

**Small Area Study
Examining Policy 1.12
Protection of Residential
Riverside Lands**

North Area

Broadway Boulevard to Camp Road Section

MARCH 2005

PURPOSE OF THE STUDY

During their September 30, 2003 meeting, the Board of County Commissioners requested that County staff analyze Future Land Use Element (FLUE) Policy 1.12 and its relationship to properties along the Indian River Lagoon. Two sections within the overall study area encompassed by Policy 1.12 (properties extending from the southern Titusville city limits to State Road 528) have already been analyzed. Comprehensive Plan Amendments have been initiated for these two sections, the Riveredge Drive area and the Indian River Drive area.

The Board of County Commissioners has made the protection of residential riverside lands from the encroachment of non-residentially designated lands a priority. This direction is reflected in the comprehensive plan amendments for the Riveredge Drive and Indian River Drive areas that were initiated and transmitted to the Department of Community Affairs by the Board. Both of these areas exhibited a distinct residential character that was highlighted by their location between US 1 and the Indian River Lagoon. The area analyzed within this report is another distinctively residential area that is encompassed by FLUE Policy 1.12.



The specific purpose of this report is to analyze the area that lies between the Indian River and US 1 from Camp Road to Broadway Boulevard in relationship to the standards established in FLUE Policy 1.12. A comprehensive plan amendment request and a rezoning request have been submitted for several properties north of Camp Road. The request proposes a Future Land Use Map (FLUM) change from Residential 12-Directive to Community Commercial and a rezoning from Single Family Residential (RU-1-13) and Medium Density Multiple Family Residential (RU-2-10) to General Retail Commercial (BU-1). In response, the Board of County Commissioners directed staff to initiate a small area study (SAS) for this area of the County. This report will analyze the existing and surrounding land uses within this region. Since the initial commencement of the SAS, an additional rezoning request has been submitted for three parcels within the study area. This request proposes a rezoning from BU-1 and RU-1-13 to RU-2-10.



To accomplish the objective referenced by Policy 1.12, *Protection of Riverside Residential Lands*, staff has examined the distribution of commercial and residential land uses within the subject area. One option (Option #1) presented for Board consideration limits the extent of Community Commercial (CC) or Neighborhood Commercial (NC) to those parcels which are currently zoned for commercial uses. Another option (Option #2) the Board may consider proposes to maintain the current extent of commercial future land use while establishing transitional uses (neighborhood commercial and professional office) where appropriate. Option #3 would amend the FLUM and administratively rezone the commercial properties to residential designations. In all three cases, residential properties would be afforded some protection from the encroachment of new commercial development. The final option (Option #4) examines the FLUM densities in the study area. This option

proposes to reduce maximum densities to Residential 4 (four dwelling units per acre) on those properties that are not developed at a higher density.

OVERALL STUDY AREA

The northern portion of the County referenced by FLUE Policy 1.12 is generally located south of the Titusville city limits. The study area is bounded by the Riveredge Drive area (a County enclave located in the City of Titusville which lies east of US 1) on the north; the Indian River Lagoon on the east; State Road 528 (SR 528) on the south; and US 1 on the west. The other major roadways that traverse the subject area are Garden Street, NASA Parkway, Kings Highway, Fay Boulevard, Camp Road and Canaveral Groves Boulevard. Included within this larger study area is the land that is subject to this analysis (the properties located between Camp Road and Broadway Boulevard (south of the Port St. John area). The general location of the study area is shown on Map 1.

RIVEREDGE DRIVE SMALL AREA PLAN / COMPREHENSIVE PLAN AMENDMENTS

Staff prepared a report for the Riveredge Drive area and that examined this riverside neighborhood and concluded that pursuing administrative rezonings and amending the FLUM to exclusively residential uses may further FLUE Policy 1.12. On April 13, 2004, the Board directed staff to initiate a comprehensive plan amendment for the area. Plan Amendment 2004A.4 proposed to change the FLUM designation for the unincorporated Riveredge Drive area from Neighborhood Commercial and Community Commercial to Residential 2 (maximum of 2 dwelling units per acre). Plan Amendment 2004A.4 has been found in compliance by the Florida Department of Community Affairs (DCA). The location of this comprehensive plan amendment action is shown on Map 1.



Comprehensive Plan Amendment 2004A.5 encompassed the properties adjacent to Indian River Drive between Camp Road and the City of Cocoa. The Board initiated this plan amendment at the request of citizens within the Indian River Drive neighborhood. These residents were concerned about preserving the low-density residential character of their area. This plan amendment proposed to “rightsize” the study area from a Residential 4 (four dwelling units per acre) FLUM designation to the actual densities developed in the area.

The exception to this action pertained to properties that were zoned Agricultural Residential (AU). Plan Amendment 2004A.5 proposed to change the FLUM designation for such properties to Residential 1 (one dwelling unit per acre) Plan Amendment 2004A.5 was found in compliance by the DCA (see Map 1 for the location of this plan amendment).

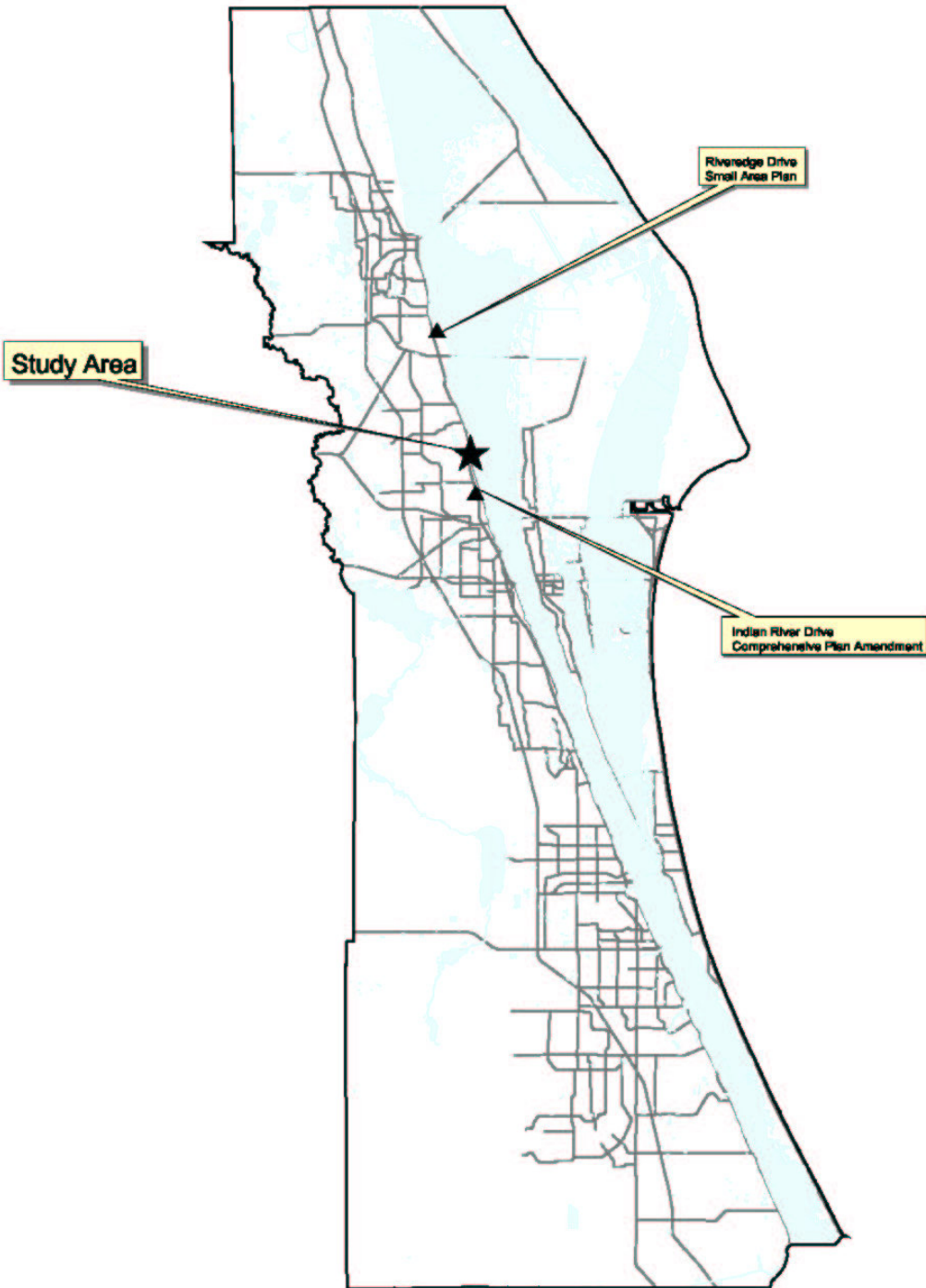
ANALYSIS OF THE AREA FROM BROADWAY BOULEVARD TO CAMP ROAD

The majority of the study area is zoned for residential uses (See Map 2). Additionally, most of this area is designated as Residential 12 Directive on the FLUM (See Map 3). This directive was a result of the Port St. John Small Area Plan (SAP) was adopted by the Board in 1992. This SAP included a series of Citizen Resource Group (CRG) meetings in which the various recommendations contained within the study were discussed in a public forum. The residential zoning designations within this area for properties within the study area are Medium Density Residential (RU-2-10), Single Family Residential (RU-1-13), and Estate Use (EU).



Vicinity Map
Small Area Plan
Broadway Blvd to Camp Rd
Sec 30, Twp 23, Rng 36

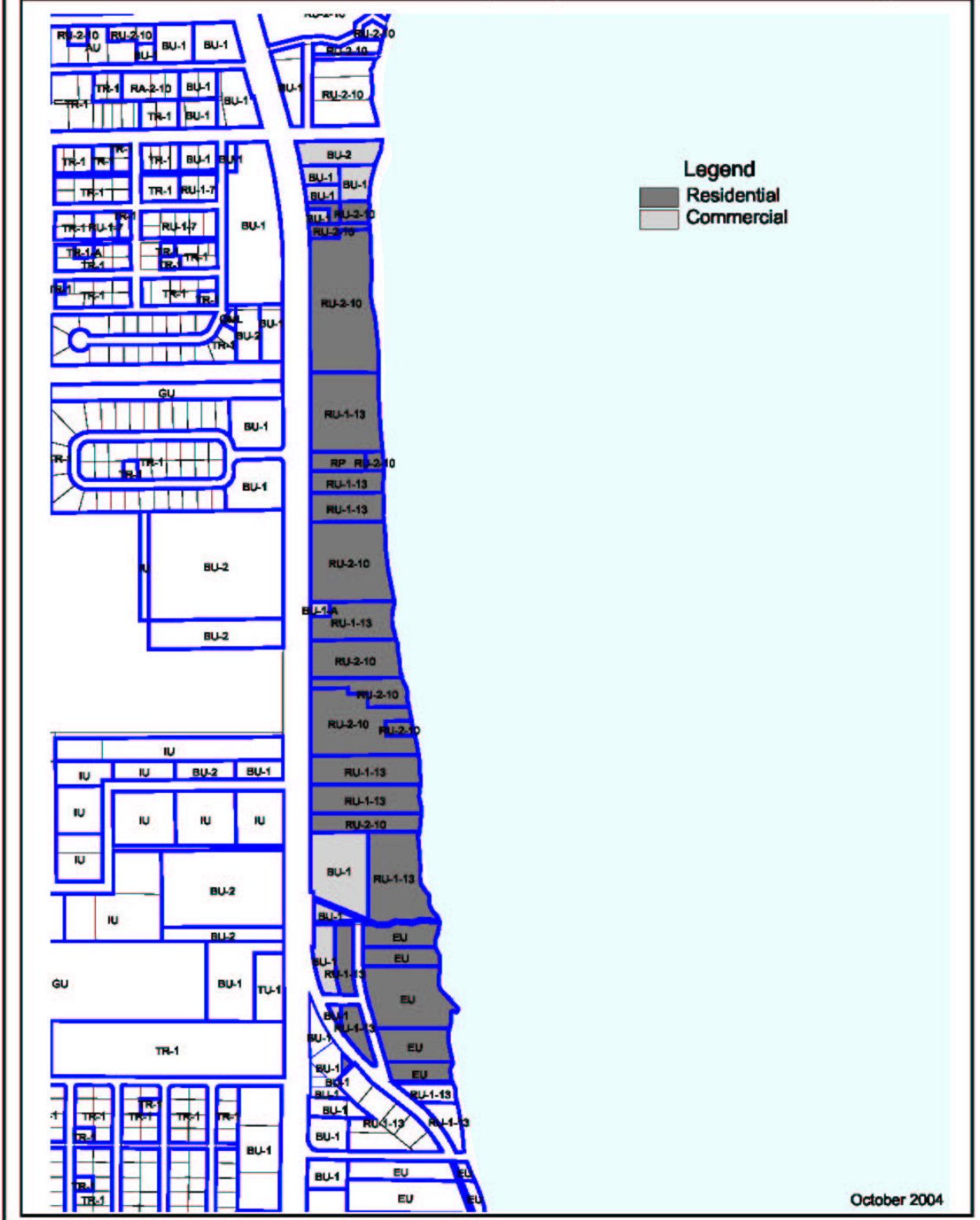
Map 1



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Zoning Map
Small Area Plan
Broadway Blvd to Camp Rd
Sec 30, Twp 23, Rng 36

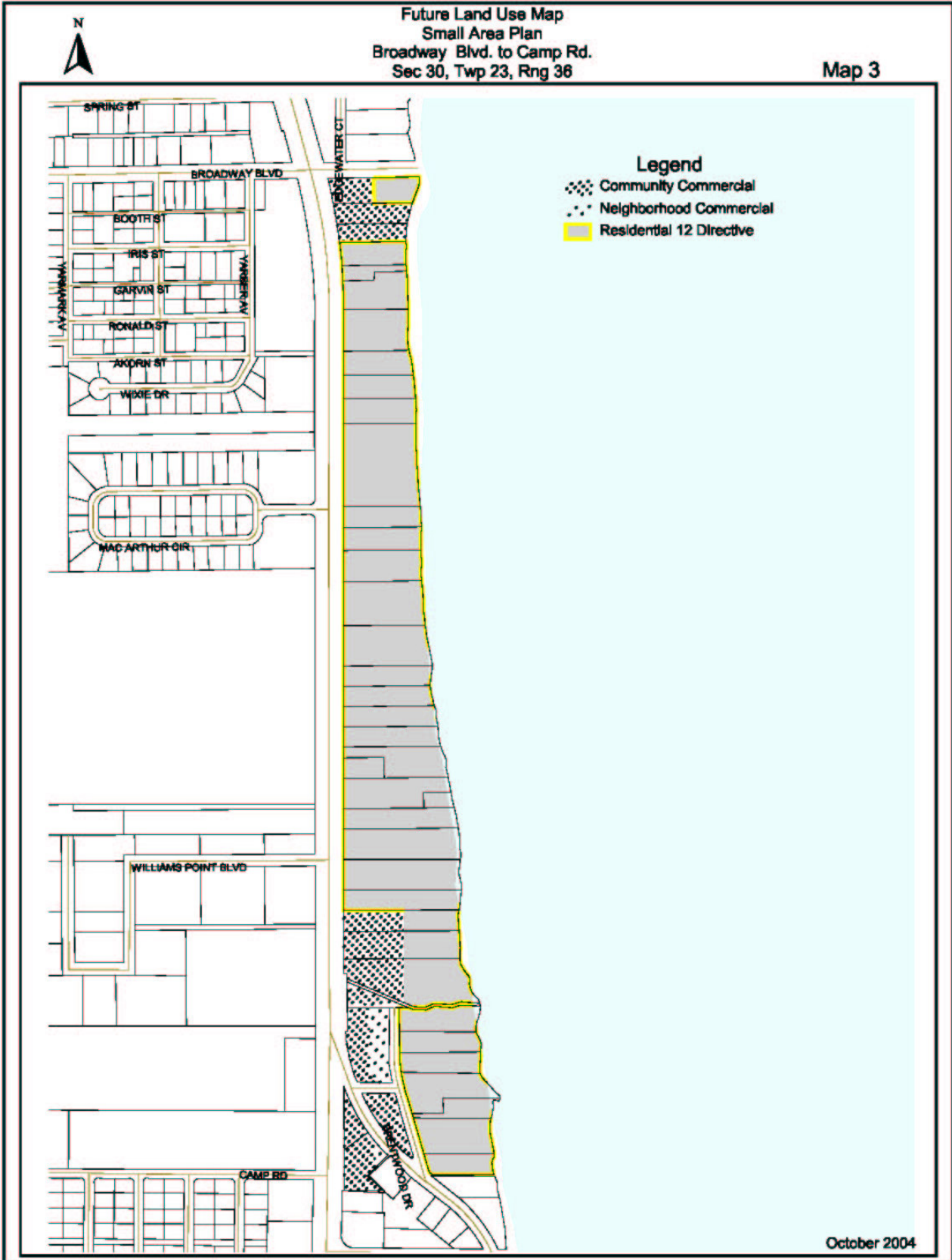
Map 2



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Future Land Use Map
Small Area Plan
Broadway Blvd. to Camp Rd.
Sec 30, Twp 23, Rng 38

Map 3



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A variety of residential uses, as well as several distinct commercial regions, are located within the area examined by this small area study. The residential areas include a 3,080 foot linear strip along US 1 and property that fronts Brentwood Drive. The linear strip is characterized by single family homes, vacant residential property, and four multiple family uses. Two commercial uses are also intermingled with the existing residential uses in this area. The character of the Brentwood Dive area is primarily single family in nature. The FLUM designation for both of these residential areas is Residential 12 Directive (maximum density of 12 units per acre). According to data from the Property Appraiser's Office, however, only one parcel in the study area is developed at a density of greater than four units per acre.

Two commercial areas are located within the study area. One commercial area is located near Broadway Boulevard while the other one is located in the vicinity of Camp Road. A restaurant, an antique mall, and vacant commercial property are located within the northern most area (Broadway Boulevard area). Two lots within this commercial area extend from US 1 to the Indian River Lagoon. A fire station, a storage facility and a warehouse/distribution site are located within the southern most commercial area (Camp Road area). The Camp Road commercial properties extend from US 1 to Brentwood Drive. These commercial properties do not border the Indian River.

Approximately 67% of the US 1 frontage in the study area is zoned for residential uses. The remaining 33% of the study area is zoned for commercial uses. However, most of the commercial frontage, is located either in the vicinity of Camp Road or in the vicinity of Broadway Boulevard. The resulting land use pattern maintains a 3,080-foot lineal area between the Indian River Lagoon and US 1 that is zoned primarily for residential purposes. This land accounts for approximately 68% of the study area. The only exceptions to the previously mentioned pattern are two parcels that are zoned Residential Professional (RP) and Restricted Neighborhood Commercial (BU-1-A). The total land area of these commercial parcels accounts for approximately 1.1 acres. The RP parcel is currently being utilized as a law office while the BU-1-A parcel is the site of a bail bond establishment.

Community Commercial (CC) and Neighborhood Commercial (NC) land use designations are associated with approximately 1,170 of US 1 frontage. The commercial uses consist of a restaurant, an antique mall, a warehouse, and a commercial storage business. Additionally, the Four Communities Fire Station is located within an area that is designated for commercial uses on the FLUM. The commercial zoning classifications within this area consist of RP, BU-1-A, General Retail Commercial (BU-1), and Retail, Warehousing, and Wholesale Commercial (BU-2). However, the RP and BU-1-A parcels are designated for residential use on the FLUM. Both RP and BU-1-A zones can be considered within a Residential FLUM designation provided that such zoning is considered a transitional use (FLUE Policy 2.15). Transitional uses are low intensity commercial uses such as professional offices, smaller retail establishments, banks, etc. These uses can serve as a buffer for homes and residences from higher intensity uses such as transportation corridors, commercial shopping areas, and other high traffic commercial developments.



Antique Mall

FUTURE LAND USE AND ZONING ANALYSIS

(Maps 4 and 5 display the FLUM designations and the zoning for the area)

The following table represents an analysis of the future land use and zoning within the study area:

Zoning Designation:	Acreage
Residential (<i>RU-1-13, RU-2-10, and EU</i>)	43.0
Commercial (<i>RP, BU-1-A, BU-1, and BU-2</i>)	8.47
Total	51.47
Future Land Use Designation:	Acreage
Residential (<i>Residential Directive</i>) 12	42.57
Commercial (<i>Neighborhood Commercial and Community Commercial</i>)	8.9
Total	51.47

SUB AREA ANALYSIS

(Property locations are displayed on Map 6)

Broadway Boulevard Commercial Area

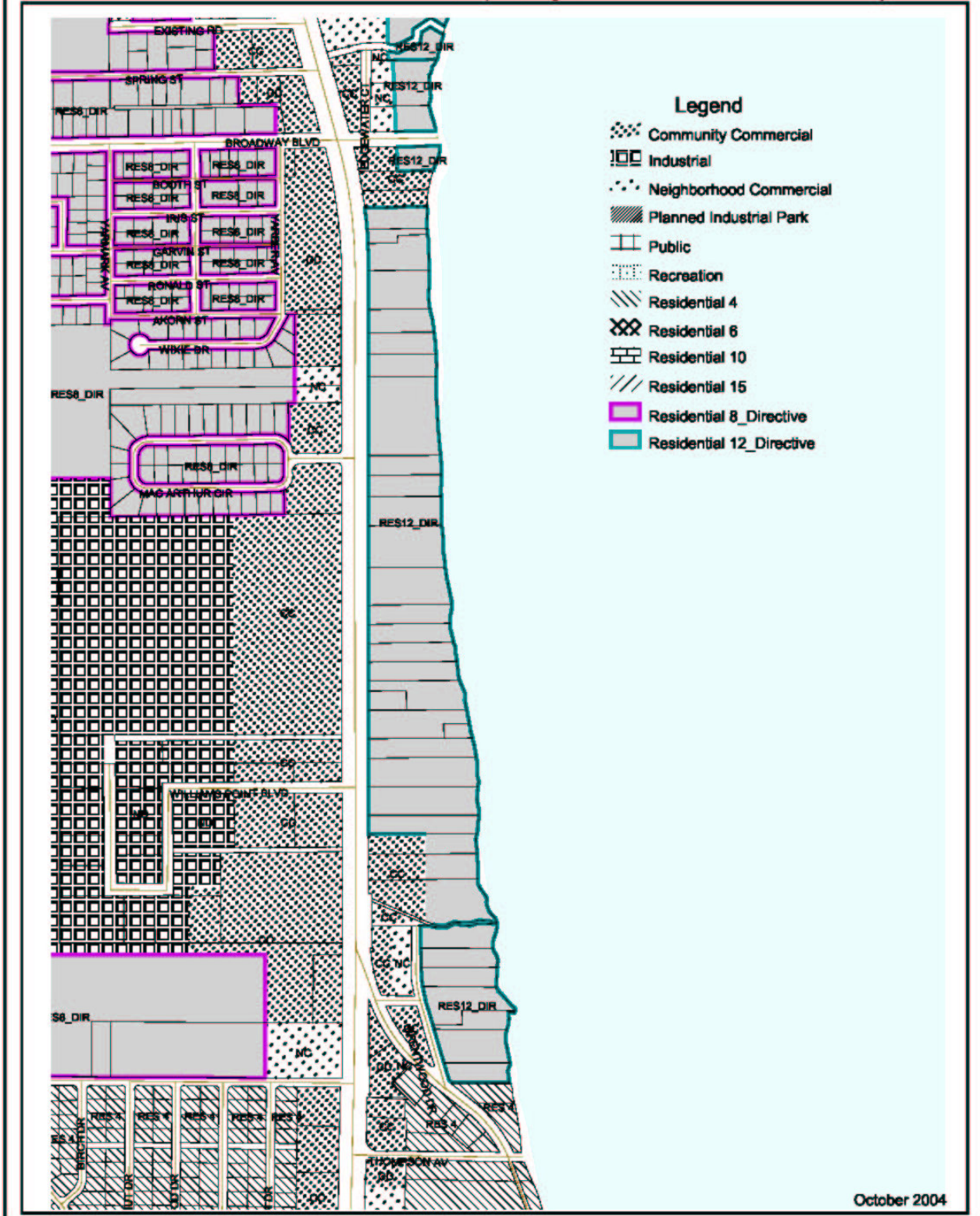
This commercial area is located at the northern end of the study area. Developed commercial uses in this area include an antique mall and a restaurant. A portion of the southernmost property within this sub area is currently vacant. While this property is zoned BU-1, it is designated as Residential on the FLUM. In order to develop this property as commercial, a comprehensive plan amendment or rezoning to BU-1-A or RP, depending upon specific situations, would be required.

The following table includes a parcel-by-parcel breakdown of this commercial area:

Parcel / Owner	Future Land Use	Zoning	Present Use
Lot 1	CC to a depth of 215 feet. Remainder of property is designated as Residential 12 (Directive)	BU-2	Retail Store (Antique shop)
Lot 2	CC	BU-1	Restaurant
Lot 3.01	CC	BU-1	Commercial related amenities
Lot 3	Residential 12 (Directive)	BU-1 to depth of 115 feet. Remainder of property is zoned Residential 12 (Directive)	Single Family Residence. BU-1 portion of property is vacant

Future Land Use Map
 Small Area Plan
 Broadway Blvd to Camp Rd
 Sec 30, Twp 23, Rng 36

Map 4



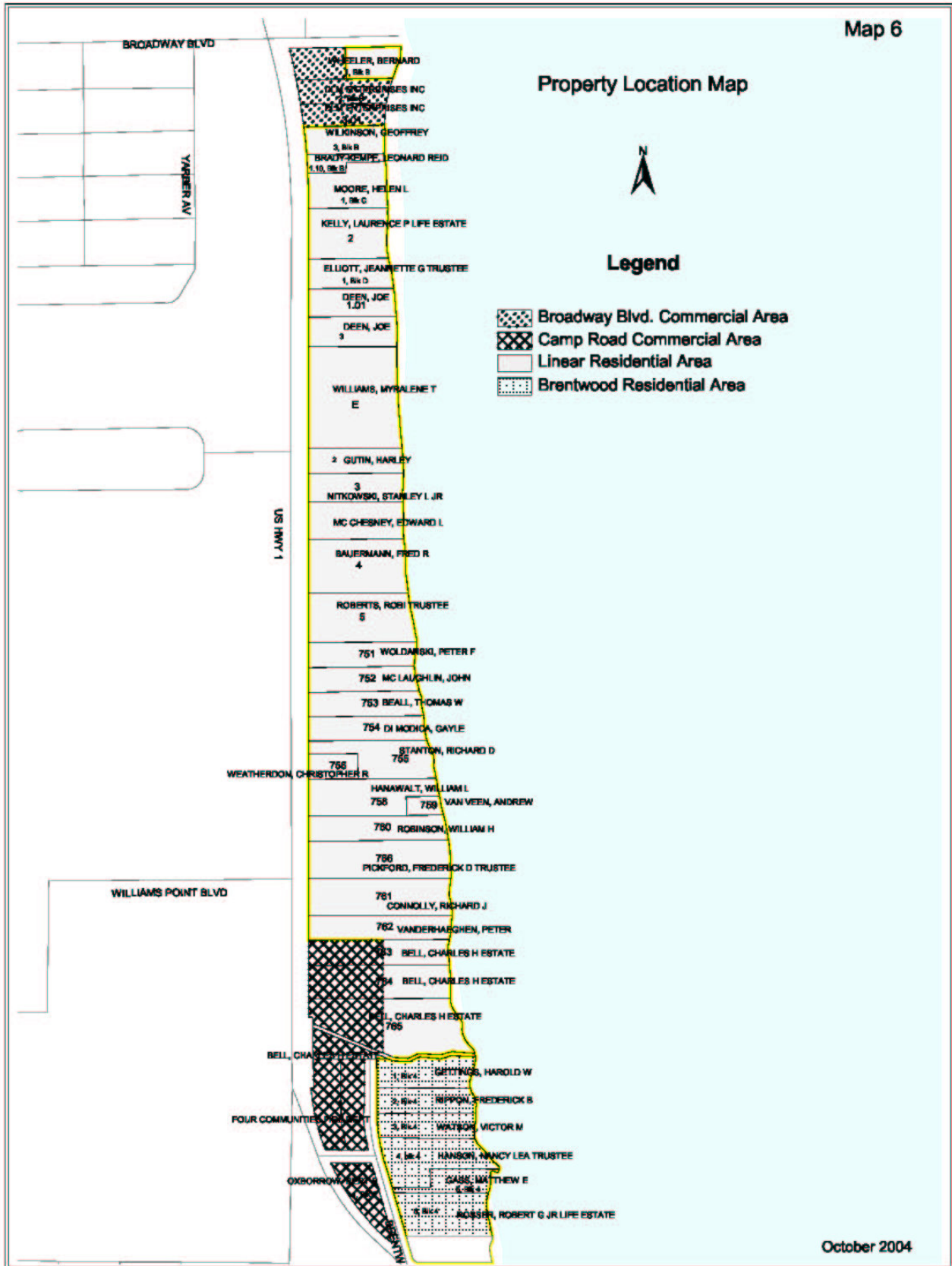
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Property Location Map



Legend

-  Broadway Blvd. Commercial Area
-  Camp Road Commercial Area
-  Linear Residential Area
-  Brentwood Residential Area



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Linear Residential Area Analysis

This linear residential area begins approximately 430 feet south of Broadway Boulevard and extends southward for approximately 3,080 feet. Two commercial uses are interspersed within this residential area. These uses include a law office and a bail bond establishment. Most of the residential uses within this area are of the single family variety. Many of these single-family homes are located adjacent to the Indian River Lagoon. Several multiple family uses are also sited within this linear strip of land. A site plan has been submitted for a multiple family complex on Parcel 754. This complex has not yet been constructed. Numerous vacant residential parcels are located within this area as well.

The following table includes a parcel-by-parcel breakdown of this residential area:

Parcel	Future Land Use	Zoning	Present Use
Subdivision BI			
Lot 1.10 (Block B)	Residential (Directive) 12	RU-2-10	Vacant
Lot 1 (Block C)	Residential (Directive) 12	RU-2-10	Single Family Residence
Lot 2 (Block C)	Residential (Directive) 12	RU-2-10	Single Family Residence
Parcel			
Lot 1 (Block D)	Residential (Directive) 12	RU-2-10	Single Family Residence
Lot 1.01 (Block D)	Residential (Directive) 12	RU-2-10	Vacant
Lot 3 (Block D)	Residential (Directive) 12	RU-2-10	Single Family Residence
Block E	Residential (Directive) 12	RU-1-13	Single Family Residence
Subdivision 02			
Lot 2	Residential (Directive) 12	RP and RU-2-10	Law Office
Lot 3	Residential (Directive) 12	RU-1-13	Single Family Residence
Lot 6	Residential (Directive) 12	RU-1-13	Three or Four Living Units – Not Attached
Lot 4	Residential (Directive) 12	RU-2-10	Multiple Living Units (10-49)
Lot 5	Residential (Directive) 12	RU-2-10	Single Family Residence

Parcel Number			
Parcel	Future Land Use	Zoning	Present Use
Parcel 751	Residential (Directive) 12	BU-1-A and RU-1-13	Mixed Use Commercial Property (Bail Bond Office)
Parcel 752	Residential (Directive) 12	RU-1-13	Single Family Residence
Parcel 753	Residential (Directive) 12	RU-2-10	Single Family Residence
Parcel 754	Residential (Directive) 12	RU-2-10	Single Family Residence (a site plan for a multiple-family project has been submitted for this property)
Parcel 755	Residential (Directive) 12	RU-2-10	Two residential uses
Parcel 756	Residential (Directive) 12	RU-2-10	Duplex
Parcel 758	Residential (Directive) 12	RU-2-10	Three or four living units – not attached
Parcel 760	Residential (Directive) 12	RU-2-10	Vacant
Parcel 766	Residential (Directive) 12	RU-2-10	Single family residence
Parcel 761	Residential (Directive) 12	RU-1-13	Single family residence
Parcel 762	Residential (Directive) 12	RU-2-10	Single family residence

Camp Road Commercial Area

This commercial area is located at the southern end of the study area between US 1 and Brentwood Drive. Developed commercial uses in this area include a storage area and a fire station. The remaining properties within this area are currently vacant. A comprehensive plan amendment and rezoning requests are pending for the properties immediately north of this sub area. The applicants for these proposals have requested Community Commercial future land use and BU-1 zoning.

The following table includes a parcel-by-parcel breakdown of this commercial area:

Parcel	Future Land Use	Zoning	Present Use
Parcel 763	Community Commercial (300 feet in depth) and Residential 12 (Directive)	BU-1 and RU-1-13	Open storage, new and used building supplies, junk
Parcel 764	Community Commercial (300 feet in depth) and Residential 12 (Directive)	BU-1 and RU-1-13	Warehousing, distribution, terminal, trucking terminal
Parcel 765	Community Commercial (300 feet in depth) and Residential 12 (Directive)	BU-1 and RU-1-13	Single family residence
Subdivision BK			
Lot 1 (Block 1)	Community Commercial and Neighborhood Commercial	BU-1 and RU-1-13	Fire Station
Lot 1 (Block 2)	Residential 12 (Directive)	BU-1 and RU-1-13	Vacant

Brentwood Drive Area

This residential area is located directly to the east of the Camp Road Commercial area and borders the Indian River Lagoon. This land is designated as Residential 12 (Directive) on the FLUM and is zoned EU. All but one of the parcels in this area is developed as a single family residence.

The following table includes a parcel-by-parcel breakdown of this commercial area:

Parcel	Future Land Use	Zoning	Present Use
Subdivision BK			
Lot 1 (Block 4)	Residential 12 (Directive)	EU	Single family residence
Lot 2 (Block 4)	Residential 12 (Directive)	EU	Single family residence
Lot 3 (Block 4)	Residential 12 (Directive)	EU	Single family residence
Lot 4 (Block 4)	Residential 12 (Directive)	EU	Single family residence
Lot 5 (Block 4)	Residential 12 (Directive)	EU	Single family residence
Parcel	Future Land Use	Zoning	Present Use
Lot 6 (Block 4)	Residential 12 (Directive)	EU	Two residential units – not attached
Lot 8 (Block 4)	Residential 12 (Directive)	EU	Single family residence

The sub-area analysis indicates that commercial uses are for the most part located near the intersection of Camp Road and US 1 and the intersection of Broadway Boulevard and US 1. The area in between these two commercial areas (a 3,080-foot linear strip) is primarily residential in character. In addition, a residential area (the Brentwood Drive Sub Area) is located behind the Camp Road commercial area. This residential area is separated from the commercial properties by Brentwood Drive.



SURROUNDING LAND USE *WEST SIDE OF US 1*

The properties directly across US 1 from the study area are designated CC on the FLUM. The depth of the CC area varies from approximately 250 feet to 800 feet westward from US 1. The majority of these properties are zoned for commercial uses as well. The exception includes two parcels that are zoned Light Industrial (IU). The IU zoning, however, is inconsistent with the CC land use designation. Maps 5 and 6 show the FLUM and zoning designations for this area.

Properties designated for residential uses and future industrial uses are located west of the previously mentioned CC area. The residential area extends approximately 1,900 feet from Broadway Boulevard. The FLUM establishes a maximum density of eight (8) dwelling units per acre. The industrial area begins southward and eastward of the residential area and extends for approximately 2,500 feet. The industrial area includes properties zoned IU and Heavy Industrial (IU-1).

Developed uses along the frontage of US 1 in this area include a church, two mini warehouses, and a warehouse / storage facility. The land to the west of the US 1 frontage is developed with residential uses (the Hardeeville Subdivision and the Mac Arthur Subdivision and several areas of single family homes) and industrial uses (the Williams Point Complex Industrial Subdivision). Developed uses within the Williams Point Complex Subdivision include a light manufacturing facility, an auto repair shop, an open storage establishment, and a warehouse.

ANALYSIS OF FLUE POLICY 1.12
PROTECTION OF RESIDENTIAL RIVERSIDE LANDS

Future Land Use Policy 1.12 states that *“Brevard County shall identify lineal land use patterns which parallel the U.S. 1 corridor and the Indian River in order to promote the protection of residential designated lands lying easterly of U.S. 1 and to discourage the expansion and encroachment of non-residential designated lands into such lineal residential areas.”* This policy was inserted into the FLUE as part of the comprehensive plan update in 1999/2000. The subject area is included within the unincorporated lands encompassed by this policy. The purpose of this policy is to afford protection from commercial intrusion for those unique residential areas that lie between US 1 and the Indian River Lagoon.



The study area consists of a long strip (3,080 feet) of property that is primarily designated for residential future land uses. In addition, approximately 83.5% of the study area is zoned for residential purposes. This lineal area is bordered by land designated for future commercial future land uses on its northern and southern sides. These commercial areas could be considered separate and distinct from

the lineal strip of residential properties. The lineal area contains both single family and multiple family uses.

OPTIONS

Options 1 through 3 afford a different level of protection for the residential areas within the study area. Option 4 addresses the residential densities within the area encompassed by the small area study. Option 4 could be considered in conjunction with the other proposed options.

Option #1

Maintain the current FLUM and zoning patterns.

This option maintains the present residential and commercial FLUM designations and zoning classifications in the study area. Future commercial uses would be limited in their extent thereby preserving a 3,080 foot lineal strip of residential land between US 1 and the Indian River Lagoon. Additionally, this option might limit the ability of new commercial uses to be established through commercial rezoning and comprehensive plan amendment requests. This option would be consistent with FLUE Policy 1.12.

Option #2

Rezone appropriate properties to professional office uses within the study area.

The RP zone is considered a transitional use per FLUE Policy 2.14. This zone can be utilized to transition from industrial uses, neighborhood commercial uses, and transportation corridors to residential uses. This option may be consistent with Policy 1.12 if the Board considers such professional office uses to be an appropriate transition between the residential uses along the Indian River and the US 1 transportation corridor. Permitted RP uses include professional offices, multiple family dwelling units, single family dwelling units, foster homes and group homes – level 1. However, allowing RP zoning at this location could also be perceived as the introduction of a non-residential use into an established linear residential area.

Option #3

Amend the FLUM and administratively rezone non-residentially zoned properties to a residential classification.

Two areas of CC land use are located in the subject area. This option would change the FLUM designation on these properties to a residential class. The administrative rezoning of properties might prevent the future establishment of commercial uses within the study area. Existing uses would be governed by Section 62-1188(9) of the Zoning Code. This section permits legally established existing uses to continue operating consistent with their pre-comprehensive plan amendment zoning (unless directed by the Board). This option would appear to be the focused interpretation of FLUE Policy 1.12.

Option #4

Amend the FLUM from Residential 12 (Directive) to Residential 4.

One parcel in the study area is currently developed at a density of greater than four units per acre (a site plan has also been submitted for a multiple family project within the subject area). In addition, approximately 60% of the residentially designated properties in the study area are presently utilized for single family uses. Reducing residential densities in this area may cause development to trend towards lower density residential uses such as single family homes. Approximately 17 parcels in the study area are zoned for medium density multiple family use (RU-2-10). These RU-2-10 zoned properties would be subject to an administrative rezoning action if the Board chooses this option.

SUMMARY

FLUE Policy 1.12 sets standards for non-residential development within identified linear residential areas adjacent to US 1 and the Indian River Lagoon. This policy discourages the expansion and encroachment of non-residential designated lands into linear residential areas. This study has identified a 3000+ linear strip of residential property along US 1. An additional linear residential area is located between Brentwood Drive and the Indian River Lagoon. Both of these residential areas exhibit a separate identity from the commercial frontage along US 1.

The US 1 commercial frontage is primarily located in two specific locations within the study area; in the vicinity of the intersection of US 1 and Camp Road and near the intersection of Broadway Boulevard and US 1. Both of the commercial areas exhibit a different character than the previously mentioned linear residential properties.

Each of the options contained within the report address the standards established in FLUE Policy 1.12. Options 1 through 3 focus on limiting non-residential land uses in the distinct residential regions that are part of the study area. Options #1 and #3 restrict commercial uses to their present locations. Option #2 permits the establishment of professional offices as transitional uses in the study area. Option #4 examines the current FLUM densities permitted on the subject properties and proposes a density reduction. In each option described above, the unique residential characteristics of the study area are afforded protection against the encroachment of incompatible land uses.