

Environmental Assessment

For

Cheney Highway

ZC 22187

August 19, 2022

Prepared For:



Prepared By:

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Table of Contents

	Page
1.0 PROJECT INFORMATION.....	1
2.0 SOILS.....	1
3.0 LAND USE AND VEGETATIVE COMMUNITY.....	2
4.0 WETLANDS AND OTHER SURFACE WATERS.....	3
4.1 SJRWMD Jurisdictional Wetlands.....	3
4.2 FDEP (State Section 404) Jurisdictional Wetlands.....	4
4.3 Wetland Mitigation.....	4
5.0 PROTECTED SPECIES.....	4
5.1 Protected Wildlife Species.....	5
5.2 Wildlife Survey.....	6
6.0 SUMMARY.....	7
TECHNICAL LITERATURE REFERENCES.....	8
Appendices	10

1.0 PROJECT INFORMATION

The Hillpointe project site is located in the City of Titusville, Brevard County, Florida, in Section 20 & Section 21, Township 22 South, and Range 35 East. The property is approximately 14.2 acres and is bound by single family, low density residential to the south and east, Cheney Highway to the north, and commercial services to the west (**Aerial Map**). The latitude and longitude coordinates for the approximate center of the project are 28° 33' 24.45"N, 80° 49' 46.14"W (WGS84/NAD83) as determined on the USGS Favoretta Quad.

The property owner for this project is:



The environmental scientists for this project are:

Gaston Hayworth
Zev Cohen and Associates, Inc.
300 Interchange Boulevard
Ormond Beach, FL 32174

Zev Cohen & Associates, Inc. (ZCA) Environmental Department staff has conducted an Environmental Assessment (EA) of the subject property with an associated site visit on July 22, 2022. ZCA reviewed previous environmental reports for the subject property, characterized habitat types, verified the presence and delineated the extent of wetlands, assessed wetland impacts and mitigation, and documented the potential of occurrence of federal and state protected species. This EA report includes survey methodology, results, and supplementary materials.

2.0 SOILS

A review of the soil types present was conducted to characterize the existing conditions on the subject property. The soil review used soils surveys conducted by the United States Department of Agriculture (USDA) Natural Resources Conservation Services (NRCS). Data are presented in accordance to Official Soil Series Descriptions (**Soils Map**).

10 – Canaveral-Urban Land Complex: This soil consists of Canaveral sand and Urban land. This soil can be a mixture of sand and shells that have been dredged and deposited on tidal marshes and swamps then smoothed level. Shells make up 10 to 80 percent of the fill material in the upper 28 inches of soil. The Canaveral soil is nearly level and gently undulating, moderately well drained sandy soil mixed with shell fragments. These soils are on low dune like ridges bordering depressions and sloughs. In wet seasons the water

the extent of WOTUS. If they change the rule they use to define WOTUS and the wetlands become 404 jurisdictional, they must be permitted with the FDEP concurrent with permitting with the SJRWMD and any wetland mitigation credits would need to be “dual” state and federal credits.

Listed Species:

There are both uplands and wetlands on the subject property. A preliminary site review was conducted to assess the potential presence of protected wildlife species on the subject property. The federally and/or state protected species found to potentially occur onsite include the gopher tortoise (*Gopherus polyphemus*) and wood stork (*Mycteria americana*).

Gopher Tortoise – During the initial site visit, no gopher tortoise or burrows were observed onsite. Because the site contains suitable habitat for gopher tortoises a 100% gopher tortoise survey will be required for the property within 90 days of construction to be conducted by an Authorized Gopher Tortoise Agent. Additional permitting with Florida Fish and Wildlife Commission (FWC) may be required if any burrows are found onsite or within 25 feet of the proposed development area.

Wood stork – The wood stork is a federally threatened species and is primarily associated with freshwater and estuarine habitats. Because this site has a man-made ditch that runs parallel to the property on the south and west boundary, wood storks may utilize these areas for foraging. The subject site does contain suitable foraging habitat via the onsite wetlands and man-made ditch. The subject property is more than 2,500 feet away from an active nesting colony but is within the core foraging area. Surface water impacts are expected to be minimal and less than 0.5 acres, therefore the project is Not Likely to Adversely Affect wood storks.

D. Drainage, Soils, & Topography:

Drainage:

The overall natural drainage flow is from north to south on the site into the existing ditch on the southern boundary of the site. There are also stormwater/drainage structures north of the site, along Cheney Highway and near to the western and eastern site boundary.

Soils:

The majority of the site has Anclote sand as its soil. There is also a portion of Paola fine sand toward the northeastern portion of the site. Anclote soils are found in depression area, flats or poorly drained areas with slopes from 0-2 percent. Paola fine sand consists of very deep, excessively drained soils found on ridges and flat areas. Topography:

Since the site contains both uplands and wetlands, the elevations are varied throughout the site, ranging from lows of 14 feet up to 18 and 20 feet. The FEMA map for the site indicated that the western portion of the site is in Flood Zone A as well as wetlands. Flood Zone A includes those areas subject to a 1% annual chance flood event.

IV. LAND USE CONTROLS

A. Future Land Use:

The subject site has three different Future Land Uses: Commercial High Intensity, High Density Residential and Low Density Residential

Commercial High Intensity FLUM/Community Commercial Zoning has a lot minimum of 10,000 SF, a lot width of 100, 30% building coverage and No lot coverage.

Multifamily High Density FLU/R-3 zoning is intended to allow a variety of housing types at a maximum density of 15 du/ac. The district is intended to satisfy the need for a high concentration of population, is located adjacent to arterial or collector streets and is well served by public services and facilities.

R-3 zoning has a 2,000 SF lot minimum for Townhomes, and 2,500 SF minimum per dwelling unit for multifamily. It has a maximum density of 15 du/acre, a building coverage of 50%, no lot coverage (NA). See additional standards in the following Tables:

Single Family Medium Density FLUM/R-1B zoning has a lot minimum of 7,500 SF, a lot width of 75', a 5.8 du/acre density maximum and a 35% building coverage.

The following standards for densities or intensities of use shall apply to each future land use category as indicated below:

Land Use	Density (Residential Use)	Intensity (Non-Residential Use)
Commercial High Intensity	n/a	1.0 FAR ²
Commercial Low Intensity	n/a	1.0 FAR ²
Residential One	1 du/acre	.2 FAR ²
Residential Two	2 du/acre	.2 FAR ²
Low Density Residential	5 du/acre	.2 FAR ²
Medium Density Residential	10 du/acre	.2 FAR ²
High Density Residential	15 du/acre	.2 FAR ²
Planned Unit Development	12 du/acre	.2 FAR ²
Regional Mixed Use ¹	Policy 1.20.2	Policy 1.20.2

Notes

¹ Density/Intensity standards for Regional Mixed Use are contained in Objective 1.20, Policy 1.20.2. Regional Mixed Use requires 160 acres and three differing land uses, however.

² FAR will be applied to individually developed lots/parcels. Where a planned/mixed use development is proposed and common amenities (i.e., parking, stormwater retention, open space, etc.) are provided, the FAR will apply to the total planned/mixed use development; however, individual parcels within the planned/mixed use development will be allowed at a high FAR based upon site specific impacts.

³ The density in this category may be increased by 50% when using Transfer of Development Rights as specified in Policy 2, Strategy 3.

B. Zoning:

The subject site has three different zoning categories.

(CC) Community Commercial. The Community Commercial district is established for general commercial activity. This district is designed to provide for a wide range of permitted uses and conditional uses that offer goods and services of both a convenience and desirable nature to shoppers. The district will serve a group of neighborhoods and larger trade areas. Development within this district requires larger land areas and is primarily located along arterial thoroughfares and major street intersections. It is not the intent of this district that it shall be used to encourage the extension of strip commercial areas and the development of intersections is preferable to linear development.

(R-3) Multifamily High Density Residential. The Multifamily High density residential district is intended to allow the development of a variety of housing types at a maximum density of 15 units per acre. The district is further intended to satisfy the need for a high concentration of population, is located adjacent to arterial or collector streets and is well served by public services and facilities. When adjacent to R-1 zoning districts, the development within the district shall be designed carefully to provide maximum compatibility with adjacent development by proper architectural design, landscaping, screening and parking.

(R1-B) The single family medium density district is designed as a district for the principal use of medium density single family dwellings. The purpose of the district is to promote orderly and proper development of single family residential units together with certain structures and uses that are compatible with property in the district. It is further intended that governmental, religious, recreation and other immediate needs of this district are served while a quality environment is provided for the residents of this designation and City.

To achieve a multifamily project, R-2 or R-3 or Planned Development (PD) zoning is required. PD zoning requires a Concept Plan and a Development Agreement.

Zoning	R-1B (Existing zoning)	R-3 (Existing zoning)	Community Commercial (Existing zoning)	R-2 (medium MF) Potential rezoning option	Planned Development (PD) Potential rezoning option
	Single Family detached	Multifamily (duplex, triplex, quadplex etc.) Neighborhood Group Home	See Division 3. Section 28-91- 182	Multifamily (duplex, triplex, quadplex etc.) Neighborhood Group Home	Residential may include SF detached, patio or townhomes, multifamily, family day care and neighborhood group homes.
Lot minimum	7500	TH 2000 MF 2500	10,000 Differs by zoning	TH 3000 MF 4,000 DU	5 acres unless CDBG
Lot width	75	TH 20	100 Must be on collector or higher	TH 24 MF None	
Density	5.8	15	NA	9	12
Minimum SF	1200	TH 800 MF Eff 600 1 br 700 2 bd 800 3 br 900	NA	TH 800 MF Eff 600 1 br 700 2 bd 800 3 br 900	Single family 900 SF Townhomes 800 SF Condominiums 800 SF Multifamily 600 SF
Building Coverage	35%	50	30	50	
Lot coverage	NA	NA	NA	NA	40%
Height	35	35	None	35	50'
Front yard setback	25	25	25	25	
Side (corner) SB	20	20	15	20	
Interior side SB	10	10	10	10	
Rear yard SB	25	25	25	25	

Notes

Townhomes and Multifamily developments shall be 20 feet apart. In R2 and R3, there is a maximum of 6 attached Town Homes.

Staggered Townhome setbacks are permissible.

Multifamily units in R-3 are required to have a private storage area of 32 SF in R3.

C. Adjacent Future Land Uses/Zoning:

The following are the adjacent Future Land Uses and Zoning with respect to the surrounding land uses.

North: (CC) Community Commercial/Open Space & Recreation/FLUM Commercial-High Intensity & Conservation

East: (NC) Neighborhood Commercial/Single Family Medium Density/FLUM Commercial-Low Intensity & Low Density Residential

South: (R-1b) Single Family Medium Density/FLUM Low Density Residential

West: (M-1) & (RMH-2) Light Industrial & warehousing & Residential Manufactured Housing Park /FLUM Community Commercial-High Intensity & Medium Density Residential

D. Open Space Requirements:

The City of Titusville has a PD zoning district with a specified Parks and Open Space requirement of 35%. For other districts, applying the land development regulations will indirectly determine open space.

Concurrency:

The following level of service standards are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by development/future growth. These levels of service standards are based on information contained in the data and analysis reports for this element of the comprehensive plan.

Facility/Service Area	Acceptable Level of Service Standard
A. Sanitary Sewer Facilities North Service Area South Service Area	Average Sewer Generation Rate 80 gallons/capita/day 80 gallons/capita/day
B. Potable Water Facilities *Titusville Service Area (Includes area outside City limits which have service agreements with the City.)	Average Water Consumption Rate 96.4 gallons/capita/day Softening & filtration: 16 MGD Pumping capacity: 16 MGD Storage capacity: 3.9 MGD
C. Drainage Facilities City-wide For areas other than areas of critical concern(high aquifer recharge)	Design Storm 25-year frequency, 24-hour duration for Sites over ½ acre. 25-year, 24-hour storm or retain first inch over entire property.
D. Solid Waste Facilities Collection (City-wide) Disposal (LOS set by utilizing Brevard County's methodology) (Ord. No. 50-2005, §5, 7/26/05)	Acceptable Level of Service 8.32 lbs/capita/day 8.32 lbs/capita/day

Adequate Infrastructure Policy

Consistent with concurrency requirements, the City of Titusville shall provide sanitary sewer, solid waste, drainage and potable water facilities and services to meet existing and projected demands identified in this plan.

The City shall implement procedures to ensure that at the time a development permit issued, adequate facility capacity is available or will be available when needed to serve the development/accommodate the needs of new growth.

V. PARKING

A. Parking Requirements:

The following are minimum parking requirements depicted in the City's Transportation Technical Manual.

Minimum Parking Requirements	Spaces Required	Minimum/Max per Unit	Comments
Multifamily (R-2, R-3 and RMH	Two per unit	NA	With direct access to public street
*R-2 - Townhouses	Two per unit	NA	With direct access to public street

*R-3- Townhouses	Two per unit	NA	Two spaces on the same lot as the dwelling unit or one site space and one remote guest parking space within 300' of the unit.
Duplex, triplex, quadraplex or other multifamily units	Two per unit	1) Separate parking – two spaces per unit with direct access to a public street. 2) Common parking – two spaces per dwelling unit plus one half guest parking spaces per dwelling unit	

B. Park Stall Dimensions

<u>Parking space dimensions</u>		
Parking space description	Width	Length
Regular space	10 feet	20 feet
Regular space abutting a minimum landscape buffer	10 feet	18 feet
Parallel space	10 feet	22 feet
Motorcycle space	5 feet	10 feet

The smallest stall allowed is 9' by 18' (Low Impact Development)

C. Drive Aisle Dimensions:

<u>Parking aisle dimensions</u>					
Parking angle degrees	0	30	45	60	90
	Aisle width				
One way traffic	13 feet	13 feet	13 feet	15 feet	24 feet
Two way traffic	22 feet	22 feet	22 feet	22 feet	24 feet
Note: Parking aisles driveways shall be not less than 15 feet in width for one-way and 20 feet in width for two way traffic.					

VI. ACCESS

A. Classifications of adjoining roadways:

STREET NAME	FRONT, SIDE, OR REAR	FUNCTIONAL CLASSIFICATION	NO. OF LANES IN EACH DIRECTION	SPEED LIMIT (MPH)	PERMITTING JURISDICTION	RIGHT-OF-WAY WIDTH
Cheney Highway/ State Road 50	Front	Arterial urban	2 + turning	30-45	Titusville, FL	175

B. Site Access:

Access to the site is available off Cheney Highway via a median opening. Cheney Highway Right Of Way (ROW) width in along this project site is 175 feet. Cheney Highway includes bike lanes along this corridor.

Cheney Highway has a block length of 200 to 2,000 SF. Medians on Cheney Highway are 25 to 40 feet. Like many gateway arterials, Cheney Highway offers regional connectivity. There are also three foot sidewalks along the front portion of the

site, parallel to Cheney Highway.

Development patterns along this gateway corridor include big box retail centers, single use strip development, and garden style multifamily.

C. Traffic Study Thresholds:

Brevard County has five differing transportation impact fee districts Sec. 62-817. The transportation impact fee is \$2,677 per dwelling (1 to 2 stories) or \$2,381 per dwelling (3 stories and over). Sec. 62-808(a) Brevard County code states that any person who, after the effective date of the ordinance from which this division is derived, seeks to develop land by applying for a building permit to make an improvement to land which will generate additional traffic shall be assessed a transportation impact fee and shall be required to pay per this section. Sec 62-809 (b) if a fee payer opts not to have the impact fees determined according to section than the fee payer shall prepare and submit an independent fee calculation per ordinance requirements.

The impacts of development on transportation facilities can be mitigated by the Proportionate Fair Share Program, consistent with S163.3180 F.S. The Proportionate Share Program shall apply to all developments in the City that have been notified of the lack of capacity to satisfy transportation concurrency on a transportation facility in the City's Concurrency Management System, including transportation facilities maintained by FDOT or another jurisdiction that are relied upon for concurrency determinations, pursuant to the requirements of Chapter 30, Article IV. 10.5.6.3. The methodology used to calculate an applicant's proportionate share obligation shall be as provided for in § 163.3180 (5), Florida Statute, as amended.

Impact fee credits for the proportionate share contribution will be determined when the transportation impact fee obligation is calculated for the proposed development. Impact fees owed by the applicant will be reduced per the Proportionate Share Agreement as they become due per the Brevard County Impact Fee Ordinance. If the applicant's proportionate share obligation is less than the development's anticipated road impact fee for the specific stage or phase of development under review, then the applicant or its successor must pay the remaining impact fee amount to Brevard County pursuant to the requirements of the impact fee ordinance.

For the purposes of determining proportionate share obligations, the City shall determine improvement costs based upon the actual cost of the improvement as obtained from the CIE, the MPO/TIP or the FDOT Work Program. Where such information is not available, improvement cost shall be determined using one of the following methods:

An analysis of costs by cross-section type that incorporates data from recent projects and is updated annually by the City. In order to accommodate increases in construction material costs, project costs shall be adjusted by an inflation factor of 1.2; or 10.5.6.4.2. The most recent issue of FDOT Transportation Costs, as adjusted based upon the type of cross-section (urban or rural); locally available data from recent projects on acquisition, drainage and utility costs; and significant changes in the cost of materials due to unforeseeable events. Cost estimates for state road improvements not included in the adopted FDOT Work Program shall be determined using this method in coordination with the FDOT District.

If the City has accepted an improvement project proposed by the applicant, then the value of the improvement shall be determined using one (1) of the methods provided in this section of the code. In addition, Proportionate share contributions shall be applied as a credit against impact fees to the extent that all or a portion of the proportionate share mitigation is used to address the same capital infrastructure improvements contemplated by the local government's impact fee ordinance.

Impact fee credits for the proportionate share contribution will be determined when the transportation impact fee obligation is calculated for the proposed development. Impact fees owed by the applicant will be reduced per the Proportionate Share Agreement as they become due per the Brevard County Impact Fee Ordinance. If the applicant's proportionate share obligation is less than the development's anticipated road impact fee for the specific stage or phase of development under review, then the applicant or its successor must pay the remaining impact fee amount to Brevard County pursuant to the requirements of the impact fee ordinance.

The proportionate share obligation is intended to mitigate the transportation impacts of a proposed development at a specific location. As a result, any road impact fee credit based upon proportionate share contributions for a proposed development cannot be transferred to any other location unless provided for within the local impact fee ordinance.

All developer improvements authorized under this ordinance must be completed prior to issuance of a development permit, or as otherwise established in a binding agreement that is accompanied by a security instrument that is sufficient to ensure the completion of all required improvements. It is the intent of this section that any required improvements be completed before issuance of building permits or certificates of occupancy.

VII. LANDSCAPING & BUFFERS

A. Perimeter Buffers:

There are several land uses and zoning categories abutting the site. These include Industrial (M-1), single family (R-1B), and (NC) Neighborhood Commercial. The property itself, fronts on Cheney Highway, which is an urban arterial. These districts have differing perimeter buffers.

Project	Adjacent Land	Buffer	Notes	Overstory	Coniferous	Understory	Understory shrub
Multifamily Residential	Arterial or Collector Buffer (north)	30' (1)	Can be reduced to 20' with wall	4/200'	2/200'	1/200'	1/15'
	Industrial (M-1) (west)	10' (A)		4/200'	2/200'	1/200'	1/15'
	Neighborhood Commercial (NC) (east)	20' (B)		4/200'	2/200'	1/200'	1/15'
	Single Family (R1-B)south	10' (A)		4/200'	2/200'	1/200'	1/15'
See Table 30-9 for Landscape yard standards minimum plant material and overstory trees							

B. Landscape Requirements:

Existing vegetation. (Section 30-323)

All open areas of any site not occupied by building, parking, storage, or required landscape plant materials shall be retained as a natural vegetated area or (sodded) grass or ground cover. The developer shall make a good faith effort to incorporate existing vegetation in the landscaping throughout the property.

All residential subdivision developments shall meet the canopy area requirements of Section 30.31.5. Residential developments that are not within subdivisions shall preserve an area of approved low and moderate tolerant water usage mixed vegetation (native trees and shrubs are preferred) equal to at least 10% of the total lot or development area. In the event there is no approved low and moderate tolerant water usage mixed vegetation on a lot or development area, the applicant shall be required to establish an area of approved low and moderate tolerant water usage mixed.

At a minimum, 50% of the newly installed vegetation must be shrubs. Landscape yards may be included in required open space.

Existing natural buffer yards with native vegetation shall be preserved. Existing vegetation may be used to meet any of the landscape yard requirements.

All development except residential: All buildings shall have a five-foot wide perimeter landscape strip adjacent to the building, clear of all drives and access ways.

Design (Section 30-382)

- 1) Landscape islands shall be a minimum of fifteen feet in width.
- 2) Landscape islands shall be a minimum of two hundred seventy (270) square feet in total area.
- 3) In no instance shall a parking bay contain more than 15 continuous parking spaces or extend more than 150 feet, whichever is more restrictive.
- 4) These landscape islands must have one overstory tree with a minimum diameter of three inch caliper, 12 feet high at the time of planting.
- 5) Terminal islands shall be a minimum of 15 feet in width.

C. Tree Protection: (Section 30-31)

Canopy area requirements have the option to either meet the minimum requirements of preserved and planted tree canopy areas, and associated reduced tree mitigation requirements, or meet the full tree mitigation requirements. For projects for which tree canopy requirements are optional, mitigation requirements are provided which are greater than those required

for residential subdivisions. The applicant can choose either option, but cannot mix the two approaches. Incentives are also available for developments exceeding tree canopy requirements. All developments are required to meet the provisions related to heritage trees.

Protected trees are:

Significant	Native or IFAS	Equal to greater than 14 and less than 20
Specimen	Native or IFAS	Equal to greater than 20 and less than 46
Heritage	Native or IFAS	Equal or greater than 46 inches

Canopy Area requirements. (Section 30-31.5)

(a) Residential subdivisions shall meet required tree canopy as a percentage of the development area (25%/15% minimum preserved canopy). Minimum canopy area requirements may be met through a combination of preserved and planted trees. In the event there is insufficient preserved canopy area to meet the requirements, the applicant shall be required to plant additional trees to meet the total tree canopy area requirement.

(b) The following categories of development are not required to satisfy the canopy area requirements shown above, but may voluntarily satisfy the canopy area requirements to benefit from reduced mitigation requirements as set forth in Section 30-34. If utilizing this option, the total canopy area required as a percentage of the development area is 20%. The minimum preserved canopy area as a percentage of development area is 10%.

- Residential development not located in a subdivision and single family lots located outside of a subdivision
- Commercial development
- Industrial development
- All development in the Downtown Mixed Use district

Tree survey requirements.

For commercial, industrial, and non-residential subdivision developments five (5) acres or less, residential subdivisions, and other developments voluntarily satisfying the minimum preserved and total canopy area requirements, the applicant shall provide the following:

- a. A survey of trees and a sampling of understory vegetation prepared by a Florida registered land surveyor, Florida licensed landscape architect, or Florida Nursery Growers and Landscaping Association (FNGLA) certified horticultural professional that lists the tree species, dbh, and quantity of each tree species with fourteen-inch dbh and greater in the development area. Smaller size trees may be shown in order to meet landscape planting requirements. A general description of the understory species and coverage shall be provided.
- b. The survey shall also include a sampling of vegetation that is representative of the species diversity and distribution throughout the interior of the site as follows: one hundred (100) feet by one hundred (100) feet sample areas at the rate of one (1) sample area per three (3) acres of development area. An inventory in each sample area shall list all trees six-inch dbh and greater, and show their species, quantity, and dbh. The City reserves the right to request additional sample areas based on site conditions.

For commercial, industrial, and non-subdivision residential developments greater than five acres that do not meet the minimum preserved and total canopy area requirements, the applicant shall submit a survey prepared by a Florida registered land surveyor, Florida licensed landscape architect, or Florida Nursery Growers and Landscaping Association (FNGLA) certified horticultural professional detailing the following:

- a. An aerial photograph of the subject property which indicates where the streets and utilities are planned and which trees are proposed to be removed.
- b. Written evaluation of the number of trees to be removed and any reasons for the proposed layout. All trees twelve (12) inches dbh and greater proposed to be removed shall be flagged or painted in the field.
- c. The location of all mitigation size trees twenty (20) inches dbh and greater, as located by a Florida registered land surveyor, Florida licensed landscape architect, or Florida Nursery Growers and Landscaping Association (FNGLA) certified horticultural professional.
- d. The location of trees six (6) inches dbh and greater in buffer areas or twenty (20) feet from property lines.

Tree removal, permit required. (Section 30-39)

- a. No person, organization, society, association or corporation, or any agent or representative thereof, directly or indirectly, shall cut down, destroy, remove or move, or effectively destroy through damaging any tree prior to the issuance of a permit by the City of Titusville, unless such removal is pre-empted by state or federal regulation.

- b. Diameter breast height (dbh) is the measurement of the tree's diameter made by tree professionals, taken at breast or chest height. This diameter is measured over the outside bark using a diameter tape at the point "breast height." Breast height is specifically defined as a point around the trunk at four and one-half (4.5) feet (1.37 meters in metric using countries) above the forest floor on the uphill side of the tree. For the purposes of determining breast height, the forest floor includes the duff layer that may be present, but does not include unincorporated woody debris that may rise above the ground line.
- c. A tree removal permit shall not be required from an owner of an existing single-family residential dwelling. For the purposes of tree removal, a single-family residence shall be considered existing one (1) year after issuance of the certificate of occupancy.
- d. Common areas and tracts within developments shall not be exempt from permit requirement for removal of trees.

Tree survey required before permit. (Section 30-40)

- a. Before obtaining a clearing and grubbing permit, building permit, sketch plat, preliminary plat approval or site plan approval, in addition to other requirements set out in these regulations all applicants shall submit a survey provided by a registered land surveyor, landscape architect or Florida Nursery Growers and Landscaping Association (FNGLA) certified horticulture professional detailing the information shown below.
- b. As a condition of granting a permit, the developer shall work with staff to adjust the proposed layout to achieve preservation of healthy native trees where feasible. The developer shall be required to consider, and where feasible, implement the recommendations of staff regarding the redesign of the site and utilize low impact development methods to preserve such trees.

Relocation or replacement of trees. (Section 30-34)

- a. As a condition of granting a permit, the applicant may be required to relocate trees being removed or replace the tree being removed per Table 30-5 Minimum Landscape Planting Specifications, Section 30-322.

As part of a permit, the applicant is required to have a mitigation plan for all protected trees.

- a. Significant tree- 50% mitigation replacement based on trunk dbh
- b. Specimen tree- One hundred percent replacement based on trunk dbh
- c. Heritage tree- Two hundred percent mitigation replacement based on trunk dbh.
- d. For developments that do not meet minimum preserved and total canopy area, required mitigation shall be a two to one replacement based on tree dbh of specimen and heritage trees being removed.
- e. For residential subdivisions and those projects meeting the minimum canopy requirements per Section 30-31.5 Canopy Area Requirements the applicant may in lieu of replanting, preserve native vegetation on site consisting of at least 100 SF per tree dbh-inch lost. The preservation of native vegetation shall be in addition to any required landscaping or preservation required by the land development regulations, with the exception of preserved wetlands and natural buffer areas which may be counted as part of preserved area credited toward mitigation.

Incentives to preserve canopy areas and reduce mitigation are below:

1) Incentive 1. Developments satisfying all requirements for minimum preserved canopy area and total canopy area are exempt from further mitigation for significant trees that are removed. In addition, a fifty-percent reduction in mitigation of specimen trees shall be granted.

2) Incentive 2. If a site plan or subdivision plan provides for a total canopy area increase of five percent of the site in accordance with the table below then no further tree mitigation or payment in lieu of mitigation is required, with the exception of heritage trees.

Type	Total Canopy Area
Residential subdivisions	30% or greater
Other development choosing to meet canopy requirements	25% or greater

VIII. MAJOR UTILITIES

Availability & Location:

- A 10-inch water main is located along the northern portion of the site across from the median opening.
- A 8-inch pressured sewer main is located at the front of the property extending west to east along Cheney Highway.
- A 2-inch pressurized sewer main is located along the southwest property line.
- An 8-inch gravity main is located along Bal Harbour Terrace south of the property.

Water reuse lines are available on Cheney Highway north of the site.

Three stormwater pipes extend north to south crossing in front of Cheney Highway in front of the site. Stormwater inlets are on the western boundary of the site as well as three inlets along the southern boundary of the site.

IX. DEVELOPMENT APPROVAL PROCESS

A. Permit Agencies:

AGENCY	Type	Fees
City of Titusville*	Rezoning and Small Scale Land Use Amendment	\$1,575 + \$8/acre + advertisement cost
	Class II Site Plan Review	Pre-Application, plus \$10.00 per acre \$ 265.00 Landscape Non-Subdivision, plus \$50.00 per acre \$ 525.00 Site Plan/Engineering, plus \$100.00 per acre \$ 1,155.00 Multifamily Engineering, plus \$10.00 per unit \$ 1,155.00 Late Resubmittal Reinstatement Prior to 90 days from delinquent response date \$ 525.00 After 90 days new review fees are required Amendments to Approved Site Plans: Minor Changes (less than 10%) \$ 265.00 Major Changes (greater than 10%) 1/2 original review fee
	Inspection	Fees vary
	Close out	Potable Water Clearance \$ 105.00 Sanitary Sewer Clearance \$ 105.00 Reclaimed Water Clearance \$ 105.00 Stormwater Management Systems Clearance \$ 105.00 Final Closeout and Site CO Request \$ 160.00
St. Johns River WMD	Environmental Resource Permit	Fee dependent upon wetland impacts: Greater than 10 acres but less than 40 acres project area and no work in wetlands (+ no boat slips)...\$1,190 Less than 10 acres, less than 1 acre work in wetlands, less than 10 new boat slips...\$1,190 Less than 40 acres, less than 3 acres work in wetlands, less than 30 new boat slips...\$2,110 Less than 100 acres, less than 10 acres work in wetlands, and less than 50 slips...\$5,610
FDOT & Brevard County	Use permits and frontage roads	\$1,000
Brevard County Health & FDEP	Connection fees	\$500

**A surcharge shall be assessed on each permit fee in the amount of 0.3 mil per dollar valuation. The fee is to be charged on all permits regardless of type, rounded to the nearest cent including fees required under this chapter and the provisions of the Land Development Regulations. The funds generated by the surcharge shall be used exclusively for the training of department personnel and the purchase of technological tools and equipment for the department.*

B. Development Process:

A Future Land Use Change (Small Scale Amendment) and a rezoning to Multifamily residential (R-2, R-3 or PD) is required to unify the Future Land Use and the Zoning on the property. This step requires public hearings at Planning Commission and the

City Council.

Future development will require a Site Plan and/or Subdivision if the existing parcels fail to be exempted from the subdivision process.

C. Impact Fees

To determine transportation impact fees, an applicant is required to submit an Authorization to Act Impact Fee Application to Brevard County indicating the number of dwelling units. Other impact fees are listed below:

Residential Impact Fees Brevard County and the City of Titusville										
Roads	Police	Fire	City Hall	Public Works	EMS	Correctional Facility	Library	Solid Waste	Education	Total
\$2,677	\$441	\$332.66	\$8.68	\$114.98	\$33.68	\$62.73	\$37.91	\$120	\$1,940.50	\$4,871.82

Impact fee credits (Section 34-426)

(a) The following credits shall be applied to the impact fees determined to be due under this section:

(1) **Redevelopment.**

In the case of a change of use, redevelopment, alteration, modification or improvement of an existing development or structure which does not involve an expansion of the structure, no impact fee shall be imposed for said change in use, redevelopment, alteration or modification provided that the existing land use type, i.e. residential or nonresidential, (Section 34-424) falls within the same category. For example, in the event the existing land use type is nonresidential office and the new land use type is nonresidential retail, then in that event no additional impact fee will be imposed. In the event the existing structure is expanded or the land use type is changed or modified for example from residential to nonresidential then in that event an impact will be imposed based upon the net increase in the impact fee for the new development or land use as compared to the existing or any previous land use.

(2) **Off-site road improvements.**

All off-site roadway improvements which add additional capacity or sidewalks/bikeways over that required for City development approval shall be credited against that portion of the impact fee attributable to road improvements, as set forth below:

a. Each person desiring to utilize such credit shall submit a written cost estimate to the Administrator. Cost estimates for right-of-way dedication shall be prepared and certified by a qualified MAI appraiser. Cost estimates for actual off-site improvements to be constructed shall be prepared and certified by a registered Florida professional engineer. The Administrator shall review the cost estimates and advise the applicant in writing of the amount of credit to be allowed. No credit shall be allowed for "site-related improvements." In lieu of an MAI appraisal, the person may use one hundred twenty (120) percent of assessed land value as shown on the Brevard County tax rolls. Credit for right-of-way dedication shall not exceed that portion of the total impact fee attributable to right-of-way acquisition. In addition, inclusion of the off-site road improvement in the "Schedule of Improvements" of the Comprehensive Plan and the City's Five-Year Capital Improvement Program shall be necessary for construction credit. Right-of-way credit must be consistent with the future traffic circulation map.

(3) **Park improvements.**

A credit against the park impact fee may be obtained by the dedication of land for public parks and/or the construction of park improvements on land so dedicated in excess of any required recreation or open space areas within that zoning category or required as part of a development order. Each person desiring to utilize such credit shall prepare and submit to the Administrator the following:

- a. An appraisal, certified by a qualified property appraiser, as to the value of all and [land] proposed to be dedicated for park use;
- b. A survey of the property to be dedicated showing boundaries, dimensions and public access to the park;
- c. A sketch plan showing general land conditions, lakes, natural water courses and all proposed improvements to the land;
- d. A cost estimate of the proposed improvements certified by a licensed Florida general contractor.

(b) The Administrator shall determine whether the proposed land and improvements are acceptable to the city, and if so, the amount of the credit to be allowed against the park impact fee. The Administrator shall notify the applicant in writing of their decision.

(1) **Recreational improvements.**

A credit against the park impact fee shall be allowed for recreational improvements constructed as qualified in subsection (a)(3)c. above that is within and made a part of a residential development. A qualified recreational

improvement shall mean only an active recreational facility which is provided as an amenity to the residents of the development. Passive recreational facilities, such as a clubhouse, which are not used primarily for active recreational pursuits do not qualify for this credit. The credit allowed for qualified recreational improvements shall be equal to the value of the land and qualifying improvements thereon up to a maximum of fifty (50) percent of the amount of the park impact fee for such development.

(2)Subdivision.

For new developments consisting solely of unimproved lots or parcels, credits for off-site road improvements and park improvements as calculated in subsections (a)(3)b., c. and d. above, shall be computed on a pro rata basis for each lot or parcel within a subdivision and shall be allowed at such time as side lots are developed.

(3)[Maximum credit.]

In no event shall any credit exceed the amount of the impact fee determined to be due under this chapter.

(4)Transfer of credits.

Impact fee credits are assignable and transferable consistent with the provisions of Section 163.31801, F.S. as may be amended from time to time.

X. MISCELLANEOUS

The City of Titusville has two multifamily zoning districts R-2 and R-3. R-2 zoning is 9 du/acre and R-3 zoning is 15 du/ac. In addition, the City has a Planned Development district which allows up to 12 du/acre. Each of these districts can accommodate a multifamily project. The PD district also has a minimum percentage of parks and open space of 35%. The minimum land area for a PD shall be five acres.

The City's Comprehensive plan and PD district require that the maximum residential density and floor area shall not exceed the maximums of the Comprehensive Plan category. Other minimum square footage requirements are as follows:

Type	Minimum Living Area
Townhomes	800 SF
Multifamily Apartments	600 SF
Condominiums	800 SF

Land use	Density (residential)	Intensity (non-residential)
Medium Density Residential	10 du/acre	.2 FAR ²
High Density Residential	15 du/acre	.2 FAR ²
Public/Semi-public	n/a	.2 FAR ²
Conservation	1 du/5 acres	n/a
Planned Unit Development	12 du/acre	.2 FAR ²

Notes

²FAR will be applied to individually developed lots/parcels. Where a planned/mixed use development is proposed and common amenities (i.e., parking, stormwater retention, open space, etc.) are provided, the FAR will apply to the total planned/mixed use development; however, individual parcels within the planned/mixed use development will be allowed at a high FAR based upon site specific impacts.

The City of Titusville has School Attendance Zones offering open enrollment. The schools closest to this site are:

- Apollos Elementary -781 students
- Andrew Jackson Middle - 566 students
- Titusville High School -1,165 students

Student population numbers are subject to change due to pandemic student counts available at the time of this report.

XI. USER RELIANCE AND TERMS

ZCA's due diligence report is provided to assist the Client in becoming more knowledgeable about the subject property. The report is intended to reduce, but not eliminate, uncertainty regarding the existing conditions and relevant regulatory information

associated with the site. ZCA offers or extends no warranty, express or implied, with this service. This report is not a statement of suitability or potential yield of the subject property for any use or purpose. Due to changing regulatory rules and site conditions, either onsite or nearby, the information contained in this report is only relevant to the specific property as of the date of this report. This report should not be relied upon to represent information or conditions on any other dates or locations.

This report is intended for the sole use of the Client. Its contents may not be relied upon by other parties without the explicit written consent of ZCA. In accepting this report, all parties herein mentioned agree to the Standard Conditions of the Agreement between ZCA and the Client, executed July 14, 2022 (ZCA Project No. 22187).

DRAFT

APPENDIX A

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 Boundary



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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DRAFT

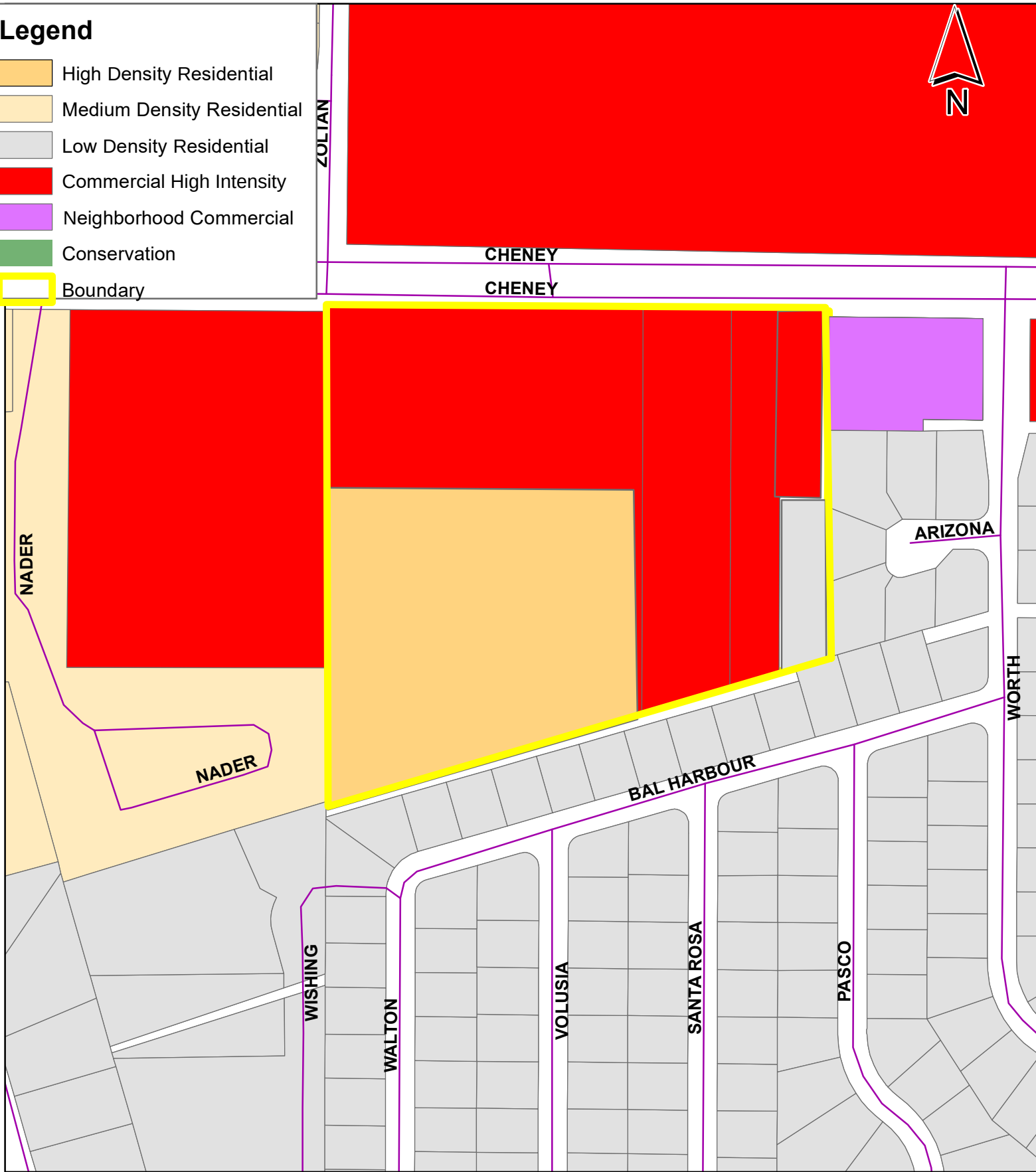
Aerial Map
Cheney Highway
Titusville, FL



300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482

Legend

-  High Density Residential
-  Medium Density Residential
-  Low Density Residential
-  Commercial High Intensity
-  Neighborhood Commercial
-  Conservation
-  Boundary





Info:

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225 112.5 0 225 Feet

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Zoning Map Cheney Highway City of Titusville, FL



300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482

Boundary



Zone AE
(EL 18.7)

PANEL
12009C0215G
eff. 3/17/2014

Zone A

Zone A

PANEL
12009C0215G
eff. 3/17/2014

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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FEMA Flood Map Cheney Highway Titusville, FL



300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482



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LiDAR Map
Cheney Highway
Titusville, FL

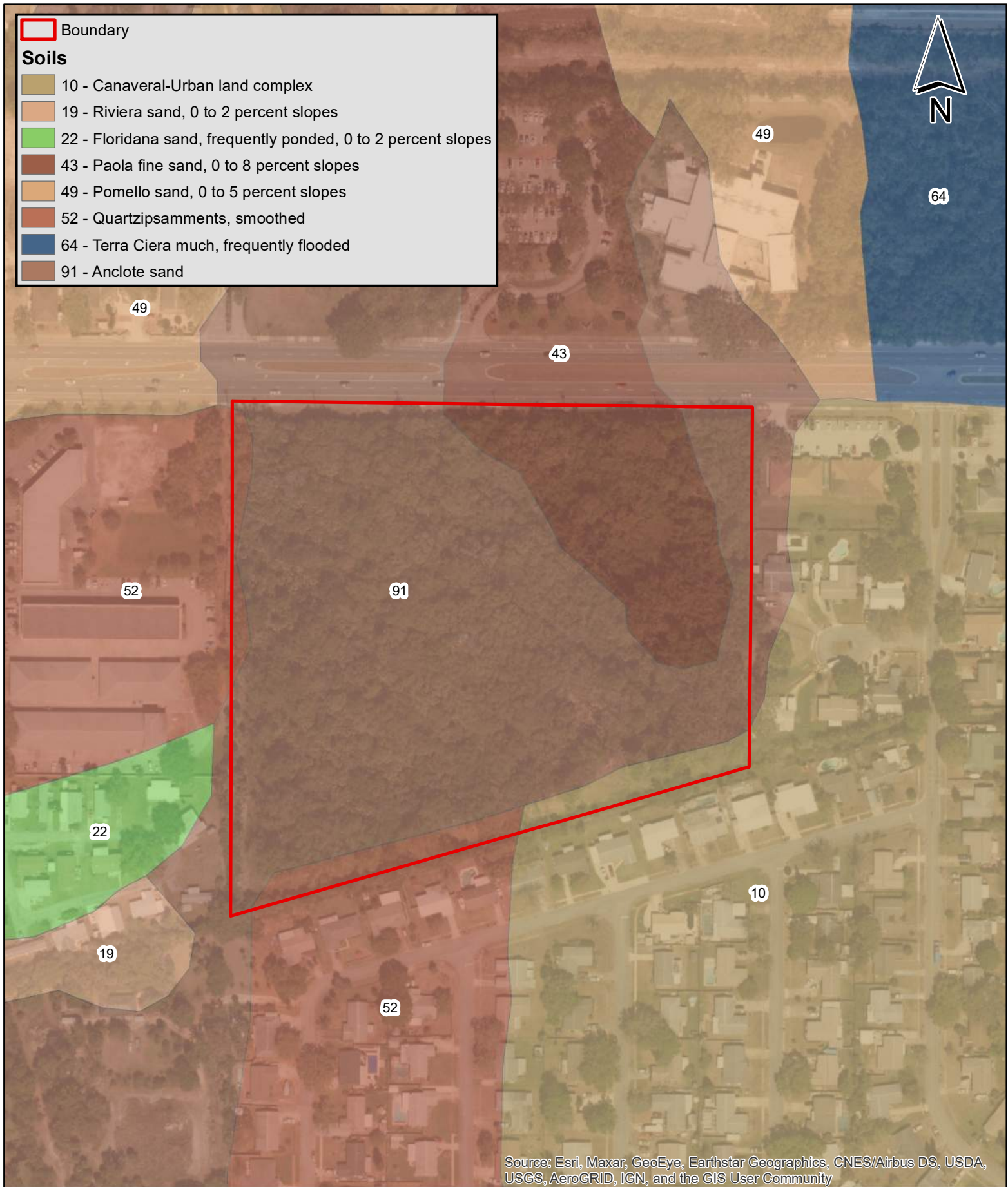


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Ormond Beach, FL 32174
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 Boundary

Soils

-  10 - Canaveral-Urban land complex
-  19 - Riviera sand, 0 to 2 percent slopes
-  22 - Floridana sand, frequently ponded, 0 to 2 percent slopes
-  43 - Paola fine sand, 0 to 8 percent slopes
-  49 - Pomello sand, 0 to 5 percent slopes
-  52 - Quartzipsamments, smoothed
-  64 - Terra Ciera much, frequently flooded
-  91 - Anclote sand



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Soils Map Cheney Highway Titusville, FL



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Habitat

- 420 - Upland Hardwood Forests
- 610 - Wetland Hardwood Forested
- 810 - Transportation
- Boundary



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Info:

DRAFT

Date Saved: 7/22/2022
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Habitat Map
Cheney Highway
Titusville, FL

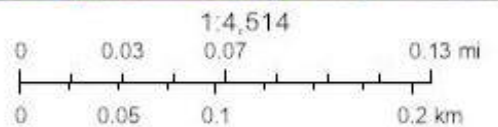


300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482



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- | | |
|-------------------------|--|
| Water Hydrants | — Sewer Pressurized Main |
| + | <all other values> Sewer Gravity Mains |
| Water Mains | — Our Agency |
| — | <all other values> Private |
| 🔲 Grease_Separator | ● Storm Water Structure |
| Sewer Network Structure | — Storm Water Pipe |



DRAFT

State of Florida, Maxar