



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

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Tammy.Rowe@brevardclerk.us

May 5, 2017

MEMORANDUM

TO: Tad Calkins, Planning and Development Director Attn: Erin Sterk

RE: Item IV.C., Adoption of Spring 2017-1 Comprehensive Plan Amendment Package

The Board of County Commissioners, in regular session on May 4, 2017, adopted Ordinance Nos. 17-05, 17-06, and 17-07, Spring 2017-1 Comprehensive Plan Amendment Package, as follows:

- 1). Plan Amendment 2017-1.1 – A proposal initiated by Florida Power & Light Company to amend Part XI, the Future Land Use Element, to change the Future Land Use Map Series designation from Residential 1 and Public Conservation to Public Facilities, on 462+/- acres, located south of Micco Road, approximately 1.5 miles west of U.S. Highway 1.
- 2). Plan Amendment 2017-1.2 – A proposal initiated by Granite Property Development, Inc. to amend Part XI, the Future Land Use Element, to change the Future Land Use Map Series designation from Planned Industrial Park and Community Commercial to Residential 4, on 48.25 +/- acres, located on the west side of U.S. Highway 1, approximately 100 feet north of Pam Lem Street.
- 3). Plan Amendment 2017-1.3 – A proposal initiated by Light Findings, LLC, and John G. Noonan, as Bishop of the Diocese of Orlando, to amend Part XI, the Future Land Use Element, to change the Future Land Use Map Series designation from Industrial, Community Commercial, Neighborhood Commercial, and Residential 8 Directive to Residential 4, on 130 +/- acres, located west of U.S. Highway 1, north of Camp Road.

Enclosed is the fully-executed Spring 2017-1 Comprehensive Plan Amendment Package for your action.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

May 5, 2017

Honorable Scott Ellis
Clerk
Board of County Commissioners
Brevard County
Post Office Box 999
Titusville, Florida 32781-0999

Attention: Ms. Deborah Thomas, Administrative Assistant

Dear Mr. Ellis:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Brevard County Ordinance No. 2017-05, which was filed in this office on May 5, 2017.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

May 5, 2017

Honorable Scott Ellis
Clerk
Board of County Commissioners
Brevard County
Post Office Box 999
Titusville, Florida 32781-0999

Attention: Ms. Deborah Thomas, Administrative Assistant

Dear Mr. Ellis:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Brevard County Ordinance No. 2017-06, which was filed in this office on May 5, 2017.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

May 5, 2017

Honorable Scott Ellis
Clerk
Board of County Commissioners
Brevard County
Post Office Box 999
Titusville, Florida 32781-0999

Attention: Ms. Deborah Thomas, Administrative Assistant

Dear Mr. Ellis:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Brevard County Ordinance No. 2017-07, which was filed in this office on May 5, 2017.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

March 2, 2017

Mr. Ray Eubanks,
Plan Processing Administrator
Division of Community Planning
Florida Department of Economic Opportunity
107 East Madison Street, MSC-160
Tallahassee, FL 32399-4120

Re: 2017-1 Spring Comprehensive Plan Amendment Adoption Package

Dear Mr. Eubanks,

Enclosed please find the Comprehensive Plan Amendment submittal package for the 2017-1 Spring Comprehensive Plan Amendment cycle – Brevard County Amendment No. 17-1ESR. There are three private applications for amendment being considered for adoption in this cycle: 2017-1.1 submitted by Florida Power & Light, 2017-1.2 submitted by Granite Property Development, Inc., and 2017-1.3 submitted by Light Findings, LLC / Diocese of Orlando, with each amendment more fully described in the attached staff reports.

The Local Planning Agency held a public hearing regarding the adoption of the 2017-1 Plan Amendment on April 24, 2017, recommending approval of all three Comprehensive Plan Amendments, 2017-1.1, 2017-1.2, and 2017-1.3.

The Brevard County Board of Commissioners approved the adoption of the 2017-1 Plan Amendment package during a public hearing on May 4, 2017. Copies of the proposed amendment package have been sent to the St. Johns River Water Management District, the East Central Florida Regional Planning Council, the Florida Department of Environmental Protection, the Florida Department of Transportation (District 5), the Florida Department of State, the Florida Fish and Wildlife Conservation Commission, the Florida Department of Education, and the Florida Department of Agriculture and Consumer Services.

The plan amendment's "content and effect" is included in this mailing, with minor changes between transmittal and adoption called out in strikethrough/underline, as required by statute.

The proposed amendment package was adopted by Brevard County on May 4, 2017.

The proposed amendment package is not within an area of critical state concern.

The proposed amendment package is not within the Wekiva River Protection Area.

The proposed amendments are not being adopted under a joint planning agreement pursuant to Section 163.3171, Florida Statutes.

The contact person for the 2017-1 Plan Amendment package is:

Erin Sterk, Planner III
Planning and Development Department
2725 Judge Fran Jamieson Way, Building A
Viera, FL 32940
Erin.Sterk@BrevardFL.gov
(321) 633-2069 - FAX (321) 633-2074

A local newspaper of general circulation is:

Florida Today
1 Gannett Plaza
Melbourne, FL 32940
(321) 259-5555

In accordance with Florida Statutes, one paper copy and two copies in Portable Document Format (PDF) on the enclosed CD-ROM of the proposed amendment package including all proposed text, maps, and support documents are sent to your office via this transmittal. If you have any questions regarding the enclosed materials, please contact Erin Sterk at the above address.

Sincerely,



Curt Smith, Chairman
Brevard County Board of County Commissioners

Enclosures

cc: Board of County Commissioners (w/out encl.)
Stockton Whitten, County Manager (w/out encl.)
Scott Knox, County Attorney (w/out encl.)
Tad Calkins, Director, Planning and Development Department (w/out encl.)
Exec. Director, East Central Florida Regional Planning Council
Director of Planning and Public Transportation Operations, FDOT District Five
St. Johns River Water Management District
Florida Department of Environmental Protection
Florida Division of Agriculture and Consumer Services
Florida Division of Historic Resources
Florida Fish and Wildlife Conservation Commission
Florida Department of Education

**Comprehensive Plan Amendment
Spring Transmittal 2017-1
DEO Brevard County Amendment No. 17-1ESR**

**Comprehensive Plan Amendment
Florida Power & Light 2017-1.1**

**PROPOSED COMPREHENSIVE PLAN AMENDMENT 2017-1.1
FUTURE LAND USE MAP SERIES
FUTURE LAND USE ELEMENT**

Request: 2017-1.1
LSCPA FLU Map Amendment

Owner / Applicant: Florida Power & Light

Location: Legal Description On file
Tax Acct Parcels #3010467, #3007862, #3008628, #3008632,
#3006694

Acreage: ± 461.70

Existing Zoning Classification: Agricultural Residential (AU)
General Use (GU)
Rural Residential (RR-1)

Proposed Zoning Classification: (Rezoning to be filed for review at future Adoption Hearing)
Government Managed Lands (GML(U))

Existing Land Use Designation: Public Conservation (PUB CONS)
Residential 1 (RES 1)

Proposed Land Use Designation: Public Facilities (PUB)

FUTURE LAND USE MAP AMENDMENT

Description:

The subject property consists of 461.70 acres located approximately 450' south of Micco Road and west of Fleming Grant Road, in southern Brevard County. A Residential Future Land Use was adopted with the initial Comprehensive Plan in 1988, with a companion Residential Density classification of Suburban, allowing for development of 1 unit per acre, which was converted to today's Residential 1 (RES 1) Future Land Use designation with the adoption of the first Brevard County Evaluation and Appraisal Report (EAR) Amendment in 2001. ¼ acre of property was previously a part of an adjacent parcel and retained a Future Land Use designation of Public Conservation (PUB CONS), but was granted to the former property owners by deed. The entire property has historically served as an agricultural farm. The proposed Future Land Use designation change to Public Facilities will allow for the subject property to be subsequently rezoned to Government Managed Lands (GML), and developed with a solar farm for electricity production.

A companion rezoning application to GML is expected to be filed after the Large Scale Comprehensive Plan Amendment's transmittal and State review, and is intended to coincide with the future adoption hearing of this amendment request. A conditional use permit (CUP) will be required to allow for the utility (U) use designation, which specifically allows for electric, natural gas, water and wastewater utilities. Florida Power & Light is regulated by the Public Service Commission, qualifying the facility as eligible for the GML(U) zoning designation.

North of the subject property, the parcels have frontage on Micco Rd. are intermittently developed at either 1 unit per acre or as agricultural support businesses. Northeast of the subject property, with access also from Fleming Grant Road, lies the southern part of Barefoot Bay, a deed restricted mobile home community. These parcels' TRC-1 zoning classification was enacted in 1969 and the subsequent mobile home development predates the 1988 Comprehensive Plan, explaining the nonconformity of the RES 1 Future Land Use designation. Across Fleming Grant Road, developed parcels east of the subject property have a RRMH-1 zoning and a Future Land Use designation of Res 1, with both mobile home and single family residential development on larger parcels. Undeveloped land to the east retains its original agricultural zoning. Parcels to both the south and west are zoned for agricultural purposes and general use with a Future Land Use designation of Public Conservation and remain undeveloped, with a land alteration approved in 2003 and completed by the St. Johns River Water Management District. Parcels abutting the subject property to the northwest are zoned Rural Residential with a Future Land Use designation of RES 2 and were subdivided, but never developed.

Surrounding Uses	Current Use	Zoning	Future Land Use
North	Agriculture Single Family Homes Mobile Homes	AU RR-1 TRC-1	RES 1
East	Vacant Single Family Homes Mobile Homes	AU RRMH-1	RES 1
South	SJRWMD Conservation Lands	AU	PUB CONS
West	Vacant SJRWMD Conservation Lands	RU-1-13 GU AU	RES 2 PUB CONS

Availability of Public Facilities and Services:

Potable Water: Potable water connectivity is not required for the proposed Public Facilities Future Land Use designation, but the subject property is adjacent to the Barefoot Bay Water and Wastewater Service Area.

Sanitary Sewer: Sanitary sewer connectivity is not required for the proposed Public Facilities Future Land Use designation, but the subject property is adjacent to the Barefoot Bay Water and Wastewater Service Area.

Solid Waste: Brevard County provides solid waste collection and disposal for this area, but the unmanned facility is anticipated to generate a negligible amount of waste annually.

Parks & Recreation: The proposed land use amendment would not impact park land level of service for the South Planning Area.

Drainage: All necessary drainage and stormwater management facilities must be provided on-site by the developer and approved during the land development review process.

Transportation: The proposed amendment is located with access off of the local road Fleming Grant Road, Segment 122 between Kiwi Drive and Micco Road, with a current traffic count of 1,361 Average Daily Trips (ADT) and a Maximum Allowable Volume (MAV) of 14,200. The roadway has a current operating volume 9.58%. Fleming Grant Road provides access to nearby Micco Road, functionally classified as an Urban Major Collector.

The applicant attests in their submittal that the proposed project is not anticipated to permanently increase the Average Daily Trip Count, as the facility is planned to be monitored remotely with no on-site full time staff required for facility maintenance. Calculating the maximum impact of the FLU Designation change to Public Facilities, without an accompanying rezoning application would result in an additional 52,424 daily trips and a potential deficiency in the LOS on Fleming Grant Road. However, the applicant has submitted a companion Rezoning application, which clarifies that the intended use for utilities production would, in reality, result in a de minimus impact to traffic. Additionally, Zoning Interpretation # 17-01 indicates that the anticipated solar electricity production does not produce the vehicle trips or the demand upon the roadways as others. The preliminary site plan associated with the Rezoning application also depicts a design reflecting the unmanned nature of the facility. The applicant will submit a Traffic Impact Analysis at site plan to document the lack of impact on both local and adjacent state roads. Temporary construction traffic will be reviewed at a subsequent phase in the development process as a part of Site Plan review and ROW permit approval.

	ADT	PM PEAK		
Trips from Existing Zoning	4,395	462	Segment Number	122
Trips from Proposed FLU	<u>55,458</u>	<u>7,492</u>	Segment Name	Fleming Grant
Maximum Acceptable Volume (MAV)	14,200	1,278	Acceptable LOS	D
Current Volume	1,361	122	Directional Split	0.52
Volume With Proposed Development	<u>52,424</u>	<u>7,152</u>	ITE CODE	
Current Volume / MAV	9.58%	9.58%	<u>710</u>	
Volume / MAV with Proposal	<u>369.18%</u>	<u>369.18%</u>		
Current LOS	D	D		
LOS With Proposal	<u>E</u>	<u>E</u>		
Findings	<input type="checkbox"/> Non-Deficiency		<input checked="" type="checkbox"/> <u>Deficiency</u>	

Public Schools: At this time, there is no impact anticipated on school concurrency levels or service areas, as the project does not include residential development within the proposal.

Environmental Resources:

Any future use will require review and compliance with all relevant County regulations, including environmental review as required.

Coastal High Hazard Zone:

The subject property is not located within the Coastal High Hazard Area.

Historic Resources:

There are no Florida Master Site File findings of any historic resources on the property.

Comprehensive Plan Policies/Comprehensive Plan Analysis:

Staff findings of fact are shown in italics.

Notice: The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms with site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.

Future Land Use Element Policies

The following policies pertain to this future land use planning activity.

PUBLIC FACILITIES LAND USES

Objective 6

Brevard County shall provide for adequate lands to meet the existing and future needs for public facilities and services, consistent with the Capital Improvements Program and the policies and the criteria of this Comprehensive Plan.

Locational Criteria for Public Facilities

Policy 6.2

Appropriate locations for public facility land uses, to include all lands managed by a governmental entity, should be based upon the following minimum criteria:

Criteria:

- A. Public facilities are those uses which, at a minimum, relate to government-managed transportation, sanitary sewer, potable water, solid waste, drainage, conservation, education, government service systems, and other utilities such as gas, electric, telephone and cable. An exception should be made for transmission or collection facilities, rights-of-ways, and easements. Public facilities are also those uses classified as scientific research and technology development activities conducted by non-governmental organizations (NGOs) in formal partnership with governmental entities. Such NGOs shall provide economic, environmental and/or quality of life benefits to Brevard County. Specific land-use activities include either: life science research, ocean, coastal and marine research and technology development, or environmental science research. Public Facilities that are NGOs in formal partnership with governmental entities shall not exceed a FAR of .25.

The proposal for electric utilities generation meets the requirements for the Public Facilities land use designation.

- B. Public facilities land uses may be considered for locations within all land use designations on the Future Land Use Map provided such uses are compatible with adjacent land uses consistent with this Comprehensive Plan.

While public facilities uses may be considered within all land use designations, the Public Facilities land use will ensure the Comprehensive Plan remains consistent with the GML(U) zoning classification that is expected to be proposed for the solar electric generation facility.

- C. Following the purchase, lease or dedication of property for public facility purposes, the Comprehensive Plan shall be amended to depict the property as Public Facility on the Future Land Use Map.

The purpose of this amendment is to achieve compliance with this criterion.

- D. Brevard County shall encourage the use of common corridors for utility systems, including sanitary sewer, potable water, re-use, electricity, gas and other utilities.

The subject property is connected directly to the existing power grid and will not require connectivity with other surrounding utilities corridors, as sanitary sewer, potable water, re-use water, natural gas, or other utilities are not needed to support the proposed use.

For specific information on the applicant's response regarding compliance with **Administrative Policies 3-7**, please refer to the attached Narrative provided by Florida Power & Light.

Summary

The proposed amendment is seeking to change the Comprehensive Plan to allow for development of a solar electricity generation facility. The amendment proposes to remove the existing Residential 1 and Public Conservation Future Land Use and replace it with the Public Facilities Future Land Use designation, allowing for a companion rezoning to GML(U) for construction of a solar farm.

The subject property is served with both potable water and sanitary sewer, but will not require either for the proposed Public Facilities development. The proposal is not anticipated to have impact on Brevard County's parks and recreation or school facilities. The property is accessed via the local road Fleming Grant Road, and is nearest to the Micco Road Urban Major Collector. Given that the facility will be unmanned, it is anticipated to generate only temporary traffic during initial construction. As proposed, the FLU designation change alone could result in a deficiency in LOS, but a Traffic Impact Analysis submitted with the site plan submittal would support the distinction that

this facility and its associated solar electricity production does not produce the vehicle trips or the demand upon the roadways.

The property abuts existing residential development to the north and east, and is buffered by both developed and undeveloped parcels with the Res 1 Future Land Use designation in both directions. Parcels to the south and west of the subject property have a Public Conservation Future Land Use designation and are managed by the St. Johns Water Management District. Properties to the northwest have a Res 2 Future Land Use designation and were subdivided, but never developed.

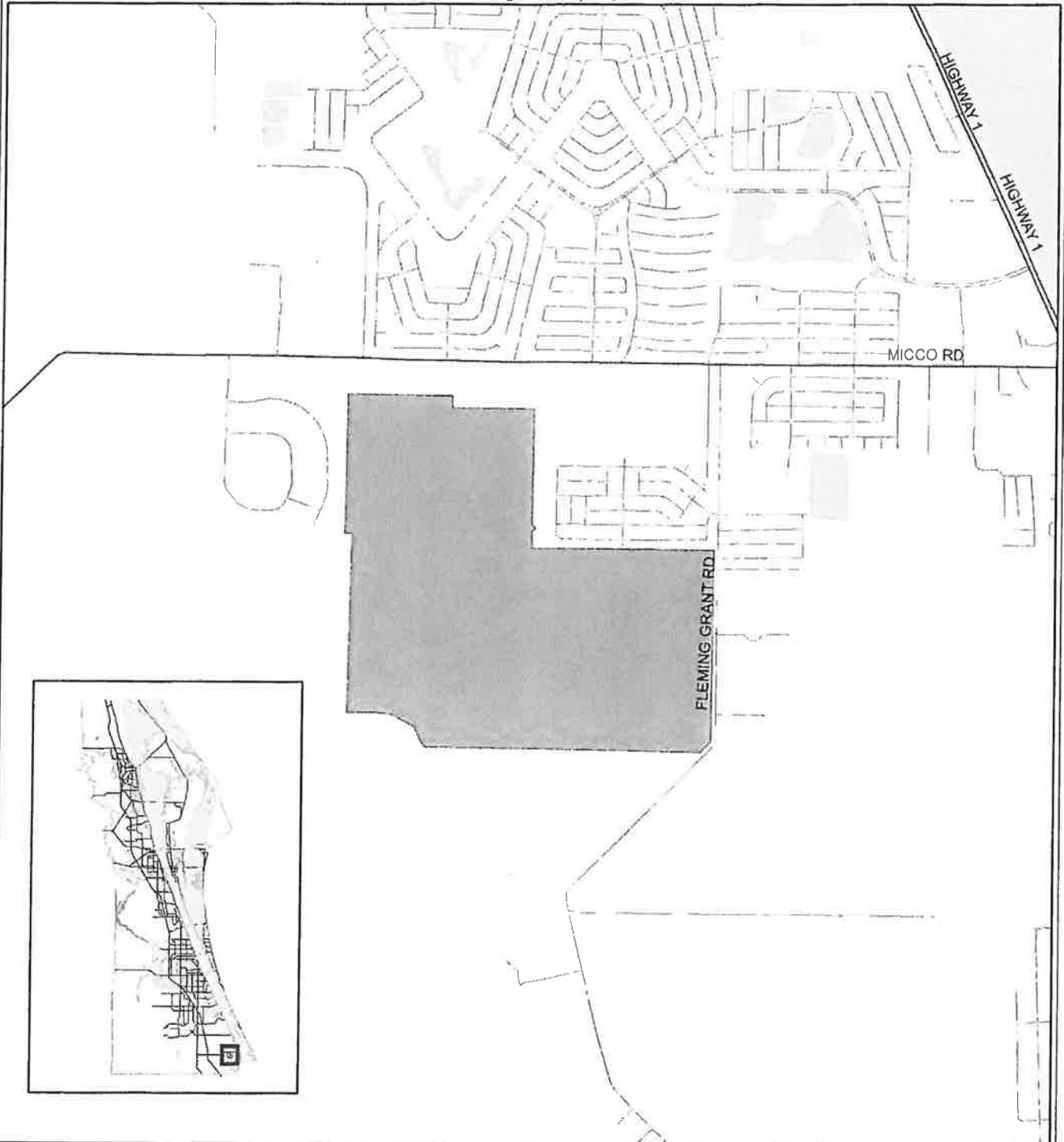
The applicant will submit a rezoning application for a change from the three existing zonings, RR-1, AU, and GU to GML(U) for public hearing to coincide with the adoption of this proposed amendment.

If you have any questions, please contact Erin Sterk, Planner III, of the Planning & Development Department at (321) 633-2070, ext. 52640, or via email to Erin.Sterk@BrevardFL.gov

LSCPA
Florida Power & Light
Spring 2017-1.1
Supporting Maps

LOCATION MAP

Comprehensive Plan Amendment 2017-1.1
Florida Power & Light Company 16PZ00119



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 2000 feet

 Subject Property

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced for the Brevard County Planning and Zoning Office by BoCC GIS Date: 1/26/2017

AERIAL MAP

Comprehensive Plan Amendment 2017-1.1
Florida Power & Light Company 16PZ00119



1:24,000 or 1 inch = 2,000 feet

PHOTO YEAR: 2016

— Subject Property

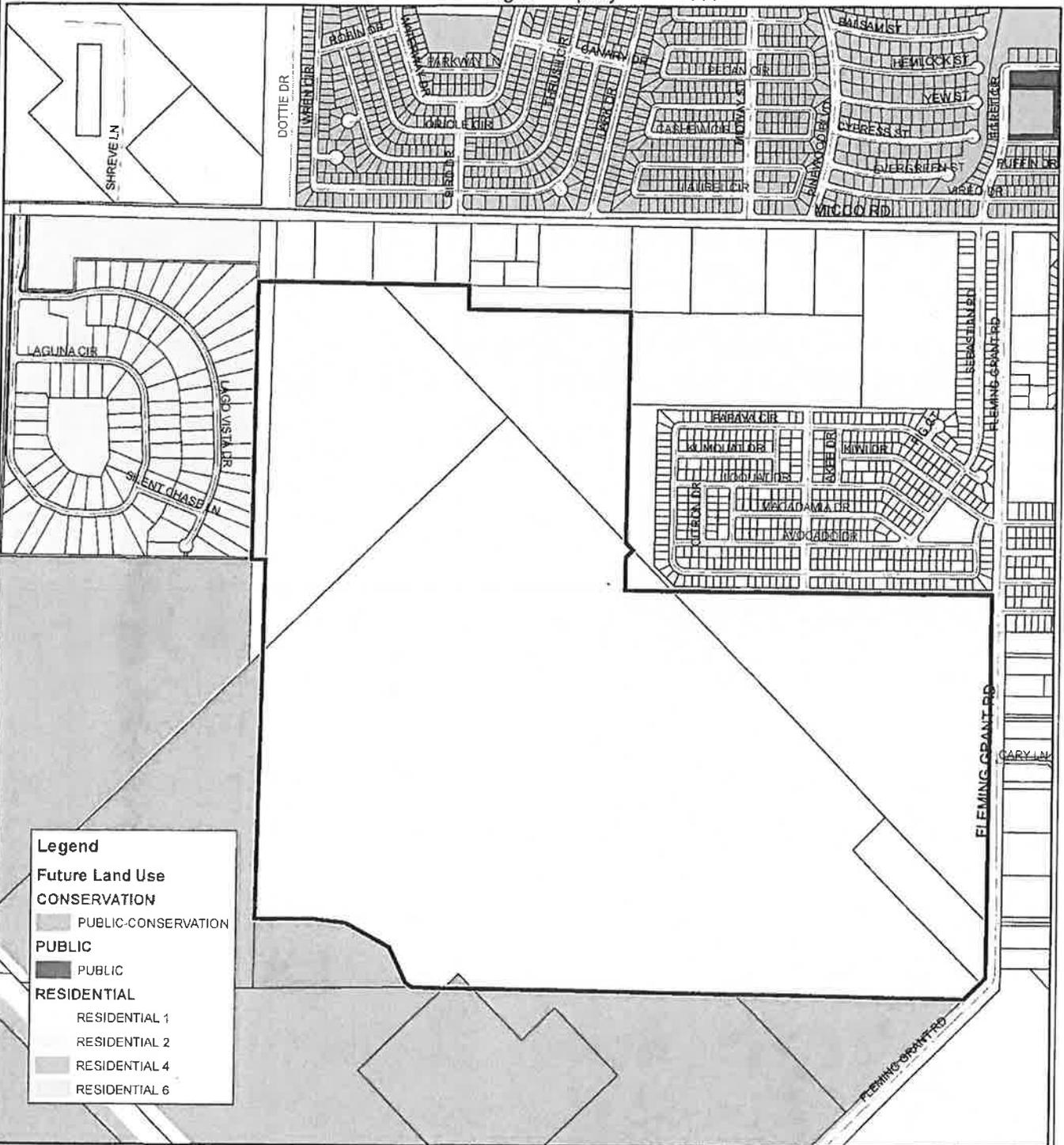
□ Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions herein.

Produced for Brevard County Planning and Zoning Office by BoCC GIS Date: 1/25/2017

ADOPTED FUTURE LAND USE MAP

Comprehensive Plan Amendment 2017-1.1
 Florida Power & Light Company 17PZ00029



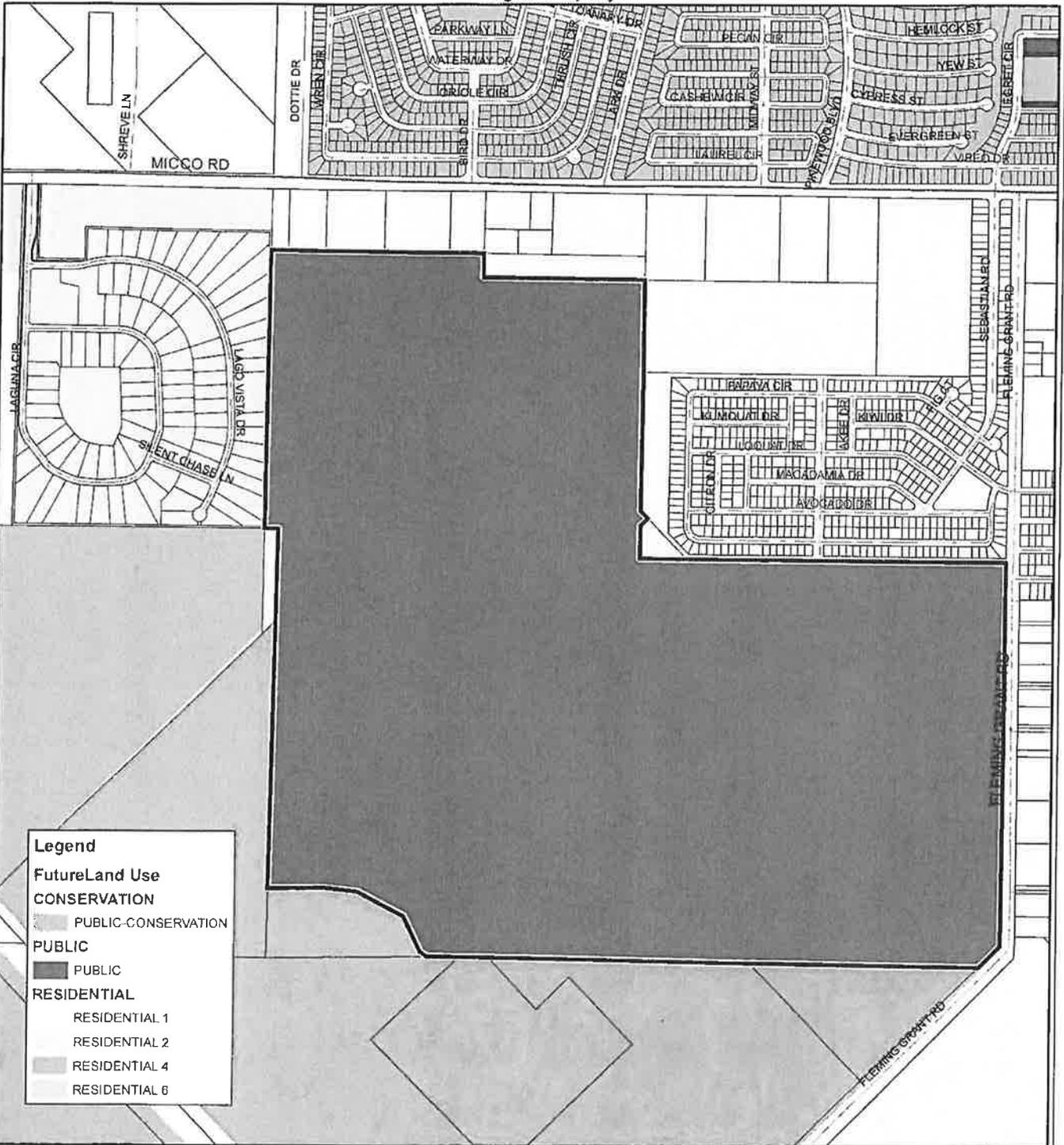
1:12,000 or 1 inch = 1,000 feet

— Subject Property
 □ Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

PROPOSED FUTURE LAND USE MAP

Comprehensive Plan Amendment 2017-1.1
 Florida Power & Light Company 17PZ00029



Legend

Future Land Use

CONSERVATION

PUBLIC-CONSERVATION

PUBLIC

PUBLIC

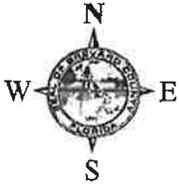
RESIDENTIAL

RESIDENTIAL 1

RESIDENTIAL 2

RESIDENTIAL 4

RESIDENTIAL 6



1:12,000 or 1 inch = 1,000 feet

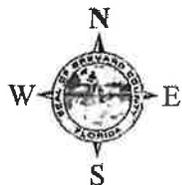
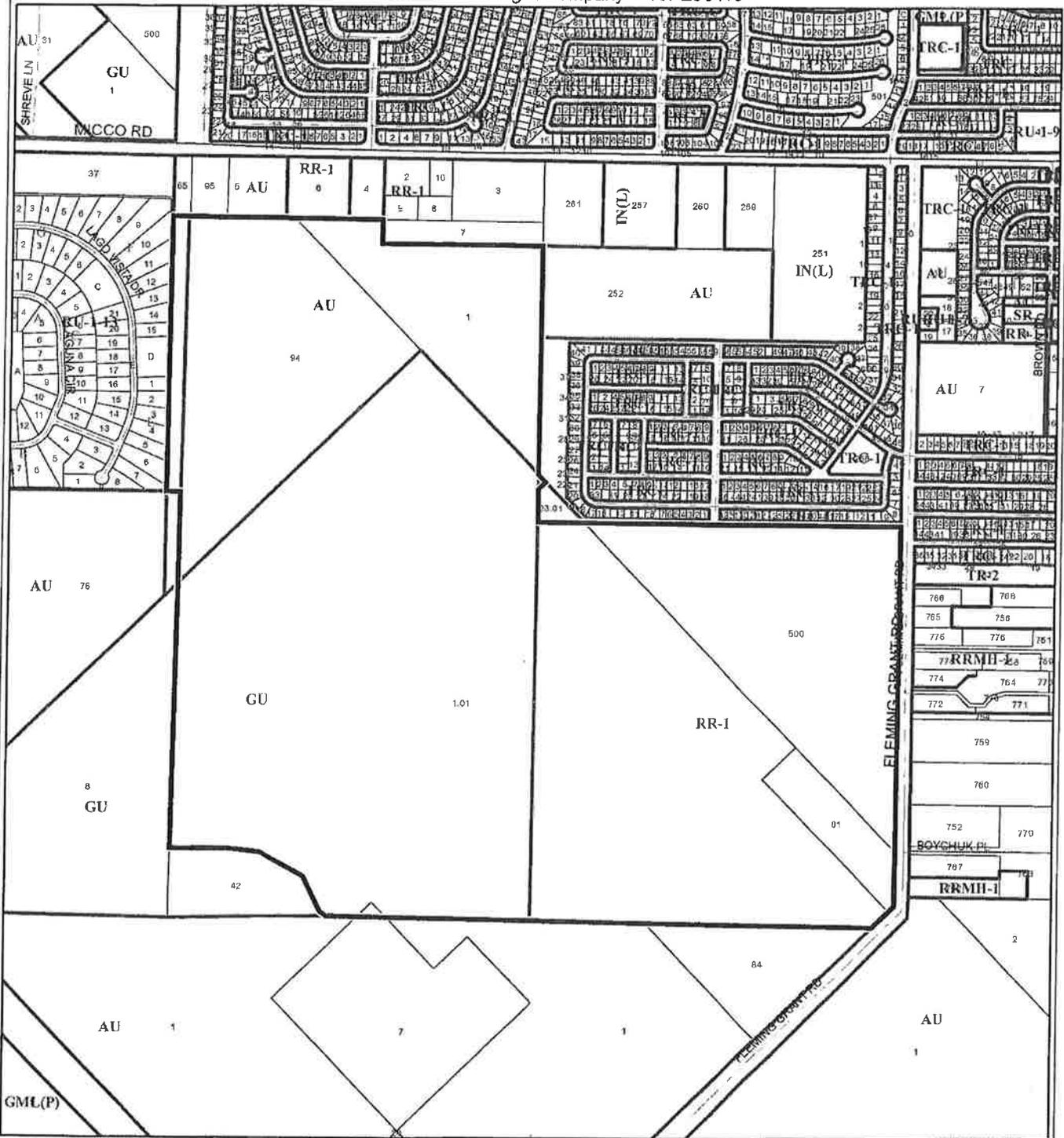
— Subject Property

□ Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

ZONING MAP

Comprehensive Plan Amendment 2017-1.1
 Florida Power & Light Company 16PZ00119



1:12,000 or 1 inch = 1,000 feet

-  Subject Property
-  Parcels
-  Zoning

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced for the Brevard County Planning and Zoning Office by BoCC GIS Date: 1/26/2017

**LSCPA
Florida Power & Light
Spring 2017-1.1
Applicant Submittals**

Brevard County
Supplement to Comprehensive Plan Amendment Application
Planning and Zoning Office, 2725 Judge Fran Jamieson Way, Viera, FL 32940
(321) 633-2069



1. Type of Application:

- Small-scale Comprehensive Plan Future Land Use Map Amendment
 Large-scale Future Land Use Map Amendment
 Comprehensive Plan Text Amendment
Plan Element(s) of Text Amendment request: _____

2. Applicant: FLORIDA POWER & LIGHT **Staff Planner:** ERIN STERK

3. Comprehensive Plan Amendment Information:

Adopted Future Land Use Designation: RESIDENTIAL 1
Requested Future Land Use Designation: PUBLIC FACILITIES
Existing Zoning: AGRICULTURAL RESIDENTIAL (AR), GENERAL USE (GU), RURAL RESIDENTIAL (RR-1)
Proposed Text Amendment (if applicable): Attach the proposed text amendment in a strike-thru/underlined format along with one copy on a CD in Microsoft Word, rtf or text format.

4. Description of Request/Justification: Must include a written statement explaining the rational and the appropriate data and analysis necessary to support the proposed change.

Text amendment supplemental information shall include any goal, objective, policy, implementation strategy, directive and any supporting data and analysis, including maps, figures and tables, and; (1) Identification of the particular element of the plan on which the request is based; and, (2) Citation of the existing language which is proposed to be changed; and, (3) Proposed rewording of the existing language or the wording of proposed new text.

SEE ATTACHED.

(use additional sheets if necessary)

Justification Narrative

4. Description of Request/Justification: Must include a written statement explaining the rational and the appropriate data and analysis necessary to support the proposed change.

Text amendment supplemental information shall include any goal, objective, policy, implementation strategy, directive and any supporting data and analysis, including maps, figures and tables, and; (1) Identification of the particular element of the plan on which the request is based; and, (2) Citation of the existing language which is proposed to be changed; and, (3) Proposed rewording of the existing language or the wording of proposed new test.

Florida Power and Light Company ("FPL") is requesting a comprehensive plan amendment (CPA) from **Residential 1** future land use to **Public Facilities** future land use on approximately 461.70 acres in order to construct a 74.5 MW photovoltaic solar facility ("solar facility"), known as the Barefoot Bay Solar Energy Center ("facility"). The subject property is located approximately one half mile southwest of the Micco Road & Fleming Grand road intersection. The project location is shown in **Exhibit "A"** attached ("Property").

There are three (3) zoning designations on the site: General Use (GU), Agricultural Residential (AR), and Rural Residential (RR1). The zoning map with the general location of the site is located in **Exhibit "D"**. Per the Brevard County land development regulations, the proposed land use will also require a rezoning to the government managed lands (GML) zoning classification, along with a conditional use permit (CUP). The rezoning and CUP will be submitted upon the adoption phase of the CPA.

Type of Development

The proposed use of the property is for a photovoltaic solar facility that is capable of generating 74.5 megawatts of output at its maximum performance. The facility will generate clean, renewable energy by converting sunlight via photovoltaic solar arrays into direct current (DC) electricity and then to alternating current (AC) electricity using power inverters. The zero-emissions electricity is then carried to the collector substation where the voltage is boosted for transmission through the electric grid.

Facility Design

The facility design is consistent with the character of the surrounding community. The low impact use and operation of a solar facility complies with the agricultural and low-density residential character of the surrounding area. By nature, photovoltaic solar facilities are passive, quiet, and low traffic generating uses. The facility does not impact environmentally sensitive areas and complies with the goals, objectives, and policies of the Brevard County Comprehensive Plan.

The facility will be designed to efficiently distribute the solar panels while providing the necessary open space and maintaining existing vegetation to the greatest extent possible to act as a buffer. The solar panels emit no odors or chemicals. All electricity conducted by the panels is collected through insulated

FLORIDA POWER & LIGHT CPA

lines. The facility will be gated and operationally monitored 24 hours a day. There will be no office structure associated with the facility.

The solar panels stand approximately two feet off the ground and are typically between six and seven feet tall. The facility produces minimal sounds from the inverters. All sounds produced will be well below levels permitted by the County's performance standards.

The subject property currently has the Residential 1 future land use designation. The majority of the surrounding lands are sparsely developed. However, the Barefoot Bay neighborhood is located across Micco Road to the north and the east. The surrounding properties have the following future land use designations:

North: Residential 4 (RES 4)

South: Public Conservation (PUB-CONS)

East: Residential 1 (RES 1)

West: Public Conservation (PUB-CONS), Residential 2 (RES 2)

Comprehensive Plan Overview

Future Land Use Element

The existing future land use designation for the subject property is Residential 1. The proposed facility is categorized within the **Public Facilities** future land use designation. The future land use map with the general location of the subject property identified is attached as **Exhibit "B"**.

The Public Facilities land use designation is defined as follows:

Public facilities are those uses which, at a minimum, relate to government-managed transportation, sanitary sewer, potable water, solid waste, drainage, conservation, education, government service systems, and other utilities such as gas, electric, telephone, and cable. (emphasis added)

Furthermore, Policy 6.2(B) of the Future Land Use Element of the Comprehensive Plan states that "[P]ublic facilities land uses may be considered for locations within all land use designations on the Future Land Use Map."

Additionally, all comprehensive plan amendments must comply with Administrative Policies 3, 4 and 5, as well as any other applicable provisions in the comprehensive plan. Compliance with the Brevard County Comprehensive Plan is detailed as follows:

Administrative Policy 3:

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

Response: The proposed use is compatible with existing and proposed land uses.

A. *Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foresee ably be affected by the proposed use;*

Response: The facility will be unmanned and will not produce emissions, odors, vibration, dust, adverse noise, light pollution or waste products of any kind. The proposed land use will be operationally monitored via a remote location. Once operational, the solar facility will not require daily onsite personnel; it will only be accessed for maintenance purposes. These infrequent facility visits will not have an adverse impact on neighboring properties. This facility's minimum site activity will result in a use that will not diminish the enjoyment of, safety, or quality of life in surrounding existing neighborhoods.

B. *Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development;*

Response: The facility will be unmanned and will not produce emissions, odors, vibration, dust, adverse noise, light pollution or waste products of any kind. In addition, as described above, the solar facility will only have minimal traffic. In total, the proposed use will not cause a material reduction to neighboring property values.

C. *Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:*

1. *Historical land use patterns;*
2. *Actual development over the immediately preceding three years; and*
3. *Development approved within the past three years but not yet constructed.*

Response: The proposed use is consistent with emerging and existing surrounding development. Historically, the property was being used for citrus farming. The grove converted sunlight into fruit which was harvested and shipped to market. The agricultural activities that occurred on this property were labor intensive and included the use of water, fertilizers, pesticides and other best management practices that were required to maintain the grove. The proposed solar facility will have less impact as it does not use water and will generate clean, renewable energy without the on-site manual and mechanical efforts that the grove required. As a result, the proposed development is not inconsistent with the pattern of surrounding development based on similar land use patterns

and actual development. Further, the historic land use patterns and actual development over the immediately preceding three years has consisted of newly platted and developing residential uses. This facility will not prevent such developments from occurring in the nearby areas but will preclude this pattern from occurring on-site.

D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Response: The facility will be unmanned and will not produce emissions, odors, vibration, dust, adverse noise, light pollution or waste products of any kind. In addition, the facility will be permitted and maintained in accordance with all applicable laws and regulations. As a result, the proposed use would not result in a violation of relevant policies in any elements of the Comprehensive Plan.

Administrative Policy 4:

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, etc.), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.*
- B. In determining whether an established residential neighborhood exists, the following factors must be present:*
 - a. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.*
 - b. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.*
 - c. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.*

Response: The character of the area will not be materially or adversely affected by the proposed rezoning or land use application. Although the solar facility sits near an established neighborhood, it is a remotely monitored facility. Moreover, the facility will not produce emissions, odors, vibration, dust,

adverse noise, light pollution or waste products of any kind, and therefore, will not disrupt the character of the existing neighborhoods.

Administrative Policy 5:

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following criteria:

- A. Whether adopted levels of service will be compromised;*
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;*
- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;*
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;*
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;*
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;*
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety of welfare of residents in existing residential neighborhoods.*

Response: Once constructed, the proposed facility will be unmanned except for maintenance visits. The proposed facility will not generate daily traffic. It will be remotely monitored and site visits will be limited. As a result, the proposed facility will only have a de minimis impact to the road system. Adopted levels of service will not be compromised or adversely impact the safety and well-being of area residents.

Administrative Policy 6:

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with (a) all written land development policies set forth in these administrative policies; and (b) the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element and transportation elements of the comprehensive plan.

Response: The proposed use is consistent with all written land development policies set forth in the administrative policies, and all other applicable elements of the comprehensive plan.

Administrative Policy 7

Proposed use(s) shall not cause or substantially aggravate any (a) substantial drainage problem on surrounding properties; or (b) significant, adverse and unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

Response: The solar facility has been designed with drainage in mind and to avoid all wetlands and surface waters. The construction will not impact any wetlands, will not cause drainage issues to surrounding properties, and will not impact any listed species. Wildlife surveys within the Project area were conducted on August 10th and October 25 and 26, 2016. One burrow of the state-threatened gopher tortoise was identified within the property boundary. That being said, no gopher tortoise burrows are within the footprint of construction and a minimum 25 foot buffer from gopher tortoise burrows will be maintained to avoid adverse impacts. No other species were identified within the property boundaries.

Policy 6.2: Locational Criteria for Public Facilities

Appropriate locations for public facility land uses, to include all lands managed by a governmental entity, should be based upon the following minimum criteria:

- A. *Public facilities are those uses which, at a minimum, relate to government-managed transportation, sanitary sewer, potable water, solid waste, drainage, conservation, education, government service systems, and other utilities such as gas, electric, telephone and cable. An exception should be made for transmission or collection facilities, rights-of-ways, and easements. Public facilities are also those uses classified as scientific research and technology development activities conducted by non-governmental organizations (NGOs) in formal partnership with governmental entities. Such NGOs shall provide economic, environmental and/or quality of life benefits to Brevard County. Specific land-use activities include either: life science research, ocean, coastal and marine research and technology development, or environmental science research. Public Facilities that are NGOs in formal partnership with governmental entities shall not exceed a FAR of .25.*

FLORIDA POWER & LIGHT CPA

- B. *Public facilities land uses may be considered for locations within all land use designations on the Future Land Use Map provided such uses are compatible with adjacent land uses consistent with this Comprehensive Plan.*
- C. *Following the purchase, lease or dedication of property for public facility purposes, the Comprehensive Plan shall be amended to depict the property as Public Facility on the Future Land Use Map.*
- D. *Brevard County shall encourage the use of common corridors for utility systems, including sanitary sewer, potable water, re-use, electricity, gas and other utilities.*

Response: The use of a solar facility meets the criteria of Public Facilities as it falls under the utilities category, is compatible with adjacent land uses, and is proposed to be depicted as Public Facility on the Future Land Use Map.

Public Facilities Siting and Capacity Needs (Objective 12)

Policy 12.1

Public facilities and services shall be designed with capacities sufficient to support the needs of the projected population and the intensity of future development.

Response: The proposed solar facility is supported by Policy 12.1, and will augment the existing power grid with clean, renewable, emission-free energy to support the energy needs of the projected population and the intensity of future development.

Policy 12.2

Planning for public facility and service expansions should consider the area's suitability for urbanization based upon environmental constraints, existing and future land uses, the availability of potable water and the availability of other facilities and services. The provision of public facilities and services shall be encouraged within existing or future service areas as designated in this Comprehensive Plan, unless an overriding public benefit can be demonstrated, in an effort to limit urban sprawl. Plans for the expansion of existing facilities, services and corridors or the construction of new facilities, services and corridors should include measures to mitigate negative impacts upon the surrounding area during construction.

Response: The solar facility provides an environmental and sustainable public benefit by generating clean, emission free renewable energy produced by solar photovoltaic panels. The solar facility will not require any potable water and would not contribute to urban sprawl.

The following two policies found in the Conservation Element of the comprehensive plan support the proposed land use:

Policy 1.6

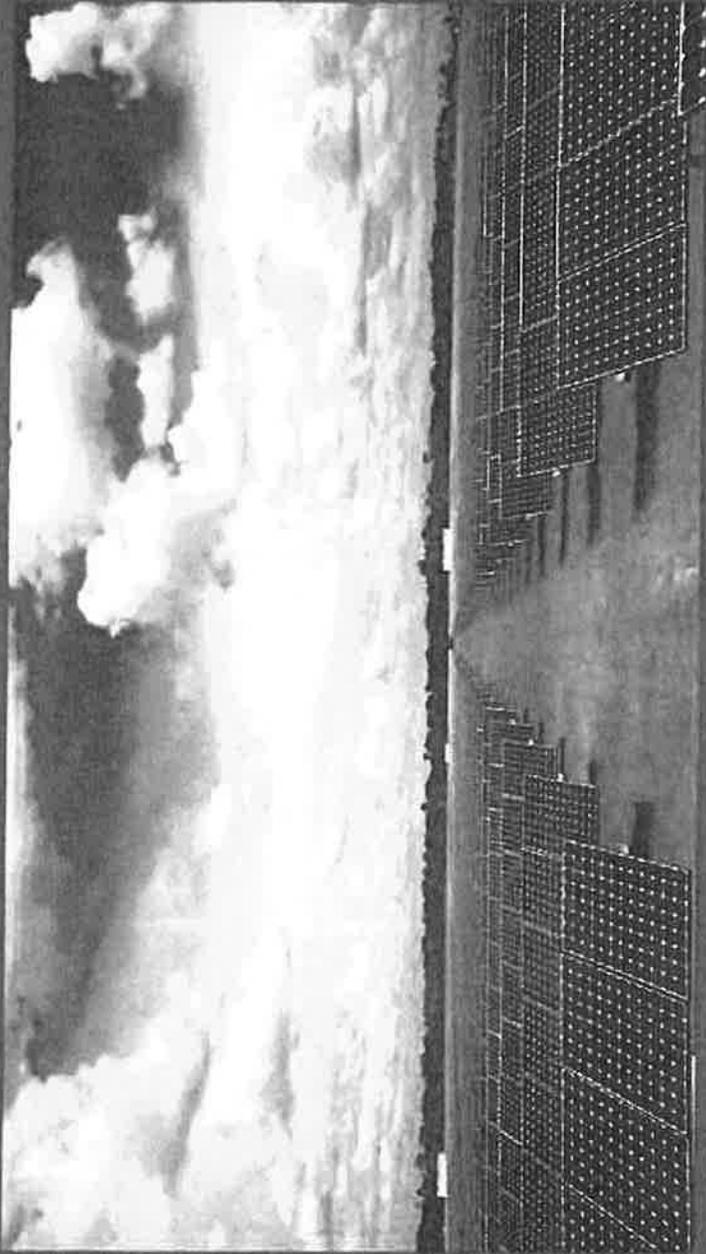
FLORIDA POWER & LIGHT CPA

Alternate energy resources that do not degrade air quality should be given preference over resources which do degrade air quality

Policy 2.6

Brevard County should ... encourage development and use of energy efficient and renewable technologies to enhance economic development while conserving energy.

FY1 2017-11a.



Florida Power & Light Company: Advancing Solar in Florida

February 20, 2017

FPL's Affordable Clean Energy Strategy

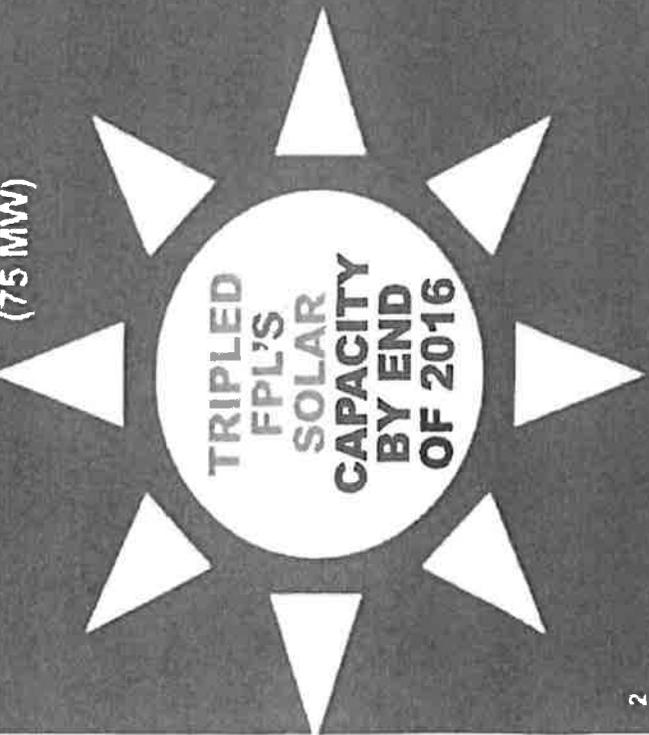
We tripled our solar capacity by the end of 2016 with no net-cost to customers

FPL Solar Power Plants Timeline



- DeSoto (25 MW)
- Space Coast (10 MW)
- Martin (75 MW)

- Three new FPL Solar Energy Centers
- Babcock Ranch – Charlotte County
 - Manatee Solar – Manatee County
 - Citrus Solar – DeSoto County



Our strategy leverages:

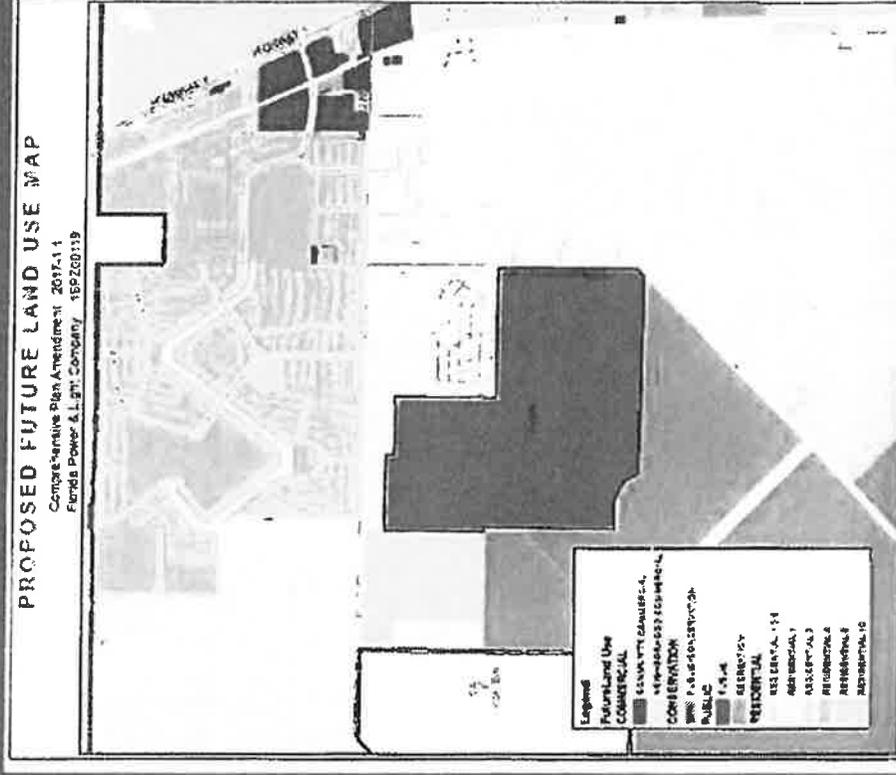
- ☉ High-efficiency natural gas
- ☉ Zero-emissions nuclear

to provide our customers with affordable clean energy and 99.98% reliability *now and in the future*

Solar project location in southern Brevard

Project Facts

- Project size: 74.5 MW (462 acres)
- Existing transmission line adjacent to site
- No wetlands impacts
- Does not use water or produce waste



Barefoot Bay Solar Energy Center



FPL Barefoot Bay Solar Energy Center
Barefoot Bay, Florida

Artist's impression only.
Subject to final engineering.

TrueScape



CHANGING THE CURRENT. FPL

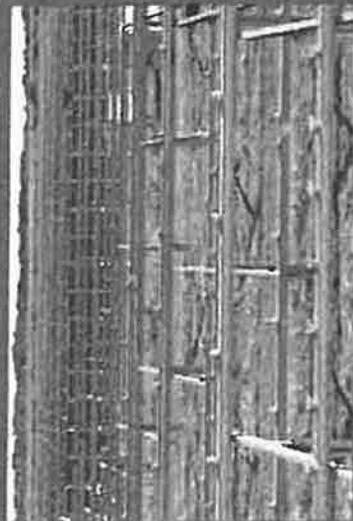
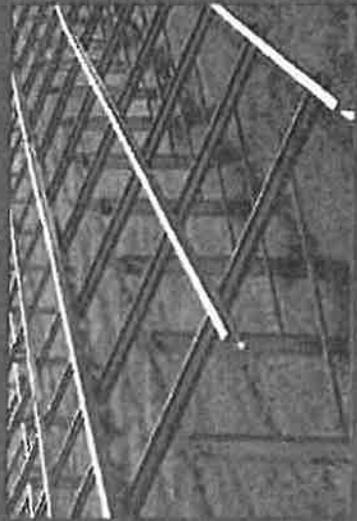
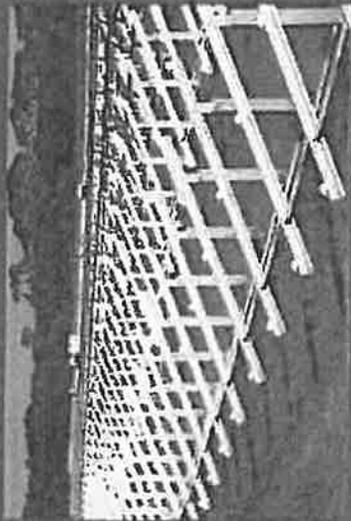
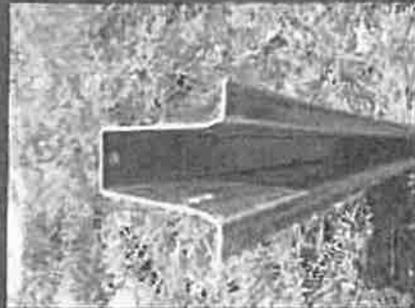
Benefits of Barefoot Bay Solar Energy Center

- Energy generated from project is enough to power ~15,000 homes
- Zero-emissions generation equates to removing ~25,000 cars from the road each year
- Creates ~250-300 jobs during construction, which indirectly support local businesses
- Design avoids or minimizes impact to wetlands and wildlife
- Panels are low to the ground and operation is virtually silent
- Adds more renewable energy to power our state's growing economy and increasing population



Solar Components

Solar Installation consists of individual panels installed on a racking system without the need for fill material



CHANGING THE CURRENT. FPL



FPL[®]



**LSCPA
Florida Power & Light
Spring 2017-1.1
Ordinance**

ORDINANCE NO. 17-05

ORDINANCE AMENDING ARTICLE III, CHAPTER 62, OF THE CODE OF ORDINANCES OF BREVARD COUNTY; ENTITLED "THE COMPREHENSIVE PLAN", SETTING FORTH PLAN AMENDMENT 2017-1.1; AMENDING SECTION 62-501, ENTITLED "CONTENTS OF THE PLAN"; SPECIFICALLY AMENDING SECTION 62-501, PART XI, ENTITLED FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP SERIES; PROVIDING FOR INTERNAL CONSISTENCY WITH THESE AMENDMENTS; PROVIDING LEGAL STATUS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 et. seq., Florida Statutes (1987) established the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Section 163.3167, Florida Statutes, requires each County in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the Department of Community Affairs; and

WHEREAS, on September 8, 1988, the Board of County Commissioners of Brevard County, Florida, approved Ordinance No. 88-27, adopting the 1988 Brevard County Comprehensive Plan, hereafter referred to as the 1988 Plan; and

WHEREAS, Sections 163.3184 and 163.3187, and 163.3189, Florida Statutes, established the process for the amendment of comprehensive plans pursuant to which Brevard County has established procedures for amending the 1988 Plan; and

WHEREAS, Brevard County initiated amendments and accepted application for amendments to the Comprehensive Plan on December 31, 2016, for adoption as the Plan Amendment Cycle 2017-1; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, have provided for the broad dissemination of proposals and alternatives, opportunity for written comments, public hearings after due public notice, provisions for open discussion, communication programs and consideration of and response to public comments concerning the provisions contained in the 1988 Plan and amendments thereto; and

WHEREAS, Section 62-181, Brevard County Code designated the Brevard County Planning and Zoning Board as the Local Planning Agency for the unincorporated areas of Brevard County, Florida, and set forth the duties and responsibilities of said local planning agency; and

Officially filed with the Secretary of State on 05/05/17.

WHEREAS, on April 24, 2017, the Brevard County Local Planning Agency held a duly noticed public hearing on Plan Amendment 2017-1.1, and considered the findings and advice of the Technical Advisory Groups, and all interested parties submitting comments; and

WHEREAS, on May 4, 2017, the Brevard County Board of County Commissioners held a duly noticed public hearing, and considered the findings and recommendations, and all interested parties submitting written or oral comments, and the recommendations of the Local Planning Agency, and upon thorough and complete consideration and deliberation, approved for the adoption of Plan Amendment 2017-1.1; and

WHEREAS, Plan Amendment 2017-1.1 adopted by this Ordinance complies with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Plan Amendment 2017-1.1 adopted by this Ordinance is based upon findings of fact as included in the data and analysis.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Section 1. Authority. This ordinance is adopted in compliance with, and pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section 2. Purpose and Intent. It is hereby declared to be the purpose and intent of this Ordinance to clarify, expand, correct, update, modify and otherwise further the provisions of the 1988 Brevard County Comprehensive Plan.

Section 3. Adoption of Comprehensive Plan Amendments. Pursuant to Plan Amendment 2017-1 to the 1988 Comprehensive Plan, Article III, Chapter 62-504, Brevard County Code, the 1988 Brevard County Comprehensive Plan is hereby amended as specifically shown in Exhibit A. Exhibit A is hereby incorporated into and made part of this Ordinance.

Section 4. Legal Status of the Plan Amendments. After and from the effective date of this Ordinance, the plan amendment, Plan Amendment 2017-1.1, shall amend the 1988 Comprehensive Plan and become part of that plan and the plan amendment shall retain the legal status of the 1988 Brevard County Comprehensive Plan established in Chapter 62-504 of the Code of Laws and Ordinances of Brevard County, Florida, as amended.

Section 5. Severability. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section 6. Effective Date. The plan amendment shall become effective once the state land planning agency issues a final order determining the adopted amendment to be in compliance in accordance with Florida Statutes, Section 163.3184(9), or until the Administration Commission issues a final order determining the amendment to be in compliance in accordance with Florida Statutes, Section 163.3184(10). A certified copy of the ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten days of enactment.

DONE AND ADOPTED in regular session, this 4th day of May, 2017.

ATTEST

By: 

Scott Ellis, Clerk

**BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA**

By: 

Curt Smith, Chairman

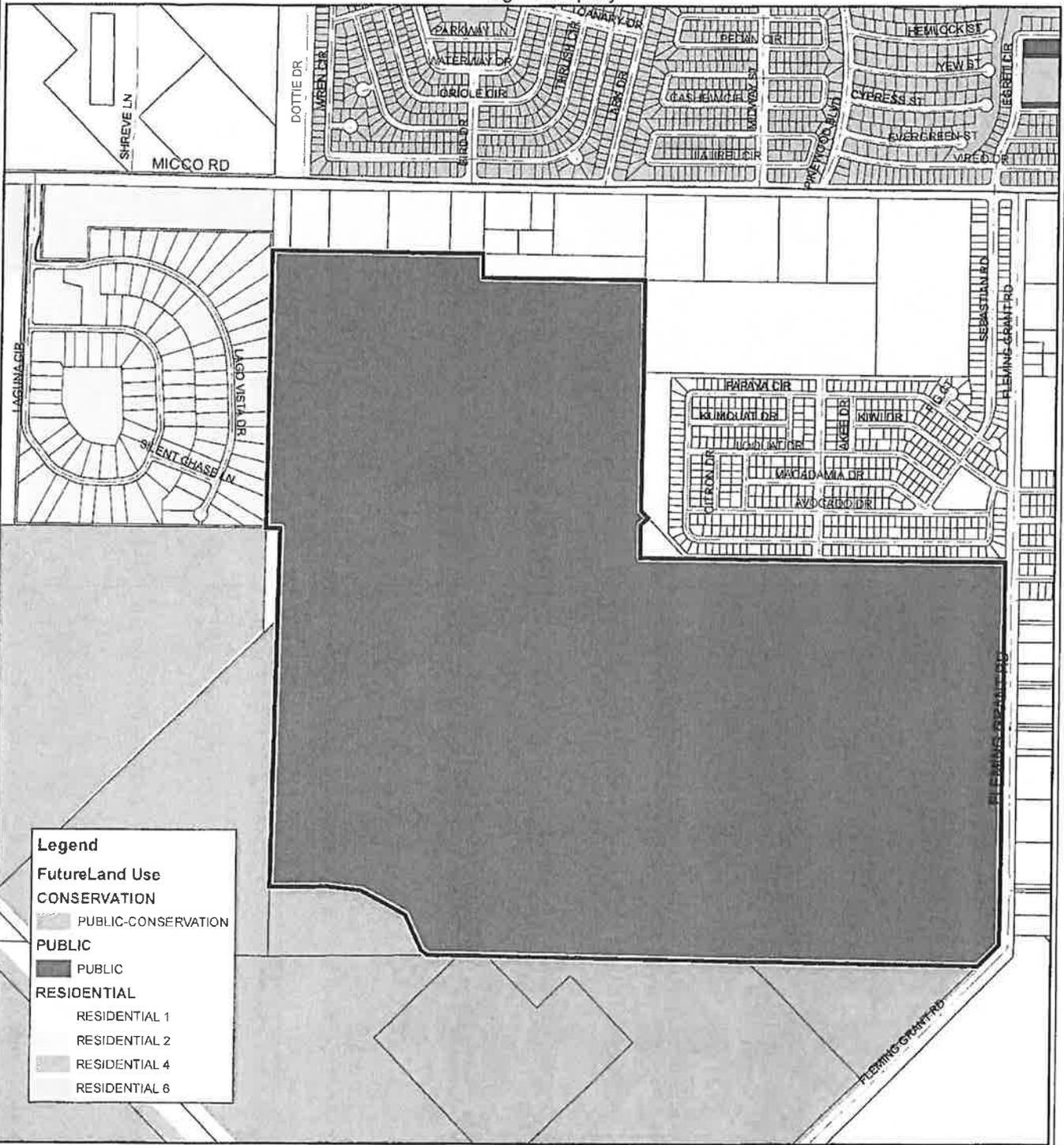
Approved by the Board on May 4, 2017.

**LSCPA
Florida Power & Light
Spring 2017-1.1
Exhibit A**

2017-1.1.
17-05

PROPOSED FUTURE LAND USE MAP

Comprehensive Plan Amendment 2017-1.1
 Florida Power & Light Company 17PZ00029



Legend

FutureLand Use

CONSERVATION

PUBLIC-CONSERVATION

PUBLIC

PUBLIC

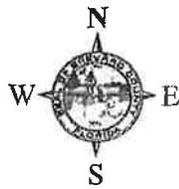
RESIDENTIAL

RESIDENTIAL 1

RESIDENTIAL 2

RESIDENTIAL 4

RESIDENTIAL 6



1:12,000 or 1 inch = 1,000 feet

— Subject Property
 □ Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

**Comprehensive Plan Amendment
Granite Property Development, Inc. 2017-1.2**

**PROPOSED COMPREHENSIVE PLAN AMENDMENT 2017-1.2
FUTURE LAND USE MAP SERIES
FUTURE LAND USE ELEMENT**

Request: 2017-1.2
LSCPA FLU Map Amendment

Owner / Applicant: Granite Property Development, Inc.

Location: Legal Description On file
Tax Acct Parcel #2410806 and a portion of Tax Account Parcels
#2410742, #2454883, #2410769, #2410768

Acreage: ± 48.258

Existing Zoning Classification: Planned Industrial Park (PIP)
General Retail Commercial (BU-1)
Recreational Vehicle Park (RVP)
Agricultural Residential (AU)

Proposed Zoning Classification: (Rezoning to be heard subsequent to a future Adoption Hearing)
RU-1-7 with a BDP to limit density to 4 units per acre

Existing Land Use Designation: Planned Industrial (PLNIP)
Community Commercial (CC)

Proposed Land Use Designation: Residential 4 (RES 4)

FUTURE LAND USE MAP AMENDMENT

Description:

The subject property consists of 48.258 acres located on the west side of US 1 and ½ mile south of the intersection of Canaveral Groves Boulevard. The Future Land Use adopted with the initial Comprehensive Plan in 1988 was Planned Industrial Park and Mixed Use. The subject property also had a Residential Density classification of Urban Fringe, allowing 4 units per acre, with the adoption of the initial Comp. Plan. The Mixed Use area adjacent to US 1 was converted to Community Commercial with the adoption of the first Brevard County Evaluation & Appraisal Report (EAR) Amendment in 2001.

The proposed Future Land Use of Residential 4 will allow the subject property to be rezoned for residential use, allowing for a maximum of 193 single-family residences – a proposal that is consistent with the residential density historically permitted on the property. A companion rezoning application to RU-1-7 with a Binding Development Plan (BDP) limiting density to 4 units per acre will be filed and heard subsequent to the

future adoption hearing of this amendment, following transmittal and State review. Staff anticipates the applicant's BDP including a commitment to also provide for sewer service connectivity to proposed future residential development.

The abutting properties to the north have been previously developed as industrial parks. Several commercially zoned and two agricultural residential parcels lie to the east across US 1, but all remain undeveloped, to date. An industrial park and two mobile home residences abut the property's southern boundary. The Florida East Coast Railway corridor directly abuts the property to the west, with vacant wetlands with industrial zoning just west of the railway corridor.

Surrounding Uses	Current Use	Zoning	Future Land Use
North	Planned Industrial Park	PIP	PLNIP
East	Vacant	BU-1 AU	CC NC
South	Commercial Mobile Homes	BU-2 TR-1 RRMH-2.5	CC NC Res 4
West	Vacant (Across FEC Railway)	IU	IND

Availability of Public Facilities and Services:

Potable Water: The subject property is located in the City of Cocoa Service Area, with service provided adjacent to the property along US 1. City of Cocoa Utilities reports that excess capacity is available for future residential and commercial use.

Sanitary Sewer: The subject property is located within the City of Cocoa sanitary sewer service area, with service provided adjacent to the property along US 1.

Solid Waste: Brevard County provides solid waste collection and disposal for this area and adequate capacity exists to serve the land use proposed for the subject property.

Parks & Recreation: The proposed land use amendment would not exceed existing park land level of service for the North Planning Area.

Drainage: All necessary drainage and stormwater management facilities must be provided on-site by the developer and approved during the subdivision and land development review process.

Transportation: The proposed amendment is located on US 1, Segment 36002 SR 528 to Camp Road, with a current 2015 traffic count of 26,800 Average Daily Trips (ADT) and a Maximum Allowable Volume (MAV) of 41,790. The roadway has a current operating volume 64.13%. The proposed project if approved would increase the Average Daily

Trip Count to an estimated 28,647 ADT for the proposed residential project which will increase the operating volume to 69.28%.

The Planning & Development Department has notified Public Works Traffic Operations Management of the proposed Comprehensive Plan change and future subdivision submittal. As the project is anticipated to generate more than 1,000 trips per day, the project will require that a Traffic Impact Study be submitted with future site plans to evaluate the impact on the surrounding roadway network.

	ADT	PM PEAK		
Trips from Existing Zoning	4,093	467	Segment Number	36001 / 36002
Trips from Proposed Zoning	1,847	195	Segment Name	US 1 Hwy.
Maximum Acceptable Volume (MAV)	41,790	3,761	Acceptable LOS	D
Current Volume	26,800	2,412	Directional Split	0.51
Volume With Proposed Development	28,647	2,607	ITE CODE 210	
Current Volume / MAV	64.13%	64.13%		
Volume / MAV with Proposal	68.55%	68.55%		
Current LOS	C	C		
LOS With Proposal	C	C		
Findings	<input checked="" type="checkbox"/> Non-Deficiency		<input type="checkbox"/> Deficiency	

Public Schools: At this time, the concurrency service area for the middle and high school levels are projected to have insufficient capacity to accommodate the maximum potential residential development resulting from the Granite Property Development, Inc. Comprehensive Plan Amendment. Due to the shortfall in the concurrency service area, the Interlocal Agreement for Public School Facility Planning and School Concurrency requires review of the capacity of adjacent concurrency service areas. After consideration of the adjacent middle and adjacent high school concurrency service areas, the School Board of Brevard County determined that sufficient capacity exists in the vicinity to accommodate the total projected student membership. Please refer to the attached School Impact Analysis – Capacity Determination for further information. The impact of accommodating the students generated with adjacent concurrency service areas could require redistricting, addition of relocatable classrooms, additional transportation costs, or other growth strategies implemented by the school district.

Environmental Resources:

Any future use will require review and compliance with all relevant County regulations, including environmental review as required.

Coastal High Hazard Zone:

The subject property is not located within the Coastal High Hazard Zone.

Historic Resources:

There are two recorded Florida Master Site File findings of historic resources adjacent to the subject property. Both the Florida East Coast Railroad and US Highway 1 are noted as Linear Resources. Please refer to the Florida Master Site File letter of findings and cultural resource roster attachments for further information.

Comprehensive Plan Policies/Comprehensive Plan Analysis:

Staff findings of fact are shown in italics.

Notice: The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms with site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.

Future Land Use Element Policies

The following policies pertain to this future land use planning activity.

Residential 4 (maximum of 4 dwelling units per acre)

Policy 1.7

The Residential 4 land use designation affords an additional step down in density from more highly urbanized areas. This land use designation permits a maximum density of up to four (4) units per acre, except as otherwise may be provided for within this element. The Residential 4 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas adjacent to existing Residential 4 land use designation; or

The subject property is adjacent to parcels with Planned Industrial land use on the north, Community Commercial and Neighborhood Commercial on the east and south, and Light Industrial land use on the west, across the railroad tracks.

Only one parcel adjacent to the subject property has an existing Future Land Use designation of Residential 4 and is developed with a mobile home on a large

parcel. Despite this, all existing Community Commercial and Neighborhood Commercial parcels to the east remain undeveloped and the Community Commercial parcels to the south are developed as an industrial park.

- B. Areas which serve as a transition between existing land uses or land use designations with density greater than four (4) units per acre and areas with density of less than four (4) units per acre; or

The subject parcel is located between vacant commercial land use across US 1 to the east and the railroad tracks to the west. Further north, beyond additional vacant parcels with a Planned Industrial land use, lies a subdivision with Residential 4 land use. Conversion of the subject property to Residential 4 would allow for the area to serve as the transition between the industrial area to the south and existing residential to the north and could support undeveloped commercial land uses to the east.

Summary

The proposed amendment is seeking to change the Comprehensive Plan to allow for residential development, on land located between US 1 and the FEC Railroad. It proposes to remove the existing Planned Industrial and Community Commercial Future Land Uses and replace them with Residential 4, allowing for a companion rezoning for single-family development.

The subject property is served with both potable water and sanitary sewer, and is located on an arterial roadway, which is also on the state highway system. Located on the west side of US 1, the property abuts an existing industrial park to both the north and south, with a residential subdivision just beyond the industrial park to the north. To the east lies undeveloped land with commercial land use. To the west and across the railroad tracks are undeveloped industrial parcels, which contain wetlands.

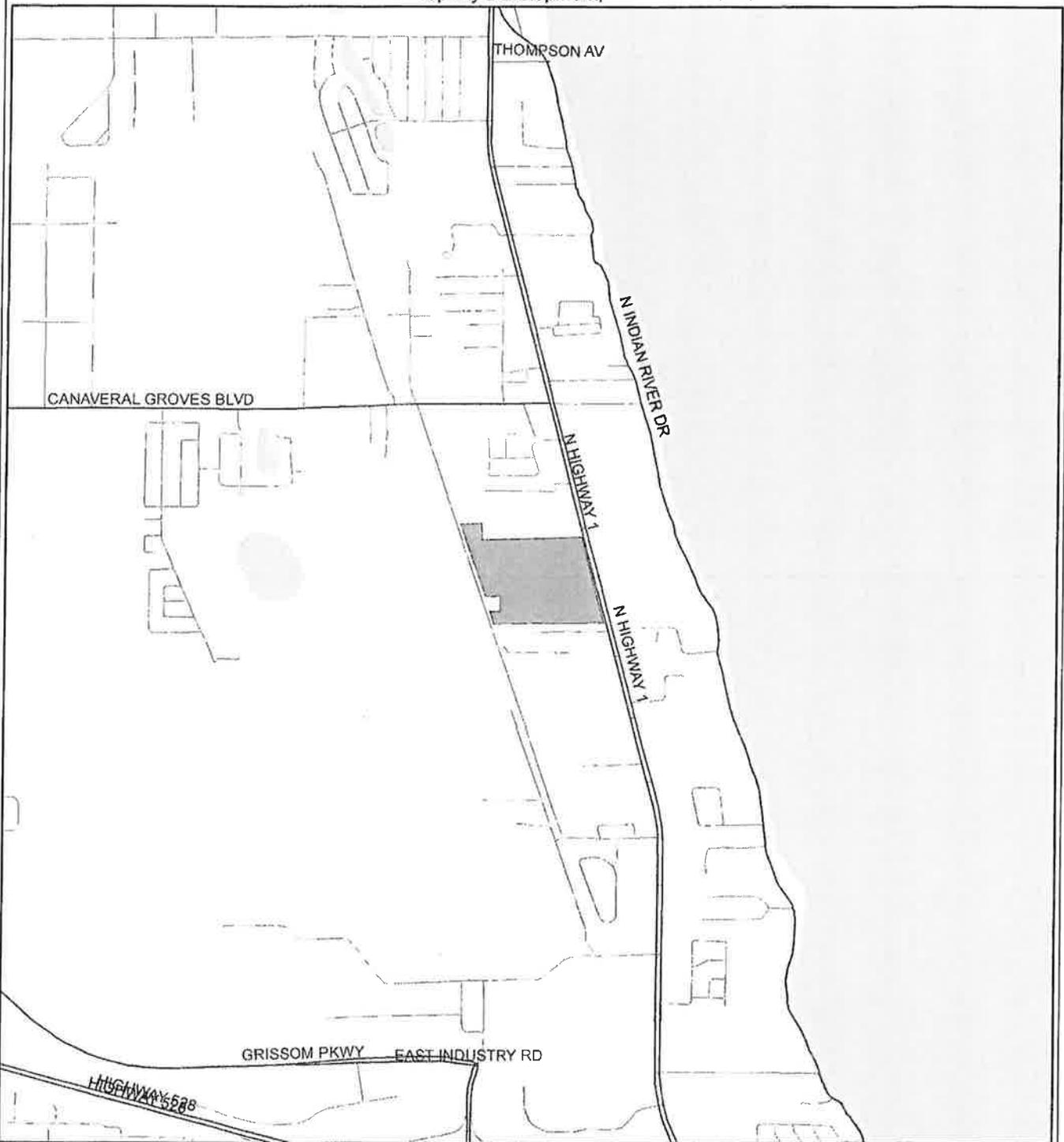
The applicant has submitted a rezoning application proposing a change from the four existing zonings, PIP, BU-1, RVP, and AU, to RU-1-7 with a BDP to limit density to 4 units per acre for public hearing to coincide with the adoption of this proposed amendment.

If you have any questions, please contact Erin Sterk, Planner III, of the Planning & Development Department at (321) 633-2070, ext. 52640, or via email to Erin.Sterk@BrevardFL.gov

LSCPA
Granite Property Development, Inc.
Spring 2017-1.2
Supporting Maps

LOCATION MAP

Comprehensive Plan Amendment 2017-1.2
Granite Property Development, Inc. 16PZ00118



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

 Subject Property

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by the Brevard County Planning and Zoning Office - GIS Section Date: 1/27/2017

AERIAL MAP

Comprehensive Plan Amendment 2017-1.2
Granite Property Development, Inc. 16PZ00118



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2016

— Subject Property

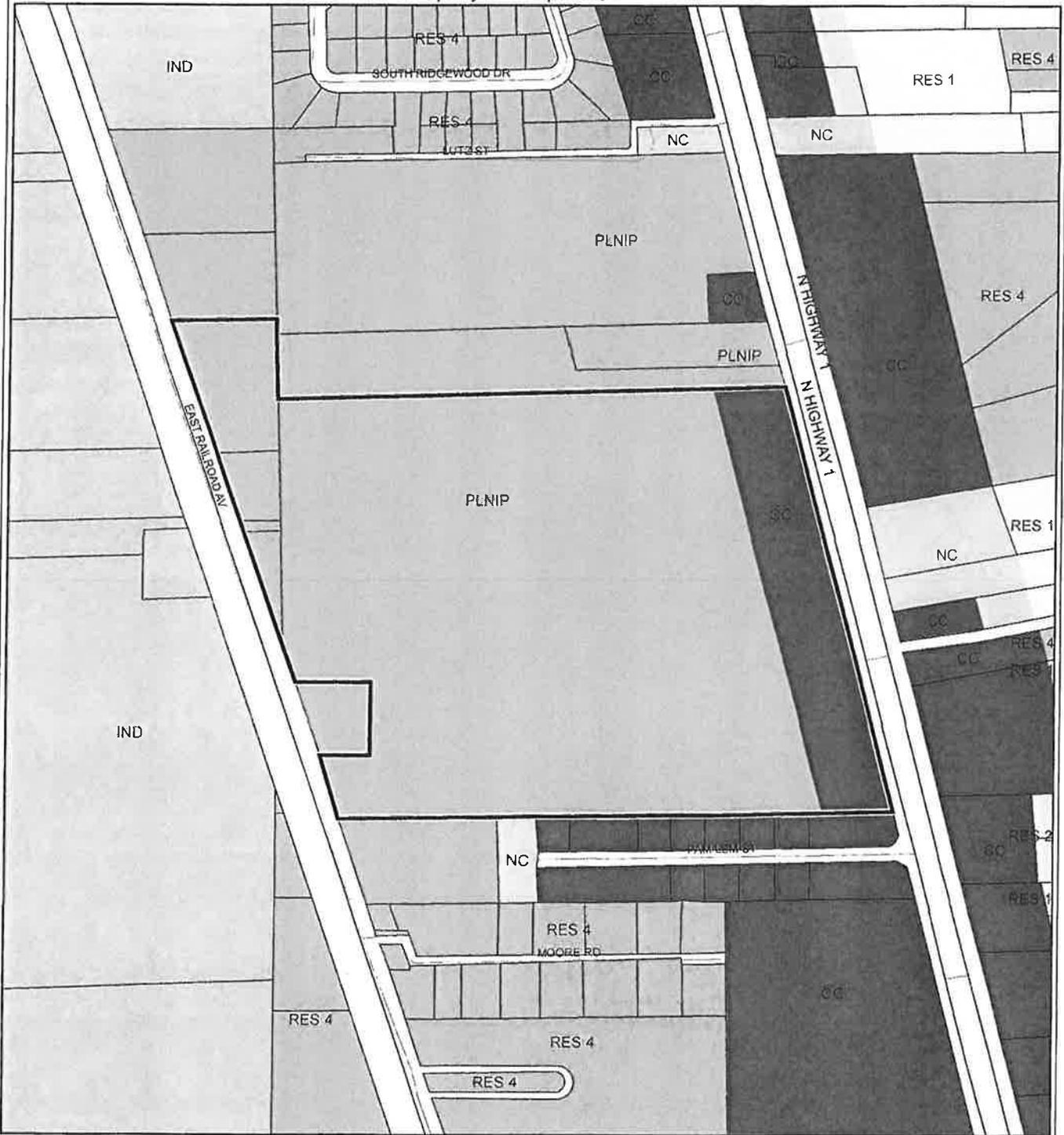
□ Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced for the Brevard County Planning and Zoning Office by BoCC GIS Date: 1/26/2017

ADOPTED FUTURE LAND USE MAP

Comprehensive Plan Amendment 2017-1.2
Granite Property Development, Inc. 16PZ00118



1:4,800 or 1 inch = 400 feet

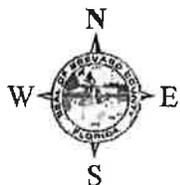
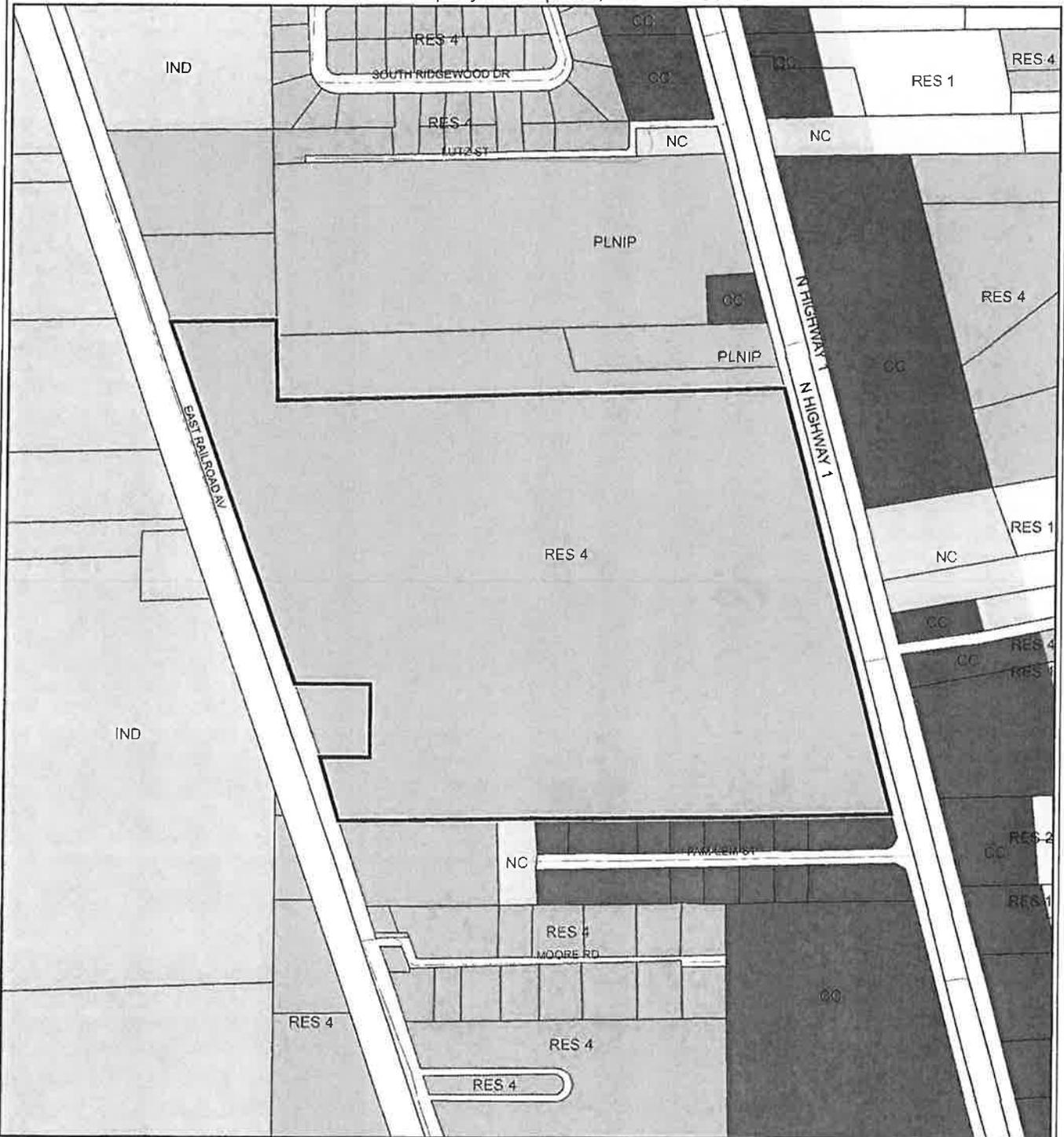
— Subject Property
□ Parcels

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Produced for the Brevard County Planning and Zoning Office by BoCC GIS Date: 1/31/2017

PROPOSED FUTURE LAND USE MAP

Comprehensive Plan Amendment 2017-1.2
Granite Property Development, Inc. 16PZ00118



1:4,800 or 1 inch = 400 feet

— Subject Property
□ Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions herein.

Produced for the Brevard County Planning and Zoning Office by BoCC GIS Date: 1/27/2017

LSCPA
Granite Property Development, Inc.
Spring 2017-1.2
Applicant Submittals

Brevard County
Supplement to Comprehensive Plan Amendment Application
Planning and Zoning Office, 2725 Judge Fran Jamieson Way, Viera, FL 32940
(321) 633-2069



1. Type of Application:

- Small-scale Comprehensive Plan Future Land Use Map Amendment
- Large-scale Future Land Use Map Amendment
- Comprehensive Plan Text Amendment
Plan Element(s) of Text Amendment request: _____

2. Applicant: GRANITE PROPERTY DEVELOPMENT, INC. **Staff Planner :** _____

3. Comprehensive Plan Amendment Information:

Adopted Future Land Use Designation: PIP; BU-1; RVP, AU
Requested Future Land Use Designation: RES 4
Existing Zoning: PLNIP and CC

Proposed Text Amendment (if applicable): Attach the proposed text amendment in a strike-thru/underlined format along with one copy on a CD in Microsoft Word, rtf or text format.

4. Description of Request/Justification: Must include a written statement explaining the rational and the appropriate data and analysis necessary to support the proposed change.

Text amendment supplemental information shall include any goal, objective, policy, implementation strategy, directive and any supporting data and analysis, including maps, figures and tables, and; (1) Identification of the particular element of the plan on which the request is based; and, (2) Citation of the existing language which is proposed to be changed; and, (3) Proposed rewording of the existing language or the wording of proposed new test.

See attached

(use additional sheets if necessary)

The current land use is a mix of industrial and commercial. While there is a limited amount of existing industrial and commercial development in the area of the subject property, there has been no new development in the past 20+ years. There are other commercial and industrial areas outside the subject's immediate neighborhood that are better suited for similar development and are, in fact, experiencing some development. One reason is these areas have more residential rooftops to serve the commercial and industrial uses.

We noted that the vast majority of improved commercial and industrial properties in the area of the subject are more than 20 years old and the occupancy rates of those properties is below the Brevard County average, for similar property types. Our opinion is this is primarily due to the lack of residential development in the area. For example, the Pam Lem Industrial Park subdivision located immediately south of the subject was developed in the 1960's and still has vacant lots for sale with little or no activity despite being for sale for years.

Another issue is the size of the subject property. At 48+ acres the property is too large for most users and development of the site as a planned industrial park is not economically feasible given the lack of sales and development activity in the area.

While there is demand for industrial properties in Brevard County, there are many locations that will better serve the industrial and commercial users that are closer in proximity to the Kennedy Space Center, I-95, Port Canaveral, airports and major residential areas than the subject's location. The lack of demand for such uses in the subject's immediate neighborhood are evident by the lack of development and the poor occupancy levels in the existing projects. There has been no substantial new development in the area of the subject in the last 20 years.

There are older residential developments located directly east of the subject as well as north and south of the subject. Further residential development in the immediate area will enhance the viability of the existing commercial and industrial properties in the area of the subject property.

This property is one of the most connected places in Brevard County for residential purposes. With access to Port Canaveral, the Beaches, Kennedy Space Center, major job hubs, the Orlando International Airport, I-95, SR 528 and US HWY 1.

Close proximity to all residential support services – shopping, education, etc. are also all available here. There is an elementary school located about 1/2 mile north of the property and regional park located less than 1/2 mile northwest of

the property. Shopping areas, including a Wal-Mart and anchored community shopping centers are located just over one mile southwest of the subject property.

Major employment centers including the Kennedy Space Center and Port Canaveral and their surrounding employers are located with easy access and within ten miles of the subject property.

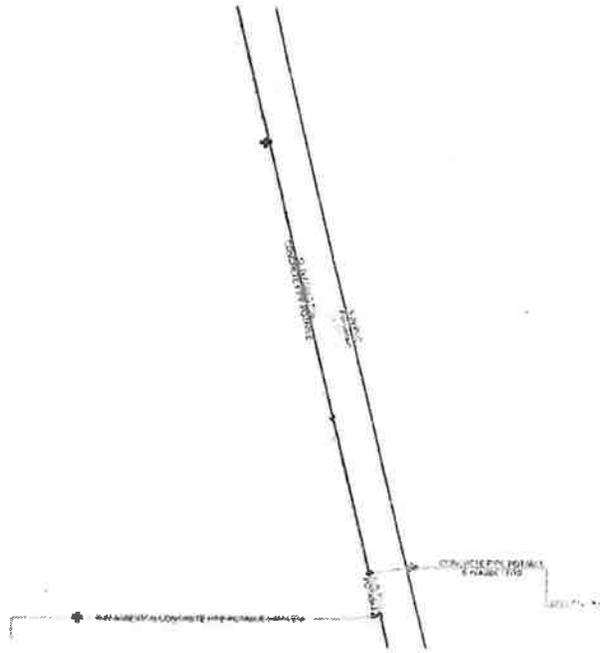
The proposed residential project will be within one mile of the planned Brightline (All Aboard Florida) transportation hub. The Brightline rail project has plans for a station at SR 528 and Grissom Parkway, about one mile south of the subject property. Brightline will eventually provide passenger rail service to Orlando, and points south to Miami.

Being located off of a major State Priority Regional SUN Trail system will also be a major benefit to future residents, where residents can walk or ride bikes to the elementary school, parks and beaches without riding on roadways.

It is estimated that the average home will initially be valued at above \$200,000 suggesting a future tax base of more than \$36 million.

In conclusion, the current land use and zoning designations are not the highest and best use of the subject property now or in the foreseeable future. Approving the requested land use and zoning change to residential would add to the viability of the existing industrial and commercial uses while expanding the overall tax base for the county.

Cocoa Utilities Map



LSCPA
Granite Property Development, Inc.
Spring 2017-1.2
School Impact Analysis: Capacity Determination

School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
Desmond K. Blackburn, Ph.D., Superintendent



December 16, 2016

Ms. Erin Sterk
Planner III/Grants Administrator
Planning & Development Department
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way
Viera, Florida 32940

**RE: Proposed Granite Subdivision Comprehensive Plan Amendment
School Impact Analysis – Capacity Determination CD-2016-14**

Dear Ms. Sterk,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development on December 9, 2016. The subject property consists of Parcel ID 24-36-06-00-500, and a portion of 24-36-06-00-30.1, 24-36-06-00-256, 24-36-06-00-255, and 24-36-06-00-254, containing approximately 48.258 acres in Brevard County, Florida. The proposed comprehensive plan amendment would increase the maximum number of residential units permitted by 157 dwelling units. The School Concurrency Determination of this proposed development has been undertaken based on the proposed development. The following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in years 2016-17 to 2020-21 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2015-2016 to 2020-21* which is attached for reference.

Single Family	157		
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students
Elementary	0.28	43.96	44
Middle	0.08	12.56	13
High	0.16	25.12	25
Total	0.52		82

Planning & Project Management
Facilities Services
Phone: (321) 633-1000 x450 • FAX: (321) 633-4646



An Equal Opportunity Employer

**FISH Capacity (including relocatables) from the
Financially Feasible Plan Data and Analysis for School Years 2016-17 to 2020-21**

School	2016-17	2017-18	2018-19	2019-20	2020-21
Fairglen	753	753	753	753	753
Cocoa	1,782	1,782	1,782	1,827	1,895
Cocoa	1,782	1,782	1,782	1,827	1,895

Projected Student Membership

School	2016-17	2017-18	2018-19	2019-20	2020-21
Fairglen	701	670	661	653	654
Cocoa	1,601	1,665	1,724	1,801	1,892
Cocoa	1,601	1,665	1,724	1,801	1,892

Students Generated by Previously Issued SCADL Reservations

School	2016-17	2017-18	2018-19	2019-20	2020-21
Fairglen	-	-	-	-	-
Cocoa	-	-	-	-	-
Cocoa	-	-	-	-	-

**Cumulative Students Generated by the
Granite Subdivision**

School	2016-17	2017-18	2018-19	2019-20	2020-21
Fairglen	-	4	44	44	44
Cocoa	-	1	13	13	13
Cocoa	-	2	25	25	25

**Total Projected Student Membership (includes
Cumulative Impact of the Granite Subdivision**

School	2016-17	2017-18	2018-19	2019-20	2020-21
Fairglen	701	674	705	697	698
Cocoa	1,601	1,666	1,737	1,814	1,905
Cocoa	1,601	1,667	1,749	1,826	1,917

**Projected Available Capacity =
FISH Capacity - Total Projected Student Membership**

School	2016-17	2017-18	2018-19	2019-20	2020-21
Fairglen	52	79	48	56	55
Cocoa	181	116	45	13	(10)
Cocoa	181	115	33	1	(22)

At this time, the concurrency service area for the middle and high school levels are projected to have insufficient capacity to accommodate the maximum potential residential development resulting from the Granite Comprehensive Plan Amendment.

Because there is a shortfall of available capacity in the concurrency service area of the Granite Comprehensive Plan Amendment, the capacity of adjacent concurrency service areas must be

considered, per Interlocal Agreement Section 13.2(e). The adjacent Middle School Concurrency Service Areas are those of Space Coast Jr/Sr High School and McNair Middle School. The adjacent High School Concurrency Service Areas are those of Space Coast Jr/Sr High School and Rockledge High School. A table of capacities of the *Adjacent School Concurrency Service Areas* that could accommodate the impact of the Sharpes Comprehensive Plan Amendment is shown:

**FISH Capacity (including relocatables) from the
Financially Feasible Plan Data and Analysis for School Years 2016-17 to 2020-21**

School	2016-17	2017-18	2018-19	2019-20	2020-21
Fairglen	753	753	753	753	753
Space Coast	1,812	1,812	1,812	1,812	1,812
Space Coast	1,812	1,812	1,812	1,812	1,812

Projected Student Membership

School	2016-17	2017-18	2018-19	2019-20	2020-21
Fairglen	701	670	661	653	654
Space Coast	1,531	1,504	1,450	1,466	1,483
Space Coast	1,531	1,504	1,450	1,466	1,483

Students Generated by Previously Issued SCADL Reservations

School	2016-17	2017-18	2018-19	2019-20	2020-21
Fairglen	-	-	-	-	-
Space Coast	-	-	-	-	-
Space Coast	-	-	-	-	-

**Cumulative Students Generated by the
Granite Subdivision**

School	2016-17	2017-18	2018-19	2019-20	2020-21
Fairglen	-	4	44	44	44
Space Coast	-	1	13	13	13
Space Coast	-	2	25	25	25

**Total Projected Student Membership (includes
Cumulative Impact of the Granite Subdivision)**

School	2016-17	2017-18	2018-19	2019-20	2020-21
Fairglen	701	674	705	697	698
Space Coast	1,531	1,505	1,463	1,479	1,496
Space Coast	1,531	1,506	1,475	1,491	1,508

**Projected Available Capacity =
FISH Capacity - Total Projected Student Membership**

School	2016-17	2017-18	2018-19	2019-20	2020-21
Fairglen	52	79	48	56	55
Space Coast	281	307	349	333	316
Space Coast	281	306	337	321	304

Considering the adjacent middle and high school concurrency service areas, there is sufficient capacity for the total projected student membership to accommodate the Granite Comprehensive Plan Amendment.

This is a **non-binding** review; a *Concurrency Determination* must to be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of Nondeficiency by the Local Government.

We appreciate the opportunity to review this proposed project. Please let us know if you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'David G. Lindemann', written in a cursive style.

David G. Lindemann, AICP
Manager Facilities Planning & Intergovernmental Relations

Enclosure: *Brevard County Public Schools Utilization 2015-16 to 2020-21*

Copy: Susan Hann, P.E., AICP, Director of Planning & Project Management
File CD-2016-14

LSCPA
Granite Property Development, Inc.
Spring 2017-1.2
Ordinance

ORDINANCE NO. 17-06

ORDINANCE AMENDING ARTICLE III, CHAPTER 62, OF THE CODE OF ORDINANCES OF BREVARD COUNTY; ENTITLED "THE COMPREHENSIVE PLAN", SETTING FORTH PLAN AMENDMENT 2017-1.2; AMENDING SECTION 62-501, ENTITLED "CONTENTS OF THE PLAN"; SPECIFICALLY AMENDING SECTION 62-501, PART XI, ENTITLED FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP SERIES; PROVIDING FOR INTERNAL CONSISTENCY WITH THESE AMENDMENTS; PROVIDING LEGAL STATUS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 et. seq., Florida Statutes (1987) established the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Section 163.3167, Florida Statutes, requires each County in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the Department of Community Affairs; and

WHEREAS, on September 8, 1988, the Board of County Commissioners of Brevard County, Florida, approved Ordinance No. 88-27, adopting the 1988 Brevard County Comprehensive Plan, hereafter referred to as the 1988 Plan; and

WHEREAS, Sections 163.3184 and 163.3187, and 163.3189, Florida Statutes, established the process for the amendment of comprehensive plans pursuant to which Brevard County has established procedures for amending the 1988 Plan; and

WHEREAS, Brevard County initiated amendments and accepted application for amendments to the Comprehensive Plan on December 31, 2016, for adoption as the Plan Amendment Cycle 2017-1; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, have provided for the broad dissemination of proposals and alternatives, opportunity for written comments, public hearings after due public notice, provisions for open discussion, communication programs and consideration of and response to public comments concerning the provisions contained in the 1988 Plan and amendments thereto; and

WHEREAS, Section 62-181, Brevard County Code designated the Brevard County Planning and Zoning Board as the Local Planning Agency for the unincorporated areas of Brevard County, Florida, and set forth the duties and responsibilities of said local planning agency; and

Officially filed with the Secretary of State on 05/05/17.

WHEREAS, on April 24, 2017, the Brevard County Local Planning Agency held a duly noticed public hearing on Plan Amendment 2017-1.2, and considered the findings and advice of the Technical Advisory Groups, and all interested parties submitting comments; and

WHEREAS, on May 4, 2017, the Brevard County Board of County Commissioners held a duly noticed public hearing, and considered the findings and recommendations, and all interested parties submitting written or oral comments, and the recommendations of the Local Planning Agency, and upon thorough and complete consideration and deliberation, approved for the adoption of Plan Amendment 2017-1.2; and

WHEREAS, Plan Amendment 2017-1.2 adopted by this Ordinance complies with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Plan Amendment 2017-1.2 adopted by this Ordinance is based upon findings of fact as included in the data and analysis.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Section 1. Authority. This ordinance is adopted in compliance with, and pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section 2. Purpose and Intent. It is hereby declared to be the purpose and intent of this Ordinance to clarify, expand, correct, update, modify and otherwise further the provisions of the 1988 Brevard County Comprehensive Plan.

Section 3. Adoption of Comprehensive Plan Amendments. Pursuant to Plan Amendment 2017-1 to the 1988 Comprehensive Plan, Article III, Chapter 62-504, Brevard County Code, the 1988 Brevard County Comprehensive Plan is hereby amended as specifically shown in Exhibit A. Exhibit A is hereby incorporated into and made part of this Ordinance.

Section 4. Legal Status of the Plan Amendments. After and from the effective date of this Ordinance, the plan amendment, Plan Amendment 2017-1.2, shall amend the 1988 Comprehensive Plan and become part of that plan and the plan amendment shall retain the legal status of the 1988 Brevard County Comprehensive Plan established in Chapter 62-504 of the Code of Laws and Ordinances of Brevard County, Florida, as amended.

Section 5. Severability. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

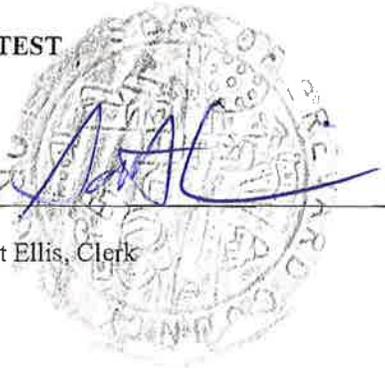
Section 6. Effective Date. The plan amendment shall become effective once the state land planning agency issues a final order determining the adopted amendment to be in compliance in accordance with Florida Statutes, Section 163.3184(9), or until the Administration Commission issues a final order determining the amendment to be in compliance in accordance with Florida Statutes, Section 163.3184(10). A certified copy of the ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten days of enactment.

DONE AND ADOPTED in regular session, this 4th day of May, 2017.

ATTEST

By:

Scott Ellis, Clerk

The seal of Brevard County, Florida, is circular and features a central figure, possibly a person or a symbol, surrounded by text. The text around the seal includes "BREVARD COUNTY FLORIDA" and "1845". A blue ink signature is written over the seal.

**BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA**

By:

Curt Smith, Chairman

A blue ink signature of Curt Smith, Chairman, is written over a horizontal line.

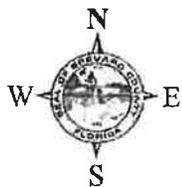
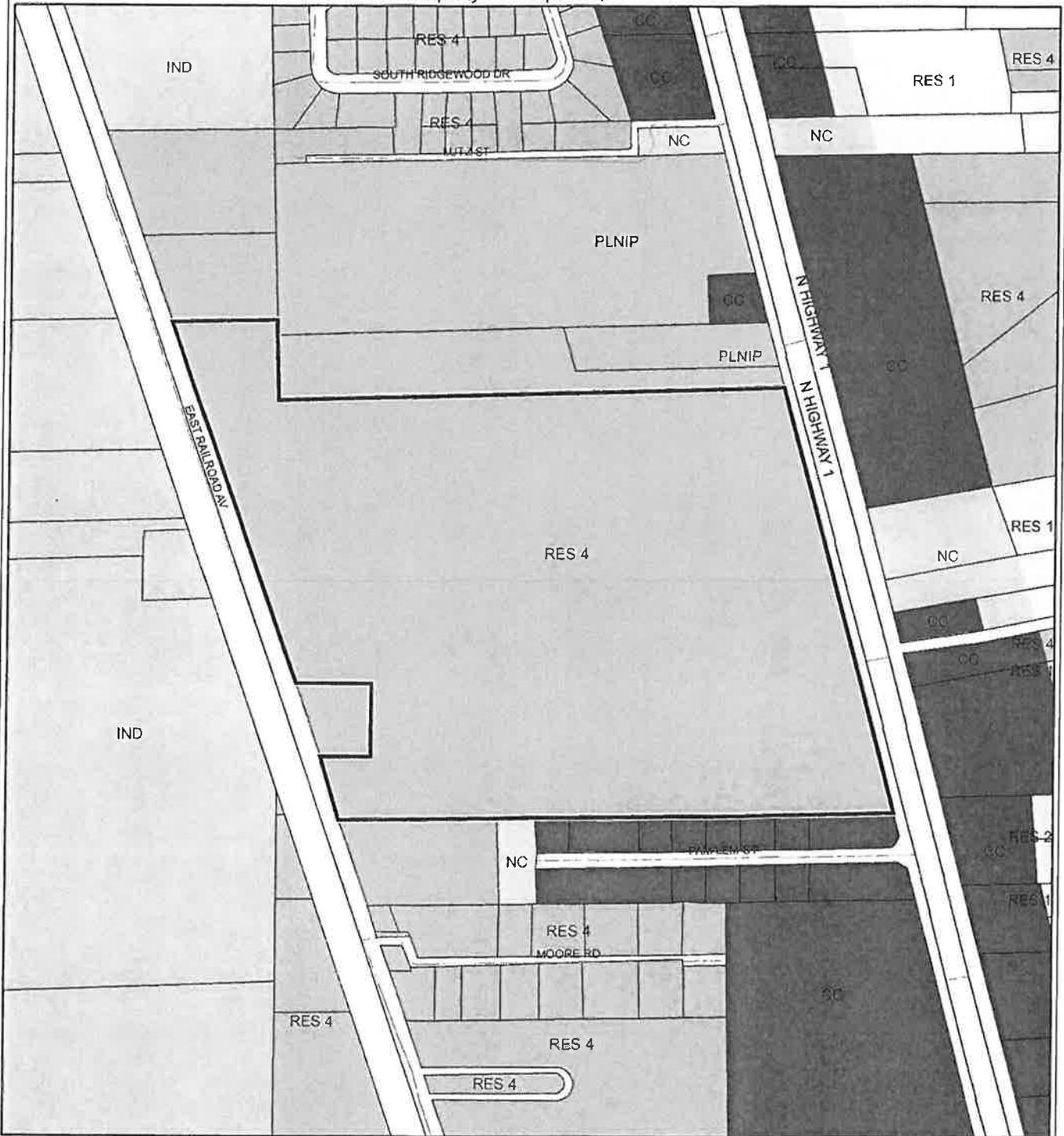
Approved by the Board on May 4, 2017.

2017-1.2.
0#17-06

LSCPA
Property Development, Inc.
Spring 2017-1.2
Exhibit A

PROPOSED FUTURE LAND USE MAP

Comprehensive Plan Amendment 2017-1.2
Granite Property Development, Inc. 16PZ00118



1:4,800 or 1 inch = 400 feet

 Subject Property
 Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced for the Brevard County Planning and Zoning Office by BoCC GIS Date: 1/27/2017

**Comprehensive Plan Amendment
Light Findings, LLC / Diocese of Orlando 2017-1.3**

**PROPOSED COMPREHENSIVE PLAN AMENDMENT 2017-1.3
FUTURE LAND USE MAP SERIES
FUTURE LAND USE ELEMENT**

Request: 2017-1.3
LSCPA FLU Map Amendment

Owner / Applicant: Light Findings, LLC / Diocese of Orlando

Location: Legal Description On file
Tax Acct Parcel #2317197 and a portion of #2317200

Acreage: ± 130.461

Existing Zoning Classification: General Use (GU)
General Retail Commercial (BU-1)
Retail, Warehousing, and Wholesale Commercial (BU-2)
Light Industrial (IU)
Heavy Industrial (IU-1)

Proposed Zoning Classification: (Rezoning to be heard subsequent to a future Adoption Hearing)
RU-1-7 with a BDP to limit density to 4 units per acre.

Existing Land Use Designation: Industrial (IND)
Neighborhood Commercial (NC)
Community Commercial (CC)
Residential 8 Directive (RES 8 __DIR)

Proposed Land Use Designation: Residential 4 (RES 4)

FUTURE LAND USE MAP AMENDMENT

Description:

The subject property consists of 130.461 acres located on the west side of US 1 and north of the intersection of Camp Road. The Future Land Use adopted with the initial Comprehensive Plan in 1988 was a mix of Planned Industrial Park, Heavy Industrial, Residential, and Mixed Use. The subject property also had a Residential Density classification of Urban Fringe, allowing 4 units per acre, with the adoption of the initial Comp. Plan. The original land uses were converted to today's Future Land Use designations with the adoption of the first Brevard County Evaluation and Appraisal Report (EAR) Amendment in 2001.

The proposed Future Land Use of Residential 4 will allow the subject property to be rezoned for residential use, allowing for a maximum of 521 single-family residences – a

proposal that is consistent with the residential density historically permitted on the property. A companion rezoning application to RU-1-7 with a Binding Development Plan (BDP) limiting density to 4 units per acre will be filed and heard subsequent to the future adoption hearing of this amendment, following transmittal and State review. Staff anticipates the applicant's BDP including a commitment to also provide for sewer service connectivity to proposed future residential development.

The abutting properties to the north have been previously developed as single-family mobile home parcels. Directly to the east of the subject property is a church, single-family mobile home development, and existing light industrial development. Both multi-family and single-family residential development lies to the east across US 1. Single-family mobile home residences abut the property's southern boundary and continue on the south side of Camp Road. Between the subject property and the Florida East Coast Railway corridor lies vacant land with light industrial zoning and one heavy industrial parcel abutting the property to the west.

Surrounding Uses	Current Use	Zoning	Future Land Use
North	Mobile Homes	TR-1	RES 8_DIR
East	Vacant Church Mobile Homes Apartments Multi-Family	IU BU-2 TR-1 RU-2-10 RU-1-13	IND CC RES 8_DIR RES 12_DIR RES 12_DIR
South	Mobile Homes	TR-1	RES 4
West	Vacant Heavy Industrial	IU IU-1	IND IND

Availability of Public Facilities and Services:

Potable Water: The subject property is located in the City of Cocoa Service Area, with service provided adjacent to the property along both Camp Road and US 1. City of Cocoa Utilities reports that excess capacity is available for future residential and commercial use.

Sanitary Sewer: The subject property is located within the City of Cocoa sanitary sewer service area, with service provided adjacent to the property along both Camp Road US 1.

Solid Waste: Brevard County provides solid waste collection and disposal for this area and adequate capacity exists to serve the land use proposed for the subject property.

Parks & Recreation: The proposed land use amendment would not exceed existing park land level of service for the North Planning Area.

Public Schools: At this time, the concurrency service area for the middle and high school levels are projected to have insufficient capacity to accommodate the maximum potential residential development resulting from the Granite Property Development, Inc. Comprehensive Plan Amendment. Due to the shortfall in the concurrency service area, the Interlocal Agreement for Public School Facility Planning and School Concurrency requires review of the capacity of adjacent concurrency service areas. After consideration of the adjacent middle and adjacent high school concurrency service areas, the School Board of Brevard County determined that sufficient capacity exists in the vicinity to accommodate the total projected student membership. Please refer to the attached School Impact Analysis – Capacity Determination for further information. The impact of accommodating the students generated with adjacent concurrency service areas could require redistricting, addition of relocatable classrooms, additional transportation costs, or other growth strategies implemented by the school district.

Environmental Resources:

Any future use will require review and compliance with all relevant County regulations, including environmental review as required.

Coastal High Hazard Zone:

The subject property is not located within the Coastal High Hazard Zone.

Historic Resources:

There are two recorded Florida Master Site File findings of historic resources adjacent to the subject property. Both the Florida East Coast Railroad and US Highway 1 are noted as Linear Resources. Please refer to the Florida Master Site File letter of findings and cultural resource roster attachments for further information.

Comprehensive Plan Policies/Comprehensive Plan Analysis:

Staff findings of fact are shown in italics.

Notice: *The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms with site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.*

Future Land Use Element Policies

The following policies pertain to this future land use planning activity.

Residential 4 (maximum of 4 dwelling units per acre)

Policy 1.7

The Residential 4 land use designation affords an additional step down in density from more highly urbanized areas. This land use designation permits a maximum density of up to four (4) units per acre, except as otherwise may be provided for within this element. The Residential 4 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

A. Areas adjacent to existing Residential 4 land use designation; or

The subject property is adjacent to parcels with Single-Family Mobile Home development to the north and east with RES 8 DIR land use, to the south with RES 4 land use.

To the east lies a myriad of land uses, including a church, light industrial, single-family, and multi-family residential – none of which utilize the RES 4 future land use designation. Parcels to the west have Industrial land use, but remain vacant, save for one heavy industrial use.

B. Areas which serve as a transition between existing land uses or land use designations with density greater than four (4) units per acre and areas with density of less than four (4) units per acre; or

The subject parcel is located between seven different Future Land Use designations. The proposed Residential 4 land use would allow for the area to serve as the transition between the industrial area to the west and existing residential to the north and south and could support existing commercial and industrial land uses to the east, adjacent to US 1.

Summary

The proposed amendment is seeking to change the Comprehensive Plan to allow for residential development, on land located between US 1 and the FEC Railroad. It proposes to remove the existing Industrial, Neighborhood Commercial, Community Commercial, and Residential 8 Directive Future Land Uses and replace them with Residential 4, allowing for a companion rezoning for single-family development.

The subject property is served with both potable water and sanitary sewer, and is located with access from an arterial roadway, which is also on the state highway system, and with additional access from Camp Road, classified as an urban major collector. Located on the west side of US 1, the property abuts an existing single-family mobile home development to the north, east, and south. Also to the east lies land developed as a church and existing light industrial and both multi-family and single-family residential development is located across US 1.

The applicant has submitted a rezoning application proposing a change from the four existing zonings, GU, BU-1, BU-2, IU, and IU-1, to RU-1-7 with a BDP to limit density to 4 units per acre for public hearing to coincide with the adoption of this proposed amendment.

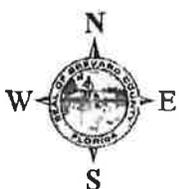
If you have any questions, please contact Erin Sterk, Planner III, of the Planning & Development Department at (321) 633-2070, ext. 52640, or via email to Erin.Sterk@BrevardFL.gov

LSCPA
Light Findings, LLC / Diocese of Orlando
Spring 2017-1.3
Supporting Maps

LOCATION MAP

Comprehensive Plan Amendment 2017-1.3
Light Findings, LLC / Diocese of Orlando 17PZ00002

Brevard County



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

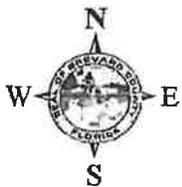
 Subject Property

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Produced by the Brevard County Planning and Zoning Office - GIS Section Date: 2/23/2017

AERIAL MAP

Comprehensive Plan Amendment 2017-1.3
Light Findings, LLC / Diocese of Orlando 17PZ00002



1:9,600 or 1 inch = 800 feet

PHOTO YEAR: 2016

— Subject Property

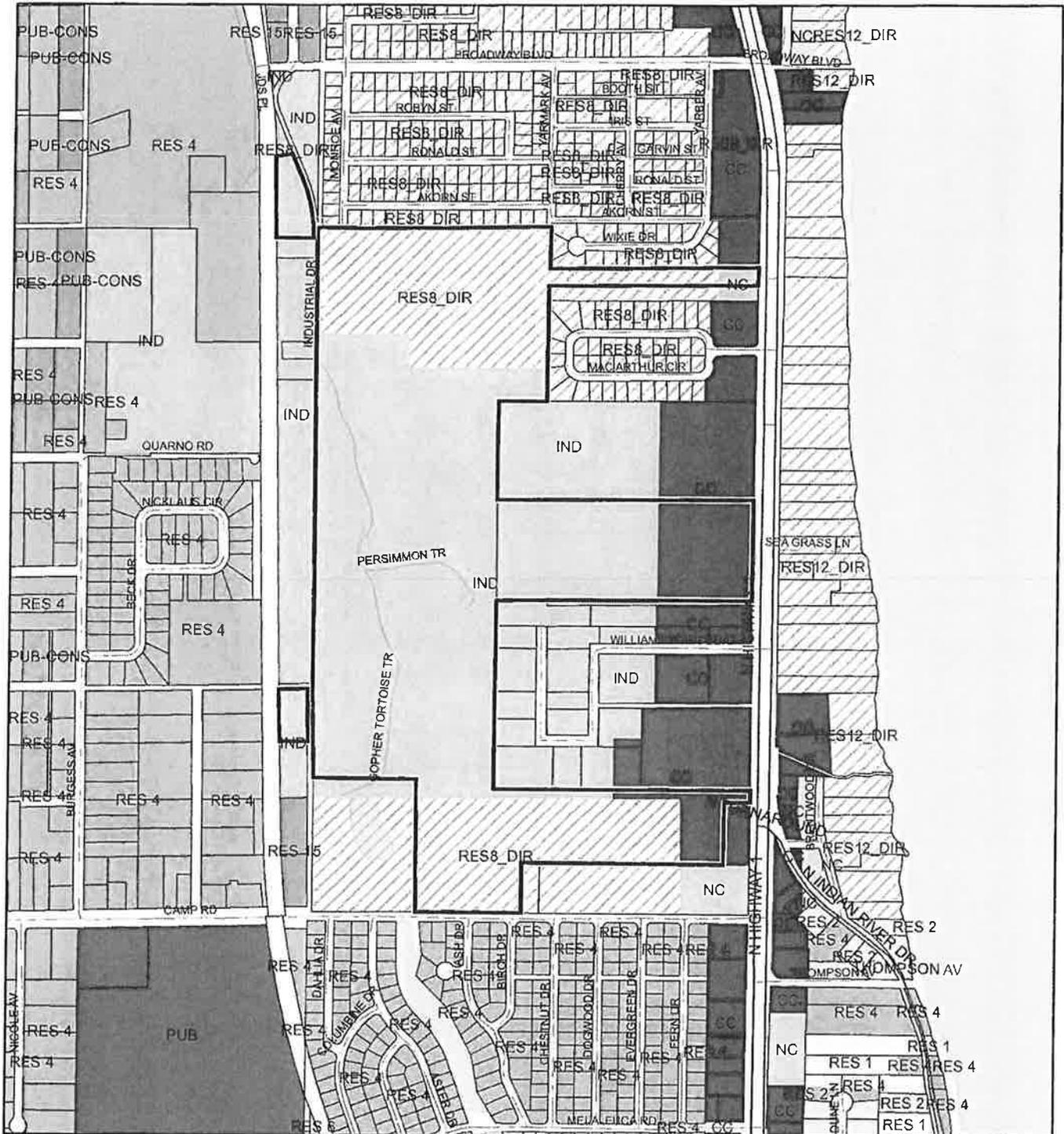
□ Parcels

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Produced for the Brevard County Planning and Zoning Office by BoCC GIS Date: 2/23/2017

ADOPTED FUTURE LAND USE MAP

Comprehensive Plan Amendment 2017-1.3
 Light Findings, LLC / Diocese of Orlando 17PZ00002



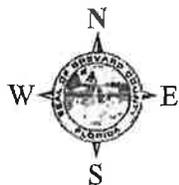
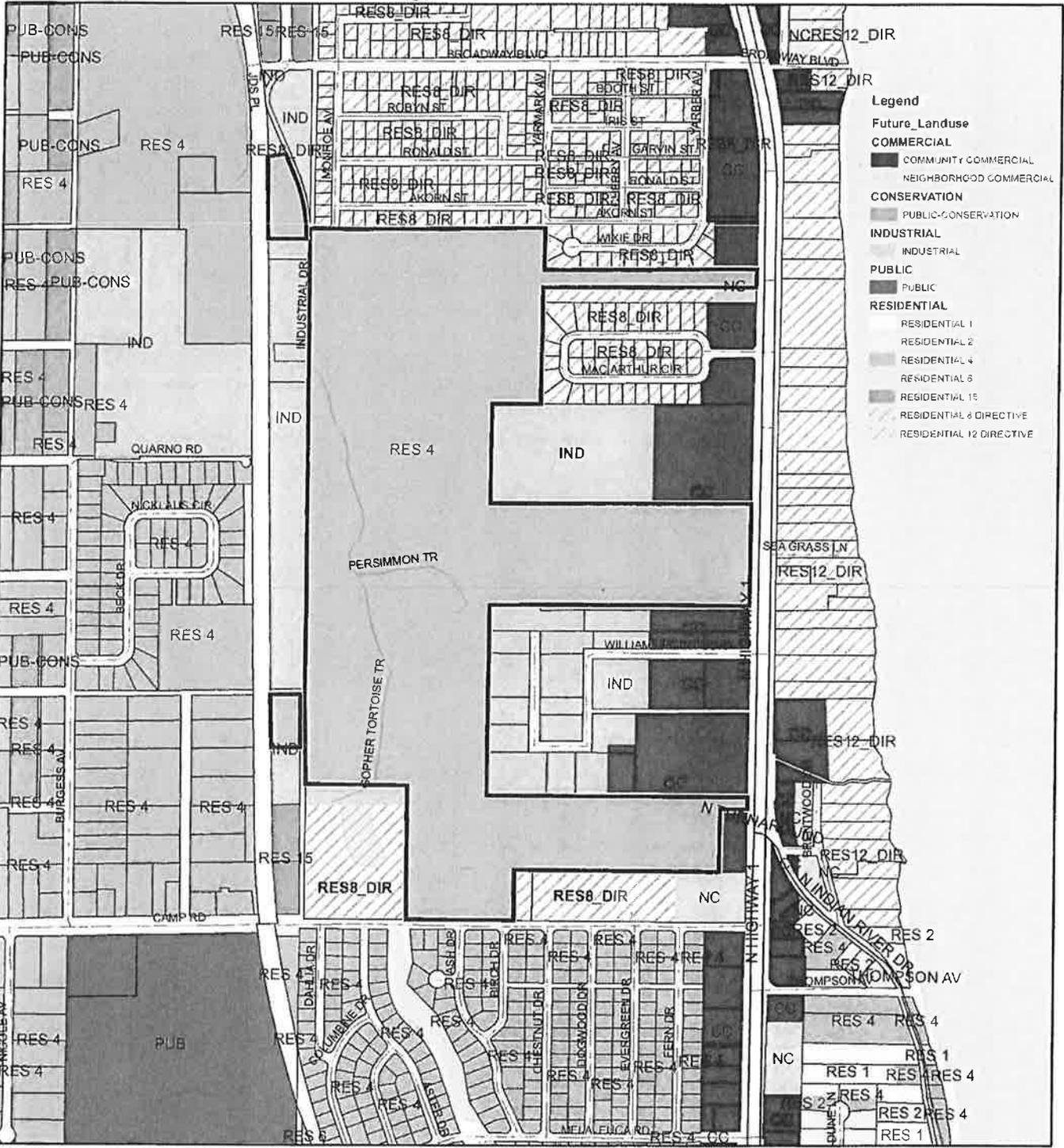
1:9,600 or 1 inch = 800 feet

- Subject Property
- Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

PROPOSED FUTURE LAND USE MAP

Comprehensive Plan Amendment 2017-1.3
 Light Findings, LLC / Diocese of Orlando 17PZ00002



1:9,600 or 1 inch = 800 feet

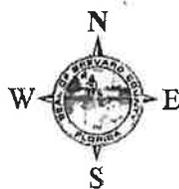
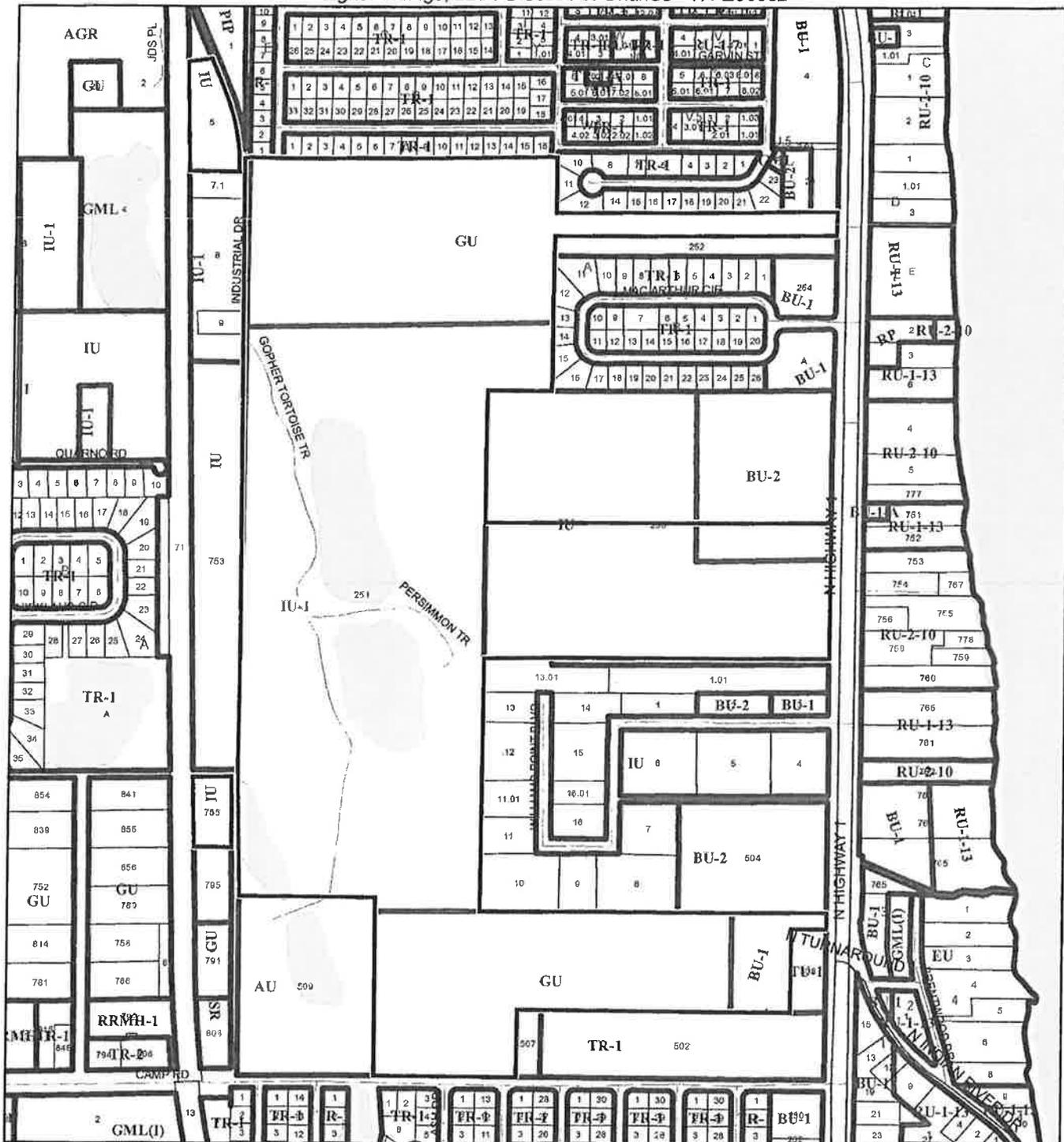
— Subject Property
 □ Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced for the Brevard County Planning and Zoning Office by BoCC GIS Date: 2/23/2017

ZONING MAP

Comprehensive Plan Amendment 2017-1.3
 Light Findings, LLC / Diocese of Orlando 17PZ00002



1:7,200 or 1 inch = 600 feet

-  Subject Property
-  Parcels
-  Zoning

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

LSCPA
Light Findings, LLC / Diocese of Orlando
Spring 2017-1.3
Applicant Submittals

Brevard County
Supplement to Comprehensive Plan Amendment Application
Planning and Zoning Office, 2725 Judge Fran Jamieson Way, Viera, FL 32940
(321) 633-2069



1. Type of Application:

- Small-scale Comprehensive Plan Future Land Use Map Amendment
- Large-scale Future Land Use Map Amendment
- Comprehensive Plan Text Amendment
Plan Element(s) of Text Amendment request: _____

2. Applicant: Chris Gardner, Condev Land, LLC **Staff Planner :** Erin Sterk

3. Comprehensive Plan Amendment Information:

Adopted Future Land Use Designation: IND, CC, NC, & RES8_DIR
Requested Future Land Use Designation: RES4
Existing Zoning: BU-1, BU-2, GU, IU, & IU-1 Proposed: RU-1-7

Proposed Text Amendment (if applicable): Attach the proposed text amendment in a strike-thru/underlined format along with one copy on a CD in Microsoft Word, rtf or text format.

4. Description of Request/Justification: Must include a written statement explaining the rational and the appropriate data and analysis necessary to support the proposed change.

Text amendment supplemental information shall include any goal, objective, policy, implementation strategy, directive and any supporting data and analysis, including maps, figures and tables, and; (1) Identification of the particular element of the plan on which the request is based; and, (2) Citation of the existing language which is proposed to be changed; and, (3) Proposed rewording of the existing language or the wording of proposed new test.

SEE ATTACHED.

(use additional sheets if necessary)

WATERMARK SUBDIVISION

Supplement to Comprehensive Plan Amendment Application

The applicant wishes to demolish any remaining facilities and develop detached residential housing. The existing land uses (IND, CC, NC, and Res8_DIR) and zoning (BU-1, BU-2, GU, IU, and IU-1) does not provide for the proposed single family residential subdivision. The proposed use results in the need for both a future land use change and rezoning.

The property was formerly used as a mining pit which now lies dormant and abandoned, creating an eyesore for the community. Due to the existing land use and zoning, the property has not been re-developed, as the market has demonstrated that there is no need for additional industrial uses within the area. The property has good connectivity to existing infrastructure and is in close proximity to the beach and Space Center, lending itself well to the proposed land use (RES 4) and zoning (RU-1-7). An added benefit of the proposed projects' land use and zoning change is that it will provide for a logical transition and infill between the RES 4 to the west and south, the RES 8 to the north, and the RES 12 to the east, rather than the industrial zoning currently existing.

The proposed RES 4 land use requires that centralized potable water and wastewater be available. Potable water is existing along Camp Road and US Highway 1 and wastewater collection is existing along Camp Road. As the proposed project is already within the existing service area of the City of Cocoa, an extension of public utilities will not be required.

LSCPA
Light Findings, LLC / Diocese of Orlando
Spring 2017-1.3
School Impact Analysis: Capacity Determination

School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
Desmond K. Blackburn, Ph.D., Superintendent



January 10, 2017

Ms. Erin Sterk
Planner III/Grants Administrator
Planning & Development Department
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way
Viera, Florida 32940

**RE: Proposed Watermark Subdivision
School Impact Analysis – Capacity Determination CD-2017-01**

Dear Ms. Sterk,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development on January 10, 2017. The subject property consists of two parcels, tax account numbers 2317200 and 2317197, containing approximately 130 acres in Brevard County, Florida. The proposed Land use change would result in an increase in the number of residential units permitted by 501 dwelling units. The School Concurrency Determination of this proposed development has been undertaken based on the proposed development. The following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in years 2017-18 to 2021-22 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2016-2017 to 2021-22* which is attached for reference.

Single Family	501		
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students
Elementary	0.28	140.28	140
Middle	0.08	40.08	40
High	0.16	80.16	80
Total	0.52		260

Planning & Project Management
Facilities Services
Phone: (321) 633-1000 x450 • FAX: (321) 633-4646



An Equal Opportunity Employer

**FISH Capacity (including relocatables) from the
Financially Feasible Plan Data and Analysis for School Years 2017-18 to 2021-22**

School	2017-18	2018-19	2019-20	2020-21	2021-22
Fairglen	753	753	819	885	951
Cocoa	1,782	1,782	1,850	2,007	2,142
Cocoa	1,782	1,782	1,850	2,007	2,142

Projected Student Membership

School	2017-18	2018-19	2019-20	2020-21	2021-22
Fairglen	707	755	820	878	927
Cocoa	1,599	1,724	1,858	2,012	2,147
Cocoa	1,599	1,724	1,858	2,012	2,147

Students Generated by Previously Issued SCADL Reservations

School	2017-18	2018-19	2019-20	2020-21	2021-22
Fairglen	-	-	-	-	-
Cocoa	-	-	-	-	-
Cocoa	-	-	-	-	-

**Cumulative Students Generated by the
Watermark Subdivision**

School	2017-18	2018-19	2019-20	2020-21	2021-22
Fairglen	-	39	77	116	140
Cocoa	-	11	22	33	40
Cocoa	-	22	44	66	80

**Total Projected Student Membership (includes
Cumulative Impact of the Watermark Subdivision)**

School	2017-18	2018-19	2019-20	2020-21	2021-22
Fairglen	707	794	897	994	1,067
Cocoa	1,599	1,735	1,880	2,045	2,187
Cocoa	1,599	1,746	1,902	2,078	2,227

**Projected Available Capacity =
FISH Capacity - Total Projected Student Membership**

School	2017-18	2018-19	2019-20	2020-21	2021-22
Fairglen	46	(41)	(78)	(109)	(116)
Cocoa	183	47	(30)	(38)	(45)
Cocoa	183	36	(52)	(71)	(85)

At this time, the concurrency service area for the middle and high school levels are projected to have insufficient capacity to accommodate the maximum potential residential development resulting from the Watermark Land Use change.

Because there is a shortfall of available capacity in the concurrency service area of the Watermark Subdivision, the capacity of adjacent concurrency service areas must be considered, per Interlocal Agreement Section 13.2(e). The adjacent Elementary School

Concurrency Service Areas are those of Atlantis, Enterprise, Challenger 7, Cambridge, and Saturn. The adjacent Middle School Concurrency Service Areas are those of Space Coast Jr/Sr High School and McNair Middle School. The adjacent High School Concurrency Service Areas are those of Space Coast Jr/Sr High School and Rockledge High School. A table of capacities of the *Adjacent School Concurrency Service Areas* that could accommodate the impact of the Watermark Subdivision is shown.

**FISH Capacity (including relocatables) from the
Financially Feasible Plan Data and Analysis for School Years 2017-18 to 2021-22**

School	2017-18	2018-19	2019-20	2020-21	2021-22
Enterprise	729	729	729	729	729
Space Coast	1,812	1,812	1,812	1,812	1,812
Space Coast	1,812	1,812	1,812	1,812	1,812

Projected Student Membership

School	2017-18	2018-19	2019-20	2020-21	2021-22
Enterprise	530	499	473	450	441
Space Coast	1,520	1,485	1,526	1,590	1,606
Space Coast	1,520	1,485	1,526	1,590	1,606

Students Generated by Previously Issued SCADL Reservations

School	2017-18	2018-19	2019-20	2020-21	2021-22
Enterprise	-	-	-	-	-
Space Coast	-	-	-	-	-
Space Coast	-	-	-	-	-

**Cumulative Students Generated by the
Watermark Subdivision**

School	2017-18	2018-19	2019-20	2020-21	2021-22
Enterprise	-	39	77	116	140
Space Coast	-	11	22	33	40
Space Coast	-	22	44	66	80

**Total Projected Student Membership (includes
Cumulative Impact of the Watermark Subdivision)**

School	2017-18	2018-19	2019-20	2020-21	2021-22
Enterprise	530	538	550	566	581
Space Coast	1,520	1,496	1,548	1,623	1,646
Space Coast	1,520	1,507	1,570	1,656	1,686

**Projected Available Capacity =
FISH Capacity - Total Projected Student Membership**

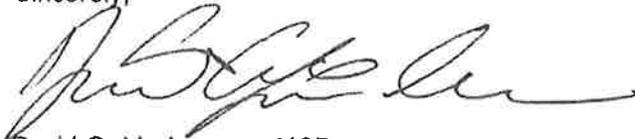
School	2017-18	2018-19	2019-20	2020-21	2021-22
Enterprise	199	191	179	163	148
Space Coast	292	316	264	189	166
Space Coast	292	305	242	156	126

Considering the adjacent elementary, middle, and high school concurrency service areas, there is sufficient capacity for the total projected student membership to accommodate the Watermark Subdivision Land Use change.

This is a non-binding review; a *Concurrency Determination* must to be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of Nondeficiency by the Local Government.

We appreciate the opportunity to review this proposed project. Please let us know if you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'David G. Lindemann', written in a cursive style.

David G. Lindemann, AICP
Manager Facilities Planning & Intergovernmental Relations

Enclosure: *Brevard County Public Schools Utilization 2016-17 to 2021-22*

Copy: Susan Hann, P.E., AICP, Director of Planning & Project Management
File CD-2017-01

ORDINANCE NO. 17-07

ORDINANCE AMENDING ARTICLE III, CHAPTER 62, OF THE CODE OF ORDINANCES OF BREVARD COUNTY; ENTITLED "THE COMPREHENSIVE PLAN", SETTING FORTH PLAN AMENDMENT 2017-1.3; AMENDING SECTION 62-501, ENTITLED "CONTENTS OF THE PLAN"; SPECIFICALLY AMENDING SECTION 62-501, PART XI, ENTITLED FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP SERIES; PROVIDING FOR INTERNAL CONSISTENCY WITH THESE AMENDMENTS; PROVIDING LEGAL STATUS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 et. seq., Florida Statutes (1987) established the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Section 163.3167, Florida Statutes, requires each County in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the Department of Community Affairs; and

WHEREAS, on September 8, 1988, the Board of County Commissioners of Brevard County, Florida, approved Ordinance No. 88-27, adopting the 1988 Brevard County Comprehensive Plan, hereafter referred to as the 1988 Plan; and

WHEREAS, Sections 163.3184 and 163.3187, and 163.3189, Florida Statutes, established the process for the amendment of comprehensive plans pursuant to which Brevard County has established procedures for amending the 1988 Plan; and

WHEREAS, Brevard County initiated amendments and accepted application for amendments to the Comprehensive Plan on December 31, 2016, for adoption as the Plan Amendment Cycle 2017-1; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, have provided for the broad dissemination of proposals and alternatives, opportunity for written comments, public hearings after due public notice, provisions for open discussion, communication programs and consideration of and response to public comments concerning the provisions contained in the 1988 Plan and amendments thereto; and

WHEREAS, Section 62-181, Brevard County Code designated the Brevard County Planning and Zoning Board as the Local Planning Agency for the unincorporated areas of Brevard County, Florida, and set forth the duties and responsibilities of said local planning agency; and

Officially filed with the Secretary of State 05/05/17.

WHEREAS, on April 24, 2017, the Brevard County Local Planning Agency held a duly noticed public hearing on Plan Amendment 2017-1.3, and considered the findings and advice of the Technical Advisory Groups, and all interested parties submitting comments; and

WHEREAS, on May 4, 2017, the Brevard County Board of County Commissioners held a duly noticed public hearing, and considered the findings and recommendations, and all interested parties submitting written or oral comments, and the recommendations of the Local Planning Agency, and upon thorough and complete consideration and deliberation, approved for the adoption of Plan Amendment 2017-1.3; and

WHEREAS, Plan Amendment 2017-1.3 adopted by this Ordinance complies with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Plan Amendment 2017-1.3 adopted by this Ordinance is based upon findings of fact as included in the data and analysis.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Section 1. Authority. This ordinance is adopted in compliance with, and pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section 2. Purpose and Intent. It is hereby declared to be the purpose and intent of this Ordinance to clarify, expand, correct, update, modify and otherwise further the provisions of the 1988 Brevard County Comprehensive Plan.

Section 3. Adoption of Comprehensive Plan Amendments. Pursuant to Plan Amendment 2017-1 to the 1988 Comprehensive Plan, Article III, Chapter 62-504, Brevard County Code, the 1988 Brevard County Comprehensive Plan is hereby amended as specifically shown in Exhibit A. Exhibit A is hereby incorporated into and made part of this Ordinance.

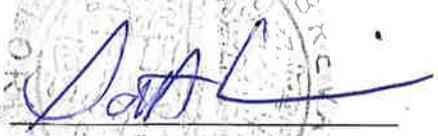
Section 4. Legal Status of the Plan Amendments. After and from the effective date of this Ordinance, the plan amendment, Plan Amendment 2017-1.3, shall amend the 1988 Comprehensive Plan and become part of that plan and the plan amendment shall retain the legal status of the 1988 Brevard County Comprehensive Plan established in Chapter 62-504 of the Code of Laws and Ordinances of Brevard County, Florida, as amended.

Section 5. Severability. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section 6. Effective Date. The plan amendment shall become effective once the state land planning agency issues a final order determining the adopted amendment to be in compliance in accordance with Florida Statutes, Section 163.3184(9), or until the Administration Commission issues a final order determining the amendment to be in compliance in accordance with Florida Statutes, Section 163.3184(10). A certified copy of the ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten days of enactment.

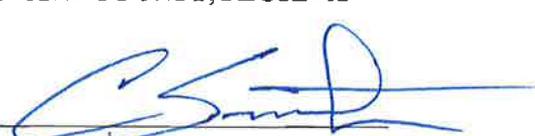
DONE AND ADOPTED in regular session, this 4th day of May, 2017.

ATTEST

By: 

Scott Ellis, Clerk

**BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA**

By: 

Curt Smith, Chairman

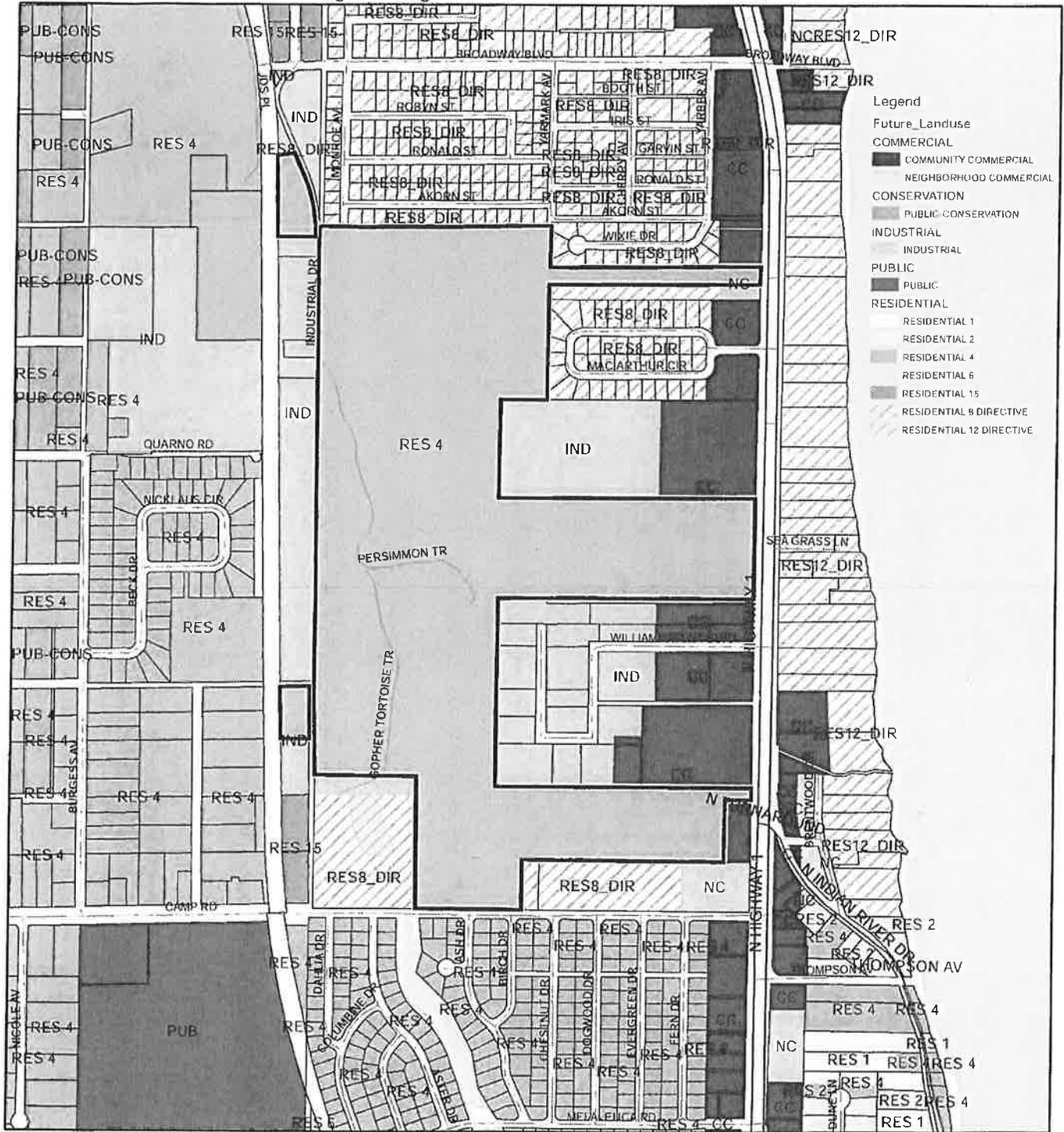
Approved by the Board on May 4, 2017.

2017-1.3.
#17-07

**LSCPA
Light Findings, LLC / Diocese of Orlando
Spring 2017-1.3
Exhibit A**

PROPOSED FUTURE LAND USE MAP

Comprehensive Plan Amendment 2017-1.3
 Light Findings, LLC / Diocese of Orlando 17PZ00002



1:9,600 or 1 inch = 800 feet

— Subject Property
 □ Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced for the Brevard County Planning and Zoning Office by BoCC GIS Date: 2/23/2017

**Legal Advertisements,
Citizen Courtesy Sheets, Misc.**

**Department of Economic Opportunity
Expedited State Review Comments**

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

April 6, 2017

The Honorable Curt Smith
Chair, Brevard County
Board of County Commissioners
2725 Judge Fran Jamieson Way
Viera, Florida 32940

Dear Chairman Smith:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for the Brevard County Amendment No. 17-1ESR, (Comprehensive Plan Amendment Spring Transmittal 2017-1), which was received on March 7, 2017. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

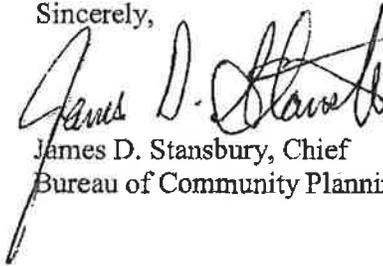
The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendments. Please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held and the amendment adopted within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

We appreciate the opportunity to work with the County's staff in the review of the amendment. If you have any questions concerning this review, please contact Dan Pennington, at (850) 717-8524, or by email at dan.pennington@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/dp

Enclosure: Procedures for adoption of comprehensive plan amendments

cc: Erin Sterk, Planner III, Planning and Development Department, Brevard County
Hugh Harling, P.E., Executive Director, East Central Florida Regional Planning Council

State Agency Comment Letters



Florida Department of Transportation

RICK SCOTT
GOVERNOR

719 South Woodland Boulevard
DeLand, Florida 32720

RACHEL D. CONE
INTERIM SECRETARY

March 21, 2017

Erin Sterk
Planning and Development Department
Brevard County
2725 Judge Fran Jamieson Way, Building A
Viera, FL 32940

SUBJECT: PROPOSED COMPREHENSIVE PLAN AMENDMENT
LOCAL GOVERNMENT: BREVARD COUNTY
DEO #: 17-1ESR

Dear Ms. Sterk,

The Department of Transportation has completed its review of the subject proposed Comprehensive Plan Amendment as requested in your cover letter dated March 2, 2017.

We appreciate the opportunity to participate in this review. Since the amendments do not appear to have significant adverse impacts to the State Highway System (SHS) or the Strategic Intermodal System (SIS), the Department does not have any comments or recommendations.

If you have any questions, you may contact Steve Shams at 386-943-5421 or by e-mail at Steve.Shams@dot.state.fl.us.

Sincerely,

Jean Parlow
Growth Management Coordinator

Attachment

C: Fred Milch, ECFRPC
Carmen Monroy, FDOT
Dana Reiding, FDOT
Dennis Smith, FDOT

David J. Cooke, FDOT
Adam Biblo, DEO
D. Ray Eubanks, DEO

COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Brevard County
DEO Amendment #: 17-1ESR
Date Amendment Received FDOT: 03/03/2017
Review Comments Deadline: 04/02/2017
Today's Date: 03/21/2017

GENERAL BACKGROUND INFORMATION

Brevard County has submitted the Comprehensive Plan Amendment submittal package for the 2017-1 Spring Comprehensive Plan Amendment cycle. There are three applications for amendment being considered for transmittal in this cycle:

2017-1.1 – A Comprehensive Plan amendment to the Future Land Use Element to change 461.70± acres of land from Residential 1 to Public Facilities.

2017-1.2 – A Comprehensive Plan amendment to the Future Land Use Element to change 48.258± acres of land from Planned Industrial and Community Commercial to Residential 4.

2017-1.3 – A Comprehensive Plan amendment to the Future Land Use Element to change 130.461± acres of land from Industrial, Neighborhood Commercial, Community Commercial, and Residential 8 Directive to Residential 4.

The pertinent FLUM designations and descriptions for the future land use amendments include the following:

- **BREVARD COUNTY – RESIDENTIAL 1**

Intent: The Residential 1 land use designation permits low density residential development.

Maximum allowed density: Residential – One (1) dwelling unit per one (1) acre

- **BREVARD COUNTY – PUBLIC FACILITIES**

Intent: Public facilities are those uses which, at a minimum, relate to government-managed transportation, sanitary sewer, potable water, solid waste, drainage, conservation, education, government service systems, and other utilities such as gas, electric, telephone and cable. Public facilities are also those uses classified as scientific research and technology development activities conducted by non-governmental organizations in formal partnership with governmental entities.

Maximum allowed density: Institutional – Not to exceed a floor area ratio (FAR) of twenty-five percent (0.25 FAR)

FDOT Contact:	Steve Shams, MURP Planning Project Manager FDOT District 5 (In-House)	Reviewed by:	Melody Butler, P.E.
Telephone:	386-943-5421		Vanasse Hangen Brustlin, Inc.
Fax:	386-943-5713		407-839-4006
E-mail:	Steve.Shams@dot.state.fl.us		407-839-4008
File:	H:\OCC\Planning\Growth Management\CPA Project Files\Brevard County\Review\2017\17-1ESR\Proposed\Brevard_Proposed_17-1ESR_Review.docx		mbutler@vhb.com

COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Brevard County
DEO Amendment #: 17-1ESR
Date Amendment Received FDOT: 03/03/2017
Review Comments Deadline: 04/02/2017
Today's Date: 03/21/2017

• **BREVARD COUNTY – PLANNED INDUSTRIAL**

Intent: The Planned Industrial land use designation is intended to accommodate the clustering of light industrial and business uses in settings which provide special attention to the integration of infrastructure, such as circulation, parking, and utilities, while placing emphasis upon aesthetics of the project and compatibility with abutting properties and properties within the industrial park. These parks shall be designed to limit intrusion into residential areas.

Maximum allowed density: *Heavy Industrial* – Not to exceed a floor area ratio (FAR) of 1.76
Light Industrial – Not to exceed a floor area ratio (FAR) of 2.48

• **BREVARD COUNTY – COMMUNITY COMMERCIAL**

Intent: Community Commercial development activities are intended to serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses. Development activities which may be considered within Community Commercial include existing strip commercial, transient commercial uses, tourist commercial uses, professional offices, personal service establishments, retail establishments, non-retail commercial uses, residential uses, institutional uses, recreational uses, public facilities, transitional uses, and Planned Industrial Park development.

Maximum allowed density: *Commercial* – Not to exceed a floor area ratio (FAR) of one hundred percent (1.0 FAR)

• **BREVARD COUNTY – RESIDENTIAL 4**

Intent: The residential 4 land use designation affords an additional step down in density from more highly urbanized areas.

Maximum allowed density: *Residential* – Four (4) dwelling units per one (1) acre

• **BREVARD COUNTY – INDUSTRIAL**

Intent: The Heavy/Light Industrial land use designation is intended to accommodate an array of industrial activities ranging from those which involve indoor manufacturing to those which utilize prepared materials in the outdoor production of goods. Light industrial land uses involve manufacturing, assembling, fabricating, and warehousing activities which are generally conducted indoors. Heavy industrial land uses include indoor and outdoor activities such as cement and

FDOT Contact:	Steve Shams, MURP Planning Project Manager FDOT District 5 (In-House)	Reviewed by:	Melody Butler, P.E.
Telephone:	386-943-5421		Vanasse Hangen Brustlin, Inc.
Fax:	386-943-5713		407-839-4006
E-mail:	Steve.Shams@dot.state.fl.us		mbutler@vhb.com
File:	H:\OCC\Planning\Growth Management\CPA Project Files\Brevard County\Review\2017\17-1ESR\Proposed\Brevard_Proposed_17-1ESR_Review.docx		

COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Brevard County
DEO Amendment #: 17-1ESR
Date Amendment Received FDOT: 03/03/2017
Review Comments Deadline: 04/02/2017
Today's Date: 03/21/2017

concrete production, chemicals and fertilizer processing, lumber mills, foundries and forge works, and paint and plastics production.

*Maximum allowed density: Heavy Industrial – Not to exceed a floor area ratio (FAR) of 1.76
Light Industrial – Not to exceed a floor area ratio (FAR) of 2.48*

• **BREVARD COUNTY – NEIGHBORHOOD COMMERCIAL**

Intent: Neighborhood Commercial development activities are intended to be low-impact in nature and serve the needs of the immediate residential area. Intrusion of these land uses into surrounding residential areas shall be limited. Development activities which may be considered within Neighborhood Commercial include professional offices, personal services, convenience stores, residential uses, institutional uses, recreational uses, public facilities, and transitional uses.

Maximum allowed density: Commercial – Not to exceed a floor area ratio (FAR) of seventy-five percent (0.75 FAR)

• **BREVARD COUNTY – RESIDENTIAL 8 DIRECTIVE**

Intent: The Port St. John Study Area allows a maximum cap of eight (8) residential dwelling units per acre west of US-1 to the Florida East Coast railroad tracks from Kings Highway to Camp Road.

Maximum allowed density: Residential – Eight (8) dwelling units per one (1) acre

FDOT Contact:	Steve Shams, MURP Planning Project Manager FDOT District 5 (In-House)	Reviewed by:	Melody Butler, P.E.
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E-mail:	Steve.Shams@dot.state.fl.us		407-839-4008 mbutler@vhb.com
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COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Brevard County
DEO Amendment #: 17-1ESR
Date Amendment Received FDOT: 03/03/2017
Review Comments Deadline: 04/02/2017
Today's Date: 03/21/2017

FLUM AMENDMENT – 2017.1-1

Elements: Future Land Use Element
Rule Reference: Chapter 163, Florida Statutes

Background:

The proposed amendment consists of 461.70± acres of land located approximately 450' south of Micco Road and west of Fleming Grant Road, in southern Brevard County. The map amendment changes the future land use designation from Residential 1 to Public Facilities. The table below shows the trip generation potential for the currently adopted and proposed land uses, and the change in trips as a result of the amendment.

Table 1: Trip Generation Potential of Parcels Affected by FLUM Amendment

Scenario	Land Use Designation	Maximum Allowed Intensity	ITE Land Use Code	Size of Development		Daily Trips	P.M. Peak Hour Trips
				Acres	Allowed Development		
Adopted	Residential 1	1 dwelling unit/1 acre	210	461.7	462 d.u.	4,293	417
Proposed	Public Facilities	0.25 FAR	730	461.7	5,027,913 s.f.	346,574	6,084
Change in Trips						+342,281	+5,667

Source: ITE Trip Generation Manual 9th Edition
 D.U. = dwelling units, S.F. = square feet

The analysis indicates the amendment would increase the trip generation potential of the 461.70± acre development included in the amendment by 342,281 daily trips and 5,667 P.M. peak hour trips.

The State roadway segments within three miles of the site that could be impacted by the amendment are shown in the following table with year 2017 and 2040 projected volumes.

FDOT Contact:	Steve Shams, MURP Planning Project Manager FDOT District 5 (In-House)	Reviewed by:	Melody Butler, P.E.
Telephone:	386-943-5421		Vanasse Hangen Brustlin, Inc.
Fax:	386-943-5713		407-839-4006
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COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Brevard County
DEO Amendment #: 17-1ESR
Date Amendment Received FDOT: 03/03/2017
Review Comments Deadline: 04/02/2017
Today's Date: 03/21/2017

Table 2: State Roadway Segments Affected by FLUM Amendment

Roadway(s)	Segment(s)	SHS/SIS?	2017				2040			
			LOS Standard	Service Volume at LOS Standard	AADT	Acceptable?	LOS Standard	Service Volume at LOS Standard	AADT	Acceptable?
SR 5/US 1	Indian River County Line to Micco Rd	Y	D	41,790	19,700	Y	D	41,790	24,100	Y
	Micco Rd to SR 514/Malabar Rd	Y	D	41,790	15,800	Y	D	41,790	19,300	Y

Source: FDOT District Five 2016 LOS_ALL Report Update

Technical Assistance:

The trip generation comparison provided in Table 1 represents the maximum allowable development potential according to the respective land use designations. According to the maximum trip generation potential of each land use designation, the proposed amendment will result in a very large increase in trips. The ITE land use used to estimate trips for the Public Facilities land use was "Government Office Building"; however, the subject property is planned to be developed with a solar farm for electricity production. In reality, if this site is used as a solar farm facility, the trip generation will be negligible.

There are no State facilities located within three miles of the proposed amendment site projected to exceed the LOS standards by year 2040. No State Highway System (SHS) or Strategic Intermodal System (SIS) roadways located within three miles of the subject property are anticipated to be significantly impacted as a result of the proposed land use amendment.

The FDOT has no comments or recommendations in regards to this adopted amendment, assuming the property will be developed as a solar farm facility. Should the plans for this site change, the Department would like to coordinate with the County to identify mitigation approaches to address future travel demands along nearby State facilities.

The Department respectfully requests a copy of the adopted plan. Please provide the adopted plan within two weeks of adoption, in order to assist in facilitating review within the required 30-day time frame from adoption, as required by Statutes (Expedited State Review Amendment Process Section 163.3184(3) and (5), Florida Statutes).

FDOT Contact: Steve Shams, MURP Planning Project Manager FDOT District 5 (In-House) Telephone: 386-943-5421 Fax: 386-943-5713 E-mail: Steve.Shams@dot.state.fl.us File: H:\OOC\Planning\Growth Management\CPA Project Files\Brevard County\Review\2017\17-1ESR\Proposed\Brevard_Proposed_17-1ESR_Review.docx	Reviewed by: Melody Butler, P.E. Vanasse Hangen Brustlin, Inc. 407-839-4006 407-839-4008 mbutler@vhb.com
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COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Brevard County
DEO Amendment #: 17-1ESR
Date Amendment Received FDOT: 03/03/2017
Review Comments Deadline: 04/02/2017
Today's Date: 03/21/2017

FLUM AMENDMENT – 2017.1-2

Elements: Future Land Use Element
Rule Reference: Chapter 163, Florida Statutes

Background:

The proposed amendment consists of 48.258± acres of land located on the west side of US 1 and ½ mile south of the intersection of Canaveral Groves Boulevard. The map amendment changes the future land use designation from Planned Industrial and Community Commercial to Residential 4. The table below shows the trip generation potential for the currently adopted and proposed land uses, and the change in trips as a result of the amendment.

Table 1: Trip Generation Potential of Parcels Affected by FLUM Amendment

Scenario	Land Use Designation	Maximum Allowed Intensity	ITE Land Use Code	Size of Development		Daily Trips	P.M. Peak Hour Trips
				Acres	Allowed Development		
Adopted	Planned Industrial	2.48 FAR	110	42.408	4,581,285 s.f.	34,120	6,394
	Community Commercial	1.0 FAR	820	5.85	254,826 s.f.	12,474	1,121
Proposed	Residential 4	4 dwelling units/1 acre	210	48.258	193 d.u.	1,923	190
Change in Trips						-44,671	-7,325

Source: ITE Trip Generation Manual 9th Edition
 D.U. = dwelling units, S.F. = square feet

The analysis indicates the amendment would decrease the trip generation potential of the 48.258± acre development included in the amendment by 44,671 daily trips and 7,325 P.M. peak hour trips.

The State roadway segments within three miles of the site potentially impacted by the amendment are shown in the following table with year 2017 and 2040 projected volumes.

FDOT Contact:	Steve Shams, MURP Planning Project Manager FDOT District 5 (In-House)	Reviewed by:	Melody Butler, P.E. Vanasse Hangen Brustlin, Inc. 407-839-4006 407-839-4008 mbutler@vhb.com
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COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Brevard County
DEO Amendment #: 17-1ESR
Date Amendment Received FDOT: 03/03/2017
Review Comments Deadline: 04/02/2017
Today's Date: 03/21/2017

Table 2: State Roadway Segments Affected by FLUM Amendment

Roadway(s)	Segment(s)	SHS/ SIS?	2017				2040			
			LOS Stand- ard	Service Volume at LOS Standard	AADT	Ac- cept- able?	LOS Stand- ard	Service Volume at LOS Standard	AADT	Ac- cept- able?
Industry Road/ SR 524	SR 524 to S of Grissom Pkwy	Y	D	41,790	16,500	Y	D	41,790	20,300	Y
SR 524	Cox Rd to SR 501	Y	D	19,470	15,600	Y	D	41,790	22,200	Y
	SR 501 to Begin of Ramp #70007108	Y	D	41,790	25,500	Y	D	41,790	31,400	Y
	Begin of Ramp #70007108 to SR 528	Y	D	14,520	8,300	Y	D	14,520	10,100	Y
SR 528	I-95 to SR 524	Y	D	74,400	25,600	Y	D	74,400	43,200	Y
SR 524/ SR 528	SR 528 to US 1/SR 5	Y	D	74,400	41,100	Y	D	74,400	86,000	N
	US 1/SR 5 to SR 3	Y	D	74,400	46,400	Y	D	74,400	56,900	Y
SR 501	Dixon Blvd to Michigan Ave	Y	D	39,800	23,000	Y	D	39,800	28,100	Y
	Michigan Ave to Clear Lake Pines/Calvados Dr	Y	D	39,800	21,900	Y	D	59,900	28,100	Y
	Clear Lake Pines/Calvados Dr to SR 524	Y	D	41,790	21,400	Y	D	62,900	27,800	Y
SR 5/US 1	Forrest Ave/Cocoa Pl to SR 528	Y	D	59,900	27,600	Y	D	59,900	35,300	Y
	SR 528 to Fay Blvd	Y	D	62,900	28,100	Y	D	62,900	34,400	Y

Source: FDOT District Five 2016 LOS_ALL Report Update

Technical Assistance:

There is one segment of SR 524/SR 528 located within three miles of the adopted amendment site that is projected to exceed the LOS standards by year 2040. The adopted land use amendment results in a decrease in the trip generation potential for the parcels and the future land use designation is not anticipated to significantly impact the daily and peak hour traffic. Therefore, no State Highway System (SHS) or Strategic Intermodal System (SIS) roadways located within three miles of the subject property are anticipated to be significantly impacted as a result of the adopted land use amendment.

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COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Brevard County
DEO Amendment #: 17-1ESR
Date Amendment Received FDOT: 03/03/2017
Review Comments Deadline: 04/02/2017
Today's Date: 03/21/2017

The FDOT has no recommendations at this time for this adopted amendment.

The Department respectfully requests a copy of the adopted plan. Please provide the adopted plan within two weeks of adoption, in order to assist in facilitating review within the required 30-day time frame from adoption, as required by Statutes (Expedited State Review Amendment Process Section 163.3184(3) and (5), Florida Statutes).

FDOT Contact:	Steve Shams, MURP Planning Project Manager FDOT District 5 (In-House)	Reviewed by:	Melody Butler, P.E.
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COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Brevard County
DEO Amendment #: 17-1ESR
Date Amendment Received FDOT: 03/03/2017
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Today's Date: 03/21/2017

FLUM AMENDMENT – 2017.1-3

Elements: Future Land Use Element
Rule Reference: Chapter 163, Florida Statutes

Background:

The proposed amendment consists of 130.461± acres of land located on the west side of US 1 and north of the intersection of Camp Road. The map amendment changes the future land use designation from Industrial, Neighborhood Commercial, Community Commercial, and Residential 8 Directive to Residential 4. The table below shows the trip generation potential for the currently adopted and proposed land uses, and the change in trips as a result of the amendment.

Table 1: Trip Generation Potential of Parcels Affected by FLUM Amendment

Scenario	Land Use Designation	Maximum Allowed Intensity	ITE Land Use Code	Size of Development		Daily Trips	P.M. Peak Hour Trips
				Acres	Allowed Development		
Adopted	Industrial	2.48 FAR	110	77.68	8,391,310 s.f.	62,581	11,842
	Neighborhood Commercial	0.75 FAR	826	1.0	32,670 s.f.	1,448	100
	Community Commercial	1.0 FAR	820	8.63	375,955 s.f.	16,061	1,455
	Residential 8	8 dwelling units/1 acre	210	43.15	345 d.u.	3,282	320
Proposed	Residential 4	4 dwelling units/1 acre	210	130.46	522 d.u.	4,803	465
Change in Trips						-78,569	-13,252

Source: ITE Trip Generation Manual 9th Edition
 D.U. = dwelling units, S.F. = square feet

1. The individual areas for each adopted land use designation were estimated based on the future land use map provided in the amendment package.

The analysis indicates the amendment would decrease the trip generation potential of the 130.461± acre development included in the amendment by 78,569 daily trips and 13,252 P.M. peak hour trips.

The State roadway segments within three miles of the site potentially impacted by the amendment are shown in the following table with year 2017 and 2040 projected volumes.

<p>FDOT Contact: Steve Shams, MURP Planning Project Manager FDOT District 5 (In-House) Telephone: 386-943-5421 Fax: 386-943-5713 E-mail: Steve.Shams@dot.state.fl.us File: H:\000\Planning\Growth Management\CPA Project Files\Brevard County\Review\2017\17-1ESR\Proposed\Brevard_Proposed_17-1ESR_Review.docx</p>	<p>Reviewed by: Melody Butler, P.E. Vanasse Hangen Brustlin, Inc. 407-839-4006 407-839-4008 mbutler@vhb.com</p>
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COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Brevard County
DEO Amendment #: 17-1ESR
Date Amendment Received FDOT: 03/03/2017
Review Comments Deadline: 04/02/2017
Today's Date: 03/21/2017

Table 2: State Roadway Segments Affected by FLUM Amendment

Roadway(s)	Segment(s)	SHS/ SIS?	2017				2040			
			LOS Standard	Service Volume at LOS Standard	AADT	Ac- cept- able?	LOS Stan- dard	Service Volume at LOS Standard	AADT	Ac- cept- able?
SR 5/US 1	SR 528 to Fay Blvd	Y	D	62,900	28,100	Y	D	62,900	34,400	Y
	Fay Blvd to SR 405	Y	D	41,790	21,400	Y	D	41,790	26,300	Y

Source: FDOT District Five 2016 LOS_ALL Report Update

Technical Assistance:

There are no State facilities located within three miles of the adopted amendment site projected to exceed the LOS standards by year 2040. The adopted land use amendment results in a decrease in the trip generation potential for the parcels and the future land use designation is not anticipated to significantly impact the daily and peak hour traffic. Therefore, no State Highway System (SHS) or Strategic Intermodal System (SIS) roadways located within three miles of the subject property are anticipated to be significantly impacted as a result of the adopted land use amendment.

The FDOT has no recommendations at this time for this adopted amendment.

The Department respectfully requests a copy of the adopted plan. Please provide the adopted plan within two weeks of adoption, in order to assist in facilitating review within the required 30-day time frame from adoption, as required by Statutes (Expedited State Review Amendment Process Section 163.3184(3) and (5), Florida Statutes).

FDOT Contact:	Steve Shams, MURP Planning Project Manager FDOT District 5 (In-House)	Reviewed by:	Melody Butler, P.E.
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400 SOUTH MONROE STREET
TALLAHASSEE, FLORIDA 32399-0800

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER ADAM H. PUTNAM

March 24, 2017

VIA EMAIL (D4.Commissioner@brevardcounty.us)

Brevard County BOCC
The Honorable Curt Smith, Chairman
2725 Judge Fran Jamieson Way, Building A
Viera, Florida 32940

Re: DACS Docket # -- 20170305-884
Brevard County 2017-1 Spring CPA
Submission dated March 2, 2017

Dear Commissioner Smith:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on March 5, 2017 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

If we may be of further assistance, please do not hesitate to contact me at 850-410-2289.

Sincerely,

A handwritten signature in cursive script that reads "Stormie Knight".

Stormie Knight
Sr. Management Analyst
Office of Policy and Budget

cc: Florida Department of Economic Opportunity
(SLPA #: Brevard County 17-1 E5R)



April 7, 2017

Florida Fish and Wildlife Conservation Commission

Erin Sterk
Brevard County Planning and Development Department
2725 Judge Fran Jamieson Way, Building A
Viera, FL 32940
Erin.Sterk@brevardfl.gov

RE: Brevard County 17-1ESR, Comprehensive Plan Amendment (2017-1 Transmittal Packet), Brevard County, FL

Dear Ms. Sterk:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced comprehensive plan amendment package and provides the following recommendations for your consideration in accordance with Chapter 163.3184, Florida Statutes. While we have no objections to the amendments, we offer the following information as technical assistance when planning for any future development that may occur on the subject properties.

Project Description

The referenced transmittal packet includes three privately initiated Future Land Use Map (FLUM) amendments. The amendments address a variety of changes in land use to accommodate new types of development. FWC staff has no objections to any of the proposed amendments contained within the transmittal packet. We would like to provide comments and recommendations for amendments 2017-1.2 and 2017-1.3.

For Amendment 2017-1.1 the applicant, Florida Power and Light (FP&L), proposes to change the subject parcels' land use designation from Residential 1 (RES 1) to Public Facilities (PUB) to construct a 74.5 MW photovoltaic solar facility. The subject area, totaling 461.70 acres, is located just south of Micco Road and abuts the west side of Fleming Grant Road. The property is currently an active citrus grove. FP&L staff coordinated with FWC staff extensively in December 2016 to discuss the facility design and avoidance of listed species impacts. We have no comments, recommendations, or objections related to fish and wildlife or listed species and their habitat to offer on this amendment.

For Amendment 2017-1.2 the applicant, Granite Property Development, Inc., proposes to change the subject parcels' land use designation from planned industrial (PLNIP) and community commercial (CC) to Residential 4 (RES 4). The subject property consists of approximately 48.3 acres located on the west side of Highway US 1 (US 1) approximately 1/2 mile south of the intersection of Canaveral Groves Boulevard and US 1. The proposed future land use of Residential 4 will allow the subject property to be rezoned for residential use, allowing for a maximum of 193 single-family residences. According to the consultant's site visit, the dominant land cover on the subject parcels is a mixture of pine and oak with closed canopy. The site is bordered by the Florida East

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Coast Railway corridor, industrial parks, US 1 and undeveloped lands, and mobile home parks.

For Amendment 2017-1.3 the applicants, Light Findings, LLC, and Diocese of Orlando, propose to change the subject parcels' land use designation from industrial (IND), neighborhood commercial (NC), community commercial (CC), and residential 8 directive (RES 8_DIR) to RES 4. The subject property consists of 130.46 acres located northwest of the US 1 and Camp Road intersection. The proposed future land use of Residential 4 will allow the subject property to be rezoned for residential use, allowing for a maximum of 521 single-family residences. The site is surrounded by light residential development (mobile home parks), light industrial development, and the Florida East Coast Railway corridor on the west side. Based on FWC's data, the dominant land cover types onsite are scrubby flatwoods (79.44 acres), shrub and brushland (12.04 acres), artificial impoundments/reservoirs (9.38 acres), and industrial (5.17 acres).

Potentially Affected Resources

Discussion with staff from Atlantic Environmental Solutions, Inc., (AES) indicated a 100% gopher tortoise burrow survey has been conducted on the subject area for Amendment 2017-1.2 and a gopher tortoise relocation permit has been issued for the site. The application materials for Amendment 2017-1.3 did not contain an assessment of fish and wildlife resources but the transmittal package from Brevard County did reference the presence of gopher tortoise burrows on the site.

FWC staff conducted a geographic information system (GIS) analysis for the subject areas of Amendments 2017-1.2 and 2017-1.3. This analysis confirmed the species information provided with the transmittal and also found that the subject areas are located near, within, or adjacent to:

- One or more wood stork (*Mycteria americana*, Federally Threatened [FT]) nesting colony core foraging areas (CFA) which consists of a 15-mile radius around the nesting colony (Amendment 2017-1.2 and 1.3)
- U.S. Fish and Wildlife (USFWS) Consultation Area for:
 - Everglade snail kite (*Rostrhamus sociabilis plumbeus*, Federally Endangered [FE]) (Amendment 2017-1.2 and 1.3)
 - Audubon's crested caracara (*Polyborus plancus audubonii*, FT) (Amendment 2017-1.2 and 1.3)
 - Florida scrub-jay (*Aphelocoma coerulescens*, FT) (Amendment 2017-1.2 and 1.3)
- Potential habitat for state- and federally listed species:
 - Florida pine snake (*Pituophis melanoleucus mugitus*, ST) (Amendment 2017-1.2 and 1.3)
 - Florida sandhill crane (*Antigone canadensis pratensis*, ST) (Amendment 2017-1.3)
 - Little blue heron (*Egretta caerulea*, ST) (Amendment 2017-1.3)
 - Tricolored heron (*Egretta tricolor*, ST) (Amendment 2017-1.3)

- o Eastern indigo snake (*Drymarchon corais couperi*, FT) (Amendment 2017-1.2 and 1.3)

Comments and Recommendations

Gopher Tortoise

Due to the documented presence of gopher tortoise burrows on site referenced in materials submitted by Brevard County staff for Amendment 2017-1.3, the applicant should refer to the FWC's Gopher Tortoise Permitting Guidelines (Revised January 2017) (<http://www.myfwc.com/license/wildlife/gopher-tortoise-permits/>) for survey methodology and permitting guidance prior to any development activity. Specifically, the permitting guidelines include methods for avoiding impacts as well as options and state requirements for minimizing, mitigating, and permitting potential impacts of the proposed activities. If you have any questions regarding gopher tortoise permitting, please contact Rachel King by phone at (561) 882-5714 or at Rachel.King@MyFWC.com.

Florida Pine Snake

Florida pine snakes can occur in association with gopher tortoise burrows in xeric (dry and well drained) upland habitats, similar to dominant habitats on the subject sites for Amendments 2017-1.2 and 2017-1.3. These relatively large snakes are naturally secretive and fossorial in nature and can spend 70 to 80 percent of their time in underground refuges in pocket gopher burrows, stump holes, gopher tortoise burrows, and the burrows of nine-banded armadillos and mice. Florida pine snakes are active from March through October but show the greatest activity in May, June, July, and October when they move more frequently and travel farther distances. Florida pine snakes can be regularly encountered on roads and in natural habitats where they sometimes occur in high densities. If Florida pine snakes are identified onsite, please contact the FWC staff identified below for additional coordination. If a Florida pine snake is observed during the project, the snake must be allowed to leave on its own accord. Additional information can be found in the Florida pine snake Species Action Plan on the FWC website at <http://myfwc.com/media/2738822/Florida-Pine-Snake-Species-Action-Plan-Final-Draft.pdf>. For scientific purposes, FWC staff would appreciate submittal of any sightings, preferably with a photograph and GPS coordinates to FWC at Imperiled@myfwc.com.

Wading Birds

The potential exists for wading bird nesting activity on the edges of the freshwater borrow areas and marshes on the project site of Amendment 2017-1.3. We recommend that specific surveys be conducted for wading bird nesting in these areas prior to the commencement of any clearing, grading, or filling activities. Surveys should be conducted during their breeding season, which extends from March through August. Basic guidance for conducting wildlife surveys may be found in the Florida Wildlife Conservation Guide at <http://myfwc.com/conservation/value/fwcg/>. If there is evidence of nesting during this period, we recommend that any wading bird sites be buffered by

100 meters (328 feet) to avoid disturbance by human activities. If nesting is discovered after site activities have begun, if the removal or trimming of trees with active nests is unavoidable, or if maintaining the recommended buffer is not possible, we recommend that the applicant contact the FWC staff identified below to discuss potential permitting alternatives.

Florida Sandhill Crane

The site for Amendment 2017-1.3 may provide foraging habitat and potential nesting habitat for Florida sandhill crane in the areas where emergent vegetation and marsh habitat exists at the edges of the freshwater borrow areas. FWC staff recommends that surveys for nesting sandhill cranes be conducted prior to construction activities and during the December through August breeding season. If there is evidence of nesting during this period, we recommend that the nest site be buffered by 400 feet to avoid disturbance by human activities. If nesting is discovered after construction has begun or if maintaining the recommended buffer is not possible, we recommend that the applicant contact FWC staff identified below to discuss potential permitting needs. Basic guidance for conducting wildlife surveys may be found in the Sandhill Crane Species Conservation Measures and Permitting Guidelines (<http://www.myfwc.com/media/4105886/Final-Florida-Sandhill-Crane-Species-Guidelines-2016.pdf>) and in the Florida Wildlife Conservation Guide (<http://myfwc.com/conservation/value/fwcg/>). We also advise the applicant that Florida sandhill cranes do not nest in the same location every year, so if construction occurs over several years, it may be necessary to determine if nesting is occurring each year.

Least Tern

While the existing habitat conditions onsite for Amendment 2017-1.2 and 2017-1.3 likely do not support least tern nesting activity, clearing associated with construction may create conditions conducive for beach-nesting bird nesting. Cleared sites such as areas that have undergone surface scraping may attract ground nesting species such as least terns or other imperiled beach-nesting birds (IBNB) during nesting season. IBNB nests have been documented on a variety of disturbed sites, including construction sites. Least terns deposit their eggs in shallow depressions or scrapes in the substrate, possibly lined with pebbles, grasses, or coquina shells. Egg-laying usually begins in late April or early May and colonies may range in size from a few breeding pairs to many hundreds. FWC staff recommends the following measures to reduce nesting potential during construction:

- Conduct construction activities outside of the breeding season (generally April through August),
- Clear the site only when ready to build, and
- Avoid leaving cleared areas with little to no activity for an extended amount of time.

If nesting is observed, we recommend contacting FWC staff to discuss necessary nest buffers and potential permitting alternatives. For additional information, please refer to FWC's Breeding Bird Protocol for Florida's Seabirds and Shorebirds located at the following web address: <https://public.myfwc.com/crossdoi/shorebirds/PDF-files/BreedingBirdProtocolForFloridasSeabirdsAndShorebirds.pdf>.

Stormwater Ponds

During the design of stormwater ponds for developments associated with Amendments 2017-1.2 and 2017-1.3, certain considerations and best practices may increase wildlife utilization and enhance the benefits of stormwater ponds. The addition of littoral shelves and shallow pond areas planted with diverse native emergent vegetation can increase the habitat value of each pond, contribute to the water filtration function, and increase the aesthetic value of these retention areas. Littoral shelves may also provide foraging and nesting habitat for a number of wading bird species, spawning habitat for fish, and recreational fishing opportunities for the community. The incorporation of peninsulas and similar shoreline features, where feasible, may increase habitat value over more traditional round or straight-edged shoreline designs. We also recommend a commitment to long-term maintenance and a plan for managing exotic and nuisance vegetation, since stormwater ponds may also become infested with invasive exotic or nuisance vegetation that can significantly degrade habitat values and impact pond function. The Florida Wildlife Conservation Guide provides more information on this topic with suggested guidelines for construction and management of stormwater ponds (http://fwcg.myfwc.com/index_files/800x600/slide83.html).

Federally Listed Species

The subject areas for 2017-1.2 and 2017-1.3 may contain habitat suitable for some federally listed species identified above. We recommend the applicant coordinate with USFWS North Florida Ecological Services Office (ESO) as necessary for information regarding potential impacts to these species. USFWS North Florida Ecological Services Office (ESO) (904) 731-3336. If impacts to Eastern indigo snakes are anticipated for work on the subject sites of Amendment 2017-1.2 and 2017-1.3, the applicant should contact USFWS to discuss any necessary federal requirements. Additionally, the applicant and Brevard County staff can also refer to the *USFWS Standard Protection Measures for the Eastern Indigo Snake* at http://www.fws.gov/northflorida/IndigoSnakes/20130813_ltr_Update_addendum_2010_COE_Programmatic_EIS_Key.pdf for both pre-construction and during construction activities.

We appreciate the opportunity to provide input on this project. If you need further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at FWCCConservationPlanningServices@MyFWC.com. If you have specific technical questions regarding the content of this letter, please contact Daniel Penniman at (386) 754-6246 or by email at Daniel.Penniman@MyFWC.com.

Sincerely,



Jennifer D. Goff
Land Use Planning Program Administrator
Office of Conservation Planning Services

Erin Sterk
Page 6
April 7, 2017

jdg/dp
ENV 2-3-3
Brevard County 17-1ESR_32612_040717

cc: Ray Eubanks, DEO, Ray.Eubanks@deo.myflorida.com and
DCPexternalagency@DEO.myFlorida.com
Kristin Eaton, Florida Power and Light, Kristin.Eaton@fpl.com
Karl Bullock, Golder Associates, kbullock@golder.com
Jon Shepherd, Atlantic Environmental Solutions, jshep@cfl.rr.com

Sterk, Erin

From: Plan_Review <Plan.Review@dep.state.fl.us>
Sent: Wednesday, March 22, 2017 1:49 PM
To: Sterk, Erin; DCPexternalagencycomments
Cc: Plan_Review
Subject: Brevard County 17-1ESR Proposed

To: Erin Sterk, Planner III

Re: Brevard County 17-1ESR – Expedited Review of Proposed Comprehensive Plan Amendment

*Please note the new contact information below.

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Feel free to contact me at Suzanne.e.ray@dep.state.fl.us or (850) 717-9037 for assistance or additional information. Please send all amendments, both proposed and adopted, to plan.review@dep.state.fl.us or

Florida Department of Environmental Protection
Office of Intergovernmental Programs, Plan Review
2600 Blair Stone Rd. MS 47
Tallahassee, Florida 32399-2400



Sterk, Erin

From: Steve Fitzgibbons <SFitzgibbons@sjrwmd.com>
Sent: Friday, March 31, 2017 9:24 AM
To: Sterk, Erin
Cc: Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com); Adam Antony Biblo (adam.biblo@deo.myflorida.com)
Subject: Brevard County proposed comprehensive plan amendment 17-1ESR

Dear Ms. Sterk,

St. Johns River Water Management District (District) staff have reviewed Brevard County proposed comprehensive plan amendment 17-1ESR in accordance with the provisions of Chapter 163, *Florida Statutes*. Based on review of the submitted materials, District staff have no comments on the proposed amendment. If you have any questions or need additional information, please contact me.

Please note that all proposed and adopted comprehensive plan amendments can be submitted to the District by email at sfitzgibbons@sjrwmd.com.

Sincerely,
Steve Fitzgibbons

Steven Fitzgibbons, AICP
Intergovernmental Planner
Governmental Affairs Program
St. Johns River Water Management District
7775 Baymeadows Way, Suite 102
Jacksonville, FL 32256
Office (386) 312-2369
E-mail: sfitzgibbons@sjrwmd.com
Website: www.sjrwmd.com
Connect with us: [Newsletter](#), [Facebook](#), [Twitter](#), [Instagram](#), [YouTube](#), [Pinterest](#)



www.sjrwmd.com/epermitting

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking this [link](#)

Notices

- Emails to and from the St. Johns River Water Management District are archived and, unless exempt or confidential by law, are subject to being made available to the public upon request. Users should not have an expectation of confidentiality or privacy.
- Individuals lobbying the District must be registered as lobbyists (§112.3261, Florida Statutes). Details, applicability and the registration form are available at <http://www.sjrwmd.com/lobbyist/>

Sterk, Erin

From: FAULKNER, JOHN F GS-14 USAF AFSPC 45 CES/CD <john.faulkner@us.af.mil>
Sent: Thursday, April 6, 2017 5:07 PM
To: Sterk, Erin
Cc: HEYER, ANN M GS-13 USAF AFSPC 45 CES/CENP
Subject: RE: Brevard County 2017-1 Spring Cycle LSCPA Transmittal Package

Follow Up Flag: Follow up
Flag Status: Completed

Erin,
Thanks for the reminder on this. I have reviewed the three Brevard County applications. For Patrick Air Force Base, we do not have any comments or concerns associated with the three applications.

V/r,
Johnny

John F. Faulkner
Deputy Range/Base Civil Engineer
45 CES/CD
Patrick AFB, FL
321-494-9296

From: Sterk, Erin [<mailto:Erin.Sterk@brevardfl.gov>]
Sent: Thursday, April 06, 2017 1:26 PM
To: ray.eubanks@deo.myflorida.com; compplans@freshfromflorida.com; Suber, Tracy <Tracy.Suber@fldoe.org>; plan.review@dep.state.fl.us; Woodward, Deena S. <Deena.Woodward@dos.myflorida.com>; FWCConservationPlanningServices@myfwc.com; CompPlans.D5@dot.state.fl.us; Fred Milch <fmilch@ecfrpc.org>; sfitzgibbons@sjrwmd.com; FAULKNER, JOHN F GS-14 USAF AFSPC 45 CES/CD <john.faulkner@us.af.mil>
Subject: [Non-DoD Source] RE: Brevard County 2017-1 Spring Cycle LSCPA Transmittal Package

Good afternoon,

According to the DEO 17-1ESR LSCPA Transmittal (Brevard County applications 2017-1, 2017-2, and 2017-3) Review Memo, the last day to provide Agency comments is today, April 6th, 2017. I have received comments from the agencies in green below, but if you have any last minute feedback to provide regarding the Transmittal, please feel free to send my way!

Regards,
Erin

Dept. of Economic Opportunity	Dept. of Agriculture & Consumer Services
Dept. of Environmental Protection	Dept. of State
FL Fish & Wildlife Conservation Comm.	FL Dept. of Transportation

**LSCPA
Florida Power & Light
Spring 2017-1.1
Adoption Public Comments**

LSCPA
Granite Property Development, Inc.
Spring 2017-1.2
Adoption Public Comments

LSCPA
Light Findings, LLC / Diocese of Orlando
Spring 2017-1.3
Adoption Public Comments

**LSCPA
Florida Power & Light
Spring 2017-1.1
Transmittal Public Comments**

OBJECTION!

2017-1.1

Jones, Jennifer

From: DiFabio, Robin M
Sent: Sunday, February 12, 2017 10:23 AM
To: Jones, Jennifer
Cc: Sterk, Erin
Subject: Fwd: Solar Farm Zoning change

For the file.

Sent from my iPhone

Begin forwarded message:

From: Stacy Moore <smoore-1@live.com>
Date: February 11, 2017 at 12:47:13 PM EST
To: "Robin.DiFabio@brevardcounty.us" <Robin.DiFabio@brevardcounty.us>
Subject: Solar Farm Zoning change

To Whom It May Concern

Please vote no and stop the building of the proposed solar farm on Fleming Grant Road in Micco. I am a superconductor research worker and we study the use of superconductors in the transmission of electricity. One of our divisions explores the use and transmission of alternative energy. The production of solar panels is one of the worst things you can do for the environment due to the chemicals used in production and the return rate to make this solar farm worthwhile would take generations to pay back if it ever will. The degeneration of the panels, efficiency, storm damage and transfer costs make this a losing proposition for the residents of the county. People choose to live in the area because it is affordable and out of the way. This farm will also lower property values and will wipe out the wildlife that is on the proposed 460 acre site. Drainage to the surrounding homes and storm drainage system would also be negatively impacted because of the solar panels and concrete mounting pads impeding water absorption. There are already problems in the area during storm events and the runoff from this project will only make it worse. These are only a few of the problems I can see off the top of my head. I hope you reconsider this project aor at least move it to a better suited area.

Thank you for your time

OBJECTION
2017-1.1a.

February 24, 2017

Planning & Development Department
Building A
Brevard County Government Center
2725 Judge Fran Jamieson Way
Viera, FL 32940

To The Brevard County Planning & Development Department:

This letter is being written to you in objection to your February 6, 2017 letter pertaining to the proposed comprehensive plan (change of zone) amendment for area shown on map provided.

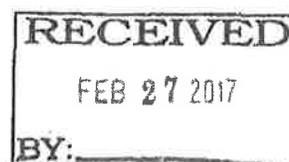
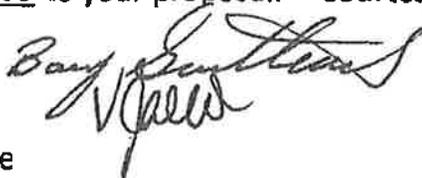
We, both, my wife and I strongly object and are opposed to any zone change you are submitting. Our present map area is strictly and purely deemed for residential use only!

Why not put your project in a commercial area instead of a residential area? That is a greater and more realistic alternative than disrupting an already established residential zone. Your proposed solar electric production will undoubtedly cast a negative shadow and stigma on Barefoot Bay and its surrounding neighborhoods, residents and community.

Further, who wants to be looking at such an unattractive, rows and series of solar panels lining their backyard of Barefoot Bay properties? It simply has a negative property impact on every aspect of the existing developments.

We, firmly, say NO to your proposal. Courtesy Notice is attached.

Barry Southard
Valerie Gallo
513 Sapote Drive
Barefoot Bay, FL 32976



OBJECTION
2017-1.1a.

February 24, 2017

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Building A
Brevard County Government Center
2725 Judge Fran Jamieson Way
Viera, FL 32940

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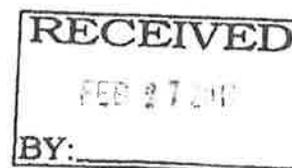
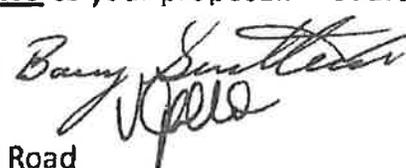
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Barry Southard
Valerie Gallo
1054 Sebastian Road
Barefoot Bay, FL 32976



OBJECTION
2017-1.1a.

February 24, 2017

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Building A
Brevard County Government Center
2725 Judge Fran Jamieson Way
Viera, FL 32940

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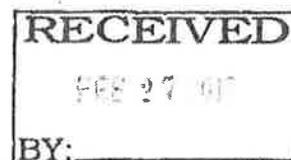
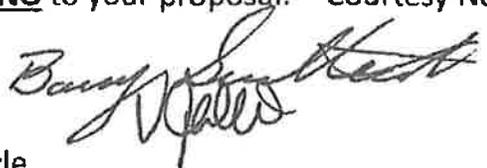
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We, firmly, say NO to your proposal. Courtesy Notice is attached.

Barry Southard
Valerie Gallo
331 Papaya Circle
Barefoot Bay, FL 32976





COURTESY NOTICE

February 6, 2017

SOUTHARD, BARRY
GALLO, VALERIE
3825 12TH ST
MICCO FL 32976-

The Brevard County Planning and Development Department would like to advise you as a property owner within 2000' feet that:

A proposal for the transmittal of a comprehensive plan amendment has been requested for property that is depicted on the map on the back of this notice. This plan amendment transmittal, 2017-1.1, proposes to change the Future Land Use Map designation on the subject properties from Residential 1 to Public Facility for approximately 462 +/- acres. This amendment is intended to allow for Public Facility development for solar electricity production.

Written comments regarding the transmittal of the comprehensive plan amendment should be submitted to the following address: Planning and Development Department, Building A, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, FL 32940. Phone (321) 633-2070 Ext. 52640, Erin Sterk, Planner III, for additional information regarding this matter.

The Local Planning Agency (LPA) will review this item in public hearing beginning at 3:00 p.m. on February 20, 2017. This meeting will be held in the Commission Room, 1st Floor, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida. You can obtain additional information by visiting our web site at <http://www.brevardcounty.us/PlanningDev/Boards/LocalPlanningAgency/>. Once there, scroll down and select the link to the Local Planning Agency Agenda 2016 20 February, which includes the 2017-1.1 Comprehensive Plan Amendment.

The Brevard County Board of County Commissioners will hold a public hearing on the above-mentioned request beginning at 5:00 p.m. on March 2, 2017. The meeting will be held in the Commission Room, 1st Floor, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

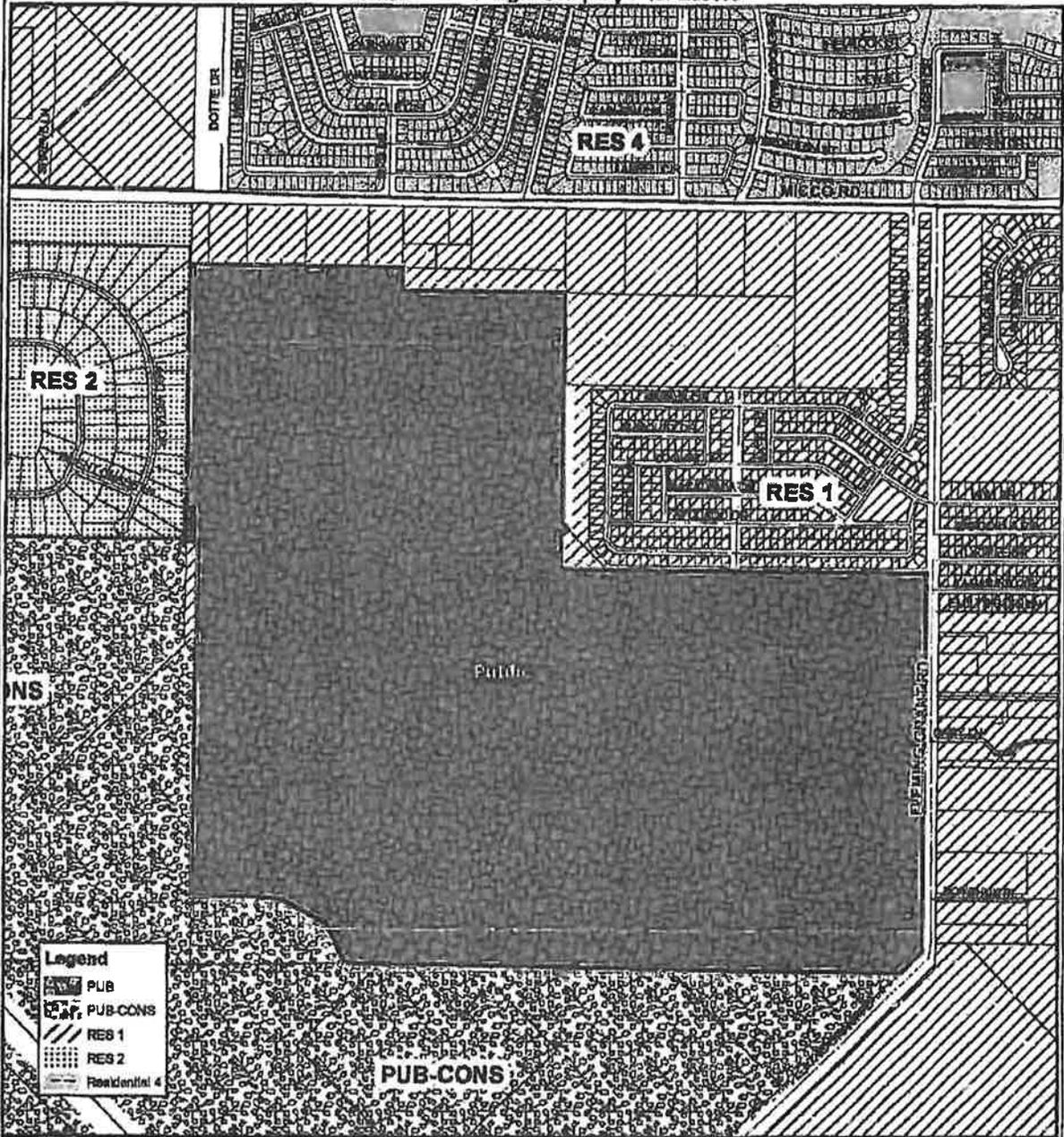
If any person desires to appeal any decision made by these Boards with respect to any matter considered at the meetings, such person will need a record of the proceedings and that, for such purposes, such person may need to ensure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which any such appeal is to be based. Arrangements for any verbatim transcript must be made at the expense of the person making those arrangements.

Interested parties may appear at the meetings and be heard with respect to the transmittal of the proposed plan amendment. This matter will not necessarily be dealt with at the beginning of the meetings, as there may be a number of items that will be considered. Copies of the information to be discussed are available for review at the Planning and Development Department.

PROPOSED FUTURE LAND USE MAP

Comprehensive Plan Amendment 2017-1.1

Florida Power & Light Company 16PZ00119



Legend

	PUB
	PUB-CONS
	RES 1
	RES 2
	Residential 4

1:12,000 or 1 inch = 1,000 feet

Subject Property
 Parcels



This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced for Brevard County Planning and Zoning Office by BoCC GIS Date: 1/30/2017

OBJECTION
2017-1.1a.

February 24, 2017

Planning & Development Department
Building A
Brevard County Government Center
2725 Judge Fran Jamieson Way
Viera, FL 32940

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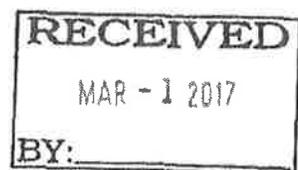
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We, firmly, say NO to your proposal. Courtesy Notice is attached.

Thomas Veronesi
Grace Veronesi
658 Marlin Circle
Barefoot Bay, FL 32976





COURTESY NOTICE

February 6, 2017

THOMAS M VERONESI & GRACE M VERONESI FAMILY TRUST
658 MARLIN CIR
SEBASTIAN FL 32976-2406

The Brevard County Planning and Development Department would like to advise you as a property owner within 2000' feet that:

A proposal for the transmittal of a comprehensive plan amendment has been requested for property that is depicted on the map on the back of this notice. This plan amendment transmittal, 2017-1.1, proposes to change the Future Land Use Map designation on the subject properties from Residential 1 to Public Facility for approximately 462 +/- acres. This amendment is intended to allow for Public Facility development for solar electricity production.

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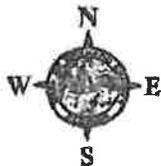
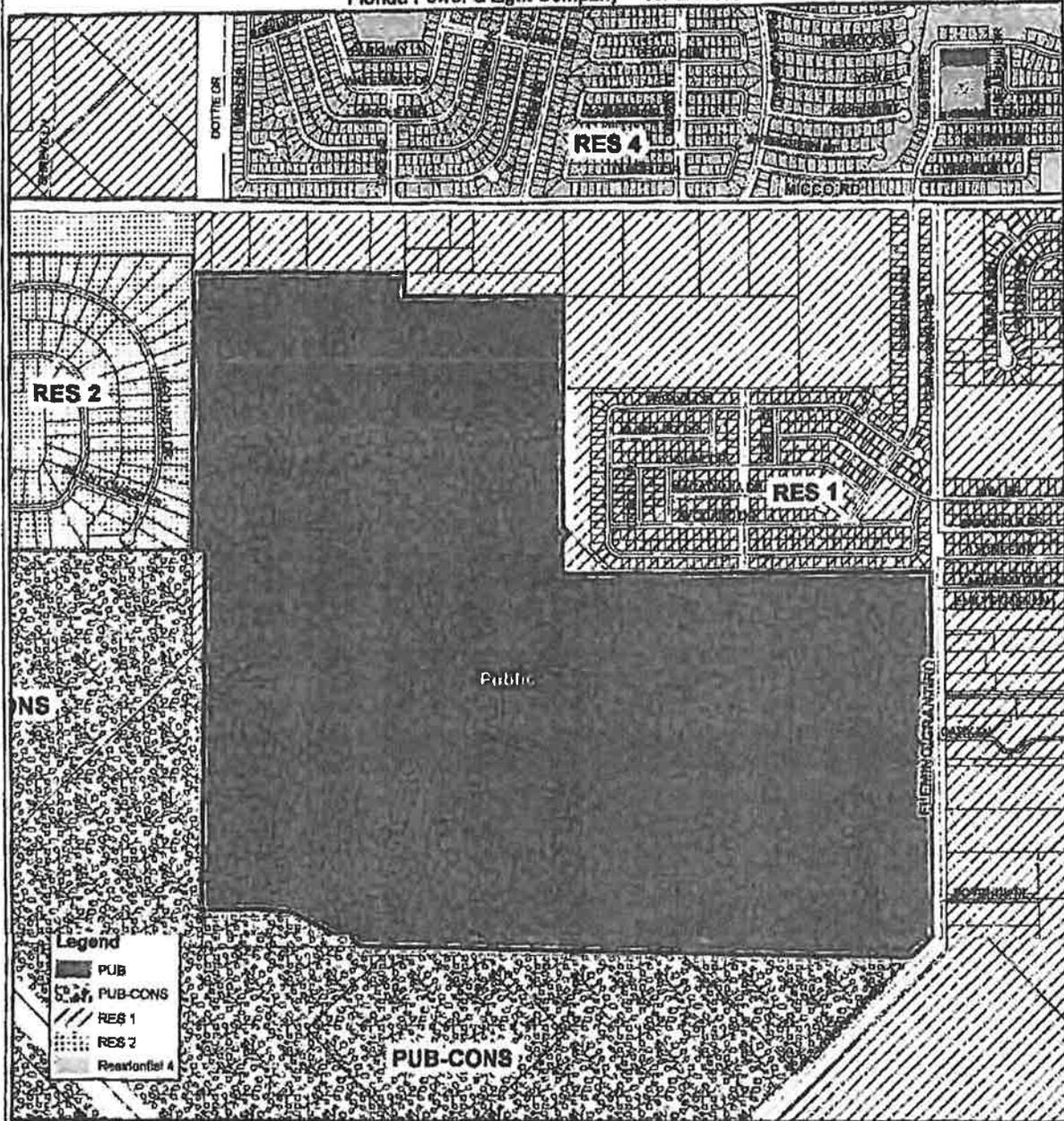
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PROPOSED FUTURE LAND USE MAP

Comprehensive Plan Amendment 2017-1.1
 Florida Power & Light Company 16PZ00119



1"=12,000 or 1 inch = 1,000 feet

Subject Property
 Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced for Brevard County Planning and Zoning Office by BoCC GIS Date: 1/30/2017

FYI
2017-1.1a.

Jones, Jennifer

From: DiFabio, Robin M
Sent: Tuesday, February 28, 2017 9:18 AM
To: Jones, Jennifer
Subject: FW: FPL Meeting Disclosure

From: Tobia, John
Sent: Tuesday, February 28, 2017 9:16 AM
To: Fox, Cynthia C
Cc: DiFabio, Robin M
Subject: FPL Meeting Disclosure

To: Cynthia Fox, Brevard Planning & Zoning Manager
CC: Robin DiFabio, Brevard Planning and Development Director
From: John Tobia, Brevard County Commissioner, District 3
Re: FPL Meeting Disclosure

Dear Ms. Fox:

In advance of the March 2 Planning & Zoning meeting, please be advised regarding an appointment that took place on Tuesday, November 29, 2016, at 4PM, at the business of Atkins North America, located at 7175 Murrell Road, Viera, Florida 32940.

I, along with an aide, met with the following Florida Power & Light personnel:

- Mel Scott, FPL Senior Business Development Director
- Matt Valle, FPL Vice-President, Development
- Bart Gaetjens, FPL Area Manager, External Affairs
- Sunanda Behara, FPL Director of Project Development
- Erin Walkowiak, FPL Project Manager

This meeting lasted approximately thirty minutes, during which FPL representatives provided information on their planned construction of a solar project. Among the topics discussed included:

- Estimated number of construction jobs created
- Estimated impact on wetlands
- Estimated energy and emissions generated
- Project timeline

The site location of this project was not disclosed.

Thank you.

Sincerely,



Commissioner John Tobia
District 3



LSCPA
Granite Property Development, Inc.
Spring 2017-1.2
Transmittal Public Comments

OBJECTION
2017-1.2
l.b.

Precision Fabricating & Cleaning Inc.
Novaway Investments Inc.
3975 E. Railroad Ave., Cocoa, Florida 32926 321-394-2826

Feb. 17, 2017

Mr. George Ritchie
Brevard County Land Development
2725 Judge Fran Jamieson Way
Viera, Florida 32940

RE: FUTURE LAND USE CHANGE AND REZONING, 16PZ00118
LETTER OF OBJECTION

Dear Mr. Ritchie:

We received notice from the county of the proposed future land use change and rezoning for the above application. The application calls for changing the land use from PLNIP to CC and the zoning from PIP to RU-1-7 on tax parcel 24-36-06-00-254. This is the western most of the parcels, this this application. This particular parcel shares a 366 feet long boundary line with the PIP zoned land that we own.

Precision Fabrication and Cleaning Inc has an industrial facility on the parcel, 24-36-06-00-253 immediately north of the parcel to be rezoned for many years. The industrial plant is approximately 30 acres in land area and has industrial operations ongoing over most of the 30 areas including immediately adjacent to the proposed parcel to be rezoned.

Our objections to the development are caused by putting a residential zoning and development immediately adjacent to a PIP zoned tract of land with a large industrial facility on it. Specifically our objections are as follows:

1. The Brevard County land development code requires that if a planned industrial park tract of land seeks site plan approval adjacent to a residentially zoned tract of land, the industrial tract of land is required to install a 6' high masonry wall along the common propertyline. The 2 tracts share a 366 lf common propertyline. Granting this zoning would impose a hardship on the industrial land to construct such a wall when it seeks approval for a site plan approval and construction of the site plan.
2. The Brevard County landscape code requires that if a planned industrial park tract of land seeks site plan approval adjacent to a residentially zoned tract of land, the industrial tract of land is required to install a 20' wide type "A" landscape buffer with county required trees and shrubs. Furthermore, no paving, asphalt milling, storage, storage yards, or buildings are allowed in this 20' wide type "A" buffer. The 2 tracts share a 366 lf common propertyline. Granting this zoning would impose a hardship on the industrial land to install a type "A" 20' wide buffer when it seeks site plan approval and construction of the site plan.

3. The Brevard County zoning code requires that the PIP industrial tract have a 50' wide building and storage yard setback from the residential zoned land. Granting the residential zoning would create a further hardship on the PIP zoned industrial land in preventing any building construction or outdoor storage yard usage within 50 feet of the common boundary between the 2 properties.
4. The Brevard County land development code requires a 75 feet setback between any truck loading or un-loading facilities on the PIP industrial land and any residentially zoned land. Granting the residential zoning would create a further hardship on the PIP zoned industrial land in preventing them from installing any truck loading or unloading facilities on the south side of their land within 75 feet of the common propertyline.
5. Granting the proposed rezoning would allow for the construction of residential homes almost immediately adjacent to a large and very noisily industrial facility. This would be creating a situation where single family home residents would be constantly complaining to the county about the noise and operational activities of the plant, and would be putting undo pressure on the industrial facility to not negatively impact them. Whereas the industrial facility had already been there for many years and the developer of the single family home project should not create a situation which puts single family homes within close proximity of a large industrial plant.

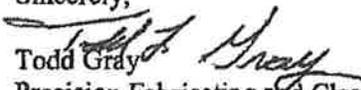
The Precision Fabricating & Cleaning facility has been in business for many years at this location. The above 5 hardships which would be imposed on our industrial operations are very substantial both in loss of use of land, loss of operations, as well as construction cost to build a 6' masonry wall and 20' wide landscape buffer.

It is unfair to us a property and business owner in operation for many years to impose these hardships on us to the benefit of the adjacent property owner.

There are 2 changes the board could request of the applicant which would mitigate the damages described above.

1. For hardship #5 above, the applicant should add to their binding development plan that a 100' wide buffer should be preserved with vegetation in a dedicated buffer tract to separate the residential lots from the PIP industrial tract to the north.
2. For hardships 1-4, there is no language that could be added to the binding development agreement on the residential land that would remove the impositions of buffers, walls and setbacks on the PIP industrial land. These are automatically imposed on the PIP industrial land as soon as the residential zoning is in place. According to the county zoning department the only remedy that would prevent the imposition of these hardships on the PIP land is to exclude the north 150 feet of land of the parcel proposed to be rezoned, from the rezoning application and leave it as PIP zoning. We are requesting that the board consider this in their review process.

Sincerely,


Todd Gray

Precision Fabricating and Cleaning Inc.
Novaway Investments Inc.

IN FAVOR
2017-1.26.

Precision Fabricating & Cleaning Inc.
Novaway Investments Inc.
3975 E. Railroad Ave., Cocoa, Florida 32926 321-394-2826

Feb. 27, 2017

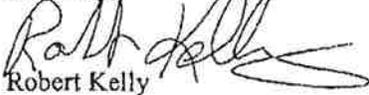
Mr. George Ritchie
Brevard County Land Development
2725 Judge Fran Jamieson Way
Viera, Florida 32940

**RE: FUTURE LAND USE CHANGE AND REZONING, 16PZ00118
LETTER OF NON-OBJECTION**

Dear Mr. Ritchie:

Since our previous letter of objection dated 2-17-17 on the above referenced rezoning action, we have received a proposed site plan for this project. This site plan shows that the portion of the land to be rezoned which is adjacent to our property, (north west corner of the site to be rezoned) will not be developed with residential homes. It is our understanding that this will either be a retention pond or a tree canopy preservation area. On this basis we withdraw our objection to the rezoning.

Sincerely,



Robert Kelly
Precision Fabricating and Cleaning Inc.
Novaway Investments Inc.

LSCPA
Light Findings, LLC / Diocese of Orlando
Spring 2017-1.3
Transmittal Public Comments

OBJECTION
2017-1.3c.

Jones, Jennifer

From: Newell, Marcia on behalf of Commissioner, D1
Sent: Thursday, March 02, 2017 9:09 AM
To: Fox, Cynthia C
Cc: Jones, Jennifer
Subject: FW: County Commissioner Rita Pritchett -- Meeting March 2

Cindy,

On behalf of Commissioner Pritchett, I am forwarding an email to you regarding an item IV C on the agenda tonight for Light Findings, LLC.

Regards,

Marcia Newell

Legislative Aide to Commissioner Rita Pritchett
Marcia.newell@brevardcounty.us



District 1 Commission Office
2000 S. Washington Avenue, Suite 2
Titusville, Florida 32780
321-607-6901

Please note:

Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

From: Patricia Bayer [mailto:bayeriii@juno.com]
Sent: Wednesday, March 01, 2017 10:42 PM
To: Commissioner, D1
Cc: Bayer, Patricia JW
Subject: County Commissioner Rita Pritchett -- Meeting March 2

March 1, 2017

To the Honorable County Commissioner Rita Pritchett:

Our names are Patricia and Henry Bayer III, we live at 4866 Gopher Tortoise Trail, Cocoa, FL and at 5240 North US#1, Cocoa, FL. Both homes are in District 1 of Brevard County and in close proximity to the subject land on the agenda.. We are writing to voice our opinion to the request for changing the Comprehensive Plan Amendment of the property owned by Light Findings, LLC at the meeting on March 2, 2017.

In our opinion the Light Findings, LLC land should not be used for homes especially not for nice homes on 1/4 acre lots. They would be situated between low rent and high crime residential areas. They would also be subjected to many possible toxic situations from the surrounding businesses and industries. The church property would possibly be located far enough from any toxic accidents.

When we owned the land now owned by Light Findings, LLC we researched through the offices at the Viera Government Center about the various zonings on it and the property value in relation to each zoning. We were told that since the land had been used for a Septic Tank Company, a cement plant, a sawmill, mining activities and an auto salvage company that the land had been permanently damaged and that the value would be considered very low. Directly to the west of the land and running north and south of it along the railroad tracks have been asphalt plants dating back to the 1950s. In 1991 a high priority ground water investigation was done by the Florida Department of Environmental Regulation with assistance from the DER Central District. They dug 23 monitor wells on the subject property to determine flow and concentration of the groundwater contamination in the Mobile Ranch area. The source was found at the north end from an old asphalt plant property where barrels were buried. Mobile Ranch used private wells so all of them had to be placed on city water to protect the homeowners. The rest of the asphalt plant property nor the groundwater south of the one site was not searched for contamination but all the old plant workers told local property owners that many barrels were buried during the time the plants were operated. There were not any containments or remediation in the 1980s for the asphalt spills.

There are three mining constructed lakes on the property. After heavy rains there would be fish kills in the north lake from the auto salvage fluids. There is currently an underground storage for a septic company located there. Heavy rainfall would probably contaminate the water with human waste. The coquina lakes were originally dug at least 20 feet around the edges to prevent cattails from taking over the lakes. The cattails in the lakes now are growing where the sides have caved in from the long droughts in recent years. The lakes get hot in the summer and there were scuba diver training teams that told us that they found the Brain-Eating Amoeba, *Naegleria fowleri*. The lakes also attract alligators and are filled with the exotic waterweed Hydrilla.

The subject property is located on the north and south between two mobile home developments started in the early 1960s. Alongside the north end of the property is Cliff Berry, Inc. an industrial and commercial waste and emergency response toxic spill cleanup business. They use tankers and semi-trucks 24/7 365. They also service the human waste from the cruise ships. To the west of the railroad tracks is Quarno's Auto Salvage and the Morningside Mobile Home Park. Adjacent to the property on the northeast is a failed subdivision from the 1940s called MacArthur Circle that consists of a mixture of mobile/manufactured homes and a few cement block homes. To the southeast is the Williams Point Complex with car repair businesses, a gun testing company, Harrack Trucking and Landscaping, SPEC-R Racing and Performance Parts and Travelynx tour bus maintenance. These are all very noisy companies at the Complex.

The railroad tracks to the west of the property is for lane changing of freight trains. There is a siding track where a train pulls off and all the cars bang together one at a time as the train stops and another passes it. This noise can be heard in the early morning hours all the way to the river homes. Then the train must restart by re-aligning the train cars with more bangs. The really heavily loaded trains will shake the ground and rattle house windows.

A current search of the Florida Department of Law Enforcement's website for locating sexual offenders and predators will show 15 within a 1/2 mile of Light Findings, LLC's address on Industrial Drive and 86 within a mile radius. The offenders' locations are split between Mobile Ranch and Williams Point Mobile homes. Some are in temporary residence at the county jail which is in the one mile radius. There is daily walking traffic on Camp Road from the prison to US#1 to catch the bus. There are several lawyers and bail bondsmen to serve the prisoners within the same radius.

In our 35 years living here we must note that we have to call the County Sheriff's Department 3-4 times a year for theft, trespassing or property damage. The sheriffs are also called to the Mobile Ranch homes area on a daily basis. It might be of interest to check the crime reports for the immediate areas surrounding this plan to build new homes.

This letter is to also notify the Natural Resources Management Department that there are at least 6 abandoned septic tanks on the property. For their record there are over 200 Federally protected gopher tortoises on the property. We spoke with the BKI Environmental Consulting team from Indlalantic, FL before they had finished the gopher tortoise survey and not all of the portions of the property were to be included in their survey.

It might be of interest to note that on the Property Appraiser's website the Light Findings, LLC land is listed as having a price of \$1.5 million on 8/17/2007 but no one ever paid that for the property. The 111 acres were sold at county auction for \$100 on 4/29/2014.

The applicant states that "The property was formerly used as a mining pit which now lies dormant and abandoned, creating an **eyesore** for the community." There are no empty pits on the property. There are three lakes fed by underground streams. These lakes are not visible from any public road and the private road is fenced and locked at all times.

Thank you for the opportunity to address this issue.

If we can be of any assistance please contact us at:

Patricia J.W. Bayer 321-638-4660 (h) 321-795-7870 cell
P.O. Box 551 Sharpes, Fla. 32959-0551
bayeriii@juno.com

Henry W. Bayer III 321-636-5768 (h) 321-271-4146 cell
5240 North US#1, Cocoa, Fla. 32927

CONCERN
2017-1.3c.

March 2, 2017

Brevard County Planning and Development Dept.
Building A, Brevard County Government Center
2725 Judge Fran Jamieson Way
Viera FL 32940

Attn: Erin Sterk, Planner III

Erin.sterk@brevardfl.gov

Comments re: comprehensive plan amendment 2017-1.3 by Light Findings, LLC and John G. Noonan as Bishop of the Diocese of Orlando, west of US Hwy 1, north of Camp Rd.

- 1) The 130 acres to be rezoned supports a population of gopher tortoise and highly suitable habitat. Before any development occurs, the owner/developer should be required to conduct the appropriate detailed surveys and obtain a permit from the State of Florida Fish and Wildlife Conservation Commission per Rule 68A-27, F.A.C.
- 2) In the 1990's, the State of Florida Department of Environmental Protection, Division of Waste Management, Bureau of Waste Clean-Up, produced a Preliminary Assessment Report on a site known as "MacAsphalt" in Hardeeville, Brevard County (COMET Facility ID: COM_36299; MACASPHALT under "Cleanup Facility Electronic Documents Listing"). The site address was 385 Broadway Avenue, and manufactured asphalt. Soil and groundwater contamination was documented at that time. Local residents were advised to discontinue use of groundwater wells and hook up to the municipal water supply. The status of cleanup of the MacAsphalt site and current levels of groundwater contamination should be investigated and disclosed to any potential developer/owner/residents.
- 3) As a resident in the immediate vicinity, I have concerns regarding increased traffic and traffic control. The Broadway and US1 intersection is currently extremely busy. The developer should bear the burden of conducting traffic surveys and ensuring traffic safety.

Thank you for the opportunity to comment on this comprehensive plan amendment.

Sincerely,

Alice Kelly
5280 N. US1
Cocoa, FL 32927
msalicekelly@gmail.com

**PRELIMINARY ASSESSMENT
REPORT
MACASPHALT
AKA: APAC-FLORIDA INC., MACASPHALT DIV.
BREVARD COUNTY, FLORIDA
EPA ID NO. _____**



Florida Department of Environmental Protection

**Division of Waste Management
Bureau of Waste Clean-up
Site Screening Superfund Subsection**

**A. James McCarthy Jr.
Professional Geologist I
August 24, 1999**

Date: 9/24/99

Prepared by:

A. James McCarthy Jr., P.G.
FDEP

Site:

MacAsphalt
385 Broadway Avenue
Frontenac, Brevard County, Florida
EPA ID No: FL _____

1.0 Introduction

Under the authority of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) and the Superfund Amendments and Re-authorization Act of 1986 (SARA), the Florida Department of Environmental Protection, Division of Waste Management, Site Screening Superfund Subsection conducted a Preliminary Assessment (PA) for MacAsphalt site in Brevard County, Florida. The purpose of this investigation was to assess the threat posed to human health and the environment, and to determine the need for additional investigation under CERCLA/SARA or other action. The scope of the investigation included a review of available file information and a comprehensive target survey.

2.0 Site Background

2.1 Location

This site address is 385 Broadway Avenue, Frontenac, Brevard County, Florida. The site is located about 0.3 mile southwest of the Hardeeville subdivision. The coordinates for the site are Latitude 28° 27' 12" North and Longitude 80° 46' 17" West. The site is situated in the SE 1/4 of the NE 1/4 of Section 25, Township 23 South, Range 35 East. From the City of Cocoa, head north on U.S. 1 past Sharpes and Williams Point. Approximately 1 mile north of Williams Point, take a left (head west) onto Broadway Avenue. Go approximately 0.5 mile and take a left (head south) onto Monroe Avenue. This road goes by several different names including Industrial Drive and Old County Road. The site is located on the right side (west side) of the road approximately 0.35 mile from the Broadway Ave. and Monroe Ave. intersection. [1,39,40,45] (Figures 1,2,3,4).

2.2 Site Description and Surrounding Area

The MacAsphalt plant manufactures and delivers asphalt for paving. The site occupies approximately 8.3 acres of land. As of 1989, a maintenance shed and number of trailers occupied the northern part of the site. This area was also reportedly used to store heavy

equipment. The office and batch asphalt plant reportedly occupy the central part of the site. A number of above ground diesel fuel tanks, including a diesel fuel tank farm, were also present in the central portion of the site [1,39,40].

The site area is a mixture of industrial and residential use. MacAsphalt is bounded to the west by the Florida East Coast (F.E.C) Railroad line. Quarno and Son's Auto Salvage is present just west of the railroad. Another asphalt plant, Goodson Paving, is located immediately north of the site. The Hardeeville residential subdivision, which consists mostly of mobile homes, is located approximately 0.3 mile northeast of the site. The site is bounded to the east by Industrial Drive (aka: Old County Road). Dense pine and palmetto woods exist east of this road. [39,40,45,55] (Figures 1,2,3,11).

2.3. Local Climate

Brevard County has a humid subtropical climate. Short mild winters and long, warm, humid summers mark this climate. The mean annual temperature in the area is approximately 71.8° F. The mean annual rainfall in the area averages 55.96 inches. Approximately 65% of the annual rainfall occurs during the area's rainy season (June to October). The summer wet season precipitation is primarily a result afternoon and evening thunderstorms. The Net Precipitation and 2-year, 24 hour rainfall values for the Brevard County area are approximately 5.5 and 5 inches, respectively. The site is located outside the federally designated 500-year floodplain [1,5,6,7,10,22].

3.0 Site History

3.1. Operational History and Waste Characteristics

This site has been used as an asphalt and concrete plant since the early 1950's. The current owner and operator is APAC-Florida Inc., MacAsphalt Division (MacAsphalt). MacAsphalt purchased this property from the Boutwell Construction Company in September 1989. MacAsphalt performs a large amount of State contracted roadwork. As a result, the asphalt is tested in a State certified asphalt-testing lab. Previous owners and operators performed similar State contracted work, which also required the same type of testing. Prior to 1989, the Florida Department of Transportation (FDOT) reportedly operated a testing laboratory at the site. The laboratory used trichloroethylene (TCE) in the asphalt solvent extraction process. Waste effluent was reportedly discharged into a buried sump and drainfield located on the west side of the laboratory. MacAsphalt conducts its own testing in a mobile lab that uses both 1,1,1-trichloroethane (1,1,1-TCA) and TCE. This extraction process is in a closed system. 1,1,1-TCA and TCE are reportedly recycled and no spent solvents are discharged on-site [39,40,42].

Asphalt is refined from petroleum. Various distillates including gasoline, kerosene, diesel fuel and lubricating oils are utilized in the making of asphalt. The main wastestream from asphalt plants is the water used to control air emissions from the plant. This water contains high amounts of solids (carbonate, igneous rock dust) and small quantities of oil and

grease. Trace quantities of heavy metals (cadmium, chromium, lead, etc) and cyanide may also be present [56,57].

3.2 Regulatory/Permitting History

On December 15, 1987, the Brevard County Department of Natural Resources (BCDNR) conducted random sampling of private wells in Brevard County. A private drinking water well located in the Hardeeville subdivision was sampled and found to contain several chlorinated hydrocarbons above the existing maximum contaminant levels (MCLs). Additional sampling of private wells in the subdivision was conducted on January 28, 1988. Thirty-six private drinking water wells were found to be contaminated by chlorinated hydrocarbons [32,40]. Please refer to Section 3.3 for the analytical results.

In January 1988, the Florida Department of Environmental Regulation (FDER) began connecting the affected residents to a public water supply. By March 1992, these residents were supplied water by the Brevard County water system [32,40]. On January 10, 1991, the FDER Central District formerly requested the FDER Site Investigation Section to conduct an investigation to identify the source of contamination. The District had conducted a survey of potential contamination sources. These potential sources included an asphalt plant, an auto junkyard and a mortuary/cemetery [32,33,40].

On September 8, 1989, a consultant for MacAsphalt completed an Environmental Audit of the Boutwell Construction Company property. This audit was a prelude to MacAsphalt purchasing the property. The main objective of this audit was to determine whether any environmental problems existed at the plant that could subject MacAsphalt to future financial liability [40].

Gurr & Associates, Inc., the consultant for MacAsphalt, conducted an initial site investigation (ISI) of the plant site on September 5, 1989. Numerous areas of soil staining were observed throughout the plant site. The northern area of the site was used primarily for equipment storage. However, a maintenance shed was present in this area. A number of uncovered waste oil containers were observed in the maintenance shed. In addition, two 55-gallon drums of spent TCE were also found in the shed. Used containers of lubricants, battery cases, 55-gallon drums and fuel tanks were observed in the northern part of the plant site. The office and the batch asphalt plant were located in the central part of the property. Two above ground storage tanks, which contained fuel for asphalt production, were observed in the Office/Plant area. Soil staining was noted along the retaining wall that surrounded the storage tanks. Most of this staining was located near a hole in the wall. Heavy staining was noted within the interior area of the retaining wall. No bottom liner was observed. Several inches of diesel fuel were observed in the southeast corner of the diesel fuel tank farm. The interior of the tank farm also lacked an impervious liner. A drum of TCE, resting in a metal stand, was also observed in this area. The drum was out in the open with no spillage control measures in place. The southern portion of the property was being utilized as a dump area. Discarded petroleum storage tanks, oil filters, batteries, lubricants, buried drums, tires and various household items were observed in this

area. [40]. During the ISI, a number of soil and groundwater samples were collected by the consultant for field screening and observation. None of the samples were submitted for laboratory analysis. Please refer to Section 3.3 for the field screening results.

Based on the results of the ISI walkover, the Environmental Audit report concluded that the site had the potential for major contamination and could be costly to remediate. The consultant recommended that additional groundwater and soil sampling be performed. The report also recommended that MacAsphalt retain an environmental attorney if additional sampling would be performed [40]. Despite the report conclusions and recommendations, MacAsphalt purchased the property in late September 1989 [38,40].

In March 1990, the Brevard County of Natural Management requested that FDER conduct an investigation to determine the source(s) of the Hardeeville subdivision residential well contamination [44].

On March 12, 1991, the FDER Site Investigation Section (SIS) started its fieldwork to determine the source of contamination. This fieldwork was completed on September 20, 1991. This work focused primarily on groundwater investigation. A draft report was sent to the FDER Central District on September 25, 1991. The report identified MacAsphalt as the source of the Hardeeville subdivision contamination. Please refer to Section 3.3 for more detailed information of the SIS investigation [32,40].

On October 4, 1991, a meeting was held in Orlando between FDER and MacAsphalt. The draft SIS report findings were presented at that time. FDER requested that MacAsphalt enter into a Consent Order with the Department. The Consent Order would address further assessment and remediation requirements at the site. MacAsphalt indicated that they would not enter into a Consent Order because they felt the contamination was solely attributable to Boutwell Construction Company, the previous site owner [32]. Based on the results of the FDER SIS investigation, a Warning Letter (OWL-WCU-91-033) was issued to MacAsphalt on October 9, 1991 [32,41]. On October 31, 1991, MacAsphalt notified the former Boutwell Construction Co. owner informing him of the FDER investigation results and his potential liability [37]. MacAsphalt sent a Contamination Assessment Plan (CAP) to FDER on February 28, 1992. The CAP scope of work called for further assessment activities at the site including: additional soil borings, monitor well installation, monitor well sampling, aquifer testing and delineation of groundwater contamination. MacAsphalt reiterated that they were not liable for the contamination and were not willing to enter into a Consent Order with the Department [38,39].

The final FDER SIS Groundwater Investigation report was completed in March 1992. In addition to the investigation results; the report recommended remediation of groundwater and soil at the MacAsphalt site. This included a risk assessment for residents of the Hardeeville subdivision. The report also recommended that the potential responsible party (PRP), MacAsphalt, reimburse the State for the costs of installing water lines into the

subdivision [40]. Please refer to Section 3.3 for more detailed information of the SIS investigation.

On August 5, 1992, the FDER District office submitted a draft Consent Order to the FDER Office of General Counsel (OGC) for review [32]. On September 3, 1992, the FDER finalized civil penalty authorization against MacAsphalt. On September 11, 1992, the FDER OGC sent a revised Consent Order (OGC Case No: 92-1108) to the FDER Central District office in Orlando. The revised draft Order required MacAsphalt to provide financial restitution for the cost of the FDER investigation, water line extension and connection fees into the Hardeeville subdivision and private well sampling costs. A final draft of the Consent Order was sent to MacAsphalt on October 20, 1992 [32,41].

On December 31, 1992, MacAsphalt forwarded a letter to FDER regarding its Groundwater Investigation report and the draft Consent Order. MacAsphalt disagreed with the conclusions of the report and felt that additional contaminant sources existed in the area. MacAsphalt claimed that they had no legal liability for any contamination and refused to enter into a Consent Order with the State. MacAsphalt claimed that any contamination present at the site occurred prior to their purchase of the property in September 1989. MacAsphalt included an initial remedial measure (IRM) plan with the letter. The IRM plan called for a source area investigation (drain field), a vadose zone soil investigation, drain field removal and the construction of a groundwater treatment system [42]. A copy of this letter was forwarded to FDER OGC on January 29, 1993.

On December 21, 1993, MacAsphalt informed FDEP¹ that it was going to begin its IRM in January 1994. As part of the IRM plan, a groundwater recovery and treatment system would be implemented. This system called for the discharge of treated effluent to an infiltration gallery. On January 3, 1994, FDEP notified MacAsphalt that it supported the IRM, however, MacAsphalt would require a permit or Consent Order to discharge the treated groundwater [44]. Based on the site file, MacAsphalt conducted the IRM in February 1994. The IRM indicated that groundwater and soil contamination still existed at the MacAsphalt site. Please refer to Section 3.3 for a summary of the IRM results.

In early November 1995, MacAsphalt's contractor conducted a groundwater investigation, including the sampling of the existing monitor and private wells. Westinghouse Remediation Services, a FDOT environmental contractor, submitted a Groundwater Sampling report to FDEP in late January 1996. Please refer to Section 3.3 for more detailed information of this investigation [48].

On April 11, 1996, FDEP completed its review of the January 1995 Groundwater Sampling report. Based on that review, FDEP did not agree with the conclusion that groundwater contamination was from multiple sources. FDEP recommended that additional monitor wells be installed between the HVW-3 and HVW-4 well clusters (Figure 11). FDEP also requested additional soil sampling data from the former FDOT laboratory area [49].

¹ The FDER and the Florida Department of Natural Resources (FDNR) merged to form the Florida Department of Environmental Protection (FDEP) on July 1, 1993.

The FDEP Central District sent a memorandum to the OGC on November 12, 1996 regarding previous investigations at the site. After reviewing the data, the District recommended that additional monitor wells needed to be installed at the MacAsphalt site. As part of any future monitor well installation, it was determined that continuous split spoon sampling needed to be conducted to more adequately determine site area stratigraphy. The District also recommended that a nearby burial area, located northeast of the site, needed further investigation. In addition, based on the available information, the District could not rule out the use of residential septic tanks as a contributing source of the private well contamination [53].

In late spring of 1999, the FDEP Central District office referred the MacAsphalt site to the FDEP Site Screening Superfund subsection (SSSS) as a potential CERCLA candidate. On August 25, 1999, the FDEP SSSS completed a CERCLA Prescreening/Site Discovery report for the site. Based on the groundwater contamination and the contamination of nearby private drinking water wells, a CERCLA Preliminary Assessment was recommended for this site [54]. The Prescreening/Site Discovery report was forwarded to EPA on September 1, 1999 [54].

3.3 Sampling and Analysis

On December 15, 1987, as part of a County wide sampling effort, BCDNR sampled a private drinking water well (5312 Cherry Street) in the Hardeeville subdivision. Elevated levels of 1,1 dichloroethylene (41.5 micrograms per liter [ug/l]), 1,1-dichloroethane (22.1 ug/l) and TCE (3.01 ug/l) were detected in the well sample. The levels of 1,1 dichloroethylene and trichloroethylene exceeded both the State and Federal MCLs for those analytes. These results were confirmed with the resampling of the well on January 13, 1988 [32,40] (Figure 2, Table 2).

On January 28, 1988, BCDNR completed sampling of fifty-two residential drinking water wells located in the Hardeeville subdivision. Elevated levels of chlorinated hydrocarbons including (highest levels): 1,1 dichloroethane (44.6 ug/l), 1,1-dichloroethylene (51.6 ug/l), 1,2-dichloroethylene (1.9 ug/l) and/or TCE (3.3 ug/l) were detected in thirty-six of the wells. Twelve of the wells had levels of 1,1 dichloroethylene and/or TCE above the State MCLs [32,40]. It is important to note that 1,2-dichloroethylene and 1,1-dichloroethane are biotransformation (breakdown) products of TCE and 1,1,1-trichloroethane, respectively [58].

In September 1989, as part of the environmental audit, a number of soil and groundwater samples were collected at the Boutwell Construction Co. property (now MacAsphalt). These samples were collected from areas of obvious contamination. Both the groundwater and soil samples were screened using a portable organic vapor analyzer (OVA). No laboratory analyses were conducted on the samples. Soil samples collected in the Office/Plant area exhibited the highest OVA readings. The readings ranged from 6.6 parts per million [ppm] to greater than 1,000 ppm (Soil/#3A). Several of the soil samples had a distinct diesel fuel odor. One of the two-groundwater samples collected (G.W./#2) had an

OVA reading of 6.6 ppm. However, no odors were detected from either of the two water samples [40] (Figure 4).

The FDER Site Investigation Section (SIS) initiated field activities on March 12, 1991. This fieldwork was completed September 20, 1991. The purpose of the investigation was to identify the source of the Hardeeville subdivision contamination. This investigation included: a preliminary site reconnaissance of potential contaminant sources, monitor well installation and sampling, additional private well testing and soil sampling [40].

Between March 14 and April 24, 1991, as part of the SIS preliminary site reconnaissance, nineteen private wells were identified and sampled. These wells included both potable and irrigation supply wells. The MacAsphalt supply well was one of the wells sampled. One of the primary reasons for the site reconnaissance was to estimate the extent of groundwater contamination and to assist in determining the monitor well locations. Three of the private wells contained elevated levels of chlorinated hydrocarbons. These contaminants included (highest levels): 1,1-dichloroethane (17 ug/l), vinyl chloride (0.6 ug/l) and TCE (9 ug/l) [27,28,29,40]. The TCE level exceeded both State and federal MCLs for that contaminant. No contaminants were detected in the MacAsphalt supply well. Please refer to Figure 3 and Table 3 for the private well locations and preliminary reconnaissance sample results, respectively. In June 1991, FDER sampled eighteen private wells within the Hardeeville subdivision. Elevated levels of chlorinated hydrocarbons were reportedly detected in many of the private well samples [40]

SIS identified a number of potential contaminant sources during the preliminary site reconnaissance. Some of these potential sources included: Quarno and Sons Auto Salvage, Precision Fabricating and Cleaning, Coastal Septic, Goodson Paving/WWG Asphalt and MacAsphalt. A former dumping area and a number of quarry pits were also identified as potential sources. The former dumping area, located northeast of the MacAsphalt site, was reportedly used for the disposal of asphaltic debris. Please refer to Reference 40 (FDER SIS Investigation Report) for a more detailed summary of these potential sources [40] (Figure 5).

Twenty-three monitor wells were installed as part of the SIS investigation. All the wells were installed in the surficial aquifer system. The wells were located to pinpoint the source(s) of contamination. The majority of the wells were installed between 20 to 60 feet in depth. However, three of the monitor wells (HVW-1D, HVW-3D & HVW-4D) were installed to a depth of 80 feet [40]. Please refer to Figure 6 and Table 4 for the monitor well locations and well construction details, respectively.

Groundwater samples were collected from the monitor wells between June 11 and August 8, 1991. All the samples were analyzed for volatile organic compounds (VOCs). However, three wells located on the MacAsphalt site, HVW-16, HVW-17 and the MacAsphalt supply well, were analyzed for semi-volatile organic compounds (SVOCs) and metals [40]. Please refer to Figure 6 and Table 5 for the monitor well locations and the analytical results, respectively.

A number of the monitor well samples contained elevated levels of chlorinated hydrocarbons. The highest levels of these contaminants were found in monitor wells located on the eastern portion of the MacAsphalt site or just east of the site. The highest level of TCE (93 ug/l) was found in monitor well HVW-16 located on the eastern portion of the MacAsphalt site. Elevated levels of TCE, 53 ug/l and 37 ug/l, were found in monitor wells HVW-3S and 3I, respectively. The levels of TCE exceeded both State and federal MCLs for that contaminant. 1,1-Dichloroethane (8.0 ug/l) was also found in monitor well HVW-3I. Monitor wells HVW-3S and HVW-3I are located about 400 feet northeast (downgradient) of the MacAsphalt site. Elevated levels of TCE were also found in monitor wells HVW-8 and HVW-9 located northeast and east of the site, respectively. Monitor wells HVW-17 and HVW-2, which are located upgradient of the main plant area, were installed as control wells to determine any potential impacts from the Quarno and Son Auto Salvage and Precision Fabricating and Cleaning properties, respectively. It is important to note that no VOCs were detected in these wells [27,28,29,40].

Elevated levels of petroleum type contaminants were found in a sample (and duplicate sample) collected from the MacAsphalt plant supply well. These contaminants included: fluorene, naphthalene, phenanthrene and 2-methylnaphthalene. The naphthalene level exceeded the State groundwater guidance concentration (GWGC) of 20 ug/l [29,40].

Five soil samples were collected for VOC analysis during the SIS investigation (see Figure 7). Three of the samples were collected from selected depths within the HVW-16 monitor well borehole. This well was located on the eastern edge of the MacAsphalt site. HVW-16 was also located near a buried drum that served as a French drain for wastewater produced at the plant. The other two soil samples (SB-4 & SB-5) were collected from a suspected old landfill located just east of Industrial Drive. Elevated levels of TCE, at 140 ug/kg and 8 ug/kg, were found in HVW-16SB2 and HVW-16SB3, respectively. No VOCs were detected in the suspected landfill soil samples [40].

Groundwater elevation measurements were collected from the monitor wells in June and August 1991. Based on these measurements, a groundwater flow direction to the east-northeast was determined. Based on the groundwater sample results, a groundwater contamination plume was tentatively identified extending from the MacAsphalt site through the Hardeeville subdivision towards the Indian River [40] (Figure 9).

In January and February 1994, MacAsphalt implemented its IRM plan. This work included a source area investigation (drainfields, drums etc.), soil borings, temporary monitor well installation and groundwater sampling. A number of trenches were dug to search for drainfields and other underground disposal systems. Two perforated 55-gallon drums, which apparently were part of a former "drainfield", were found between the office building and the aboveground storage tank area. The drums were subsequently removed. It was uncertain whether this underground disposal system received domestic and/or industrial wastewater. No other drainfields, drums or piping were reportedly found. A number of soil borings (SB-1 to SB-15) were conducted within the office/asphalt plant area. The soil samples were screened for VOCs using a photoionization detector (PID).

None of the samples were sent to a laboratory for analysis. The majority of soil samples had readings less than 50 ppm. However, it should be noted that this is an elevated cut off point for determining non-contaminated samples. One of the soil samples collected (SB-12/ 8-10 feet deep) had a PID reading of 70 ppm. Five temporary monitor wells (TW-1 to TW-5) were installed during the IRM. Low levels of VOCs were detected in the temporary well samples. Existing monitor well HVW-16 was sampled on March 24, 1994. Elevated levels of TCE (3 ug/l), 1,1 -dichloroethylene (130 ug/l) and dichlorodifluoromethane (6 ug/l) were detected. The TCE and 1,1-dichloroethylene levels equaled and exceeded, respectively the State MCLs for those contaminants [45] (Figure 10).

On March 24, 1994, FDEP SIS resampled on-site monitor well HVM-16. TCE (93 ug/l) and 1,1-dichloroethylene (130 ug/l) were detected. These levels exceeded both the State and federal MCLs for those contaminants [27,28,29,45].

On January 29, 1996, FDEP received a Groundwater Sampling report from MacAsphalt's contractor, Westinghouse Remediation Services (WRS). The report detailed the results of a groundwater sampling investigation conducted between November 1-3, 1995. The Twenty-three existing FDEP monitor wells, three private wells and the MacAsphalt supply well were sampled. The monitor well samples were analyzed for VOCs, SVOCs and metals (RCRA metals). The private well samples were analyzed for VOCs only. Elevated levels of chlorinated solvents were detected in the groundwater samples [48]. Please refer to Figure 11 and Table 6 for the monitor well locations and the analytical results, respectively.

The highest levels of chlorinated solvents, including: TCE (27.5 ug/l), 1,1-dichloroethylene (5.07 ug/l), trans 1,2-dichloroethylene (1.08ug/l) and 1,1-dichloroethane (9.25 ug/l) were found in monitor well HVW-3I. Vinyl chloride (1.12 ug/l) was also detected in the HVW-3I well sample. The levels of TCE and vinyl chloride found in HVW-3I exceeded the State MCLs for those contaminants. The TCE level also exceeded the federal standard of 5 ug/l [27,28,29,48]. Somewhat lower levels of chlorinated solvents were also detected in the adjacent monitor well, HVW-3S. Monitor wells HVW-3S and 3I are located approximately 400 feet northeast (downgradient) of the MacAsphalt site. TCE was also detected in monitor wells HVW-10 (1.3 ug/l), HVW-14 (1.32 ug/l) and HVW-16 (1.98 ug/l). As discussed earlier, the HVW-16 monitor well is located on the eastern portion of the MacAsphalt site. Monitor well HVW-14, which also contained 1,1-dichloroethane (11.3 ug/l), is located approximately 3,400 feet northeast of the site [48].

Three private wells, located in the Hardeeville subdivision, were sampled as part of the WRS groundwater investigation. The Lyons private well sample contained TCE (24 ug/l), trans-1,2-dichloroethylene (0.7 ug/l), 1,1-dichloroethylene (7.08 ug/l) and 1,1-dichloroethane (9.66 ug/l). The Gibney well contained TCE (2.02ug/l), 1,1-dichloroethylene (1.1 ug/l) and 1,1-dichloroethane (1.59 ug/l). The Pinto private well contained 1,1-dichloroethylene (0.95 ug/l) and 1,1-dichloroethane (0.52 ug/l). The levels of TCE and 1,1-dichloroethylene found in the Lyons well exceeded both the State and

federal MCLs for those contaminants. WRS jointly attributed the groundwater contamination to MacAsphalt, an asphalt burial area and neighborhood activities [48].

4.0 Ground-Water Pathway

4.1 Hydrogeologic Setting

This site is located on the Atlantic Coastal Ridge geomorphologic feature. This area is characterized by a mature dune type topography with parallel north-south elongate ridges and intervening swales. The swales often contain shallow ponds, lakes and long narrow sloughs. This is not an area typical of karst terrain. The region consists of incohesive and permeable sands 30 to 200 feet thick. Few sinkholes develop under these conditions. The Eocene age formations (i.e. Ocala Limestone and Avon Park Formation) have been offset by a north-south trending fault in the western part of Brevard County. This fault is located approximately 9 miles west of the Cocoa /Rockledge area. Three hydrostratigraphic units underlie the site area. These units include: the unconfined surficial aquifer system, intermediate aquifer system/confining unit and the confined Floridan aquifer system [7,9,12,14].

The surficial aquifer system is composed of unconsolidated sediments of Pleistocene and Recent age. These sediments consist of white to brown, fine to medium grained quartz sand interbedded with sandy coquina (Anastasia Formation [Fm.]). The surficial aquifer system exists under water table conditions and is recharged primarily by precipitation. The average depth to the water table in the area is generally less than 10 feet. The aquifer thickness may exceed more than 100 feet in the coastal ridge area. The surficial aquifer supplies drinking water to more than half of Brevard County. A number of small public water systems utilize the surficial aquifer system. Private wells tap this aquifer for domestic use in areas not serviced by municipal systems. Wells open to this aquifer range from 1 ^{1/4} to 2 ^{1/2} inches in diameter and are between 10 to 40 feet in depth. A few domestic wells may tap deeper coquina deposits 50 or more feet below land surface. Water from the surficial aquifer often contains elevated levels of calcium carbonate and iron [1,9,11,14,15,19].

The intermediate aquifer system/confining unit consists of the upper Miocene or Pliocene deposits and the Miocene age Hawthorn Group. The upper Miocene or Pliocene deposits are composed of unconsolidated beds of fine sand, shells, clay and calcareous clay. The permeability of these sediments is generally low and they act as confining beds between the surficial and Floridan aquifer systems. The Hawthorn Group consists of greenish gray, calcareous clay; sandy, phosphatic limestone; black and brown phosphorite and light green to white phosphatic, radiolarian clay. The top of the Hawthorn Group is found between 50 to 100 feet below mean sea level (msl) throughout most of Brevard County. The thickness of the Hawthorn Group varies between 50 to 110 feet. The multiple layers of marl and clay serve as confining beds for the underlying Floridan aquifer system. Some domestic and public supplies may obtain fresh water from the more permeable sands, shell marls and limestones of the Hawthorn Group [7,8,9,11,12,13,14,15].

The Floridan aquifer system is composed of marine limestones, dolostones and dolomites of Paleocene to Eocene age. The Floridan aquifer system exists under artesian conditions in Brevard County. The aquifer consists of two permeable zones separated by a low permeability-confining unit. The two permeable zones are referred to as the upper and lower Floridan aquifer systems [1,7,12,14,15].

The upper Floridan aquifer system consists of, in descending order, the Ocala Limestone and the Avon Park Formation. Permeable parts of the Hawthorn Group that are in hydrologic contact with the Ocala Limestone may also be included in the upper Floridan aquifer system. The Floridan aquifer exists under artesian conditions. The top of the Ocala Limestone (Eocene age limestone) is encountered between 80 feet (northwest) to 340 feet (southeast) below msl in Brevard County. The upper Floridan aquifer system yields large quantities of water due to the high permeability of the carbonates. The Ocala Limestone yields the highest amounts of water in the Brevard County area. The City of Titusville, Brevard Utilities (North and South) and a number of other public utilities obtain water from the upper Floridan aquifer. However, the saline nature of upper Floridan aquifer in Brevard County severely limits its use for domestic and public water use. Water drawn from the upper Floridan must be treated via the reverse osmosis process [1,7,12,14,15,19].

The lower Floridan aquifer system consists of the lower portion of the Avon Park Fm. the Oldsmar Fm. and upper portions of the Cedar Keys Fm. The lower Floridan aquifer contains a zone of highly fractured and cavity riddled dolostones referred to as the "Boulder Zone". Water in this zone is of high salinity. Industrial wastewater and treated effluent are discharged into this zone via injection wells. As a result, the lower Floridan aquifer is not used as a drinking water aquifer [1,7,12,14,15].

4.2 Site Hydrogeology

As a result of previous environmental investigations, a number of soil borings have been performed in the site area. Most of the site hydrogeologic information in this report is from the March 1992 FDER SIS investigation report. The borings ranged in depth from land surface to 80 feet. An unconsolidated, pale yellowish-orange coquina shell hash, up to 30 feet thick, exists underneath the MacAsphalt site. A tan sand layer overlies the shell hash over much of the MacAsphalt site. The shell hash unit grades into a predominantly sand unit northeast of the site. This sand unit consists of a white to light brown, fine to medium grained sand. A mixed sand and coquina unit underlies both shell hash and sand units. A number of thin, discontinuous, consolidated coquina hash stingers are present within this unit. Sand with clay was the predominant lithology below the sand and coquina unit. A thin clay lense, consisting of light olive gray to greenish black stiff clay, was detected in one of the borings (HVD-1D). The clay was found 45-52 feet below land surface (bls) and was only encountered in the one boring [40]. The top of the upper Floridan aquifer (Ocala Limestone) is found approximately 140 feet bls in the site area [7, 40] (Figure 6).

The water table was encountered between 14 to 15 feet bls in the temporary monitor wells installed at the MacAsphalt site. Groundwater elevation measurements were collected from the FDEP SIS monitor wells in June and August 1991. Based on these measurements, a groundwater flow direction to the east-northeast was determined. It is important to note that a surficial aquifer groundwater divide exists in the site area. The axis of the divide generally follows the crestline of the Atlantic Coastal Ridge. The F.E.C. railroad, which lies west of the MacAsphalt site, lies on that crestline. As a result, groundwater flows to the west of the F.E.C. railroad towards the St. Johns River [40] (Figure 9).

4.3. Ground-Water Targets

The site area is provided drinking water by the Brevard County and City of Cocoa water systems. Prior to December 1987, residents in the Hardeeville subdivision relied on private wells for drinking water. These wells were open to the surficial aquifer system. In December 1987, elevated levels of chlorinated hydrocarbons were discovered in the private wells. This contamination was later attributed to the MacAsphalt site. As a result of the contamination, water lines were extended into the subdivision and the residents were hooked up to the County water system [32,33,36,39,40,41]. The Brevard County Utilities, City of Titusville and the City of Cocoa wellfields are open to the Floridan aquifer system. However, these wellfields are located more than 4 miles from the MacAsphalt site [18,19].

Three community and noncommunity water well systems exist in the site area. These systems collectively serve 305 people within 4 miles of the site. The nearest well system, the OUC Indian River Power Plant, is located approximately 2.8 miles north-northwest of the site. This system consists of three wells and serves approximately 65 people [1,18] A breakdown of the community, non-community and nearby private well systems, by distance, is presented in Table 1

4.4 Ground-Water Conclusions

Chlorinated hydrocarbons, including TCE, 1,1-dichloroethylene, and 1,1-dichloroethane, have been detected in site area groundwater. The TCE and 1,1-dichloroethylene levels exceeded both State and federal MCLs for those contaminants. This contamination was also detected in private drinking water wells located in the Hardeeville subdivision. This resulted in the closure of those wells and resulted in connecting the residents to the County water system. The private well contamination has been attributed to the MacAsphalt plant located southwest of the subdivision. Based on this information, the groundwater migration pathway is the primary pathway of concern at this site.

5.0 Surface Water Pathway

5.1 Hydrology

The MacAsphalt site is located within an old gravel pit and is situated outside the federally designated 500-year floodplain [1,10,22] (Figure 1). The site ranges in elevation from about 34 feet near the F.E.C railway to near 30 feet on the extreme eastern portion of the site [1,40]. Manmade swales and ditches collect stormwater runoff from the site area. The swales and ditches convey the runoff to the Indian River, located approximately 0.6 mile east of the site. The Indian River is connected to the Banana River via the Canaveral Barge Canal, which is located approximately 4.5 miles southeast of the site. A barrier island separates the Indian and Banana Rivers, which are technically lagoons, from the Atlantic Ocean. Sebastian Inlet, located approximately 45 miles south of the site area, connects the Indian River to the Atlantic. [1,7,40] (Figure 1).

5.2 Surface Water Targets

No drinking water surface water intakes are located along the surface water migration pathway. The nearest surface water intake, the City of Melbourne Lake Washington intake, is located outside the watershed, approximately 21 miles south-southwest of the site [1,19,21].

The Indian River, which is part of the Intracoastal Waterway, is utilized for recreational boating and fishing. The State of Florida Marine Fisheries Information System reports that 10,554,648 pounds of finfish and invertebrates (i.e. scallops, clams, and crabs) were harvested from Brevard County marine waters during 1990 [59].

The Indian and Banana Rivers are federally designated critical habitats for the endangered West Indian manatee. Williams Point, located approximately 1 mile southeast of the site, is an overwintering area for an adult concentration of manatees. A nesting area for a number of wading birds including, herons, egrets and ibises, is located approximately 7 miles northeast of the site. The habitat is located within wetlands fronting the Indian River. A number of Bald eagle nests have also been identified along the Indian River. The Bald eagle is a federally designated threatened species [1,16,23,24,26].

5.3 Surface Water Pathway Conclusions

Petroleum and chlorinated solvent contamination of soils is documented at the MacAsphalt site. Downstream water bodies, including the Indian and Banana Rivers, are used for recreational fishing and are habitats for a number of Federal and State endangered or threatened species. However, based on the available information, the dilution effects of the estuarine waters would significantly reduce any potential impacts from this site. Therefore, at this time, the surface water migration pathway is not a major concern at this site.

6.0 Soil Exposure and Air Migration Pathways

6.1 Physical Conditions

This site has been utilized as an asphalt plant for over 30 years. Portions of the site, particularly near the batch plant and above ground storage tank (AGST) area, are unpaved. Stained soils have been observed in these areas during past inspections. A chain link fence restricts access to the site [39,40,45] (Figure 10).

6.2. Soil Exposure and Air Migration Targets

A small number of workers are employed at the plant. However, no residential population or terrestrial sensitive environments have been identified on-site [23,40]. Based on 1990 Census data, the Sharpes area has a population of 3,348 and a population density of 1,116 people per square mile. An estimated 2,675 people live within 1 mile of the site [20,25]. A number of sensitive environments, detailed above in surface water target section, exist within 4-miles of the site.

6.3. Soil Exposure and Air Migration Conclusions.

Petroleum and chlorinated solvent contamination of soils is documented at the MacAsphalt site. However, the plant is fenced which restricts access to the site. In addition, no residential population or terrestrial sensitive environments have been identified on-site. Based on this information, the soil exposure pathway is not a major concern at this site. Emissions from the asphalt plant tower may be a concern; however, no air sample data is currently available. Further inquiry into the air migration pathway may be warranted. However, based on the limited population of the site area, at this time, this pathway is not a major concern.

7.0 Summary and Conclusions

This site is located near the town of Frontenac, Brevard County, Florida. This site, which encompasses over 8 acres, has been used for the production of asphalt for over 30 years. A number of different operators and owners have existed at this site. The current owner, APAC-Florida Inc., MacAsphalt Division (MacAsphalt) purchased the property in 1989. MacAsphalt conducts a large amount of State contracted roadwork. As a result, the asphalt is tested in a State certified asphalt-testing lab. Previous owners and operators performed similar State contracted work, which also required the same type of testing. Prior to 1989, the Florida Department of Transportation (FDOT) operated a testing laboratory at the site. The laboratory reportedly used trichloroethylene (TCE) in the asphalt solvent extraction process. Waste effluent was reportedly discharged into a buried sump and drainfield located on the west side of the laboratory.

In late 1987 early 1988, residential drinking water wells in the nearby Hardeeville subdivision were sampled and found to contain elevated levels of chlorinated

hydrocarbons. Thirty-six of the fifty-two private wells tested contained elevated levels of chlorinated hydrocarbons. As a result, municipal water lines were extended into the subdivision and the residents were connected to the Brevard County water system. In 1991, the FDEP Site Investigation Section (SIS) conducted an area wide groundwater investigation to determine the source of the private well contamination. This investigation identified MacAsphalt as the source of the contamination. This conclusion was based on the results of groundwater and soil samples collected from the site and site area. In early 1994, a contractor for MacAsphalt implemented an initial remedial measure (IRM) plan at the site. Two perforated drums, believed to be part of a drainfield or "french drain", were unearthed and removed from the MacAsphalt site.

Chlorinated hydrocarbons, including TCE, 1,1-dichloroethylene, and 1,1-dichloroethane, have been detected in site area groundwater. The TCE and 1,1-dichloroethylene levels exceeded both State and federal MCLs for those contaminants. This contamination was also detected in private drinking water wells located in the Hardeeville subdivision. This resulted in the closure of those wells and required connecting the residents to the County water system. The private well contamination has been attributed to the MacAsphalt plant, located southwest of the subdivision. Based on this information, the groundwater migration pathway is the primary pathway of concern at this site.

Petroleum and chlorinated solvent contamination of soils is documented at the MacAsphalt site. Downstream water bodies, including the Indian and Banana Rivers, are used for recreational fishing and are habitats for a number of Federal and State endangered or threatened species. However, based on the available information, the dilution effects of the estuarine waters would significantly reduce any potential impacts from this site. Therefore, at this time, the surface water migration pathway is not a major concern at this site.

The MacAsphalt site is fenced which restricts access to the site. In addition, no residential population or terrestrial sensitive environments have been identified on-site. Based on this information, the soil exposure pathway is not a major concern at this site. Emissions from the asphalt plant tower may be a concern; however, based on the limited population of the site area; this pathway is not a major concern.

Based on the findings presented in this PA and the results of a draft Hazard Ranking System (HRS) evaluation, further CERCLA action is warranted at this site. This action should include conducting a CERCLA Site Inspection (SI) at the MacAsphalt site.

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Table 1
Estimated Number of Potable Wells and Population Served
MacAsphalt
Sharpes, Brevard County, Florida
Surficial Aquifer System (AOC)

Well Type ¹	0-1/4 mile	1/4-1/2 mile	1/2-3/4 mile	3/4-1 mile	1-2 miles	2-3 miles	3+ miles
Municipal	0/0	0/0	0/0	0/0	0/0	0/0	0/0
Community/ Noncomm ²	0/0	0/0	0/0	0/0	0/0	3/65	2/240
Private ¹	0/0	0/0	NE	NE	NE	NE	NE
Totals	0/0	0/0	0/0	0/0	0/0	3/65	2/240

Key:

NE=Not Evaluated

AOC=Aquifer of Concern

Footnotes:

¹ Prior to 1987, residents in the Hardeeville subdivision relied on private wells for drinking water. In 1987, elevated levels of chlorinated hydrocarbons were discovered in the private wells. These wells were open to the surficial aquifer system. Thirty-six of the fifty-two private wells contained elevated levels of chlorinated hydrocarbons. This contamination was later attributed to the MacAsphalt site. As a result of the contamination, water lines were extended into the subdivision and the residents were hooked up to the County water system [32,33,36,39,40,41].

² The community & noncommunity well systems are reportedly open to the surficial aquifer system. The community and noncommunity well data was provided by FDEP's PWS Potable well search database [18]. These locations were subsequently plotted on the 4-Mile USGS topographic map collage of the site [1]. The average persons per household in Brevard County (1990 U.S. Census) is 2.43 [25].

Table 2

Table 2.1 Summary of Sampling Prior to SIS as Reported by HRS
Hardeeville, Brevard County

Address/Name	1.1 DCA	1.1 DCE	1.2 DCE	TCE	Other	Sum of Purgeables
Units are ug/l (parts per billion)						
322 Booth St./Meinshenker	14	14	BDL	0.91	BDL	28.91
5319 Yarber Av./Schile	2.8	3.4	BDL	BDL	BDL	6.2
325 Booth St./Moyer	BDL	BDL	BDL	BDL	BDL	BDL
5317 Yarber Av./Ivey	Detected	BDL	BDL	BDL	BDL	Detected
323 Iris St./Heats	BDL	BDL	BDL	BDL	BDL	BDL
324 Garvin St./Ragland	2.3	3.1	BDL	BDL	BDL	5.4
317 Iris St./Powell	21.9	26.5	BDL	1.56	BDL	50
313 Iris St./Breon	BDL	BDL	BDL	BDL	BDL	BDL
311 Iris St./Mudd	44.6	51.6	BDL	2.29	BDL	98.5
5312 Cherry Av./Dreher	37.6	42.6	BDL	3.07	BDL	83.5
309 Iris St./Rowland	17	19	BDL	0.59	BDL	37
305 Iris St./Dillon	20	27	BDL	BDL	BDL	47
5302 Yermack/Ross	BDL	BDL	BDL	BDL	BDL	BDL
5309 Cherry Av./Myman	BDL	BDL	BDL	BDL	BDL	BDL
318 Ronald St./Allen	7.1	5	BDL	0.96	BDL	13.1
313 Garvin St./Series	38.1	35.9	BDL	3.3	BDL	77.3
314 Ronald St./Jewell	25	27	1.1	8	BDL	61.1
310 Ronald St./Boeschel	12	15	BDL	1.1	BDL	28.1
307 Garvin St./Magoner	22	36	BDL	1.6	BDL	59.6
306 Ronald St./Gerhardt	BDL	BDL	1.9	BDL	BDL	1.9
305 Garvin St./Baird	Detected	Detected	0.94	BDL	BDL	0.94
5309 Yarber Av./Nicholson	BDL	BDL	BDL	BDL	BDL	BDL
302 Ronald St./Hodgss	Detected	1.2	1.3	BDL	BDL	2.5
330 Akorn St./McCary	BDL	BDL	BDL	BDL	BDL	BDL
5305 Cherry Av./Olier	21	28	0.74	2.4	BDL	52.1
313 Ronald St./Deforest	5.1	6.4	BDL	BDL	BDL	11.5
306 Akorn St./Price	>10.0+	>10.0+	BDL	Detected	BDL	>20.0+
305 Ronald St./Daniels	Detected	Detected	Detected	BDL	BDL	Detected
301 Ronald St./Hopkins	2.4	3.4	1.2	BDL	BDL	7
302 Akorn St./Bishop	BDL	BDL	1.1	BDL	BDL	1.1
324 Wixie Dr./McCary	BDL	BDL	BDL	BDL	BDL	BDL
327 Wixie Dr./Morse	Detected	Detected	BDL	BDL	BDL	Detected
325 Wixie Dr./Tasley	Detected	Detected	Detected	BDL	BDL	Detected
320 Wixie Dr./Taylor	Detected	Detected	BDL	BDL	BDL	Detected
321 Wixie Dr./Unknown	Detected	Detected	BDL	BDL	BDL	Detected
318 Wixie Dr./Imbush	BDL	BDL	BDL	BDL	BDL	BDL
319 Wixie Dr./West	BDL	BDL	Detected	BDL	BDL	Detected
316 Wixie Dr./Unknown	Detected	Detected	Detected	BDL	Detected	Detected
315 Wixie Dr./Semento	BDL	BDL	BDL	BDL	BDL	BDL
314 Wixie Dr./Unknown	Detected	Detected	BDL	BDL	BDL	Detected
313 Wixie Dr./Ackerman	BDL	BDL	BDL	BDL	BDL	BDL
310 Wixie Dr./Paerson	BDL	BDL	Detected	BDL	BDL	Detected
311 Wixie Dr./Applequist	Detected	BDL	BDL	BDL	BDL	Detected
309 Wixie Dr./Unknown	BDL	BDL	BDL	BDL	BDL	BDL
307 Wixie Dr./Cassidy	1.2	0.65	BDL	BDL	BDL	1.8
305 Wixie Dr./Unknown	Detected	0.52	BDL	BDL	BDL	0.52

Table 2 (cont.)

Table 2.1 Summary of Sampling Prior to SIS as Reported by NRS (continued)
Hawdenville, Brevard County

<u>Address/Name</u>	<u>1,1 DCA</u>	<u>1,1 DCE</u>	<u>1,2 DCE</u>	<u>TCE</u>	<u>Other</u>	<u>Sum of Purgeables</u>
	Units are ug/l (parts per billion)					
P.O. 211, Sharpes/Yates, L.	BDL	BDL	BDL	BDL	BDL	BDL
328 McArthur Circle/Gramly	BDL	BDL	BDL	BDL	BDL	BDL
P.O. 142, Sharpes/Yates, C.	BDL	BDL	BDL	BDL	BDL	BDL
322 Iris St./Arnold	6.4	5	BDL	BDL	1	12.4
330 Iris St./Saries	BDL	BDL	BDL	BDL	10.9*	10.9
331 Booth St./Blair	BDL	BDL	BDL	BDL	BDL	BDL

BDL - Below detection limit

1,1 DCA - 1,1 Dichloroethane with detection limits of 1.0 ppb.

1,1 DCE - 1,1 Dichloroethene with detection limits of 0.50 ppb.

1,2 DCE - 1,2 Dichloroethene with detection limits of 0.50 ppb.

TCE - Trichloroethylene with detection limits of 0.50 ppb.

* - Chloroform at 8.2 ppb and Bromodichloromethane at 2.7 ppb.

Dates of sampling begin in December 15, 1987 and continue through November of 1988.

Source: Adapted from data summarized by Brevard County Office of Natural Resources Analysis performed by NRS Laboratory, Jacksonville, Florida.

Table 2.2 SIS Field Parameters and Water Quality Analytical Results for Initial and Second Reconnaissance
EPA Method 824

Hardenville, Brevard County

Address	Name	Date	pH	Temperature	Conductivity	Compounds Detected	Concentrations (ppb)
Initial Site Reconnaissance							
Coastal Septic supply well	Wyles	3/14/91	6.8	24.5	328	BDL	NA
Neckshalt supply well	Delton	3/14/91	7	24.1	432	BDL	NA
West Broadway	Yates, C.	3/14/91	6.9	23.4	435	BDL	NA
✓ 5905 Cedar Lake Road	Feltz	3/14/91	6.9	26.2	233	BDL	NA
305 Ronald	Daniels	3/14/91	7.2	24.7	542	1,1-Dichloroethane	3
						1,1-Dichloroethene	3
302 Ronald	Hodges/Smith	3/14/91	7.2	24.5	438	1,1-Dichloroethane	11
							17
Goodson Paving	Goodson	3/14/91	6.8	23.9	554	Vinyl Chloride	0.6 T
Trip Blank		3/8/91				MTBE	4.7
						BDL	NA
Second Site Reconnaissance							
342 Broadway #1	Lloyd	4/23/91	6.4	24.5	538	BDL	NA
342 Broadway #2	Lloyd	4/23/91	6.6	24.2	539	BDL	NA
314 Ronald #1	Jewell	4/23/91	6.6	22.9	570	Trichloroethene	9
						1,1-Dichloroethane	5.8
						1,1-Dichloroethene	3.7
316 Ronald #2	Jewell	4/23/91	7.3	24.3	538	BDL	NA
324 McArthur Court	Barthoah	4/23/91	6.3	24.6	535	BDL	NA
375 McArthur Court	Hilton	4/23/91	6.4	23.2	213	BDL	NA
371 McArthur Court	Lauer	4/23/91	7.1	24.3	355	BDL	NA
U.S. 1	Williams	4/23/91	7.1	25.2	589	BDL	NA
376 Iris Street	Morrison	4/23/91	6.3	24.4	658	BDL	NA
5330 Monroe Avenue	Cowan	4/23/91	6.9	22.7	904	BDL	NA
5310 U.S. Hwy 1	Kelley	4/24/91	7.1	25.2	479	BDL	NA
U.S. Hwy 1	Elliot	4/24/91	6.8	25	577	BDL	NA
Trip Blank		4/19/91				BDL	NA

BDL - Below detection limit

NA - Not applicable

MTBE - Methyl tert-butyl ether

T - value reported is less than practical quantitation limit

Table 3.1 SIS Monitor Well Construction Data
Hardeeville, Brevard County

<u>Well ID#</u>	<u>Total Depth (feet BLS*)</u>	<u>Casing Depth (feet BLS)</u>	<u>Screened Interval (feet BLS)</u>	<u>Casing Diameter (inches)</u>	<u>Top-of-Casing Elevation NGVD**(feet)</u>
HVW-1S	35	25	25 - 35	2	28.22
HVW1I	60	50	50 - 60	2	28.06
HVW-1D***	80	70	70 - 80	4	28.10
HVW-2	30	20	20 - 30	2	33.70
HVW-3S	35	25	25 - 35	2	30.66
HVW-3I	50	40	40 - 50	2	31.12
HVW-3D***	80	70	70 - 80	4	31.47
HVW-4S	35	25	25 - 35	2	25.52
HVW-4I	50	40	40 - 50	2	25.33
HVW-4D***	80	70	70 - 80	4	25.28
HVW-5	35	25	25 - 35	2	33.53
HVW-6	35	25	25 - 35	2	33.06
HVW-7	33	23	23 - 33	2	29.32
HVW-8	34	24	24 - 34	2	30.17
HVW-9	35	25	25 - 35	2	33.31
HVW-10	35	25	25 - 35	2	22.65
HVW-11	35	25	25 - 35	2	23.56
HVW-12	35	25	25 - 35	2	23.89
HVW-13	50	35	35 - 50	2	16.26
HVW-14	50	35	35 - 50	2	21.31
HVW-15	50	35	35 - 50	2	26.93
HVW-16	20	10	10 - 20	2	33.41
HVW-17	24	14	14 - 24	2	35.36

*BLS - Below land surface

**National Geodetic Vertical Datum

***Note - the three deep wells (D) were surface cased to 50' BLS with 8" casing. Wells HVW - 13, 14, & 15 had 15 feet of screen to increase the capture zone because the distance from the industrial area enhances vertical dispersion.

Table 4

Table 4.4 Contamination Summary of DER Monitoring Wells - Method 624
Hardeeville, Brevard County

Monitor Well ID#	Sample Date	TCE	1.2 DCE	1.1 DCE	1.1 DCA	Other Volatiles
HVW-18	6/11/91	ND	ND	ND	ND	ND
	7/16/91	ND	ND	ND	ND	ND
HVW-11	6/11/91	ND	ND	ND	ND	ND
	7/16/91	ND	ND	ND	ND	ND
HVW-1D	6/11/91	ND	ND	ND	ND	0.7 T - Toluene
	7/16/91	ND	ND	ND	ND	ND
HVW-2	6/11/91	ND	ND	ND	ND	ND
	7/16/91	ND	ND	ND	ND	ND
HVW-3S	6/11/91	50	ND	ND	ND	ND
	7/16/91	53	ND	ND	ND	ND
HVW-3I	6/11/91	37	ND	ND	8.0 T	ND
	7/16/91	34	ND	ND	ND	ND
HVW-3I Duplicate	7/16/91	33	ND	ND	7.2 T	ND
HVW-3D	6/11/91	ND	ND	ND	ND	0.8 T - Toluene
	7/16/91	ND	ND	ND	ND	ND
HVW-4S	6/11/91	ND	ND	ND	ND	ND
	7/16/91	ND	ND	ND	ND	ND
HVW-4I	6/11/91	1.4	ND	0.7 T	1.2	ND
	7/16/91	1.2	ND	ND	1	ND
HVW-4D	6/11/91	ND	ND	ND	1.0 T	ND
	7/16/91	ND	ND	ND	1.4	ND
HVW-5	6/11/91	ND	ND	ND	ND	ND
	7/16/91	ND	ND	ND	ND	ND
HVW-6	6/11/91	ND	ND	ND	ND	ND
	7/16/91	ND	ND	ND	ND	ND
HVW-7	6/11/91	0.9 T	ND	ND	ND	ND
	7/16/91	ND	ND	ND	ND	ND
HVW-8	6/11/91	20	ND	ND	4.4	ND
	7/16/91	12	ND	ND	3.3 T	ND
HVW-8 Duplicate	7/16/91	12	ND	ND	3	ND
HVW-9	6/11/91	13	ND	ND	ND	ND
	7/16/91	9.3	ND	ND	ND	ND
HVW-10	6/11/91	ND	ND	1.5	1.6	ND
	7/16/91	ND	ND	3	2.2	ND
HVW-11	6/11/91	ND	ND	ND	0.6 T	ND
	7/16/91	ND	ND	ND	0.7 T	ND
HVW-12	6/11/91	ND	ND	ND	ND	ND
	7/16/91	ND	ND	ND	ND	ND
HVW-13	6/11/91	ND	ND	ND	ND	ND
	7/16/91	ND	ND	ND	ND	ND
HVW-14	6/11/91	ND	ND	6.3	7	ND
	7/16/91	ND	ND	11	7.7	ND
HVW-15	6/11/91	ND	ND	ND	ND	ND
	7/16/91	ND	ND	ND	ND	ND
HVW-16	8/8/91	93A	ND	ND	ND	ND
HVW-17	8/8/91	ND	ND	ND	ND	ND

Table 5

Table 4.4 Contamination Summary of DER Monitoring Wells - Method 624 (continued)
 Hardeeville, Brevard County

<u>Monitor Well ID#</u>	<u>Sample Date</u>	<u>TCE</u>	<u>1,2 DCE</u>	<u>1,1 DCE</u>	<u>1,1 DCA</u>	<u>Other Volatiles</u>
Trip Blank	6/7/91	ND	ND	ND	ND	0.6 T - Toluene
	7/16/91	ND	ND	ND	ND	ND
	8/8/91	ND	ND	ND	ND	ND
Trip Blank Duplicate	6/7/91	ND	ND	ND	ND	0.6 T - Toluene
Equipment Blank	6/12/91	0.6 T	ND	ND	ND	ND
	7/16/91	ND	ND	ND	ND	ND
	8/8/91	ND	ND	ND	ND	ND

A - Value reported is the mean of two or more determinations

ND - Not detected

T - Value reported is less than the practical quantitation limit

Table 5 (cont.)

Laboratory Analytical Results- Groundwater
 APAC Groundwater Sampling
 Westinghouse Project # 4430-95-3796

Well#	HVW-15	HVW-11	HVW-1D	HVW-3S (Dup-C)	HVW-3I	HVW-3D	HVW-4S	HVW-4I (Dup-A)	HVW-4D	Drinking Water Standards (2)
SOLVENTS										
1,1-Dichloroethene	ND(3)	ND	ND	0.40(4) (0.30)	5.07	ND	ND	ND	1.32	7(5)
Trans 1,2-Dichloroethene	ND	ND	ND	0.59 (0.71)	1.08	ND	ND	ND	ND	100
1,1-Dichloroethane	ND	ND	ND	1.41 (1.55)	9.25(6)	ND	ND	ND	5.57	3 700
Trichloroethene	ND	ND	ND	5.69 (7.05)	27.5	ND	ND	ND (0.77)	ND	3
Vinyl Chloride	ND	ND	ND	ND	1.12	ND	ND	ND	ND	1
1,2-Dichloroethane	ND	ND	ND	ND	0.35	ND	ND	ND	ND	3
2 Chloroethylvinyl Ether	ND	ND	ND	ND	1.42	ND	ND	ND	ND	NA(7) 1.5
VOLATILE ORGANIC COMPOUNDS										
MTBE	ND	ND	ND	ND	1.58	ND	ND	ND	ND	50
Toluene	ND	ND	ND	ND	ND	ND	ND	ND	ND	1000
Total Naphthalene	ND	ND	ND	ND	ND	ND	ND	ND	ND	100
Fluorene	ND	ND	ND	ND	ND	ND	ND	ND	ND	10
Phenanthrene	ND	ND	ND	ND	ND	ND	ND	ND	ND	10
Anthracene	ND	ND	ND	ND	ND	ND	ND	ND	ND	10
Fluoranthene	ND	ND	ND	ND	ND	ND	ND	ND	ND	10
METALS										
Barium	NA	11.5	NA	23.6	NA	NA	NA	NA	NA	2000
Mercury	NA	ND	NA	0.79	NA	NA	NA	NA	NA	2

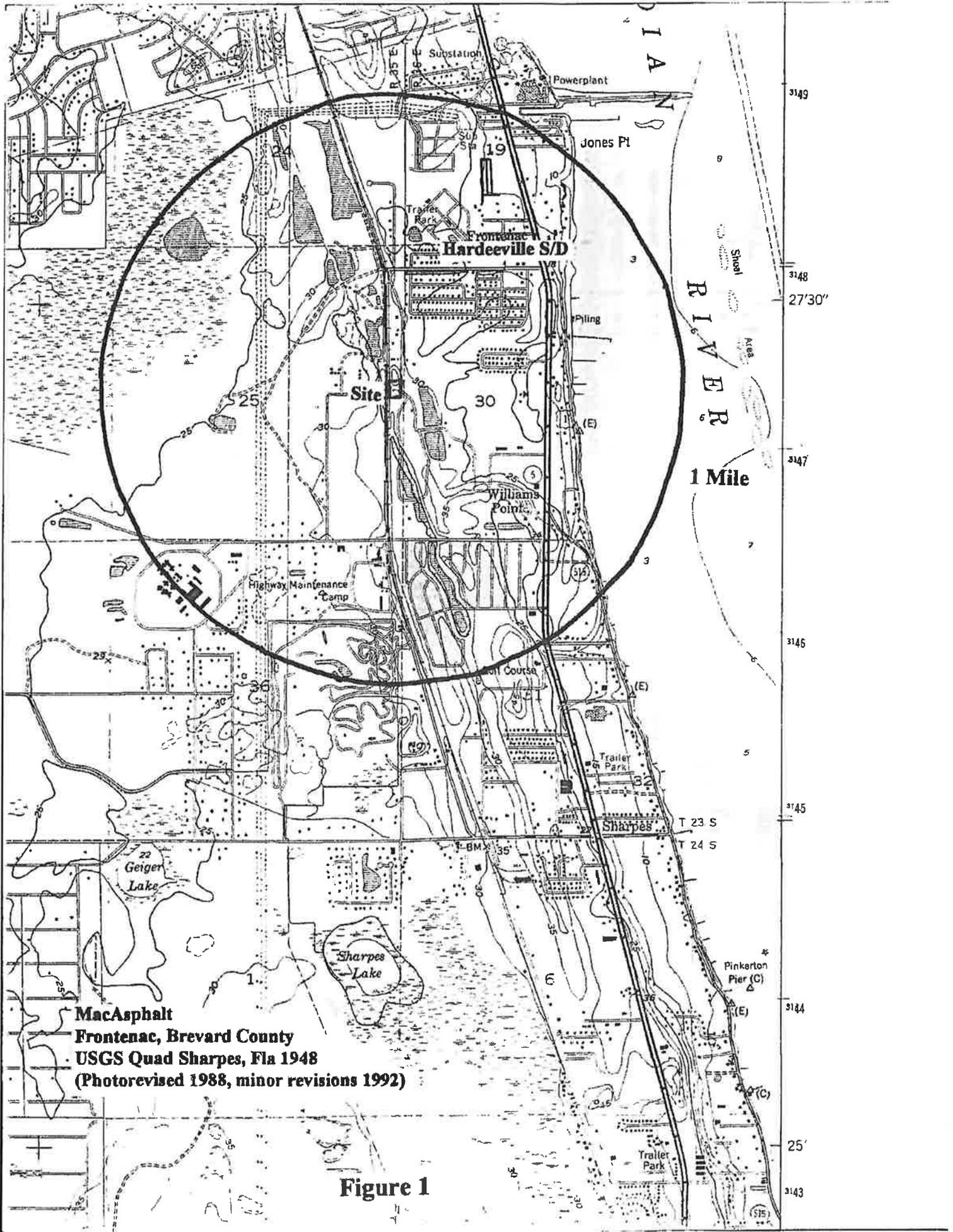
Table 6

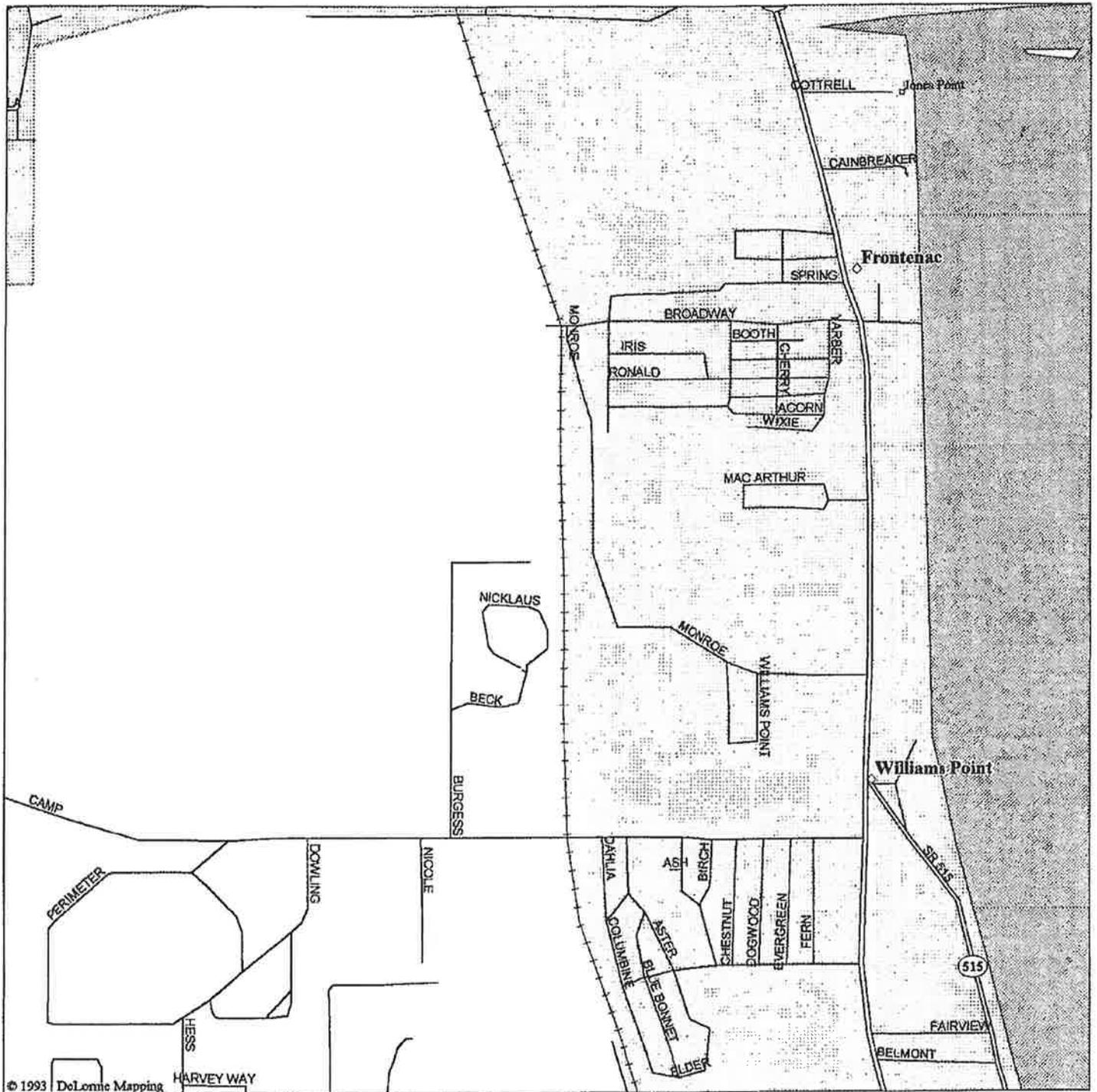
(1) Dup= Duplicate sample taken at location to check on laboratory analytical standards
 (2) Limits as set forth in Florida Department of Environmental Protection (FDEP) Regulation Chapter 62-550, FAC, Florida Primary Drinking Water Standard and/or Chapter 62-770, FAC.
 (3) ND= Not detected above Method Detection Limit (MDL)
 (4) All results are expressed in micrograms/ liter (ug/ L), which is equivalent to parts per billion (ppb)
 (5) Maximum Contaminant Levels as stated in FDEP Regulation 62-550.310(2)(b)
 (6) Print is BOLDFACE is above applicable FDEP Groundwater Guidance Concentrations.
 (7) NA= Not Applicable. Guideline not established.

TABLE 4 (cont.)
Laboratory Analytical Results- Groundwater
 APAC Groundwater Sampling
 Westinghouse Project # 4430-95-3796

Well #	HVW-5	HVW-6	HVW-7	HVW-8	HVW-9	HVW-10	HVW-11	HVW-12	HVW-13	Drinking Water Standards(2)
SOLVENTS										
1,1-Dichloroethene	ND	ND	ND	ND	ND	1.28	ND	ND	ND	7
Trans 1,2-Dichloroethene	ND	ND	ND	ND	ND	ND	ND	ND	ND	100
1,1-Dichloroethane	ND	ND	ND	ND	ND	1.77	ND	ND	ND	300
Trichloroethene	ND	ND	ND	ND	ND	1.30	ND	ND	ND	3
Vinyl Chloride	ND	ND	ND	ND	ND	ND	ND	ND	ND	1
1,2-Dichloroethane	ND	ND	ND	0.40	ND	ND	ND	ND	ND	3
2 Chloroethylvinyl Ether	ND	ND	ND	ND	ND	ND	ND	ND	ND	NA
VOLATILE ORGANIC COMPOUNDS										
MTBE	9.02	ND	42.6	61.1	ND	ND	ND	ND	ND	50
Toluene	ND	ND	ND	ND	ND	ND	20.6	ND	ND	1000
Total Naphthalene	ND	ND	ND	ND	ND	ND	ND	ND	ND	100
Fluorene	ND	ND	ND	ND	ND	ND	ND	ND	ND	10
Phenanthrene	ND	ND	ND	ND	ND	ND	ND	ND	ND	10
Anthracene	ND	ND	ND	ND	ND	ND	ND	ND	ND	10
Fluoranthene	ND	ND	ND	ND	ND	ND	ND	ND	ND	10
METALS										
Barium	NA	NA	NA	NA	NA	NA	NA	NA	NA	2000
Mercury	NA	NA	NA	NA	NA	NA	NA	NA	NA	2

- (1) Dup= Duplicate sample taken at location to check on laboratory analytical standards
 (2) Limits as set forth in Florida Department of Environmental Protection (FDEP) Regulation Chapter 62-550, FAC, Florida Primary Drinking Water Standard and/or Chapter 62-770, FAC.
 (3) ND= Not detected above Method Detection Limit (MDL)
 (4) All results are expressed in micrograms/liter (ug/L), which is equivalent to parts per billion (ppb)
 (5) Maximum Contaminant Levels as stated in FDEP Regulation 62-550.310(2)(b)
 (6) Print is BOLDFACE is above applicable FDEP Groundwater Guidance Concentrations.
 (7) NA= Not Applicable. Guideline not established.





- LEGEND**
- Population Center
 - State Route
 - Geo Feature
 - Town, Small City
 - US Highway
 - Street, Road
 - State Route
 - US Highway
 - Railroad

- River
- Land Mass
- Open Water

Scale 1:15,625 (at center)

1000 Feet

500 Meters

Mag 15.00
Tue Aug 31 09:45:06 1999

Figure 2

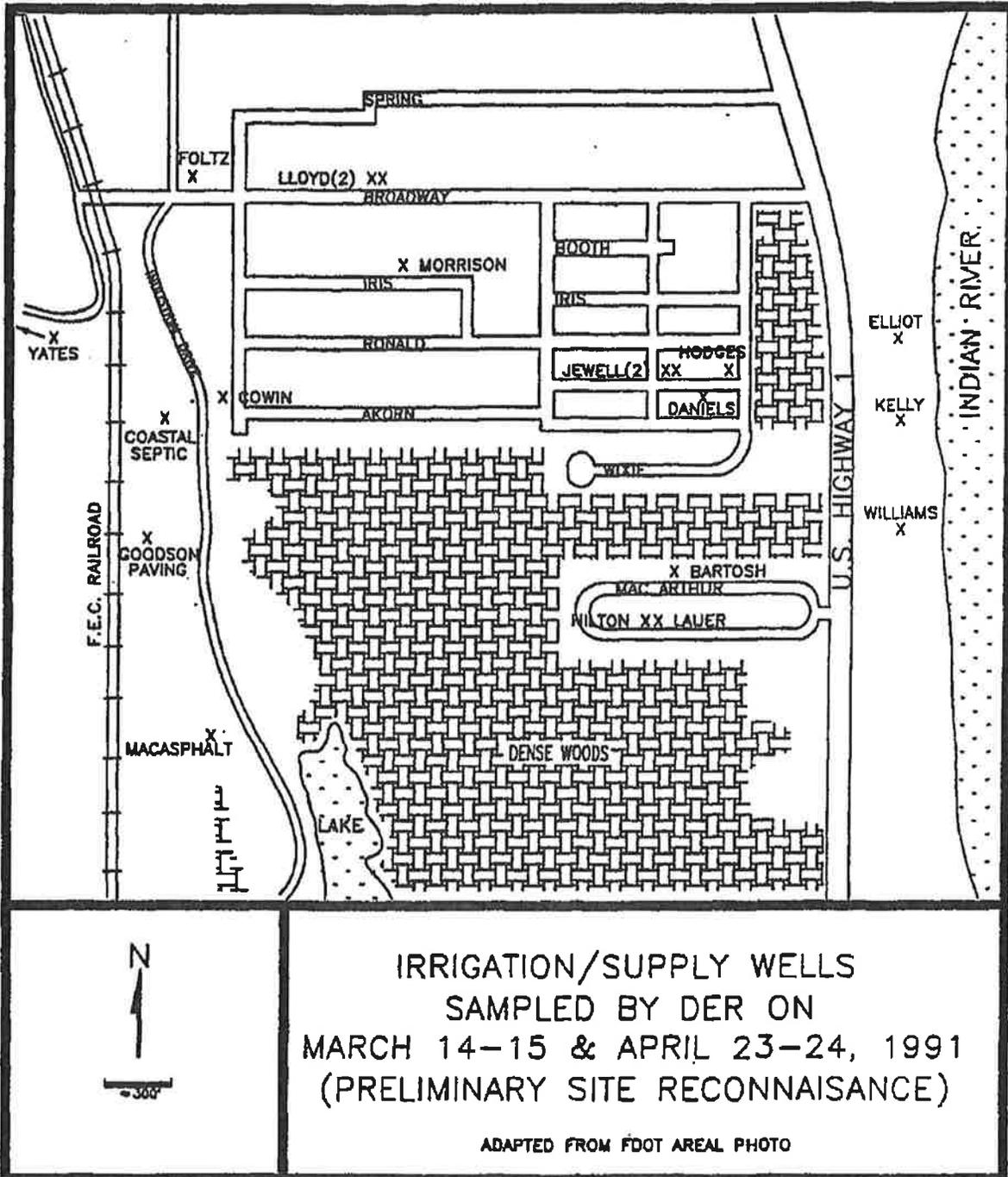
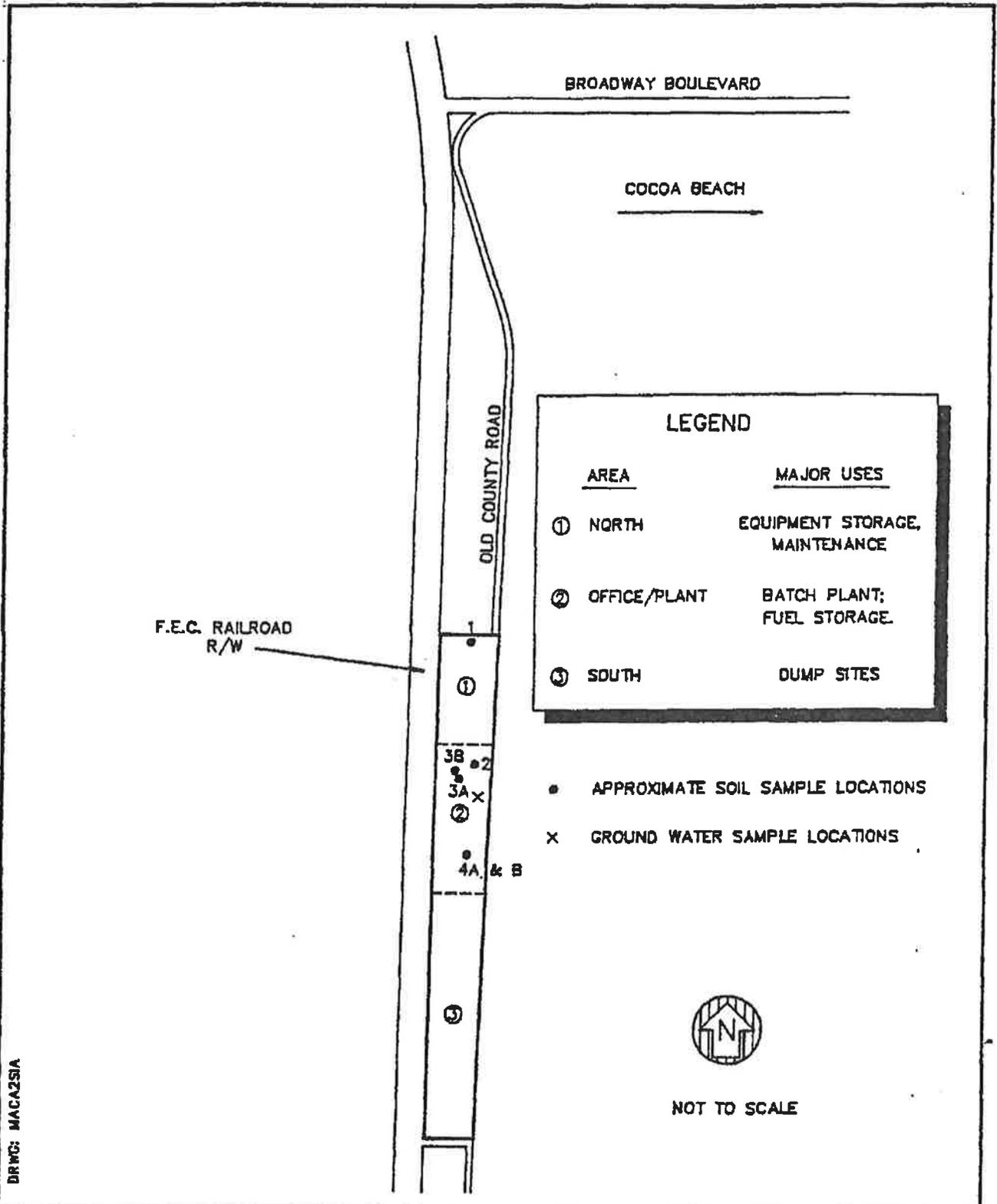


FIGURE 2.4

Figure 3



DRWG: MACA251A

BOUTWELL CONSTRUCTION COCOA BEACH, FLORIDA	
 GURR & ASSOCIATES, INC.	Drafted: 9/7/89
	Revised:

INITIAL SITE INVESTIGATION AREAS	
PROJECT No. MACA-002	FIGURE 2

Figure 4

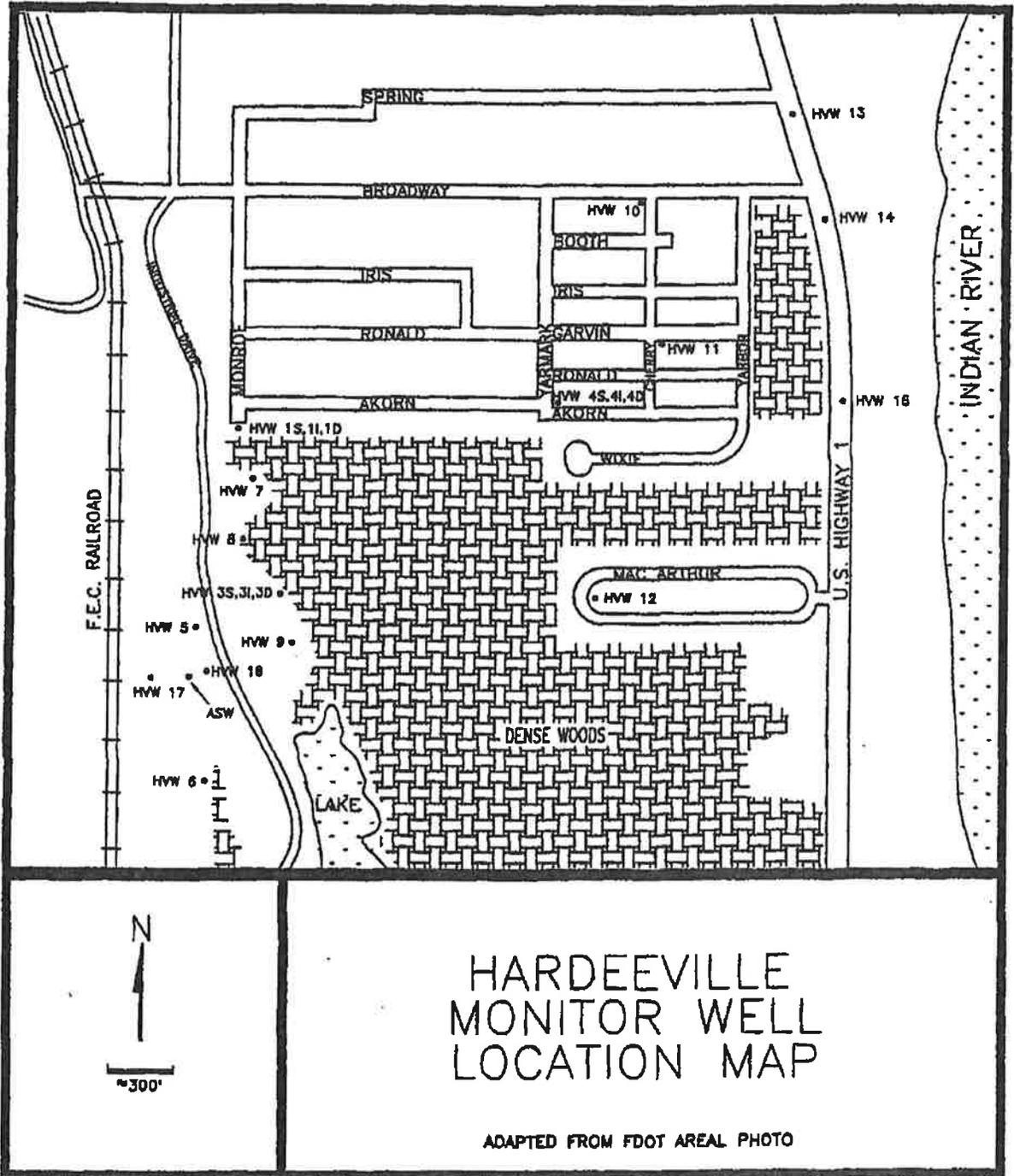


FIGURE 3.1

Figure 6

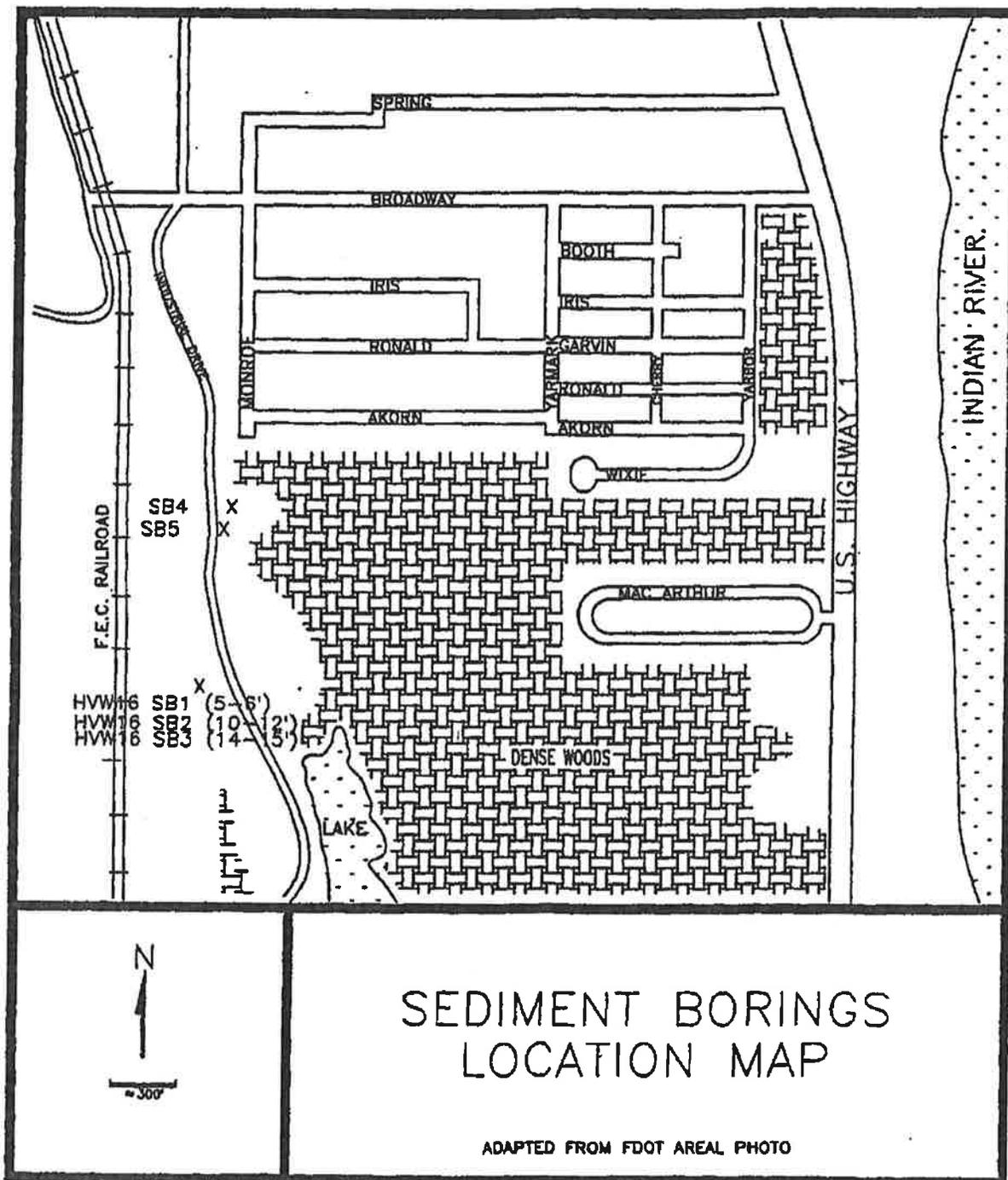


FIGURE 3.3

Figure 7

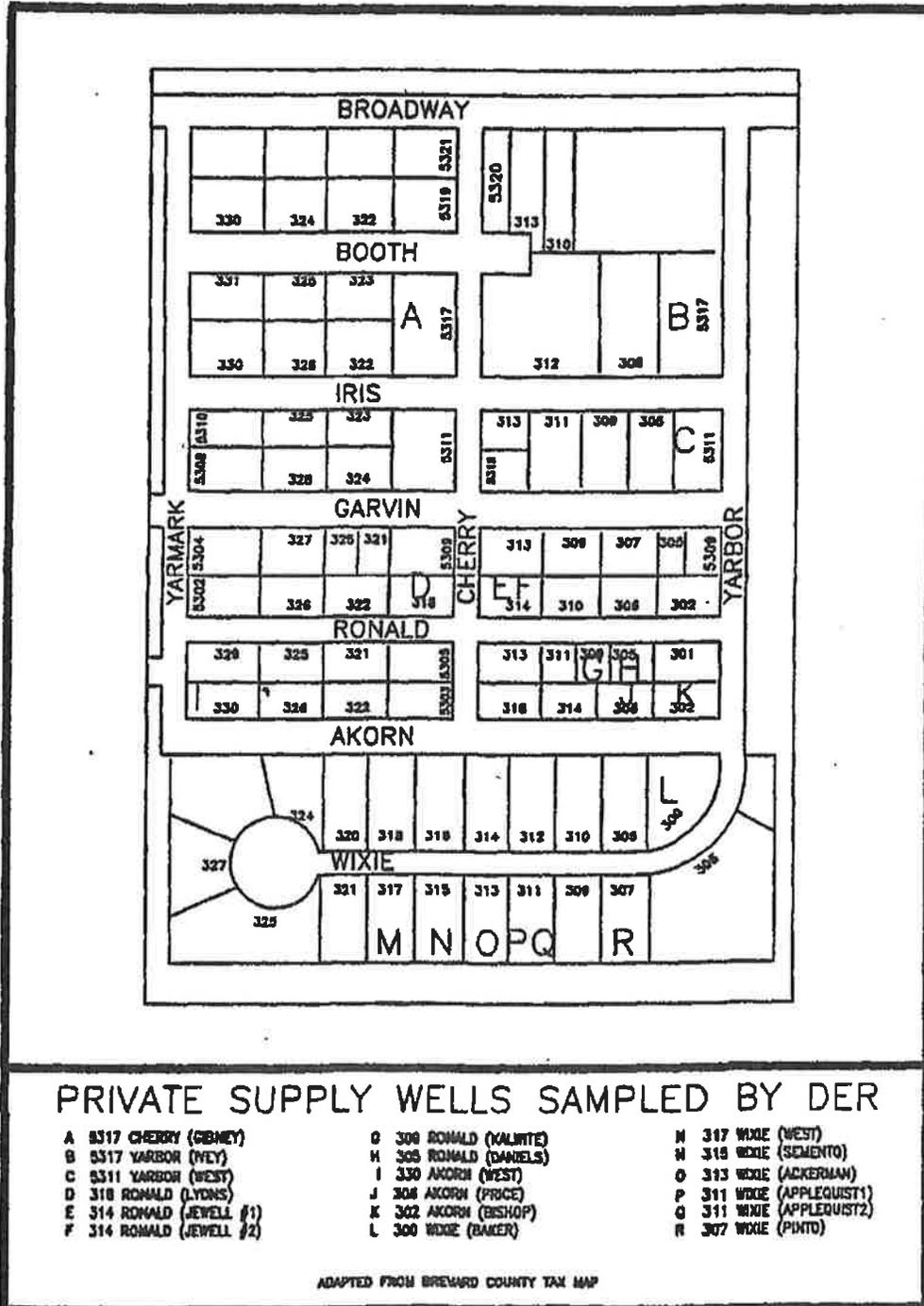


FIGURE 3.4

Figure 8

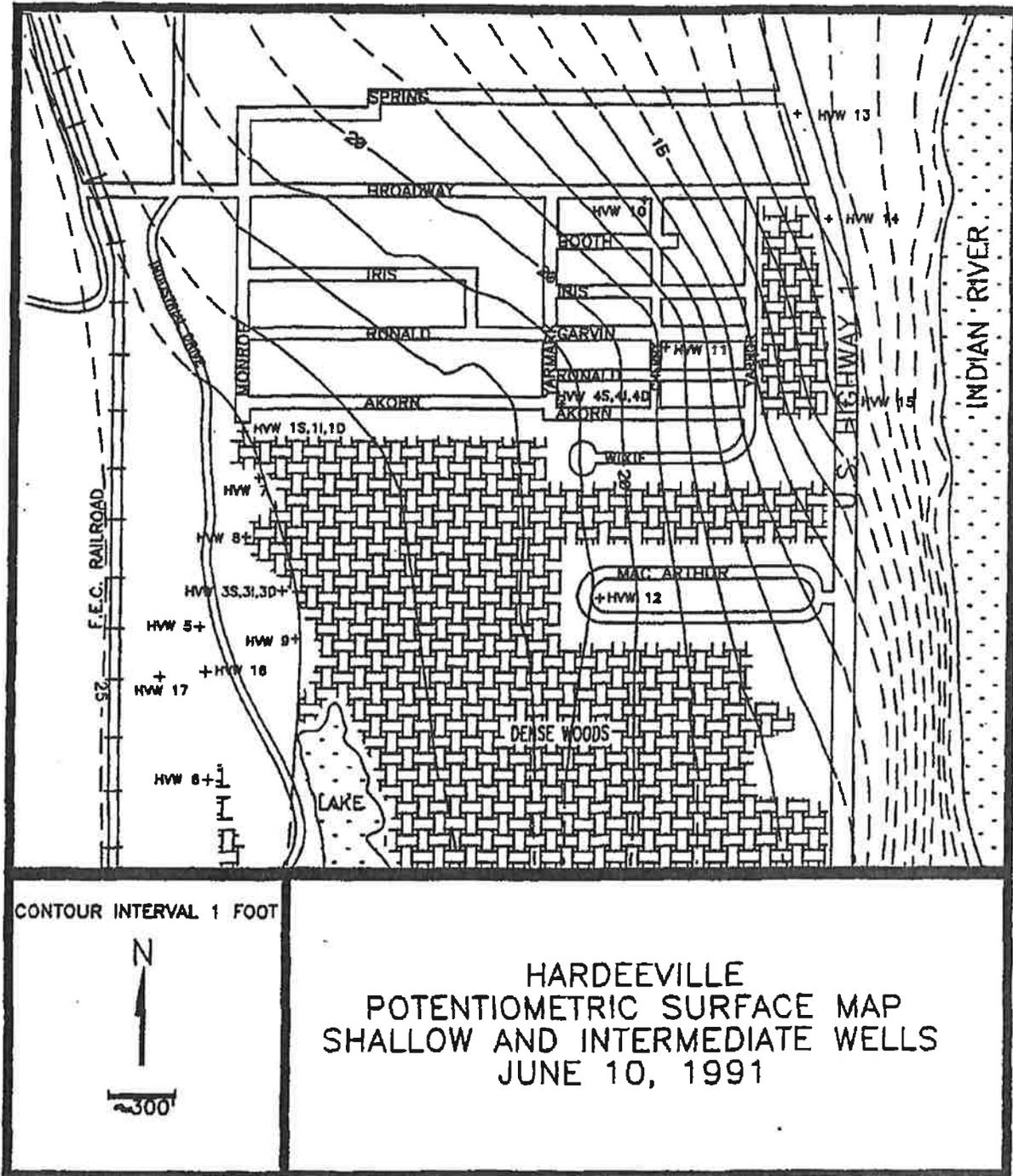
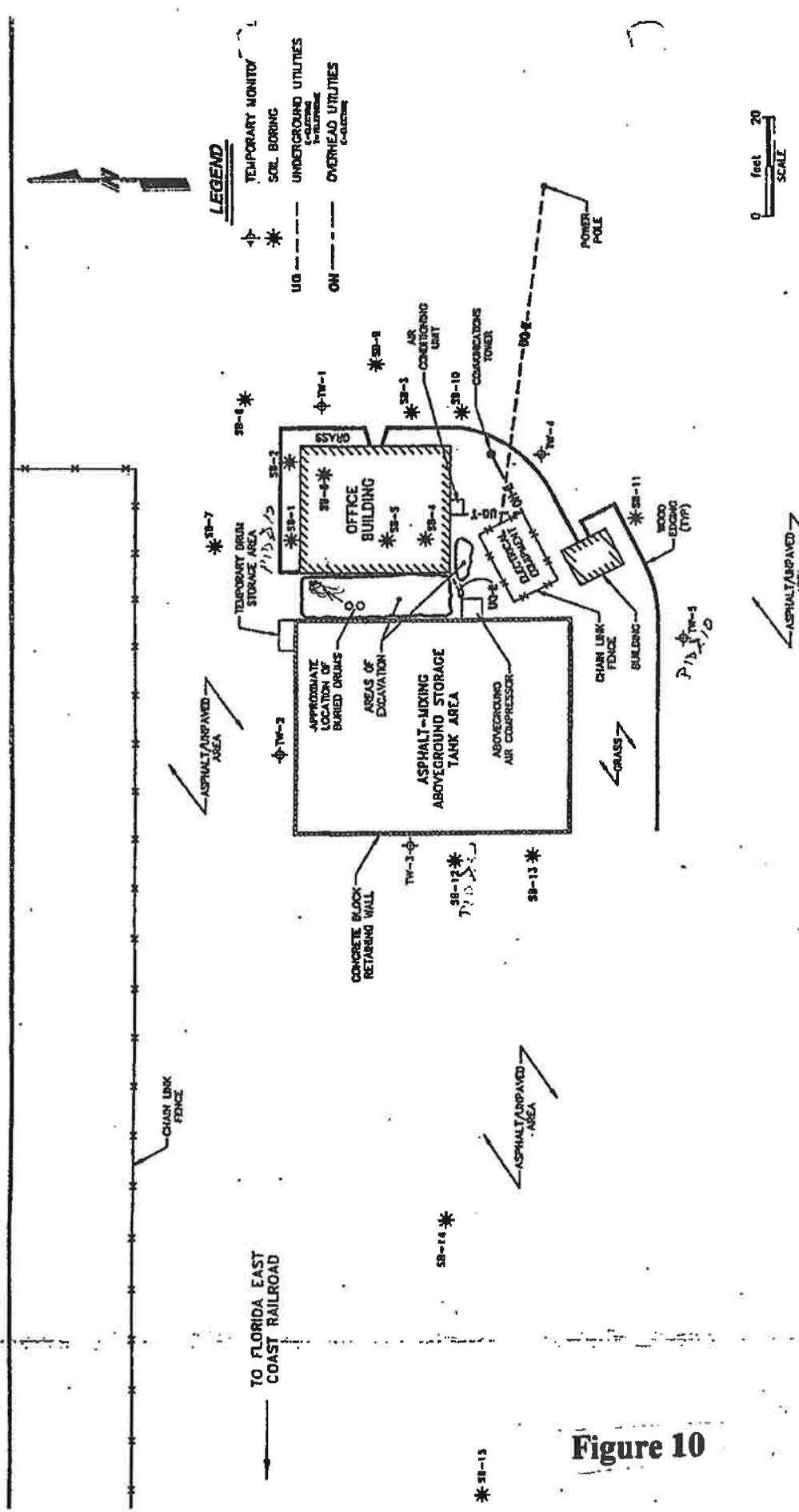


FIGURE 4.4

Figure 9



LEGEND

- ◆ TEMPORARY MONITOR
- * SOIL BORING
- UNDERGROUND UTILITIES
- OVERHEAD UTILITIES



Figure 10

G&E ENGINEERING, INC. ENVIRONMENTAL CONSULTANTS		SITE PLAN	1 Pg.
MACASPHALT COCOA PLANT HARDEVILLE PLAT., BREVARD COUNTY, FLORIDA		Project Title	
APAC, INC. MACASPHALT DIVISION, WINTER HAVEN, FLORIDA		Client	
REV.	NO.	REVISION	BY

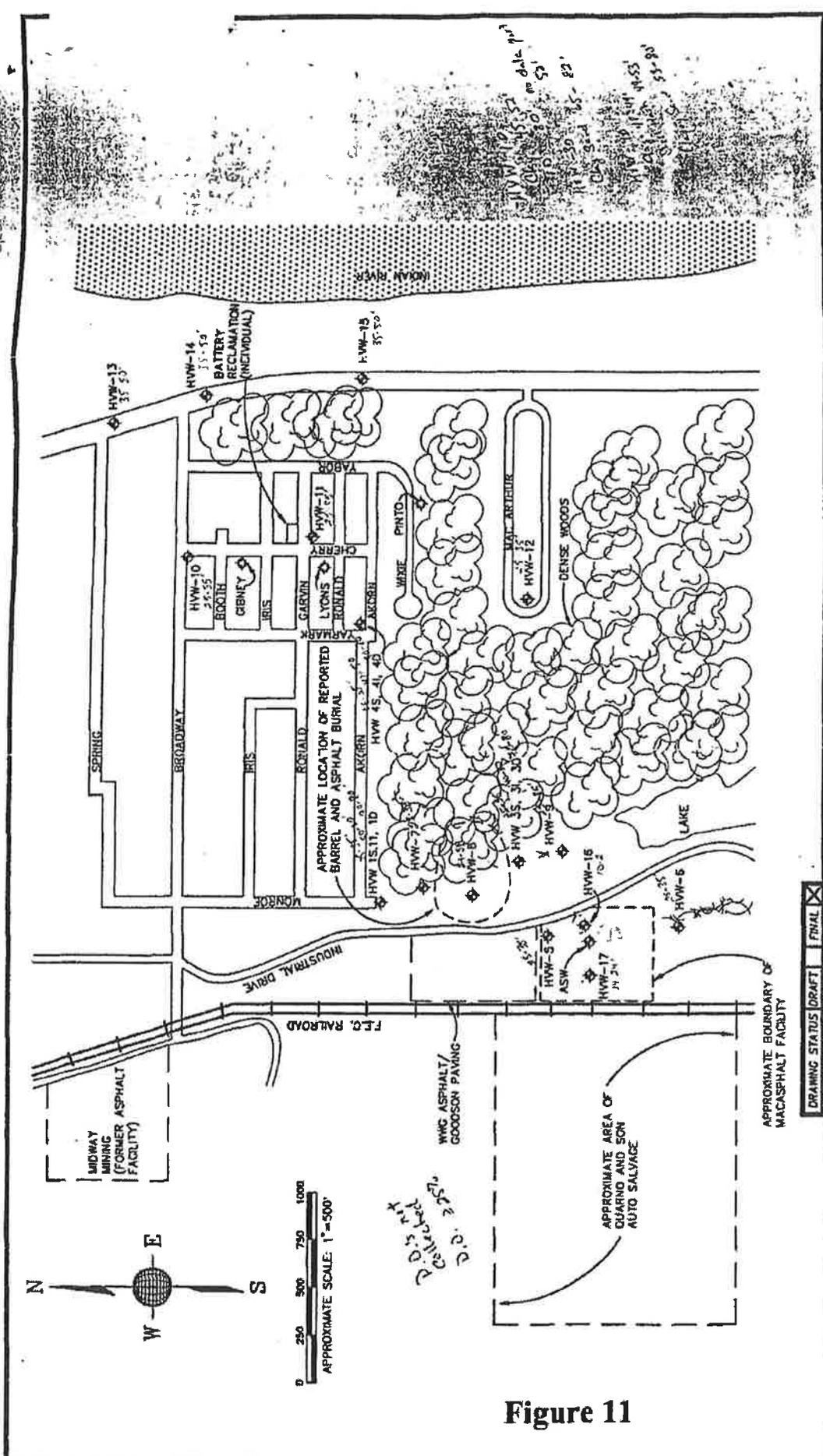


Figure 11

FIGURE 2
SITE MAP
FDOT - MACASPHALT/AFAC
SHARPE, FLORIDA

Westinghouse Remediation Services, Inc.
 111 KESTY LANE, SUITE 8, TAMPA, FLORIDA 33619
 PH: (813) 620-1432 FAX: (813) 620-3449



DRAWING STATUS	DRAFT	FINAL
PROJECT NO.	4430-25-3796	
PROJECT MANAGER	JOHN COYNE	
SCALE	APPROXIMATE 1"=500'	
REVISION NO.	0	REV DATE:
CADD NO.	3796-003	PLOT DATE: 1/7/96
DRW BY	J.S.R.	DRW DATE: 11/13/95
CHK BY	M.G.	CHK DATE: 1/7/96
APP'D BY	J.C.	APP'D DATE: 1/7/96

LEGEND:

- ◆ MONITOR WELL LOCATION
- ◆ HOME OWNER MONITOR WELL LOCATION