



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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<https://www.brevardfl.gov/PlanningDev>

**STAFF COMMENTS
20Z00006
CANAVERAL LANDING LLC**

TR-1 to TRC-1 with a CUP (Conditional Use Permit) for the cluster development of mobile homes and a BDP (Binding Development Plan) to limit residential development to 100-units

Tax Account Number: 2314846
Parcel I.D.: 23-35-36-00-501
Location: North side of Canaveral Groves Boulevard 675 feet east of Grissom Parkway (District 1)
Acreage: 33.8 acre

Planning and Zoning Board: 07/06/20

Board of County Commissioners: 08/06/20

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	TR-1	TRC-1, CUP and BDP
Potential*	135 mobile home lots	100 mobile home sites
Can be Considered under the Future Land Use Map	YES RES 4	YES** RES 4

* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations. ** Approvable when limited by BDP to 100 units.

Background and Purpose of Request

The applicant is seeking a zoning change from Single-family mobile home (TR-1) to Single-family mobile home cooperative (TRC-1) in conjunction with a Conditional Use Permit (CUP) for mobile home cluster development and a Binding Development Plan (BDP). The BDP limits development to 100-units.

This site has been zoned TR-1 since the adoption of Zoning Resolution **Z-10520** on March 1, 2001. Previous zoning history shows that the site had previously held this type of zoning under **Z-8387** for TRC-1 with CUP for cluster development of modular coaches under a Binding Site Plan (BSP) limiting residential density to 137 units, approved on April 24, 1989.

Land Use

The TRC-1 zoning classification is not consistent with the RES 4 Future Land Use and requires the submittal of a Binding Development Plan to limit density in order to be consistent. The applicant has submitted a BDP to limit development to 100-units which would make the request for TRC-1 and CUP consistent with the Residential 4 FLU designation.

Environmental Constraints

The subject parcel contains a large wetland area, and several small wetland areas as confirmed by Andrew Conklin Environmental Services, LLC (ACES). A majority of the property is also located in an isolated floodplain requiring compensatory storage, and offsite fill to elevate structures above the 100-year base flood elevation (BFE). As a result of fill brought onsite and compensatory storage requirements, it shall be demonstrated that unimpacted, isolated wetlands remain viable. The wetland impact for the proposed development shall not exceed .608 acre, which is 1.8% of the total acreage of the property.

Preliminary Concurrency

The closest concurrency management segment to the subject property is Canaveral Groves Boulevard, between Grissom Parkway and US Highway 1, which has a Maximum Acceptable Volume (MAV) of 15,600 trips per day, a Level of Service (LOS) of E, and currently operates at 34.68% of capacity daily. The maximum development potential from the proposed rezoning does increase the percentage of MAV utilization by 3.2%. The corridor is anticipated to continue to operate at 37.88% 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 proposed residential development potential of this site is less than the current residential development potential (100 units versus 135 units).

The subject property can be served by potable water by the City of Cocoa. Sewer is currently not extended to this site but may be extended from the Grissom Parkway force main provided by the City of Cocoa.

Applicable Land Use Policies

FLUE 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:

- 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.

Staff analysis: Applicant is limiting development to 100-units which is less than 4-units per acre required by the RES 4 FLUM. Actual proposed density is 2.959 units per acre.

FLUE Policy 1.7 – The Residential 4 Future 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 the Future Land Use Element.

The Board should evaluate the compatibility of this application within the context of the Board's Administrative Policies 1 through 8 of the Future Land Use Element, outlined in the Administrative Policies.

Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area. This site is surrounded by residential uses/lots. The entire area is under the FLUM designation of Residential 4. Lots sizes and zoning differ when viewed in comparison of westly or eastly development. To the west lies quarter-acre platted lots; whereas to the east lies 1.0-acre lots. There is half-acre lots to the north and a public roadway to the south. It appears that the applicant is proposing a maximum lot size of 43-feet wide by 87.5-feet deep for an estimated maximum lot area of 3,762.5 square feet or 0.08 of an acre.

Analysis of Administrative Policy #4 - Character of a neighborhood or area. The character of the area is residential. This site is an unimproved site zoned TR-1 with a FLUM of Residential 4. The parcels to the north are developed as single-family mobile home lots and each lot contains a minimum lot area of 0.56-acres. The abutting parcels to the east are developed as low-density residential lots under the Rural Residential Mobile Home, RRMH-1 and Single-family mobile home, TR-2 zoning classifications. Those lots all carry a minimum lot area of 1.0-acre. The parcel to the south across the Canaveral Groves right-of-way is zoned RRMH-1 and each lot carries at least 1.0-acre of land area. The parcels to the west are currently developed as TR-1 mobile home lots and carry a minimum of 0.25-acres for each of the residential lots.

Analysis of Administrative Policy #5 - Transportation facilities.

The proposed concept plan shows the project's sole access to Ann Way through an existing subdivision containing 1.0-acre lots. It is anticipated that this development will generate 499 Average Daily Trips (ADT's); 44 AM peak hr trips and 59 PM peak hr trips through the existing roadway network (i.e., Ann Way, Hess Aveune, & Philis Way).

Surrounding Area

There have been two zoning approvals within a half-mile radius around this site within the last 3 years. Zoning item (**17PZ00110**) adopted on December 7, 2017 rezoned a combined property of 5-lots into a single lot of 5.91-acres from the RRMH-1 and GU zonings to the Agriculture, AGR classification. The property is located in a SE direction a distance of 1,450 feet. It abuts the powerlines located to its eastern border. The second action, Zoning item (**19PZ00054**) adopted on August 1, 2019 rezoned a 1.01-acre parcel from General Use, GU to the Agricultural residential, AU(L) designation. This property lies 2,330 feet in a SW direction. It is located on the south side of Blair Street lying 500 feet west of Knoxville Avenue.

There is an existing TRC-1 development located 1,670 feet east called Sun Lake Estates. A portion of that development was created without benefit of the cluster development. It is located on the south side of Canaveral Groves. However, should you continue south on Sharpes Lake Avenue, Phases II

& III were developed utilizing the CUP for cluster development. It received zoning approval under **Z-8325** adopted on February 27, 1989.

Special Considerations for CUP (Conditional Use Permit)

The Board should consider the compatibility of the proposed CUP pursuant to Section 62-1151(c) and to Section 62-1901, as outlined on pages 6 – 8 of these comments. Section 62-1901 provides that 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.** The applicant's responses and staff observations, if any, are indicated below.

Section 62-1151(c) directs the Board to consider the character of the land use of the property and its surroundings; changes in the conditions of the land use being considered; impact upon infrastructure; compatibility with land use plans for the area; and appropriateness of the CUP based upon consideration of applicable regulations relating to zoning and land use within the context of public health, safety and welfare. The applicant has submitted documentation in order to demonstrate consistency with the standards set forth in Section 62-1901 and Section 62-1906, on-premises consumption of alcohol.

This request should be evaluated in the context of **Section 62-1920** which governs the cluster development of mobile homes which states in, specifically 62-1920 (1-9):

Sec. 62-1920. Cluster development of mobile homes.

Cluster development of mobile homes is a conditional use in the TRC-1 zoning classification. The cluster concept may be used for cooperative mobile home development, in which mobile homes may be oriented around a common nonvehicular plaza, park or vegetated open space, under the following conditions:

- (1) In no case shall density exceed six units per gross acre.

Staff analysis: Applicant is limiting development to 100-units which is less than 4-units per acre required by the RES 4 FLUM.

- (2) No minimum lot size shall be required with the cluster concept.

Staff analysis: Based upon the maximum size of units identified on the concept plan together with the setbacks and separation distances designated in subsection #4, it appears the maximum lot size will be 43-feet wide by 87.5-feet deep for an estimated maximum lot area of 3,762.5 square feet or 0.08 of an acre.

- (3) No individual sites or lots shall be platted or sold in a cluster development.

Staff analysis: No lot lines or method of ownership has been designated on the concept plan.

With these staff comments, the applicant is aware of this requirement.

- (4) Principal and accessory uses must be set back not less than 20 feet from the edge of any public right-of-way or private street. A minimum distance of 15 feet must be maintained between all principal and detached accessory structures.

Staff analysis: Applicant states compliance with setbacks and separation distances on the concept plan. No accessory building information has been provided. With these staff comments, the applicant is aware of this requirement.

- (5) The required site plan shall contain the precise location of all mobile homes and the exact maximum dimensions of each mobile home for its respective site.

Staff analysis: Applicant has submitted a concept plan which identifies the unit locations and maximum dimensions of each mobile home.

- (6) Twenty-five percent of the parking requirement may be provided in one or more common parking areas that will serve as overflow parking and recreational vehicle parking. Overflow parking may be exempted from the paving requirement and be provided in a stabilized surface.

Staff analysis: Applicant proposes two parking spaces at the front of each residence. The concept plan also shows bicycle and golf cart parking at the amenity area. Code will require vehicle parking in accordance with Section 62-3206 (d).

- (7) Design requirements with respect to streets, sidewalks and drainage may be waived by the board of county commissioners upon the recommendation of the county manager or designee.

Staff analysis: The Conditional Use Permit Application Worksheet, the applicant requests waivers to sidewalk and drainage, however the concept plan does not identify nor provide details supporting the waivers. The drainage waiver relates to proposing inverted crown in the street to allow drainage to the center of the private street and the removal of sidewalks. Since there is insufficient information supporting the waiver, the Board should not consider taking action on the waiver as part of this application. The applicant may request the waivers during site plan or subdivision process. The Applicant has been provided engineering comments in a separate cover.

- (8) Twenty-five percent of the development must be provided in the form of usable common recreation and open space.**

Staff analysis: The concept plan identifies sufficient area to comply with both active and passive useable common recreation and open space. The applicant is providing 1.53 acres of active recreation areas as well as a total active/passive/wetland area of 734,628 square feet of

area (equating to 49.8 percent of the site area).

- (9) Each dwelling unit or other permitted use shall have access to a public street, either directly or indirectly, via an approach private road, pedestrian way, court or other area dedicated to public or private use or common easement guaranteeing access. Permitted uses are not required to front on a public dedicated road. The county shall be allowed access on privately owned roads, easements and common open space to ensure the police and fire protection of the area to meet emergency needs, to conduct county services and to generally ensure the health and safety of the residents of the development.

Staff analysis: The concept plan states that internal roadways are private and provides for a connection to Ann Way.

General Standards of Review

Section 62-1901(c)(1)(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.

Applicant's Response: This use will not result in any adverse impacts to adjacent or nearby properties as the use of mobile home units and the potential number of units remains unchanged by the CUP. The existing zoning of TR-1 allows for mobile home units, as does the proposed zoning of TRC-1.

Staff analysis: The concept plan and BDP both propose to limit the development to 100-units; whereas, the RES 4 FLUM would have allowed up to 135 units. The percentage of wetlands covering this site, may have had an impact on this site's development pattern. It is anticipated that all of the traffic generated from this proposed development (499 ADT's) will impact Ann Way.

Section 62-1901(c)(1)(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.

Applicant's Response: The proposed use and potential number of units will remain unchanged by this CUP. There will be sufficient parking provided at each mobile home site, with additional parking near the Cooperative's common recreation areas and amenities.

Staff analysis: The concept plan proposes two vehicle parking spaces at the front of each residential unit. Additional golf-cart and bicycle parking has been identified at the common area; however, site plan code will require additional vehicle parking and ADA compliance.

Section 62-1901(c)(1)(c): The proposed use will not cause a substantial diminution in value of

abutting residential property. A substantial diminution shall be irrebutably presumed to have occurred if abutting property suffers a 15 percent reduction in value as a result of the proposed conditional use. A reduction of ten percent of the value of abutting property shall create a reputable 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 a MAI certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.

Applicant's Response: There is no reason that this requested CUP will cause any diminution of value of abutting residential property.

Staff analysis: Competent and substantial evidence by a MAI certified appraiser has not been provided by the applicant.

Section 62-1901(c)(2)(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.

Note: Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20 percent, or ten percent 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 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.

Applicant's Response: Ingress/egress to the Cooperative will be by Ann Way, with many different routes to get to Ann Way from Canaveral Groves Boulevard and Grissom Parkway. As the existing zoning and the proposed zoning with CUP both allow for mobile homes, this ingress/egress must be presumed to be adequate to serve the proposed use without burdening the adjacent and nearby uses. The internal roads will meet required county standards, unless waived by the Board of County Commissioners.

Staff analysis: Based upon the project size of 100-units, the proposed access to Ann Way will introduce 499 Average Daily Trips (ADT's) through the adjacent neighborhood.

Section 62-1901(c)(2)(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.

Applicant's Response: The requested CUP merely allows clustering of the mobile homes, so this use will not create any additional noise, glare, odor, particulates, smoke, fumes or emissions from the existing mobile home zoning. The Cooperative will abide by County noise and light emissions ordinances.

Staff analysis: The concept plan's "performance standards" will be reviewed as part of the site plan review process.

Section 62-1901(c)(2)(c): Noise levels for a conditional use are governed by section 62-2271.

Applicant's Response: The Cooperative will abide by the stated residential noise levels, unless excepted in the County Ordinances.

Staff analysis: The concept plan's "performance standards" will be reviewed as part of the site plan review process.

Section 62-1901(c)(2)(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.

Applicant's Response: The proposed use and potential number of units will remain unchanged by this CUP, and shall not cause the adopted level of service for solid waste disposal to be exceeded.

Staff analysis: The adopted level of service for solid waste disposal will be reviewed as part of the site plan review process.

Section 62-1901(c)(2)(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.

Applicant's Response: The proposed use and potential number of units will remain unchanged by this CUP, and shall not cause the adopted level of service for potable water or wastewater to be exceeded.

Staff analysis: The adopted level of service for potable water or wastewater will be reviewed as part of the site plan review process.

Section 62-1901(c)(2)(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.

Applicant's Response: The mobile home sites will meet the setback requirements of the TRC-1 zoning category requirements for buffering, and will meet the County landscape code as applied to this property. The adjacent and nearby properties are mobile homes. There will be a recorded cooperative agreement with deed restrictions that will be enforced by the Cooperative Board and/or a property manager to ensure that the mobile home units do not cause negative impacts on others in the cooperative or to adjacent and nearby properties and properties' owners.

Staff analysis: The screening or buffering aspects have been identified on the concept plan. Should the Board determine that additional measures become necessary, the Board may wish to request the applicant submit a Binding Development Plan (BDP) to provide for those additional measures.

Section 62-1901(c)(2)(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.

Applicant's Response: The signage and exterior lighting in the cooperative will not cause unreasonable glare, hazards to traffic safety or interference with neighbors use or enjoyment of their properties as all county codes regarding signage and lighting will be followed. Additionally, there will be a cooperative agreement with deed restrictions that will be enforced by the Cooperative Board and/or a property manager to ensure that lighting does not cause negative impacts to adjacent and nearby properties and properties' owners.

Staff analysis: No signage or exterior lighting has been identified on the concept plan. Should the Board determine that additional measures become necessary, the Board may wish to request the applicant submit a Binding Development Plan (BDP) to provide for those additional measures.

Section 62-1901(c)(2)(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.

Applicant's Response: The common recreation areas and amenities will have hours of operation such that no use of the areas and amenities will adversely affect the use and enjoyment of the residential character of the area.

Staff analysis: The hours of operation of the recreational amenities has only been identified as a comment within the conditional use permit application worksheet and has not been noted on the concept plan. Should the Board determine that additional measures become necessary, the Board may wish to request the applicant submit a Binding Development Plan (BDP) to provide for those additional measures.

Section 62-1901(c)(2)(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.

Applicant's Response: The height of the mobile home units and amenities in the Cooperative will be compatible with the character of the existing mobile home character of the area.

Staff analysis: The height limitation of 35 feet has been identified on the concept plan. Code section 62-1405 (9) states: Maximum height of structures. Maximum height of structures is 35 feet. No accessory structure or addition to a mobile home shall exceed a height of 20 feet, measured from the final grade. Although the current concept plan does not designate any accessory buildings or additions, should they be proposed in the future, they will need to be limited to 20 feet in height, measured from the final grade.

Section 62-1901(c)(2)(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.

Note: 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.

Applicant's Response: Any off-street parking or loading areas will be within the common recreation areas as permitted by Section 62-1920 (6), and will be maintained by the Cooperative Board and/or property manager in such a manner that parking and loading areas will not adversely impact or impair the use and enjoyment of adjacent and nearby properties.

Staff analysis: The concept plan only provides for 200 vehicle parking spaces adjacent to the home sites. Site plan review for clubhouse parking may require additional parking and American Disability Act (ADA) parking over what has been depicted for golf-cart and bicycle parking.

For Board Consideration

The applicant is seeking a zoning change from Single-family mobile home, TR-1 to Single-family mobile home cooperative TRC-1 together with a Conditional Use Permit (CUP) for mobile home cluster development and a Binding Development Plan (BDP) to limit development to 100-units.

The Board may wish consider whether the proposed development is consistent and compatible with the surrounding area. Additionally, does the proposed Binding Development Plan limiting development to 100-units and the conditions of Section 62-1920 adequately mitigate the proposed development. Since this is a CUP, the Board may wish to consider additional stipulations to lessen the traffic impacts through the existing neighborhood.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary**

Item # 20Z00006

Applicant: Rezanka for Nick Dottore

Zoning Request: TR-1 to TRC-1

Note: Applicant wants a 100-unit mobile home cooperative with cluster development.

P&Z Hearing Date: 07/06/20; **BCC Hearing date:** 08/06/20

Tax ID No: 2314846

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management (NRM) Department 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.**
- If the owner/applicant has questions regarding any potential limitations, s/he is encouraged to contact NRM at 321-633-2016 prior to any design of plans and land clearing/filling activities.

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands
- Hydric Soils
- Aquifer Recharge Soils
- Floodplain
- Scrub Jay Habitat Polygon
- Heritage Specimen Trees

The subject parcel contains a large wetland area, and several small wetland areas as confirmed by Andrew Conklin Environmental Services, LLC (ACES). A majority of the property is also located in an isolated floodplain requiring compensatory storage, and offsite fill to elevate structures above the 100-year base flood elevation (BFE). As a result of fill brought onsite and compensatory storage requirements, it shall be demonstrated that unimpacted, isolated wetlands remain viable.

Land Use Comments:

Wetlands/Hydric Soils

The subject parcel contains large areas of mapped National Wetland Inventory (NWI) wetlands, SJRWMD wetlands, and hydric soils (Tomoka muck, Myakka sand depressional, and Anclote sand) as shown on the NWI Wetlands, SJRWMD Florida Land Use & Cover Codes, and United States Department of Agriculture (USDA) Soil Conservation Service Soils Survey maps, respectively. A wetland delineation was completed on December 7, 2017, by Andrew Conklin Environmental Services, LLC (ACES) and confirmed the presence of several areas of wetlands as shown in the attached site assessment report. Per Section 62-3694(c)(1), Residential land uses that are a part of a site plan, on properties containing 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. 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 Sec. 62-3694(c)(6), for multi-family parcels greater than five acres in area. Per Section 62-3694(e), Any allowed wetland impacts shall ensure the protection of wetlands and wetland functional values by prioritizing protective activities with avoidance of impacts as the first priority, minimization of impacts as the second priority, and mitigation for impacts as the third priority. Any authorized wetland impact, for residential use shall be limited to the structural building area requirements for the primary use as defined by the zoning code, on-site disposal system requirements, and the 100-year flood elevation requirement for first floor elevations, and necessary ingress and egress. The amount and extent of wetland impact shall be the minimum required to accomplish these purposes. Any wetland impacts shall meet Section 62-3696. As a result of fill brought onsite, it shall be demonstrated that unimpacted, isolated wetlands remain viable. The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan design, land clearing or permit submittal.

Aquifer Recharge Soils

As shown on the USDA Soil Conservation Service Soils Survey map, the subject parcel contains mapped aquifer recharge soils (St Lucie fine sand). The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Floodplain

A majority of the property is located within an isolated floodplain as identified by FEMA, and as shown on the FEMA Flood Map. The portion of the property located within the floodplain is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance. Per Objective 4, Policy 4.6, Brevard County shall continue to ensure that alterations of isolated 100-year floodplains do not adversely impact the drainage of adjacent properties or public drainage facilities.

Per Section 62-3724(3)(b) & (d), 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.

Compensatory storage shall be required for fill in excess of that which will provide an upland buildable area within an isolated floodplain greater than one third (1/3) acre in size. Compensatory storage for lots within a platted subdivision created after the effective date of this ordinance shall be provided. Additional impervious area increases stormwater runoff that can adversely impact nearby properties unless addressed on-site. Per Chapter 62, Article X, Division 6, no site alteration shall adversely affect the existing surface water flow pattern. Per Chapter 62, Article X, Division 5, Section 62-3723 (2), development within floodplain areas shall not have adverse impacts upon adjoining properties. Per Section 62-3723(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.

Protected Species – Florida Scrub Jay

Information available to NRM indicates that federally and/or state protected species may be present on the property. Specifically, gopher tortoises can be found in areas of aquifer recharge soils. In addition, a large Florida Scrub Jay polygon is mapped over the northern half of the parcel. 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.

Heritage Specimen Trees

The applicant should contact NRM at 321-633-1016 prior to any land clearing activities. The parcel contains a mapped polygon of SJRWMD Florida Land Use and Cover Classification System (FLUCCS) code 4110 – Pine Flatwoods. Heritage Specimen trees (greater than or equal to 24 inches in diameter) and Protected Trees (greater than or equal to 14 inches in diameter) are included in this FLUCCS code, and likely reside in the project area. Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), the purpose and intent of the ordinance is to encourage the protection of heritage Specimen Trees. In addition, per Section 62-4341(18), Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, 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.