Planning and Zoning Board

AGENDA

April 14, 2021

6:30 P.M.

City Council Chambers
and via Communications Media Technology*

*See notice regarding communications media technology and public participation on page 2

Notice to Visitors: All persons who desire to speak on any public hearing item must fill out an Oath Card, sign the card, and submit to one of the City Planners. Speakers will be heard in the order received by the Chairman. The applicant may make a brief rebuttal if necessary. Anyone who speaks is considered a witness. If you have photographs, sketches, or other documents, you must provide 9 copies to one of the City Planners for distribution to the board members. These items will be retained by the Board members, City Attorney and City Staff.

Purpose: The purpose of the Planning and Zoning Board is to provide recommendations to City Council about all matters that are development applications or staff initiatives relating to the City’s comprehensive plan, known as the “Horizon 2030 Comprehensive Plan” and the City’s Land Development Regulations found in Subpart B of the Municipal Code of Ordinances.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. MINUTES

Planning and Zoning Board Meeting of March 9, 2021

5. PUBLIC HEARING(S) –

a. Code Amendment to the Land Development Regulations – Chapter 98, Zoning, Commercial Parkway – Multiple-Family Dwellings – (LDR 2021-01) –

A proposed code amendment to Chapter 98, Zoning, Article III. Districts, Division 8, Commercial Parkway District to remove Multiple-Family Dwellings as a principal use to be consistent with the City’s Comprehensive Plan.

Applicant: City of West Melbourne
Location: Commercial Parkway Zoning District – Citywide
The proposed code changes will be acted upon by City Council with a recommendation from the Planning and Zoning Board.

7. PUBLIC COMMENT ON GENERAL MATTERS

8. PLANNING DIRECTOR REPORTS

9. BOARD MEMBER REPORTS

10. ADJOURN

All persons wishing to be heard or to have their opinion known should appear in person at these hearings or send written comments to City staff. All persons and parties are hereby advised that if they should decide to appeal any decision made by the City with respect to any matter considered at the public meeting or hearing described in this notice, they will need a record of the proceedings, and for such purpose, said person or party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Chapter 286, Florida Statutes). In compliance with American with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the City’s ADA coordinator at 837-7774 at least 48 hours in advance of this meeting.

*NOTICE REGARDING COMMUNICATIONS MEDIA TECHNOLOGY AND PUBLIC PARTICIPATION

NOTICE IS HEREBY GIVEN that the West Melbourne Planning and Zoning Board will hold a public meeting on April 14, 2021, to which all persons are invited. The meeting will be conducted in City Council Chambers at the Veterans Memorial Complex, 2285 Minton Road, West Melbourne, Florida 32904, and by means of communications media technology.

While a quorum of the Planning and Zoning Board will be physically present at the meeting, in order to accommodate as many members of the public as possible, and in keeping with Centers for Disease Control social distancing guidelines, some members of the Board may participate in the meeting via communications media technology.

Anyone who wishes to provide public input without personally appearing at the meeting may do so by sending an email to cfischer@westmelbourne.org. Emails must be received prior to 4:00 p.m. on Tuesday, April 14, 2021. All emails will be provided to the Planning and Zoning Board members. Should you wish to have your comment read aloud by City staff at the meeting, please indicate that in your email. The reading of public comments received by email will be limited to three (3) minutes.
1. CALL TO ORDER

Chair Jaudon called the meeting to order at 6:30 p.m. with the Pledge of Allegiance.

2. ROLL CALL

Attending in person: Chairman Chris Jaudon
Vice Chair Rob Brothers
Board Member Jennifer Spagnoli
Board Member Anna Kapnoula
Board Member Paul Bernkopf (attending remotely by Zoom)
School Board Appointed Board Member Jennifer Parkerson (attending remotely by Zoom)

Absent: Board Member Jim Liesenfelt

Moved by Vice Chair Brothers, seconded by Board Member Kapnoula to excuse the absence. Motion passed, 5-0.

Staff present in person: City Attorney Morris Richardson, Planning Director Christy Fischer and Planner Denise Curry.

3. MINUTES

Planning and Zoning Board Meeting of February 10, 2021

Moved by Vice Chair Brothers, seconded by Board Member Spagnoli to approve the minutes as written. Motion passed, 5-0.

4. PUBLIC HEARING(S) –

a. Small Scale Comprehensive Plan Map Amendment – Epoch West Melbourne – (SSA-2020-01)
Comprehensive Plan Amendment No. 2020-01 (SSA) proposes to amend the City’s Future Land Use map for 5.37 acres of property from COM (Commercial) to UD-RES (Urban Density Residential) land use designation.

**Applicant:** Jake Wise PE, Construction Engineering Group, LLC agent for Epoch West Melbourne  
**Location:** 3685 Minton Road

The proposed Small Scale Amendment to the City’s Future Land map will be acted upon by City Council with a recommendation from the Planning and Zoning Board as to whether to adopt the amendment or not.

City Attorney Richardson briefed the board on quasi-judicial procedures and disclosures.

Vice Chair Brothers disclosed that he had spoken with Rusty Melle, a representative of Promise about this request but nothing specific, Mr. Melle had just asked his thoughts.

Planner Curry presented the staff report. She gave the background on the request including the applicant/owner, size of the property, existing and proposed use, existing and proposed future land use designation and the existing and proposed zoning. She advised both the small scale comprehensive plan amendment and rezoning would be presented together but there needed to be two separate motions.

She talked about the future land use map and why there is a process to change it. She presented the future land use map showing the current and proposed future land use for the subject property and talked about the surrounding properties existing uses and future land use designations. She explained that the MD-RES properties to the south and adjacent to this site are located in the Palm Bay Road Overlay and are limited to 5.5 dwelling units per acre instead of the 10 units per acre allowed by MD-RES.

She presented the surrounding properties future land use designation and stated staff evaluates consistency with the goals, objectives and policies in the comprehensive plan. She explained that staff does an analysis regarding the maximum infrastructure and service impacts to water, sewer drainage and solid waste and staff consults with the City’s water and sewer departments and there are no capacity issues to serve the site.

She presented the comparison analysis of the maximum impacts between the current and the proposed future land use designation and stated there is an elimination of potential commercial development. It is the developer’s intention to combine the subject property with the property to the south and develop an apartment community. She stated that apartments generate fewer trips than commercial property.

She addressed the school concurrency information from the school board on the capacity of Meadowlane Elementary and Melbourne High Schools and explained that since there is not sufficient capacity at those two schools to serve the potential students from this development at this time. However, adjacent school concurrency areas could serve potential students. She stated that the proposed land use change is consistent with the future land use goals, objectives and policies.

She talked about the rezoning request and presented the surrounding properties zoning stating that the requested zoning is compatible with the surrounding zonings. She stated the
proposed use of apartments is permitted in the R-3 zoning district. She presented the concept plan and explained it is illustrative only at this point. She recommended the following motions:

- **Item 5a** – Recommend approval to City Council of the small scale future land use map amendment SSA 2020-01 to change the future land use from COM (Commercial) to UD-RES (Urban Density Residential).
- **Item 5b Rezoning** – Recommend approval to City Council of rezoning 5.37 acres from C-1 (Low Density Commercial to R-3 (Multiple-Family Residential) to City Council with the condition that the comprehensive plan map amendment is approved.

Chairman Jaudon opened the public hearing.

Jake Wise, P.E., Construction Engineering Group spoke on behalf of the applicant. He stated that this is the first step in the applicant’s plans to develop apartments on this property and the property to the south as an infill/re-development project. He talked about the utility lines that are located adjacent to the property being available to connect and there are no protected species on site.

Discussion Included:
- Accessibility on Minton Road as shown in the rezoning concept plan is not ideal since it is lined up with Carriage Gate Drive on the west side of Minton Road.
- Clarification of the potential billboard location near Promise.
- Planning Director Fischer stated it makes sense for this 5.37 acre property to be combined with other properties to be developed since a triangular shape property limits building opportunities.
- Whether LD-RES was considered. LD-RES does not support apartment development only single-family residential development.
- Clarification on what properties would be combined to be developed.
- Planning Director Fischer gave an explanation of the properties and density that would be combined to develop the apartments.
- Ultimately the driveway/access point on Minton Road will be determined by Brevard County but more than likely will be farther to the south than shown on the rezoning concept plan.
- The wooden bridge and driveway on Norfolk Parkway access to Promise is owned by Promise and would be the primary access.
- School capacity – Adjacent concurrency areas are being looked at and at this time, it is not a final determination. Thomas Ciserano, Epoch Residential explained potential residents will be informed of the schools their children will attend. Jake Wise stated there is a process with the school board for school attendance during site development.

Chair Jaudon asked for any additional comments from the audience.

Thomas Krell, 3892 Peacock Drive, Melbourne, FL 32904 stated he is a resident of Carriage Gate Subdivision and the residents are concerned with the driveway shown on the conceptual plan and its location on for the proposed apartments and Carriage Gate opposes additional traffic. He stated that they have worked closely with Brevard County to come up with a solution for safe maneuvering from Carriage Gate Drive onto northbound Minton Road.

Chair Jaudon explained the rezoning concept plan is not binding but during the site plan process several jurisdictions are involved in the review and there will be a public hearing on
the site plan issues, one of them being the access and it would be appropriate to come back at that time to voice concerns. He added that the traffic analysis shows a move in the right direction with a reduction in the number of trips based on the proposed use of apartments in comparison with a commercial development.

Thomas Ciserano, Epoch Residential confirmed that the rezoning concept plan had been submitted in advance of Brevard County’s Carriage Gate solution but when they come back for initial site plan review, the site plan should reflect that solution.

Chair Jaudon asked for any additional comments from the audience. Seeing none, he closed the public hearing.

Moved by Vice Chair Brothers, seconded by Board Member Spagnoli to recommend approval to City Council of the small scale future land use map amendment SSA 2020-01 to change the future land use from COM (Commercial) to UD-RES (Urban Density Residential). Motion passed, 5-0.

b. Rezoning – Epoch West Melbourne – (REZ-2020-03)

A request to rezone 5.37 acres of property from C-1, (Low Density Commercial) to R-3, (Multiple-Family Dwelling).

Applicant: Jake Wise PE, Construction Engineering Group, LLC agent for Epoch West Melbourne
Location: 3685 Minton Road.

The proposed rezoning will be acted upon by City Council with a recommendation from the Planning and Zoning Board.

Moved by Board Member Spagnoli, seconded by Vice Chair Brothers to recommend approval to City Council of rezoning 5.37 acres from C-1 (Low Density Commercial to R-3 (Multiple-Family Residential) to City Council with the condition that the comprehensive plan map amendment is approved. Motion passed, 5-0.

6. PUBLIC COMMENT ON GENERAL MATTERS

7. PLANNING DIRECTOR REPORTS

Planning Director Fischer advised the board there will be a meeting in April. She updated the board regarding the Minton Road Feasibility Study presentation to City Council by the Space Coast Transportation Planning Organization.

8. BOARD MEMBER REPORTS

9. ADJOURN

Chair Jaudon adjourned the meeting at 7:37 p.m.

Chair Chris Jaudon
Christy Fischer, Planning Director
To: Members of the West Melbourne Planning and Zoning Board

Through: Christy Fischer, AICP, Planning Director

From: Denise Curry, Planner

Meeting: April 14, 2021

SUBJECT

Code Change to Chapter 98, Zoning, Article III. Districts, Division 8, Commercial Parkway; removal of multiple-family dwellings as a principal use to be consistent with the Comprehensive Plan’s Commercial designation.

RECOMMENDATION

Staff recommends the following motion:

Recommend to City Council to approve the Chapter 98 code change, removal of multiple-family dwellings as a principal use to be consistent with the Comprehensive Plan’s Commercial designation.

FISCAL IMPACT

The City Clerk has budgeted the advertisement and codification of code changes.
**DISCUSSION**

**PROPERTY ADDRESS**
Not applicable

**APPLICANT**
City of West Melbourne

**PUBLIC MEETING DATES**
City Council
April 20, 2021

**LOCATIONS**
Citywide

**BRIEF SUMMARY OF REQUEST**
This is a staff initiated request to revise Chapter 98, Zoning code to remove the Multiple-Family use from the Commercial Parkway zoning code to be consistent with the Comprehensive Plan.

**STAFF RECOMMENDATION**

- APPROVE
- APPROVE WITH CONDITIONS
- DENY

Staff Analysis—
The following information has been compiled to assist the Board in reviewing the draft code amendment and making a recommendation to City Council. Currently the Commercial Parkway (CP) zoning district lists Multiple-Family Dwellings as a principal use only when the project meets the lot, structure and density requirements of the R-3 (Multiple-Family Dwelling zoning district). According to the adopted Comprehensive Plan, the Commercial Parkway zoning district is only allowed in the Commercial future land use designation (see attached zoning/future land use matrix).

The Commercial future land use designation which controls the general parameters of the various commercial zoning districts (like a broad category that then limits what is under it) allows commercial, retail, office, professional services, restaurants, and hotels and motels but does not allow residential uses, including multiple-family dwellings. In order for the CP district to be consistent with the adopted comprehensive plan’s policies about Commercial land uses, multiple-family dwellings uses must be removed from the Commercial Parkway zoning district.

Revised Section in Chapter 98, Zoning, Article III, Districts, Division 8, Commercial Parkway:

LDR Sec. 98-362 Principal uses and structures.
• Delete Multiple-family dwellings as a principal use in the Commercial Parkway zoning district.

Staff comments: Multiple-family in the City’s codes means any structure containing more than 1 dwelling unit (duplexes, triplexes, apartments, condominiums. Having Multiple-family dwellings listed as a principal use in the Commercial Parkway district is inconsistent with the Comprehensive Plan and the following comprehensive plan policy:

Policy 2.4 a. Commercial (COM):
“The Commercial land use designation consists of a variety of commercial, retail, office, professional, service and hotel/motel lodging activities located in neighborhood business districts, shopping centers, and highway commercial uses.”

This means that multi-family or other uses like industrial uses not specified in the general description of the Commercial future land use are therefore not allowed in the City’s commercial zoning districts. The Comprehensive plan allows Multiple-family dwelling uses in the following multi-family specific land use categories:

Policy 2.2 Residential Future Land Uses – b. and c.
“b. Medium Density Residential (MD-Res):
The Medium Density Residential land use designation consists of single and multi-family residential uses...

c. Urban Density Residential (UD-RES):
The Urban Density Residential land use designation consists of a variety of single-family and multi-family residential uses...”

Land Use/Zoning Matrix –

Policy 5.5 Zoning Districts:
“By 2011, the city shall amend its zoning map to be consistent with the Future Land Use Map, and the city shall prepare a land use/zoning matrix, which shall establish zoning districts that correspond to specific land use categories.”

Staff Comments: In compliance with Policy 5.5 Zoning Districts, the City has a “Land Use/Zoning Matrix” which lists zoning districts that are allowed under the umbrella of specific land use categories (see attached).

The matrix indicates that Multi-Family dwellings would be allowed under Medium Density (MD-RES) and Urban Density Residential (UD-RES) future land use designations and then correspondingly, in the One-, Two-, and Multi-Family Dwelling (R-2) and Multiple-Family Dwelling (R-3) zoning districts.
In contrast, the Commercial Parkway (C-P) zoning district is listed under the Commercial (COM) land use designation which only includes according to Policy 2.4a “a variety of commercial, retail, office, professional, service and hotel/motel lodging activities located in neighborhood business districts, shopping centers, and highway commercial uses”.

In order to be consistent with the Comprehensive Plan Amendment and its policies, the multi-family dwellings use needs to be removed from the Commercial Parkway zoning district.

1999 Comprehensive Plan – The predecessor to the current adopted comprehensive plan was the 1999 plan which contained policies that specified the zoning districts allowed with each of the future land use designations. In that previous adopted document there was also no allowance of multi-family in the Commercial Parkway zoning district. However since New Haven Avenue had a quantity of existing apartments that may have preceded the zoning code and comprehensive plan, there was reference to multi-family being allowed in the C-P district to prevent the existing units from being non-conforming uses.

Subsequently in 2017, staff created two new zoning districts allowed under the umbrella of the Community Redevelopment Area overlay designation, C-NH, Commercial New Haven and C-W, Commercial Wickham districts which render the existing apartments on New Haven Avenue legal non-conforming uses. In 2015, due to a proposed apartment complex at Minton Road and New Haven Avenue, the City Attorney determined that apartments were not allowed in the C-P, despite the wording in the Commercial Parkway zoning district due to the disparity with the City’s 2030 Comprehensive Plan and staff is ensuring there is no continued confusion with this zoning district by changing the list of allowed uses in the C-P zoning district.

Conclusion—

Staff initiated these code changes to the Commercial Parkway zoning code to be in compliance with the City’s Horizon 2030 Comprehensive Plan and to ensure that developers and others can clearly and concisely know which zoning districts allow multi-family dwelling when Multiple-family dwelling projects are proposed. The public hearings for the code change were advertised as required by the Florida Statutes in the legal section of Florida Today.

On April 20, 2021, City Council will consider whether to adopt the proposed code change as presented with a recommendation from the Planning and Zoning Board.
RECOMMENDATION

Based on the analysis and discussion in this staff report, staff recommends that the Planning and Zoning Board make a motion for Council to approve the code change to Chapter 98, Zoning, Article, III, Districts, Division 8, Commercial Parkway, removal of multiple-family dwellings as a principal use to be consistent with the Comprehensive Plan.

ATTACHMENTS

1. Future Land Use and Zoning Matrix
2. Zoning Map
3. Chapter 98, Strikethrough version of proposed code changes
<table>
<thead>
<tr>
<th>Future Land Use Designation</th>
<th>Land Uses</th>
<th>Maximum Development Potential &amp; Other Notes</th>
<th>Zoning District</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Density (LD-Res)</td>
<td>Single Family Residences</td>
<td>Maximum density of 5 units per acre.</td>
<td>R-1AAA Single Family</td>
<td>5 units/acre; large lot 12,000 s.f.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>R-1AA Single Family</td>
<td>5 units/acre; lot area of 10,000 s.f.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>R-1A Single Family</td>
<td>5 units/acre; lot area of 7,500 s.f.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>R-1B Single Family</td>
<td>5 units/acre; lot area of 5,500 s.f.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>R-A Residential Agricultural</td>
<td>1 unit/acre; lot area of 43,560 s.f.</td>
</tr>
<tr>
<td>Medium Density (MD-RES)</td>
<td>Single &amp; Multi-family Residences</td>
<td>Maximum density of 10 units per acre.</td>
<td>R-2 One, Two &amp; Multi-family</td>
<td>10 units/acre; single family, duplexes, apartments, condominiums, townhouses, group homes as allowed by the State</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>RV-P Planned Development for Recreational Vehicle Parks</td>
<td>8 units/acre; 1,750 s.f. sites</td>
</tr>
<tr>
<td>Urban Density (UD-Res)</td>
<td>Single &amp; Multi-family Residences</td>
<td>Maximum density of 18 units per acre. Density bonus of up to 25 units per acre if criteria are met.</td>
<td>R-3 Multiple Family</td>
<td>15 units/acre; single family, duplexes, apartments, condominiums, townhouses, group homes as allowed by the State</td>
</tr>
<tr>
<td>Manufactured Home or Mobile Home (MH-RES)</td>
<td>Manufactured or Mobile Homes Residences</td>
<td>Maximum density of 6 units per acre. Commercial and business uses can only be accessory to the primary use of the residential uses.</td>
<td>TR-1 Planned Residential Development (Mobile homes)</td>
<td>10 acres for entire park; 7,000 s.f. sites</td>
</tr>
<tr>
<td>General Use (GU)</td>
<td>Single Family Residences agriculture, utilities, churches, recreation</td>
<td>Maximum intensity of 0.40 FAR and 0.2 units per acre (1 unit/5 acres). Holding designation for uses that are at the edge of the city limits or in transition</td>
<td>General Use to be created</td>
<td>(to be created)</td>
</tr>
<tr>
<td><strong>Conservation-Recreation (CON-REC)</strong></td>
<td>Public recreation, open space or private environmental amenities. Permanently protected environmentally sensitive lands may only No maximum density or intensity is identified since these properties are not intended for habitation or businesses. Temporary uses (campsites, special events) related to the primary open space function are allowed.</td>
<td><strong>P-1, Institutional</strong></td>
<td>Public or private recreation uses and public, private, or semi-public open space and conservation areas – no maximum density or intensity per CON-REC since only recreation or open space allowed with the future land use designation</td>
<td></td>
</tr>
<tr>
<td><strong>FLU categories: Industrial</strong></td>
<td>Manufacturing, wholesaling, storage, and distribution / shipping facilities</td>
<td><strong>Zoning:</strong> <strong>M-1, Light Industrial</strong></td>
<td>Warehousing, wholesaling, indoor recreation, treatment centers, emergency feeding centers, light manufacturing, auto related activities</td>
<td></td>
</tr>
<tr>
<td><strong>Institutional (INST)</strong></td>
<td>Community housing, religious institutions, civic areas and government facilities, public schools and other semi-public facilities such as museums, colleges, etc.</td>
<td><strong>M-2, General Industrial</strong></td>
<td>Same as M-1, with heavy manufacturing</td>
<td></td>
</tr>
<tr>
<td><strong>Commercial (COM)</strong></td>
<td>Commercial, Retail, Office, Professional, Service, and Hotel/Motel lodging activities</td>
<td><strong>C-1A, Professional Offices and Services</strong></td>
<td>Offices, financial institutions, personal service establishments</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maximum intensity is a 0.50 Floor to Area Ratio (FAR). Offices can be located on properties with existing residences.</td>
<td><strong>C-1, Low Density Commercial</strong></td>
<td>Retail, personal service establishments, offices, hotels, restaurants, trade schools, financial institutions, parking lots</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maximum intensity is 0.75 Floor to Area Ratio (FAR). Allows some institutional uses.</td>
<td><strong>C-2, General Commercial</strong></td>
<td>Same as C-1, wholesaling, dry cleaning plants, vehicle sales, and some assembly of electronics</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Only wholesaling and manufacturing and electronic equipment assembly by conditional use permit</td>
<td><strong>C-P, Commercial Parkway</strong></td>
<td>Retail, personal service establishments, offices, hotels, restaurants, commercial recreation, landscape nurseries, RV campgrounds, service stations</td>
<td></td>
</tr>
<tr>
<td><strong>Integrated Business (IB)</strong></td>
<td>Mix of warehouses, commercial retail uses, offices, light industrial, institutional uses, multi-family residences, and single family homes.</td>
<td>Maximum intensity of 0.60 FAR and 13 units per acre (density bonus up to 20 units/acre is available). Multiple uses to be located adjacent to each other in a clearly defined land area.</td>
<td><strong>IB – Integrated Business (to be created)</strong></td>
<td>(to be created)</td>
</tr>
<tr>
<td><strong>FLU categories: Neighborhood Activity Center (NAC)</strong></td>
<td>Mixture of commercial land uses; single and multifamily residential land uses; places of worship, community centers, and government buildings and facilities; light industrial and public spaces, parks, and other</td>
<td>Maximum intensity of 1.0 FAR and 18 units per acre (density bonus up to 20 units/acre is available). Area must be at least 75 acres and contain at least 2 uses adjacent to each other.</td>
<td><strong>Zoning districts:</strong> IB – Integrated Business (to be created); CRA Overlay (to be created)</td>
<td>(to be created)</td>
</tr>
<tr>
<td><strong>Urban Mixed Use (UMU)</strong></td>
<td>Mixture of residential, retail, offices, limited light industrial, civic, institutional and recreation uses</td>
<td>Maximum intensity of 0.7 FAR and 15 units per acre (density bonus up to 20 units/acre is available). Area must be at least 30 acres and be a master planned communities discouraging urban sprawl along major roads.</td>
<td><strong>RMU, Regional Mixed Use</strong></td>
<td>Agriculture, institutions, offices, hospitality, light industrial, residential, and retail</td>
</tr>
<tr>
<td><strong>Parkway Interchange (PI)</strong></td>
<td>Mixture of multi-family residential, retail, offices, limited light industrial, civic, institutional and recreation uses</td>
<td>Maximum intensity of 1.0 FAR and 20 units per acre (density bonus up to +5 units/acre is available). Area must be adjacent to the St. Johns Parkway and in half mile to I-95. To consist of at least three uses roadways.</td>
<td><strong>Gateway Interchange, Mixed Use</strong></td>
<td>Institutions, civic spaces, offices, hospitality, light industrial, multi-family residential, and retail</td>
</tr>
<tr>
<td><strong>Palm Bay Road Overlay</strong></td>
<td>Extra set of regulations which applies to the primary future land use designations for many of the properties previously owned by the “Coraci” family &amp;</td>
<td>Low Density – 3.3 units/acre Medium Density – 5.5 units/acre Urban Density – 8.3 units/acre No additional intensity regulations</td>
<td><strong>Any zoning district in the area shown on the Future Land Use map</strong></td>
<td>R-A, R-2, R-3, C-1, C-2, C-P (all with ICO Overlay)</td>
</tr>
<tr>
<td><strong>Interchange Commercial Overlay</strong></td>
<td>Extra set of regulations which applies to the primary future land use designation for properties in close proximity to I-95</td>
<td>This overlay is applied to specific properties – Coastal Commerce, Gander Mountain</td>
<td>C-1, Low Density Commercial</td>
<td>C-1: All uses allowed per zoning and drive through restaurants</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------</td>
<td>-----------------------------</td>
<td>-------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Community Redevelopment Area Overlay</strong></td>
<td>Extra set of regulations which can be applied in the future to the proposed CRA</td>
<td>This overlay has not yet been applied to the CRA, but would allow higher density and intensity for the underlying primary future land use designations</td>
<td>Community Redevelopment Area C-NH and C-W districts</td>
<td>C-NH and C-W, Commercial New Haven and Commercial Wickham allowing various uses but limiting the residential uses to houses or townhouses that have fee simple ownership.</td>
</tr>
</tbody>
</table>
Zoning

DISCLAIMER: This map is not a survey and should not be used as a survey. Road right-of-ways are approximate.
Chapter 98 – Zoning, Article III. – Districts, Division 8. – C-P Commercial Parkway District

Sec. 98-362. - Principal uses and structures.

In the C-P commercial parkway district the following uses and structures are permitted for any use or group of uses that are developed, either separately or as a unit with certain site improvements shared in common and developed on a site of three acres or less:

(1) Retail stores, sales rooms and display rooms, including places in which goods are produced and sold at retail on the premises.

(2) Personal service establishments such as barbershops and beauty shops, laundry and dry cleaning pickup stations, tailor shops and similar uses.

(3) Professional offices, studios, clinics, general offices, business schools and similar uses.

(4) Hotels and motels.

(5) Restaurants which are either:
   a. Licensed by the state to sell alcoholic beverages and which hold such a license bearing the designation "SRX" as defined by the division of alcoholic beverages and tobacco of the state department of business and professional regulation; or
   b. Licensed by the state for the sale of beer and wine for consumption only on the premises of such restaurant and which:
      1. Provide a minimum of 25 seats for the serving of meals.
      2. Receive more than 51 percent of the gross revenues of such restaurant from the sale of food.
      3. Maintain a kitchen for the preparation of all items of food on the regular menu at all times when beer or wine are available for sale.
      4. Offer for sale all items of food on the regular menu at all times when beer and wine are available for sale.
      5. Maintain a regular menu offering for sale bona fide meals including salad, entree and dessert at all times when beer and wine are available for sale.

(6) Reserved.

(7) Commercial recreation such as theaters, driving ranges, bowling alleys and similar uses except drive-in theaters.

(8) Research, design and development activities and accessory laboratories, where:
   a. The use does not involve:
      1. Operation of heavy machinery or equipment;
      2. Creation of noise, fumes, dirt, or dust; or
      3. Damage to or interference with other properties.
   b. All work is done within the building.
   c. No product is manufactured except purely incidental results of such research, design and development of activities for the purpose of these activities only and not for sale.

(9) Plant nurseries and greenhouses, provided that no outside display of merchandise shall be contained within 20 feet of the existing roadway.
Retail stores using outside display areas, provided the following are met:

a. The area of outside display shall not exceed in size one-third the enclosed area of the principal structure.

b. The outside display area shall be treated with a hard material suitable for pedestrian traffic.

c. The outside display area may be open along the front of the lot but shall be effectively screened rendering the sides opaque in order to avoid any deleterious effect on adjacent properties.

d. The outside display area shall be considered the same as the floor area for the purpose of calculating off-street parking requirements and yard and lot coverage.

Public and private clubs and lodges, including golf courses and club and similar activities.

New and used motor vehicle, major recreational equipment and mobile home sales or rentals with accessory uses, subject to the following restrictions:

a. All outside areas where merchandise is displayed shall be paved.

b. All servicing and repair facilities except gasoline pumps shall be located in an enclosed structure.

c. There shall be no storage of junked or wrecked automobiles other than temporary storage for those awaiting repair. Such temporary storage shall be in an enclosed area, and the vehicles shall not be visible from outside the property.

d. Ingress and egress points shall not be placed so as to interfere with the movement of pedestrian traffic on public sidewalks.

Multiple-family dwellings which meet the lot, structure and density requirements of the R-3 district.

Telephone switching stations, electrical substations, and similar operational equipment used by public utilities. Where such a use is housed in a new structure specifically constructed for such use, the following shall apply:

a. Setbacks other than required elsewhere in this district:

1. Front: Ten feet from the property line.
2. Rear: Ten feet from the property line.
3. Side, interior: None, except where the use borders a single-family residential district, in which case the setback shall be ten feet.
4. Side, corner: Ten feet from the property line.

b. Landscaping: The site shall be sodded, and a continuous hedge of ligustrum, viburnum or eleagnus, a minimum of five feet in height upon planting, shall be provided around the entire perimeter of the site. An automated sprinkler system shall be installed to provide adequate irrigation for all plant materials on the site.

c. Minimum lot size: 1,200 square feet; minimum lot width; 30 feet; minimum lot depth; 40 feet.

d. Maximum building size: 200 square feet.