

Section	New Business
Item No.	VIF 7

Meeting Date
<b>December 19, 2017</b>



**AGENDA REPORT**  
*BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS*

SUBJECT:	Legislative Intent, Re: Approve Legislative Intent and grant permission to advertise an ordinance to amend Brevard County Ordinance Sections 62-1482, 62-1483, 62-1541, 62-1542, 62-1543 and 62-1544
DEPT/OFFICE:	District 2 Commission Office

Requested Action:

It is requested that the Board of County Commissioners grant Legislative Intent and permission to advertise an ordinance to amend Brevard County Ordinance Section 62-1482, 62-1483, 62-1541, 62-1542, 62-1543 and 62-1544 to remove "parking lots (commercial)" from the list of permitted uses and place "non-overnight commercial parking lot" as a permitted use and "overnight commercial parking lot" as a conditional use. It is further requested that staff bring back the ordinance at the March 1<sup>st</sup> Zoning Meeting.

Summary Explanation & Background:

The use of commercial and industrial property for commercial cruise parking is generating complaints from neighborhoods on Merritt Island. BU-1, BU-2, PBP, PIP, IU, and IU-1 zoning classifications allow the use of "parking lots (commercial)," which includes paid commercial parking lots. Some of these lots are Governmentally or privately owned parking lots used for carpooling, where people park their cars for the day and take public transportation or share rides to common locations. Others are privately owned, for-profit lots used for overnight parking, typically by people who park for several days during the duration of a cruise and take a shuttle to and from the port. These are known as commercial "park and ride" lots. Recently, there has been significant interest in development of these commercial park-and-ride lots in neighborhoods and in neighborhood commercial zoning classifications in the County. Existing development criteria for parking lots does not adequately address the impacts created by this new land use. Traffic, in the form of transient motor vehicles and large shuttle buses, to Port Canaveral and back from these lots potentially increases impacts to neighborhoods. Additionally, asphalt millings are often used to stabilize parking areas, increasing stormwater runoff into existing systems. Currently, no traffic studies, stormwater treatment or landscaping is required for lots that can be unlimited in size. An increase in commercial park-and-ride lots in the County will foreseeably have an adverse impact on the surrounding neighborhoods and communities. It is in the interest of public health and safety for the County to be able to mitigate the impact of commercial park-and-ride lots by allowing them as conditional uses, instead of permitted uses, within the BU-1, BU-2, PBP, PIP, IU, and IU-1 zoning classifications. It is requested that the Board of County Commissioners grant legislative intent and permission to advertise an ordinance to amend Brevard County Ordinance Sections 62-1482, 62-1483, 62-1541, 62-1542, 62-1543, and 62-1544 to remove "parking lots (commercial)" from the list of permitted uses and place "non-overnight commercial parking lot" as a permitted use and "overnight commercial parking lot" as a conditional use.

Clerk to the Board Instructions:

Exhibits Attached:

Contract /Agreement (If attached):	Reviewed by County Attorney	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
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County Manager Frank Abbate	Assistant County Manager John Denninghoff	Department Director / Extension
District 2 Commission Office	Interim Assistant County Manager	



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December 20, 2017

**M E M O R A N D U M**

**TO:** Frank Abbate, County Manager

**RE:** Item VI.F.7., Legislative Intent and Permission to Advertise an Ordinance to Amend Code of Ordinance Sections 62-1482, 62-1483, 62-1541, 62-1542, 62-1543, and 62-1544

The Board of County Commissioners, in regular session on December 19, 2017, granted legislative intent and permission to advertise an ordinance to amend Brevard County Ordinance Section 62-1482, 62-1483, 62-1541, 62-1542, 62-1543, and 62-1544 to remove parking lots (commercial) from the list of permitted uses and placing non-overnight commercial parking lots as a permitted use and overnight commercial parking lots as a conditional use; and directed staff to bring back the ordinance at the March 1, 2018, Zoning Meeting.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/kp

cc: Finance  
Budget

The proposed title of the ordinance is:

AN ORDINANCE AMENDING SECTIONS 62-1482, 62-1483, 62-1541, 62-1542, 62-1543, AND 62-1544 OF THE BREVARD COUNTY CODE OF COUNTY ORDINANCES TO AMEND THE LIST OF PERMITTED AND CONDITIONAL USES IN IN BU-1, BU-2, , PBP, PIP, IU, AND IU-1 ZONING CLASSIFICATIONS BY REMOVING "PARKING LOTS (COMMERCIAL)" FROM THE LIST OF PERMITTED USES, ADDING "NON-OVERNIGHT COMMERCIAL PARKING LOT" TO THE LIST OF PERMITTED USES, AND ADDING "OVERNIGHT COMMERCIAL PARKING LOT" TO THE LIST OF CONDITIONAL USES WITHIN THE UNINCORPORATED AREAS OF THE COUNTY; ADOPTING FINDINGS OF FACT; PROVIDING DEFINITIONS; PROVIDING FOR STAFF RECOMMENDATIONS; PROVIDING FOR AREA ENCOMPASSED; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE; AND PROVIDING FOR INCLUSION IN CODE.