

# RARE OPPORTUNITY FOR A LIVE LOCAL RIVERFRONT REDEVELOPMENT PROJECT

2081 & 2095 PINEAPPLE AVE MELBOURNE FL 32935

FOR SALE \$2,900,000



## PROPERTY DESCRIPTION

These two adjoining parcels at 2081 & 2095 Pineapple Avenue offer 1.78 acres of prime riverfront property. Currently home to 13 units and one dock—with potential for an additional dock. This site presents excellent redevelopment opportunities in a highly desirable location. With direct water access, abundant space, and strong visibility, the property is ideal for multi-family redevelopment or boutique residences.

## LOCATION DESCRIPTION

Just minutes from Downtown Eau Gallie, the area is a historic riverfront district known for its strong local identity, walkable streets, and growing momentum. Anchored by the Eau Gallie Arts District, the neighborhood offers a mix of local restaurants, galleries, boutiques, and community events that draw consistent foot traffic from residents and visitors alike. Ongoing revitalization efforts, proximity to the Indian River Lagoon, and its authentic “Old Florida” character make Eau Gallie an increasingly desirable location.

Buyers are responsible for verifying all measurements, features, and other property details, including zoning and any city, county, or state requirements for zoning changes or live local act.



## CONTACT US

Rusty Melle with ITG Realty  
321-474-0400

Patricia Weeks with  
Happy House Real Estate 321-759-8563

2081& 2095 PINEAPPLE AVE

# RIVERFRONT DOUBLE PARCEL

2 PARCELS TOTAL OF 1.78 ACRE LOT



## CURRENT PROPERTY FEATURES

- Brevard County
- Parcel ID: 27-37-16-25-A-14 & 27-37-16-25-A-12
- Tax District : Melbourne
- Currently Zoned: C-1 & R-2 (15.5 units per acre)
- Acreage Total: 1.78
- Frontage: Approx. 174 feet
- Total Current Unit Count : 13
- Built: 1960
- One dock with a potential for an additional dock
- Current Zoning permits for up to 26 residences on the property restrictions may limit the amount
- Zero ground line is Pineapple Avenue structures can extend 4 stories above zero ground line
- Property dips about 10 feet below zero ground line which could be possibly used for parking
- C-1 Zoning allows for assisted living facilities, bed & breakfast, brew pub, childcare facilities, clubs & lounges, dormitory, dwellings multi family, dwellings single family, dwelling townhomes, hotels & motels, house of worship, laboratories, office, business, parking facility, restaurant, retail, school, art studios



\*\* BUYER TO CONFIRM ALL INFORMATION

2081& 2095 PINEAPPLE AVE

## RIVERFRONT DOUBLE PARCEL

2 PARCELS TOTAL OF 1.78 ACRE LOT



### Additional Information

- City of Melbourne's max density is 100 units per acre
- Current C-1 Zoned Multi Family is Permitted
- Refer to Table (attached) 2-A / R-2
- Residential development in a C-1 zone must meet the yard requirements specified for the R-2 zone or affordable housing development.

### Attached Documents

- Surveys
- Demographic Profile
- City of Melbourne Zoning Code Classifications
  - Table 1B Table of Uses, Nonresidential Districts
  - Table 2B Table of Dimensional Standards, Nonresidential Districts
  - Table 2A Table of Dimensional Standards, Nonresidential Districts
- Ordinance No 2025-58
- Annual Median Income / Census Report
- Sec 4 Affordable Housing Development



### CONTACT US

Rusty Melle with ITG Realty  
321-474-0400  
RustyMelle@ITGRealty.com

Patricia Weeks with Happy House  
Real Estate 321-759-8563  
PatriciaWeeks@bellsouth.net

COMMENCING AT A POINT ON THE EAST LINE OF PINEAPPLE AVENUE 33 FEET SOUTHERLY FROM THE NORTHWEST CORNER OF LOT 10 IN BLOCK A, ACCORDING TO THE PLAT OF EAU GALLIE, GO EASTERNLY ON A LINE PARALLEL WITH THE NORTH LINE OF LOT 13, BLOCK A, SOUTHERLY TO THE SOUTH LINE OF LAND HEREFORE CONVEYED TO CARL E. NICK AND MARY NICK, HIS WIFE, BY DEED RECORDED IN DEED BOOK 407, PAGE 425, BEYOND COUNTY PUBLIC RECORDS, A DISTANCE OF 400 FEET MORE OR LESS, AND INTO THE WATERS OF INDIAN RIVER, THENCE MEASURING THE WATERS EDGE OF INDIAN RIVER 75 FEET MORE OR LESS TO A POINT ON THE WATERS EDGE OF AN OLD RIVER 75 FEET SOUTHERLY BY RIGHT ANGLES MEASUREMENT FROM THE FORESAND LINE WHICH IS THE SOUTH BOUNDARY OF SAID LINE HEREOFOR CONVEYED TO CARL E. NICK AND MARY NICK, HIS WIFE, THENCE GO WESTERNLY ON A LINE PARALLEL WITH AND 75 FEET DISTANT FROM THE FORESAND SOUTH LINE OF SAID LAND HEREFORE CONVEYED TO CARL E. NICK AND MARY NICK, HIS WIFE, TO A POINT ON THE EAST LINE OF PINEAPPLE AVENUE ACCORDING TO THE PLAT OF EAU GALLIE SAID POINT BEING LOCATED 75 FEET SOUTHERLY MEASURED ALONG PINEAPPLE AVENUE FROM THE SAID POINT OF COMMENCING, THENCE GO NORTHERLY ALONG THE EAST BOUNDARY OF PINEAPPLE AVENUE 33 FEET TO THE POINT OF COMMENCING, SAID LAND IS A PART OF LOTS 12 AND 13 ACCORDING TO THE PLAT OF EAU GALLIE RECORDED IN DEED BOOK 47, PAGE 374, AND IS A PART OF SECTION 16, TOWNSHIP 21 SOUTH, RANGE 35 EAST.

**CERTIFIED TO:**  
**DAVID D DE HAAN; BELLA TITTE & ESCROW; WESTCOR;**

PANEL: 0519

**Abstract**

**PROPERTY ADDRESS:**  
2081 PINEAPPLE AVE  
MELBOURNE, FLORIDA 32935

SURVEY NUMBER: 519776  
CLIENT FILE NUMBER: 21-924



- Symbols Descriptions:**
- |       |                    |  |                 |
|-------|--------------------|--|-----------------|
|       | CATCH BASIN        |  | MISC. FENCE     |
|       | CENTERLINE ROAD    |  | PROPERTY CORNER |
|       | CORNERED AREA      |  | UTILITY BOX     |
| +X=   | EXISTING ELEVATION |  | UTILITY POLE    |
| Y=    | HIGHPOINT          |  | WATER METER     |
|       | MANHOLE            |  | WELL            |
| - - - | METAL FENCE        |  | WOOD FENCE      |

- | Abbreviation | Description                         |
|--------------|-------------------------------------|
| AC           | ART CONDITIONER                     |
| AD           | ADDITIONAL DATA                     |
| AE           | ANTENNAE                            |
| AF           | CENTRAL LINE                        |
| AG           | CENTRAL / DELTA ANGLE               |
| AI           | IDENTIFICATION                      |
| AL           | LENGTH                              |
| AM           | IDENTIFIED BUSINESS                 |
| AN           | ANTENNAE / CENTRAL DATUM            |
| AO           | NATIONAL GEOGRAPHIC / CENTRAL DATUM |
| AP           | CORRECTION / UTILITY                |
| AR           | POINT OF ORIGIN                     |
| AS           | POINT OF ORIGIN                     |
| AT           | POINT OF ORIGIN                     |
| AV           | POINT OF ORIGIN                     |
| AW           | POINT OF ORIGIN                     |
| AX           | POINT OF ORIGIN                     |
| AY           | POINT OF ORIGIN                     |
| AZ           | POINT OF ORIGIN                     |
| BA           | POINT OF ORIGIN                     |
| BB           | POINT OF ORIGIN                     |
| BC           | POINT OF ORIGIN                     |
| BD           | POINT OF ORIGIN                     |
| BE           | POINT OF ORIGIN                     |
| BF           | POINT OF ORIGIN                     |
| BG           | POINT OF ORIGIN                     |
| BH           | POINT OF ORIGIN                     |
| BI           | POINT OF ORIGIN                     |
| BJ           | POINT OF ORIGIN                     |
| BK           | POINT OF ORIGIN                     |
| BL           | POINT OF ORIGIN                     |
| BM           | POINT OF ORIGIN                     |
| BN           | POINT OF ORIGIN                     |
| BO           | POINT OF ORIGIN                     |
| BP           | POINT OF ORIGIN                     |
| BQ           | POINT OF ORIGIN                     |
| BR           | POINT OF ORIGIN                     |
| BS           | POINT OF ORIGIN                     |
| BT           | POINT OF ORIGIN                     |
| BU           | POINT OF ORIGIN                     |
| BV           | POINT OF ORIGIN                     |
| BW           | POINT OF ORIGIN                     |
| BX           | POINT OF ORIGIN                     |
| BY           | POINT OF ORIGIN                     |
| BZ           | POINT OF ORIGIN                     |
| CA           | POINT OF ORIGIN                     |
| CB           | POINT OF ORIGIN                     |
| CC           | POINT OF ORIGIN                     |
| CD           | POINT OF ORIGIN                     |
| CE           | POINT OF ORIGIN                     |
| CF           | POINT OF ORIGIN                     |
| CG           | POINT OF ORIGIN                     |
| CH           | POINT OF ORIGIN                     |
| CI           | POINT OF ORIGIN                     |
| CJ           | POINT OF ORIGIN                     |
| CK           | POINT OF ORIGIN                     |
| CL           | POINT OF ORIGIN                     |
| CM           | POINT OF ORIGIN                     |
| CN           | POINT OF ORIGIN                     |
| CO           | POINT OF ORIGIN                     |
| CP           | POINT OF ORIGIN                     |
| CQ           | POINT OF ORIGIN                     |
| CR           | POINT OF ORIGIN                     |
| CS           | POINT OF ORIGIN                     |
| CT           | POINT OF ORIGIN                     |
| CU           | POINT OF ORIGIN                     |
| CV           | POINT OF ORIGIN                     |
| CW           | POINT OF ORIGIN                     |
| CX           | POINT OF ORIGIN                     |
| CY           | POINT OF ORIGIN                     |
| CZ           | POINT OF ORIGIN                     |
| DA           | POINT OF ORIGIN                     |
| DB           | POINT OF ORIGIN                     |
| DC           | POINT OF ORIGIN                     |
| DD           | POINT OF ORIGIN                     |
| DE           | POINT OF ORIGIN                     |
| DF           | POINT OF ORIGIN                     |
| DG           | POINT OF ORIGIN                     |
| DH           | POINT OF ORIGIN                     |
| DI           | POINT OF ORIGIN                     |
| DJ           | POINT OF ORIGIN                     |
| DK           | POINT OF ORIGIN                     |
| DL           | POINT OF ORIGIN                     |
| DM           | POINT OF ORIGIN                     |
| DN           | POINT OF ORIGIN                     |
| DO           | POINT OF ORIGIN                     |
| DP           | POINT OF ORIGIN                     |
| DQ           | POINT OF ORIGIN                     |
| DR           | POINT OF ORIGIN                     |
| DS           | POINT OF ORIGIN                     |
| DT           | POINT OF ORIGIN                     |
| DU           | POINT OF ORIGIN                     |
| DV           | POINT OF ORIGIN                     |
| DW           | POINT OF ORIGIN                     |
| DX           | POINT OF ORIGIN                     |
| DY           | POINT OF ORIGIN                     |
| DZ           | POINT OF ORIGIN                     |
| EA           | POINT OF ORIGIN                     |
| EB           | POINT OF ORIGIN                     |
| EC           | POINT OF ORIGIN                     |
| ED           | POINT OF ORIGIN                     |
| EE           | POINT OF ORIGIN                     |
| EF           | POINT OF ORIGIN                     |
| EG           | POINT OF ORIGIN                     |
| EH           | POINT OF ORIGIN                     |
| EI           | POINT OF ORIGIN                     |
| EJ           | POINT OF ORIGIN                     |
| EK           | POINT OF ORIGIN                     |
| EL           | POINT OF ORIGIN                     |
| EM           | POINT OF ORIGIN                     |
| EN           | POINT OF ORIGIN                     |
| EO           | POINT OF ORIGIN                     |
| EP           | POINT OF ORIGIN                     |
| EQ           | POINT OF ORIGIN                     |
| ER           | POINT OF ORIGIN                     |
| ES           | POINT OF ORIGIN                     |
| ET           | POINT OF ORIGIN                     |
| EU           | POINT OF ORIGIN                     |
| EV           | POINT OF ORIGIN                     |
| EW           | POINT OF ORIGIN                     |
| EX           | POINT OF ORIGIN                     |
| EY           | POINT OF ORIGIN                     |
| EZ           | POINT OF ORIGIN                     |
| FA           | POINT OF ORIGIN                     |
| FB           | POINT OF ORIGIN                     |
| FC           | POINT OF ORIGIN                     |
| FD           | POINT OF ORIGIN                     |
| FE           | POINT OF ORIGIN                     |
| FF           | POINT OF ORIGIN                     |
| FG           | POINT OF ORIGIN                     |
| FH           | POINT OF ORIGIN                     |
| FI           | POINT OF ORIGIN                     |
| FJ           | POINT OF ORIGIN                     |
| FK           | POINT OF ORIGIN                     |
| FL           | POINT OF ORIGIN                     |
| FM           | POINT OF ORIGIN                     |
| FN           | POINT OF ORIGIN                     |
| FO           | POINT OF ORIGIN                     |
| FP           | POINT OF ORIGIN                     |
| FQ           | POINT OF ORIGIN                     |
| FR           | POINT OF ORIGIN                     |
| FS           | POINT OF ORIGIN                     |
| FT           | POINT OF ORIGIN                     |
| FU           | POINT OF ORIGIN                     |
| FV           | POINT OF ORIGIN                     |
| FW           | POINT OF ORIGIN                     |
| FX           | POINT OF ORIGIN                     |
| FY           | POINT OF ORIGIN                     |
| FZ           | POINT OF ORIGIN                     |
| GA           | POINT OF ORIGIN                     |
| GB           | POINT OF ORIGIN                     |
| GC           | POINT OF ORIGIN                     |
| GD           | POINT OF ORIGIN                     |
| GE           | POINT OF ORIGIN                     |
| GF           | POINT OF ORIGIN                     |
| GG           | POINT OF ORIGIN                     |
| GH           | POINT OF ORIGIN                     |
| GI           | POINT OF ORIGIN                     |
| GJ           | POINT OF ORIGIN                     |
| GK           | POINT OF ORIGIN                     |
| GL           | POINT OF ORIGIN                     |
| GM           | POINT OF ORIGIN                     |
| GN           | POINT OF ORIGIN                     |
| GO           | POINT OF ORIGIN                     |
| GP           | POINT OF ORIGIN                     |
| GQ           | POINT OF ORIGIN                     |
| GR           | POINT OF ORIGIN                     |
| GS           | POINT OF ORIGIN                     |
| GT           | POINT OF ORIGIN                     |

### SURVEYORS CERTIFICATE:

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION, NOT VALID WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE

**EMBOSSSED SEAL AND SIGNATURE**  
**Kenneth**  
Digitally signed by  
Kenneth

Osborne

**KENNETH J OSBORNE**  
PROFESSIONAL SURVEYOR AND MAPPER #041



LB #7893  
SERVING FLORIDA  
6250 N. MILITARY TRAIL, SUITE 102  
WEST PALM BEACH, FL 33407  
PHONE (561) 640-4800  
STATEWIDE PHONE (800) 226-4807  
STATEWIDE FACSIMILE (800) 741-0576  
WEBSITE: <http://targetsurveying.net>

GENERAL NOTES:

1. LEGAL DESCRIPTION PROVIDED BY BUYERS
2. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT
3. UNDERLYING RECORDS OF DEEDS, FOUNDATIONS OR OTHER INVESTMENTS WERE NOT LOCATED
4. WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO LOCATE THE CENTER OF THE WALL IN ALL CASES
5. ONLY VISIBLE ENCUMBRANCES LOCATED
6. DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN
7. FENCE OWNERSHIP NOT DETERMINED
8. ELEVATIONS IF SHOWN ARE BASED UPON N.G.V.D. UNLESS OTHERWISE NOTED
9. IN SOME INSTANCES GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND PLAT DATA. IN ALL CASES, OWNERSHIP SHALL CONTROL THE LOCATION OF IMPROVEMENTS OVER SCALED POSITIONS.

COMMENCING AT POINT ON THE EAST LINE OF PINEAPPLE AVENUE 33 FEET SOUTHERLY FROM THE NORTHWEST CORNER OF LOT 13 IN BLOCK 4, ACCORDING TO THE PLAT OF EAU GALIC, GO EASTERLY ON THE LINE PARALLEL WITH THE NORTH LINE OF LOT 13, BLOCK 4, AND ALONG THE SOUTH LINE OF LAND HERETOFORE CONVERTED TO CARL E. NICK AND MARY NICK, HIS WIFE, BY DEED RECORDED IN DEED BOOK 407, PAGE 416, BREYARD COUNTY PUBLIC RECORDS, A DISTANCE OF 400 FEET MORE OR LESS TO AND INTO THE WATERS OF INDIAN RIVER, THENCE MEANDER THE WATERS EDGE OF INDIAN RIVER 75 FEET MORE OR LESS TO A POINT ON THE WATERS EDGE OR INDIAN RIVER 75 FEET SOUTHERLY BY A RIGHT ANGLE MEASUREMENT FROM THE AFORESAID LINE, WHICH IS THE SOUTH SOUTHWESTLY OF SAID LAND HERETOFORE CONVERTED TO CARL H. NICK AND MARY NICK, HIS WIFE, THENCE GO WESTERLY ON A LINE PARALLEL WITH AND 75 FEET DISTANT FROM THE AFORESAID SOUTH LINE OF SAID LAND AND HERETOFORE CONVERTED TO CARL E. NICK AND MARY NICK, HIS WIFE, TO A POINT ON THE EAST LINE OF PINEAPPLE AVENUE ACCORDING TO THE PLAT OF EAU GALIC SAID POINT BEING LOCATED 75 FEET SOUTHERLY MEASURED ALONG PINEAPPLE AVENUE FROM THE SAID POINT OF COMMENCING, THENCE GO NORTHERLY ALONG THE EAST BOUNDARY OF PINEAPPLE AVENUE 75 FEET TO THE POINT OF COMMENCING, SAID LAND IS A PART OF LOTS 12 AND 13 ACCORDING TO THE PLAT OF EAU GALIC RECORDED IN DEED BOOK D, AT PAGE 374, AND IS A PART OF SECTION 16, TOWNSHIP 27 SOUTH, RANGE 37 EAST.

CLIENT FILE NUMBER: 21-925



GRAPHIC SCALE (in Feet)  
1 inch = 30 ft.

Community Number: 120025  
Parcel: 0519  
Surrin, H F L R M  
Date:  
Flood Zone: X  
Field Work: 7/11/2022

Certified To:  
DAVID D DE HAAN, BELLA TITTI  
PROPERTY ADDRESS:  
2095 PINEAPPLE AVE  
MELBOURNE, FLORIDA 32935

SURVEY NUMBER: 519778  
CLIENT FILE NUMBER: 21-9236

Certified To:  
DAVID D DE HAAN, BELLA TITLE & ESCROW, WESTCOR  
PROPERTY ADDRESS:  
2035 PINEAPPLE AVE  
MELBOURNE, FLORIDA 32935

SURVEY NUMBER: 519778  
CLIENT FILE NUMBER: 21-925

SURVEY NUMBER: 519778  
CLIENT FILE NUMBER: 21-925

**SYMBOL DESCRIPTION**

|                                                                                     |                    |                                                                                     |                 |
|-------------------------------------------------------------------------------------|--------------------|-------------------------------------------------------------------------------------|-----------------|
|  | CATCH BASIN        |  | ARAB FENCE      |
|  | CENTIMETER ROAD    |  | PROPERTY CORNER |
|  | COVERED AREA       |  | UTILITY BOX     |
|  | EXISTING ELEVATION |  | UTILITY POLE    |
|  | HYDRANT            |  | WATER METER     |
|  | MANHOLE            |  | WELL            |
|  | METAL FENCE        |  | WOOD FENCE      |

[illegible]

THESE CONDITIONS GOVERN THE SURVEY. THE SURVEYOR HEREBY CERTIFIES THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER HIS DIRECTION, NOT YET DULY WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE, and is signed by  
Kenneth Osborne  
Date: 2/22/2012  
165442-45707  
Osborne

16:04:42 -05'00"  
Usborne  
(SIGNED)

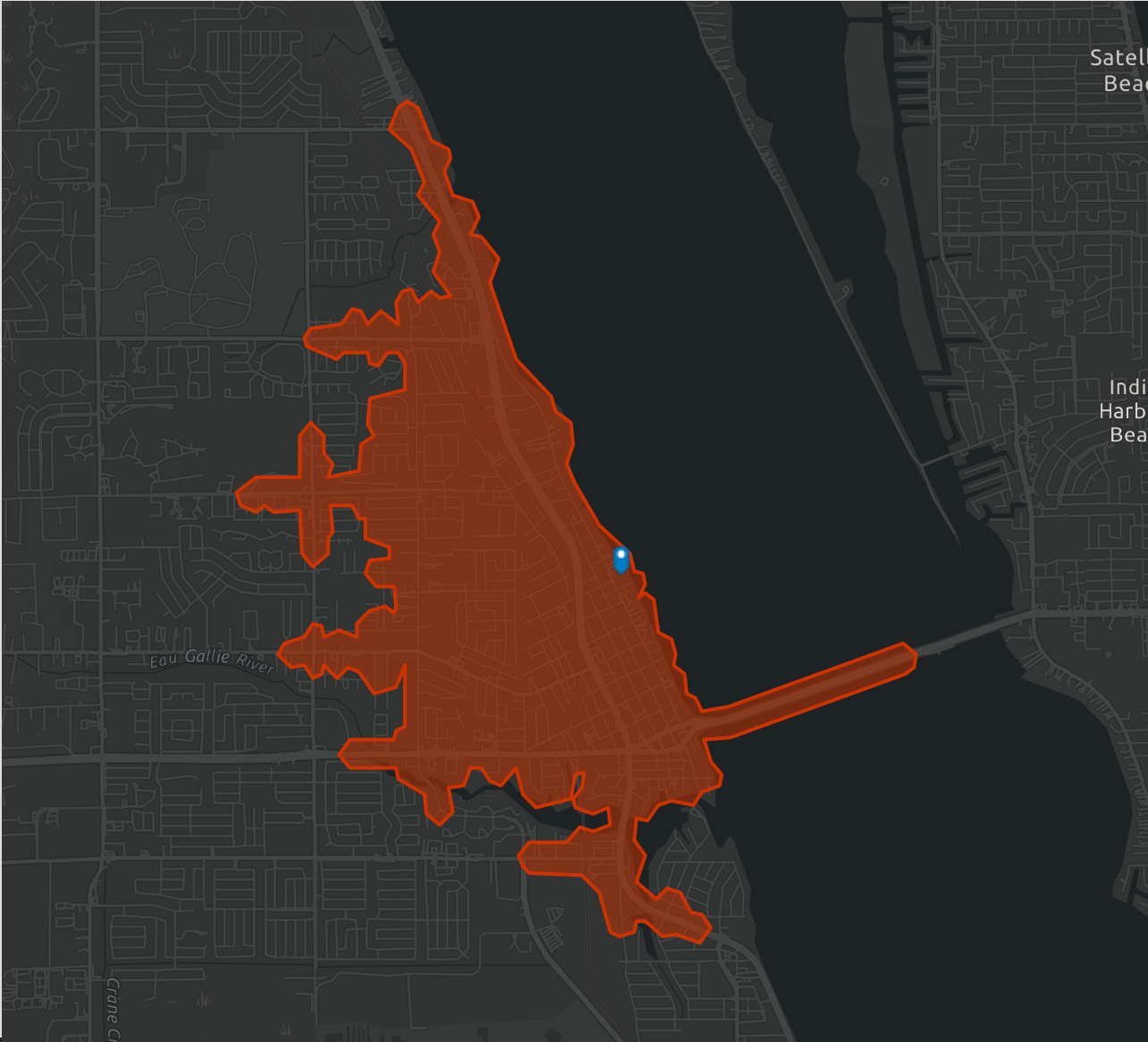
### GENERAL NOTES

- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS  
2) THE LANDS SHOWN HEREIN WERE NOT ABSTRACTED FOR EASEMENTS  
OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT  
3) UNDERSTANDING THAT FOUNDATIONS OR OTHER  
IMPROVEMENTS WERE NOT LOCATED  
4) WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED  
AS FOUNDATION TIES  
5) IF ANY VISIBLE ENCUMBRANCES LOCATED  
6) DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN  
7) FENCE OWNERSHIP NOT DETERMINED  
8) ELEVATIONS IF SHOWN ARE BASED UPON G.V.D. UNLESS OTHERWISE NOTED  
9) IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED  
FOR MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL  
FEATURES AND PROPERTY LINES. IN ALL CASES, DIMENSIONS SHALL  
CONTROL THE LOCATION OF IMPROVEMENTS OVER SCALED POSITIONS

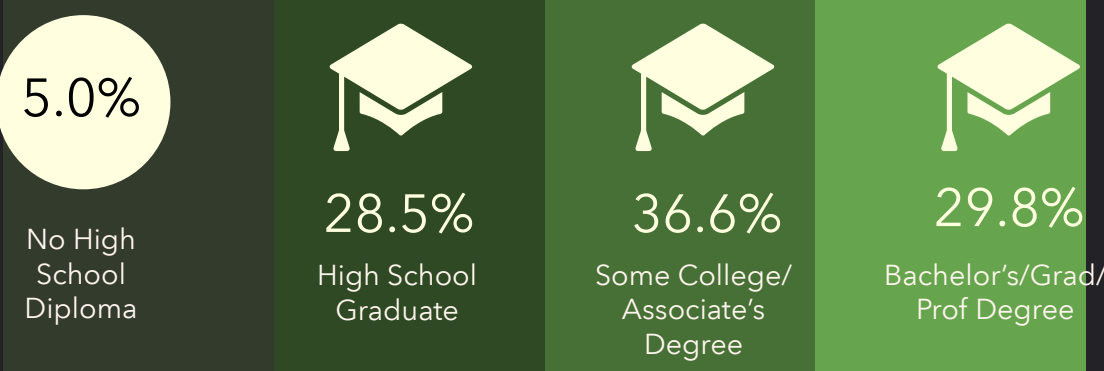
LB #7893  
SERVING FLORIDA  
6250 N. MILITARY TRAIL, SUITE 102  
WEST PALM BEACH, FL 33407  
PHONE (561) 640-4800  
STATEWIDE PHONE (800) 226-4807  
STATEWIDE FACSIMILE (800) 741-0576  
WEBSITE: <http://targetsurveying.net>



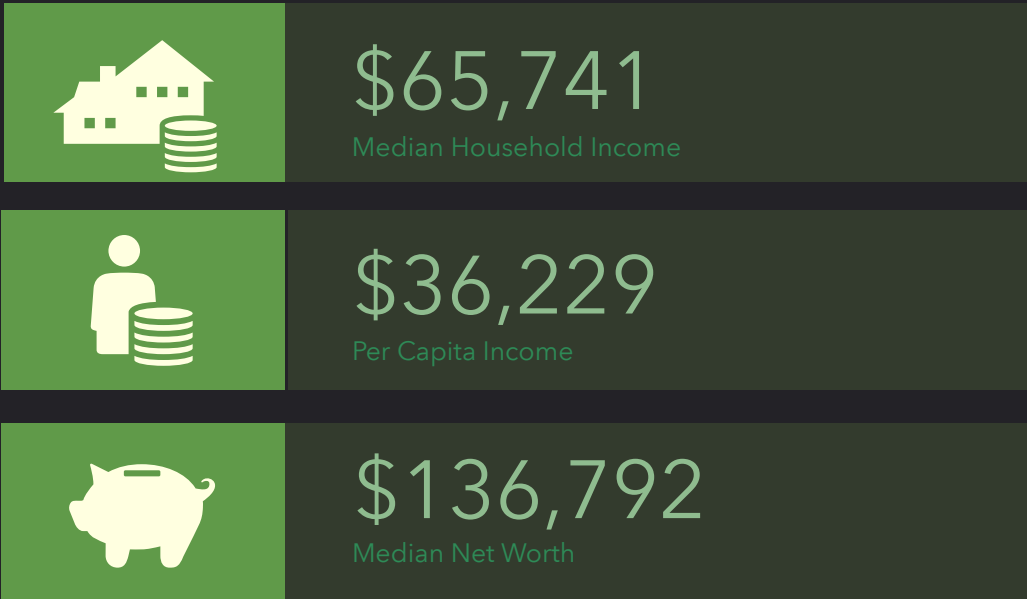
5 minutes



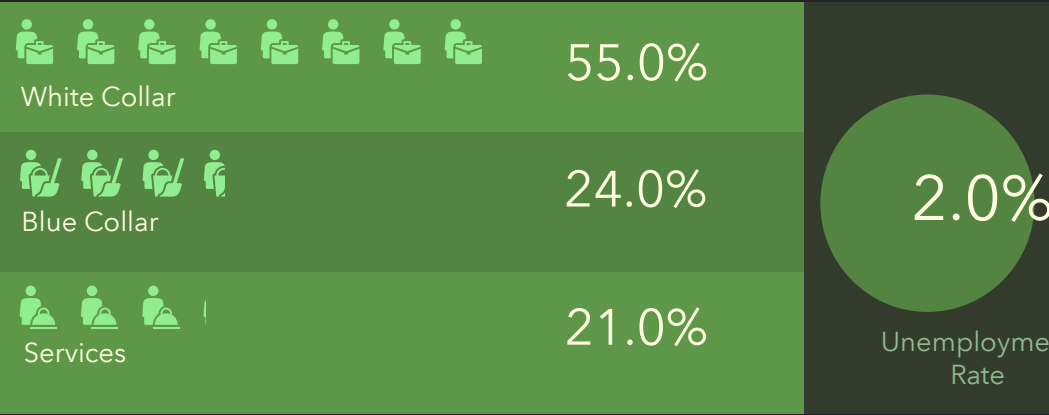
EDUCATION



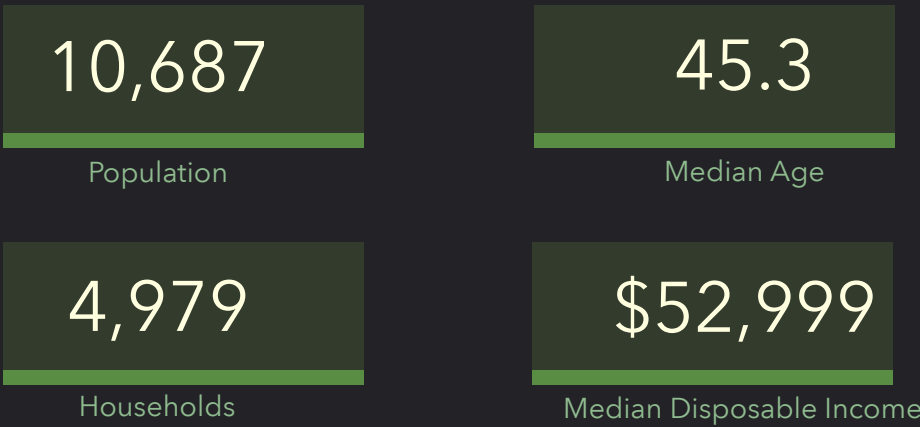
INCOME



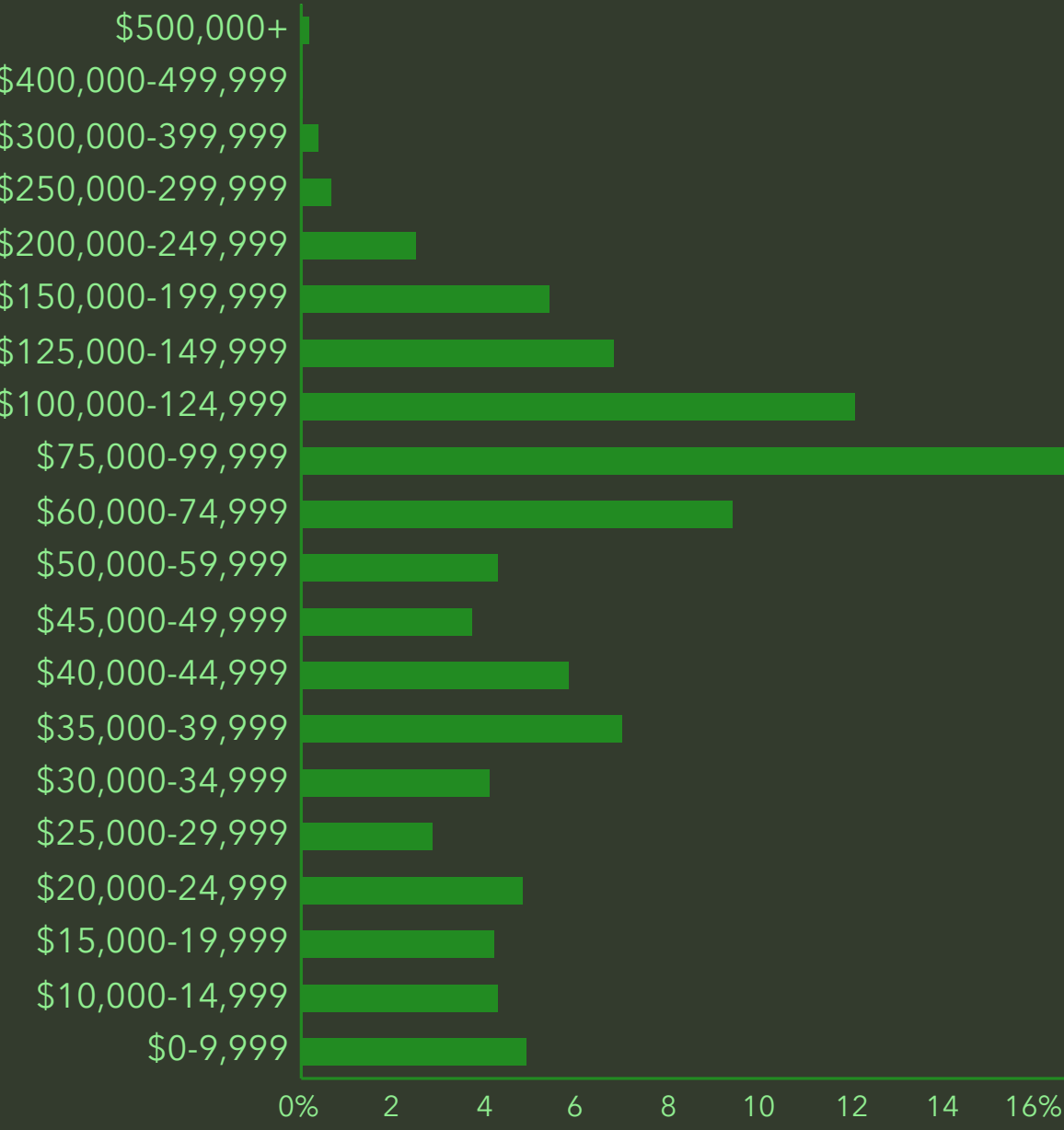
EMPLOYMENT



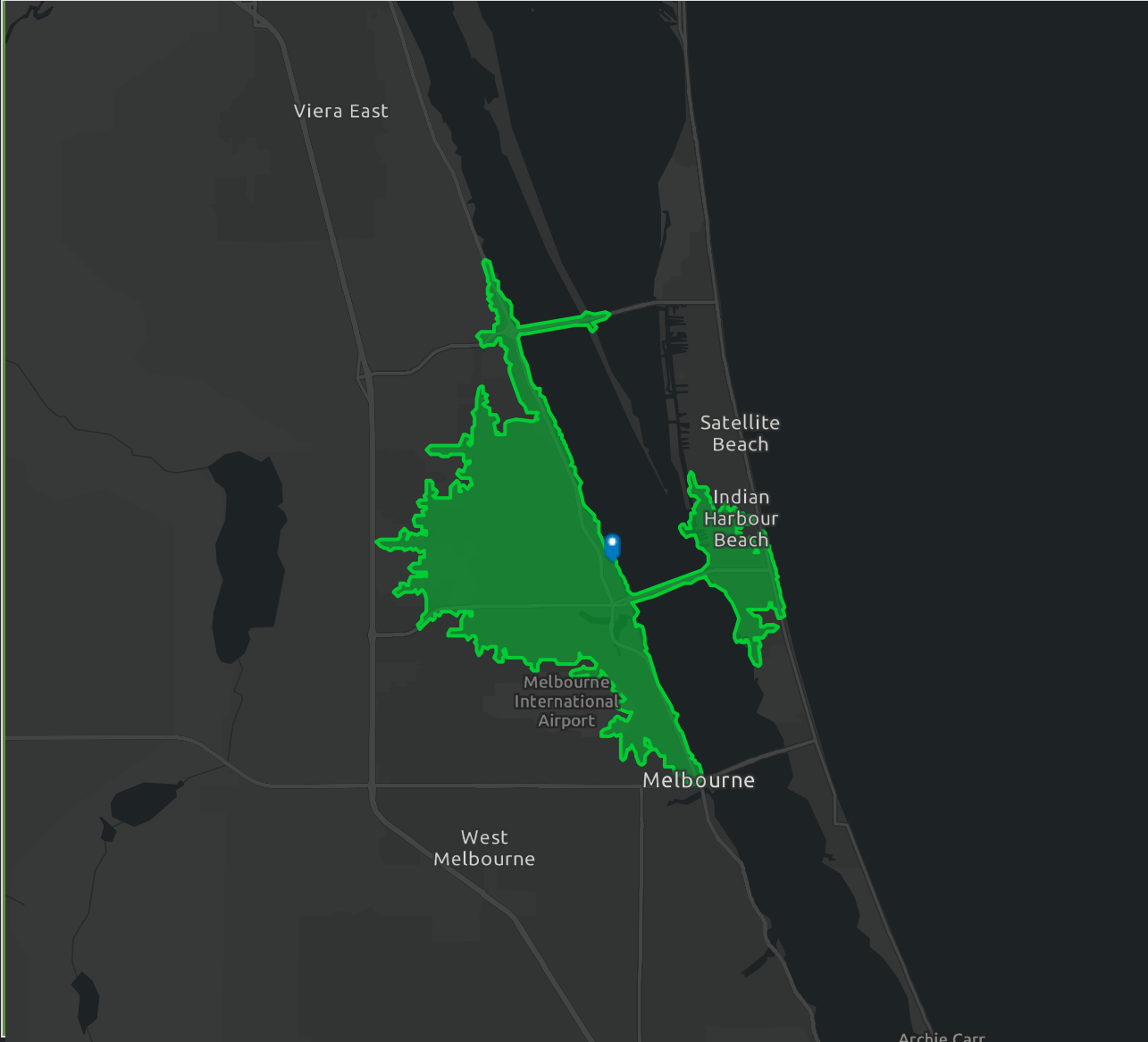
KEY FACTS



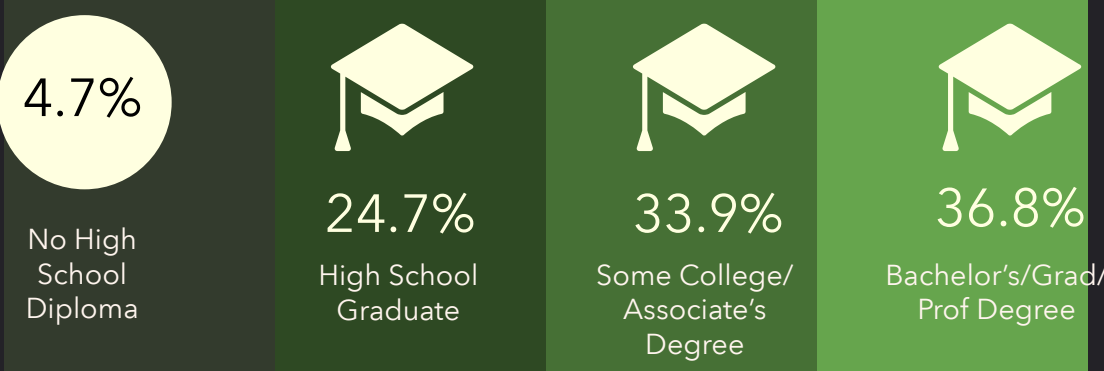
HOUSEHOLD INCOME



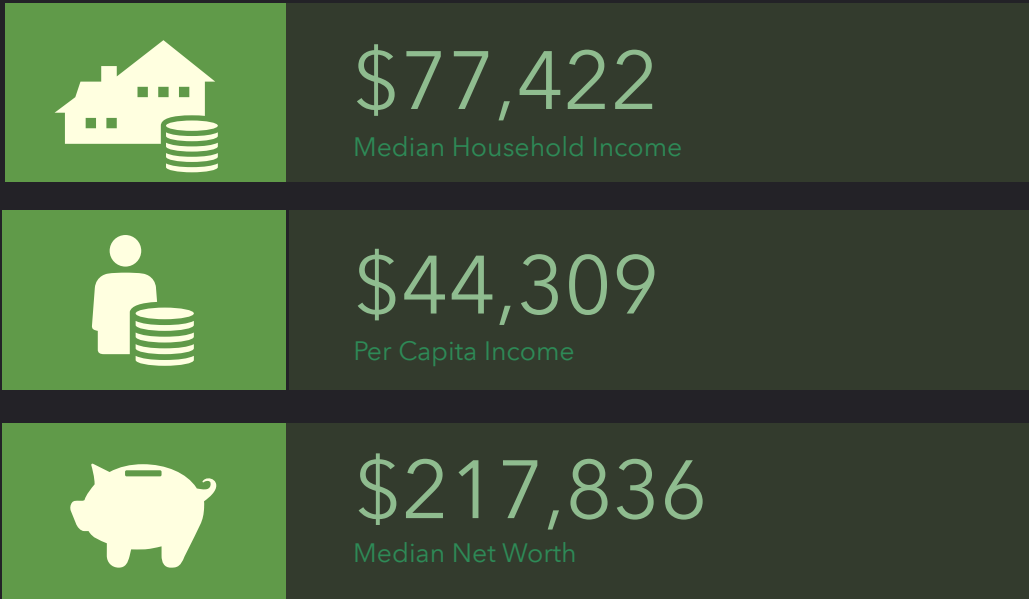
10 minutes



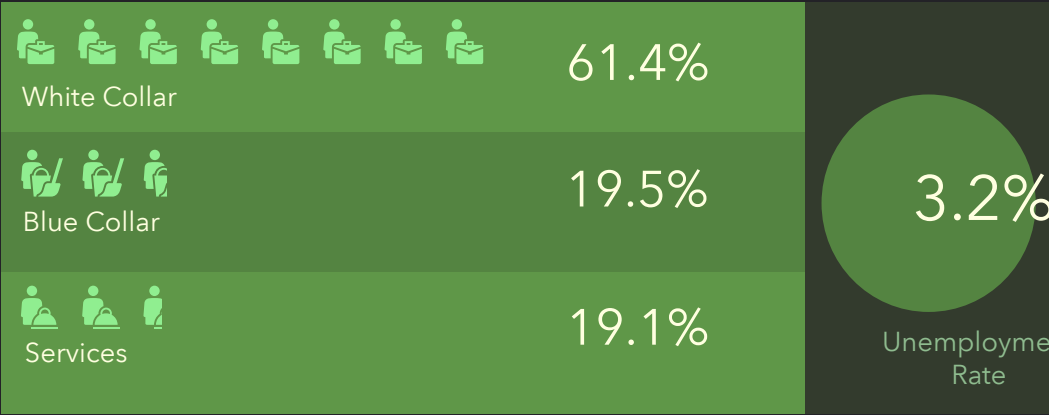
EDUCATION



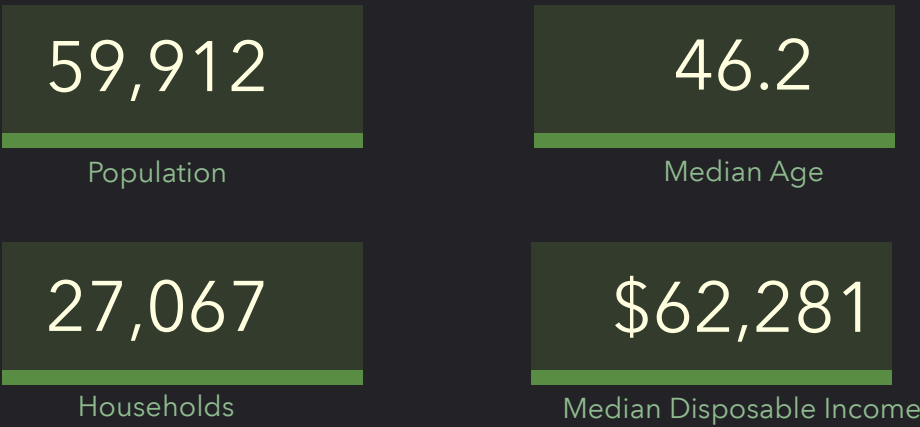
INCOME



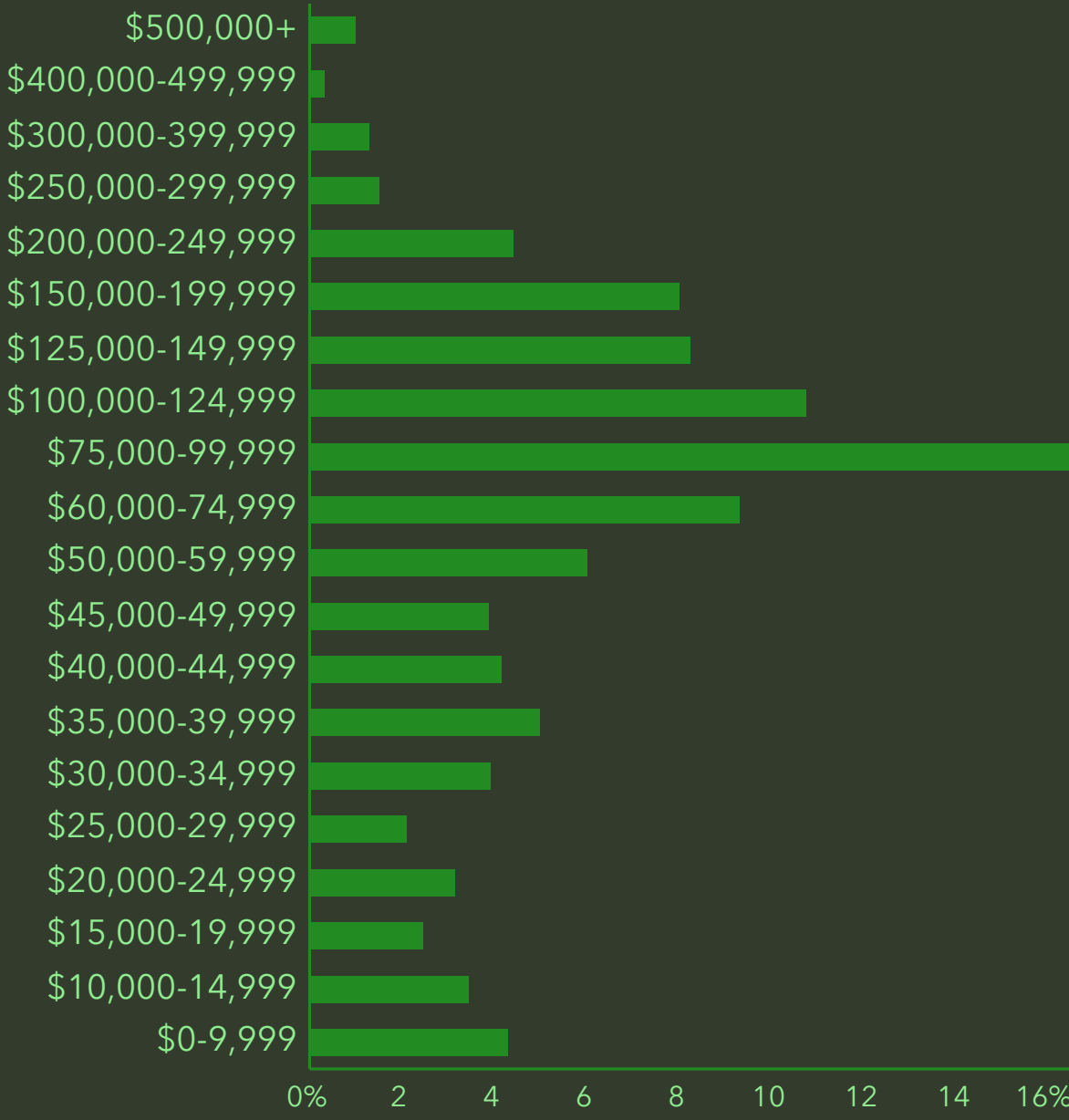
EMPLOYMENT



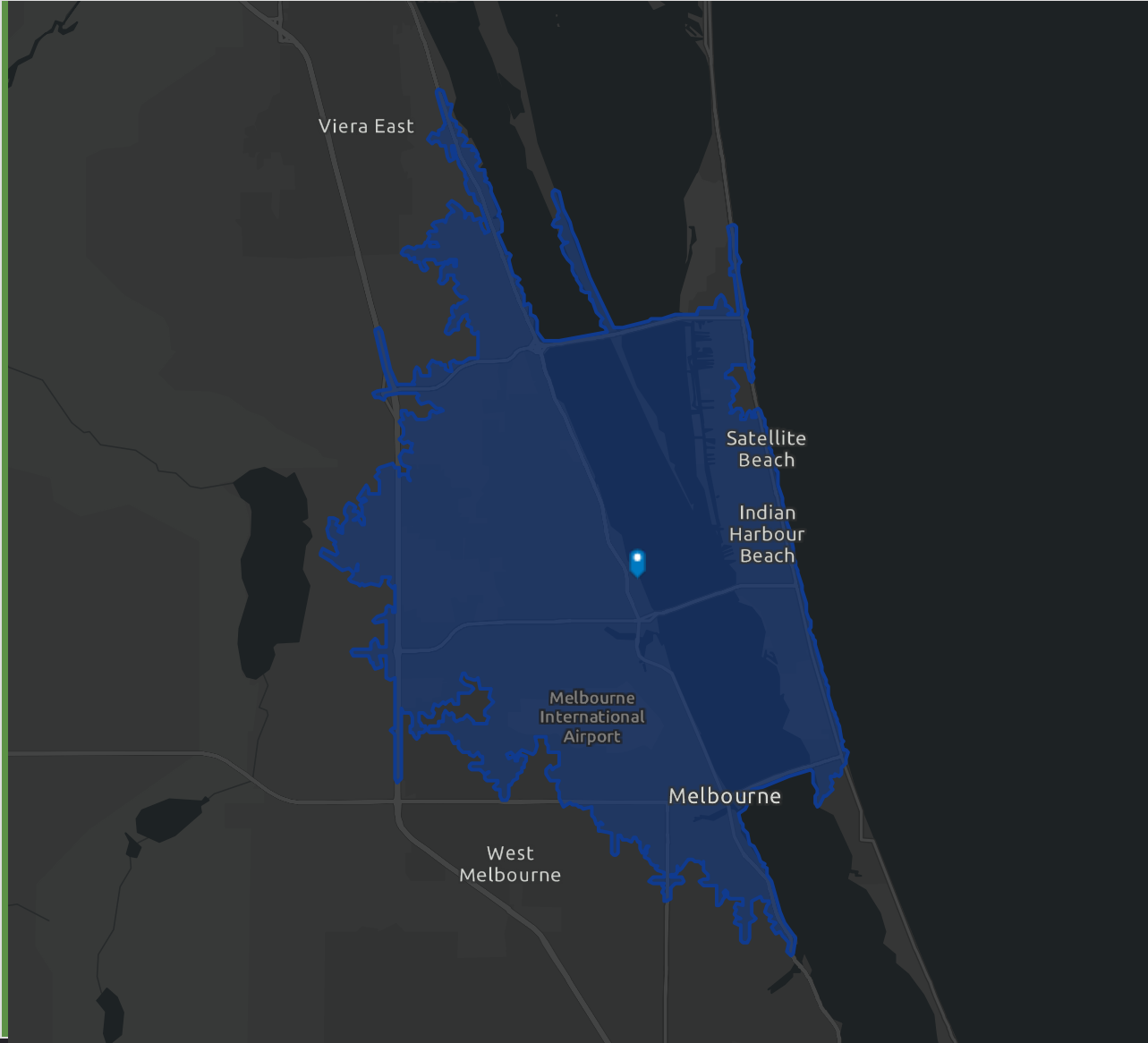
KEY FACTS



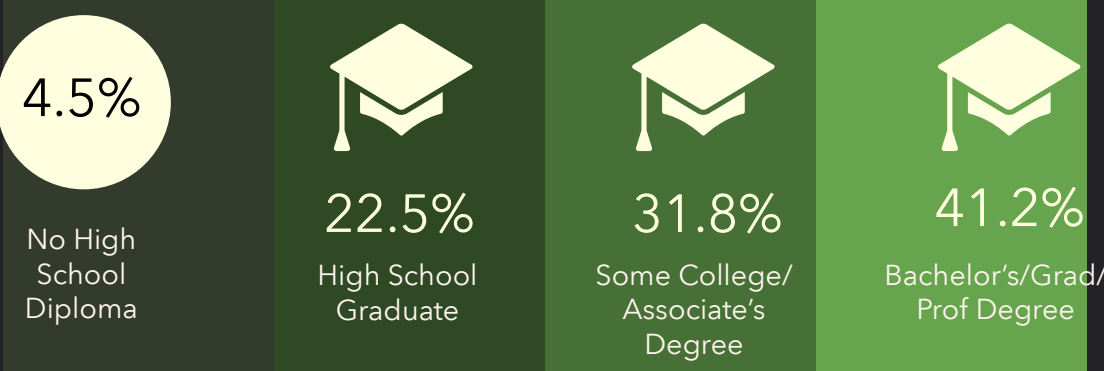
HOUSEHOLD INCOME



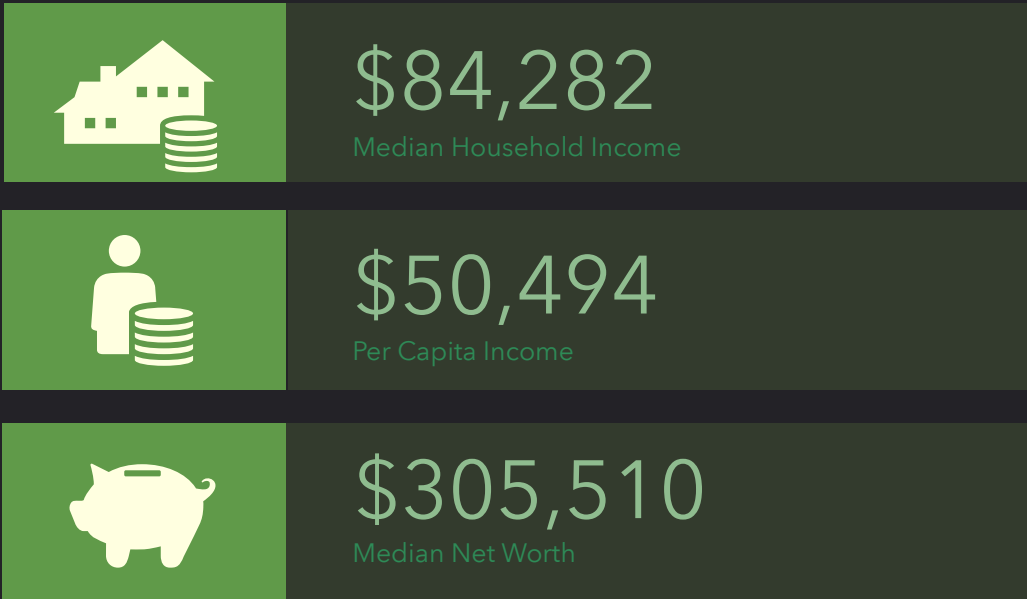
15 minutes



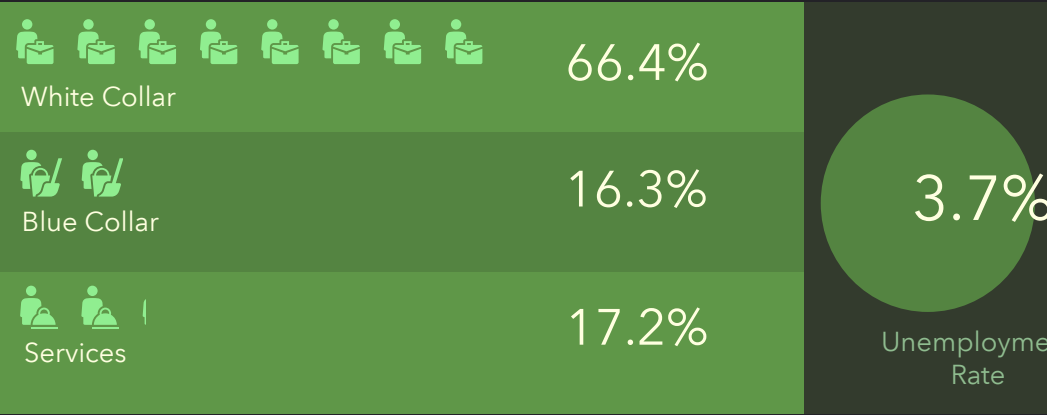
EDUCATION



INCOME



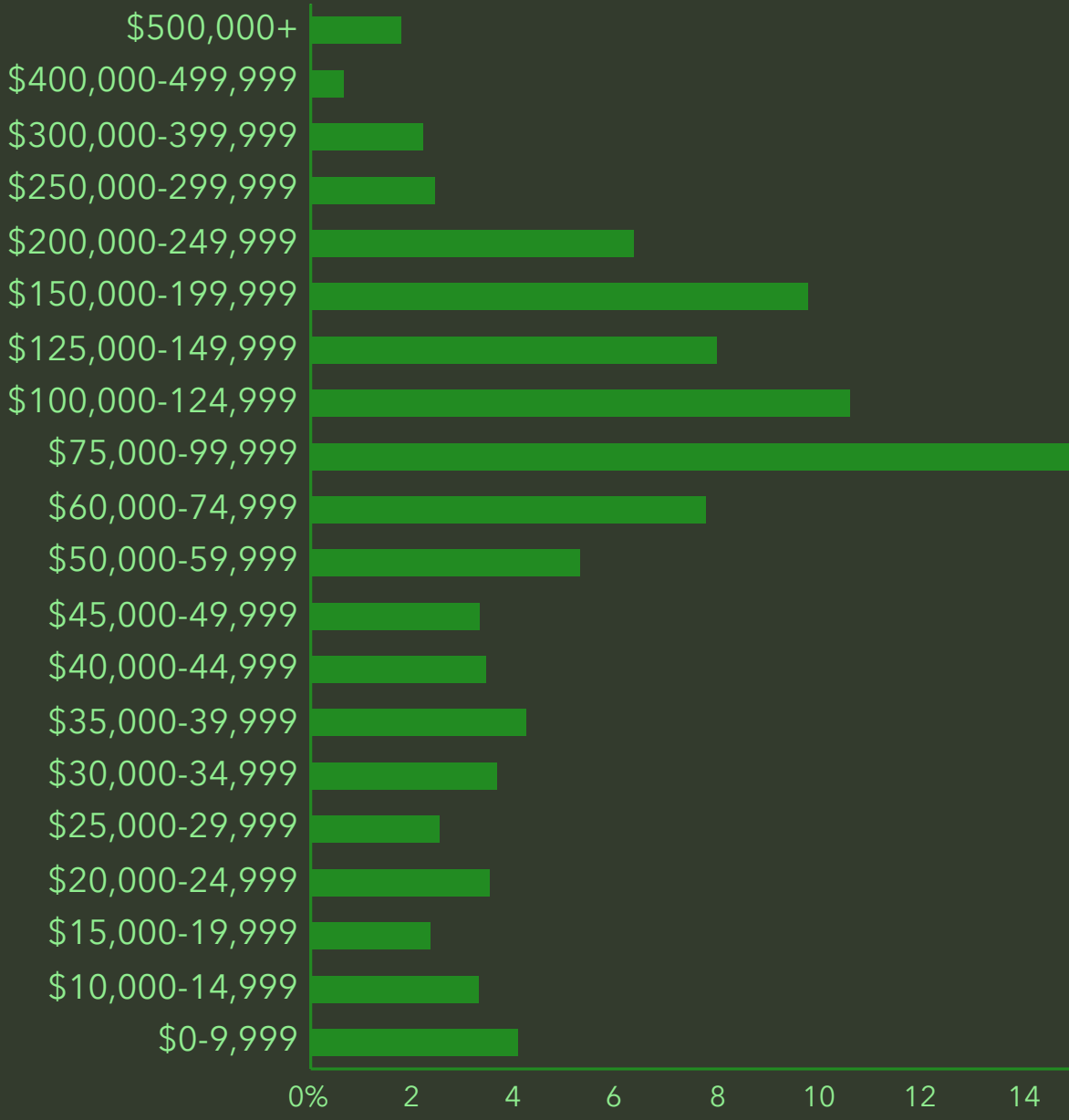
EMPLOYMENT



KEY FACTS



HOUSEHOLD INCOME





| Table 1B. Table of Uses, Nonresidential Districts                 |                  |                  |                |                |                |                |                 |                |                |                |
|-------------------------------------------------------------------|------------------|------------------|----------------|----------------|----------------|----------------|-----------------|----------------|----------------|----------------|
| Uses                                                              | R-P              | C-1A             | C-1            | C-2            | C-3            | C-P            | C-E             | M-1            | M-2            | I-1            |
| Amusement center*                                                 | N                | N                | C              | P              | C              | P              | P               | P              | P              | P              |
| Agricultural uses*                                                | N                | N                | N              | N              | N              | N              | C               | C              | C              | N              |
| Assembly, light*                                                  | N                | N                | N              | C              | N              | C              | P               | P              | P              | N              |
| Assisted living facilities                                        | C                | C                | P              | P              | C              | P              | P               | P              | P              | P              |
| Bars (see art. VI, sale of alcohol)*                              | N                | N                | C              | C              | C              | C              | C               | C              | C              | C              |
| Bed and breakfast                                                 | N                | N                | P              | P              | P              | N              | P               | N              | N              | N              |
| Brewpub*                                                          | N                | N                | P              | P              | P              | P              | P               | P              | P              | N              |
| Building, contractor and equipment storage (outdoor) <sup>1</sup> | N                | N                | N              | N              | N              | N              | P               | P              | P              | N              |
| Car wash establishments, freestanding*                            | N                | N                | N              | C              | N              | C              | P               | P              | P              | N              |
| Child care facilities                                             | C                | C                | P              | P              | P              | P              | P               | P              | N              | P/A            |
| Clubs and lodges                                                  | N                | N                | P              | P              | P              | P              | P               | C              | C              | C              |
| Community center building                                         | C                | C                | C              | P              | C              | P              | P               | P              | N              | N              |
| Convenience stores with gas pumps/gas stations*                   | N                | N                | N              | C              | N              | C              | C               | P              | P              | N              |
| Day shelter*                                                      | N                | N                | N              | C              | N              | N              | C               | C              | C              | C              |
| Domestic violence shelter*                                        | P                | N                | P              | P              | N              | P              | P               | N              | N              | P              |
| Dormitory                                                         | C                | C                | P              | P              | P              | P              | P               | P              | P              | P              |
| Drive-in theaters*                                                | N                | N                | N              | N              | N              | C              | N               | N              | N              | N              |
| Dwellings, accessory (see art. VI, section 1(A))*                 | P/A              | P/A              | P/A            | P/A            | P/A            | P/A            | P/A             | P/A            | P/A            | P/A            |
| Dwellings, multifamily (see art. VI, section 1(K))*               | P                | P                | P              | P <sup>7</sup> | P              | P              | P <sup>78</sup> | P <sup>7</sup> | P <sup>7</sup> | P <sup>7</sup> |
| Dwellings, single-family (see art. VI, section 1(K))*             | P                | P                | P              | P <sup>7</sup> | P              | P <sup>7</sup> | P <sup>78</sup> | P <sup>7</sup> | P <sup>7</sup> | P <sup>7</sup> |
| Dwellings, two-family/three-family (see art. VI, section 1(K))**  | P                | P                | P              | P <sup>7</sup> | P              | P <sup>7</sup> | P <sup>78</sup> | P <sup>7</sup> | P <sup>7</sup> | P <sup>7</sup> |
| Dwellings, Townhouse*                                             | P                | P                | P              | P <sup>7</sup> | P              | P <sup>7</sup> | P <sup>8</sup>  | P <sup>7</sup> | P <sup>7</sup> | P <sup>7</sup> |
| Electronic assembly                                               | N                | N                | N              | P              | C              | P              | P               | P              | P              | N              |
| Group home facilities                                             | C                | C                | C              | C              | C              | C              | C               | N              | N              | N              |
| Hospitals                                                         | N                | C                | P              | P              | N              | P              | P               | P              | N              | P              |
| Hotels, motels <sup>2</sup>                                       | N                | N                | P              | P              | P              | P              | P               | P              | P              | N              |
| House of worship*                                                 | C                | P                | P              | P              | P              | P              | P               | P              | P              | P              |
| Kennel                                                            | N                | N                | N              | C              | N              | C              | C               | P              | P              | N              |
| Laboratories (research, medical & dental) and clinics             | P                | P                | P              | P              | P              | P              | P               | P              | P              | N              |
| Landfill for non-household waste                                  | N                | N                | N              | N              | N              | N              | N               | C              | C              | N              |
| Manufacturing, heavy                                              | N                | N                | N              | N              | N              | N              | N               | N              | P              | N              |
| Manufacturing, light                                              | N                | N                | N              | N              | N              | N              | P               | P              | P              | N              |
| Marinas*                                                          | N                | N                | C              | C              | C              | C              | C               | N              | N              | N              |
| Medical marijuana treatment center dispensing facilities          | N                | N                | N              | N              | N              | N              | N               | N              | N              | N              |
| Micro-brewery                                                     | N                | N                | N              | C              | C              | C              | C               | C              | P              | N              |
| Micro-distillery                                                  | N                | N                | N              | C              | C              | C              | C               | C              | P              | N              |
| Mini-storage facilities                                           | N                | N                | C              | C              | N              | C              | P               | P              | P              | N              |
| Nursing and convalescent homes*                                   | P                | P                | P              | P              | N              | P              | P               | N              | N              | P              |
| Office/financial institutions                                     | P <sup>3</sup>   | P                | P              | P              | P              | P              | P               | P              | P              | N              |
| Outdoor display (see article VII, section 2(G))                   | N                | N                | N              | N              | P/A            | P/A            | P               | P              | P              | N              |
| Parking facilities as a principal use                             | C                | C                | P              | P              | P              | P              | P               | P              | P              | P              |
| Plant nurseries*                                                  | N                | N                | N              | N              | N              | P              | P               | P              | P              | N              |
| Public use*                                                       | C                | C                | C              | P              | C              | P              | P               | P              | P              | P              |
| Public utility service facilities*                                | C                | C                | C              | C              | C              | C              | P               | P              | P              | P*             |
| Recovery home/halfway house*                                      | N                | N                | N              | C              | N              | C              | C               | N              | N              | C              |
| Recreation, indoor                                                | N                | N                | C              | P              | C              | P              | P               | P              | P              | P              |
| Recreation, outdoor                                               | N                | N                | N              | N              | N              | C              | C               | C              | C              | N              |
| Recreational vehicle (RV) parks*                                  | N                | N                | N              | N              | N              | C              | N               | N              | N              | N              |
| Recycling facility*                                               | N                | N                | N              | N              | N              | N              | N               | C              | P              | N              |
| Restaurants*                                                      | N                | C                | P              | P              | P              | P              | P               | P              | P              | N              |
| Retail                                                            | P/A <sup>4</sup> | P/A <sup>4</sup> | P <sup>5</sup> | P <sup>5</sup> | P <sup>5</sup> | P              | P               | P              | P              | N              |
| Schools*                                                          | C                | C                | P              | P              | P              | P              | P               | P              | P              | P              |
| School, non-academic instruction                                  | C                | C                | P              | P              | P              | P              | P               | P              | P              | P              |
| Service, vehicle*                                                 | N                | N                | N              | C              | N              | C              | P               | P              | P              | N              |
| Service, business                                                 | N                | P                | P              | P              | P              | P              | P               | P              | P              | N              |
| Service, major vehicle*                                           | N                | N                | N              | N              | N              | N              | P               | P              | P              | N              |
| Service, personal                                                 | P                | P                | P              | P              | P              | P              | P               | P              | P              | N              |
| Soup kitchens*                                                    | N                | N                | N              | C              | N              | N              | C               | C              | C              | P              |
| Studio, art                                                       | N                | N                | P              | P              | P              | P              | P               | P              | P              | N              |
| Temporary labor agency*                                           | N                | N                | N              | P              | N              | P              | P               | P              | P              | N              |
| Transitional homeless shelter*                                    | N                | N                | N              | C              | N              | N              | C               | C              | C              | C              |
| Vehicle impounding yard*                                          | N                | N                | N              | C              | N              | C              | P               | P              | P              | N              |
| Vehicle sales and rental with accessory services*                 | N                | N                | N              | P              | N              | P              | P               | P              | P              | N              |
| Veterinary facility*                                              | N                | C                | P              | P              | C              | P              | P               | P              | P              | N              |
| Warehousing and wholesaling <sup>6</sup>                          | N                | N                | N              | N              | N              | N              | P               | P              | P              | N              |
| Wholesaling from sample stocks.                                   | N                | N                | N              | P              | P              | N              | P               | P              | P              | N              |

\* See article VI, section 1 and 2, use standards, or article VII, section 2, standards for specific accessory uses and structures, for special conditions.

- P - Permitted uses;
- C - Uses that require conditional use approval;
- N- Prohibited;
- P/A - Permitted as accessory use;
- P/C - Permitted or conditional use

- 1 Outside storage areas shall be screened on all sides where adjacent to rights-of-way or non-industrial uses, per appendix D, chapter 9, article III, section 9.45, to avoid any deleterious effect on adjacent property.
  - 2 Provided that the minimum floor area for hotel and motel units shall be 230 square feet.
  - 3 Financial institutions in R-P require conditional use approval.
  - 4 Allowed only as accessory use if directly associated with a principal use that is allowed.
  - 5 Except vehicular sales and rental. See article VII, section (2)(G) for outdoor display standards.
  - 6 In enclosed structures, including refrigerated storage and bulk storage, excluding hazardous substances, hazardous wastes and petroleum products.
  - 7 Affordable housing development only. See appendix B, article V, section 4.
  - 8 Single-, two-, three-, and multiple-family dwellings existing prior to 2019 are permitted in C-E.
- Updated: July 2023



| Table 2A. Table of Dimensional Standards, Residential Districts            |                                                        |        |        |        |        |       |                    |                               |                  |       |
|----------------------------------------------------------------------------|--------------------------------------------------------|--------|--------|--------|--------|-------|--------------------|-------------------------------|------------------|-------|
| Residential <sup>1</sup>                                                   | AEU                                                    | REU    | R-A    | R-1AAA | R-1AA  | R-1A  | R-1B <sup>2</sup>  | R-2                           | R-3              | R-4   |
| Minimum lot area (sq. ft.)                                                 |                                                        |        |        |        |        |       |                    |                               |                  |       |
| Single-family                                                              | 2.5 acres                                              | 1 acre | 1 acre | 12,000 | 10,000 | 7,500 | 5,000              | 7,500                         | 7,500            |       |
| Two-family                                                                 |                                                        |        |        |        |        |       |                    | 8,000                         | 8,000            | 8,000 |
| Three-family                                                               |                                                        |        |        |        |        |       |                    | 10,000                        | 10,000           |       |
| Townhouses                                                                 |                                                        |        |        |        |        |       |                    | 1,800                         | 1,800            |       |
| Multiple-family                                                            |                                                        |        |        |        |        |       |                    | 8,500                         | 12,000           |       |
| Minimum lot width (ft.) <sup>3</sup>                                       |                                                        |        |        |        |        |       |                    |                               |                  |       |
| Single-family                                                              | 150                                                    | 125    | 150    | 100    | 85     | 75    | 50/65 <sup>4</sup> | 50                            | 50               |       |
| Two-family                                                                 |                                                        |        |        |        |        |       |                    | 80                            | 80               | 80    |
| Three-family                                                               |                                                        |        |        |        |        |       |                    | 100                           | 100              |       |
| Townhouses                                                                 |                                                        |        |        |        |        |       |                    | 18                            | 18               |       |
| Multiple-family                                                            |                                                        |        |        |        |        |       |                    | 85                            | 120              |       |
| Minimum lot depth (ft.)                                                    |                                                        |        |        |        |        |       |                    |                               |                  |       |
| Single-family                                                              | 150                                                    | 125    | 200    | 120    | 110    | 100   | 80                 | 100                           | 100              |       |
| Two-family                                                                 |                                                        |        |        |        |        |       |                    | 80                            | 80               | 80    |
| Three-family                                                               |                                                        |        |        |        |        |       |                    | 100                           | 100              |       |
| Townhouses                                                                 |                                                        |        |        |        |        |       |                    | 80                            | 80               |       |
| Multiple-family                                                            |                                                        |        |        |        |        |       |                    | 100                           | 100              |       |
| Maximum lot coverage (%)                                                   |                                                        |        |        |        |        |       |                    |                               |                  |       |
| Single-family                                                              | None                                                   | None   | 40     | 40     | 40     | 40    | 50                 | 50                            | 50               |       |
| Two-, three-, and mutple-family                                            |                                                        |        |        |        |        |       |                    | 40                            | 40               | 40    |
| Townhouses                                                                 |                                                        |        |        |        |        |       |                    | 60                            | 60               |       |
| Minimum living area (sq. ft.) <sup>5</sup>                                 |                                                        |        |        |        |        |       |                    |                               |                  |       |
| Single-family                                                              | 750                                                    | 1,200  | 1,500  | 1,700  | 1,350  | 1,000 | 1,000              | 1,000                         | 1,000            |       |
| Two and three-family                                                       |                                                        |        |        |        |        |       |                    | 900                           | 900              | 900   |
| Townhouses                                                                 |                                                        |        |        |        |        |       |                    | 1,000                         | 1,000            |       |
| Multiple-family                                                            |                                                        |        |        |        |        |       |                    |                               |                  |       |
| Efficiency                                                                 |                                                        |        |        |        |        |       |                    | 450                           | 450              |       |
| One-bedroom                                                                |                                                        |        |        |        |        |       |                    | 550                           | 550              |       |
| Two-bedrooms                                                               |                                                        |        |        |        |        |       |                    | 650                           | 650              |       |
| Three-bedrooms                                                             |                                                        |        |        |        |        |       |                    | 800 <sup>6</sup>              | 800 <sup>6</sup> |       |
| Maximum height (ft.) <sup>7</sup>                                          |                                                        |        |        |        |        |       |                    | See footnote <sup>8</sup>     |                  |       |
| Single-, two- and three-family                                             | 3 floors with a maximum height of 36 feet <sup>9</sup> |        |        |        |        |       |                    |                               |                  |       |
| Townhouses and multifamily                                                 |                                                        |        |        |        |        |       |                    | 4 floors w/max. height 48 ft. |                  |       |
| Nonresidential                                                             | 3 floors with a maximum height of 36 feet              |        |        |        |        |       |                    |                               |                  |       |
| Minimum setback requirements (ft.) <sup>10</sup>                           |                                                        |        |        |        |        |       |                    |                               |                  |       |
| Front                                                                      | 25                                                     | 25     | 50     | 30     | 25     | 20    | 20                 | 20 or 30 (MF)                 | 20 or 30 (MF)    | 30    |
| Side interior lot <sup>11</sup>                                            | 10                                                     | 10     | 30     | 15     | 10     | 7.5   | 5 <sup>12</sup>    | 7.5 or 15 (MF)                | 7.5 or 25 (MF)   | 10    |
| Side corner lot                                                            | 25                                                     | 25     | 30     | 25     | 25     | 20    | 20                 | 20 or 25 (MF)                 | 20 or 25 (MF)    | 25    |
| Rear—permitted                                                             | 20                                                     | 20     | 40     | 25     | 25     | 25    | 25                 | 25                            | 25               | 25    |
| Rear—abutting alley                                                        |                                                        |        | 35     | 20     | 20     | 20    | 15                 | 20                            | 20               | 20    |
| Minimum setback from water                                                 | 35                                                     | 35     | 35     | 35     | 35     | 35    | 35                 | 35                            | 35               | 35    |
| Maximum building length (ft.) for townhome buildings                       |                                                        |        |        |        |        |       | 200                | 200                           | 200              |       |
| Enclosed garage per single- or two-family unit (except affordable housing) |                                                        |        |        |        |        |       |                    |                               |                  |       |
|                                                                            | Yes                                                    | Yes    | Yes    | Yes    | Yes    | Yes   | Yes                | Yes                           | Yes              | Yes   |
| Additional Buffer <sup>14</sup>                                            |                                                        |        |        |        |        |       |                    |                               |                  |       |
|                                                                            | N                                                      | N      | N      | N      | N      | N     | N                  | Yes                           | Y                | N     |

NOTE: See appendix D, land development code, for additional setbacks and right-of-way dedications.



<sup>1</sup> R-2T and PUD zoning districts. See standards in appendix B, article V, section 2 (G) and (H).

<sup>2</sup> Ten percent usable open space required except affordable housing developments. Shall include but not be limited to improved play areas and wetlands or other natural features, which are accessible to the residents of the development. Retention areas, required buffers, rights-of-way, and other code required tracts shall not be included in the calculation of open space.

<sup>3</sup> If calculated a mean width, the width at the street line shall not be less than 80 percent of the required lot width except for lots on the turning circles of cul-de-sac or on the outside radius of a curve; in such cases the lot width at the street line shall be no less than 25 feet.

<sup>4</sup> No more than half of the lots shall be allowed to have 50 feet in width; the other half shall have a minimum lot width of 65 feet. For affordable housing projects, all lots shall be allowed to have a minimum 50 feet in width.

<sup>5</sup> See Article V, section 4, affordable housing development.

<sup>6</sup> Plus 100 square feet for each additional bedroom.

<sup>7</sup> See article IV, section 1, exceptions and variations to height regulations.

<sup>8</sup> Additional height may be allowed subject to conditional use approval and the standards set forth in article IV, section 1 (height regulations).

<sup>9</sup> Structures accessory to agriculture (AEU) may be 45 feet in height.

<sup>10</sup> See appendix B, article IV, section 1, multi-story developments; appendix B, article VI, section 1, residential uses; and appendix D, chapter 9, article XV, section 9.273, landscaping design standards.

(Additional Information on Back)

<sup>11</sup> Townhome setbacks are determined between buildings; interior townhome units do not have side setback requirements.

<sup>12</sup> If the building envelopes are depicted on the approved final plat recorded in the Public Records of Brevard County, the sum of the side interior yards on both sides of the residential unit shall equal at least ten feet.

<sup>13</sup> See setbacks to waterways appendix B, article IV, section 2

<sup>14</sup> Notwithstanding the setbacks required as noted in the table above, multifamily, nonresidential, and mixed-use developments, subject to formal site plan approval, shall provide a visual screen and buffer area within the yard setbacks abutting residential uses and zoning districts, per appendix D, chapter 9, article III, section 9.44.1(a). This does not apply to projects located within redevelopment districts. New affordable housing developments are subject to the visual screen requirements identified within appendix B, article V, section 4.

Updated: July 2023



**Table 2B. Table of Dimensional Standards, Nonresidential Districts**

|                                                    | R-P                             | C-1A                                   | C-1                        | C-2                       | C-3                             | C-P                                 | C-E              | M-1              | M-2              | I-1                       |
|----------------------------------------------------|---------------------------------|----------------------------------------|----------------------------|---------------------------|---------------------------------|-------------------------------------|------------------|------------------|------------------|---------------------------|
| Minimum lot area (sf.)                             |                                 |                                        |                            |                           |                                 |                                     |                  |                  |                  |                           |
| Non-residential                                    | 7,000                           | 6,000                                  | 5,000                      | 5,000                     | 4,000                           | 22,500                              | 5,000            | 10,000           | 10,000           | 20,000                    |
| Single-family residential                          | 5,000                           | 5,000                                  | 5,000                      | -                         | 4,000                           | -                                   | 5,000            | -                | -                | -                         |
| Two-family residential                             | 8,000                           | 8,000                                  | 8,000                      | -                         | 4,000                           | -                                   | 5,000            | -                | -                | -                         |
| Three-family residential                           | 10,000                          | 10,000                                 | 10,000                     |                           | 4,000                           |                                     |                  |                  |                  |                           |
| Multi-family residential                           | 7,000                           | 7,000                                  | 7,000                      | -                         | 4,000                           | 12,500                              | 5,000            | -                | -                | -                         |
| Townhome                                           | 1,800                           | 1,800                                  | 1,800                      | -                         | 1,800                           | -                                   | -                | -                | -                | -                         |
| Minimum lot width (ft.) <sup>1</sup>               |                                 |                                        |                            |                           |                                 |                                     |                  |                  |                  |                           |
| Non-residential                                    | 70                              | 60                                     | 50                         | 50                        | 30                              | 150                                 | 50               | 100              | 100              | 100                       |
| Single-family residential                          | 50                              | 50/65 <sup>2</sup>                     | 50/65 <sup>2</sup>         | -                         | 30                              | -                                   | 50               | -                | -                | -                         |
| Two-family residential                             | 80                              | 80                                     | 80                         | -                         | 30                              | -                                   | 50               | -                | -                | -                         |
| Three-family residential                           | 100                             | 100                                    | 100                        |                           | 30                              |                                     |                  |                  |                  |                           |
| Multi-family residential                           | 70                              | 85                                     | 85                         | -                         | 30                              | 120                                 | 50               | -                | -                | -                         |
| Townhome                                           | 18                              | 18                                     | 18                         | -                         | 18                              | -                                   | -                | -                | -                | -                         |
| Minimum lot depth (ft.)                            |                                 |                                        |                            |                           |                                 |                                     |                  |                  |                  |                           |
| Non-residential                                    | 100                             | 100                                    | 100                        | 100                       | 100                             | 150                                 | 100              | 100              | 100              | 150                       |
| Single-family residential                          | 80                              | 80                                     | 80                         | -                         | 80                              | -                                   | 100              | -                | -                | -                         |
| Two-family residential                             | 80                              | 80                                     | 80                         | -                         | 80                              | -                                   | 100              | -                | -                | -                         |
| Three-family residential                           | 100                             | 100                                    | 100                        |                           | 100                             |                                     |                  |                  |                  |                           |
| Multi-family residential                           | 100                             | 100                                    | 100                        | -                         | 100                             | 100                                 | 100              | -                | -                | -                         |
| Townhome                                           | 80                              | 80                                     | 80                         | -                         | 80                              | -                                   | -                | -                | -                | -                         |
| Maximum lot coverage (%)                           |                                 |                                        |                            |                           |                                 |                                     |                  |                  |                  |                           |
| Non-residential                                    | 40                              | 50                                     | 50                         | 50                        | 100 <sup>3</sup>                | 40                                  | 50               | 50               | 50               | n/a                       |
| Single-, two-, three- and multi-family residential | 50                              | 50                                     | 50                         | -                         | 100 <sup>3</sup>                | 40                                  | 50               | -                | -                | -                         |
| Townhome                                           | 60                              | 60                                     | 60                         | -                         | 60                              | 60                                  | -                | -                | -                | -                         |
| Minimum building area (sf)                         | 300                             | 300                                    | 300                        | 300                       | 300                             | 300                                 | 300 <sup>4</sup> | 300 <sup>4</sup> | 300 <sup>4</sup> | -                         |
| Minimum living area (sf)                           |                                 |                                        |                            |                           |                                 |                                     |                  |                  |                  |                           |
| Single-family residential                          | 1,000                           | 1,000                                  | 1,000                      | -                         | 1,000                           | -                                   | See R-2          | -                | -                | -                         |
| Two- and Three-family                              | 900                             | 900                                    | 900                        | -                         | 900                             | -                                   | See R-2          | -                | -                | -                         |
| Multi-family residential                           | See R-2                         | See R-2                                | See R-2                    | -                         | See R-2                         | See R-2                             | See R-2          | -                | -                | -                         |
| Townhome                                           | 1,000                           | 1,000                                  | 1,000                      | -                         | 1,000                           | -                                   | -                | -                | -                | -                         |
| Maximum height (ft.) <sup>6,7</sup>                | 3 floors/<br>max. ht.<br>36 ft. | 4 floors/ maximum height of<br>48 feet |                            |                           | 8 floors/<br>max. ht.<br>96 ft. | 4 floors/ maximum height of 48 feet |                  |                  |                  | NA                        |
| Minimum setback requirements (ft.) <sup>8</sup>    | See footnote <sup>9</sup>       |                                        | See footnote <sup>10</sup> | See footnote <sup>9</sup> |                                 |                                     |                  |                  |                  | See footnote <sup>9</sup> |
| Front                                              | 20                              | 20                                     | 20                         | 20                        | None                            | 50                                  | 20               | 20               | 20               | 25                        |
| Side interior lot <sup>11</sup>                    | 7.5 15(MF)                      | None                                   | None                       | None                      | None                            | 25                                  | None             | None             | None             | 25 <sup>13</sup>          |
| Side corner lot                                    | 20                              | 20                                     | 20                         | 20                        | None                            | 40                                  | 20               | 20               | 20               | 25                        |
| Rear                                               | 20                              | 20                                     | 15                         | 20                        | None                            | 30                                  | 20               | 20               | 20               | 25 <sup>13</sup>          |
| Rear-abutting alley                                | 15                              | 15                                     | 10                         | 10                        | None                            | 10                                  | 10               | 15               | 15               | 25                        |
| Minimum setback from water (ft) <sup>12</sup>      | 35                              | 35                                     | 35                         | 35                        | 35                              | 35                                  | 35               | 35               | 35               | 35                        |
| Additional buffer <sup>13</sup>                    | N                               | N                                      | Y                          | Y                         | N                               | Y                                   | N                | Y                | Y                | Y                         |

C-1

1 If calculating a mean width, the width at the street line shall not be less than 80 percent of the required lot width except for lots on the turning circles of cul-de-sac or on the outside radius of a curve; in such cases the lot width at the street line shall be no less than 25 feet.

(Additional Information on Back)

- 2 No more than half of the lots shall be allowed to have 50 feet in width; the other half shall have a minimum lot width of 65 feet. For affordable housing developments, all lots shall be allowed to have a minimum 50 feet in width.
- 3 Except for required yards.
- 4 Except where no buildings are proposed.
- 5 See article V, section 4, affordable housing development.
- 6 See article IV, section 1, exceptions and variations to height regulations.
- 7 Additional height may be allowed subject to conditional use approval and the criteria standards set forth in article IV, section 1 (Exceptions and Variations to Height).
- 8 See article IV, section 1, Exceptions and Variations to Height Regulations, for additional setback requirements (except affordable housing developments).
- 9 Affordable housing developments see article V, section 4.
- 10 Residential developments in a C-1 zone must meet the yard requirements specified for the R-2 zone or affordable housing development.
- 11 If abutting a residential district that requires setbacks, use the setback required in that district along the abutting property line. For multi-story developments, see article IV, section 1, Exceptions and Variations to Height Regulations for additional setback requirements. Townhome setbacks are determined between buildings; interior townhome units do not have side setback requirements.
- 12 See setbacks to waterways appendix B, article IV, section 2.
- 13 Notwithstanding the setbacks required as noted in the table above, new multifamily, nonresidential, and mixed-use developments, subject to formal site plan approval, shall provide a visual screen and buffer area within their yard setbacks abutting residential uses and zoning districts, per appendix D, chapter 9, article III, section 9.44.1(a). This does not apply to projects located within redevelopment districts. New affordable housing developments are subject to the visual screen requirements identified within appendix B, article V, section 4.

**Updated: July 2023**

ORDINANCE NO. 2025-58

AN ORDINANCE OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, RELATING TO AFFORDABLE HOUSING DEVELOPMENT; MAKING FINDINGS; AMENDING APPENDIX B OF THE CITY CODE, ENTITLED "ZONING"; AMENDING ARTICLE V, DISTRICT REGULATIONS; AMENDING SECTION 4, AFFORDABLE HOUSING DEVELOPMENT; PROVIDING FOR SEVERABILITY AND INTERPRETATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE. (FOC2025-0004/ TEXT2025-0011)

WHEREAS, in 2023, new and existing affordable housing standards were moved into one centralized location under Appendix B, Article V, Section 4 of the City Code in order to implement the Live Local Act; and

WHEREAS, since that time, the Florida Legislature has made additional revisions to Chapter 166, Florida Statutes, which requires and allows the City of Melbourne to incorporate certain changes into the current code; and

WHEREAS, the City of Melbourne continues to be supportive of affordable housing and has incorporated changes now allowed by these recent Florida Statute changes; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed this ordinance at its meeting on November 6, 2025, conducted a public hearing with regard to this ordinance, and found same to be consistent with the City of Melbourne Comprehensive Plan; and

WHEREAS, the City Council hereby adopts the findings of the Planning and Zoning Board as its own and finds this ordinance to be in the promotion of the public health, safety, welfare, morals, public order and aesthetics of the community and the region.

BE IT ENACTED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. That the foregoing recitals are hereby incorporated herein as findings supporting adoption of this ordinance.

SECTION 2. That Appendix B of the City Code of Melbourne, Florida, is hereby amended

to read as follows:

## APPENDIX B. ZONING

\* \* \* \*

### ARTICLE V. DISTRICT REGULATIONS

\* \* \* \*

#### Sec. 4. Affordable housing development.

This section describes options and incentives for affordable housing development along with the process and approvals necessary to obtain these allowances, compliance and monitoring, and enforcement. Unless otherwise stated, terms are defined in appendix B, article II.

Affordable housing includes residential or mixed-use developments containing residential units that are occupied by households with annual incomes at or below 120 percent of the median annual income for the Palm Bay-Melbourne-Titusville Metropolitan Statistical Area. These categories include moderate-income household, low-income household and very-low-income household, as defined.

- (A) *Applicability.* A development may be considered as an affordable housing development, based upon the total number of units set aside for a qualified household, as defined.

\* \* \* \*

- (2) For multi-family and mixed-use residential development proposed in the R-P, C-1A, C-1, C-2, C-3, C-P, C-E, M-1, and M-2, at least 40 percent of the dwelling units upon completion shall be occupied by households with annual incomes at or below 120 percent of the median annual income for the Palm Bay-Melbourne-Titusville Metropolitan Statistical Area.
- (3) Multi-family and mixed-use residential development proposed in R-P, C-1A, C-1, C-3, and C-P zoning districts with at least 10% percent of the dwelling units and less than 40% percent of the dwelling units upon completion, shall be occupied by households with annual incomes at or below 120 percent of the median annual income for the Palm Bay-Melbourne-Titusville Metropolitan Statistical Area.
- (4) In the I-1 zoning district, for multi-family development proposed on properties owned by a religious institution as defined in F.S. § 170.201(2), which contains an active house of public worship as a principal use, at least 40 percent of the dwelling units upon completion shall be occupied by households with annual incomes at or below 120 percent of the median

annual income for the Palm Bay-Melbourne-Titusville Metropolitan Statistical Area.

- (5) An affordable housing development as identified in F.S. § 166.04151(7) may not be located near a runway at the Melbourne Orlando International Airport within one quarter of a mile laterally from the runway edge and within an area that is the width of one-quarter of a mile extending at right angles from the end of the runway for a distance of 10,000 feet of any existing runway or planned runway identified in the Airport Master Plan.

- (B) *Incentive options to develop affordable housing.* To promote affordable housing development, there are optional incentives available for the development. All options require an affordable housing use certificate. A development may utilize one or more of the applicable options.

|                                                                                                                                                            | Zoning/Land Development Regulations for Affordable Housing | Impact Fee Deferral/Waiver     | Density Bonus                                          | Live Local Act Allowances |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------|--------------------------------------------------------|---------------------------|
| * * * *                                                                                                                                                    |                                                            |                                |                                                        |                           |
| Live Local Act: As referenced in <u>sec. 4(A)(2)</u> , <u>Mmulti-family and mixed-use residential uses</u> in R-P, C-1A, C-1, C-2, C-3, C-P, C-E, M-1, M-2 | Administrative Approval                                    | Administrative Approval        | N/A<br>(Allowed the highest density permitted in city) | Administrative Approval   |
| As referenced in <u>sec. 4(A)(3)</u> , <u>Mmulti-family and mixed-use residential uses not meeting Live Local Act</u> in R-P, C-1A, C-1, C-3, C-P          | N/A                                                        | Administrative Approval        | N/A                                                    | N/A                       |
| As referenced in <u>sec. 4(A)(4)</u> , <u>multi-family residential uses in I-1</u>                                                                         | <u>Administrative Approval</u>                             | <u>Administrative Approval</u> | <u>Administrative Approval</u><br>(Allowed Medium)     | <u>N/A</u>                |

|  |  |  |                                 |  |
|--|--|--|---------------------------------|--|
|  |  |  | <u>Density<br/>Residential)</u> |  |
|--|--|--|---------------------------------|--|

(C) Provisions for affordable housing incentive options. This section further describes optional incentives available for the development of affordable housing.

~~(1) This section further describes optional incentives available for the development of affordable housing.~~

(21) Use of specific zoning standards and land development regulations for affordable housing. This option is available for all zoning categories that permit residential development or provided under the Live Local Act allowance.

\* \* \* \*

(b) The development of single-, two-, three- family residential, townhomes, and multi-family, mixed-use residential affordable housing in R-1B, R-2, R-3, R-P, C-1A, C-1, C-2, C-P, C-E, M-1, M-2, and I-1 zoning districts shall comply with minimum living area as identified in Table 1A below, setbacks as identified in Table 1B below, parking as identified in table 1C below, landscaping/amenities as identified in Table 1D below and dimensional standards as identified in Table 1E below.

\* \* \* \*

| Table 1C: Parking*                           |                                    |
|----------------------------------------------|------------------------------------|
| * * * *                                      |                                    |
| Two-bedroom dwelling units (moderate income) | Two <u>1.7</u> parking spaces each |
| Dwelling units with more than two bedrooms   | Two <u>1.7</u> parking spaces each |
| * * * *                                      |                                    |

\* \* \* \*

| Table 1E: Dimensional Standards |                            |            |              |            |              |
|---------------------------------|----------------------------|------------|--------------|------------|--------------|
|                                 | Single-family <sup>1</sup> | Two-family | Three-family | Townhouses | Multi-family |
| Minimum lot area (sq. ft.)      | 5,000                      | 8,000      | 10,000       | 1,800      | 7,000        |

|         |  |  |  |  |               |
|---------|--|--|--|--|---------------|
|         |  |  |  |  | 20,000 in I-1 |
| * * * * |  |  |  |  |               |

\* \* \* \*

- (3) *Density bonus.* Density bonus may only be considered for properties with R-1B, R-2, and R-3, and I-1 zoning, if located within a future land use map classification that provides for a residential density.

Based upon the future land use designation on the property, the following residential units per acre (upa) could be permitted for affordable housing utilizing the 30 percent density bonus:

| Future Land Use                                           | Activity Center | Non-Affordable Housing Density Permitted | Affordable Housing Density Bonus* |
|-----------------------------------------------------------|-----------------|------------------------------------------|-----------------------------------|
| * * * *                                                   |                 |                                          |                                   |
| Medium Density Residential including properties zoned I-1 | N/A             | 15 units per acre                        | 19.5 units per acre               |
| * * * *                                                   |                 |                                          |                                   |

- (4) *Live Local Act allowances.* The following special development allowances may only be considered for multi-family and mixed-use residential development where at least 40 percent of the units occupied by households with annual incomes at or below 120 percent of the median annual income for the Palm Bay-Melbourne-Titusville Metropolitan Statistical Area, in the following zoning districts: R-P, C-1A, C-1, C-2, C-3, C-P, C-E, M-1, and M-2.

- (a) *Density.* The maximum density permitted shall not exceed the maximum density permitted within the city, currently 100 units per acre. ~~However, in order to provide an optional density bonus within the C-3 zoning district above the permitted 100 units per acre, this section grants all developments within subsection (4) above a maximum density of 130 units per acre.~~
- (b) *Height.* The maximum height permitted is consistent with Table 1E in this section, unless the development is located within one-mile of a C-3 zoning district, which permits a maximum height of eight floors or up to 96 feet in height.

Notwithstanding, if the proposed development is adjacent on two or more sides to a parcel zoned for single-family residential use that is

within a single-family residential development with at least 25 contiguous single-family homes the maximum height will be restricted to the maximum height allowed in appendix B, article V, section 2, Tables 2A and 2B. A conditional use for additional height shall only be permitted on properties zoned C-3.

- (c) Mixed use development requirements. For mixed-use residential projects, at least 65 percent of the total square footage for all building area must be used for residential purposes. For mixed use development projects, the maximum permitted floor area ratio (FAR) shall not exceed 150% of the maximum FAR permitted within the city, currently a FAR of 6.0.

\* \* \* \*

(D) *Affordability period.*

- (1) The duration of the affordability period for an eligible affordable housing development on property zoned R-1AAA, R-1AA, R-1A, R-1B, R-2, ~~or~~ R-3, and I-1 is outlined in the following table based upon the number of options selected for the proposed development.

\* \* \* \*

- (J) Expedited review. All development permits for affordable housing development shall be expedited through the review and approval process.

\* \* \* \*

SECTION 3. Severability and Interpretation.

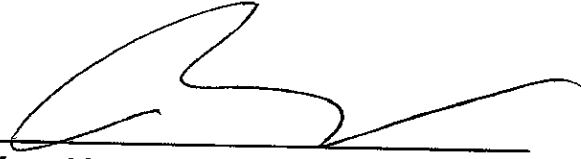
(a) That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, illegal or otherwise void by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, illegality, or other declaration shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

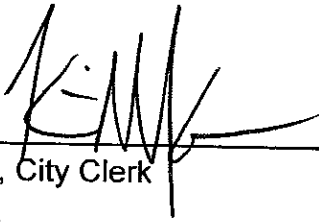
(b) That in interpreting this ordinance, underlined words indicate additions to existing text and ~~stricken words~~ indicate deletions from existing text. Asterisks (\* \* \* \*) indicate an omission from the ordinance of text, which exists in the Code of Ordinances. It is intended that the text in the

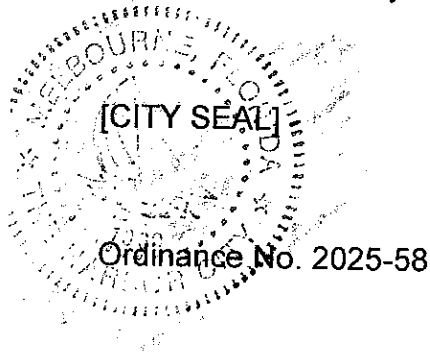
Code of Ordinances denoted by the asterisks and not set forth in this ordinance shall remain unchanged from the language existing prior to adoption of this ordinance.

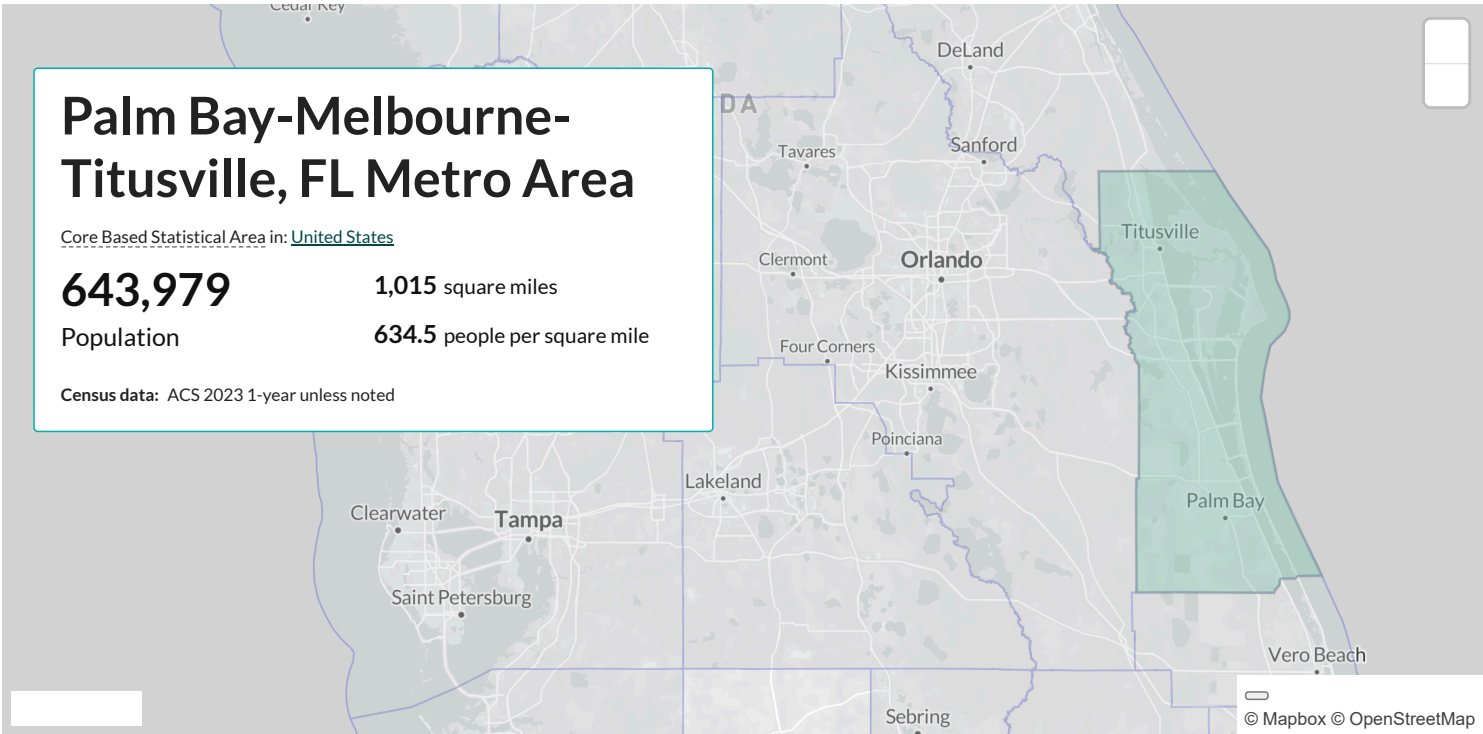
SECTION 4. That this ordinance shall become effective immediately upon its adoption in accordance with the Charter of the City of Melbourne.

SECTION 5. That this ordinance was passed on first reading at a regular meeting of the City Council on the 25<sup>th</sup> day of November, 2025, and adopted on the second and final reading at a regular meeting of the City Council on the 9<sup>th</sup> day of December, 2025.

BY:   
Paul Alfrey, Mayor

ATTEST:   
Kevin McKeown, City Clerk





Find data for this place

Hover for margins of error and contextual data.

Demographics

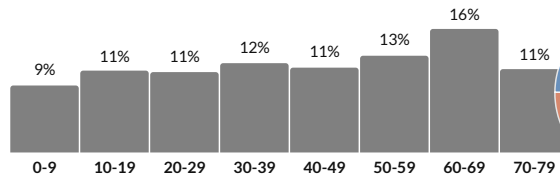
Age

46.6

Median age

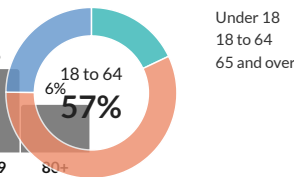
about 20 percent higher than the figure in United States: 39.2

Population by age range



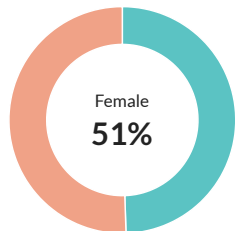
Show data / Embed

Population by age category



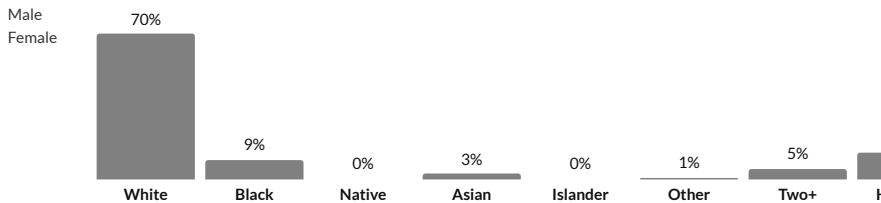
Show data / Embed

Sex



Show data / Embed

Race & Ethnicity



\* Hispanic includes respondents of any race. Other categories are non-Hispanic.

Show data / Embed

Economics

Income

† Margin of error is at least 10 percent of the total value.

\$42,658

\$78,575

Household income

??%

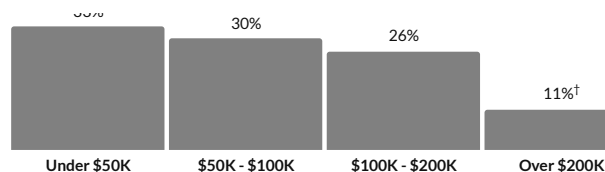
Take care with this statistic.

## Per capita income

about the same as the amount  
in United States: \$43,313

## Median household income

about the same as the amount  
in United States: \$77,719



Show data / Embed

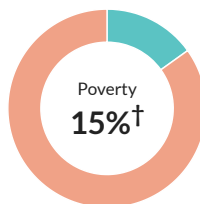
## Poverty

**10.1%**

### Persons below poverty line

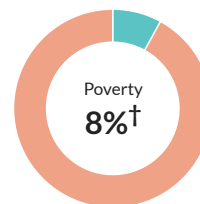
about 80 percent of the rate in United  
States: 12.5%

#### Children (Under 18)



Show data / Embed

#### Seniors (65 and over)



Show data / Embed

† Margin of error is at least  
10 percent of the total value.  
Take care with this statistic.

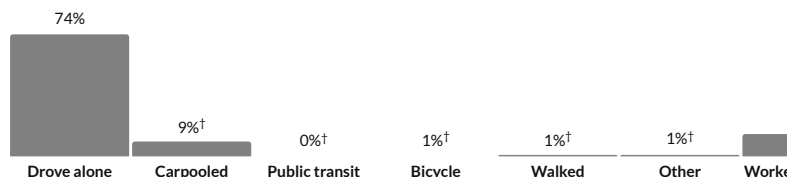
## Transportation to work

**24.3 minutes**

### Mean travel time to work

about 90 percent of the figure in United  
States: 26.8

#### Means of transportation to work



\* Universe: Workers 16 years and over

Show data / Embed

† Margin of error is at least  
10 percent of the total value.  
Take care with this statistic.

## Families

### Households

**258,656**

#### Number of households

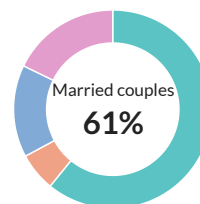
United States: 131,332,360

**2.5**

#### Persons per household

about the same as the figure in United  
States: 2.5

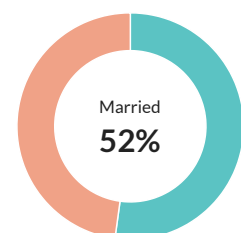
#### Population by household type



Married couples  
Male householder  
Female householder  
Non-family

Show data / Embed

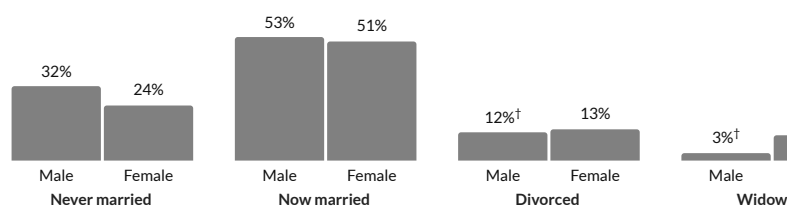
## Marital status



\* Universe: Population 15 years and over

Show data / Embed

#### Marital status, by sex



Show data / Embed

† Margin of error is at least  
10 percent of the total value.  
Take care with this statistic.

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

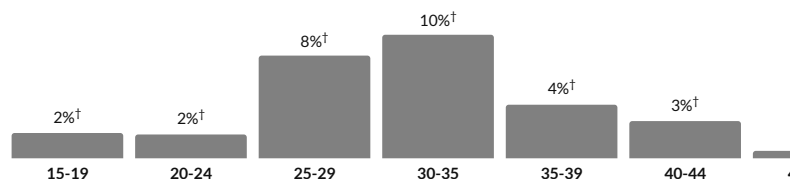
## Fertility

4.4%

Women 15-50 who gave birth during past year

about 80 percent of the rate in United States: 5.2%

### Women who gave birth during past year, by age group



\* Universe: Women 15 to 50 years

[Show data](#) / [Embed](#)

## Housing

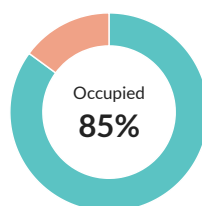
### Units & Occupancy

304,028

Number of housing units

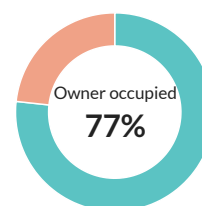
United States: 145,333,460

#### Occupied vs. Vacant



[Show data](#) / [Embed](#)

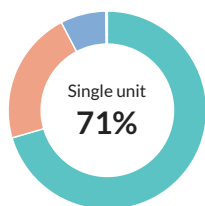
#### Ownership of occupied units



Owner occupied  
Renter occupied

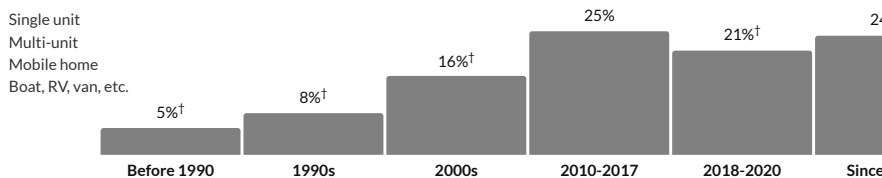
[Show data](#) / [Embed](#)

### Types of structure



[Show data](#) / [Embed](#)

### Year moved in, by percentage of population



[Show data](#) / [Embed](#)

## Value

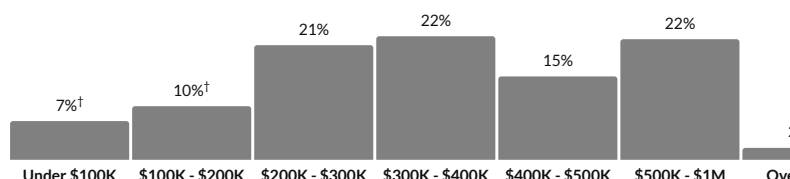
† Margin of error is at least 10 percent of the total value. Take care with this statistic.

\$356,600

Median value of owner-occupied housing units

a little higher than the amount in United States: \$340,200

### Value of owner-occupied housing units



[Show data](#) / [Embed](#)

## Geographical mobility

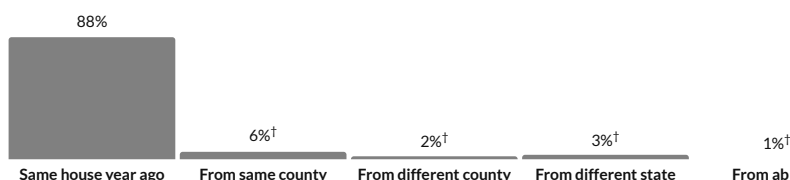
† Margin of error is at least 10 percent of the total value. Take care with this statistic.

11.9%

Moved since previous year

about the same as the rate in United States: 12.1%

### Population migration since previous year



[Show data](#) / [Embed](#)

Social

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

Educational attainment

93.9%

High school grad or higher

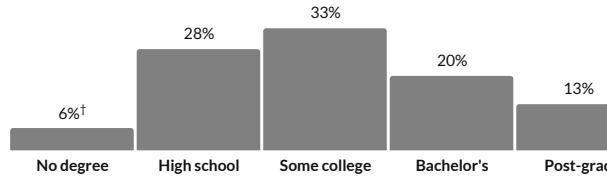
a little higher than the rate in United States: 89.8%

33%

Bachelor's degree or higher

about 90 percent of the rate in United States: 36.2%

Population by highest level of education



\* Universe: Population 25 years and over [Show data / Embed](#)

Language

N/A

Persons with language other than English spoken at home

Language at home, children 5-17  
No data available

Language at home, adults 18+  
No data available

† Margin of error is at least 10 percent of the total value. Take care with this statistic.

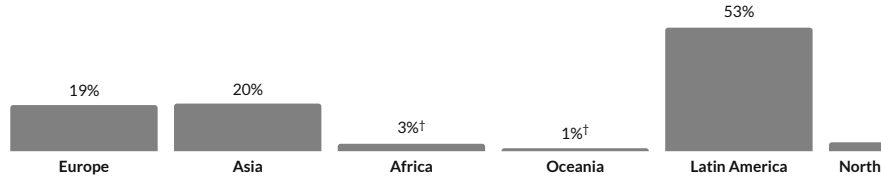
Place of birth

9.8%

Foreign-born population

about two-thirds of the rate in United States: 14.3%

Place of birth for foreign-born population



\* ACS 2023 5-year data [Show data / Embed](#)

Veteran status

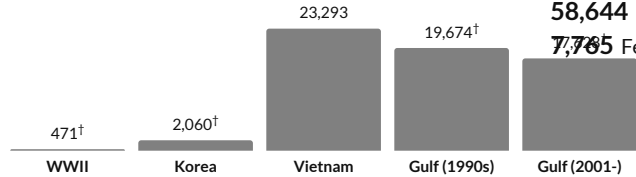
† Margin of error is at least 10 percent of the total value. Take care with this statistic.

12.6%

Population with veteran status

more than double the rate in United States: 6.1%

Veterans by wartime service



\* Civilian veterans who served during wartime only [Show data / Embed](#)

66,409 Total veterans  
58,644 Male  
7,765 Female

Hover for margins of error and contextual data.

This profile displays data from more than one ACS release. Charts not derived from ACS 2023 1-year data are noted with an \*.

**Citation:** U.S. Census Bureau (2023). *American Community Survey 1-year estimates*. Retrieved from *Census Reporter Profile page for Palm Bay-Melbourne-Titusville, FL Metro Area* <<http://censusreporter.org/profiles/31000US37340-palm-bay-melbourne-titusville-fl-metro-area/>>

**Citation:** U.S. Census Bureau (2023). *American Community Survey 5-year estimates*. Retrieved from *Census Reporter Profile page for Palm Bay-Melbourne-Titusville, FL Metro Area* <<http://censusreporter.org/profiles/31000US37340-palm-bay-melbourne-titusville-fl-metro-area/>>

---

 [Learn about the Census](#)

 [Census terms & definitions](#)

 [Help & feedback](#)

 [About Census Reporter](#)

 [@CensusReporter](#)

 [Census Reporter on GitHub](#)

Census Reporter is a free, open-source project. [Your donations](#) help us add new data to the site and keep it running.

Data on Census Reporter comes from the US Census Bureau and is not copyrighted.

Original text and data visualizations on [CensusReporter.org](#) by the Census Reporter project are licensed under [CC BY 4.0](#)  

## Sec. 4. Affordable housing development.

This section describes options and incentives for affordable housing development along with the process and approvals necessary to obtain these allowances, compliance and monitoring, and enforcement. Unless otherwise stated, terms are defined in appendix B, article II.

Affordable housing includes residential or mixed-use developments containing residential units that are occupied by households with annual incomes at or below 120 percent of the median annual income for the Palm Bay-Melbourne-Titusville Metropolitan Statistical Area. These categories include moderate-income household, low-income household and very-low-income household, as defined.

- (A) *Applicability.* A development may be considered as an affordable housing development, based upon the total number of units set aside for a qualified household.
- (1) For single-, two-, three-family, townhomes, and multi-family residential development proposed in R-1AAA, R-1AA, R-1A, R-1B, R-2 and R-3 zoning districts, at least 30 percent of the dwelling units upon completion shall be occupied by households with annual incomes at or below 120 percent of the median annual income for the Palm Bay-Melbourne-Titusville Metropolitan Statistical Area;
  - (2) For multi-family and mixed-use residential development proposed in the R-P, C-1A, C-1, C-2, C-3, C-P, C-E, M-1, and M-2, at least 40 percent of the dwelling units upon completion shall be occupied by households with annual incomes at or below 120 percent of the median annual income for the Palm Bay-Melbourne-Titusville Metropolitan Statistical Area.
  - (3) Multi-family and mixed-use residential development proposed in R-P, C-1A, C-1, C-3, and C-P zoning districts with at least 10% of the dwelling units and less than 40% of the dwelling units upon completion, shall be occupied by households with annual incomes at or below 120 percent of the median annual income for the Palm Bay-Melbourne-Titusville Metropolitan Statistical Area.
- (B) *Incentive options to develop affordable housing.* To promote affordable housing development, there are optional incentives available for the development. All options require an affordable housing use certificate. A development may utilize one or more of the applicable options.

|                                                                                                             | Zoning/Land Development Regulations for Affordable Housing | Impact Fee Deferral/Waiver | Density Bonus                                          | Live Local Act Allowances |
|-------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|----------------------------|--------------------------------------------------------|---------------------------|
| Single-Family uses in R-1AAA, R-1AA, R-1A                                                                   | Administrative Approval                                    | Administrative Approval    | N/A                                                    | N/A                       |
| Single-, Two-, Three-, and Multi-family uses in R-1B, R-2, R-3                                              | Administrative Approval                                    | Administrative Approval    | Administrative Approval                                | N/A                       |
| Live Local Act: Multi-family and mixed-use residential uses in R-P, C-1A, C-1, C-2, C-3, C-P, C-E, M-1, M-2 | Administrative Approval                                    | Administrative Approval    | N/A<br>(Allowed the highest density permitted in city) | Administrative Approval   |
| Multi-family and mixed-use residential uses not                                                             | N/A                                                        | Administrative Approval    | N/A                                                    | N/A                       |

Created: 2025-09-11 15:59:53 [EST]

|                                                    |  |  |  |  |
|----------------------------------------------------|--|--|--|--|
| meeting Live Local Act in R-P, C-1A, C-1, C-3, C-P |  |  |  |  |
|----------------------------------------------------|--|--|--|--|

(C) *Provisions for affordable housing incentive options.*

- (1) This section further describes optional incentives available for the development of affordable housing.
- (2) Use of specific zoning standards and land development regulations for affordable housing. This option is available for all zoning categories that permit residential development or provided under the Live Local Act allowance.
  - (a) The development of single-family residential infill lots and single-family residential subdivisions as affordable housing in R-1AAA, R-1AA, R-1A zoning districts shall comply with the standards located in appendix B, article V, section 2(d), Table 2A, for all dimensional standards, except for minimum living area identified in Table 1A below, setbacks identified in Table 1B below, parking identified in Table 1C below, and landscaping/amenities identified in Table 1D below.
  - (b) The development of single-, two-, three- family residential, townhomes, and multi-family, mixed-use residential affordable housing in R-1B, R-2, R-3, R-P, C-1A, C-1, C-2, C-P, C-E, M-1, M-2 zoning districts shall comply with minimum living area as identified in Table 1A below, setbacks as identified in Table 1B below, parking as identified in table 1C below, landscaping/amenities as identified in Table 1D below and dimensional standards as identified in Table 1E below.
  - (c) The development of affordable housing in C-3 zoning shall comply with the C-3 standards for lot areas, width, depth, coverage, and height identified in appendix B, article V, section 2(d), Table 2B, and the Central Business Overlay Zone identified in appendix B, article V, section 3(B), except for minimum living areas as identified in Table 1A below.

| Table 1A: Minimum Living Area |                                             |                                              |                                                      |                     |
|-------------------------------|---------------------------------------------|----------------------------------------------|------------------------------------------------------|---------------------|
|                               | Single-, Two-, Three-family, and Townhouses | Multi-family and Mixed Use (Moderate-income) | Multi-family and Mixed Use (Very-low and Low-Income) | C-3 zoning district |
| Minimum living area (sq. ft.) |                                             |                                              |                                                      |                     |
| Efficiency                    | —                                           | 400                                          | 350                                                  | 400                 |
| One-bedroom                   | 550                                         | 550                                          | 400                                                  | 500                 |
| Two-bedrooms                  | 650                                         | 650                                          | 600                                                  | 600                 |
| Three-bedrooms                | 800 <sup>1</sup>                            | 800 <sup>1</sup>                             | 750 <sup>1</sup>                                     | 800 <sup>1</sup>    |

<sup>1</sup> Plus 100 square feet for each additional bedroom.

| Table 1B: Setbacks*                  |                                             |                            |
|--------------------------------------|---------------------------------------------|----------------------------|
| Minimum setback requirements (ft.) * | Single-, Two-, Three-family, and Townhouses | Multi-family and Mixed Use |
| Front                                | 10                                          | 20                         |
| Side interior lot <sup>1</sup>       | 5                                           | 7.5                        |
| Side corner lot                      | 10                                          | 20                         |
| Rear                                 | 25                                          | 25                         |

|                                                      |     |     |
|------------------------------------------------------|-----|-----|
| Rear—abutting alley                                  | 10  | 10  |
| Minimum setback from water <sup>2</sup>              | 35  | 35  |
| Maximum building length (ft.) for townhome buildings | 200 | 200 |

\* Additional setbacks for multi-story developments (article IV, section 1(B)) shall not apply. Notwithstanding the setbacks required as noted above, new affordable housing developments requiring formal site plan approval shall provide a buffer width of no less than 30 lineal feet, along with a six-foot high 100 percent opaque fence, and vegetative landscape buffer adjacent to single-family residential uses and zoning districts. This does not apply to projects located within redevelopment districts.

<sup>1</sup> Townhome setbacks are determined between buildings; interior townhome units do not have side setback requirements.

<sup>2</sup> See setbacks to waterways appendix B, article IV, section 2.

| <b>Table 1C: Parking*</b>                                                                                                                                                                |                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| Single-family residential subdivisions and infill lots within existing residential neighborhoods:<br>Two spaces for each dwelling unit                                                   |                                    |
| Option 1:                                                                                                                                                                                |                                    |
|                                                                                                                                                                                          | Building setback from right-of-way |
| Minimum 1-car garage plus one paved parking space (10 feet x 20 feet each)                                                                                                               | 20 feet                            |
| Option 2:                                                                                                                                                                                |                                    |
| Minimum 1-car carport (paved and constructed per Florida Building Code) plus one paved parking space (10 feet x 20 feet each); plus a minimum 100-square-foot enclosed storage structure | 20 feet                            |
| Multi-family residential uses:                                                                                                                                                           |                                    |
| Efficiency or one-bedroom dwelling unit                                                                                                                                                  | One parking space each             |
| Two-bedroom dwelling units (low and very low income)                                                                                                                                     | 1.5 parking spaces each            |
| Two-bedroom dwelling units (moderate income)                                                                                                                                             | Two parking spaces each            |
| Dwelling units with more than two bedrooms                                                                                                                                               | Two parking spaces each            |
| * All other parking requirements per appendix D, chapter 9, article V.                                                                                                                   |                                    |

| <b>Table 1D: Landscaping*</b>                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Single-, two-, three-family, and townhome residential subdivisions and infill lots within existing residential neighborhoods:<br>A minimum of two trees must exist or be planted on each newly developed lot.                                                                                                                                                                                         |
| Multi-family residential uses. Perimeter landscaping shall be provided as follows:<br>1. Front and side corner: A minimum of ten feet.<br>2. Side and Rear: A minimum of ten feet, except where abutting single-family residential uses and zoning districts see footnote with Table 1B above. Where the side yard building setback is less than ten feet, the landscape area may match such setback. |
| * All other applicable landscaping requirements per Appendix D, Chapter 9, Article XV.                                                                                                                                                                                                                                                                                                                |

| <b>Table 1E: Dimensional Standards</b> |
|----------------------------------------|
|----------------------------------------|

|                                      | Single-family <sup>1</sup>                | Two-family | Three-family | Townhouses                                             | Multi-family |
|--------------------------------------|-------------------------------------------|------------|--------------|--------------------------------------------------------|--------------|
| Minimum lot area (sq. ft.)           | 5,000                                     | 8,000      | 10,000       | 1,800                                                  | 7,000        |
| Minimum lot width (ft.) <sup>2</sup> | 50                                        | 80         | 100          | 18                                                     | 70           |
| Minimum lot depth (ft.)              | 100                                       | 80         | 100          | 80                                                     | 100          |
| Maximum lot coverage (%)             | 60                                        | 60         | 60           | 60                                                     | 60           |
| Maximum height (ft.) <sup>3</sup>    | 3 floors with a maximum height of 36 feet |            |              | 4 floors with a maximum height of 48 feet <sup>4</sup> |              |

<sup>1</sup> A single-family dwelling and customary accessory building may be erected on any single platted lot of record. This provision shall apply even though such lot fails to meet the requirements for lot area or lot width, or both; provided that yard dimensions and other requirements not involving lot area or lot width, or both, shall conform to the other regulations for affordable housing development.

<sup>2</sup> If calculated a mean width, the width at the street line shall not be less than 80 percent of the required lot width except for lots on the turning circles of cul-de-sac or on the outside radius of a curve; in such cases the lot width at the street line shall be no less than 25 feet.

<sup>3</sup> See article IV, section 1, exceptions and variations to height regulations.

<sup>4</sup> Additional height may be allowed subject to conditional use approval and the standards set forth in article IV, section 1 (height regulations).

(2) *Deferral and waiver of impact fees.* This option is available for all zoning categories that permit residential development.

In order to partially or completely mitigate for potentially adverse effects on the production of affordable housing that may be due to the imposition of the applicable impact fee, the city may, as a component of approval of an affordable housing use certificate, defer payment of a percentage of the applicable impact fees according to the provisions described herein.

(a) Impact fee categories considered per this subsection.

1. Water and sewer—may only be deferred in accordance with chapter 58, article III, division 2, section 58-131 and article IV, division 2, section 58-242.
2. Mobility—may be deferred and subsequently waived in accordance with appendix D, chapter 3, article X, section 3.106.
3. Transportation—may be deferred and subsequently waived in accordance with appendix D, chapter 10, section 10.103.
4. Recreation—may be deferred and subsequently waived in accordance with appendix D, chapter 10, section 10.20(3).
5. Public facilities—may be deferred and subsequently waived in accordance with appendix D, chapter 10, section 10.43.

(b) Deferral allowances by income category.

1. Newly constructed principal residences. For the purchase of a newly constructed principal residence, the sales price or value of shall not exceed 90 percent of the median area purchase price for existing or newly constructed houses in the Palm Bay-Melbourne-Titusville Metropolitan Statistical Area

---

(MSA). The City may defer payment of the applicable impact fees imposed by this Code for any property owner that qualifies as an eligible household as set forth as follows:

- i. Moderate-income: 25 percent.
- ii. Low-income: 50 percent.
- iii. Very low-income: 100 percent.

The duration of the deferral will be as determined by the affordability period table in subsection (D) of this section. Payment of the deferred portion of the applicable impact fees shall be made in accordance with the timeframe established in the approved affordable housing use certificate. Payment of any non-deferred impact fees shall be paid prior to issuance of a certificate of occupancy for any unit.

As a condition of receiving a deferral of applicable impact fees pursuant to this subsection, the owner/developer of the newly constructed principal residence shall execute and record a land use restriction in favor of the city stating that, during the applicable affordability period and prior to payment of the deferred impact fees, any sale of the subject principal residence complies with the maximum eligible sales price, and the new owner qualifies as an eligible person or eligible household as defined in this section. Such land use restriction shall be in favor of the city in a form and substance approved by the city attorney. Said land use restriction may be released by the city upon compliance with the requirements of this section.

- 2. For an affordable housing development comprised of affordable housing rental units, the city may defer payment of the applicable impact fees imposed by this Code for any unit that qualifies as an eligible household as set forth as follows:
  - i. Moderate-income: 25 percent.
  - ii. Low-income: 50 percent.
  - iii. Very low-income: 100 percent.

The duration of the deferral will be as determined by the affordability period table in subsection (D) of this section. Payment of the deferred portion of the applicable impact fees shall be made in accordance with the timeframe established in the approved affordable housing use certificate. Payment of any non-deferred impact fees shall be paid prior to issuance of a certificate of occupancy for any unit(s).

A developer of a housing project including units dedicated to occupancy for eligible households may apply for deferral of applicable impact fees associated with such rental units. As a condition of receiving a deferral of applicable impact fees pursuant to this section, the owner/developer of the housing project shall execute and record a land use restriction in favor of the city stating that, during the applicable affordability period and prior to payment of the deferred impact fees, the owner/developer shall comply with the applicable City Code requirements for affordable housing rental units in this section. Such land use restriction shall be in favor of the city and in a form and substance approved by the city attorney. Said land use restriction may be released by the city upon compliance with the requirements of this section.

- (c) At the completion of the affordability period for low and very low-income households in compliance with this section, the applicable deferred fees may be administratively waived by the city if the development has remained in compliance with all standards within this

section. This waiver provision shall also apply to applicable, existing, approved affordable housing developments that are subject to an impact fee deferral agreement. A written waiver stating satisfaction of all affordability and City Code requirements shall be completed by the community development department.

- (3) *Density bonus.* Density bonus may only be considered for properties with R-1B, R-2, and R-3 zoning, if located within a future land use map classification that provides for a residential density.

Based upon the future land use designation on the property, the following residential units per acre (upa) could be permitted for affordable housing utilizing the 30 percent density bonus:

| Future Land Use                                                                                                                                                                                                                             | Activity Center            | Non-Affordable Housing Density Permitted | Affordable Housing Density Bonus* |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|------------------------------------------|-----------------------------------|
| Low Density Residential                                                                                                                                                                                                                     | N/A                        | 6 units per acre                         | 7.8 units per acre                |
| Medium Density Residential                                                                                                                                                                                                                  | N/A                        | 15 units per acre                        | 19.5 units per acre               |
| Mixed Use                                                                                                                                                                                                                                   | Not within Activity Center | 15 units per acre                        | 19.5 units per acre               |
| High Density Residential                                                                                                                                                                                                                    | N/A                        | 30 units per acre                        | 39 units per acre                 |
| Mixed Use                                                                                                                                                                                                                                   | MAC                        | 30 units per acre                        | 39 units per acre                 |
| * This is the maximum permitted density, utilizing the density bonus option.<br>NOTE: Properties subject to the neighborhood protection policies identified within the comprehensive plan are not eligible for a residential density bonus. |                            |                                          |                                   |

- (4) *Live Local Act allowances.* The following special development allowances may only be considered for multi-family and mixed-use residential development where at least 40 percent of the units occupied by households with annual incomes at or below 120 percent of the median annual income for the Palm Bay-Melbourne-Titusville Metropolitan Statistical Area, in the following zoning districts: R-P, C-1A, C-1, C-2, C-3, C-P, C-E, M-1, and M-2.

- (a) *Density.* The maximum density permitted shall not exceed the maximum density permitted within the city, currently 100 units per acre. However, in order to provide an optional density bonus within the C-3 zoning district above the permitted 100 units per acre, this section grants all developments within subsection (4) above a maximum density of 130 units per acre.
- (b) *Height.* The maximum height permitted is consistent with Table 1E in this section, unless the development is located within one-mile of a C-3 zoning district, which permits a maximum height of eight floors or up to 96 feet in height.
- (c) *Mixed use development requirements.* For mixed-use residential projects, at least 65 percent of the total square footage for all building area must be used for residential purposes.
- (d) The allowances within subsection (4) above are effective during the effective period of F.S. § 166.04151(7)(i).

(D) *Affordability period.*

- (1) The duration of the affordability period for an eligible affordable housing development on property zoned R-1AAA, R-1AA, R-1A, R-1B, R-2, or R-3 is outlined in the following table based upon the number of options selected for the proposed development.

|                      | Very Low Income | Low Income | Moderate Income |
|----------------------|-----------------|------------|-----------------|
| Zoning/LDR standards | 10 years        | 10 years   | 10 years        |
| Density bonus        | 30 years        | 30 years   | 30 years        |
| Impact fee deferral  | 20 years        | 20 years   | 20 years        |

The affordability period is equivalent to the cumulative years of affordability, based upon the development proposed; with a maximum timeframe of 60 years.

The affordability period for a development with a combination of units dedicated to occupancy for various income categories of eligible households will be determined based on the largest number of units serving the lowest household income category.

- (2) Development considered under the Live Local Act allowance. The duration of the affordability period for an eligible affordable housing development of multi-family and/or mixed-use residential development in the R-P, C-1A, C-1, C-2, C-3, C-P, C-E, M-1, or M-2 zoning districts is outlined in the following table based upon the number of options selected for the proposed development.

|                          | Very Low Income | Low Income | Moderate Income |
|--------------------------|-----------------|------------|-----------------|
| Live Local Act Allowance | 30 years        | 30 years   | 30 years        |
| Impact fee deferral      | 20 years        | 20 years   | 20 years        |

- (E) *Process to obtain an affordable housing use certificate.* An affordable housing use certificate includes an initial review and consideration by community development department staff for a proposed affordable housing development that meets the criteria to satisfy appendix B, article V, section 4, and provides assurance to an applicant of future development allowances for an affordable housing development.

- (1) *Pre-application conference.* The applicant is encouraged to meet with the review staff of the city to discuss affordable housing development requirements.
- (2) *Affordable housing use certificate submittal requirements.* The following must be submitted to the city:
  - (a) Completed application through the city's online citizen self-service portal.
  - (b) A narrative of the proposed development, including but not limited to the following:
    1. Property location;
    2. Property size, in acres;
    3. Type of residential development (i.e., single-, two-, three-family, single-family residential, attached or detached; multi-family residential, mixed residential, etc.);
    4. Number of residential units proposed;
    5. Whether the proposed residential units are to be owner-occupied or rental;
    6. Household income levels proposed for each unit of the development (i.e., moderate, low, very low);
    7. Building style of the proposed development (i.e., single-story or multi-story; number of building floors; townhome style; garden home style; etc.); and

- 
- (3) *Staff review.* Applications for affordable housing qualification shall be submitted to the city's citizen self-service portal for review of certification by the community development department for administrative approval. Staff shall ascertain compliance with City Codes and shall determine whether the proposed development request may be certified as affordable housing.
  - (4) *Community development department final consideration.* Community development department staff, upon review of the request, shall approve, approve with conditions, or deny the request for an affordable housing use certificate.

Specifically for certification, the following shall be determined:

- (a) Maximum permitted density;
- (b) Maximum number of units;
- (c) Type of units proposed (single-family, townhomes, multi-family, etc.);
- (d) Maximum height permitted for the development;
- (e) Household income served for each unit;
- (f) Affordability period; and
- (g) Impact fee deferral amount.

Upon certification as an affordable housing development, the applicant will then proceed with the appropriate development review process, which shall commence within a three-year period.

- (F) *Development timeframes for construction/occupancy of affordable housing development.*
  - (1) At 50 percent build-out of a project phase, 50 percent of the affordable dwelling units must be built.
  - (2) All affordable dwelling units for a particular project phase must be built at 100 percent build-out of the project phase.
  - (3) For the purposes of this paragraph, a "dwelling unit" shall be deemed to have been "built" upon the issuance of a certificate of occupancy for said dwelling unit. A "development" shall be deemed to consist of the aggregation of a number of housing units being constructed as part of a common scheme or plan of development. The number of affordable dwelling units to be completed shall be calculated for each phase of a project.
- (G) *Monitoring and compliance.* Each affordable housing development will be required to provide documents to the city showing compliance of all criteria throughout the affordability period.
  - (1) *Income restrictions and rent limitations.*
    - (a) For affordable housing developments of newly constructed single-family homes, the owner/developer shall provide income verification documentation for the new owner and sales price verification for the home purchase prior to the transfer of property.
    - (b) For affordable housing development projects with rental units, the following income restrictions and rent limitations apply:
      - 1. Income restrictions. The tenants of the eligible units shall meet the limits of the respective income categories for which those eligible units are designated. Compliance with this provision shall be documented as set forth in subsection (3) below.

- 
2. Rent limitations. Monthly tenant rent shall conform with any income or rental limitation requirements of any funding source for the affordable housing development project, or if no such requirements exist, shall not exceed the amounts as annually established by the Florida Housing Finance Corporation. If the Florida Housing Finance Corporation has not established updated amounts, the community development director is authorized to set income and rental limitation requirements for rental units. Further, monthly tenant rent shall not exceed 30 percent of the household income occupying the unit unless required by local, state, or federal funding agency for low income households or below.
- (2) *Tenant selection.* Project owner/management with rental affordable housing units must adopt and follow written tenant selection policies that:
    - (a) Restrict affordable housing units to tenant-applicants in the appropriate income category;
    - (b) Are reasonably related to the tenant-applicants' ability to perform the obligations of the lease; and
    - (c) Do not exclude a tenant-applicant with a certificate or voucher under the Section 8 tenant-based assistance for low and very-low-income households.
  - (3) *Income certification and compliance reporting.* The property owner/manager shall certify the income qualification for tenant-applicant at initial lease-up and re-certify annually thereafter for each affordable housing unit. The property owner/manager shall provide the city with annual income compliance reports to satisfy this requirement. Annual income compliance reports required by other federal or state agencies, including but not limited to, the Florida Housing Finance Corporation, the State of Florida, or housing and urban development may satisfy this requirement.
- (H) *Recordkeeping requirements.*
- (1) Affordable housing development projects with rental units shall maintain records on each affordable housing rental unit, including a copy of leases, all income verification documents and rent calculation documentation.
  - (2) Affordable housing development property owner/manager shall maintain and retain no less than the most recent five years of documentation throughout the affordability period.
  - (3) Affordable housing developers of newly constructed single-family homes shall maintain records of income verification and transfer of property documents for each property.
- (I) *Enforcement.*
- (1) Violations of the provisions of appendix B, article V, section 4, are subject to enforcement per section 1-14 of City Code and F.S. ch. 162.
  - (2) The continued eligibility for deferral or waiver of applicable impact fees requires the affordable housing development project to satisfy the affordability period and other requirements in compliance with this section. Failure to comply with those requirements requires the current property owner to pay the applicable impact fees, or be subject to enforcement pursuant to subsection (k).
  - (3) Use of specific development regulation allowances, such as density bonus, relaxed setback standards, or other, requires the affordable housing development project to satisfy the affordability period and the other applicable requirements of this section throughout the affordability period.

- 
- (4) At the end of the affordability period, projects that utilized specific incentive options per subsections (C)(1)—(3), shall have the following status:

Where a structure or associated site improvement exists by reason of the structure or site improvement being granted allowances under the zoning code or land development regulations as an affordable housing development project, and the affordable housing development project has successfully completed its affordability period, and such structure or site improvement no longer serves as an affordable housing development project, such structure or improvement may continue so long as they remain otherwise lawful, subject to the following provisions:

- (a) No such structure(s) may be enlarged or altered in a way that increases its nonconformity.
- (b) Any structure(s) or portion thereof may be altered to decrease its nonconformity.
- (c) Should such structure(s) be destroyed by any means to an extent that 100 percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Code.

This subsection (4) applies only for certain circumstances involving non-conforming affordable housing developments. For all other non-conforming uses, structures, and/or site improvements, please see appendix B, article VIII.

(Ord. No. 2023-21, § 3, 6-13-2023)