

Memorandum

To: Brevard County
Public Works Department

From: Daniela Jurado, PE | Bowman
Jessica Stord, EI | Bowman

Date: 1/20/2026

Re: Rezoning Traffic Analysis
Rangewater N Courtney Parkway Merritt Island

Bowman has been retained by Rangewater Development LLC to perform a Rezoning Traffic Analysis for a parcel located NE of the intersection N Courtenay Parkway and Pioneer Road, PID# 24-36-14-00-259. The 11.24-acre parcel is proposed to be developed with a residential development consisting of multi-family buildings. The site location is depicted in **Figure 1**. The concept plan and zoning map are presented in **Attachment 1**.

The parcel consists of two zones. Zone 1, comprising 3.659 acres, is currently zoned AU – *Agricultural Residential*, with a future land use designation of NC – *Neighborhood Commercial*. Zone 2, covering 7.581 acres, is also currently zoned AU – *Agricultural Residential*, with a future land use designation of RES-15 – *Residential (15 units per acre)*.

In addition to the uses approved under the existing zoning, these parcels have also been conditionally approved for medical uses such as Clinic and Hospital under resolution # Z-6584, see **Attachment 2**.

The proposed rezoning would change the zoning of parcel 24-36-14-00-259 from *Agricultural Residential (AU)* to *High-Density Multiple-Family Residential (RU-2-30)* for Zone 1 and *Medium-Density Multiple-Family Residential (RU-2-15)* for Zone 2.

Intended Number of Units

The applicant intends to develop the parcel with approximately 222 residential units which will consist of three-story multifamily buildings. The concept and zoning map are presented in **Attachment 1**.

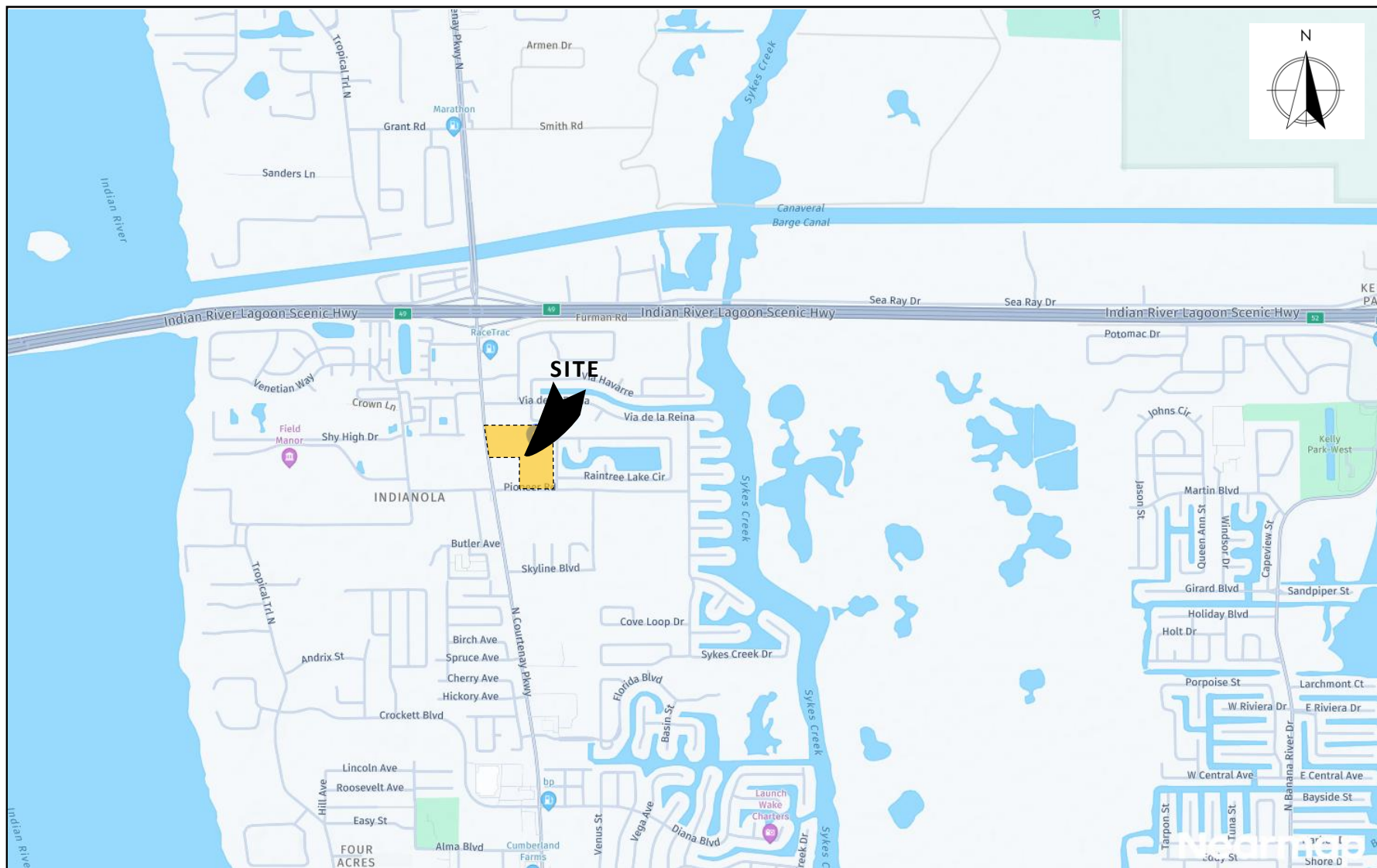


Figure 1
Site Location

Highest and Best Use

Existing Zoning - per Chapter 62 of the Brevard County Code of Ordinances, the minimum lot size for the *Agricultural Residential (AU)* zoning is 2.5 acres. Based on the permitted uses under the current zoning and considering the size of the parcel, the use with highest trip generation potential is a combination of a Plant Nursery and single-family detached residences.

As previously noted, the following uses are conditionally allowed in the subject property: Clinic and Hospital. Given this, the use with the maximum trip generation potential under existing conditions is Hospital.

Proposed Zonings - the proposed zonings, *High-Density Multiple-Family Residential (RU-2-30)* and *Medium-Density Multiple-Family Residential (RU-2-15)*, allow for a maximum density of 30 and 15 dwelling units respectively. The use with the maximum trip generation potential in both cases is single family-attached residences.

The relevant sections of Chapter 62 and the highest and best land use selection are presented in **Attachment 3**.

Trip Generation

Trip generation rates for comparable land use as per the Institute of Transportation Engineers Trip (ITE) *Trip Generation Manual, 12th Edition* were used to determine the anticipated maximum trip generation potential of the existing and proposed zonings, the results are summarized in **Table 1** and **Table 2** respectively.

Table 1. Existing Zoning Anticipated Trip Generation Summary

Land Use	Land Use Code ⁽¹⁾	Intensity	Units	Daily Trips			AM Peak Hour ⁽²⁾			PM Peak Hour ⁽²⁾		
				Total	In	Out	Total	In	Out	Total	In	Out
Hospital	210	250	KSF	5,535	2,768	2,767	369	251	118	370	126	244

(1) Based on the Institute of Transportation Engineers Trip Generation, 12th Edition

(2) Peak hour of adjacent street

As presented in **Table 1**, under the current *Agricultural Residential (AU)* zoning and conditional uses, the site has the potential to generate 5,535 daily trips, 369 morning peak hour trips, and 370 evening peak hour trips. This reflects the maximum development capacity under the Existing Conditions.

Table 2. Proposed Zoning Anticipated Trip Generation Summary

Land Use	Land Use Code ⁽¹⁾	Intensity	Units	Daily Trips			AM Peak Hour ⁽²⁾			PM Peak Hour ⁽²⁾		
				Total	In	Out	Total	In	Out	Total	In	Out
Multifamily Housing (Low-Rise)	220	222	DU	1,379	689	690	91	22	69	115	72	43

(1) Based on the Institute of Transportation Engineers Trip Generation, 12th Edition

As shown in **Table 2**, with the proposed *High-Density Multiple-Family Residential (RU-2-30)* and *Medium-Density Multiple-Family Residential (RU-2-15)* zonings, the site has the potential to generate a total of 1,379 daily trips, 91 morning peak hour trips, and 115 evening peak hour trips.

Table 3 presents the change of trip generation potential of the subject property.

Table 3. Rezoning Potential Trip Generation Change

Daily Trips			AM Peak Hour ⁽²⁾			PM Peak Hour ⁽²⁾		
Total	In	Out	Total	In	Out	Total	In	Out
Existing Zoning Potential Trip Generation								
5,535	2,768	2,767	369	251	118	370	126	244
Proposed Zoning Potential Trip Generation								
1,379	689	690	91	22	69	115	72	43
Difference								
-4,156	-2,079	-2,077	-278	-229	-49	-255	-54	-201

(1) Based on the Institute of Transportation Engineers Trip Generation, 12th Edition

(2) Peak Hour of Adjacent Street

The proposed change in zoning from the existing *Agricultural Residential (AU)* zoning with conditional medical uses allowed, to the proposed *High-Density Multiple-Family Residential (RU-2-30)* and *Medium-Density Multiple-Family Residential (RU-2-15)* zonings has the potential of decreasing the potential site trip generation by 4,156 daily trips, with 278 AM peak hour trips, and 255 PM peak hour trips, as presented in **Table 3**.

Considering that the proposed change in zoning has the potential to decrease the number of trips of the subject property, no further analysis shall be required. The impacts of the anticipated project site trips in the surrounding roadway network and mitigation strategies shall be evaluated under the site development plan application.

Should you have any questions please do not hesitate to contact me at djurado@bowman.com or 321.608.0498.

Sincerely,



Daniela S. Jurado, PE

Senior Project Manager-Traffic Engineering

Bowman

Attachments

Attachment 1. Concept Plan & Zoning Map

Attachment 2. Resolution Z-6584

Attachment 3. Brevard County Code of Ordinances Chapter 62 & Preliminary Calculations

ATTACHMENT 1



PROJECT DATA:

ZONE 1: Neighborhood Commercial
3.659 acres
109 units max

AMENITY: 6,500 S.F.

BUILDINGS 1-2:
Building Type 1
24 Units/EA

PARKING:

Surface: 368 Spaces
Parallel: 21 Spaces

BUILDING 3:
Building Type 3
30 Units/EA

TOTAL: 389 Spaces
(1.75 Spaces/Unit)

BUILDING 4:
Building Type 4
31 Units

ZONE 2: Residential
7.581 acres
113 units max

BUILDING 5:
Building Type 2
29 Units

BUILDING 6:
Building Type 4
30 Units/EA

BUILDING 7:
Building Type 2
30 Units/EA

BUILDING 8:
Building Type 1
24 Units/EA

TOTAL: 222 Units
(930 S.F. Average)

 **PRESERVED FOR GREENSPACE & SWM**

 **TOP FLOOR VIEWING PLATFORM**



ATTACHMENT 2

On motion of Commissioner York , seconded by
Commissioner Wickham , the following resolution was
unanimously adopted:

WHEREAS, ALMA E. FIELD, TRUSTEE
has/have applied for a change of classification from AU to RU-2-15 to ALL AU
with a Conditional Use Permit for a Clinic and a Conditional Use Permit for a Hospital
on property described as SEE ATTACHED LEGAL DESCRIPTION

Section 14 Township 24 S, Range 36 E, and,

WHEREAS, a public hearing of the Brevard County Planning and
Zoning Board was advertised and held, as required by law, and
after hearing all interested parties and considering the adjacent
areas, the Planning and Zoning Board recommended that the appli-
cation be *approved and,

WHEREAS, the Board, after considering said application and
the Planning and Zoning Board's recommendation and hearing all
interested parties and after due and proper consideration having
been given to the matter, find that the application should be

*approved , now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard
County, Florida, that the requested change of classification & CUP's
be *approved and, that the zoning classification relating
to the above described property be changed to AU
and the Planning and Zoning Director is hereby directed to make
this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become
effective as of December 22, 1983.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

ATTEST:

by VAL M. STEELE
Chairman

R. C. WINSTFAD, JR., Clerk

by D.C.

(SEAL)

(Hearing - November 29, 1983)

*Approved subject to a Binding Site Plan showing access and a 50 ft. landscaped
buffer



Wuesthoff Memorial Hospital

Post Office Box 6

110 Longwood Avenue

Rockledge, Florida 32955

305/636-2211

December 14, 1983

Mr. James Ford
Brevard County Director of Planning & Zoning
2575 N. Courtenay Parkway
Merritt Island, Florida 32952

Subject: Binding Site Plan - Wuesthoff Project
State Route 3 and Pioneer Road

Dear Mr. Ford:

Please consider the following information as part of the Binding Site Plan for Wuesthoff Hospital in its request for zoning modifications of the approximate fourteen (14) acres located east of State Route 3 and north of Courtenay Parkway.

1. No incineration facility has been planned for nor will it be included in that project.
2. In reference to a heliport, the hospital has not applied for and does not plan to apply for approval to establish a helipad at that facility.
3. As it relates to height considerations, the hospital does not plan, nor will they build, a facility higher than four (4) stories on the six (6) acres included in the Binding Site Plan for development for initial phases and will not build facilities on the remainder of the fourteen (14) plus or minus acres in excess of two (2) stories.

All other items that were previously stated in the Binding Site Plan remain accurate and are totally acceptable to Wuesthoff Hospital as firm commitments as it relates to that program.

I am hopeful that this will address the remaining issues that needed to be clarified in order for your office and the County Commissioners to feel that Wuesthoff is sincerely interested in compliance with reasonable requests and stipulations to be included as part of our Binding Site Plan.



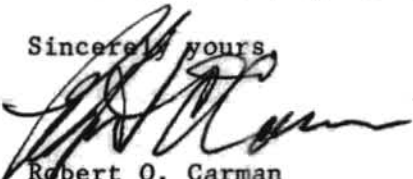
IO13

Z-6584

Mr. James Ford
Brevard County Director of Planning & Zoning
December 14, 1983
Page 2

Should you need additional information, please bring this to my attention at your earliest convenience so that we might take the necessary steps to assure full information available to your office and the Commission prior to the next meeting on December 22, 1983. I remain,

Sincerely yours,



Robert O. Carman
President

ROC/sr

STATE OF FLORIDA
COUNTY OF BREVARD

SWORN TO AND SUBSCRIBED BEFORE ME this 14th day of December,
1983.



NOTARY PUBLIC

Notary Public, State of Florida at Large
My Commission Expires May 17, 1987
BONDED THRU AGENT'S NOTARY BROKERAGE

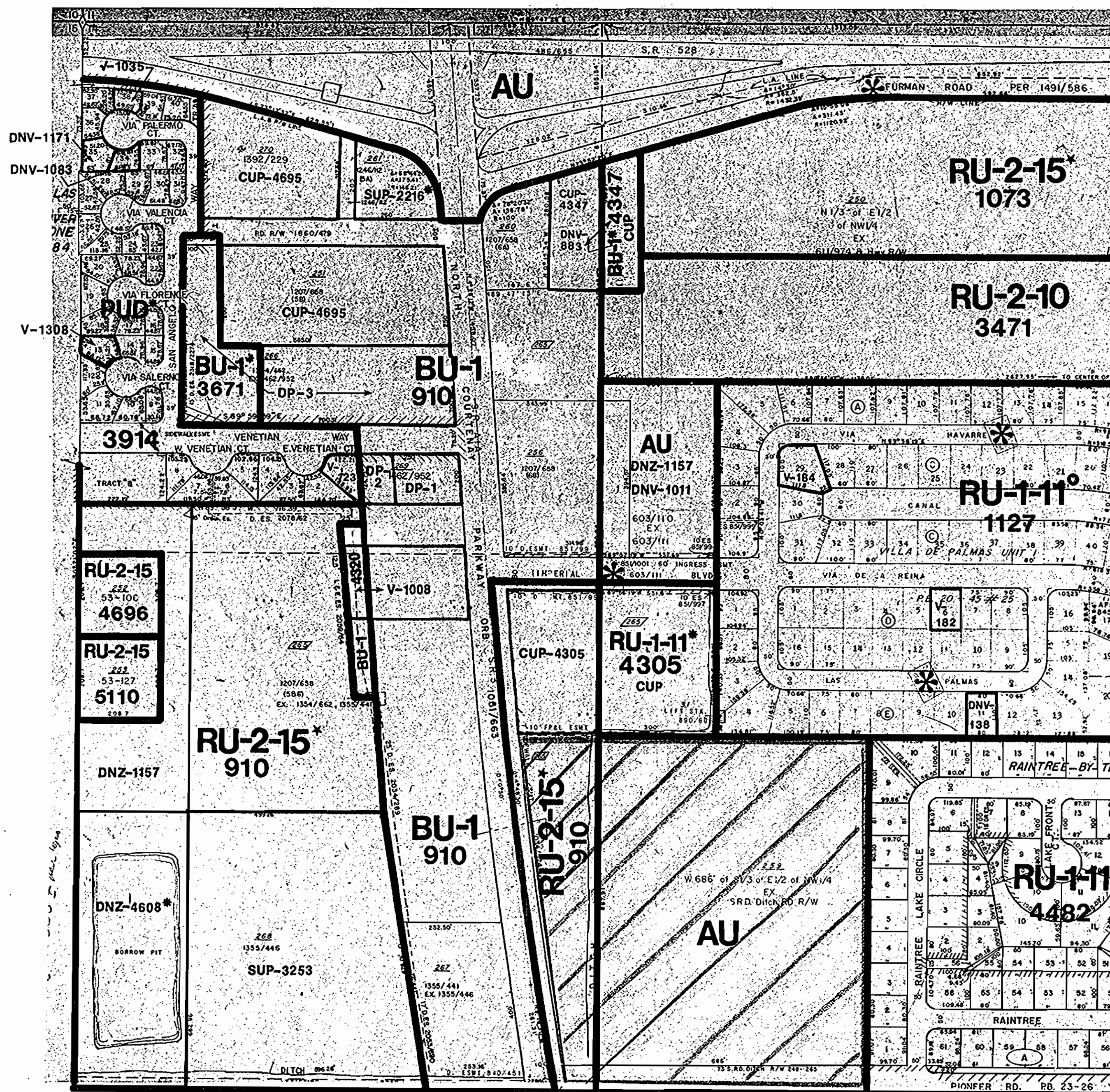
IO14
Z-6584

(13) Joseph & Alma Field
 A/R - 2-15 to ALL A/R w/ CUP's
 for Hospital & Clinic

X- 6584 Approved subj. to BSP
Showing access to 50 ft. landscaped
buffer. * 73-13
⊙ 2980

DP-1 S77-04-003
DP-2 S77-12-002
DP-3 S78-09-003

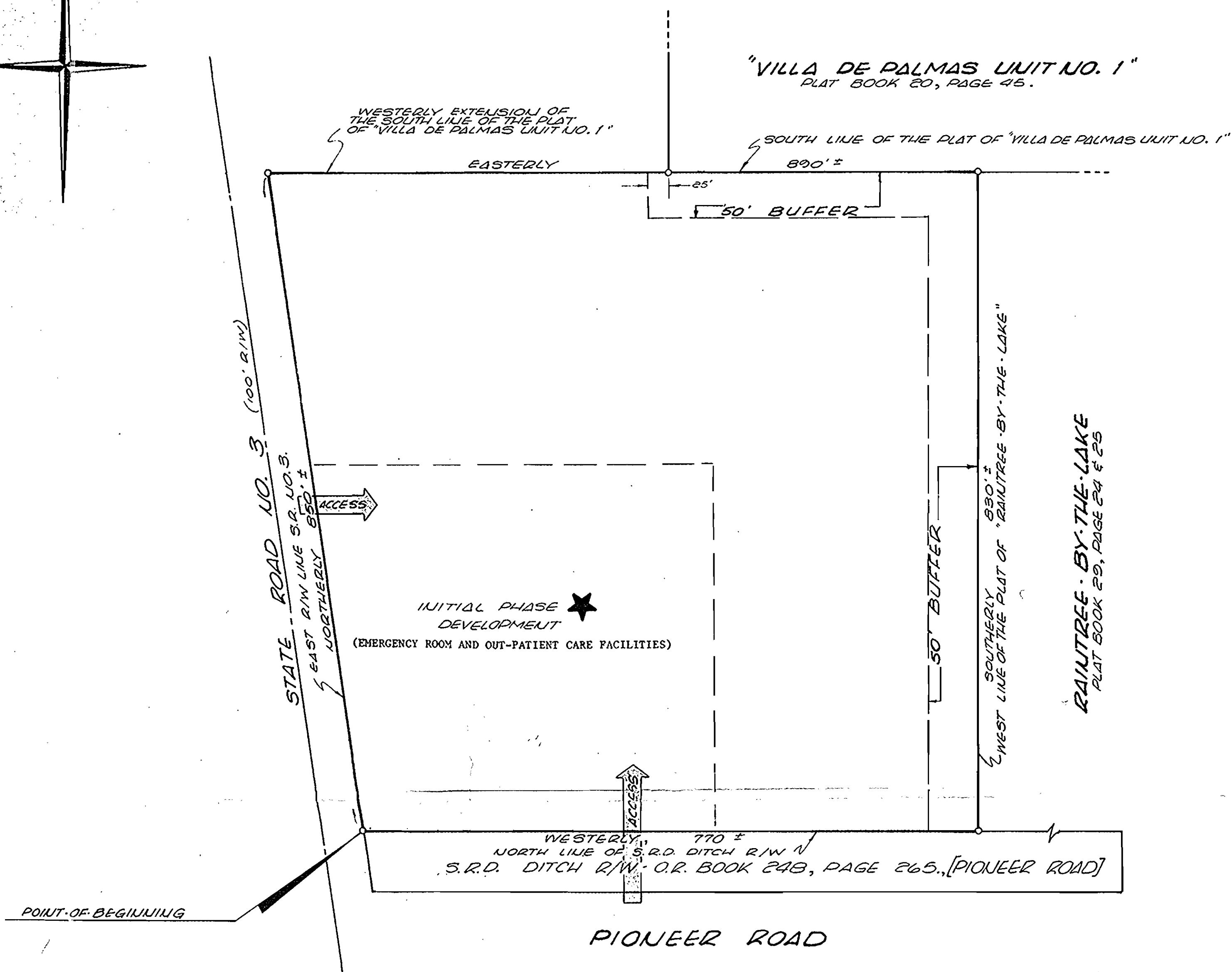
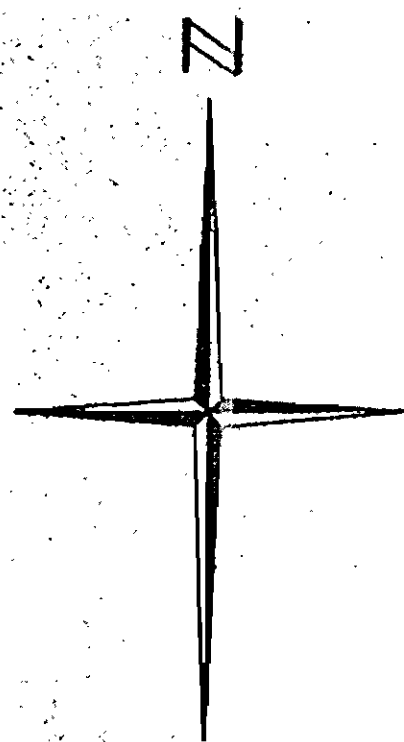
DNZ-2354
W.1/2 of N.W. 1/4
less exceptions



mo1

Z-6584

SCALE 1"=200'



★ Additional related services and hospital beds will be considered for future phase development, depending on need of the Merritt Island community and receipt of approvals from regulatory agencies.

SURVEYOR'S DESCRIPTION:

A parcel of land lying in the Northwest $\frac{1}{4}$ of Section 14, Township 24 South, Range 36 East, Brevard County, Florida, lying East of the right-of-way of State Road No. 3 (a 100.00 foot right-of-way), South of the south line of the plat of "Villa de Palmas Unit No. 1" and its westerly extension of said south line as recorded in Plat Book 20, Page 45 of the Public Records of Brevard County, Florida, West of the plat of "Raintree-by-the-Lake" as recorded in Plat Book 29, Pages 24 and 25 of said Public Records, and North of the north line of an existing State Road Department ditch right-of-way as recorded in O.R. Book 248, Page 265 of said Public Records, said parcel being more fully described as follows:

Being at the intersection of the north line of said State Road Department ditch right-of-way with the easterly right-of-way line of State Road No. 3; thence Northerly, along said easterly right-of-way line, a distance of 850 feet, more or less, to an intersection with said westerly extension of the south line of the plat of "Villa de Palmas Unit No. 1"; thence Easterly, along said westerly extension and said south line, a distance of 890 feet, more or less, to an intersection with the west line of said plat of "Raintree-by-the-Lake"; thence Southerly, along said west line, a distance of 830 feet, more or less, to an intersection with the aforesaid north line of said State Road Department ditch right-of-way line; thence Westerly, along said north line, a distance of 770 feet; more or less, to the Point-of-Beginning.

Containing 15 acres, more or less, and being subject to any easements and/or rights-of-way of recorded and the findings of an accurate survey.

SURVEYOR'S NOTES:

1. The information shown depicts the Surveyor's Description hereon and is not intended to represent a boundary survey.
2. Title report not furnished.
3. Subject to easements and/or rights-of-ways of recorded.

NOTES

1. Height of building will not exceed 4 stories within 6 acre parcel encompassing initial phase of development.
2. Height of building will not exceed 2 stories outside of said 6 acre parcel.
3. No applications will be made for heliport.
4. No incinerator will be allowed anywhere on the property.

BINDING SITE PLAN

Pursuant to: Section 77
Reviewed by: GTR
Posted by: JPM
Date: 12/22/83

MEDICAL FACILITY MERRITT ISLAND SITE

SEC. 14, TWP. 24 S., RG. 36 E.

Scale: 1"=100' Drn. By: JAM Sheet
Date: 11-7-83 Job No.: 256
Brian J. Bussen P.E. No. 19012

m02
Z-6584

RESOLUTION NO. Z-10781(26)

On motion by Commissioner Pritchard, seconded by Commissioner Scarborough, the following resolution was adopted by a unanimous vote:

WHEREAS, at the direction of the Board of County Commissioners of Brevard County and pursuant to the provisions of Ordinance 99-43, adopted August 3, 1999, the following proposal was submitted:

Removal of Conditional Use Permit Z-6584 for Clinic & Hospital

on property owned by Weusthoff Memorial Hospital, Inc. and described as Section 14, Township 24, Range 36, Parcel 259; and

WHEREAS, a public hearing of the Brevard County Planning and Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Planning and Zoning Board recommended that the application be approved and,

WHEREAS, the Board, after considering said application and the Planning and Zoning Board's recommendation and hearing all interested parties and after due and proper consideration having been given to the matter, find that the application should be Denied, now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested Removal of Conditional Use Permit Z-6584 for Clinic & Hospital be DENIED, and that the zoning classification relating to the above described property remain unchanged, and the Planning and Zoning Official or designee is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of March 6, 2003.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida
As Approved by the Board on March 6, 2003.

ATTEST:

by

JACKIE COLON
Chairperson

Scott Ellis

SCOTT ELLIS, CLERK

(SEAL)

Z-10781 (26)

Jackie Colon

(Hearing - February 10, 2003)

26



Z-6584
Clinic & Hospital

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created: 1/22/2003

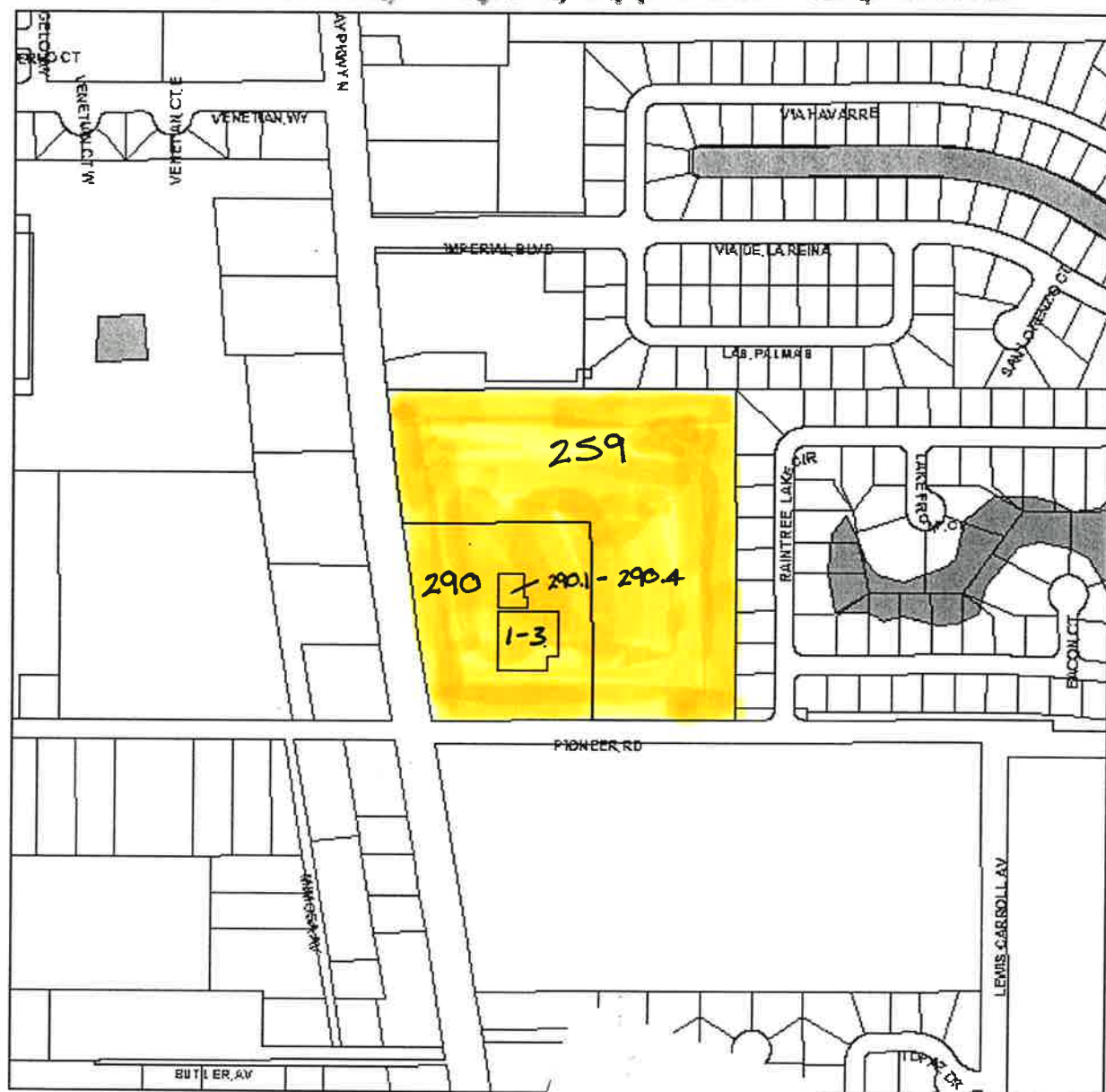


Z10781

Z10781

2

Jim Ford, CFA
Brevard County Property Appraiser - Map Search



259 only

Clinic & Hospital

Z10781

Z - 6584 24-36-14 - # 1A - 1-3 -, 259, 290, 290.1 - 290.4

Jim Ford, C.F.A.
Property Appraiser
Brevard County, FL



**Property
Research**

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General Parcel Information for 24-36-14-00-00259.0-0000.00

Parcel Id:	24-36-14-00-00259.0-0000.00	Map	Millage Code:	2200	Exemption:		Use Code:	9909
Property Address:							Tax Account:	2412106

Owner Information

Owner Name:	WUESTHOFF MEMORIAL HOSPITAL INC
Second Name:	
Third Name:	
Mailing Address:	P O BOX 565002
City, State, Zipcode:	ROCKLEDGE, FL 32956

Legal Description

PART OF S 1/2 OF NW 1/4 E OF ST RD 3 AS
DESC IN ORB 2478 PGS 2258 2260 & 2262
EXC ORB 2656 PG 360PAR 279

Value Summary for 2002

Market Value:	\$1,101,630
Agricultural Assessment:	\$0
Assessed Value:	\$1,101,630
Homestead Exemption:	\$0
Other Exemptions:	\$0
Taxable Value:	\$1,101,630

Land Information

Acres:	11.24
Lots/Units:	0
Front Feet:	0
Depth:	0
Site Code:	370
Land Value:	\$1,101,630

* This is the value established for ad valorem purposes in accordance with s.193.011(1) and (8), Florida Statutes. This value does not represent anticipated selling price for the property.

Sales Information

OR Book/Page	Sale Date	Sale Amount	Deed Type	Disqualification Code	Disqualification Source	Vacant/Improved
2544/2286	9/1984	\$100	NN			
2468/1675	11/1983	\$0	DC			
2450/0935	8/1983	\$100	PT			

Extra Feature Information

Pool	Fireplace	Fence	Driveway	Lawn Irrigation	Shed	Dock	Seawall	Other
No	No	No	No	No	No	No	No	No

6584

Z10781

ATTACHMENT 3

RANGEWATER N COURTNEY PARKWAY MERRITT ISLAND

Highest and Best Land Use Selection

Existing Zoning

Zone 1 & 2

Zoning : AU Agricultural Residential
Area: 11.24 ac
Min Lot size: 2.5 ac

Potential Land Uses:

	Intensity	Daily	AM	PM
Single Family Detached Dwelling	4 DU	36	8	5
Parks	11.24 ac	9	1	2
Plant Nurseries	5,000 SF	341	12	33
Golf Course	11.24 ac	42	2	3
Hospital	250,000 SF	5,535	369	370

Based on ITE 12th Edition, For Plant Nursery, 11th Ed was used for Daily and AM Trips

Potential Combination:

	Intensity	Daily	AM	PM
Single Family DU	3 DU	27	8	4
Plant Nurseries	5,000 SF	341	12	33
Total	-	368	20	37

Based on ITE 12th Edition, For Plant Nursery, 11th Ed was used for Daily and AM Trips

Sec. 62-1334. - Agricultural residential, AU and AU(L).

The AU agricultural residential zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character.

The classification is divided into two types, AU and AU(L). The AU is the standard agricultural residential classification, while the AU(L) is a low intensity sub-classification more suited to smaller lots where the neighborhood has a more residential than agricultural character.

(1) *Permitted uses.*

a. 1. Permitted uses within the AU classification are as follows:

Single-family detached residential dwelling.

All agricultural pursuits, including the packing, processing, and sales of commodities raised on the premises as provided in chapter 86, article IV.

Raising and grazing of animals.

Dude ranches, with a minimum area of 40 acres. Barns or stables shall be 200 feet from any property line.

Fowl raising and beekeeping.

Parks and public recreational facilities.

Plant nurseries.

Private golf courses.

Private camps.

Foster homes.

2. Permitted uses within the AU(L) sub-classification are as follows:

Single-family detached residential dwelling.

Agricultural pursuits of a personal non-commercial nature. Structures for the housing of livestock and animals shall not be permitted within 100 feet of any existing residence under different ownership, except where otherwise permitted in section 62-2108.

Parks and public recreational facilities.

Foster homes.

b.

Permitted uses with conditions are as follows (see division 5, subdivision II, of this article):

Fish camps ([section 62-1835.4.5](#)).

Group homes, level I, subject to the requirements set forth in [section 62-1835.9](#).

Landscaping business ([section 62-1837](#)).

Mobile home residential dwelling ([section 62-1837.7.5](#)).

Power substations, telephone exchanges and transmission facilities ([section 62-1839](#)).

Preexisting use ([section 62-1839.7](#)).

Private parks and playgrounds ([section 62-1840](#)).

Resort dwellings.

Temporary living quarters during construction of a residence.

Tenant dwellings: Mobile homes ([section 62-1843](#)).

Tenant dwellings: One unit is permitted for each five acres of land under the same ownership. Tenant dwellings must be 100 feet from property of different ownership ([section 62-1842.5](#)).

Tiny house or a THOW.

(2) *Accessory buildings or uses.* Accessory buildings and uses customary to residential and agricultural 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:

Accessory dwelling unit.

Airplane runways ([section 62-1905](#)).

Bed and breakfast inns ([section 62-1912](#)).

Boarding of horses and horses for hire ([section 62-1913](#)).

Captive wildlife ([section 62-1958](#)).

Change of nonconforming agricultural use.

Composting facility.

Farmers' market ([section 62-1929](#)).

Guesthouses or servants' quarters, without kitchen facilities (section 62-1932).

Hog farms (section 62-1934).

Land alteration (over five acres) (section 62-1936).

Private heliports (section 62-1943.5).

Roadside stand (section 62-1945.5).

Security mobile homes.

Single-family residential second kitchen facility.

Skateboard ramps (section 62-1948).

Substantial expansion of a preexisting use (section 62-1949.7).

Veterinary hospital, office or clinic, pet kennels (section 62-1956).

Wireless telecommunication facilities and broadcast towers.

Zoological parks (section 62-1960).

- (4) *Minimum lot size.* An area of not less than two and one-half acres is required, having a minimum width of 150 feet and a minimum depth of 150 feet.
- (5) *Setbacks.*
 - a. Structures shall be set back not less than 25 feet from the front lot line, not less than ten feet from the side lot lines, and not less than 20 feet from the rear lot line. If a corner lot is contiguous to a key lot, then the side street setback shall be not less than 25 feet.
 - b. Accessory buildings shall be located to the rear of the front building line of the principal building and shall be set back not less than 15 feet from the side lot lines and not less than 15 feet from the rear lot lines.
 - c. Setbacks for barns and stalls are as follows:
 1. *Front:* 125 feet from the front lot line.
 2. *Side:* 50 feet from the side lot line.
 3. *Rear:* 50 feet from the rear lot line.
- (6) *Minimum floor area.* Minimum floor area is 750 square feet of living area.
- (7) *Maximum height of structures.* Maximum height of structures is as follows:
 - a. Residential structures: 35 feet.
 - b. Structures accessory to an agricultural use: 45 feet.

(Code 1979, § 14-20.08(D); Ord. No. 95-47, §§ 8, 9, 10-19-95; Ord. No. 95-49, § 18, 10-19-95; Ord. No. 95-51, § 3, 10-19-95; Ord. No. 96-16, §§ 8, 9, 3-28-96; Ord. No. 96-46, § 10, 10-22-96; Ord. No. 97-29, § 2, 8-12-97; Ord. No. 97-46, § 1, 12-2-97; Ord. No. 98-03, § 6, 1-29-98; Ord. No. 98-08, § 2, 2-10-98; Ord. No. 98-11, § 3, 2-26-98; Ord. No. 98-62, § 5, 12-3-98; Ord. No. 2002-49, § 5, 9-17-02; Ord. No. 2003-03, § 6, 1-14-03; Ord. No. 03-40, § 1, 8-12-03; Ord. No. 04-29, § 6, 8-5-04; Ord. No. 2004-52, § 4, 12-14-04; Ord. No. 2005-25, § 5, 5-19-05; Ord. No. 05-27, § 2, 5-19-05; Ord. No. 2007-59, § 9, 12-6-07; Ord. No. 2009-06, § 2(Exh. A), 2-5-09; Ord. No. 2010-22, § 10, 11-23-10; Ord. No. 2011-17, § 4, 5-26-11; Ord. No. 2013-38, § 1, 11-19-13; Ord. No. 2013-38, § 1, 11-19-13; Ord. No. 2014-30, § 3, 10-2-14; Ord. No. 2018-27, § 7, 12-4-18; Ord. No. 2024-29, § 6, 11-7-24)

Editor's note— Ord. No. 2013-38, § 1, adopted November 19, 2013, amended § 62-1334 to read as set out herein. Previously § 62-1334 was titled agricultural residential, AU and AU(L).

Sec. 62-1373. - High-density multiple-family residential, RU-2-30.

The RU-2-30 high-density multiple-family residential zoning classification encompasses lands devoted to multiple-family residential development, together with such accessory uses as may be necessary or are normally compatible with residential surroundings.

(1) *Permitted uses.*

a. Permitted uses are as follows:

Multiple-family dwellings.

Duplexes.

Resort dwellings.

Single-family attached dwelling units subject to the development and site plan standards set forth in the single-family attached zoning classifications.

Single family dwellings up to the allowable density limitation of the zoning classification. For the purposes of setback and spacing requirements, such single family dwellings shall be considered principal buildings. Additional multiple-family dwellings are permitted on the parcel if all units comply with the density limits.

A restaurant and those commercial uses permitted in the restricted neighborhood commercial zoning classification (BU-1-A) are permitted in this zoning classification in conjunction with and accessory to a multiple-family residential building which has a minimum of 90 residential units. Such permitted restaurant and commercial uses are limited to ten percent of the total floor area and are intended as restaurant and commercial uses to serve residents of the building in which the use is located or other buildings on the same parcel of property. Such permitted restaurant and commercial uses are permitted on the first or ground floor only.

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, levels I and II, subject to the requirements set forth in section 62-1835.9.

Preexisting use.

Power substations, telephone exchanges and transmission facilities.

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:

Boardinghouses and bed and breakfast inns.

Change of nonconforming agricultural use.

Guesthouses or servants' quarters, without kitchen facilities.

Land alteration (over five acres and up to ten acres).

Public or private clubs, including art galleries.

Recreational facilities.

Residential/recreational marina.

Restaurants.

Skateboard ramps.

Substantial expansion of a preexisting use.

Wireless telecommunication facilities and broadcast towers.

(4) *Lot requirements.*

a. *Minimum lot size for multifamily structures.* An area of not less than 10,000 square feet is required for multifamily structures, having a width of not less than 100 feet and a depth of not less than 100 feet.

b. *Minimum lot size for single-family residence and duplex.* An area of not less than 7,500 square feet is required for a single-family residence or duplex, having a depth of not less than 75 feet and a width of not less than 75 feet.

c. *Maximum density.* Maximum density is 30 dwelling units per gross acre. For the purpose of computing density allowed, property divided by a public road shall be considered as separate parcels.

(5) *Setbacks, spacing and common open space.*

a. *Setbacks for accessory buildings.* Accessory buildings shall be located to the rear of the front building line of the principal building or structure closest to the front property line and shall be set back not less than seven and one-half feet from the rear and side lot lines for developed single family sites and not less than ten feet from the side and rear lot lines

for developed multiple family sites, but in no case within the setback from a side street. There shall be a minimum spacing of five feet between any other structure on the same site.

b. *Setbacks for principal structures.*

1. The front setback shall be 25 feet.
2. The rear setback shall be 20 feet.
3. The side setback shall be not less than seven and one-half [feet] for all single family residences and ten feet for all other structures. On corner lots side setbacks shall be at least 15 feet from the side lot line. If a corner lot is contiguous to a key lot, the setback shall be no less than 25 feet.

c. *Breezeway/visual corridor.* All riverfront and oceanfront properties are subject to breezeway/visual corridor regulations enumerated in section 62-2105.

d. *Usable common open space.* If the lot, plot, tract or parcel is two acres or more in size, or, regardless of size, if the property will have more than 15 total dwelling units, then 25 percent of the total land area shall be utilized as usable common open space as defined in section 62-1102. At the time of site plan submission, the method of perpetual maintenance of common facilities shall be provided as required in subsection 62-1445(a).

e. *Spacing between principal structures.* Principal buildings or structures shall be spaced a minimum of 15 feet from other principal buildings or structures on the same site. Such spacing shall not be covered or connected to the principal structures.

(6) *Minimum floor area.* Minimum floor area is as follows:

- a. Single-family dwelling unit: 1,100 square feet.
- b. Duplexes: 1,150 square feet and 575 square feet per unit.
- c. Apartments:
 1. One bedroom: 500 square feet.
 2. Two bedrooms: 750 square feet, plus 100 square feet in each additional bedroom.
 3. Efficiencies: 400 square 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, RU-2-15, RU-2-30, RP, BU-1-A, BU-1, BU-2, PBP, PIP, IU, IU-1, TU-1, or TU-2 zoning classification, the maximum height threshold of any structure or building thereon shall be 45 feet.

c. Where any structure or building exceeds 35 feet in height, all conditions enumerated in section 62-2101.5 as applicable shall be fully satisfied.

d. Structures or buildings may not exceed the maximum height thresholds stated in this subsection unless otherwise permitted by section 62-2101.5.

(8) *Ownership*. A multi-family residential development site shall be subject to single ownership or condominium ownership.

(Code 1979, § 14-20.09(C); Ord. No. 95-47, §§ 34, 35, 10-19-95; Ord. No. 95-49, § 18, 10-19-95; Ord. No. 96-16, §§ 37, 38, 3-28-96; Ord. No. 98-08, § 2, 2-10-98; Ord. No. 99-07, §§ 12, 14, 16, 1-28-99; Ord. No. 99-33, § 5, 5-6-99; Ord. No. 2000-02, § 1, 1-11-00; Ord. No. 01-30, § 5, 5-24-01; Ord. No. 2002-49, § 20, 9-17-02; Ord. No. 2003-03, § 20, 1-14-03; Ord. No. 04-29, § 20, 8-5-04; Ord. No. 2004-52, § 17, 12-14-04; Ord. No. 05-27, § 3, 5-19-05; Ord. No. 05-40, § 5, 8-23-05; Ord. No. 2007-59, § 23, 12-6-07; Ord. No. 2014-30, § 2, 10-2-14)

Sec. 62-1372. - Medium-density multiple-family residential, RU-2-10, RU-2-12 and RU-2-15.

The RU-2-10, RU-2-12 and RU-2-15 medium-density multiple-family residential zoning classifications encompass lands devoted to medium-density multifamily residential purposes, together with such accessory uses as may be necessary or are normally compatible with residential surroundings.

(1) *Permitted uses.*

a. Permitted uses are as follows:

Multifamily dwellings.

Duplexes.

Resort dwellings.

Single-family attached dwellings, in accordance with the development standards in the single-family attached residential zoning classifications.

Single family dwellings up to the allowable density limitation of the zoning classification. For the purposes of setback and spacing requirements, such single family dwellings shall be considered principal buildings. Additional multiple-family dwellings are permitted on the parcel if all units comply with the density limits.

Parks and public recreational facilities.

Private golf courses.

Foster homes.

Sewer lift stations.

b. Permitted uses with conditions are as follows (see division 5, subdivision II, of this article):

Group homes, levels I and II, subject to the requirements set forth in section 62-1835.9.

Preexisting use.

Private parks and playgrounds.

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:

Boardinghouses and bed and breakfast inns.

Change of nonconforming agricultural use.

Development rights receipt or transfer.

Guesthouses or servants' quarters, without kitchen facilities.

Land alteration (over five acres and up to ten acres).

Power substations, telephone exchanges and transmission facilities.

Recreational facilities.

Residential/recreational marina.

Skateboard ramps.

Substantial expansion of a preexisting use.

Wireless telecommunication facilities and broadcast towers.

(4) *Lot requirements.*

- a. Minimum lot size is 7,500 square feet.
- b. Minimum lot width is 75 feet.
- c. Minimum lot depth is 75 feet.
- d. Maximum density is as follows:
 1. RU-2-10: Ten units per gross acre.
 2. RU-2-12: 12 units per gross acre.
 3. RU-2-15: 15 units per gross acre.

For the purpose of computing allowable density property divided by a public road shall be considered separate parcels.

- e. Maximum lot coverage is 40 percent.

(5) *Setbacks and spacing requirements.*

- a. *Accessory buildings.* Accessory buildings shall be located to the rear of the front building line of the principal building or structure closest to the front property line and shall be set back not less than seven and one-half feet from the side and rear lot lines for developed single family sites and not less than ten feet from the side and rear lot lines for developed multiple family sites, but in no case within the setback from a side street. There shall be a minimum spacing of five feet between any other structure on the same site.
- b. *Breezeway/visual corridor.* All riverfront and oceanfront properties are subject to breezeway/visual corridor regulations enumerated in section 62-2105.

c. *Principal structures.*

1. The front setback shall be 25 feet.
2. The rear setback shall be 20 feet.
3. The side setback shall be not less than seven and one-half for all single family residences and ten feet for all other structures. On corner lots, side setbacks shall be at least 15 feet from side lot line. If a corner lot is contiguous to a key lot, setbacks shall be not less than 25 feet.

d. *Spacing between principal structures.* Principal buildings or structures shall be spaced a minimum of 15 feet from other principal buildings or structures on the same site. Such spacing shall not be covered or connected to the principal structures.

(6) *Usable common open space requirements.* If the lot, plot, tract or parcel is two acres or more in size, or, regardless of the size, if the property has or will have more than 15 total dwelling units, then 35 percent of the total land area shall be utilized as usable common space as defined in section 62-1102. At the time of site plan submission, the method of perpetual maintenance of common facilities shall be provided as required in section 62-1445(a). Ten percent of this area shall be retained in natural vegetation rather than improved.

(7) *Minimum floor area.* Minimum floor area is as follows:

- a. Single-family dwelling unit: 1,100 square feet.
- b. Duplexes: 1,150 square feet and 575 square feet per unit.
- c. Apartments:
 1. One bedroom: 500 square feet.
 2. Two bedrooms: 750 square feet plus 100 square feet for each additional bedroom.
 3. Efficiencies: 400 square feet.

(8) *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, RU-2-15, RU-2-30, RP, BU-1-A, BU-1, BU-2, PBP, IU, PIP, IU-1, TU-1 or TU-2 zoning classification, the maximum height threshold of any structure or building thereon shall be 45 feet.
- c. Where any structure or building exceeds 35 feet in height, all conditions enumerated in section 62-2101.5 as applicable shall be fully satisfied.
- d.

Structures or buildings may not exceed the maximum height thresholds stated in this subsection unless otherwise permitted by section 62-2101.5.

- (9) *Ownership*. A multi-family residential development site shall be subject to single ownership or condominium ownership.

(Code 1979, § 14-20.09(B); Ord. No. 95-47, §§ 32, 33, 10-19-95; Ord. No. 95-49, § 18, 10-19-95; Ord. No. 96-16, §§ 35, 36, 3-28-96; Ord. No. 98-08, § 2, 2-10-98; Ord. No. 99-07, §§ 12, 15, 1-28-99; Ord. No. 99-33, § 4, 5-6-99; Ord. No. 2000-02, § 1, 1-11-00; Ord. No. 01-30, § 4, 5-24-01; Ord. No. 2002-49, § 19, 9-17-02; Ord. No. 2003-03, § 19, 1-14-03; Ord. No. 04-29, § 19, 8-5-04; Ord. No. 2004-52, § 16, 12-14-04; Ord. No. 05-27, § 3, 5-19-05; Ord. No. 05-40, § 4, 8-23-05; Ord. No. 2007-59, § 22, 12-6-07; Ord. No. 2014-30, § 2, 10-2-14)