10) *Maximum height of structures.* Maximum height of structures is 35 feet.

(Code 1979, § 14-20.10(F); Ord. No. 93-25, § 1, 11-10-93; Ord. No. 94-25, §§ 1—4, 12-12-94; Ord. No. 95-47, § 46, 10-19-95; Ord. No. 95-49, § 10, 10-19-95; Ord. No. 95-49, § 18, 10-19-95; Ord. No. 96-16, §§ 49, 50, 3-28-96; Ord.

No. 98-12, § 10, 2-26-98; Ord. No. 01-30, § 6, 5-24-01; Ord. No. 2002-01, § 13, 1-8-02; Ord. No. 2002-49, § 28, 29, 9-17-02; Ord. No. 2014-30, § 1, 10-2-14)

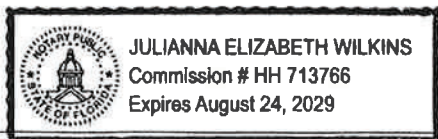
26Z00007**THIS AFFIDAVIT IS TO BE SUBMITTED BEFORE THE PUBLIC HEARING****AFFIDAVIT**STATE OF FLORIDA
COUNTY OF BREVARD

Before me, this undersigned authority, personally appeared, Amanda Kirkendall
to me well known and known to me to be the person described in and who executed the foregoing affidavit after
being first duly sworn, says:

1. That the affiant posted the notice provided by the Brevard County Planning & Development Department, which contains the time(s) and date(s) of the Public Hearing(s) involved.
2. Said posted notice contains the name of the applicant, the total acreage of the property in question, the existing land use classification, special use classification, or conditional use designation, and the requested amendment to the official zoning maps. Said notice also contains the time and place of the public hearing on the consideration of said application by the Board of County Commissioners of Brevard County, if applicable.
3. The said notice has been posted in a conspicuous place on the subject property not more than twenty-five (25) days, nor less than fifteen (15) days prior to the first public hearing before the applicable board (as indicated on notice). If the property abuts a public road right-of-way, the notice has been posted within ten (10) feet of the road right-of-way in such a manner as to be visible from the road right-of-way.
4. The affiant understands that this affidavit is intended to be submitted as a requirement for a public hearing, and as such, will be officially filed with the Government of Brevard County, Florida.

C. Whoda
Signature

Sworn and Subscribed before me, this 25 day of March, 2026.



(Print, Type, or Stamp Commissioned Name of Notary Public)

Julianna Elizabeth Wilkins
Notary Public, State of Florida

Personally known OR Produced Identification

Type of I.D. Produced: _____

26Z00007**THIS AFFIDAVIT IS TO BE SUBMITTED BEFORE THE PUBLIC HEARING****AFFIDAVIT**STATE OF FLORIDA
COUNTY OF BREVARD

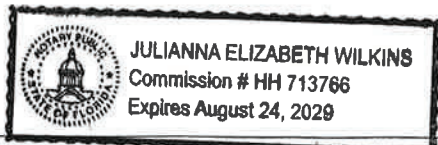
Before me, this undersigned authority, personally appeared, Amanda Kirkendall,
to me well known and known to me to be the person described in and who executed the foregoing affidavit after
being first duly sworn, says:

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A. Kirkendall

Signature

Sworn and Subscribed before me, this 25 day of March, 2026.



(Print, Type, or Stamp Commissioned Name of Notary Public)

Julianna Elizabeth Wilkins

Notary Public, State of Florida

Personally known OR Produced Identification

Type of I.D. Produced: _____

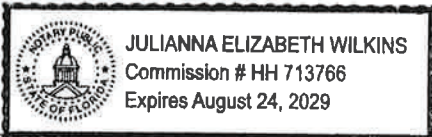
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COUNTY OF BREVARD

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to me well known and known to me to be the person described in and who executed the foregoing affidavit after
being first duly sworn, says:

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C. Wilkins

Signature

Sworn and Subscribed before me, this 25 day of March, 2026.

(Print, Type, or Stamp Commissioned Name of Notary Public)

Julianna Elizabeth Wilkins
Notary Public, State of FloridaPersonally known OR Produced Identification

Type of I.D. Produced: _____

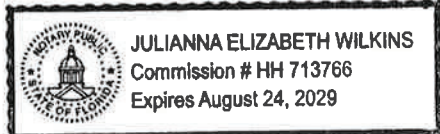
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COUNTY OF BREVARD

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to me well known and known to me to be the person described in and who executed the foregoing affidavit after
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A. Kirkendall

Signature

Sworn and Subscribed before me, this 25 day of March, 2026

(Print, Type, or Stamp Commissioned Name of Notary Public)

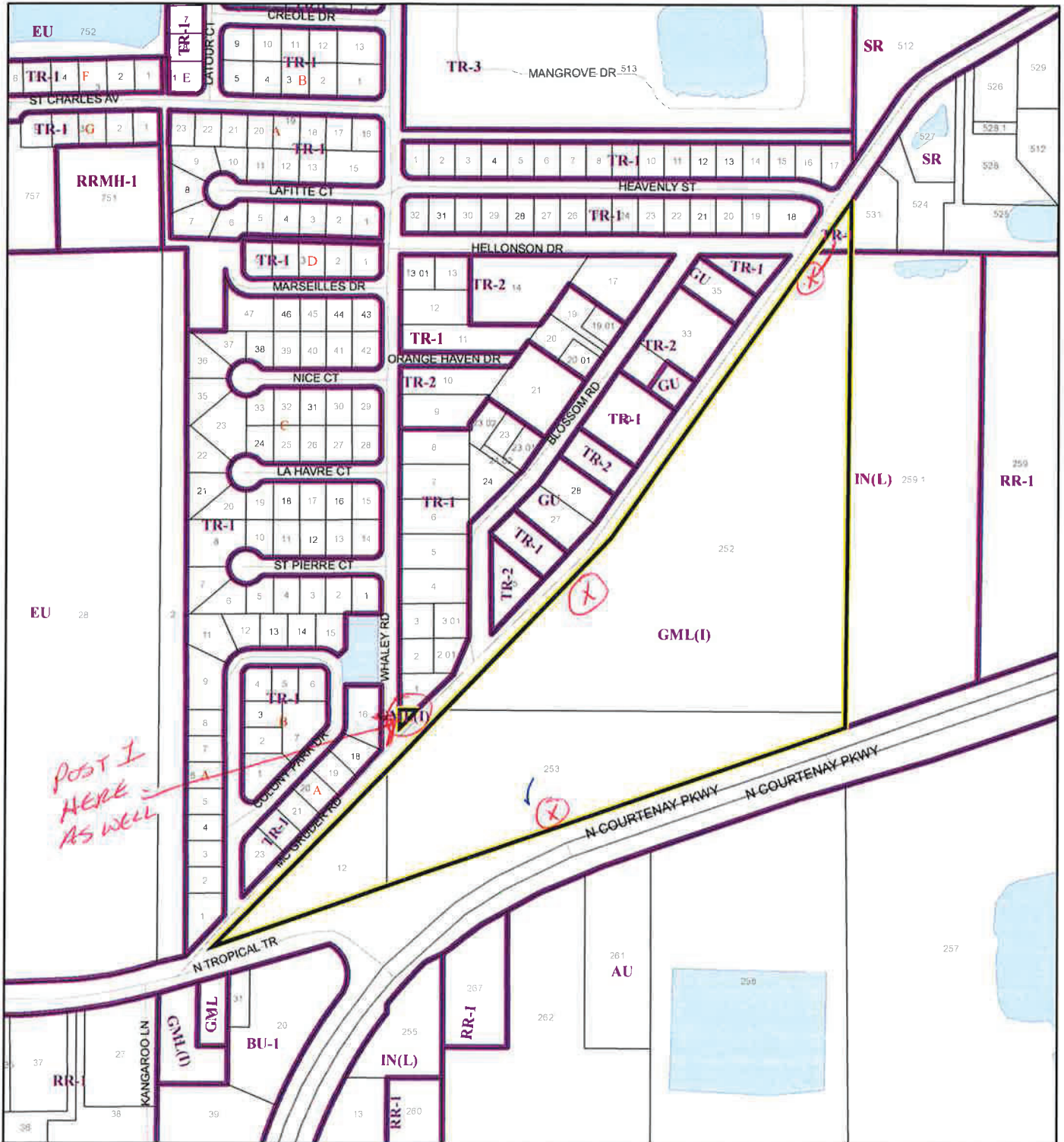
Julianna Elizabeth Wilkins
Notary Public, State of FloridaPersonally known OR Produced Identification

Type of I.D. Produced: _____

ZONING MAP

TURTLE MOUND VENTURES LLC

26Z00007



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: 3/17/2026

Subject Property

Parcels

Zoning

AERIAL MAP
TURTLE MOUND VENTURES LLC
26Z00007



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2025

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: 3/17/2026

— Subject Property
□ Parcels

LOCATION MAP

TURTLE MOUND VENTURES LLC

26Z00007



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

Buffer Distance: 500 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: 3/17/2026

— Buffer

— Subject Property

**Dana Blickley, CFA, Brevard County Property Appraiser**

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REAL PROPERTY DETAILS
Account 2315413 - Roll Year 2025

Owners	TURTLE MOUND VENTURES LLC
Mailing Address	1275 SOUTH PATRICK DR, # 90 SATELLITE BEACH FL 32937
Site Address	NONE
Parcel ID	23-36-14-00-511
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	0006 - VACANT - LESS THAN 5 ACRES
Total Acres	0.18
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0000/0000
Subdivision	--
Land Description	SW 1/4 OF SW 1/4 E OF RD

**VALUE SUMMARY**

Category	2025	2024	2023
Market Value	\$3,960	\$3,960	\$2,650
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$3,200	\$2,910	\$2,650
Assessed Value School	\$3,960	\$3,960	\$2,650
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$3,200	\$2,910	\$2,650
Taxable Value School	\$3,960	\$3,960	\$2,650

SALES / TRANSFERS

Date	Price	Type	Instrument
08/28/2025	--	WD	10420/1398
04/29/2022	\$1,500,000	WD	9493/2275
10/01/1990	\$585,000	PT	3088/0144
05/31/1963	--	--	0592/0119

No Data Found

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REAL PROPERTY DETAILS
Account 2316247 - Roll Year 2025

Owners	TURTLE MOUND VENTURES LLC
Mailing Address	1275 SOUTH PATRICK DR, # 90 SATELLITE BEACH FL 32937
Site Address	6455 N TROPICAL TRL MERRITT ISLAND FL 32953
Parcel ID	23-36-22-00-12
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	0006 - VACANT - LESS THAN 5 ACRES
Total Acres	2.02
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0000/0000
Subdivision	--
Land Description	PART OF E 1/2 OF SE 1/4 OF NE 1/4 AS DES IN DB 288 PG 146

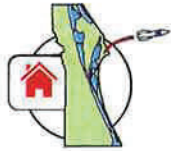
**VALUE SUMMARY**

Category	2025	2024	2023
Market Value	\$44,440	\$44,440	\$33,930
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$41,050	\$37,320	\$33,930
Assessed Value School	\$44,440	\$44,440	\$33,930
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$41,050	\$37,320	\$33,930
Taxable Value School	\$44,440	\$44,440	\$33,930

SALES / TRANSFERS

Date	Price	Type	Instrument
08/28/2025	--	WD	10420/1398
04/29/2022	\$1,500,000	WD	9493/2275
10/01/1990	\$585,000	PT	3088/0144
04/01/1975	\$20,000	--	1520/0542

No Data Found

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REAL PROPERTY DETAILS
Account 2316451 - Roll Year 2025

Owners	TURTLE MOUND VENTURES LLC
Mailing Address	1275 SOUTH PATRICK DR, # 90 SATELLITE BEACH FL 32937
Site Address	NONE
Parcel ID	23-36-23-00-252
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	9900 - ACREAGE - VACANT, 5 ACRES OR MORE
Total Acres	19.00
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0000/0000
Subdivision	--
Land Description	N 1/2 OF W 1/2 OF NW 1/4 E OF MC GRUDER RD

**VALUE SUMMARY**

Category	2025	2024	2023
Market Value	\$418,000	\$418,000	\$285,000
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$344,850	\$313,500	\$285,000
Assessed Value School	\$418,000	\$418,000	\$285,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$344,850	\$313,500	\$285,000
Taxable Value School	\$418,000	\$418,000	\$285,000

SALES / TRANSFERS

Date	Price	Type	Instrument
08/28/2025	--	WD	10420/1398
04/29/2022	\$1,500,000	WD	9493/2275
10/01/1990	\$585,000	PT	3088/0144
05/31/1963	--	--	0592/0119

No Data Found

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REAL PROPERTY DETAILS
Account 2316452 - Roll Year 2025

Owners	TURTLE MOUND VENTURES LLC
Mailing Address	1275 SOUTH PATRICK DR, # 90 SATELLITE BEACH FL 32937
Site Address	NONE
Parcel ID	23-36-23-00-253
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	9900 - ACREAGE - VACANT, 5 ACRES OR MORE
Total Acres	8.20
Site Code	0370 - N COURTENAY
Plat Book/Page	0000/0000
Subdivision	--
Land Description	PART OF S 1/2 OF W 1/2 OF NW 1/4 AS DES IN DB 228 PG 593 EX RD R/W

**VALUE SUMMARY**

Category	2025	2024	2023
Market Value	\$180,400	\$180,400	\$120,540
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$145,840	\$132,590	\$120,540
Assessed Value School	\$180,400	\$180,400	\$120,540
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$145,840	\$132,590	\$120,540
Taxable Value School	\$180,400	\$180,400	\$120,540

SALES / TRANSFERS

Date	Price	Type	Instrument
08/28/2025	--	WD	10420/1398
04/29/2022	\$1,500,000	WD	9493/2275
10/01/1990	\$585,000	PT	3088/0144
05/31/1963	--	--	0592/0119

No Data Found

REZONING NOTICE

26Z00007

The North Merritt Island Dependent Special District will hold a public hearing at 6:00 P.M. on APRIL 09, 2026, at the Merritt Island Service Complex, 2575 N. Courtenay Parkway, Second Floor, North Merritt Island, FL to consider the below proposal.

The Planning & Zoning Board will hold a public hearing at 3:30 P.M. on APRIL 20, 2026, at the Government Center, 2725 Judge Fran Jamieson Way, Building C, Viera, to consider the proposed zoning action on this property as indicated below:

Owner: Turtle Mound Ventures, LLC

Present Zoning: GML(I) and TR-1

Acreage: 28.37 ACRES

Requested Action(s): RVP (Recreational Vehicle Park)

The recommendations from the aforementioned public hearing will be presented to the County Commission at 5:00 P.M. on MAY 07, 2026, at the Brevard County Government Center, Building C, 2725 Judge Fran Jamieson Way, Viera. Interested parties are invited to appear and be heard. Written comments filed with the Brevard County Zoning Official, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, FL 32940 will be considered.

Removal of this sign prior to MAY 07, 2026, is illegal and subject to prosecution.



R-319

REZONING NOTICE

26Z000007

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R-321

REZONING NOTICE

26Z00007

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R-323

REZONING NOTICE

26Z000007

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The Planning & Zoning Board will hold a public hearing at 3:30 P.M. on APRIL 20, 2026, at the Government Center, 2725 Judge Fran Jamieson Way, Building C, Viera, to consider the proposed zoning action on this property as indicated below:

Owner: Turtle Mound Ventures, LLC

Present Zoning: GML(I) and TR-1

Acreage: 28.37 ACRES

Requested Action(s): RVP (Recreational Vehicle Park)

The recommendations from the aforementioned public hearing will be presented to the County Commission at 5:00 P.M. on MAY 07, 2026, at the Brevard County Government Center, Building C, 2725 Judge Fran Jamieson Way, Viera. Interested parties are invited to appear and be heard. Written comments filed with the Brevard County Zoning Official, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, FL 32940 will be considered.

Removal of this sign prior to MAY 07, 2026, is illegal and subject to prosecution.



R-325

Verbatim Record from July 9, 2026, BoCC Zoning Meeting

H.1. Turtle Mound Ventures, LLC (Kim Rezanka) are Requesting a Small-Scale Comprehensive Plan Amendment (26S.01) to Change the Future Land Use Designation from PUB, RES-1, and RES-2-DIR to CC (26SS0001) (tax Account 2316247, 2316452, 2316451, 2315413)

H.2. Turtle Mound Ventures, LLC (Kim Rezanka) are Requesting a Zoning Classification Change from GML(I)and TR-1 to RVP (26Z00007) (Tax Account 2316247, 2316452, 2316451, 2315413)

Altman: Turtle Mound Ventures.

Craven: Okay, I'm going to read H.1. and H.2. in together, as they're companions. H.1., Turtle Mound Ventures, LLC, Kim Rezanka representing, are requesting Small-Scale Comprehensive Plan amendment, 26S.01, to change the Future Land Use designation from Public Res-1 and Res-2 Directive to Community Commercial, with 26SS00001 in District 2. And Turtle Mound Ventures, LLC requesting a zoning change from GML Institutional to TR-1, uh and TR-1, to RV Park, 26Z00007.

Rezanka: Good Evening Chairman, members of the County Commission. My name is Kim Rezanka with Lacy Rezanka here on behalf of Turtle Mound, LLC, Turtle Mound Ventures, LLC regarding the change of Future Land Use and to rezoning. You all have in your packet an overall map of the area. I just have a larger version for you that might be useful as we go through this. This is property that was owned by the School Board and it has now been sold to my client quite a bit ago. It's got Future Land Use and zoning that really is not appropriate for anything that a private party would do. You could have a waste facility there, but again it has to be a government entity or a related entity. Uh, this is on State Road 3. It is approximately five miles north of State Road 528, and we are seeking Community Commercial and a rezoning to Recreational Vehicle Park. As you can see, this is at the end of the commercial corridor. If you go further north you do have a church right next door, but then you do have the uh burrow pit, Space Walk Groves, and then you have Blue Origin going for their (inaudible). Going south, that vacant lot that's been cleared, that was to be a Dollar General Store, so this is part of the commercial Corridor, part of the commercial corridor study of Merritt Island back from 2006. What I provided to the P and Z board, it's in your packet, I thinks its, the packet's so large, I apologize, and uh, so it was hard to find exactly. Page 1317, that is the Future Land Use Map, I did provide that at P and Z just to show you the commercial corridor, the Future Land Use, the NC and CC leading all the way up to this public Future Land Use Map, should you agree to change those Community Commercial. It has to be changed to something, my client cannot use it for anything. There's a change of circumstances here because it was surplussed by the School Board and it can't be used for anything. So, if it were to be changed, the commercial corridor can continue to the north on the West side of State Road 3. On

the back side of what I submitted to P and Z, was the zoning map. It's just a larger version of what is in your packet and it does show the BU-1 and BU-2 leading up to this property. So, this is a continuation of commercial corridor on State Road 3. At the change to Community Commercial, Future Land Use is required to allow the development of the RV Park that's sought by my client. My client has developed one of these RV Parks in the State of Washington. There's photographs in your packet of what that RV Park looks like. This is intended to be a luxury RV Park to support the tourist industry. It would be a tourist-driven type amenity in the area. It would also be subject to tourist tax of five percent which could also be useful to the area. This is required to change the Future Land Use to do an RV Park. It could be a residential designation. He would like to do up to 10 units to the acre, however, we do not believe that we're willing to cap that at seven units to the acre or six, if you think that's more appropriate. And so that's what they think they can get, about 180 units on this site with the appropriate buffers.

Adkinson: Ms. Rezanka can I ask you a question?

Rezanka: Yes, Ma'am.

Adkinson: So, I'm looking at my map that I have. I have this big yellow thing, but on yours, it looks different.

Rezanka: It's just because I couldn't, I didn't do the map properly. If you do, what they have in your packet is correct.

Adkinson: Okay. All right.

Rezanka: So it is, it's 28 acres. It's just when I printed it on the map from the Property Appraiser's website it did not show at all.

Adkinson: Okay, it just looked like the red box was different.

Rezanka: It is , it's too small.

Adkinson: Got it. Okay.

Rezanka: That's from your packet. That's the zoning map that exists.

Adkinson: Yeah. Okay, thanks.

Rezanka: The RV Park is a commercial use, it's not a residential use. It allows recreational vehicles, tents, park trailers, and cabin use. There's no intent to do tents or cabin use. The maximum intensity of the park is 10 sites per acre. Minimum site size is 2,000 square feet. The code also requires 10 percent to be used for common use area for recreational activities. He intends to have a park and a clubhouse. He'll have a small general store and a washer and dryer area for the park. The accessory uses allowed are laundry, playgrounds, picnic areas, swimming pools, ball and game courts, and a manager's residence. He will also have a tennis court or pickle ball court. Uh, it will be a high-end luxury RV. It will have a

clubhouse, as I said, uh play courts and laundry facilities. At least 2.85 acres will be dedicated to recreational area. My client has said this will be like a Hilton. It'll be a higher-end. It'll cost more and you'll have, you know, half million to a million dollar RVs that will come to that site. This will have sewer at this site as well. The County Code limits the length of occupancy to no more than 180 consecutive days. The RV Parks are not considered a permanent residence. The Comprehensive Plan definition of Recreational Vehicle Park, activities intended to serve the needs of tourists and seasonal residents and provide lodging for visitors with recreational vehicles, travel trailers, and camping equipment, as well as supportive activities such as laundries, bathing facility, and recreational areas. Activities located in commercial, Community Commercial land use designations, as I said, this will be used by visitors to the Space Coast, launches, space tourism, uh, per the County staff report, this property is in a transitional area, it's not residential. You mostly have old trailer park, mobile home, manufactured homes to the north of this area. There are no identified concurrency issues. North Courtney Parkway will operate at 47.67 percent of the maximum average vehicle daily utilization. It will not generate school children as the park is a commercial use. The staff report, as I said, states it's traditional and there's commercial activity in this area. The Coastal High Hazard Flood Plane and stormwater will be addressed at site plan stage, this is merely zoning. Also too, I wanted to reference the Comp Plan Policy 2.8, that does say recreational vehicles shall be located in areas which serve the needs of tourists and seasonal visitors to Brevard County. The location of RV Park shall have access to internet, interstate exchanges via arterial, and principal collector transportation corridors of the property shall be located on a major multi-county transportation corridor. So, we do meet that criteria as to where we are located. With that, um the need for the change is because nothing can be done with this property and uh, my client has a use for it that fits in with the needs of the community, with space tourism. If there's conditions such as buffering, access, there are two median cuts already on North Courtenay. There is no intent to come off North Tropical Trail. So if there are conditions to impose, uh, that would be reasonable. But we would ask that you approve the Future Land Use to Community Commercial and that the RV Park be approved, specifically up to a number of units. Ten is what is been requested, but we would go to seven or six, but that needs to be part of the order, uh, order of the motion if you do agree to approve a Recreational Vehicle Park, it has to state up to a number according to the addendum to the staff report. So with that, I also have Jake Wise with CEG, the engineer of record. He can answer any questions. There has been no TOPO. There's been no elevations. Uh, this is just a rezoning and Comp Plan change to allow a use that would be very, very well utilized in this area. Any questions?

Altman:

Have any more...Yes.

Adkinson: I do have another question. How long will the...each, um, RV be able to stay?

Rezanka: They can stay up to 180 days...

Adkinson: 180...Right.

Rezanka: ...but that's not the intent. These are going to be high-ends. They're going to come for a week or two...

Adkinson: Yeah.

Rezanka: They're going to go watch a launch, they're going to go to different areas, so...

Adkinson: Okay, thank you.

Altman: Okay, I think also I need to um, announce that I did meet with the applicant's representative uh...

Goodson: Chair...

Altman: ...Prior to...

Goodson: Chair...

Altman: ...the meeting. Uh Commissioner Goodson.

Goodson: Yeah, I need to disclose I had a discussion this morning with Kim Rezanka regarding this Item.

Altman: Okay. Okay, good. I, I just had the same. Thank you. Um, we do have cards.

Adkinson: I gave them to you.

Altman: Hmm.

Adkinson: This is H.1. and 2.

Altman: H.1. and 2. H.1. and 2. We're looking for the cards.

Adkinson: Here they are.

Altman: Oh, there they are. Mixed in the paperwork. Okay, uh, first Item card is Mr. Blesser, Bliss, B-R-H-N.

Audience: (Inaudible)

Altman: Pardon me. Oh, that's Bussen. Oh, I know that name. Brian. Hi Brian.

Bussen: Members of the Board. Apologize for my writing.

Altman: That's okay.

Bussen: My name is Brian...

Altman: I apologize for my reading.

Bussen: Uh, my name is Brian Bussen. Uh, I am here as a representative of the Dimenna Trust, which is 165 acres, about 300 feet away from this property. Um, the Trust would like to say that there are, are, they do not like this zoning. Um, the family just spent four years working very diligently with the County going, getting a set of plans approved for 164 lots on 165 acres. Those lots are one-half-acre minimum, but as you can see from the numbers, only one unit per acre was allowed. This property is immediately to the west on North Tropical Trail and it just doesn't seem that this is compatible zoning in uh, this area.

Altman: Okay, any questions? Thank you, Brian.

Bussen: Thank you.

Altman: Jake Wise.

Wise: Questions?

Altman: Here for questions if we have any questions. Okay. Jack Kirschenbaum.

Kirschenbaum: Good evening. My name is Jack Kirschenbaum. Um, when Ron Dimenna passed away, this property went from his ownership into a family trust. Uh, my brother Malcolm and I and Ron's widow are the trustees of the Trust. Uh, as Mr. Bussen said, the family and I have been working for almost five years on developing the 160 acres that Mr. Bussen mentioned just 300 feet to the west of this property. We have planned, we've designed, we've permitted, we've met with staff, we've met with staff, we've...this is a terribly, terribly difficult area to plan and design for. We all know what the flooding is like up there. Our project is designed to assist and change the demographics and the uh, hydrology of that area. It is a difficult area to plan. Um, there's an old song you might remember, "Must have been the right place, must have been the wrong time". Uh, this is the wrong place and the wrong time for this type of project. It could be a great project, but this isn't the place for it, it's just not compatible. There's no Binding Development Plan. There's no Binding Site Plan. It seems a little, it could be 10 acres, but we might agree to six. Um, this is the type of project that needs a little bit more discipline to it. A little bit more planning to it, and as I said it could be the right project, just not this time, at this particular place. And, and uh, we're very happy um, to answer any questions that you might have, but we literally have been working with staff for five years on transportation, on traffic, on utilities, on drainage, and uh, we have a pretty good sense of what this property, this whole area needs, and we would strongly object uh, to this rezoning and this plan. Happy to answer any questions if you have 'em.

Altman: Okay, do we have any questions?

Kirshenbaum: Oh, I do have one question.

Altman: Okay.

Kirschenbaum: What did the Planning and Zoning Board recommend with regards to this plan? I think they recommended denial and I'd like someone to say that. But thank you.

Prasad: Mr. Chair, the Planning and Zoning Board heard the request and voted 10:1 to recommend denial on April 20th.

Altman: Okay, thank you. Okay, Rose. I'll let you do the last name here.

Plummer: Plummer.

Altman: Plummer.

Plummer: Plummer. Hello again. My name is Rose Plummer. I am here representing the North Merritt Island Homeowners Association, P.O. Box 542372, Merritt Island. Uh, based on our review and even our previous objection, that has not changed, that um, we would speak in opposition to the requested Small Scale Comprehensive Plan Amendment. I'm going to basically repeat what was said before. The um, I believe the Planning and Zoning recommended denial, the North Merritt Island Special District recommended denial, and so we're hoping that um, we will stand in agreement on that once again. Um, there are already numerous RV Parks in Brevard County. Um, this uh, North Courtenay Parkway, I believe it is not designated as a major Multi-County transportation corridor. I don't believe the applicant has um, re, um has submitted enough information to justify changing the land use designation. And approving this amendment would um, open up the door for further land use changes down the road that are not in this community's long term interest. And any amendment must be consistent with the Comprehensive Plan. And for these reasons, um we respectfully recommend you deny this request. Thank you.

Altman: Okay, Thank you. Okay, those are all our cards. The applicant, then any questions, comments that we have.

Rezanka: Thank you again. Kim Rezanka on behalf of the applicant.

Altman: I do have one question after you complete.

Rezanka: Okay. Uh, first I would like to uh, state that North Merritt Island Homeowners Association does have a policy that they will not support anything more than one unit to the acre and most of their members are also on the North Brevard's Dependent Special District Board so they would never support it either. Uh, I do want to, again, point out that only Ms. Plummer I believe um, objected to the change of the Comp Plan. I did not hear Mr. Bussen or Kirschenbaum object to the Comp Plan. We have a public Comp Plan we can't do anything with. This is not in the small area study of North Merritt Island. It was never Residential 1, at least not to my knowledge. Uh, and it was intended to be a school. So um, it is

continuing the commercial corridor so we would indeed request that this be amended to Community Commercial. It is on a State road, a four-lane highway. It is certainly a major highway. Regarding the zoning, the property discussed by Mr. Bussen and Mr. Kirschenbaum is zoned EU2. It's this big property, I always do this backwards, it's this big property right here. It's on EU2 and further, our measurements show 600 feet, but regardless, it's separated by McGruder Road and we have no intention to put any access onto McGruder Road so all commercial activities would be on the commercial corridor. Regarding the, and I will submit this to the record and it's in the public records of Brevard County, the uh, subdivision discussed is called Outback Reserve Subdivision. This subdivision construction plans were approved on February 9th, of 2024. It expires December of 2026. To my knowledge they have not moved forward with this development for, for whatever reason. I think sewer might have been one of them. But I do want to show this to you because it does access, they're worried about what it looks like. That's what's been expressed in the past. They're worried about what an RVP Park will look like to the people buying here. And so they are coming in... There's a road next to this development and next to that is all trailer parks. In fact, this is what you see when you first come in there. I'm sorry, manufactured homes. So this is the first house you see coming into the subdivision from the east. Coming down further, there's that. Coming down a little further, Mr. Clay's property, uh with the value of \$31,000, so the view doesn't matter when this is what they're seeing. Their people will be coming off North Tropical Trail, the RV Park will be coming off Courtenay. Um, there's been no evidence other than we don't like it, we don't want it, we don't think it's correct. This property has been vacant for a very long time. Before it was owned by the School Board, it was owned by Frank Sullivan, Mr. Altman's father-in-law. It's been vacant a long time. It can't be used with the zoning and Future Land Use it has. Um, there's no site plan required, there's no engineering studies required, this is merely, excuse me, merely zoning. If you want to put conditions of no access on McGruder, we've already agreed to that. We don't intend to do that. We won't do that. Uh, trailers aren't big enough, the the RVs would be too big to get on that road, it's a very small road. So what we are agreeing to is to limit the number of units per acre to six or seven. We'd prefer seven just for flexibility, but again, we believe only 180 units can go on there, so we would ask that the Future Land Use be amended Community Commercial and that um, that the community, this character of this area is indeed a commercial corridor. This is a good use for this property. It's a commercial use and it'll support space tourism. Uh, with that we can answer any questions.

- Altman: Okay, I do have a question. Um, this uh RV Park, are you limiting the type of vehicles, RV Parks, campers that are, would be parked in this?
- Rezanka: They're going to be fifth wheels and buses.
- Altman: So trailers and then what is...

Rezanka: Yes...

Altman: ...what is called traditional?

Rezanka: I, I call them buses, RVs.

Altman: RVs, or motorhomes?

Rezanka: Motorhomes.

Altman: I'd call them motorhomes. So you will have fifth wheels and motorhomes?

Rezanka: Yes, sir. It, it's intended to be a true RV Park. People come for a week or two. You might have a few seasonal, but it's intended to be a high-end luxury. It's not going to be down the road at KSC for \$40 or Moose Lodge for \$40 a night.

Altman: So your total number of RV spots, you part, anticipate to be what?

Rezanka: 180. Which is about 5.7 per acre.

Altman: 5.7 per acre. Okay.

Rezanka: So if the rezoning is approved, there needs to be a number in there according to the addendum to the staff report and I can confirm that with Mr. Prasad today.

Altman: Okay.

Rezanka: Okay.

Altman: Any other questions? Okay. Okay. Those are our cards. All of our questions? Morris did you have something you wanted to add? I see your...

Richardson: I would say and attorney Rezanka noted the staff addendum, I do want to note that pursuant to our Code, and particularly Section 62-1255, Establishment of Zoning Classifications and Consistency with Comprehensive Plan, um, we've heard characterization of the RV zoning classification as commercial, that's a characterization. What our Code actually says is that residential uses include single-family, detached single-family, attached multiple family, Recreational Vehicle Park, and mobile developments. Now Recreational Vehicle depart, Vehicle Park, along with certain other residential uses, are permitted in Community Commercial, but they are subject to Comprehensive Plan Policy 2.10, as noted in the Addendum. And this property, it's significant because you have a substantial portion of this property that's located in the Coastal High Hazard Area and pursuant to Policy 2.10, residential development which would include RVP in Community Commercial is strictly limited to the density of the closest residentially designated area on the Future Land Use Map on the same side of the street. So in this case, if you consider approving the request to both Future Land Use Amendment and the zoning amendment, you will need to make a statement that first of all,

in the Coastal High Hazard Area, the portion of the property there, is going to be limited to one unit per acre because it's not eligible for a density increase. The upland portion generally can be considered under Policy 2.10, is consistent with Res-2 which is two units per acre based on the applicable bonus. It is eligible for an additional increase in density if the Board so decides, it could reach a maximum potential density and that upland portion of 10 RV spaces per acre. But the Board is going to, as Ms. Rezanka stated, the Board would have to um make a decision to that, so it's not just granting the land use and the zoning. You would also have to say to what extent you're going to grant a bonus, if any, on the upland portion.

Rezanka: And I respectfully would assert that we don't know for sure the Coastal High Hazard Area or the flood zone because those are old maps and that is a site plan issue. We don't want to be limited. If you want to limit it up to uplands that's fine because uplands have not yet been determined. But again, limiting it to 5.7 units to the acre, six units to the acre. The staff is going to do their job and not let us build in the Coastal High Hazard Area, so I'd ask that not be done at the zoning stage.

Richardson: Well we will, we will say to what, to what extent it's determined to be in the Coastal High Hazard Area, the density cannot exceed one unit per acre.

Rezanka: And that's obviously acceptable. That makes sense.

Altman: Okay. All right those are all the cards. Uh any questions, comments, or actions on behalf of the Board?

Goodson: Chair?

Altman: Yes.

Goodson: I'd like to make a motion to deny and direct staff to do a finding of fact.

Altman: Okay. There's a motion um, for denial and directing staff to prepare a finding of fact. Is there a second?

Feltner: I'll second.

Altman: Okay, there's a motion and a second for denial.

Rezanka: Can I clarify, what's that for, the Comp Plan?

Altman: Good question. Um, which one would that be for? Let me see.

Richardson: We typically take up the Comprehensive Plan Amendment first and that's first in order on the Agenda. So, Commissioner Goodson, I assume that motion is applicable to the request for a Future Land Use Map Amendment.

Goodson: Correct.

Feltner: All right, fine, I'll second that.

Altman: Okay. It's a motion and second. Any discussion? Those in favor of the motion, signify by saying yay.

Feltner: Yay.

Altman: Yay.

Adkinson: Yay.

Goodson: Yay.

Altman: Opposed, nay. Motion carries. Item's complete.

Adkinson: H.2.

Altman: Now we have H.2.

Adkinson: H.2. needs a separate motion.

Altman: We'll need a separate motion on H.2.

Richardson: You need a separate motion, but I would advise the Board that you can't consider approving it given that it would be inconsistent with the Future Land Use Map...

Altman: Right.

Richardson: ...since you didn't approve that amendment.

Feltner: (inaudible) point.

Rezanka: Also as as a point of order, is there a finding of facts necessary for a Comp Plan Amendment? Will you be doing that?

Richardson: Typically no.

Rezanka: Okay.

Richardson: It's, it's only for the rezoning.

Rezanka: Okay, but, okay, thank you.

Richardson: Without the Land Use Map Amendment.

Altman: Okay.

Feltner: So H.2. is moot?

Richardson: Well I, I think the Board should still make a motion, but I'd admonish the Board that the motion should be consistent with your prior action.

Feltner: Oh, all right, Commissioner Goodson, sir.

Goodson: Yes, I'd like to make a motion.

Feltner: I don't think we got that, could you say it one more time, sir?

Goodson: Yes, I'd like to make a motion, sir, to deny and direct staff to do a finding of fact.

Feltner: Okay, I will second a motion to deny on H.2.

Altman: It's a motion to deny consistent with the, um, motion and action on H.1.and there's a second. Uh, any debate, discussion? All in favor say yay.

Feltner: Yay.

Adkinson: Yay.

Altman: Yay.

Goodson: Yay.

Altman: Nay? Carries unanimously.