

**FUTURE LAND USE MAP SERIES  
PLAN AMENDMENT**

**STAFF COMMENTS**

*Small Scale Plan Amendment 22S.03 (21PZ00083)*  
**Township 25, Range 36, Section 23**

---

**Property Information**

**Owner / Applicant:** Storsafe of Rockledge, LLC

**Adopted Future Land Use Map Designation:** Community Commercial (CC),  
Neighborhood Commercial (NC) & Residential 4 (RES 4)

**Requested Future Land Use Map Designation:** Community Commercial (CC)

**Acreage:** 12.19 acres

**Tax Account #:** 2511096, 2511103 & a portion of 2511119 (east of U.S. Highway 1)

**Site Location:** On the east side of U.S. Highway 1 approximately 192 feet north of  
Barnes Boulevard

**Commission District:** 2

**Current Zoning:** General Retail Commercial (BU-1) and Agricultural Residential (AU)

**Requested Zoning:** Retail, Warehousing and Wholesale Commercial (BU-2)

**Background & Purpose**

The applicant is seeking to amend the Future Land Use designation on 12.19 acres of land from Community Commercial (CC), Neighborhood Commercial (NC) and Residential 4 (RES 4) to all Community Commercial (CC) in order to develop a self-storage facility with outdoor boat and Recreational Vehicle (RV) storage.

This segment of U.S. Highway 1 had a Mixed Use (MIX) Future Land Use designation since 1997. In 2001, the Future Land Use designations were changed from MIX to NC and CC along this segment of U.S. Highway 1 when Brevard County updated the Comprehensive Plan and the Future Land Use Map. At the time of the Future Land Use Map changed from MIX to CC approximately 200' to the east with a NC buffer of approximately 75' to 150' to the east between CC and RES 4 land uses. Currently, the subject parcel has CC, NC and RES 4 Future Land Use designations.

## Surrounding Land Use Analysis

	Existing Land Use	Zoning	Future Land Use
<b>North</b>	Single-Family Residence	AU	CC & RES 4
<b>South</b>	Motel & Single-Family Residence	TU-1& AU	NC
<b>East</b>	Single-Family Residences, Vacant Residential Land, Multi-Family Residences	AU, EU, EU-2	NC
<b>West</b>	Retail & Vacant Commercial	GU & BU-1	NC & CC

To the north of the subject property is a single-family residence with a CC and RES 4 Future Land Use designation, to the east is vacant land, single-family residences and a multi-family residence with a NC designation, to the south is a motel and single-family residences with a Future Land Use designation of NC and to the west, across U.S. Highway 1 are developed and undeveloped commercial land with NC and CC Future Land Use designations.

## Comprehensive Plan Policies/Comprehensive Plan Analysis

Comprehensive Plan Policies are shown in plain text; Staff Findings of Fact are shown in *italics*

**Notice:** The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms to site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.

### 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;

*The applicant has stated a specific commercial use of a self-storage facility with outdoor boat and RV storage. There are potential impacts on the future residential developments directly to the east. Currently the RES 4 and NC Future Land Use designations serve as a buffer between the residential neighborhood to the east from the commercial development on the west along U.S. Highway 1.*

- 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;

*U.S. Highway 1 is a commercial corridor with CC Future Land Use designations along the majority of it to provide an array of services for local, subregional and regional neighborhoods.*

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

*There has not been any actual development within this area in the preceding three (3) years.*

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

*There have not been any development approvals within the past three (3) years.*

#### **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.

*The proposed use of self-storage with outdoor boat and RV storage will not adversely impact the established residential neighborhood to the east by intensifying traffic along U.S. Highway 1. The established residential neighborhood to the east has access to Rockledge Drive, an urban minor collector road.*

- 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 surrounding the subject site has clearly distinct established boundaries. To the east of the subject site there is Rockledge drive that runs along the Indian River Lagoon to facilitate an established neighborhood along the lagoon.*

## **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;

*The subject 12.19 acre site has frontage on U.S. Highway 1 to the west.*

- B. Compatibility and inter-connectivity with adjacent adopted Future Land Use designations and land uses;

*A CC Future Land Use designation is compatible to the north and south of the subject site and inter-connectivity could be provided between these adjacent uses.*

- C. Existing commercial development trend in the area;

*The existing historical trend in the area are CC Future Land Use designations along U.S. Highway 1 with an array of retail businesses and services serving the local, subregional and regional neighborhoods within the surrounding area.*

- D. Fundamental changes in the character of an area prompted by infrastructure improvements undertaken by the County;

*There are no fundamental changes in character within this area prompted by County infrastructure improvements.*

- E. Availability of required infrastructure at/above adopted levels of service;

*The parcel is serviced by the City of Rockledge sanitary sewer and potable water by the City of Cocoa. Based upon Floor Area Ratio (FAR) used for traffic analysis when considering Future Land use changes, U.S. Highway 1 would be operating below the Acceptable Level of Service (LOS) of D. Specific concurrency issues will be addressed at the time of Site Plan review.*

- F. Spacing from other commercial activities;

*An approximately 1.4 acre portion of the overall 12.19 acre site is located within a commercial cluster of approximately 5.9 acres located at the intersection of Barnes Boulevard and U.S. Highway 1.*

- G. Adherence to the objectives/policies of the Conservation Element and minimization of impacts upon natural resources and systems;

*The Natural Resource Management (NRM) Department has provided a preliminary summary of adherence to the objectives/policies of the Conservation Element and the minimization of impacts upon natural resources and systems. (See attached NRM Department Summary on pages 8 and 9).*

- I. Integration of open space; and

*Open space will be evaluated during the site plan review process.*

- J. Impacts upon strip commercial development.

*The subject 12.19 acre site would be considered infill and not an extension of strip commercial development. Along this section of U.S. Highway.*

## **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;

*With a Future Land Use designation of CC, the subject parcel would not be extending strip commercial along this segment of U.S. Highway 1 from Viera Boulevard to Barnes Boulevard.*

## **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.

*Approximately 1.4 acres of the 12.19 acre site is part of an approximately 5.9 acre community commercial cluster located at the intersection of Barnes Boulevard and U.S. Highway 1. Both are classified as Urban Principal Arterial roadways according to the Space Coast Transportation Planning Organization.*

- B. Community commercial complexes should not exceed 40 acres at an intersection.

*The subject site is not located at an intersection and won't exceed 40 acres.*

- 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.

*The subject site is located along a commercial corridor and is not clustered at an intersection.*

- 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.

*The gross floor area is regulated through the land development regulations at the time of site plan review.*

- E. Floor Area Ratio (FAR) of up to 1.00 will be permitted for Community Commercial sites.

*The overall subject site has the potential for a five hundred thirty thousand nine hundred and ninety-six square foot (530,996 s.f.) building. The FAR of up to 1.00 is permitted for CC designated sites. The Floor Area Ratio*

*(FAR) is regulated through the land development regulations at the time of site plan review.*

### **Concurrency**

*The preliminary concurrency analysis did indicate that the proposed development would cause a deficiency in the transportation adopted level of service. The subject site is within the City of Cocoa's service area for potable water. The subject parcel is located within the City of Rockledge centralized sewer system.*

### **Environmental Resources**

*Mapped resources include Hydric Soils/Wetlands, Indian River Lagoon Nitrogen Reduction Overlay, Protected and Specimen Trees and Protected Species.*

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

### **Historic Resources**

*There are no recorded historic or archaeological sites on the project site according to the Master Site File from the Florida Division of Historic Resources however; the building located at 3700 U.S. 1 is c1939 Masonry Vernacular and is eligible for a State Historic Preservation Office (SHPO) evaluation.*

### **For Board Consideration**

The Board should also consider if the request is consistent with the Comprehensive Plan and compatible with the surrounding area

**NATURAL RESOURCES MANAGEMENT DEPARTMENT**  
**Future Land Use (FLU) Review & Summary**  
**Item # 21PZ00083**

**Applicant:** Lee for Harvey

**FLU request:** CC, NC & RES 4 to CC

**Note:** Applicant wants self-serve storage facility with outdoor boat and RV storage.

**P&Z Hearing Date:** 03/14/22; **BCC Hearing Date:** 04/07/22

**Tax ID Nos:** East portions of 2511096, 2511103, & 2511119

- 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:**

- Hydric Soils/Wetlands
- Indian River Lagoon Nitrogen Reduction Overlay
- Protected and Specimen Trees
- Protected Species

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

**Land Use Comments:**

**Hydric Soils/Wetlands**

The subject parcel with Tax Account ID # 2511119 contains a small area of mapped hydric soils (Tomoka muck) as shown on the USDA Soil Conservation Service Soils Survey map, an indicator that wetlands may be present on the property. An environmental report, prepared by Bio-Tech Consulting, Inc. on November 29, 2021, did not find any wetlands onsite. The report will be verified at the time of site plan submittal. Section 62-3694(c)(3)b has allowances for wetland impacts for commercial uses along "Mitigation Qualified Roadways" (MQRs). Highway 1 is an MQR at this location. 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 mitigation in accordance with Section 62-3696. Although not a part of the FLU request, and not included in the



environmental report, the parcel with Tax Account ID # 2511119 has mapped wetlands on the west side of Highway 1.

### **Indian River Lagoon Nitrogen Reduction Overlay**

A small portion of the northmost parcel 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 within the overlay. NRM requires a Septic Maintenance Notice be filed with the Brevard Clerk of Courts.

### **Protected and Specimen Trees**

Aerials indicate that Protected (greater than or equal to 10 inches in diameter) and Specimen Trees (greater than or equal to 24 inches in diameter) may reside on subject property. Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4341(18), Protected and Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for tree preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.

### **Protected Species**

Information available to NRM indicates that federally and/or state protected species may be present on the property. Prior to any plan, permit submittal, or development activity, including land clearing, 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, as applicable.