

**.FUTURE LAND USE MAP SERIES  
PLAN AMENDMENT**

**STAFF COMMENTS**

*Small Scale Plan Amendment 21S.04 (21PZ00030)*  
**Township 27, Range 36, Section 14**

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**Property Information**

**Owner / Applicant: 4090 Aurora Pines LLC**

**Adopted Future Land Use Map Designation:** Residential 4 (RES 4)

**Requested Future Land Use Map Designation:** Residential 6 (RES 6)

**Acreage:** 6.21 acres

**Tax Account #:** 2702879

**Site Location:** On the north side of Aurora Road approximately 677 feet west of  
Turtlemound Road

**Commission District:** 5

**Current Zoning:** Mobile Home Park (TR-3)

**Requested Zoning:** Single-Family Mobile Home (TR-1-A)

**Background & Purpose**

The applicant is seeking to amend the Future Land Use designation on 6.21 acres of land from Residential 4 (RES 4) to Residential 6 (RES 6). The subject property currently has a Future Land Use designation of RES 4.

On the north side of Aurora Road, from Harlock to Turtlemound Road, the Future Land Use designation has been Agricultural (AGR) since the adoption of the Brevard County Comprehensive Plan in September, 1988. In 2001 and 2002, there were Future Land Use changes from AGR to RES 4 on the north side of Aurora Road and from AGR to RES 6 and Residential 15 (RES 15), on the south side of Aurora Road.

The applicant is seeking to change the Future Land Use designation from RES 4 to RES 6 to be consistent with the Zoning of Single-Family Mobile Home (TR-1-A) with an existing mobile home park.

A companion rezoning application was submitted accompanying this request for a Zoning change from Mobile Home Park (TR-3) to Single-Family Mobile Home (TR-1-A).

## Surrounding Land Use Analysis

	Existing Land Use	Zoning	Future Land Use
North	Across White Road, Village Glen Manufactured Housing Park	TR-3	RES 4
South	Across Aurora Road, Church, Vacant Residential Land, Single-Family Resident and Indian River Groves and Gardens	AU,RR-1, IN(L)	RES 6, RES 15
East	Single-Family Resident	RR-1	RES 4
West	Two (2) Manufactured Houses and one (1) Single-Family Residence	TR-1, RR-1	RES 4

To the north of the subject property, across White Road, is Village Glen Manufactured Housing Park, to the east is a single-family resident, to the south across Aurora Road is a Church, vacant residential land, a single-family residence and Indian River Groves and Gardens.

## 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:**

- 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;

*There has been a historical existing manufactured home park use pattern established along this segment of Aurora Road since approximately 1958.*

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.*

**Residential 6 (maximum of 6 dwelling units per acre)**

**Policy 1.6**

The Residential 6 land use designation affords a transition in density between the higher urbanized areas and lower intensity land uses. This land use designation permits a maximum density of up to six (6) units per acre, except as otherwise may be provided for within this element. The Residential 6 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

**Criteria:**

- A. Areas adjacent to existing Residential 6 land use designation; or

*To the south of the subject site, across Aurora Road, are Future Land Use designations of Residential 6 (RES 6) and Residential 15 (RES 15)*

- B. Areas which serve as a transition between existing land uses or land use designations with density greater than six (6) units per acre and areas with density of less than six (6) units per acre; or

*Traditionally, transition areas are considered to be a density buffer between land uses. In this case, there are pockets of higher density with the majority being RES 4.*

- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 6.

*This is not in an area of Unincorporated Brevard County that is adjacent to an Incorporated area.*

- D. A 25% density bonus to permit up to 7.5 dwelling units per acre may be considered where the Planned Unit Development concept is utilized, where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized for properties within the CHHA.

*The applicant is not seeking a Planned Unit Development.*

### **Environmental Resources**

*Mapped resources include Hydric Soils/Wetlands, Aquifer Recharge Soils, Floodplain, 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.*

### **For Board Consideration**

The Board may wish to consider the request is consistent and compatible with the surrounding area.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT**  
**Future Land Use (FLU) Review & Summary**  
**Item # 21PZ00030**

**Applicant:** Moia for Gray

**FLU Request:** RES 4 to RES 6

**Note:** Applicant wants to retain trailer park use and include a single-family residence.

**P&Z Hearing Date:** 07/12/21; **BCC Hearing Date:** 08/05/21

**Tax ID No:** 2702879

- 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
- Aquifer Recharge Soils
- Floodplain
- Protected and Specimen Trees
- Protected Species

The subject parcel contains mapped hydric soils, an indicator that wetlands may be present on the property. Per Section 62-3694(c)(2), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy would render a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. Application of the one unit per five acres limitation shall limit impacts to wetlands for single family residential development on a cumulative basis, to not more than 1.8% of the total property acreage. 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. A wetland determination will be required. The applicant is encouraged to contact NRM at (321) 633-2016 prior to any to any land clearing activities, site plan design or building permit submittal.

Per Section 62-3724(4) of the floodplain ordinance, the parcel may be subject to compensatory storage for fill brought onto the parcel. Please see floodplain section in NRM comments for more information.

The subject property contains a mapped polygon of SJRWMD FLUCCS code 4110-Pines Flatwoods forest. Per Section 62-4341(18), Protected and Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. A tree survey will be required a time of site plan submittal. Land clearing is not permitted without prior authorization by NRM.

### **Land Use Comments:**

#### **Hydric Soils/Wetlands**

The subject parcel contains mapped hydric soils (Eau Gallie sand and Valkaria sand) as shown on the USDA Soil Conservation Service Soils Survey map, an indicator that wetlands may be present on the property. Per Section 62-3694(c)(2), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy would render a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. Application of the one unit per five acres limitation shall limit impacts to wetlands for single family residential development on a cumulative basis, to not more than 1.8% of the total property acreage. 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. A wetland determination will be required. The applicant is encouraged to contact NRM at (321) 633-2016 prior to any to any land clearing activities, site plan design or building permit submittal.

#### **Aquifer Recharge Soils**

Valkaria sand may also function as an aquifer recharge soil. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

#### **Floodplain**

Portions of the subject parcel are located within a mapped isolated floodplain as identified by FEMA, and as shown on the FEMA Flood Map. Per Section 62-3724(4) of the floodplain ordinance, any development, land alteration, or grading on North Merritt Island in the area from Hall Road, north to State Road 405, herein after referred to as "Area," is subject to compensatory storage, and written certification from the engineer of record that there will be no adverse flooding impacts upon properties within the Area resulting from the proposed development. The engineer shall provide a report that includes full engineering data and analysis, including the hydraulic and hydrologic modelling and analysis demonstrating that there is no impact. Sealed pre-existing topographic survey or engineered site plan delineating floodplain limits on the property, if any, with base flood elevation using best available flood elevation data. Delineation of floodplains shall use best available pre-alteration ground elevation data. Any engineered compensatory storage shall be maintained by the owner in perpetuity. Please call NRM prior to any grading, filling or land alteration activities.

#### **Protected and Specimen Trees**

The subject property contains a mapped polygon of SJRWMD FLUCCS code 4110-Pines Flatwoods forest. 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 property. Per Section 62-4341(18), Protected and 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 a time of site plan submittal. Per Section 62-4339, parcels greater than 2.5 acres shall meet canopy preservation requirements. 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. The applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.

### **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.