



Planning and Development Department

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BOARD OF COUNTY COMMISSIONERS

**STAFF COMMENTS
 24PUD00001**

River Fly-In Condominium, Inc.

IU and PUD (Planned Unit Development) with BDPs to all PUD and Retention of BDPs

Tax Account Number: 2501000 & 2501008
 Parcel I.D.: 25-36-01-00-1 & 25-36-01-00-254
 Location: South side of Cone Road, approximately 150 feet east of Kemp Street; also located on the east side of Kemp Street, approximately 145 feet south of Cone Road. (District 2)
 Acreage: 28.5 acres
 MIRA: 05/30/2024
 Planning and Zoning Board: 7/14/2025
 Board of County Commissioners: 8/07/2025

Consistency with Land Use Regulations

- Current IU zoning cannot 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	IU and PUD with BDP	All PUD with Retained BDPs
Potential*	112 short-term rental units (resort dwelling use)	112 short-term rental units with 18-slip marina
Can be Considered under the Future Land Use Map	YES Residential 15	YES Residential 15

* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.

Background and Purpose of Request

The applicant is seeking to merge an existing 112-unit PUD, River Fly-In PUD, which is under construction together with a 15.47-acre riverfront tract in order to provide an 18 wet-slip residential/recreational marina (17-power boat slips and 1-sailboat slip) as an additional recreational amenity for that community. Residents will access the marina via existing 5-foot and proposed 6-foot wide elevated boardwalks. The current PUD was approved with a Binding Development Plan (BDP) for short-term rentals that clarifies the uses in the PUD, consistent with Section 62-1841.5.5 of Brevard County Code, concerning Resort Dwellings use. That BDP was approved by the Board under **20PZ00019** on May 20, 2020, and was recorded in ORB 8746, Pages 182-187. This site includes two previous BDPs recorded under ORB 7182, Page 1198 on August 6, 2014, and ORB

5648, Page 7252 on May 22, 2006. The PUD’s existing residential tower was developed at 8.6 units per acre upon the original 13+ acres. No new residential units are proposed within the expanded PUD. The Code states a residential/recreational marina can provide community dockage serving subdivisions, condominiums or private organizations having three to 30 slips, inclusive. No fueling, wastewater pump out or repair facilities are associated with these marinas.

This property is located at the SE corner of the Merritt Island Redevelopment District (MIRA), lying south of Cone Road and east of Kemp St. This item is scheduled to be heard by MIRA at their June 26, 2025, meeting.

The original zoning approval of the PUD’s Preliminary Development Plan (PDP) occurred on May 22, 2006, under Zoning Resolution # **Z-11244**. This zoning action changed the property’s zoning from Light Industrial (IU) to PUD with a BDP recorded in ORB 5648, Pages 7252 through 7265. That action included a recorded copy of Declaration of Covenants and Waiver of Claims to meet additional standards or restrictions in developing the property.

The first amendment (second BDP) was approved by Zoning Resolution **14PZ-00030** adopted on August 6, 2014. This amendment recorded a revised BDP document under ORB 7182, Pages 1198 through 1213. One of the conditions amended concerned pilot ownership of unit(s). This condition was replaced with a condition that states the condominium/homeowner’s association shall approve each and every conveyance of a unit and resale of a unit. The BDP further documents that any conveyance made without the condominium/homeowners’ associations’ approval shall be voidable by the condominium/homeowners’ association and removed the requirement to be a pilot. This version does not identify occupancy - whether the units are to be owner occupied or if they can be rented/leased.

The third, current, BDP clarified that the condominium functions as a multi-family designation and allows short-term rentals of their units under the permitted with conditions use – Resort Dwellings.

Surrounding Area

	Existing Use	Zoning	Future Land Use
North	County Park and Single-family residential use	GML(P) GU & RU-1-11	Public Facility RES 15
South	Industrial Use and M.I. Airport	IU GML with CUP	H/L Industry Public Facility
East	Banana River	N/A	N/A
West	Commercial/Light Industry	GML	Public Facility

To the north, across Cone Road, is a developed county park, Veterans Memorial Park (approximately 34.75 acres) and immediately abutting the property are three single-family lots; two zoned General Use (GU) and one zoned Single-family Residential (RU-1-11) (3-residential lots total approximately 0.9 acres).

To the south is a 12.89.76-acre parcel with IU zoning developed as office/industrial use and a 106.95-acre airport.

To the east is the Banana River.

To the west, across Kemp Street, is an 8.4-acre Brevard County facility with GML zoning; site uses include park maintenance and Brevard County Sign Shop.

Future Land Use

The subject property is currently designated as Residential 15 (RES 15) FLUM designation. The current PUD zoning is consistent with the RES 15 FLUM designation. The current IU zoning is not consistent with the RES 15 FLUM designation. The proposed zoning request to "All" PUD with retention of the existing BDPs is consistent with the existing RES 15 FLUM designation.

FLUM Policy 1.4 – The Residential 15 Future Land Use designation affords the second highest density allowance, permitting a maximum residential density of up to fifteen (15) units per acre. This land use category allows single and multi-family residential development.

The applicant's request can be considered consistent with the existing Future Land Use. 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 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;

The applicant proposes to expand an existing PUD project from 13+ acres to 28.5-acres. The added area lies along the eastern property line and abuts the Banana River. A residential/recreational marina is proposed to be developed along the southern canal frontage furthest from the existing residential lot abutting Cone Road. Development would need to meet performance standards set forth in code sections 62-2251 through 62-2272 and will be reviewed at the site plan review stage.

- 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.

Only a certified MAI 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;

The surrounding area is generally Public Facility to the north (Veterans Memorial Park) and south (M.I. Airport). To the west across Kemp Street are county maintenance facilities (Brevard Sign Shop and park maintenance). The PDP identifies a recreational/residential marina use with no residential expansion.

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

No external development noted; internal development noted: the initial construction of the River Fly-In PUD's residential tower (western portion of site/property).

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

Two zoning actions has been approved within one-half mile:

- **23PUD00003, approved by the Board on November 14, 2023, was a request to rezone from PUD to PUD on 9.25 acres located approximately 1,370 feet north of the subject property on the south side of Fortenberry Road. PUD approved 370 multi-family units.**
- **21Z00004, approved by the Board on July 8, 2021, was a request to rezone from RU-1-9 to BU-2 with BDP on 0.53 acres located approximately 2,200 feet west of the subject property on the south side of Cone Road. Action limited the types of uses allowed. Owners agreed to the BU-2 zoning designation with the following uses prohibited on the property: Aquariums, Auditoriums, Billiard Rooms and Electronic arcades, Bottling Beverages, Bowling Alleys, Cafeterias, Dancing halls and Academies, Fraternities and Sororities, Hospitals, Commercial Parking, Pet Kennels, Seafood Processing Plants, and Theaters.**

There are no pending zoning actions within one-half mile of the subject property.

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

No material violation of relevant policies of the Comprehensive Plan has been identified.

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 (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.

The character of the area is a mixture of developed single-family residential lots with warehouse and industrial uses with a public airport and county park in the immediate vicinity.

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 property is located in an unplatted tract; however, there are clearly established roads and residential lot boundaries to the north as well as the Banana River to the east. When this phase is site planned the entire project should also be platted.

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.

The request is not for commercial use. The marina will support the 112-unit condominium as a recreational amenity.

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 abuts existing residential and industrial developed lots predating 5 years.

Analysis of Administration Policy 7

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

Based on the summary of mapped resources and noteworthy land use issues, development of the property may be limited. These issues include wetlands and hydric soils, Brevard County Manatee Protection Plan, Surface Waters of the State, Coastal High Hazard Area, floodplain, and the Indian River Lagoon Nitrogen Reduction Overlay.

Proposed development includes over 1,000 linear feet of elevated boardwalks and a proposed marina dock structure as well as some additional recreational facilities within the existing condominium tract. The width of the elevated boardwalk existing is 5-feet and the proposed

elevated boardwalk is depicted at 6-feet in width. Due to limited access (elevated boardwalk over wetlands), Public Safety (Fire) may have concerns regarding emergency access to the marina site and this may also become an issue with the Natural Resources Management Department for allowing access across the environmental sensitive area.

Preliminary Development Plan

In addition of Administrative Policies #3 and #4, the Preliminary Development Plan should be evaluated in the context of **Section 62-1448 (b) (5)** of the Zoning code:

Review criteria. The decision of the planning and zoning board on the preliminary development plan application shall include the findings of fact that serve as a basis for its recommendation. In making its recommendation, the planning and zoning board shall consider the following facts:

- a. Degree of departure of the proposed planned unit development from surrounding residential areas in terms of character and density.

Applicant response: **The River Fly-In PUD will result in an overall decrease of residential building square footage density due to the increase in overall property area.**

Staff comment: **This PUD retains 112 multi-family units with resort dwelling use.**

- b. Compatibility within the planned unit development and relationship with surrounding neighborhoods.

Applicant response: **The River Fly-In PUD is planned to fit well into the surrounding neighborhoods.**

Staff comment: **The PDP replaces some recreational amenities and adds an 18-slip marina. The residential use has not been modified since the last Board approval.**

- c. Prevention of erosion and degrading of surrounding area.

Applicant response: **The River Fly-In PUD has been constructed with a modern surface water management system and FDEP NPDES Erosion Controls.**

Staff comment: **The PDP is slightly modified from the prior approval and no drainage plan has been submitted to identify the impacts due to changes.**

- d. Provision for future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control and soil conservation as shown in the preliminary development plan.

Applicant response: **The River Fly-In PUD will provide all infrastructure, utilities, and common area improvements as required by code.**

Staff comment: **The proposal is not anticipated to create a deficiency in LOS. Specific concurrency issues will be address at the time of site plan review. The parcel is within the City**

of Cocoa utilities service area for public water and within the Brevard County utilities service area for sanitary sewer.

- e. The nature, intent and compatibility of common open space, including the proposed method for the maintenance and conservation of the common open space.

Applicant response: No response.

Staff comment: Ownership and maintenance of open space has not changed; however, some of the recreational amenities are proposed to be modified and additional boardwalk and a new recreational/residential marina is proposed.

- f. The feasibility and compatibility of the specified stages contained in the preliminary development plan to exist as an independent development.

Applicant response: No response.

Staff comment: The subject property is not staged; however, construction on the residential tower is almost complete. Some of the recreational amenities still need to be developed.

- g. The availability and adequacy of water and sewer service to support the proposed planned unit development.

Applicant response: The River Fly In PUD will not require any utility services.

Staff comment: Connection to potable water and sanitary sewer facilities has already been established.

- h. The availability and adequacy of primary streets and thoroughfares to support traffic to be generated within the proposed planned unit development.

Applicant response: The River Fly-In PUD will not generate any additional traffic.

Staff comment: The proposal is not anticipated to create a deficiency in LOS.

- i. The benefits within the proposed development and to the general public to justify the requested departure from the standard land use requirements inherent in a planned unit development classification.

Applicant response: The benefit to the development and the public by the PUD vs. standard land use requirements lies in the space utilization of common infrastructure, and the symbiotic relationship of the PUD with surrounding and nearby services.

Staff comment: The applicant is not requesting waivers.

- j. The conformity and compatibility of the planned unit development with any adopted development plan of the county.

Applicant response: The PUD will be consistent with future land use objectives. There are no special area plans in this location.

Staff comment: This location is within the Merritt Island Redevelopment Area (MIRA) area plan. Staff will seek their input as part of the zoning review.

- k. The conformity and compatibility of the proposed common open space, primary residential and secondary nonresidential uses with the proposed planned unit development.

Applicant response: We believe the features of the River Fly-In PUD to be a perfect fit with the proposed residential component uses, which is a residential condominium with a private marina facility linked by an elevated walking path. On the provided survey and comment letter received on May 6, 2025, the proposed elevated boardwalk is shown at 6-feet in width.

Staff comment: Although there are no new residential uses proposed; the additional recreational amenities proposed should benefit the residents of this project.

To the north of this site abutting Cone Road are three developed residential lots. The northwestern two lots have the General Use, GU. The GU classification is a holding category, allowing single-family residences on five acre lots with a minimum width and depth of 300 feet. The minimum house size in GU is 750 square feet. Those lots are considered as nonconforming lots of record and predate 1958. The northeastern lot is zoned Single-family residential, RU-1-11. The RU-1-11 classification permits single family residences on minimum 7,500 square foot lots, with a minimum width and depth of 75 feet. The minimum house size is 1,100 square feet. RU-1-11 does not permit horses, barns or horticulture. To the north of Cone Road lies the Brevard Veteran's Memorial Center Park and a county storm water facility. Both uses are zoned Government Managed Lands with the Park designation, GML(P). The GML(P) classification allows parks or recreational land uses for governmental purposes.

To the south of this site is a developed industrial site zoned for Light Industrial, IU uses. The IU zoning classification permits light industrial land uses within enclosed structures. The minimum lot size is 20,000 square feet, with a minimum width of 100 feet and a minimum depth of 200 feet.

To the west of this site across Kemp Street are two properties with GML zoning. The northern half is zoned GML. This portion is owned by the county and used for county support services (Road & Bridge). The southern part is zoned GML and has a conditional use permit (**CUP-8587**) for the Merritt Island Airport. This zoning action was adopted April 23, 1990.

Waivers Requested with Preliminary Development Plan

Pursuant to 62-1442, states, "The applicant shall specifically include the alternative development standard(s) in the preliminary development plan and shall present its justification to the planning and zoning board of county commissioners in public hearing."

This applicant is not requesting any waivers.

Preliminary Concurrency

The closest concurrency management segment to the subject property is Cone Road, between S. Courtenay Parkway and Plumosa, which has a Maximum Acceptable Volume (MAV) of 15,600 trips per day, a Level of Service (LOS) of E, and currently operates at 45.66% of capacity daily. The maximum development potential from the proposed rezoning does not increase the percentage of MAV utilization. The corridor is anticipated to continue to operate at 45.66% of capacity daily (LOS C). The proposal is not anticipated to create a deficiency in LOS.

No school concurrency information has been provided as the development potential of this site was initially reviewed back in 2006.

The subject property is served by potable water provided by the City of Cocoa. The subject property is under agreement to be served by sewer by Brevard County.

Environmental Constraints

- Site impacted under previous development orders.

No noteworthy land use issues were identified. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

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

For Board Consideration

The applicant seeks to merge an existing 112-unit PUD, River Fly-In PUD, which is under construction together with a 15.47-acre riverfront tract in order to provide an 18 wet-slip residential/recreational marina (17-power boat slips and 1-sailboat slip) as an additional recreational amenity for that community. Access to that amenity will be via an 6-foot wide elevated boardwalk over the wetland and environmentally sensitive areas of the property. The current PUD was approved with a Binding Development Plan (BDP) for short-term rentals and clarifies the uses in the PUD consistent with Section 62-1841.5.5 of Brevard County Code concerning Resort Dwellings use.

The Board should determine whether the retained BDPs with additional and modified recreational elements is appropriate for the area.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary

Item No. 24PUD00001

Applicant: Bruce Moia, P.E. (Owner: River Fly In Condominium, Inc.)

Zoning Request: IU and PUD with BDP to all PUD with retention of existing BDPs. Residential recreational marina

Note: In MIRA; Proposing to construct a residential marina (17 motorized boat slips and one non-motorized sail slip) and associated elevated walkway to connect marina to condominium pedestrian path on the west parcel.

Zoning Hearing: 07/14/2025; **BCC Hearing:** 08/07/2025

Tax ID Nos.: 2501000 and 2501008

- 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:

- Wetlands and Hydric Soils
- Brevard County Manatee Protection Plan
- Surface Waters of the State
- Coastal High Hazard Area
- Floodplain Protection
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Protected and Specimen Trees
- Protected Species

Land Use Comments:

Wetlands and Hydric Soils

A majority of the subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Turnbull and Riomar soils, tidal; Copeland-Bradenton-Wabasso complex, limestone substratum); indicators that wetlands are likely present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. For residential

parcels greater than five acres in area, the preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Section 62-3694(c)(6).

Per Section 62-3694(a)(2), recreational uses within wetlands shall be permitted provided they do not adversely affect the functions of wetlands within the county. If any portion of the connection from the west to the marina traverses wetlands, that portion shall be constructed as an elevated walkway to prevent adverse impacts to the wetlands. **A current survey depicting the property boundary, elevated walkway, and wetlands shall be required.**

Any permitted wetland impacts must meet the requirements of Section 62-3694(e), including avoidance of impacts, and will require mitigation in accordance with Section 62-3696. **The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.**

Brevard County Manatee Protection Plan (MPP)

A Residential Marina is defined as community docks exclusively serving subdivisions, condominiums, duplexes, or other multi-family developments with between and including three and 30 slips. No fueling, or repair facilities shall be associated with these marinas.

Per Section 62-3661(13)a, all marinas shall affirmatively demonstrate compliance with Policy 9.9 of the conservation element and Objective 5 and subsequent policies of the coastal management element of the Brevard County Comprehensive Plan, as amended. The affirmation shall include, but not be limited to, siting, habitat, manatee education, and water quality criteria. **An affirmation that the applicant will meet these criteria is included on the PUD Plan.**

An environmental report prepared by Atlantic Environmental, January 2023, addresses the marina facility siting criteria contained within the Brevard County MPP. The report concludes that a maximum of 17 motorized boat slips could be authorized in this location. This slip calculation is based on the linear length of the shoreline, property location, and manatee data. The proposed marina design depicts 17 motorized slips and 1 non-motorized sail slip.

The site-specific data and analysis for the facility siting was not provided. Additionally, there has been no review or approval by the Florida Department of Environmental Protection (FDEP) or the Florida Fish and Wildlife Conservation Commission (FLFWC). Per Comprehensive Plan Conservation Element Policy 9.14, Brevard County will coordinate with FWC and FDEP to ensure compliance with the MPP.

Surface Waters of the State

The subject property is located on the Indian River Lagoon, designated as a Class II Water, OFW, and Aquatic Preserve in this location. A 50-foot Surface Water Protection Buffer (Buffer) is required. Primary structures shall be located outside the Buffer. Accessory structures are permissible within the Buffer with conditions (e.g., stormwater management is provided, avoidance/minimization of impacts, and maximum 30% impervious). Any alterations in the Buffer (including trails or elevated walkways) need to be assessed for compliance with the Surface Water Protection ordinance and Stormwater Management. Please note that the proposed connection from the Wall Street Right-of-Way to the proposed marina is mapped within Class II waters (i.e., sovereign submerged state lands) and is

subject to state approval. **A survey depicting the property boundary, the safe upland line (SUL) or buffer establishment line (BEL), the elevated walkway, and Buffer delineation shall be required.**

The removal of native vegetation located within the Buffer is prohibited unless approved through an active development order. Temporary impacts to native vegetation require in-kind restoration. The FDEP regulates mangrove trimming and can be reached at 407-897-4101. The applicant is encouraged to contact NRM at 321-633-2016 prior to any activities, plan, or permit submittal.

Coastal High Hazard Area

A majority of the subject parcel 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.

Floodplain Protection

A majority of the subject parcel 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 property is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance. 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."

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 (≥ 10 inches in diameter) and/or Specimen Trees (≥ 24 inches in diameter) may exist on the parcel. Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), encourages the protection of Specimen Trees. 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. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**

Protected Species

Federally and/or state protected species may be present on properties with wetlands. If applicable, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service prior to any plan, permit submittal, or development activity, including land clearing.

