

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item # 20Z00042

Applicant: Jake Wise, PE for Pioneer Pointe, LLC

Zoning Request: Amendment to BDP

Note: Applicant wants to add car wash use.

P&Z Hearing Date: 02/08/21; **BCC Hearing Date:** 03/04/21

Tax ID No: 3022346

- 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:

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

The subject parcel contains mapped National Wetlands Inventory (NWI) wetlands and hydric soils. Section 62-3694(c)(3)b has allowances for wetland impacts for commercial or industrial land development activities along Mitigation Qualified Roadways (MQRs). North Courtenay Parkway is an MQR at this location. Prior to the allowance of any wetland impacts, the applicant shall complete High Function and Landscape Level wetlands assessments. Board approval may be required for impacts. Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) including avoidance of impacts, and 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any site plan design or permit submittal. A wetland delineation will be required prior to any site plan design, land clearing activities, or building permit submittal.

The entire 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 alternative septic systems designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes shall be required.

Land Use Comments:

Wetlands

The subject parcel contains mapped NWI (Freshwater forested shrub wetlands), and hydric soils (Myakka sand depressional) as shown on the NWI Wetlands and USDA Soil Conservation Service Soils Survey maps, respectively; indicators that wetlands may be present on the property. Section 62-3694(c)(3)b has allowances for wetland impacts for commercial or industrial land

development activities along Mitigation Qualified Roadways (MQRs). North Courtenay Parkway is an MQR at this location. Prior to the allowance of any wetland impacts, the applicant shall complete High Function and Landscape Level wetlands assessments. Board approval may be required for impacts. Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) including avoidance of impacts, and 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any site plan design or permit submittal. A wetland delineation will be required prior to any site plan design, land clearing activities, or building permit submittal. A wetland delineation will be required prior to any land clearing activities.

Indian River Lagoon Nitrogen Reduction Overlay

The entire 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 alternative septic systems designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes shall be required.

Protected and Specimen Trees

The entire parcel is mapped within the SJRWMD FLUCCS code 4340-Upland Mixed Coniferous/Hardwood trees. Protected Trees (greater than or equal to 10 inches in diameter) and Specimen Trees (greater than or equal to 24 inches in diameter) are included in this FLUCCS code, and may be found on 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. A tree survey will be required at time of site plan submittal, and is recommended prior to any site plan design. 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. Specifically, an active Bald Eagle nest is located on the adjacent, vacant parcel to the east (Tax ID # 2412222). If any project is within 660 feet of the Bald Eagle nest, then the developer is advised to follow the National Bald Eagle Management Guidelines or consult the U.S. Fish and Wildlife Service at 352-406-6780. 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.