



CITY OF TITUSVILLE

PLANNING AND ZONING COMMISSION

AGENDA

Regular Meeting

August 19, 2026 - 6:00 PM

Council Chamber at City Hall

555 South Washington Avenue, Titusville, FL 32796

All persons who anticipate speaking on any Public Hearing item must fill out an Oath Card to be heard on that agenda item and sign the oath contained thereon. These cards are located on the table near the entrance to the Council Chamber or may be obtained from the Recording Secretary. This meeting will be conducted in accordance to the procedures adopted in Resolution #24-1997

Those speaking in favor of a request will be heard first, those opposed will be heard second, and those who wish to make a public comment on the item will speak third. The applicant may make a brief rebuttal if necessary. A representative from either side, for or against, may cross-examine a witness.

Anyone who speaks is considered a witness. If you have photographs, sketches, or documents that you desire for the Commission to consider, they must be submitted into evidence and will be retained by the City. Please submit such exhibits to the Recording Secretary.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. DETERMINATION OF A QUORUM

5. APPROVAL OF MINUTES

A. Minutes August 5, 2026

Approve Minutes

6. QUASI-JUDICIAL CONFIRMATION PROCEDURES

7. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

8. OLD BUSINESS

A. Zoning District Density Standards

Staff is requesting further direction from the Planning and Zoning Commission.

9. NEW BUSINESS

A. Rezoning (REZ) No. 4-2026 - Chivers Residence (527 Indian River Ave)

Consider the request.

B. Data Center Ordinance

Approve the ordinance prohibiting data centers.

This is a legislative item.

The City Council will hold public hearings on August 25, 2026 and September 8, 2026.

10. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

11. REPORTS

A. City Staff

B. City Attorney

C. Chairman

D. Members

12. ADJOURNMENT

Any person who decides to appeal any decision of the Planning and Zoning Commission with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The City desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the chairperson that the physically handicapped person desires to attend the meeting.

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Planning and Zoning Commission
From: Bradley Parrish, Community Development Director
Subject: **Minutes August 5, 2026**
Department/Office: Planning

Recommended Action:

Approve Minutes

Summary Explanation & Background:

Minutes August 5, 2026

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. 08.05.26 Minutes Draft

The Planning and Zoning Commission (P&Z) of the City of Titusville, Florida met in regular session in City Hall Council Chamber located at 555 South Washington Avenue on Wednesday August 5, 2026 at 6:00 p.m.

XXX

Chairman Dan Aton called the meeting to order at 6:00 p.m. Present were, Vice-Chairman John Scully, Member Larry Graham, Member Janay Mack-Daniel, Member L.V. “Woody” Rice and Alternate Member AnnMarie Seidler. Member Theodore Garrod, Secretary Erron Fayson and Alternate Member James Troutman were absent. Also, in attendance were Principal Planner Eddy Galindo, Assistant City Attorney David Melito and Recording Secretary Kim Amick.

XXX

Member Rice said on the discussion about the ordinance with the platting process. He stated he did not want to change the motion because that is probably what was said, but he thinks it needs to be captured that the intent was they were taking it out during the final plat process but it didn’t mean it could not be in the preliminary plan review by Planning and Zoning and City Council. He thought that was the intent of the discussion and it does not get captured in the minutes. Mr. Galindo asked for a page number.

Member Rice stated page six. Mr. Galindo stated it says where Member Garrod made a motion to approve the ordinance with the following conditions, your clarification is specific to number two. Member Rice stated yes, for number two but after that it says the Planning and Zoning Commission had further discussion on the item. He stated there was a lot of discussion and it came down to that the covenants and deed restrictions would not be reviewed during the final plat process but would probably still be reviewed in the preliminary plat by Planning and Zoning and City Council. Mr. Galindo stated they could review the minutes and the discussion from the last meeting and add to those meeting minutes if that is part of your motion.

Member Rice made motion to approve the minutes of the July 22, 2026 meeting with staff going back and looking at the discussion and make sure to capture the discussion. Member Mack-Daniel seconded. There was a unanimous voice vote in favor.

XXX

Quasi-Judicial Confirmation Procedures

XXX

Petitions and Requests from the Public Present

XXX

Old Business

None

XXX

New Business**Street Renaming (SRN) #1-2026 Ponce De Leon Drive to Curiosity Court**

Principal Planner Eddy Galindo gave an overview of this item.

Member Mack-Daniel stated in the email dated Wednesday, July 8, address to staff, it says our office has approved the following street name choices for the referenced roadway, Curiosity Court and Flightpath Court. She asked what was the determining factor for landing on Curiosity Court versus Flightpath Court. Mr. Galindo stated historical significance is one of the criteria for a street renaming you have to provide some documentation. He stated usually streets are named after people or important figures, so Flightpath did not have as much of a historic designation as Curiosity.

XXX

Member Rice made a motion to approve the Street Renaming #1-2026 from Ponce De Leon Drive to Curiosity Court. Member Mack-Daniel seconded.

Roll call was as follows:

Member Rice	Yes
Member Graham	Yes
Member Seidler	Yes
Member Mack-Daniel	Yes
Vice-Chairman Scully	Yes
Chairman Aton	Yes

Motion passed.

XXX

Ordinance No. XX-2026 – Pet Grooming in Neighborhood Commercial (NC)

Principal Planner Eddy Galindo gave an overview of this item.

Member Graham asked if this was allowed in the CC. Mr. Galindo stated yes. He stated this ordinance would simply add dog grooming as a permitted use in NC but it is allowed in other commercial zoning districts.

XXX

Vice-Chairman Scully made a motion to approve the ordinance as written. Member Graham seconded.

Roll call was as follows:

Member Graham	Yes
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Member Rice	Yes
Vice-Chairman Scully	Yes
Member Seidler	Yes
Member Mack-Daniel	Yes
Chairman Aton	Yes

Motion passed.

XXX

Ordinance No. XX-2026 – Recreational and Commercial Amusement (Indoor) Ordinance

Principal Planner Eddy Galindo gave an overview of this item.

Member Rice asked how many 10 acre sites are there in the DMU. He stated he could only think of one. Mr. Galindo stated that is correct.

Member Rice asked if this was a requested by someone. Mr. Galindo stated the condition or the ordinance.

Member Rice stated just the change to allow this in the DMU, was someone asking for this change. Mr. Galindo stated City Council not an applicant.

Member Seidler stated on page 40 there is the mixed use, DMU, Downtown, Uptown, Midtown and Civic Waterfront is limited and then to the exceptions on page 42, it says shall not be permitted in the Civic Waterfront Subdivision District. She asked if staff could give a distinction between them. Mr. Galindo stated on page 41 the beginning of those limitations, it exempts the Civic Waterfront from this CUP requirement. He stated what the ordinance is intending to do is to allow the indoor recreation and commercial amusement activities in the downtown. However, if it has 400 plus occupants then the use would require a Conditional Use Permit, a public hearing process where Planning and Zoning and Council could approve some conditions. He stated the reason why the Waterfront District is not included as one of the options is because there are no properties that would meet those limitations. He stated the Waterfront would still allow commercial indoor amusement, just not the CUP for such a large facility, the 400 plus.

Chairman Aton asked if the 10-acre requirement triggers the CUP, it is not a requirement of the ordinance that a 10-acre parcel is required to be a permitted use. Mr. Galindo stated correct, the CUP requirement and the 10-acre requirement are only for facilities that would have more than 400 occupants.

XXX

Vice-Chairman Scully made a motion to approve the ordinance as written. Member Rice seconded.

Roll call was as follows:

Member Mack-Daniel	Yes
Member Rice	Yes

Member Graham	Yes
Vice-Chairman Scully	Yes
Member Seidler	Yes
Chairman Aton	Yes

Motion passed.

XXX

Petitions & Requests from the Public Present
None

XXX

Reports
None

XXX

Adjournment 6:19 pm.

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Planning and Zoning Commission
From: Thomas Abbate, City Manager
Subject: **Zoning District Density Standards**
Department/Office: Planning

Recommended Action:

Staff is requesting further direction from the Planning and Zoning Commission.

Summary Explanation & Background:

During the May 6, 2026 regular Planning and Zoning Commission meeting the Commission recommended that City Council direct staff to remove the maximum density standards from the zoning districts and allow the Comprehensive Plan to regulate density.

On July 14, 2026, City Council did not approve the Planning and Zoning Commission recommendation and instead directed staff to align the maximum density standards in the zoning districts with those in the City's Comprehensive Plan.

Enclosed is Comprehensive Plan Future Land Use Element Policy 1.21.1 regarding residential densities in the future land use categories. Also enclosed are the zoning district standards with residential densities.

Staff is requesting further direction from the Planning and Zoning Commission.

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. Comprehensive Plan Future Land Use Element Policy_1.21.1 Densities
2. ZONING_DISTRICT_STANDARDS_Densities

Comprehensive Plan Future Land Use Element Policy 1.21.1:

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

Land Use	Objective	Density ⁴ (Residential Use)	Intensity ⁴ (Non-Residential Use)
Industrial	1.8	n/a	1.0 FAR ²
Planned Industrial Park	1.8	n/a	1.5 FAR ²
Commercial High Intensity	1.9	n/a	1.0 FAR ²
Commercial Low Intensity	1.9	n/a	1.0 FAR ²
Downtown Mixed Use	1.10	20 du/acre; 30 du/acre In the Downtown Sub-district & Uptown Sub-district.	5.0 FAR ²
Urban Mixed Use	1.11	15 du/acre	1.0 FAR ²
Shoreline Mixed Use	1.12	20 du/acre	1.0 FAR ²
Residential One	1.14	1 du/acre	.2 FAR ²
Residential Two	1.14	2 du/acre	.2 FAR ²
Low Density Residential	1.14	5 du/acre	.2 FAR ²
Medium Density Residential	1.14	10 du/acre	.2 FAR ²
High Density Residential	1.14	15 du/acre	.2 FAR ²
Public/Semi-public	1.15	n/a	.2 FAR ²
Conservation	1.16	1 du/5 acres	n/a
Planned Unit Development	1.19	12 du/acre	.2 FAR ²
Regional Mixed Use ¹	1.20	Policy 1.20.2	Policy 1.20.2

¹ Density/Intensity standards for Regional Mixed Use are contained in Objective 1.20, Policy 1.20.2.

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

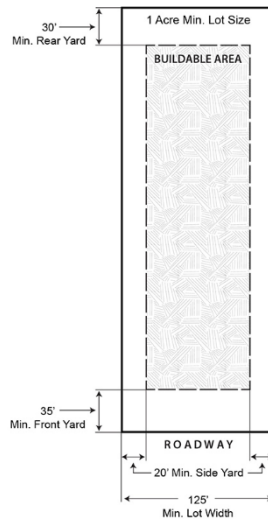
³ The density in this category may be increased by fifty (50) percent when using Transfer of Development Rights as specified in Policy 2, Strategy 3.

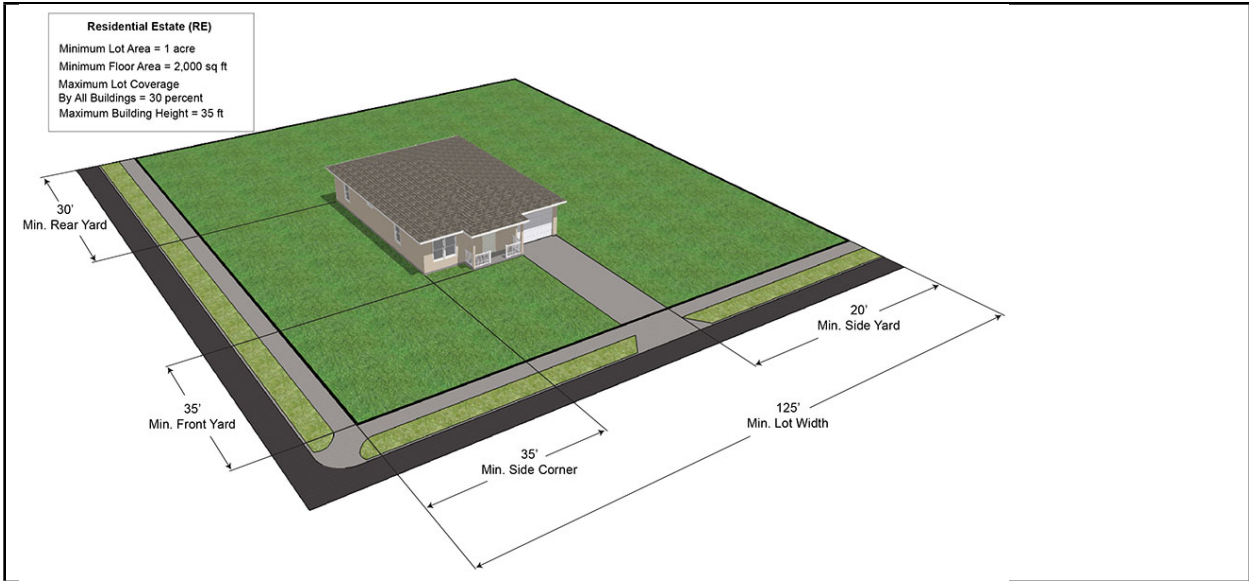
⁴ Maximums unless approved through density or intensity bonuses as described in Strategies 1.10.2.5 and 1.24.3.2. (Ord. 11-2018, 2/27/2018; Ord. No. 34-2024, § 3, 10/15/2024)

ARTICLE VI. ZONING DISTRICT STANDARDS

Sec. 28-301. Residential Estate (RE).

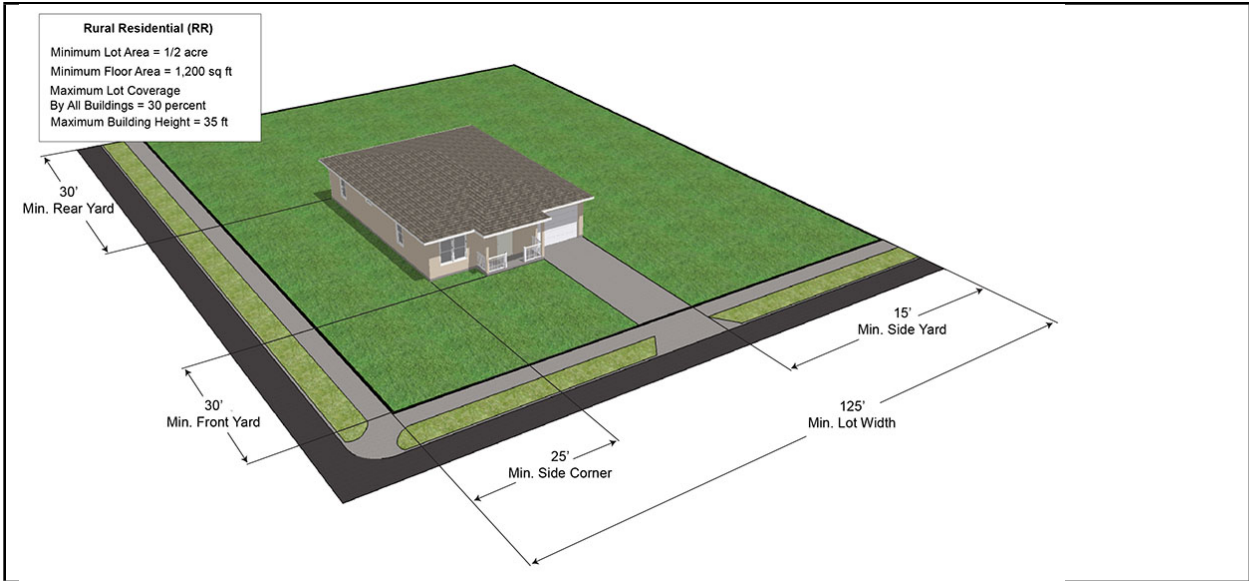
Residential Estate (RE)	
(a) <i>Purpose.</i>	
The Residential Estate (RE) district is intended to provide for low-density large lot estate type development of one (1) acre or larger in size. Certain structures and uses that will serve governmental, religious, and other immediate needs of such areas are permissible as permitted or conditional uses subject to all restrictions necessary to preserve and protect the low density character of the district.	
(b) <i>Use Standards Typical Lot Pattern</i>	
See Chapter 28 Article IV and Article V	
(c) <i>Intensity and Dimensional Standards</i>	
Lot area, minimum (sq. ft.)	43,560
Lot width, minimum (ft.)	125
Density, maximum (du/ac)	1
Floor area per dwelling unit, minimum (sq. ft.)	2,000
Building coverage, maximum (% of lot area)	30
Lot coverage, maximum (% of lot area)	NA
Height, maximum (ft.)	35
Front yard setback, minimum (ft.)	35
Side corner yard setback, minimum (ft.)	35
Interior side yard setback, minimum (ft.)	20
Rear yard setback, minimum (ft.)	30
Accessory Use Development Standards	See Chapter 28 - Article VII
NOTES:	
<i>Typical Development Configuration (For illustrative purposes only)</i>	



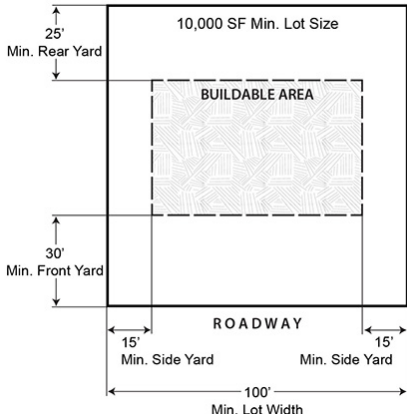


Sec. 28-302. Rural Residential (RR).

Rural Residential (RR)	
(a) Purpose	
The Rural Residential district (RR) is intended to provide for low-density large lot development of one-half (0.5) acre or larger in size. Certain structures and uses that will serve governmental, religious, recreational, and other immediate needs of such areas are permissible as permitted or conditional uses subject to all restrictions necessary to preserve and protect the low density character of this district.	
(b) Use Standards	Typical Lot Pattern
See Chapter 28 Article IV and Article V	
(c) Intensity and Dimensional Standards	
Lot area, minimum (sq. ft.)	21,780
Lot width, minimum (ft.)	125
Density, maximum (du/ac)	2
Floor area per dwelling unit, minimum (sq. ft.)	1,200
Building coverage, maximum (% of lot area)	30
Lot coverage, maximum (% of lot area)	NA
Height, maximum (ft.)	35
Front yard setback, minimum (ft.)	30
Side corner yard setback, minimum (ft.)	25
Interior side yard setback, minimum (ft.)	15
Rear yard setback, minimum (ft.)	30
Accessory Use Development Standards	See Chapter 28 Article VII
NOTES:	
Typical Development Configuration (For illustrative purposes only)	



Sec. 28-303. Single-Family Low Density (R-1A).

Single-Family Low Density (R-1A)		
(a) Purpose		
The Single-Family Low Density (R-1A) district is established as a designation for the principal use of low-density single-family dwellings of spacious character together with certain structures and uses that are compatible with property in the district. It is further intended that governmental religious, recreational and other immediate needs of this district are served while the existing development of this character is protected.		
(b) Use Standards	Typical Lot Pattern 	
See Chapter 28 Article IV and Article V		
(c) Intensity and Dimensional Standards		
Lot area, minimum (sq. ft.)		10,000
Lot width, minimum (ft.)		100
Density, maximum (du/ac)		4.3
Floor area per dwelling unit, minimum (sq. ft.)		1,200
Building coverage, maximum (% of lot area)		35
Lot coverage, maximum (% of lot area)		NA
Height, maximum (ft.)		35
Front yard setback, minimum (ft.)		30
Side corner yard setback, minimum (ft.)		25
Interior side yard setback, minimum (ft.)		15
Rear yard setback, minimum (ft.)		25
Accessory Use Development Standards		See Chapter 28 Article VII
NOTES:		
Typical Development Configuration (For illustrative purposes only)		



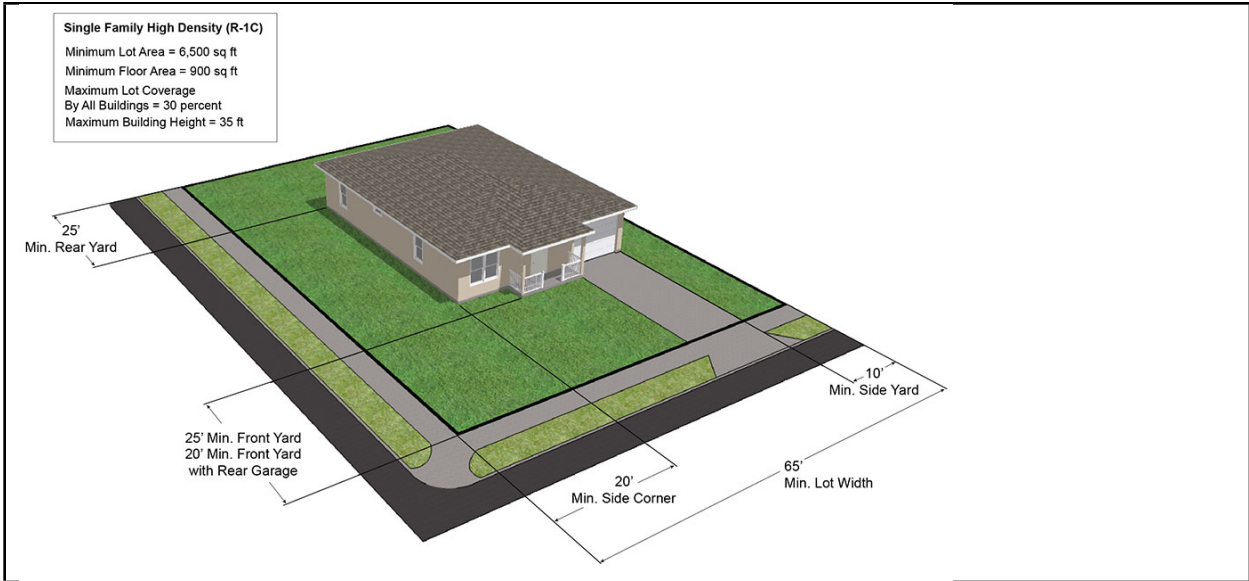
Sec. 28-304. Single-Family Medium Density (R-1B).

Single-Family Medium Density (R-1B)	
(a) Purpose	
The Single-Family Medium Density (R-1B) district is designed as a district for the principal use of medium-density single-family dwellings. The purpose of the district is to promote orderly and proper development of single-family residential units together with certain structures and uses that are compatible with property in the district. It is further intended that governmental, religious, recreation and other immediate needs of this district are served while a quality environment is provided for the residents of this designation and City.	
(b) Use Standards	Typical Lot Pattern
See Chapter 28 Article IV and Article V	
(c) Intensity and Dimensional Standards	
Lot area, minimum (sq. ft.)	7,500
Lot width, minimum (ft.)	75
Density, maximum (du/ac)	5.8
Floor area per dwelling unit, minimum (sq. ft.)	1,200
Building coverage, maximum (% of lot area)	35
Lot coverage, maximum (% of lot area)	NA
Height, maximum (ft.)	35
Front yard setback, minimum (ft.)	25
Side corner yard setback, minimum (ft.)	20
Interior side yard setback, minimum (ft.)	10
Rear yard setback, minimum (ft.)	25
Accessory Use Development Standards	See Chapter 28 Article VII
NOTES:	
Typical Development Configuration (For illustrative purposes only)	

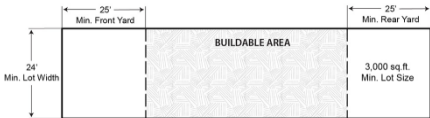
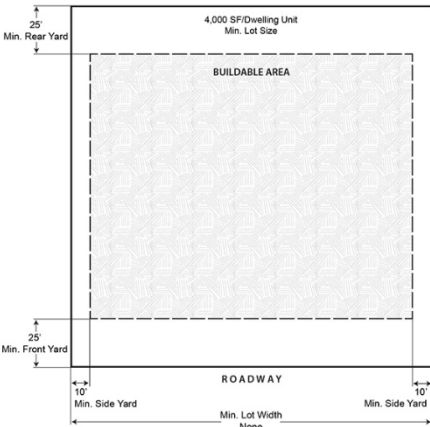


Sec. 28-305. Single-Family High Density (R-1C).

Single-Family High Density (R-1C)		
(a) Purpose		
The Single-Family High Density (R-1C) district is established as a designation for the principal use of high-density single-family dwellings. The purpose of this district is to promote stable quality residential development at slightly increased densities together with certain structures and uses that are compatible with property in the district. It is further intended that governmental, religious, recreational and other immediate needs of this district are served while a quality environment is provided for the residents of the designation and City. This district provides the transition between single-family densities and higher density development.		
(b) Use Standards	Typical Lot Pattern	
See Chapter 28 Article IV and Article V	6,500 SF Min. Lot Size 25' Min. Rear Yard BUILDABLE AREA 25' Min. Front Yard ROADWAY 10' Min. Side Yard 10' Min. Side Yard 65' Min. Lot Width	
(c) Intensity and Dimensional Standards		
Lot area, minimum (sq. ft.)		6,500
Lot width, minimum (ft.)		65
Density, maximum (du/ac)		6.7
Floor area per dwelling unit, minimum (sq. ft.)		900
Building coverage, maximum (% of lot area)		35
Lot coverage, maximum (% of lot area)		NA
Height, maximum (ft.)		35
Front yard setback, minimum (ft.)		25 ¹
Side corner yard setback, minimum (ft.)		20
Interior side yard setback, minimum (ft.)		10
Rear yard setback, minimum (ft.)	25	
Accessory Use Development Standards	See Chapter 28 Article VII	
NOTES: ¹ Front setback with rear garage reduced to 20 feet.		
Typical Development Configuration (For illustrative purposes only)		



Sec. 28-306. Multifamily Medium Density Residential (R-2).

Multifamily Medium Density Residential (R-2)		
(a) Purpose		
The Multifamily Medium Density Residential (R-2) district is intended to allow the erection of a variety of housing types at a maximum density of nine (9) units per acre. This district is designed to allow development adjacent to arterial or collector streets and is well served by public services and facilities. When adjacent to R-1 zoning districts, the development within this district shall be designed carefully to provide maximum compatibility with adjacent development by proper architectural design, landscaping, screening and parking.		
(b) Use Standards		Typical Lot Pattern
See Chapter 28 Article IV and Article V		
(c) Intensity and Dimensional Standards		
Lot area, minimum (sq. ft.)	Townhomes: 3,000 Multifamily: 4,000 per DU	
Lot width, minimum (ft.)	Townhomes: 24 Multifamily: None	
Density, maximum (du/ac)	9	
Floor area per dwelling unit, minimum (sq ft)	Townhomes: 800 Multifamily: Efficiency - 600 1 Bedroom - 700 2 Bedroom - 800 3 Bedroom 900	
Building coverage, maximum (% of lot area)	50	
Lot coverage, maximum (% of lot area)	NA	
Height, maximum (ft.)	35	
Front yard setback, minimum (ft.)	25	
Side corner yard setback, minimum (ft.)	20	
Interior side yard setback, minimum (ft.)	10 ¹	

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Rear yard setback, minimum (ft.)	25	
Accessory Use Development Standards	See Chapter 28 Article VII	

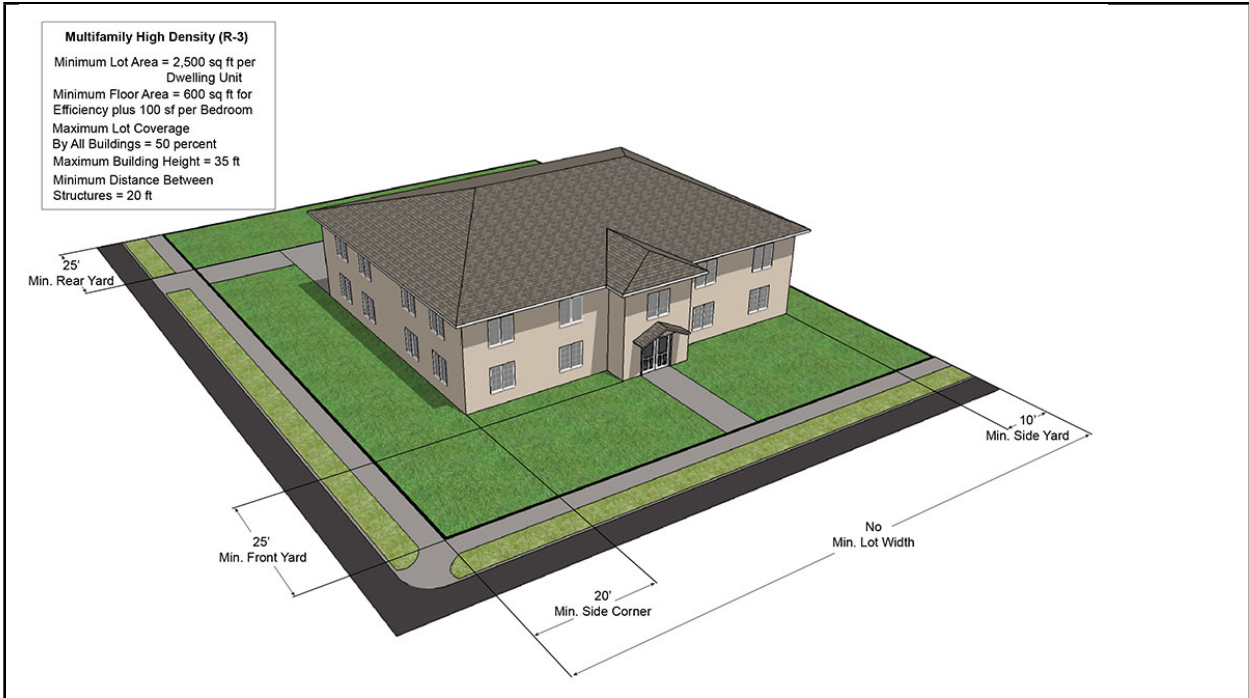
NOTES:

- Townhome and Multifamily developments shall have a minimum distance between structures of 20 feet.
- A maximum of six (6) dwelling units shall be allowed in a building group of townhouse units.
- Staggered setbacks are encourage to lessen the straight row effect.

¹ For properties meeting one of the specified characteristics described in Comprehensive Plan Future Land Use Element Policy 1.7.7 for infill development, and where the required building setbacks established in this section are less than that required by Chapter 30, Development standards, Article III, Improvements, Division 10, Landscaping, the required landscape yard may be reduced to be consistent with the building setback regulations in this section.

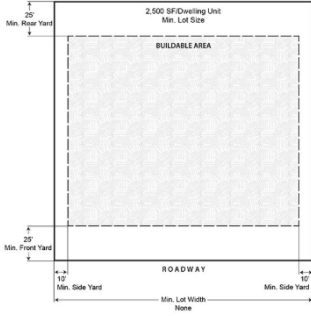
Typical Development Configuration (For illustrative purposes only)





(Ord. No. 1-2025, § 2, 1-14-25)

Sec. 28-307. Multifamily High Density Residential (R-3).

Multifamily High Density Residential (R-3)		
(a) Purpose		
The Multifamily High Density Residential (R-3) district is intended to allow the development of a variety of housing types at a maximum density of fifteen (15) units per acre. This district is further intended to satisfy the need for a high concentration of population, is located adjacent to arterial or collector streets and is well served by public services and facilities. When adjacent to R-1 zoning districts, the development within the district shall be designed carefully to provide maximum compatibility with adjacent development by proper architectural design, landscaping, screening, and parking.		
(b) Use Standards		Typical Lot Pattern
See Chapter 28 Article IV and Article V		
(c) Intensity and Dimensional Standards		
Lot area, minimum (sq. ft.)	Townhomes: 2,000 Multifamily: 2,500 per DU	
Lot width, minimum (ft.)	Townhomes: 20 Multifamily: None	
Density, maximum (du/ac)	15	
Floor area per dwelling unit, minimum (sq. ft.)	Townhomes: 800 Multifamily: Efficiency - 600 1 Bedroom - 700 2 Bedroom - 800 3 Bedroom - 900	
Building coverage, maximum (% of lot area)	50	
Lot Coverage, maximum (% of lot area)	NA	
Height, maximum (ft.)	35	
Front yard setback, minimum (ft.)	25 ^{1, 2}	
Side corner yard setback, minimum (ft.)	20 ²	
Interior side yard setback, minimum (ft.)	10 ^{2, 3}	

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(Supp. No. 18)

Rear yard setback, minimum (ft.)	25 ^{1, 2}	
Accessory Use Development Standards	See Chapter 28 Article VII	

NOTES:

- Townhouse and Multifamily developments shall have a minimum distance between structures of 20 feet.
- A maximum of six (6) dwelling units shall be allowed in a building group of townhouse units.
- Staggered setbacks are encourage to lessen the straight row effect.
- Multifamily units shall contain a private storage area of thirty-two (32) square feet per unit.

² For townhome developments, see Section 30-151, Projections.

³ For properties meeting one of the specified characteristics described in Comprehensive Plan Future Land Use Element Policy 1.7.7 for infill development, and where the required building setbacks established in this section are less than that required by Chapter 30, Development standards, Article III, Improvements, Division 10, Landscaping, the required landscape yard may be reduced to be consistent with the building setback regulations in this section. "Where a landscape yard is reduced consistent with this footnote, a visual screen as described in Section 30-339 shall be provided."

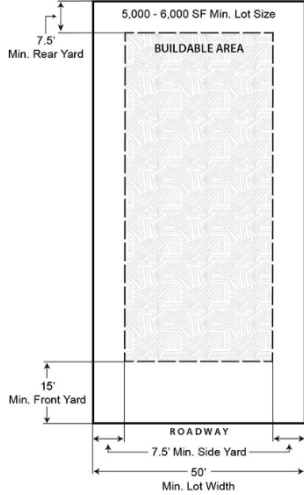
Typical Development Configuration (For illustrative purposes only)

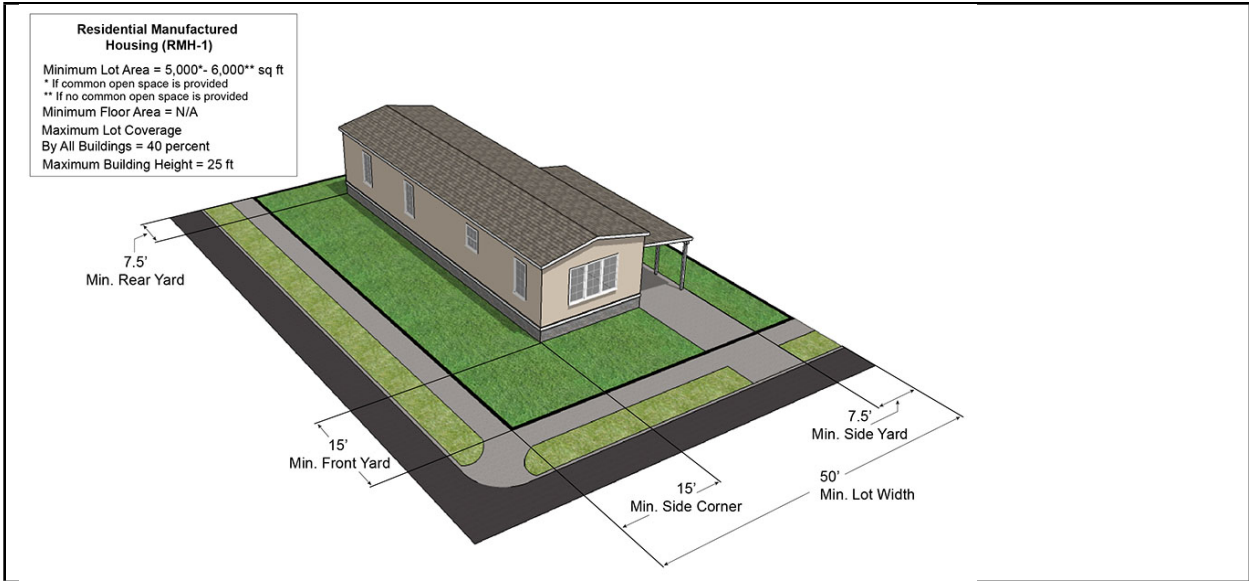




(Ord. No. 53-2018, § 1, 11-13-17; Ord. No. 1-2025, § 3, 1-14-25)

Sec. 28-308. Residential Manufactured Housing (RMH-1).

Residential Housing (RMH-1)		
(a) Purpose		
The Residential Manufactured Housing (RMH-1) district is established to allow for the suitable development of mobile homes and manufactured housing subdivisions platted in accordance with the subdivision regulations of the Land Development Regulations. Manufactured housing subdivisions shall be developed at a maximum density of six (6) units per acre and shall be located, designed and improved to provide a desirable residential living environment, protection from potentially adverse neighboring influences, protection for adjacent residential properties and access for vehicular traffic without traversing minor streets in adjoining residential neighborhoods. It is the further intent to declare that the mixing of manufacturing housing and conventional dwellings in the same development may potentially produce mutual incompatibility for both types of dwellings. To that end, manufactured housing shall be developed in residential manufactured housing subdivisions.		
(b) Use Standards	Typical Lot Pattern	
See Chapter 28 Article IV and Article V		
(c) Intensity and Dimensional Standards		
Lot area, minimum (sq. ft.)		5,000
Lot width, minimum (ft.)		50
Density, maximum (du/ac)		6
Floor area per dwelling unit, minimum (sq. ft.)		None
Building coverage, maximum (% of lot area)		40
Lot coverage, maximum (% of lot area)		NA
Height, maximum (ft.)		25
Front yard setback, minimum (ft.)		15
Side corner yard setback, minimum (ft.)		15
Interior side yard setback, minimum (ft.)		7.5
Rear yard setback, minimum (ft.)	7.5	
Accessory Use Development Standards	See Chapter 28 Article VII	
NOTES:		
Typical Development Configuration (For illustrative purposes only)		



Sec. 28-309. Residential Manufactured Housing Park (RMH-2).

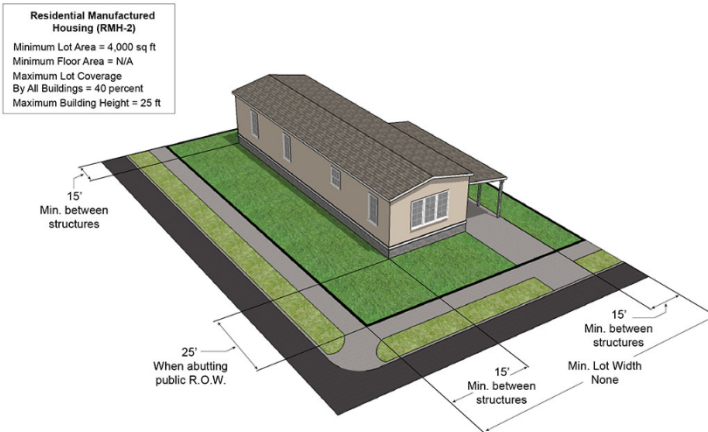
Residential Manufactured Housing Park (RMH-2)	
<i>(a) Purpose</i>	
The Residential Manufactured Housing Park (RMH-2) district is created to provide for the suitable development of mobile homes and manufactured housing in a parklike setting. Such manufactured housing communities shall be developed at a maximum density of eight (8) units per acre and shall be located, designed and improved to provide a desirable residential living environment, protection from substantially adverse neighboring influences, protection for adjacent residential properties and access for vehicular traffic without traversing minor streets in adjoining residential neighborhoods. It is the further intent to declare that the mixing of manufacturing [manufactured] housing and conventional dwellings in the same development may potentially provide mutual incompatibility for both types of dwellings. Therefore, manufactured housing shall be developed in a parklike setting. Accommodation for travel trailer parks as a conditional use shall be provided within this designation.	
<i>(b) Use Standards</i>	<i>Typical Lot Pattern</i>
See Chapter 28 Article IV and Article V	
<i>(c) Intensity and Dimensional Standards</i>	
Lot area, minimum (sq. ft.)	
Lot width, minimum (ft.)	
Density, maximum (du/ac)	
Floor area per dwelling unit, minimum (sq. ft.)	
Building coverage, maximum (% of lot area)	
Lot coverage, maximum (% of lot area)	
Height, maximum (ft.)	
Front yard setback, minimum (ft.)	
Side corner yard setback, minimum (ft.)	
Interior side yard setback, minimum (ft.)	
Rear yard setback, minimum (ft.)	
Accessory Use Development Standards	See Chapter 28 Article VII, Section 28-8(c)8, Porches, cabanas, awnings and accessory structures

NOTES:

¹ When abutting a public Right-of-Way.

² Minimum distance between structures.

Typical Development Configuration (For illustrative purposes only)



(d) Additional Standards

(1) Minimum open space - See Chapter 30, Development Standards, Article II, Improvements, Division 3, Open Space

(Ord. No. 34-2018, § 2, 7-24-18)

Sec. 28-310. Residential Historic Preservation (RHP).

Residential Historic Preservation (RHP)	
(a) Purpose	
The Residential Historic Preservation (RHP) district is established as a special district to protect the substantial public interest of the unique downtown residential area along the Indian River that is of great historical and aesthetic importance and should be preserved for future generations. The intent of this district is to preserve the character and harmony of the district. It is further intended that the district be in accord with and promote the purposes set forth in the Comprehensive Plan.	
(b) Use Standards	Typical Lot Pattern
See Chapter 28 Article IV and Article V	
(c) Intensity and Dimensional Standards	
Lot area, minimum (sq. ft.)	7,500
Lot width, minimum (ft.)	75
Density, maximum (du/ac)	5.8
Floor area per dwelling unit, minimum (sq. ft.)	1,300
Building coverage, maximum (% of lot area)	35
Lot coverage, maximum (% of lot area)	NA
Height, maximum (ft.)	35
Front yard setback, minimum (ft.)	25
Side corner yard setback, minimum (ft.)	20
Interior side yard setback, minimum (ft.)	10
Rear yard setback, minimum (ft.)	25
Accessory Use Development Standards	See Chapter 28 Article VII
NOTES:	
Typical Development Configuration (For illustrative purposes only)	



Hospital Medical (HM)		
(a) Purpose		
The Hospital Medical (HM) district is created to provide a protective area for the harmonious development of health care facilities and accessory services convenient to arterial streets. The district is intended to be protected from encroachment by land uses that are incompatible to the location, operation and expansion of medical facilities development.		
(b) Use Standards		Typical Lot Pattern
See Chapter 28 Article IV and Article V		
(c) Intensity and Dimensional Standards		
Lot area, minimum (sq. ft.)	21,780	
Lot width, minimum (ft.)	100	
Density, maximum (du/ac)	NA	
Floor area per dwelling unit, minimum (sq. ft.)	NA	
Building coverage, maximum (% of lot area)	50	
Lot coverage, maximum (% of lot area)	None	
Height, maximum (ft.)	None	
Front yard setback, minimum (ft.)	25 ¹	
Side corner yard setback, minimum (ft.)	15 ²	
Interior side yard setback, minimum (ft.)	10 ²	

The diagram illustrates a typical lot pattern for the Hospital Medical (HM) district. It shows a rectangular lot with a minimum width of 100 feet. The lot is divided into a central 'BUILDABLE AREA' and three setback zones: a 10-foot minimum rear yard, a 25-foot minimum front yard, and a 10-foot minimum side yard. The buildable area is labeled '21,780 SF Min. Lot Size'. The lot is situated adjacent to a 'ROADWAY'.

Rear yard setback, minimum (ft.)	10 ²	
Accessory Use Development Standards	See Chapter 28 Article VII	

NOTES:

¹ Plus one (1) foot for each foot of building height over thirty-five (35) feet.

² Plus one (1) foot for every two (2) feet of building height over thirty-five (35) feet.

Typical Development Configuration (For illustrative purposes only)

Hospital Medical (HM)

Minimum Lot Area = 21,780 sq ft

Maximum Lot Coverage = 50 percent

Maximum Building Height = None*

* Minimum front yard increased by 1 foot for each 1 foot of building height over 35 feet.

* Minimum side yard increased by 1 foot for each 2 feet of building height over 35 feet.

10' Min. Rear Yard

10' Min. Side Yard*

100' Min. Lot Width

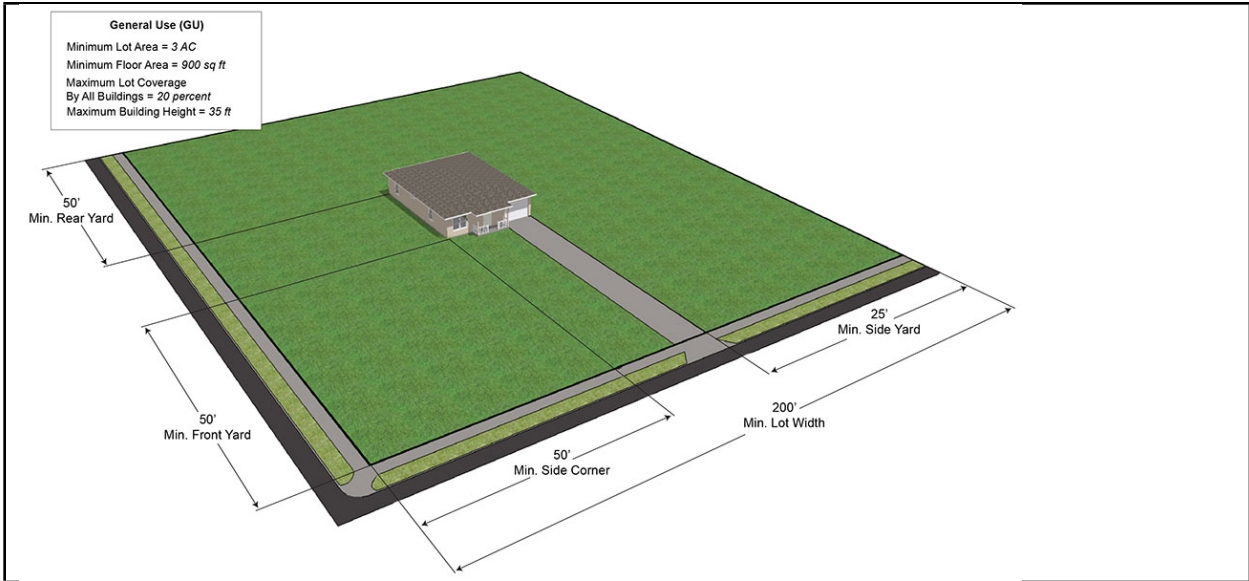
25' Min. Front Yard*

15' Min. Side Corner*

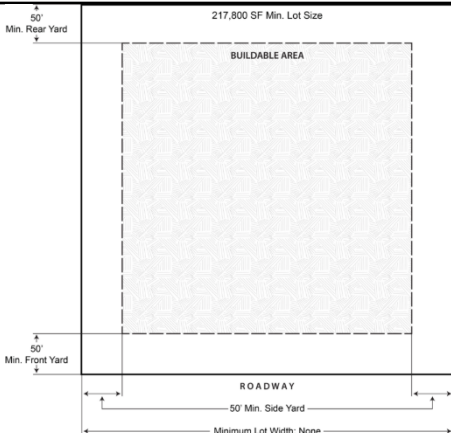
(Ord. No. 14-2019, § 1, 5-14-19)

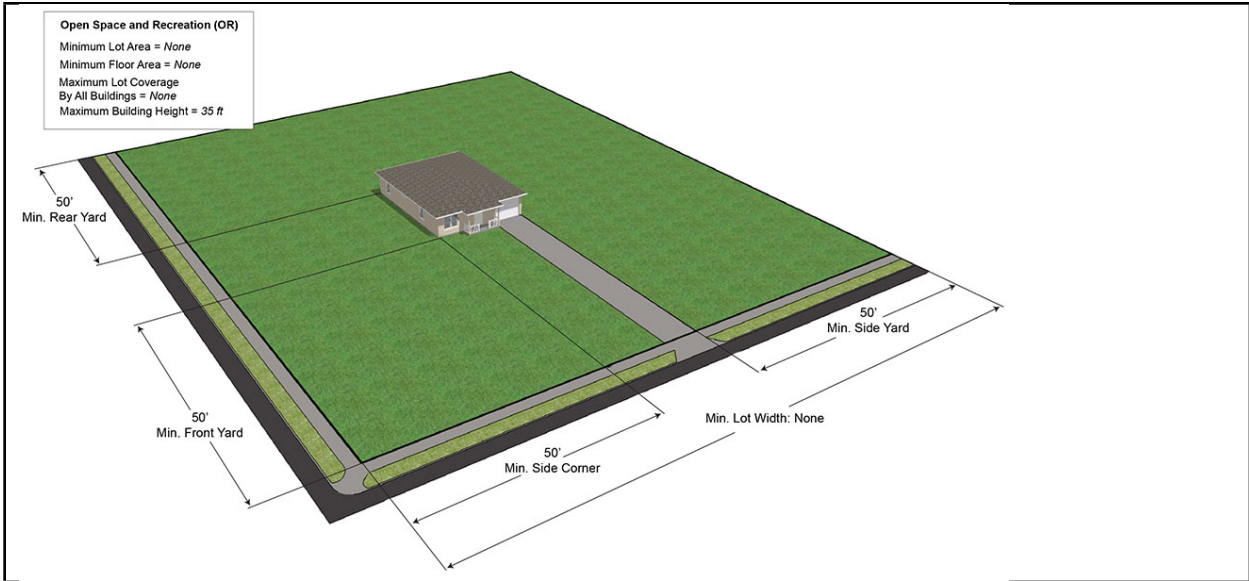
Sec. 28-321. General Use (GU).

General Use (GU)		
(a) Purpose		
The General Use (GU) District is created to apply to areas where urban services are not presently available. The regulations for this district are intended to retain these lands under this designation pending the proper timing of economical provision of public services and facilities to ensure orderly development. It is further intended that this district will implement the goals, objectives, and policies of the Comprehensive Plan.		
(b) Use Standards		Typical Lot Pattern
See Chapter 28 Article IV and Article V		130,680 SF Min. Lot Size 50' Min. Rear Yard BUILDABLE AREA 50' Min. Front Yard ROADWAY 25' Min. Side Yard 200' Min. Lot Width
(c) Intensity and Dimensional Standards		
Lot area, minimum (sq. ft.)	130,680 (3 ac)	
Lot width, minimum (ft.)	200	
Density, maximum (du/ac)	1du/3ac	
Floor area per dwelling unit, minimum (sq. ft.)	900	
Building coverage, maximum (% of lot area)	20	
Lot coverage, maximum (% of lot area)	None	
Height, maximum (ft.)	35	
Front yard setback, minimum (ft.)	50	
Side corner yard setback, minimum (ft.)	50	
Interior side yard setback, minimum (ft.)	25	
Rear yard setback, minimum (ft.)	50	
Accessory Use Development Standards	See Chapter 28 Article VII	
NOTES:		
Typical Development Configuration (For illustrative purposes only)		



Sec. 28-322. Open Space and Recreation (OR).

Open Space and Recreation (OR)		
(a) Purpose		
The Open Space and Recreation (OR) District is established to provide for the conservation and protection of sensitive lands within the City. It is intended that this district will not function as a holding designation for land but rather a permanent classification in order to ensure that present and future residents of the City are able to enjoy the benefits of the natural environment of the City. It is further intended that the district will implement the goals, objectives and policies of the Comprehensive Plan.		
(b) Use Standards	Typical Lot Pattern	
See Chapter 28 Article IV and Article V		
(c) Intensity and Dimensional Standards		
Lot area, minimum (sq. ft.)	None	
Lot width, minimum (ft.)	None	
Density, maximum (du/ac)	1du/5ac ¹	
Floor area per dwelling unit, minimum (sq. ft.)	None	
Building coverage, maximum (% of lot area)	None	
Lot coverage, maximum (% of lot area)	None	
Height, maximum (ft.)	35	
Front yard setback, minimum (ft.)	50	
Side corner yard setback, minimum (ft.)	50	
Interior side yard setback, minimum (ft.)	50	
Rear yard setback, minimum (ft.)	50	
Accessory Use Development Standards	See Chapter 28 Article VII	
NOTES:		
¹ Single-family homes in wetlands must obtain a Conditional Use Permit prior to construction as required in Section 28-80, Single-family dwellings (detached).		
Typical Development Configuration (For illustrative purposes only)		



(Ord. No. 16-2023, § 4, 3-14-23)

Sec. 28-323. Public (P).

28-323 Public (P)	
<i>(a) Purpose</i>	
The Public (P) District is established as a special district to protect the substantial public interest of real property owned and used by any governmental entity including local, state or federal government units, or for publicly owned real property being utilized by non-profit or other non-governmental organizations for the public welfare. This district is not intended to be applied to privately owned land that is used by government units. This district is not intended to be applied to land that is used by governmental entities on an easement or leased basis if title to the land is in private ownership. It is not the intent to classify all lands owned by government into this district but only those lands particularly and peculiarly related to the public welfare. It is intended that the district be utilized for mapping purposes and to be in accord with and promote the purposes set forth in the Comprehensive Plan.	
<i>(b) Use Standards</i>	
See Chapter 28 Article IV and Article V	
<i>(c) Intensity and Dimensional Standards</i>	
Lot area, minimum (sq. ft.)	None
Lot width, minimum (ft.)	None
Density, maximum (du/ac)	1 per 3 acres as accessory to permitted principal uses
Floor area per dwelling unit, minimum (sq. ft.)	NA
Building coverage, maximum (% of lot area)	None
Lot coverage, maximum (% of lot area)	None
Height, maximum (ft.)	None
Front yard setback, minimum (ft.)	None
Side corner yard setback, minimum (ft.)	None
Interior side yard setback, minimum (ft.)	None
Rear yard setback, minimum (ft.)	None
Accessory Use Development Standards	See Chapter 28 Article VIII
NOTES:	

(Ord. No. 41-2025, § 6, 11-25-25)

Sec. 28-325. Urban Mixed-Use (UMU).

Urban Mixed-Use (UMU)	
(a) <i>Purpose</i>	
The Urban Mixed-Use (UMU) district is [a] special district to be applied [to] the area north of Pine Street, west of the Florida East Coast Railroad, and east of Park Avenue intended to create a walkable, pedestrian-friendly environment allowing a mixing of both residential and commercial uses. Properties within this zoning district are intended to allow a mix of residential and commercial land uses, while ensuring adequate buffers/screening between property uses of differing intensities. These regulations are intended to encourage mixed-use development that capitalizes on the opportunities of the Coast-to-Coast trail and proximity to the City's downtown and provides flexibility in development standards. It is also intended to recognize the existing industrial businesses as permitted uses, while prohibiting the establishment of new industrial uses.	
(b) <i>Use Standards</i>	
See Chapter 28 Article IV and Article V	
(c) <i>Intensity and Dimensional Standards</i>	
Lot area, minimum (sq. ft.)	Commercial: 4,000 Single-Family: 4,000 Multifamily (2 units): 1,500 per dwelling unit Multifamily (>2 units): 1,500 per dwelling unit
Lot width, minimum (ft.)	Commercial: 40 Single-Family: 40 Multifamily (2 units): 20 Multifamily (>2 units): one
Density, maximum (du/ac)	Commercial: 0.2 FAR (Floor Area Ratio) Single-Family: 15 Multifamily (2 units): 15 Multifamily (>2 units): 15
Floor area per dwelling unit, minimum (sq. ft.)	Commercial: NA Single-family: 900 Multifamily (2 units): 600 + 100 per each additional bedroom Multifamily (>2 units): None
Building coverage, maximum (% of lot area)	None
Lot coverage, maximum (% of lot area)	None
Height, maximum (ft.)	Commercial: 35 Single-Family: 35 Multifamily (2 units): 35 Multifamily (>2 units): 35
Front yard setback, minimum (ft.)	Commercial: 5¹ Single-Family: 10 Multifamily (2 units): 10 Multifamily (>2 units): 10

Side corner yard setback, minimum (ft.)	Commercial: 15 ¹ Single-Family: 15 Multifamily (2 units): 15 Multifamily (>2 units): 15
Interior side yard setback, minimum (ft.)	Commercial: 5 ¹ Single-Family: 5 Multifamily (2 units): 5 Multifamily (>2 units): 5
Rear yard setback, minimum (ft.)	Commercial: 20 ¹ Single-Family: 20 Multifamily (2 units): 20 Multifamily (>2 units): 20
Accessory Use Development Standards	See Chapter 28 Article VII
NOTES: ¹ Where the required building setbacks established in this section are less than that required by Chapter 30, Development standards, Article III, Improvements, Division 10, Landscaping, the required landscape yard may be reduced to be consistent with the building setback regulations in this section.	

(Ord. No. 37-2017, § 32, 11-14-17)

Sec. 28-326. Shoreline Mixed-Use (SMU).

Shoreline Mixed-Use (SMU)	
<i>(a) Purpose</i>	
The Shoreline Mixed-Use (SMU) district is designed as a special district to protect the substantial public interest of the Indian River/Washington Avenue corridor. Based upon historical and existing land use commitments, it is the intent of the district to encourage and enhance a mix of residential, public/semi-public uses, tourist use, commercial uses, public and private recreational uses including wet docking and boat shops are promoted. Marine service activities are prohibited. It is further intended that careful treatment of the visual environment and principal views of the public be considered when development is undertaken. This district shall be in accord with and promote the purposes set forth in the Comprehensive Plan.	
<i>(b) Use Standards</i>	
See Chapter 28 Article IV and Article V	
<i>(c) Intensity and Dimensional Standards</i>	
Lot area, Minimum (sq. ft.)	Single-Family: 7,500 Townhomes: 2,500 Multifamily: 2,500 per dwelling unit Patio Homes: 4,000
Lot width, Minimum (ft.)	Single-Family: 75 Townhomes: 25 Multifamily: None Patio Homes: 40
Density, Maximum (du/ac)	15 ¹ Property having access from a local street or Riveredge Drive 6 ²
Floor area per dwelling unit, minimum (sq. ft.)	1,200
Building coverage, maximum (% of lot area)	Single-Family: 45 Townhomes: 50 Multifamily: 55 Patio Homes: 35 ³
Lot coverage, maximum (% of lot area)	None
Height, maximum (ft.)	50 ^{4, 5}
Front yard setback, minimum (ft.)	Single-Family: 25 Townhomes: 25 Multifamily: 25 Patio Homes: 25
Side corner yard setback, minimum (ft.)	Single-Family: 20 Townhomes: 20 Multifamily: 20 Patio Homes: Minimum 10 feet from adjacent buildings
Interior side yard setback, minimum (ft.)	Single-Family: 10 Townhomes: NA Multifamily: 10

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(Supp. No. 18)

	Patio Homes: Minimum combined side yard total of 10 feet
Rear yard setback, minimum (ft.)	Single-Family: 25 Townhomes: 25 Multifamily: 25 Patio Homes: 20
Accessory Use Development Standards	See Chapter 28 Article VII
NOTES: ¹ Transient accommodations, boarding houses and other tourist accommodations not noted as a permitted use of this zoning district shall have a maximum density of fifteen (15) units per acre. If fifty (50) percent or more of the units do not have cooking facilities, thirty (30) units per acre may be allowed subject to conditional use permit approval. Density may be increased to 20 units per acre per the regulations in Sec. 28-71(c). ² May be increased up to 15 units per acre per the regulations in Sec. 28-71(c). ³ If all required parking is covered by a permanent structure, the lot coverage may be increased to 50 percent. ⁴ An additional one (1) foot side yard setback shall be required for each foot of building height above 35 feet. ⁵ For properties with structures located adjacent to a local street or Riveredge Drive, the maximum building height along the street shall not exceed 35 feet at the setback lines. One and one-half feet of additional setback shall be required for each foot of building height over 35 feet.	

Sec. 28-328. Urban Village (UV).

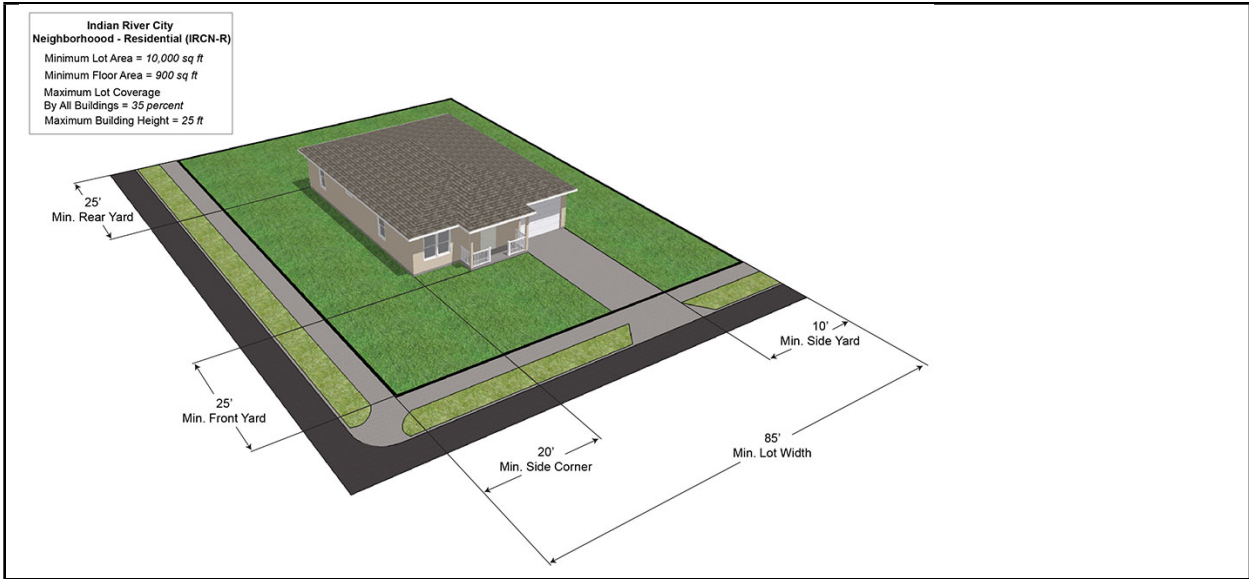
Urban Village (UV)	
(a) Purpose	
The Urban Village (UV) District is created as a special district to protect the substantial special public interest of the areas described in the US 1 Corridor Master Plan. The US 1 Corridor area is roughly bounded by Grace Street to the north, SR 50 and property immediately to the South, the Indian River Lagoon to the east and Hopkins Avenue to the west as shown on the study area map. This zoning district shall be limited to the three redevelopment sites identified in the US 1 Corridor Master Plan and have an emphasis on encouraging a mix of land use development with higher density residential and commercial, offices and similar uses with greater height limitations. Maintenance of the district character as identified in the adopted US 1 Corridor Master Plan, along with harmonious coexistence with surrounding land uses are paramount concerns. It is further intended that the district be in accord with and promote the purposes set forth in the Comprehensive Plan, the UMU future land use designation and the US 1 Corridor Master Plan. Developments within the UV zoning district shall also meet the regulations established in Chapter 33, Article V.	
(b) Use Standards	
See Chapter 28 Article IV and Article V	
(c) Intensity and Dimensional Standards	
Lot area, minimum (sq. ft.)	None
Lot width, minimum (ft.)	None
Density, maximum (du/ac)	15
Floor area per dwelling unit, minimum (sq. ft.)	None
Building coverage, maximum (% of lot area)	None
Lot coverage, maximum (% of lot area)	75% ¹
Height, maximum (ft.)	50 ²
Front yard setback, minimum (ft.)	None
Side corner yard setback, minimum (ft.)	None
Interior side yard setback, minimum (ft)	None
Rear yard setback, minimum (ft.)	None
Accessory Use Development Standards	One (1) flagpole up to 80 feet may be installed within a project (defined as having shared infrastructure or shared ingress/egress or governed by a common site plan). The height shall be measured to the top of the flagpole from the ground, regardless of mounting on the ground or a building.
NOTES: ¹ A minimum 25% of the total gross acreage of the site shall be dedicated as common open space. ² The maximum allowable height is fifty (50) feet, unless 20% of the ground floor of the building is utilized as retail space, in which case the maximum allowable height may not exceed sixty (60) feet. Building height up to one hundred (100) feet shall only be allowed by conditional use approval, and meet the standards in Sec. 28-106. In no event shall the total height of a building/structure exceed one hundred (100) feet, including roof structures or elements affixed to the roof.	

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(Ord. No. 38-2018, § 1, 8-28-18; Ord. No. 10-2022, § 3, 4-12-22)

Sec. 28-330. Indian River City Neighborhood-Residential (IRCNR).

Indian River City Neighborhood-Residential (IRCNR)		
(a) Purpose		
In the Indian River City Neighborhood Residential (IRCNR) district, it is intended that the single-family residential land uses be recognized and enhanced as the predominant land use in this district, and to encourage new infill single-family residential development. Although the intent of the district is to preserve and expand single-family residential uses, existing multifamily uses shall be recognized as a permitted use. It is further intended that the district be in accord with and promote the purposes set forth in the Comprehensive Plan, specifically Future Land Use Element Policies 1.1.4 and Policy 1.1.5.		
(b) Use Standards	Typical Lot Pattern	
See Chapter 28 Article IV and Article V	10,000 SF Min. Lot Size 25' Min. Rear Yard BUILDABLE AREA 25' Min. Front Yard ROADWAY 10' Min. Side Yard 85' Min. Lot Width	
(c) Intensity and Dimensional Standards		
Lot area, minimum (sq. ft.)		10,000
Lot width, minimum (ft.)		85
Density, maximum (du/ac)		4
Floor area per dwelling unit, minimum (sq. ft.)		900
Building coverage, maximum (% of lot area)		35
Lot coverage, maximum (% of lot area)		None
Height, maximum (ft.)		25
Front yard setback, minimum (ft.)		25
Side corner yard setback, minimum (ft.)		20
Interior side yard setback, minimum (ft.)		10
Rear yard setback, minimum (ft.)	25	
Accessory Use Development Standards	See Chapter 28 Article VII	
NOTES:		
Typical Development Configuration (For illustrative purposes only)		



Secs. 28-330—28-340. Reserved.

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Planning and Zoning Commission
From: Bradley Parrish, Community Development Director
Subject: **Rezoning (REZ) No. 4-2026 - Chivers Residence (527 Indian River Ave)**
Department/Office: Planning

Recommended Action:

Consider the request.

Summary Explanation & Background:

The applicant is requesting a rezoning (REZ) for approximately 0.5 acres at 527 Indian River Avenue, located east of the intersection of Palmetto Street and Indian River Avenue (Brevard County Parcel ID No. 22-35-03-04-* -2). The request is to change the property's zoning from Multifamily High Density Residential (R-3) to Residential Historic Preservation (RHP).

The rezoning will bring the existing single-family home into compliance with the property's use by changing the zoning from a multifamily district to a single-family residential district. The property is located within the Wagers Subdivision (Plat Book 1, Page 16) and is developed with a single-family residence. Historical records indicate the building was constructed between 1893-1899. The building first appears on Sanborne fire insurance maps in 1899. Later documentation states 1905 as the approximate construction date. Historical records indicate the existing building is a private residence in an altered condition. The structure contains architecturally significant features such as a flat roof and second-story polygonal balcony; however, it has been altered by the addition of wrought iron window grills, a deck addition, and a modern 3-car garage. A Historical Structure Form completed in 2012 concluded that the structure does not meet the criteria for the National Register of Historic Places, "Research revealed no significant historical associations. It is considered ineligible for listing in the National Register."

Rezoning the property to RHP does not designate it as a historic property or place it on any historic register. Historic designation is a separate process with its own eligibility requirements. The RHP is simply a zoning district with development standards.

Alternatives:

1. Approve the rezoning request.
2. Do not approve the rezoning request.

Item Budgeted:

N/A

Source/Use of Funds/Budget Book Page:

N/A

Strategic Plan:

Goal 2: Efficient & Effective Services

Goal 5: Effective Governance

Goal 6: Community Design

Strategic Plan Impact:

ATTACHMENTS:

1. Staff Report REZ#4-2026 Chivers Residence 527 Indian River Ave 7-31-26
2. MAPS
3. Application
4. Historical Structure Form 527 Indian River Avenue
5. Florida Master Site File 527 Indian River Ave
6. Ordinance - REZ#4-2026
7. Ord. No. 31-2010 pp.1-15



City of Titusville

Planning Department Staff Report

Rezoning (REZ) No. 4-2026 – Chivers Residence 527 Indian River Ave

Meeting Dates:

Commission/Council

Planning and Zoning Commission
City Council First Ordinance Reading
City Council Public Hearing

Meeting dates

August 19, 2026
September 8, 2026
September 22, 2026

Prepared By: Eddy Galindo, AICP – Principal Planner

Applicant(s): William Chivers, as trustee of the Chivers Family Trust, owner

Applicant's Request: Amend the zoning map by replacing the Multifamily High Density Residential (R-3) zoning district with the Residential Historic Preservation (RHP) zoning district on approximately 0.5+/- acres of property.

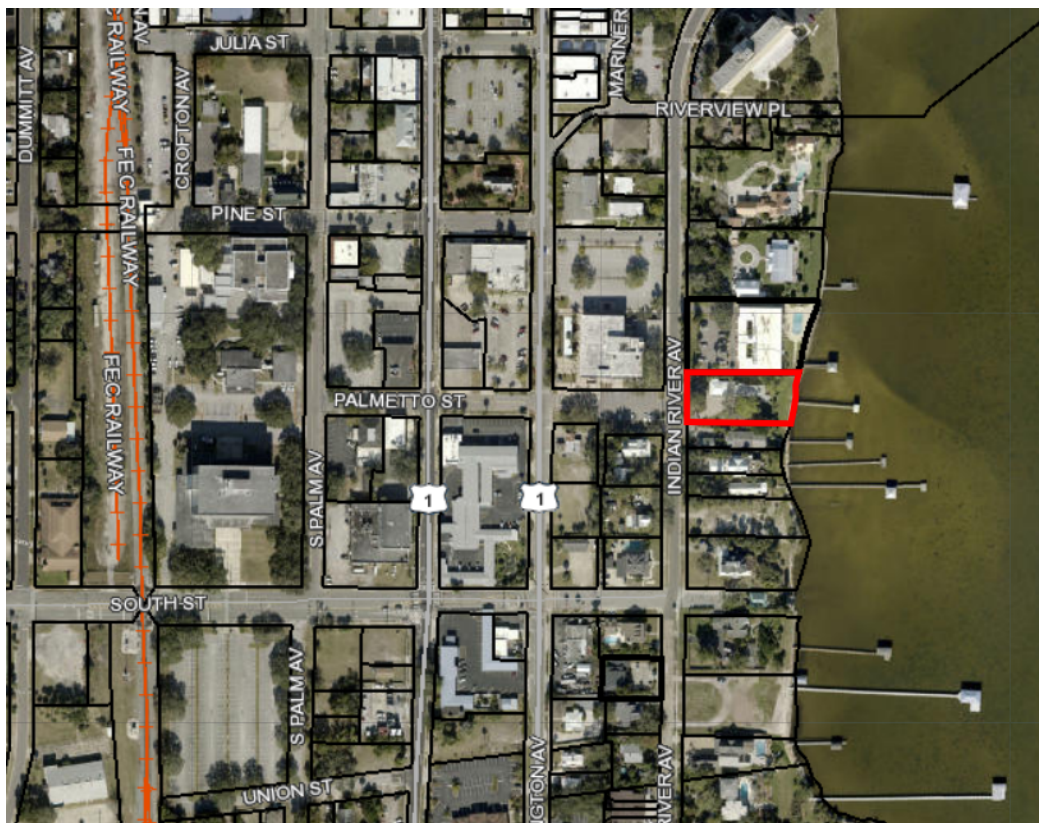
Staff Recommendation: Consider changing the zoning from the Multifamily High Density Residential (R-3) to the Residential Historic Preservation (RHP) zoning district consistent with the request.

BACKGROUND INFORMATION

The applicant is requesting a rezoning (REZ) for approximately 0.5 acres at 527 Indian River Avenue, located east of the intersection of Palmetto Street and Indian River Avenue (Brevard County Parcel ID No. 22-35-03-04-*2). The request is to change the property's zoning from Multifamily High Density Residential (R-3) to Residential Historic Preservation (RHP).

The rezoning will bring the existing single-family home into compliance with the property's use by changing the zoning from a multifamily district to a single-family residential district. The property is located within the Wagers Subdivision (Plat Book 1, Page 16) and is developed with a single-family residence. Historical records indicate the building was constructed between 1893-1899. The building first appears on Sanborne fire insurance maps in 1899. Later documentation states 1905 as the approximate construction date. Rezoning the property to RHP does not designate it as a historic property or place it on any historic register. Historic designation is a separate process with its own eligibility requirements. The RHP is simply a zoning district with development standards.

1 AERIAL MAP



2
3

4 PROPERTY INFORMATION

5 Existing Use, Future Land Use, and Zoning

Existing Use	Future Land Use	Zoning
Single-family residence	High Density Residential [15 du/ac]	Multifamily High Density Residential (R-3) [15 du/ac]

6 Proposed Use, Future Land Use, and Zoning

Proposed Use	Future Land Use	Zoning
Single-family residence	High Density Residential [15 du/ac]	Residential Historic Preservation (RHP) [5.8 du/ac]

7 SURROUNDING PROPERTY INFORMATION

8 Existing Use, Future Land Use, and Zoning

Location	Use	Future Land Use	Zoning
North	Multifamily (Condominiums)	High Density Residential	Multifamily High Density Residential (R-3)
South	Single-Family Residence	Medium Density Residential	Residential Historic Preservation (RHP)
East	Indian River Lagoon Shoreline	N/A	N/A

Location	Use	Future Land Use	Zoning
West	Titusville City Hall	Downtown Mixed Use	Downtown Mixed Use (DMU) – Downtown Subdistrict

STAFF ANALYSIS

General Information:

The purpose of the rezoning is to bring the existing single-family residence into compliance with the Land Development Regulations by rezoning the property to a single-family residential district. The existing detached single-family house is currently a nonconforming use in the R-3 zoning district.

The approximately 0.5-acre property is located within the Wagers Subdivision (Plat Book 1, Page 16) along the Indian River Lagoon shoreline and contains an historical single-family residence built between 1893-1905. Surrounding zoning includes Multifamily High Density Residential (R-3) to the north, Residential Historic Preservation (RHP) to the south, and Downtown Mixed Use (DMU) – Downtown Subdistrict to the west.

Historical records indicate the existing building is a private residence in an altered condition. The structure contains architecturally significant features such as a flat roof and second-story polygonal balcony; however, it has been altered by the addition of wrought iron window grills, a deck addition, and a modern 3-car garage. A Historical Structure Form completed in 2012 concluded that the structure does not meet the criteria for the National Register of Historic Places, “Research revealed no significant historical associations. It is considered ineligible for listing in the National Register.”

The current R-3 zoning district allows multifamily development at up to 15 dwelling units per acre. The requested RHP zoning district permits a maximum density of 5.8 dwelling units per acre. Both zoning districts are consistent with the property's High Density Residential future land use designation.

Area of Critical Concern:

The property is **not** located within the Area of Critical Concern.

REZONING REVIEW

Zoning Review Criteria

Section 34-40 of the LDR lists the review criteria under which the Planning and Zoning Commission and the City Council review applications as they relate to zoning.

The following are staff's findings:

1. Comprehensive Plan Consistency Statement.

Staff Comment: According to the Land Use/Zoning Matrix described in Chapter 27 of the Land Development Regulations, the requested RHP zoning district is consistent with the current High Density Residential future land use category.

Future Land Use Element Policy 1.4.2 of the City's Comprehensive Plan states, “The City of Titusville will undertake efforts to protect its cultural, historical and archaeological resources from vandalism and destruction.” After review of the structure's master site file, the City's Historic Preservation officer concluded that the structure has been significantly modified over time and is neither eligible for listing on the National Register nor protected under any of the City's current historic preservation ordinances.

- 1.1. Public facilities are available and concurrent with the land use change per the Comprehensive Plan and Concurrency provisions of the Land Development Regulations.

Staff Comment: The property is within the City's urban service area. Existing infrastructure near the property includes an eight (8) inch water main, an eight (8) inch gravity sewer main, and a sixteen (16) inch sewer pressurized main along Indian River Avenue. The property is located outside of the Area of Critical Concern (ACC) and reclaimed water service is not available to the property. A circular, reinforced concrete stormwater pipe is located within the Palmetto Street right of way, approximately 200 feet to the west.

Transportation Impact.

Staff Comment: The property is located on Indian River Avenue, at the eastern terminus of Palmetto Street, along the shoreline of the Indian River Lagoon. The transportation network in the general area can be described as a traditional gridded urban street pattern, which is able to distribute traffic to a greater degree than the conventional transportation pattern of typical suburban-style development. The development pattern of the area is gridded blocks and intersecting local streets. This is an ideal development pattern that disperses traffic in a more even manner than the typical suburban structure where dead-end local roads empty onto collector or arterial roads.

Space Coast Area Transit Routes #1 (Titusville/Viera), #2 (Titusville), and #5 (Titusville/Mims) have bus stops within about a quarter mile of the property along South Street (SR 405) and S. Washington Avenue (US 1). No development is proposed with this request, so there will be no concurrency-related impacts to the level of service on nearby roadways.

Solid Waste.

Staff Comment: Solid waste services are available to serve this property.

- 1.2. Public streets are adequate to access the property.

Staff Comment: The property has frontage and two driveway access points along Indian River Avenue.

- 1.3. The land will support the proposed development.

Staff Comment: The subject property is located within Flood Zone X (area of minimal flood hazard) and Zone AE (special flood hazard area with base flood Elevation of 4 feet). A soils map is included for this request.

- 1.4. Environmental impact.

Staff Comment: According to the National Wetlands Inventory Map, no wetlands are shown on the site. No areas of the site are designated as Conservation on the City's Future Land Use Map, which could be indicative of the presence of potential wetlands.

2. The existing zoning, if deemed consistent with the Comprehensive Plan, shall be presumed correct unless substantial change in the area has occurred since the original zoning.

Staff Comment: No substantial changes have occurred in the area since the original zoning. The existing single-family residence was constructed between 1893-1905. The City's zoning map of 1964 identifies the property as zoned R-3, which remains unchanged.

In 2010, the City adopted Ordinance No. 31-2010, which established the Downtown Mixed Use (DMU) zoning district for properties within the Community Redevelopment Area (CRA). However, Section 59-1435.2 of the ordinance (page 15 of 49) specifically excludes the Residential Historic Preservation (RHP) District from the DMU zoning boundaries. Because the subject property is located within the RHP District, it retained its R-3 zoning. The requested RHP zoning is consistent with the property's location and the surrounding zoning pattern.

3. The density or intensity of the proposed rezoning and use shall be consistent with:

3.1. The development in the area.

Staff Comment: The general area consists of a mix of uses including, single-family residences, multifamily dwellings (condominiums), office buildings, retail sales, an assisted living facility (Titusville Towers), motels, and City Hall. The predominant land use along Indian River Avenue is residential.

3.2. Not likely to cause a depreciation of property values in the area.

Staff Comment: The existing single-family residence, constructed between 1893-1905, is currently a nonconforming use in the existing Multifamily High Density Residential (R-3) zoning district. The request is to rezone the property from a multifamily zoning district to a single-family zoning district to bring the structure into conformance.

4. The application is consistent with zoning in the area.

Staff Comment: The surrounding properties are zoned Downtown Mixed Use (DMU) (maximum 30 dwelling units per acre), Multifamily High Density (R-3) (maximum 15 dwelling units per acre), and Residential Historic Preservation (RHP) (maximum 5.8 dwelling units per acre). The requested rezoning to RHP is compatible with the surrounding zoning pattern, which has remained unchanged since the 1993 citywide rezoning ordinance.

The purpose statement provided within LDR Sec.28-307(a) describes the proposed Multifamily High Density Residential (R-3) district as "intended to allow the development of a variety of housing types at a maximum density of fifteen (15) units per acre. This district is further intended to satisfy the need for a high concentration of population, is located adjacent to arterial or collector streets and is well served by public services and facilities." The purpose statement further states, "When adjacent to R-1 zoning districts, the development within the district shall be designed carefully to provide maximum compatibility with adjacent development by proper architectural design, landscaping, screening, and parking."

The purpose statement contained within LDR Sec. 28-310(a) for the current Residential Historic Preservation (RHP) zoning district is as follows, "The Residential Historic Preservation (RHP) district is established as a special district to protect the substantial public interest of the unique downtown residential area along the Indian River that is of

1 *great historical and aesthetic importance and should be preserved for future*
2 *generations. The intent of this district is to preserve the character and harmony of the*
3 *district. It is further intended that the district be in accord with and promote the purposes*
4 *set forth in the Comprehensive Plan.”*

- 5 5. The application will protect the public health, safety, morals or welfare of the general public.

6 *Staff Comment: The rezoning from a multi-family residential zoning district to a single-*
7 *family residential district is not expected to generate any detriment to the public safety*
8 *and welfare of the general public.*

- 9 6. Whether the applicant has sufficiently protected adjacent land uses and zoning districts by
10 adequate buffering and screening.

11 *Staff Comment: The adjacent land uses are generally multifamily residential, single-family*
12 *residential, and civic and are not anticipated to be negatively impacted by the rezoning.*
13 *The adjacent zoning districts include R-3, RHP, and DMU.*

- 14 7. Substantial reasons why the property cannot be used in the existing zoning district.

15 *Staff Comment: In 2010, the City adopted Ordinance No. 31-2010, which established the*
16 *Downtown Mixed Use (DMU) zoning district for properties within the Community*
17 *Redevelopment Area (CRA). However, Section 59-1435.2 of the ordinance (page 15 of*
18 *49) specifically excludes the Residential Historic Preservation (RHP) District from the*
19 *DMU zoning boundaries. Because the subject property is located within the RHP District,*
20 *it retained its R-3 zoning. The requested RHP zoning is consistent with the property's*
21 *location and the surrounding zoning pattern.*

22 *The property is currently developed with a single-family residence, which was constructed*
23 *between 1893-1905. Single-family residences are not a permitted use in the current R-3*
24 *zoning on the property. Nonconforming uses are not permitted to be extended, enlarged*
25 *or expanded consisted with Section 34-342. Single-family residences are a permitted use*
26 *in the requested RHP zoning district.*

27 *The maximum density in the RHP zoning district is 5.8 units per acre, which yields a*
28 *maximum of 2 residential units on the property. The existing R-3 zoning district permits a*
29 *maximum of 15 dwelling units per acre, which yields a maximum of 7 residential units.*

30 *Historical records indicate the existing building is a private residence in an altered*
31 *condition. The structure contains architecturally significant features such as a flat roof and*
32 *second-story polygonal balcony; however, it has been altered by the addition of wrought*
33 *iron window grills, a deck addition, and a modern 3-car garage. A Historical Structure Form*
34 *completed in 2012 concluded that the structure does not meet the criteria for the National*
35 *Register of Historic Places, “research revealed no significant historical associations. It is*
36 *considered ineligible for listing in the National Register.”*

37 **COMMUNITY ENGAGEMENT MEETING - LDR Section 34-14**

38 *Staff Comment: The application is exempt from community engagement requirements of*
39 *Section 34-13. – Community engagement per Section 34-13(b)(2)a.*

1 **FINDINGS:**

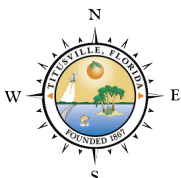
Support	Do Not Support
- The existing single-family residence was constructed between 1893-1905, prior to the adoption of the R-3 zoning on the property and is currently a non-conforming use. - The property has access to Indian River Avenue, which is a local road - The request to rezone the property from R-3 to RHP is consistent with the surrounding zoning pattern - The application is consistent with the rezoning criteria and the City's Comprehensive Plan	The rezoning would reduce the development potential of the property from 7 units to 2 units based on the maximum density permitted in the current and proposed zoning districts

2 **RECOMMENDATION:**

3 Consider the findings based upon the staff analysis, information and evidence presented, and in
4 accordance with the City Charter of the City of Titusville, the Code of Ordinances and Land
5 Development Regulations, Section 34-40 of the Code, the adopted comprehensive plan and the
6 provisions of Chapter 163 and 166, Florida Statutes in the request to change the zoning district
7 on the property.

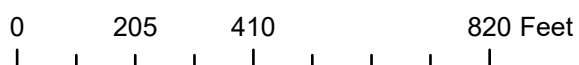


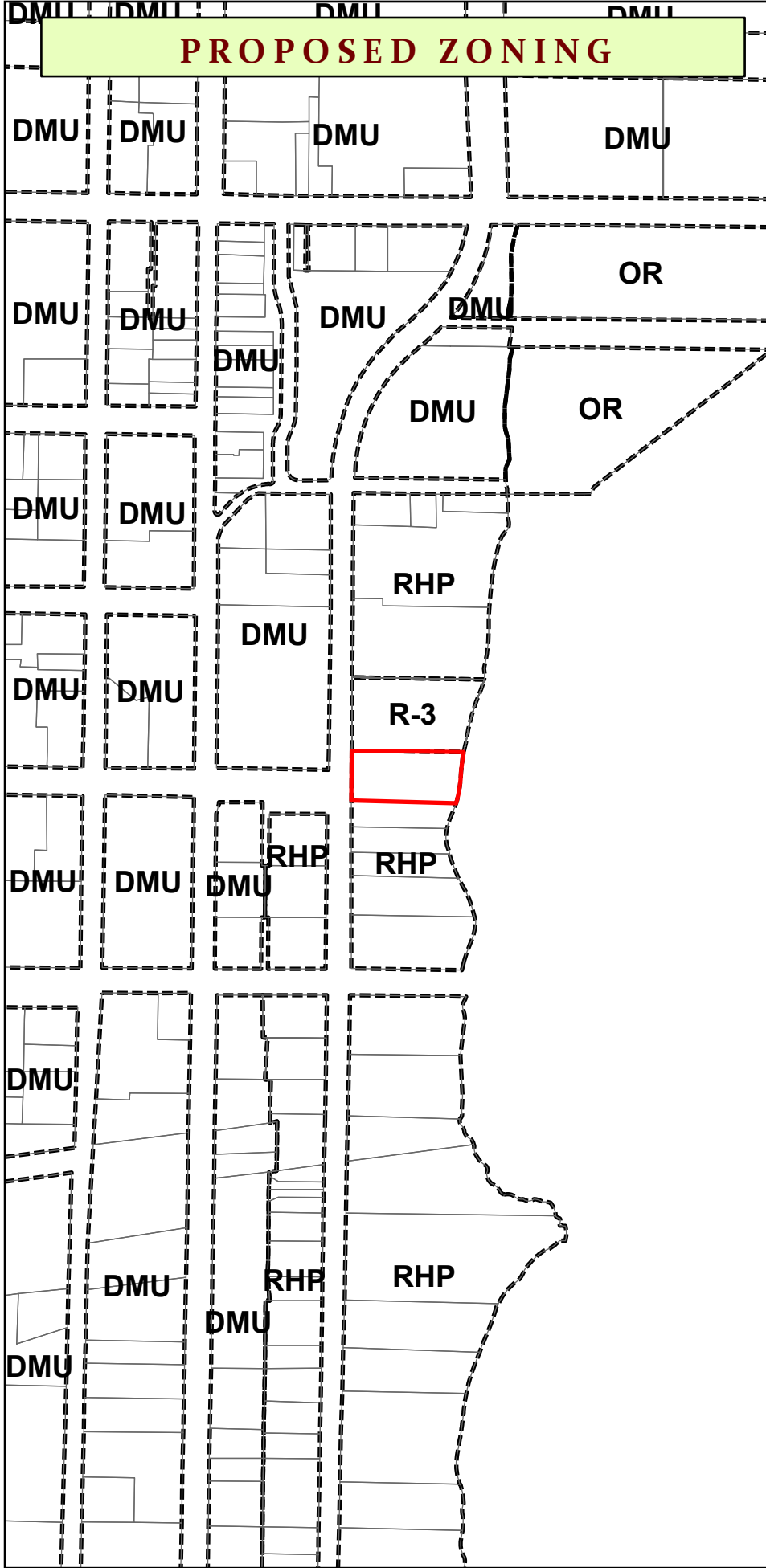
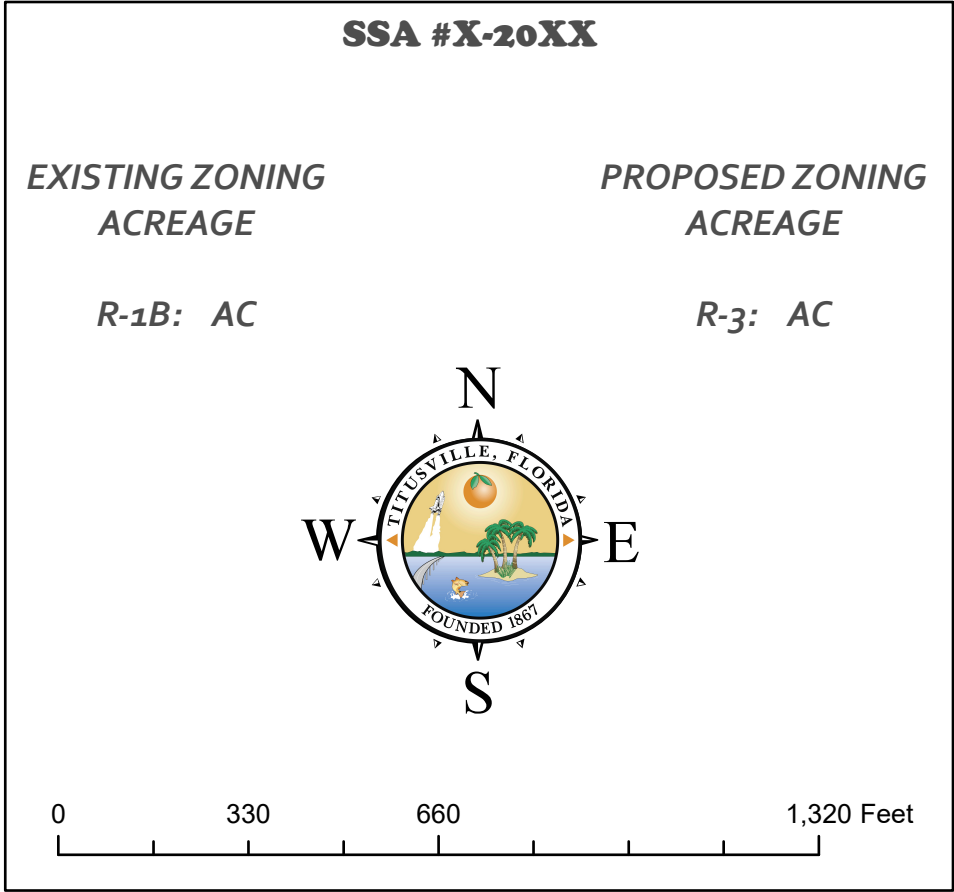
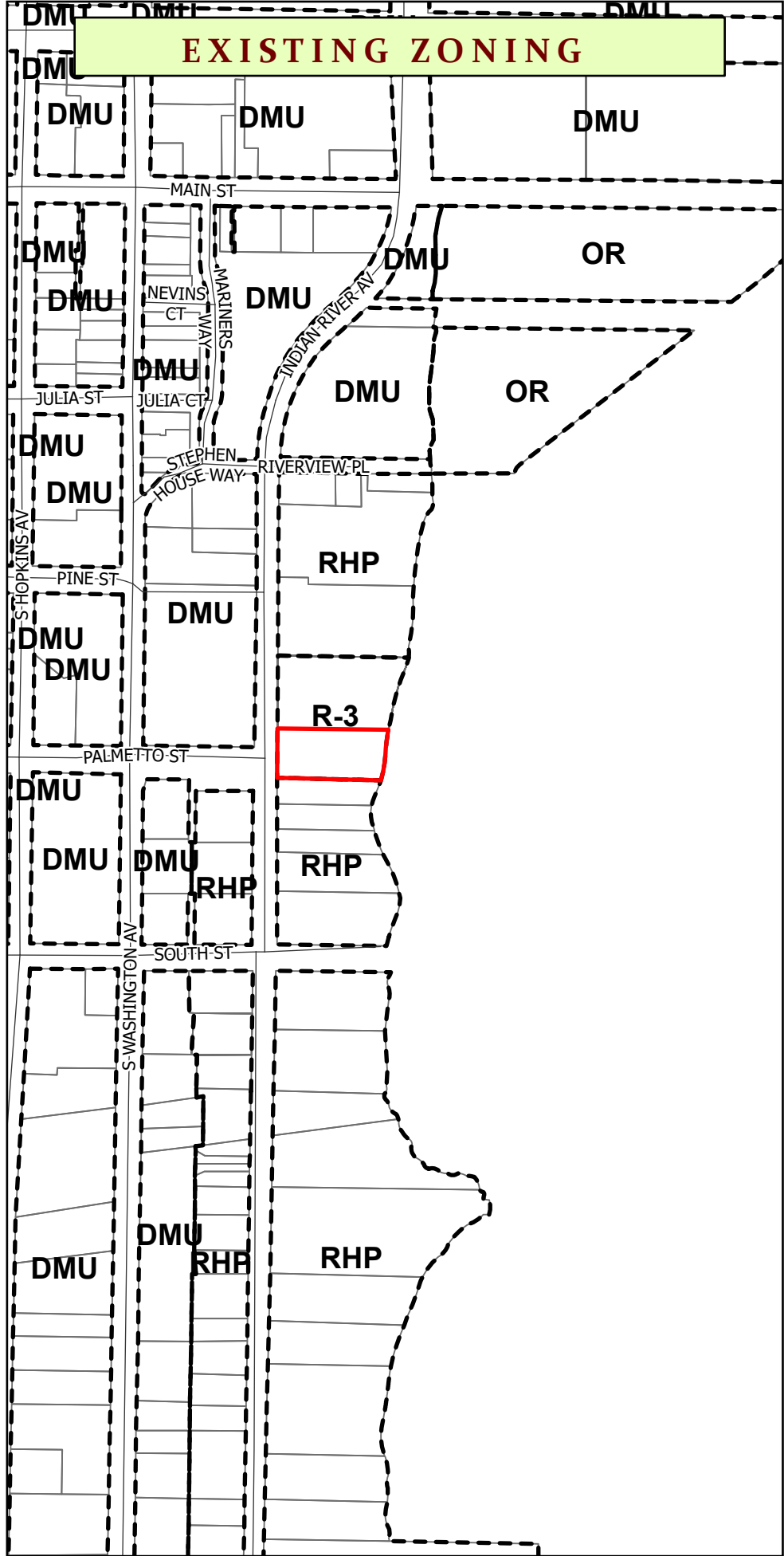
SUBJECT PROPERTY

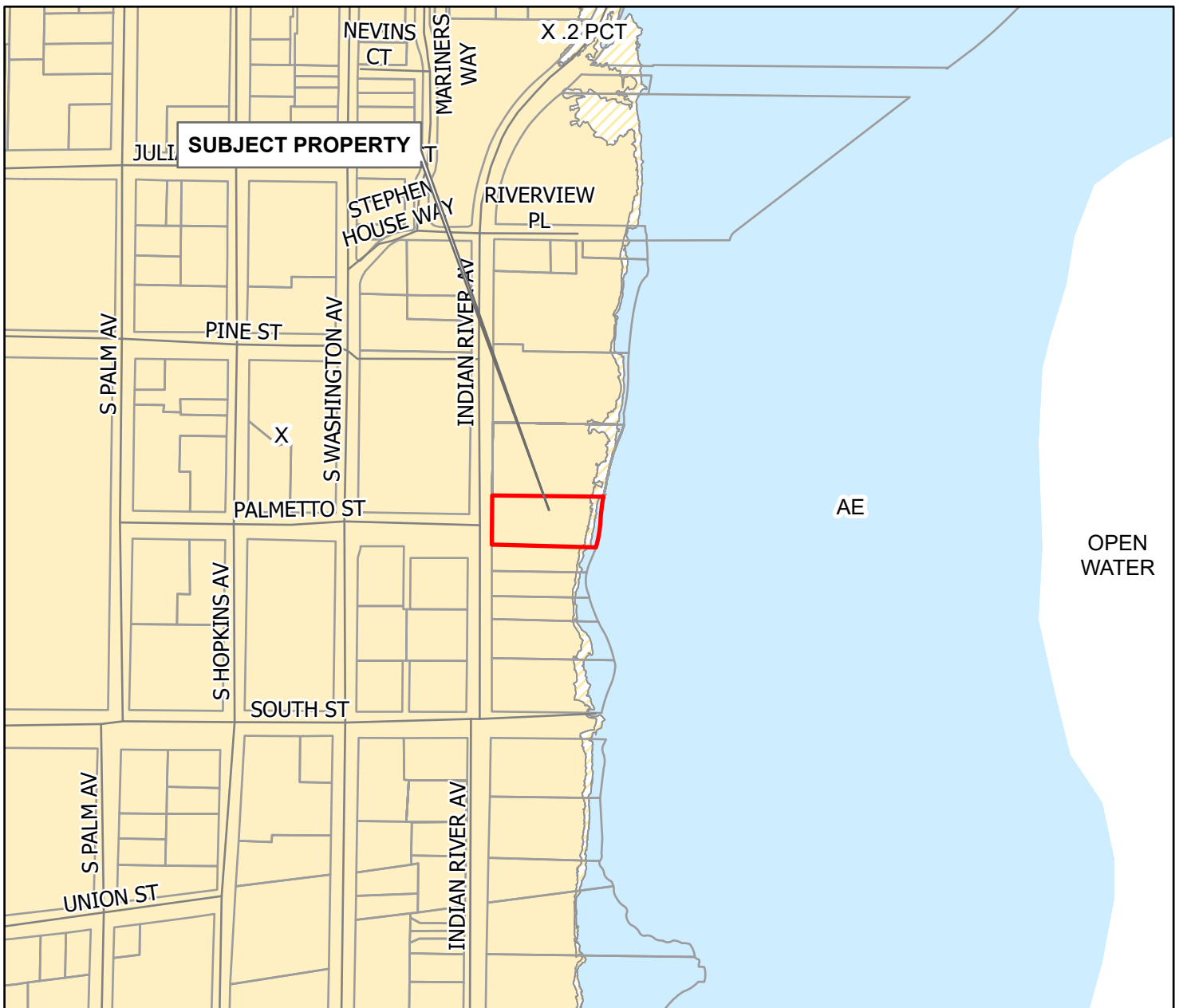


Aerial 2025

REZ#4-2026







FEMA FLOOD HAZARD AREAS

REZ#4-2026

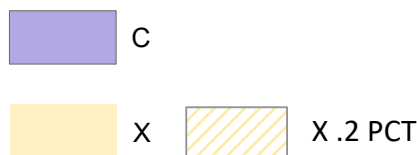
Special Flood Hazard Area Zones



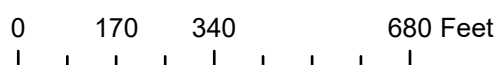
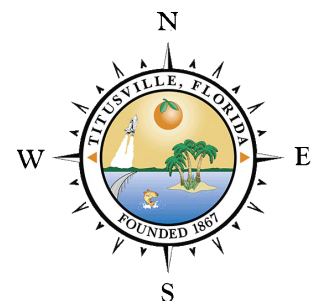
Moderate Flood Hazard Area Zone

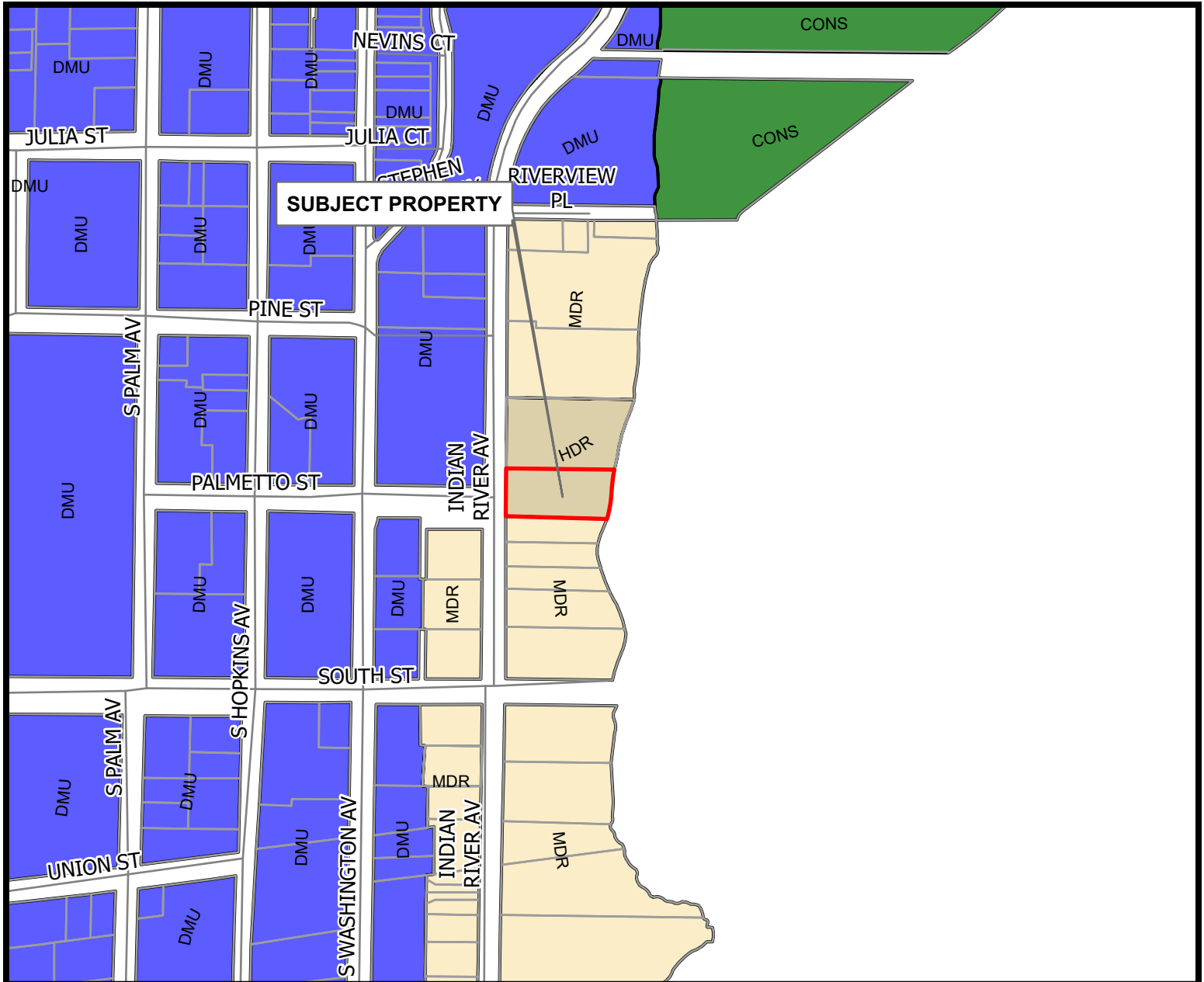


Minimal Flood Hazard Zones



Other Flood Zone Areas

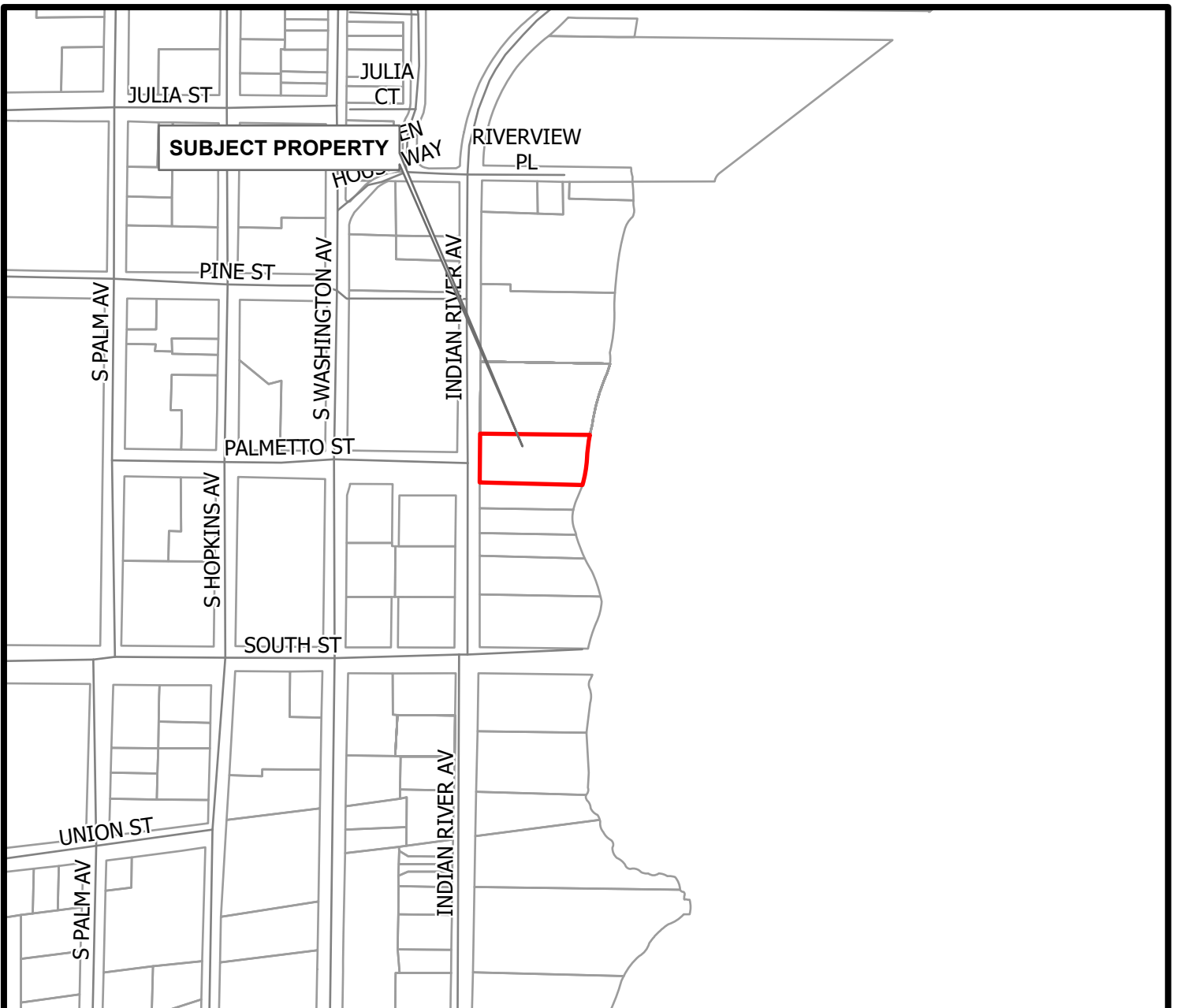




LOCATION OF PROPERTY & FUTURE LAND USE MAP

CHI COMMERCIAL HIGH INTENSITY	ED EDUCATIONAL	PIP PLANNED INDUSTRIAL PARK	RES-2 RESIDENTIAL-2
CLI COMMERCIAL LOW INTENSITY	IND INDUSTRIAL	PSP PUBLIC/ SEMI-PUBLIC	RMU REGIONAL MIXED USE
CONS CONSERVATION	HDR HIGH-DENSITY RESIDENTIAL	PUD PLANNED UNIT DEVELOPMENT	SMU SHORELINE MIXED-USE
DMU DOWNTOWN MIXED-USE	MDR MEDIUM-DENSITY RESIDENTIAL	REC RECREATIONAL	UMU URBAN MIXED-USE
LDR LOW-DENSITY RESIDENTIAL	RES-1 RESIDENTIAL-1	US1 US-1 CORRIDOR	

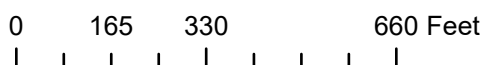




SJRWMD Florida Land Use Cover Classification System **Upland Forests - 4000 Series** **REZ#4-2026**

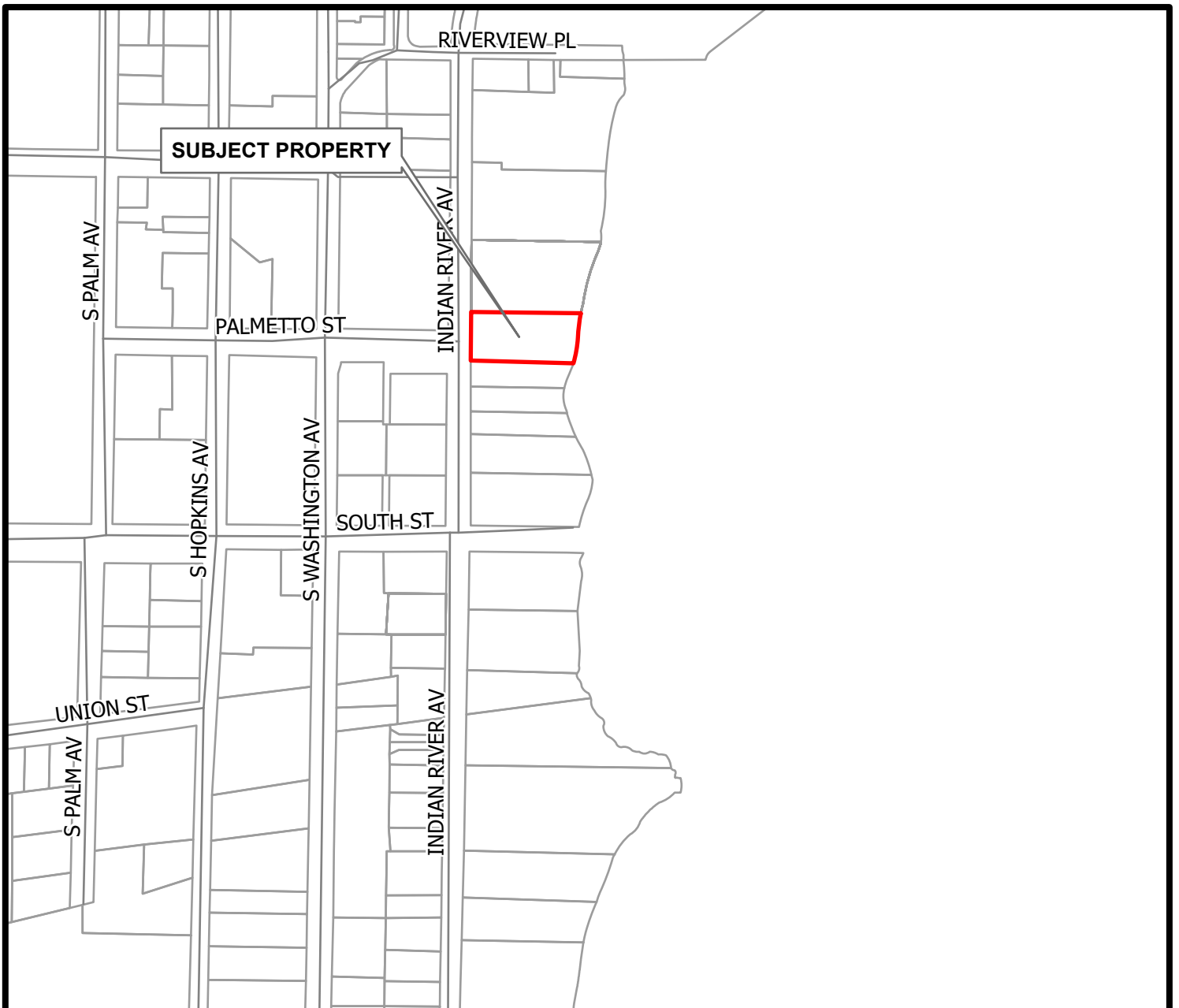


Community Development Department



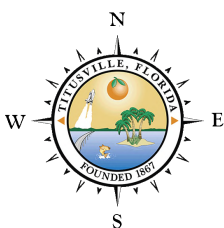
7/29/2026

This dataset (2017) is a compilation of the Land Use/Land Cover datasets created by St. John's River Water Management District



SJRWMD Florida Land Use Cover Classification System **Wetlands - 6000 Series** **REZ#4-2026**

-  Parcels
-  Subject



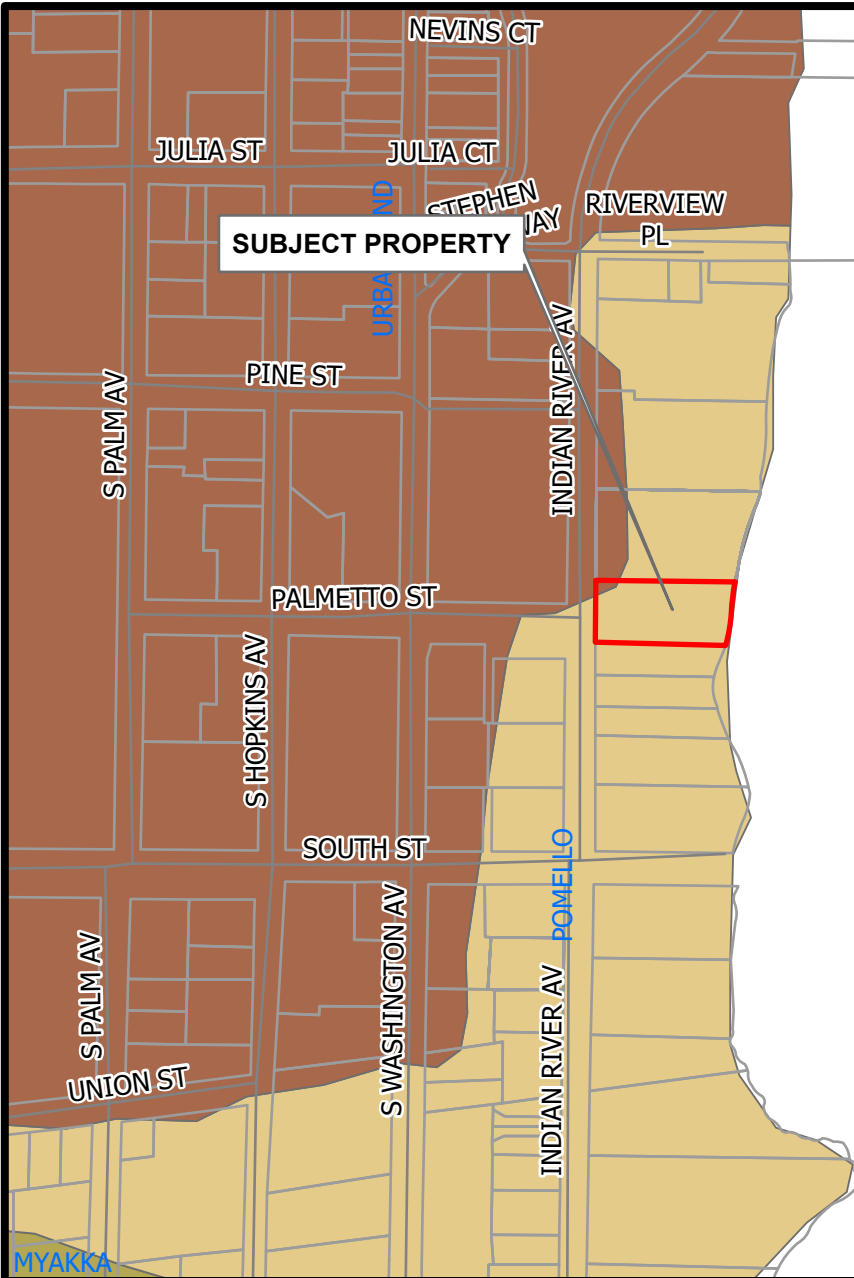
Community Development Department

0 170 340 680 Feet

This dataset (2017) is a compilation of the Land Use/Land Cover datasets created by St. John's River Water Management District

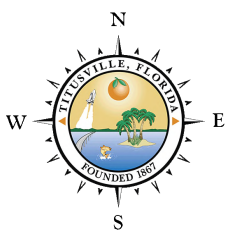
7/29/2026

G:\Planning Templates\ArcPro\PlanningMaps\PlanningMaps.aprx



SOILS IN THE VICINITY OF SUBJECT PROPERTY REZ#4-2026

- MYAKKA
- POMELLO
- URBAN LAND

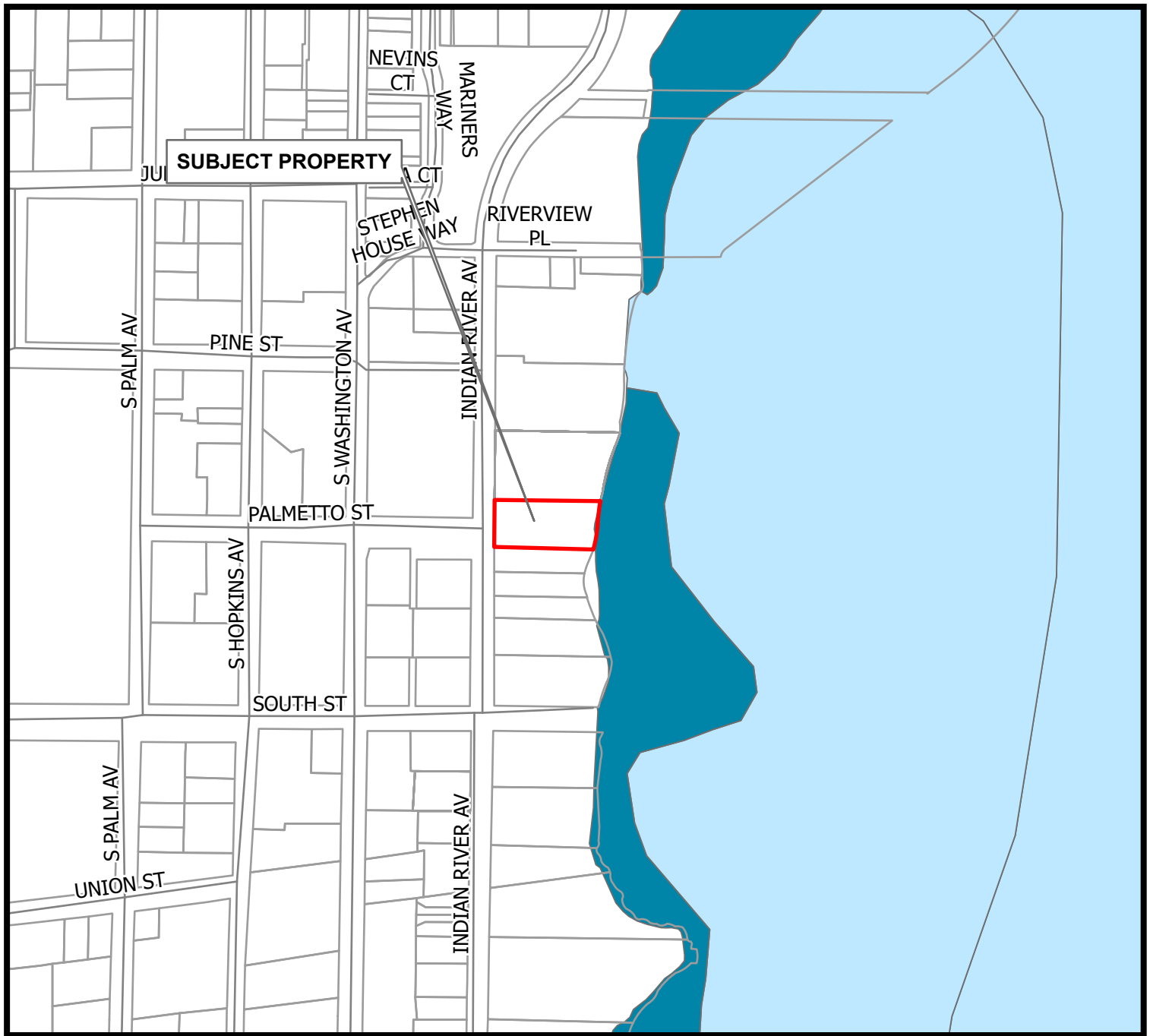


0 170 340 680 Feet

Community Development Department

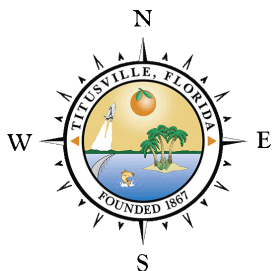
Soils data source: The U.S. Department of Agriculture, Natural Resources Conservation Service. (2024)

7/29/2026



WETLANDS IN VICINITY OF PROPERTY

REZ#4-2026



WETLAND_TY

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland

- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine

7/29/2026

Scale:1:4,000

Community Development Department
Source: USFWS NWI (2025)

This data set represents the approximate location and type of wetlands and deepwater habitats. The primary intended use is for regional and watershed data display and analysis, rather than specific project data analysis.



Gateway to Nature & Space



APPLICATION FOR REZONING (REZ) / PLANNED DEVELOPMENT (PD) / MASTER PLAN (MP)

Please submit electronically a completed application including to the Planning Department for payment and meeting scheduling. Chapter 34 of the Titusville Land Development Regulations contains the instructions for filing and the required exhibits. INCOMPLETE APPLICATIONS SHALL NOT BE ACCEPTED.

1. Project Information	Project Name Chivers Residence	Property Address/Location Description 527 Indian River Ave
2. Type of Request	Rezoning (REZ) ☒ Planned Development (PD) ☐ Master Plan (MP) ☐	
2. Applicant/ Owner	Name of Applicant/Contact William Chivers	Name of Owner William Chivers
	Street Address 3735 Chiara Drive	Street Address 3735 Chiara Drive
	City State Zip Titusville FL 32796	City State Zip Titusville FL 32796
	Telephone # 321.863.5020	Telephone # 321.863.5020
	Fax #	Fax #
	E-Mail Address wchivers@rushinc.com	E-Mail Address wchivers@rushinc.com
3. Applicant Status	☒ Owner ☐ Tenant ☐ Agent ☐ Other	
4. Parcel ID	22-35-03-04-* -2	Tax Acct. 2200561
5. Site Size	Acres: .5 Square Feet: N/A	
6. Current Land Uses	Identify the land uses located on-site and adjacent to the subject site (identify "all" uses that touch property on each boundary), such as grocery store, citrus farm, office, single family residential, etc.: SUBJECT SITE:	
	NORTH:	High Density Residential
	SOUTH:	Medium Density Residential
	EAST:	Indian River Lagoon
	WEST:	Medium Density Residential

7. Current Future Land Use Designation	Future Land Use: High Density Residential			
8. Existing Zoning District	R-3			
9. Proposed Zoning District	RHP			
10. Building Status	Existing Building(s) on the site? Yes		New Buildings Proposed? Yes	
11. Note any previous rezonings on the site				
12. Check other applications submitted	Conditional Use ☐	Vacation of Easement ☐	Master Plan Approval ☐	Rezoning ☐
	Vacation of Right of Way ☐	Site Plan ☐	Subdivision/ Plat ☐	Other: SSA
13. Narrative	Please provide a brief description of your request and the proposed project: (Attach separate narrative page if necessary) THE PURPOSE OF THIS REZONING REQUEST IS TO BRING THIS PROPERTY INTO COMPLIANCE. THE CURRENT USE IS SINGLE FAMILY HOME. HOWEVER, THE CURRENT ZONING IS MULTI-FAMILY (R-3). ALL EXISTING PROPERTIES TO THE SOUTH, ALONG INDIAN RIVER AVE. ARE ALL ZONED RHP.			

- All applications shall require Community Development Staff review prior to submittal.
- All applications shall be submitted to the Planning Department electronically and officially logged in by end of business day.
- Tentative hearing dates are scheduled approximately 4 months from the time a completed application is submitted.
- Incomplete applications will not be accepted and will not be considered to be officially submitted until the appropriate information and fees are submitted. Meeting dates for incomplete applications will not be set until all required information and fees are submitted.
- Petitions requiring review from other boards or commissions prior to being forwarded to the Planning and Zoning Commission and City Council are not guaranteed placement on the originally scheduled date(s).
- All meeting agendas will be posted on the City's web site and staff reports for the request can be obtained by contacting the Planning Department at 321-567-3782.

ACKNOWLEDGEMENT

1. I am the owner and/or legal representative of the owner of the property described, which is the subject of this application.
2. All answers to the questions in said application and all surveys and/or site plans and data attached to and made a part of this application are honest and true to the best of my knowledge and belief. By my signature below, I acknowledge that I have complied with all submittal requirements and that this request package is complete. I further understand that an incomplete application submittal may cause my application to be deferred.
3. Should this application be granted, I understand that any condition(s) imposed upon the granting of this request shall be binding to the owner, his heirs, and successors in title to possession of the subject property.
4. I understand that I must attend all applicable meetings and have been informed of the meeting date(s) and time(s). I understand that if I fail to appear at an applicable meeting, the appropriate Board or Commission may either table or deny the request.
5. I understand that my request if approved does not encumber provision of utility, road or other City infrastructure capacity. The analysis provided by staff of existing levels of service for public facilities and services in the vicinity of the parcel identified in this application is a non-binding analysis, and does not guarantee capacity will be available in the future or encumber/reserve capacity for any period of time.
6. I understand that as the Applicant, I must hold a public meeting prior to the scheduling of any public hearings before the Planning and Zoning Commission or City Council for this item. Notices for this meeting must be sent to all property owners within 500 feet of the subject property.

This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the City Council, Board of Adjustment & Appeals, and Planning & Zoning Commission on this topic to properly noticed public hearings or to written communication to the City Clerk's Office, City of Titusville, P.O. Box 2806, Titusville, FL 32781

/s/

(Signature*)

(Date)

** By entering your name in the "Signature" box above, you are signing this Application electronically. You agree your electronic signature is the legal equivalent of your manual signature on this Application. By entering your name in the "Signature" box above, you consent to be legally bound by this Application's terms and conditions.*

Date received: _____

Accepted by: _____

☐ Original
☒ Update



HISTORICAL STRUCTURE FORM

FLORIDA MASTER SITE FILE

Version 4.0 1/07

Shaded Fields represent the minimum acceptable level of documentation.
 Consult the *Guide to Historical Structure Forms* for detailed instructions

Site #8 **BR00391**
 Field Date 1-31-2012
 Form Date 1-31-2012
 Recorder # 93

Site Name(s) (address if none) 527 Indian River Avenue Multiple Listing (DHR only) _____
 Survey Project Name Titusville CRA Historic Property Survey Survey # (DHR only) _____
 National Register Category (please check one) ☒ building ☐ structure ☐ district ☐ site ☐ object
 Ownership: ☐ private-profit ☐ private-nonprofit ☒ private-individual ☐ private-nonspecific ☐ city ☐ county ☐ state ☐ federal ☐ Native American ☐ foreign ☐ unknown

LOCATION & MAPPING

Street Number 527 Direction Indian River Street Name Avenue Street Type _____ Suffix Direction _____
 Cross Streets (nearest / between) NE corner of Indian River Ave, north of Palmetto St
 USGS 7.5 Map Name TITUSVILLE USGS Date 1980 Plat or Other Map _____
 City / Town (within 3 miles) Titusville In City Limits? ☒ yes ☐ no ☐ unknown County Brevard
 Township 22S Range 35E Section _____ 1/4 section: ☐ NW ☐ SW ☐ SE ☐ NE Irregular-name: _____
 Tax Parcel # 22-35-03-04--2 Landgrant _____
 Subdivision Name _____ Block _____ Lot _____
 UTM Coordinates: Zone ☐ 16 ☒ 17 Easting 518943 Northing 3164706
 Other Coordinates: X: _____ Y: _____ Coordinate System & Datum _____
 Name of Public Tract (e.g., park) _____

HISTORY

Construction Year: 1905 ☒ approximately ☐ year listed or earlier ☐ year listed or later
 Original Use Private Residence (House/Cottage/Cabin) From (year): 1905 To (year): _____
 Current Use Private Residence (House/Cottage/Cabin) From (year): _____ To (year): 2012
 Other Use _____ From (year): _____ To (year): _____
 Moves: ☐ yes ☒ no ☐ unknown Date: _____ Original address _____
 Alterations: ☐ yes ☒ no ☐ unknown Date: c.1980s Nature Wrought iron grills added
 Additions: ☐ yes ☒ no ☐ unknown Date: c.1980s Nature Detached hip roof garage added
 Architect (last name first): _____ Builder (last name first): _____
 Ownership History (especially original owner, dates, profession, etc.) _____

Is the Resource Affected by a Local Preservation Ordinance? ☒ yes ☐ no ☐ unknown Describe City of Titusville

DESCRIPTION

Style Frame Vernacular Exterior Plan T-shaped Number of Stories 2
 Exterior Fabric(s) 1. Wood siding 2. _____ 3. _____
 Roof Type(s) 1. Flat 2. _____ 3. _____
 Roof Material(s) 1. Built-up 2. Composition shingles 3. Parapet
 Roof secondary strucs. (dormers etc.) 1. _____ 2. _____
 Windows (types, materials, etc.) DDhS, wood, 2/1, 1/1.

Distinguishing Architectural Features (exterior or interior ornaments) Decorative corner brackets, burglar bars on windows.

Ancillary Features / Outbuildings (record outbuildings, major landscape features; use continuation sheet if needed.) Detached, modern garage at front of property with 3 doors, hip roof.

DHR USE ONLY		OFFICIAL EVALUATION		DHR USE ONLY	
NR List Date	SHPO - Appears to meet criteria for NR listing: ☐ yes ☐ no ☐ insufficient info	Date		Date	Init. _____
☐ Owner Objection	KEEPER - Determined eligible: ☐ yes ☐ no	Date		Date	
	NR Criteria for Evaluation: ☐ a ☐ b ☐ c ☐ d (see <i>National Register Bulletin</i> 15, p. 2)				

HISTORICAL STRUCTURE FORM

Site #8 BR00391

DESCRIPTION (continued)

Chimney: No. 1 Chimney Material(s): 1. Brick 2. _____
 Structural System(s): 1. Balloon wood frame 2. _____ 3. _____
 Foundation Type(s): 1. Unknown 2. _____
 Foundation Material(s): 1. Other 2. _____
 Main Entrance (stylistic details) Not visible from ROW.

Porch Descriptions (types, locations, roof types, etc.) S&E/1-story rap around deck, E/2nd story balcony with round wood posts.

Condition (overall resource condition): ☐ excellent ☒ good ☐ fair ☐ deteriorated ☐ ruinous

Narrative Description of Resource Much of this Frame Vernacular structure is not visible from the ROW. It has been altered by the addition of wrought iron window grills and a deck addition. There is a modern 3-garage west of the historic structure.

Archaeological Remains _____ ☐ Check if Archaeological Form Completed

RESEARCH METHODS (check all that apply)

☒ FMSF record search (sites/surveys) ☐ library research ☐ building permits ☐ Sanborn maps
☐ FL State Archives/photo collection ☐ city directory ☐ occupant/owner interview ☐ plat maps
☒ property appraiser / tax records ☐ newspaper files ☐ neighbor interview ☐ Public Lands Survey (DEP)
☐ cultural resource survey (CRAS) ☐ historic photos ☐ interior inspection ☐ HABS/HAER record search
☒ other methods (describe) Historical aerial photography.

Bibliographic References (give FMSF manuscript # if relevant, use continuation sheet if needed) _____

OPINION OF RESOURCE SIGNIFICANCE

Appears to meet the criteria for National Register listing individually? ☐ yes ☒ no ☐ insufficient information

Appears to meet the criteria for National Register listing as part of a district? ☐ yes ☒ no ☐ insufficient information

Explanation of Evaluation (required, whether significant or not; use separate sheet if needed) This building is of a common form found throughout Florida, and has sustained non-historic alterations. Research revealed no significant historical associations. It is considered ineligible for listing in the National Register.

Area(s) of Historical Significance (see *National Register Bulletin 15*, p. 8 for categories: e.g. "architecture", "ethnic heritage", "community planning & development", etc.)

1. _____ 3. _____ 5. _____
 2. _____ 4. _____ 6. _____

DOCUMENTATION

Accessible Documentation Not Filed with the Site File - including field notes, analysis notes, photos, plans and other important documents

1) Document type Field notes Maintaining organization Janus Research
 Document description _____ File or accession #'s _____
 2) Document type Field maps Maintaining organization Janus Research
 Document description _____ File or accession #'s _____

RECORDER INFORMATION

Recorder Name Janus Research

Affiliation Janus Research

Recorder Contact Information 1107 N. Ward St., Tampa FL 33607 / (813) 636-8200 / janus@janus-research.com
 (address / phone / fax / e-mail)

Required Attachments

① USGS 7.5' MAP WITH STRUCTURE LOCATION PINPOINTED IN RED

② LARGE SCALE STREET, PLAT OR PARCEL MAP (available from most property appraiser web sites)

③ PHOTO OF MAIN FACADE, ARCHIVAL B&W PRINT OR DIGITAL IMAGE FILE

If submitting an image file, it must be included on disk or CD AND in hard copy format (plain paper is acceptable).
 Digital image must be at least 1600 x 1200 pixels, 24-bit color, jpeg or tiff.

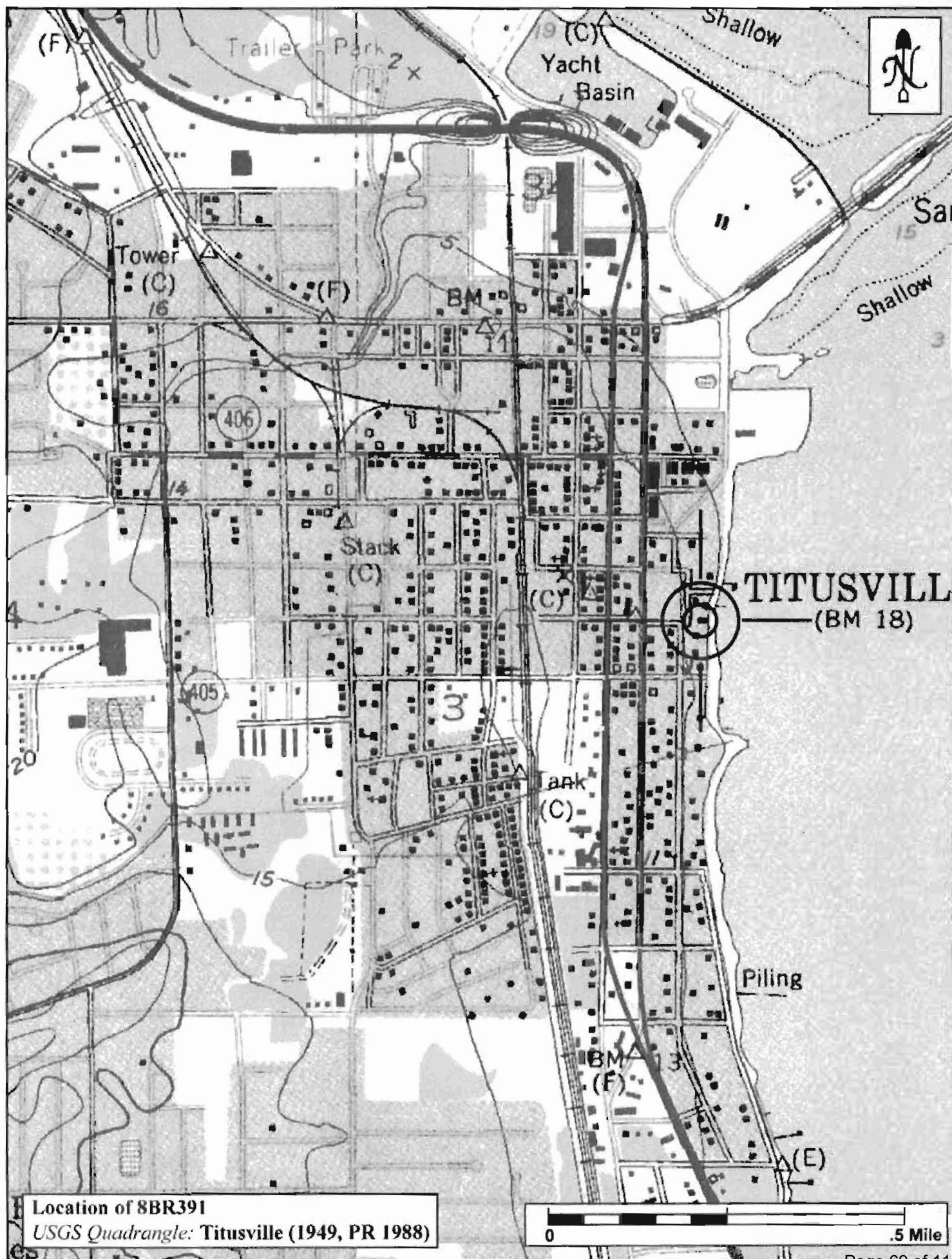
PHOTOGRAPH



SKETCH MAP



USGS QUADRANGLE MAP



Location of 8BR391

USGS Quadrangle: Titusville (1949, PR 1988)

FLORIDA MASTER SITE FILE
Site Inventory Form

RECORD NUMBER: 49 SITE NO.:
SITE NAME: SURVEY DATE: / /

ADDRESS: 527 Indian River Ave.
INSTRUCTIONS TO LOCATE:

LOCATION: #04 Wagers Subdivision 2
Subdivision Name Block No. Lot No.

COUNTY: Brevard

DISTRICT NAME IF APPLICABLE:

OWNER OF SITE: NAME: Fine, Barbara G. Life Estate
ADDRESS: P.O. Box 6636
Titusville, FL

TYPE OF OWNERSHIP: private RECORDING DATE: / /

RECORDER: NAME & TITLE: Historic Property Associates
ADDRESS: P.O. Box 1002
St. Augustine

CONDITION OF SITE: INTEGRITY OF SITE:
Check One Check one or more

EXCELLENT x ALTERED
x GOOD UNALTERED
FAIR ORIGINAL SITE
DETERIORATED RESTORED: / /
MOVED: / /

ORIGINAL USE: residence
PRESENT USE: residence
DATES: c. 1905
CULTURE/PHASE: American
PERIOD: 20th Century

NR CLASSIFICATION CATEGORY: building DATE LISTED ON NR: / /

THREATS TO SITE: Check one or more

ZONING TRANSPORTATION
DEVELOPMENT FILL
DETERIORATION DREDGE
BORROWING

OTHER (See Remarks Below)

AREAS OF SIGNIFICANCE: architecture

SIGNIFICANCE

See Continuation Sheet

RECORD NUMBER: 49

ARCHITECT:

BUILDER:

STYLE AND/OR PERIOD: Frame Vernacular

PLAN TYPE: T-shape

EXTERIOR FABRIC(S): Wood:clapboard

STRUCTURAL SYSTEM(S): Wood:balloon

**PORCHES: S & E/1-story rap around deck # E/2nd story balcony
with round posts,access from interior
ORIENTATION: E**

FOUNDATION:

ROOF TYPE: Flat,built-up/parapet

SECONDARY ROOF STRUCTURE(S):

WINDOW TYPE: DHS,2/1,wood # DHS,1/1,wood

ROOF SURFACING:

ORNAMENT EXTERIOR:

CHIMNEY: Brick

CHIMNEY LOCATION: S:offset;

NO. OF CHIMNEYS:1 NO. OF STORIES: 2

NO. OF DORMERS: 0 OUTBUILDINGS:

SURROUNDINGS:

SITE SIZE (approx. acreage):

TOWNSHIP	RANGE	SECTION
22S	35E	3

UTM ZONE UTM EASTING UTM NORTHING

PHOTOGRAPHIC RECORDS NUMBERS:

CONTINUATION SHEET

Statement of Significance

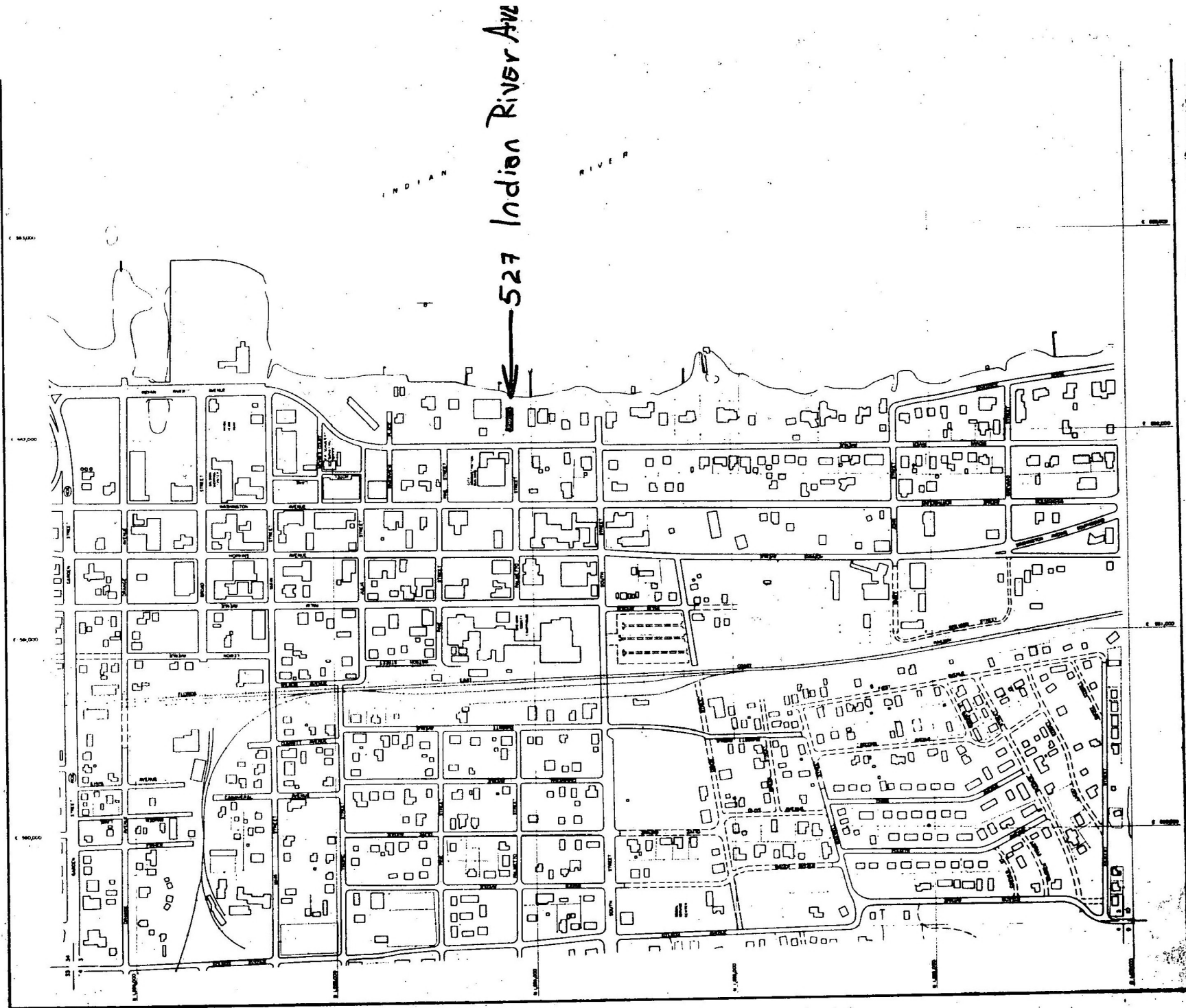
This two-story wood frame vernacular residential building is located on a prominent river front lot at 527 Indian River Drive. Notable architectural elements include a flat roof with overhanging boxed eaves and a second story polygonal balcony located on the south side. The balcony has a flat roof supported by square posts with a square baluster balustrade running between. There is also a two-story polygonal bay extension on the south side. An end porch with cut away corners is located on the east facade of the house overlooking the river. The windows of the house are single double-hung sash with two over one lights. The house has been altered by the addition of wrought iron grills to the windows and a deck addition to the east facade.

This building is located in Wager's subdivision of Titusville platted for Ellis B. Wager in 1889. It first appears on the 1899 Sanborn Fire Insurance map indicating that it was built some time between the publication of that map and the previous one done in 1893.¹

Titusville, the Brevard County seat, is named for Colonel Henry T. In 1867 Titus founded the early settlement which developed into the city. Titusville's early economy was based on the citrus and commercial fishing industries. Once accessible only by boat and roads that were little more than sand trails, the relative isolation of Titusville was ended with the introduction of rail service on the Atlantic Coast, St. John's, and Indian River Railroad line in 1885. Growth of the community was insured when Henry Flagler extended his Jacksonville, Tampa, and Key West Railway from New Smyrna to Titusville in 1893. The historic buildings in Titusville date from circa 1880 until the collapse of the Florida Land Boom in 1926. They are associated with events and individuals who shaped the development of the community and embody a number of significant architectural styles, including the Queen Anne, Spanish Revival, Bungalow, and Beaux-Arts. Most are, however, simple masonry or frame vernacular designs.

NOTES

¹Plat of Wager's Subdivision of Titusville, platted for Ellis B. Wager, 1889, Brevard County Plat Book 1, p. 16; Sanborn Map Company, Fire Insurance Map of Titusville, Brevard County, Florida (New York: 1893, 1899, 1903, 1908, 1915, 1920, 1926).



ADDRESS 527 Indian River Ave

CONDITION: Excellent Good Fair Deteriorated
 INTEGRITY: Altered Unaltered Original Site Restored Moved
 PRESENT USE: Resolute Residence Commercial Educational Religious
 Industrial Government Park Other
 ORIGINAL USE: FR
 THREATS TO SITE: Zoning Development Deterioration Borrowing
 Transportation Fill Dredge Other

STYLE: Frame Vernacular Masonry Vernacular Bungalow Other

PLAN: Square Rectangular L-shape T-shape U-shape Other

EXTERIOR FABRIC(S): Wood weatherboard drop siding clapboard
 board and batten other
 Brick: running common English Flemish Stack English cross
 Concrete: block, plain block, rusticated poured, smooth poured, textured
 Stone: veneer granite marble, uncoursed/rubble/ashlar
 Stucco: textured rough cast shell dash Other:

STRUCTURAL SYSTEM(S): Wood balloon braced platform
 Masonry: brick concrete block concrete cast-in-place
 Metal: steel, skeleton cast iron, skeleton, wrought iron, skeleton

PORCHES: Location: S Type: entrance end tiered gallery stoop
 portico veranda balcony No. stories: No. bays: Access
 arch. features Deck

ORIENTATION: N S E W

FOUNDATION: Support: Piers Continuous Slab
 Materials: brick concrete block concrete, poured stone other
 Infill: lattice brick concrete stone board and batten
 pierced/continuous

ROOF TYPE: hip gable shed gambrel slab built-up parapet other

SECONDARY ROOF STRUCTURES: Dormer: eyebrow flat gable hip shed
 Cross Gable Dome-drum/lattern Cupola Belvedere Steeple Tower-pavilion/cone
 Turret-pavilion/cone Deck Relicote Scuttle

CHIMNEY: N E W; Center offset End, interior End, exterior; ridge
 front-slope rear-slope lateral slope Additional

WINDOW TYPE: Slab SHS THS casement awning jalousie ribbon
 No. of Lights: 2/4 Material: wood metal Configuration: bay (shape:
 paired grouped (no.) ribbon (for continuous bands)
 Palladian bullseye lancet Other PHS, A, wood

CHIMNEY: stone(type) brick concrete tile concreteblock

ROOF SURFACING: wood shingles slate shingles: patterned/variegated
 composition shingles: butt diamond variegated; built-up Tile: barrel pantile
 Spanish flat Metal, sheet: 3-Vcrimp 5-Vcrimp corrugated st. seam

ORNAMENT EXTERIOR: stone(type) brick(color) Tile: Polychromatic
 Terra-cotta(color) wood metal concrete

No. chimneys / No. stories 2 No. dormers 0

ARCHITECTURAL SIGNIFICANCE: Flat roof, Polychrome, 2 story bay window

LOCATION SIGNIFICANCE: River lot

SIGNIFICANT ALTERATIONS: S Deck addition; wrought Iron grill on window

ADDRESS 527 Indian River Ave

CONDITION: Excellent (Good) Fair Deteriorated
INTEGRITY: Altered Unaltered Original Site Restored Moved
PRESENT USE: Private Residence Commercial Educational Religious
Industrial Government Park Other
ORIGINAL USE: PR
THREATS TO SITE: Zoning Development Deterioration Borrowing
Transportation Fill Dredge Other

STYLE: Frame Vernacular Masonry Vernacular Bungalow Other

PLAN: Square Rectangular L-shape T-shape U-shape Other

EXTERIOR FABRIC(S): Wood weatherboard drop siding clapboard
board and batten other

Brick: running common English Flemish Stack English cross
Concrete: block, plain block, rusticated poured, smooth poured, textured
Stone: veneer granite marble, uncoursed/rubble/ashlar
Stucco: textured rough cast shell dash Other:

STRUCTURAL SYSTEM(S): Wood balloon braced platform

Masonry: brick concrete block concrete cast-in-place

Metal: steel, skeleton cast iron, skeleton, wrought iron, skeleton

PORCHES: Location: 5 Type: entrance end tiered gallery stoop
portico veranda balcony No. stories: No. bays: Access
arch. features Deck

ORIENTATION: N S E W

FOUNDATION: Support: Piers Continuous Slab

Materials: brick concrete block concrete, poured stone other

Infill: lattice brick concrete stone board and batten
pierced/continuous

ROOF TYPE: hip gable shed gambrel slab built-up/parapet other

SECONDARY ROOF STRUCTURES: Dormer: eyebrow flat gable hip shed
Cross Gable Dome-drum/lattern Cupola Belvedere Steeple Tower-pavilion/cone
Turret-pavilion/cone Deck Reliccate Scuttle

CHIMNEY: N E W; Center offset End, interior End, exterior; ridge
front-slope rear-slope lateral slope Additional

WINDOW TYPE: Slab SHS THS casement awning jalousie ribbon

No. of Lights: 3 Material: wood metal Configuration: bay (shape:
paired grouped (no.), ribbon (for continuous bands)

Palladian bullseye lancet Other PHS 4, wood

CHIMNEY: stone(type) brick concrete tile concreteblock

ROOF SURFACING: wood shingles slate shingles: patterned/variegated
composition shingles: butt diamond variegated; built-up Tile: barrel pantile
Spanish flat Metal, sheet: 3-Vcrimp 5-Vcrimp corrugated st. seam

ORNAMENT EXTERIOR: stone(type) brick(color) Tile: Polychromatic
Terra-cotta(color) wood metal concrete

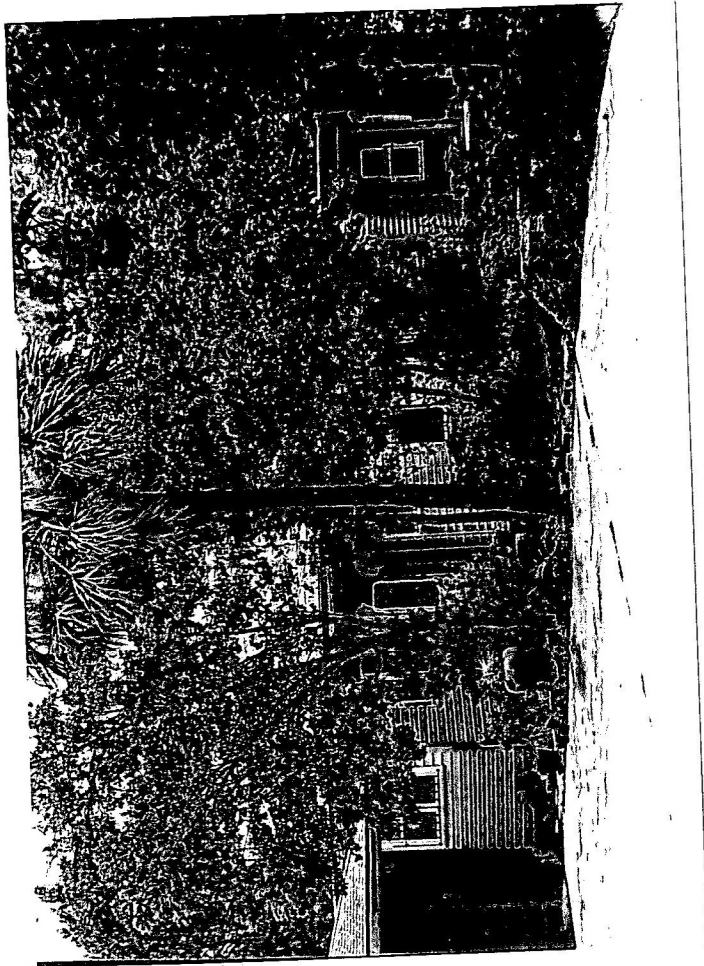
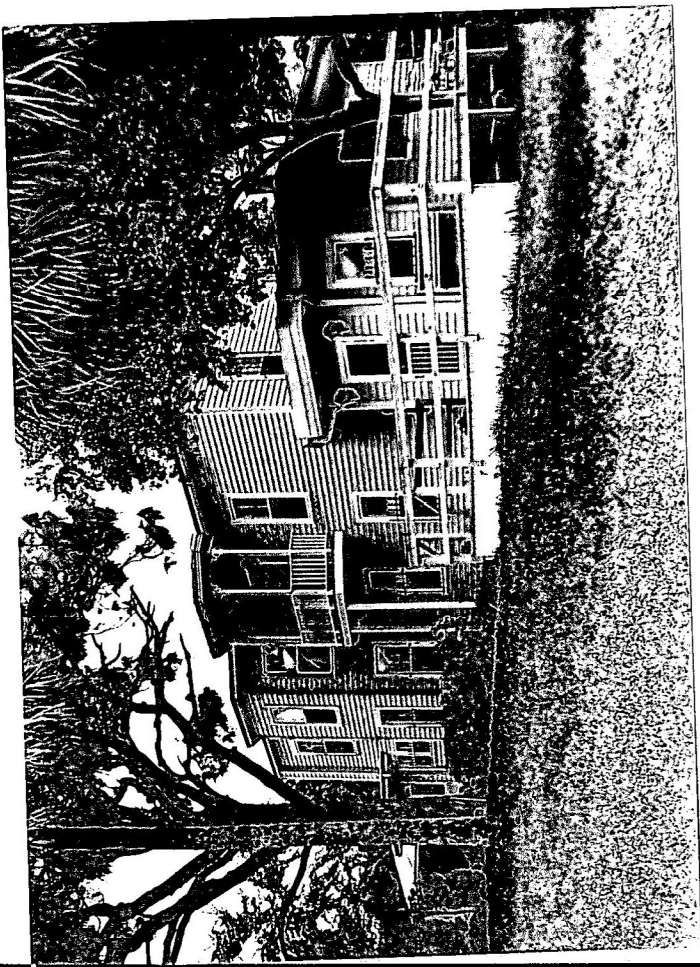
No. chimneys / No. stories 2 No. dormers 0

ARCHITECTURAL SIGNIFICANCE: Flat roof, polygonal 2 story bay roof

2100, 2000

LOCATION SIGNIFICANCE: River lot

SIGNIFICANT ALTERATIONS: 1. Deck added to rear porch 1980s





- RN
49



- RN
49

ORDINANCE NO. XX-2026

AN ORDINANCE AMENDING ORDINANCE NO. 5-1993 OF THE CITY OF TITUSVILLE, FLORIDA, BY AMENDING THE ZONING MAP MADE PART OF SAID ORDINANCE BY REFERENCE, BY CHANGING THE ZONING CLASSIFICATION ON PROPERTY LOCATED AT 527 INDIAN RIVER AVENUE FROM MULTIFAMILY HIGH DENSITY RESIDENTIAL (R-3) TO RESIDENTIAL HISTORIC PRESERVATION (RHP) ON 0.5+/- ACRES OF PROPERTY HAVING PARCEL ID NO. 22-35-03-04-*2; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Titusville received an application for a rezoning from certain property owners; and

WHEREAS, a first and second public hearing has been held on the rezoning before the Local Planning Agency and the local governing body and after considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, the City Council of the City of Titusville hereby finds the requested change consistent with the Comprehensive Plan and that sufficient competent and substantial evidence supports the zoning change set forth herein; and

WHEREAS, the City of Titusville finds that said rezoning has been processed in accordance with the applicable law and desires to amend its Zoning Map to change the zoning designation on said property; and

WHEREAS, the City Council of the City of Titusville desires to amend its Zoning Map.

BE IT ENACTED BY THE CITY OF TITUSVILLE, FLORIDA:

SECTION 1. RECITALS. The foregoing recitals are deemed true and correct and are hereby adopted and incorporated herein by this reference.

SECTION 2. Ordinance No. 5-1993 is hereby amended by amending the Zoning Map of the City of Titusville, made a part of said Ordinance by reference, by designating the following property described in "Exhibit A", presently zoned Multifamily High Density Residential (R-3) to Residential Historic Preservation (RHP), as approved by City Council.

SECTION 3. SEVERABILITY. If any provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances, and all resolutions and parts of resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. INCORPORATION INTO CODE. This Ordinance shall be incorporated into the City of Titusville Code of Ordinances and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this Ordinance and the Code may be made.

PASSED AND ADOPTED this ____ day of _____ 2026.

Andrew Connors, Mayor

ATTEST:

Wanda F. Wells, City Clerk

Exhibit A

LEGAL DESCRIPTION:

LOTS 2 AND 3 OF WAGER'S SUBDIVISION OF LOTS 3, 4, 6, AND 6, BLOCK A, OF LEBARON'S PLAT OF TITUSVILLE. ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1 PAGE 16, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS AND EXCEPT THE WEST 15 FEET THEREOF, TOGETHER WITH RIPARIAN RIGHTS APPEARTAINING THERETO.

ORDINANCE NO. 31-2010

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 59 BY ADDING ARTICLE XI "DOWNTOWN MIXED USE SMART CODE FOR THE DOWNTOWN COMMUNITY REDEVELOPMENT AREA", BY ESTABLISHING DIVISION 1 "GENERAL AND ADMINISTRATIVE" PROVIDING INTENT AND PURPOSE, APPLICABILITY, BOUNDARIES, REGULATING PRE-EXISTING CONDITIONS, AND THE ADMINISTRATION, SUBMITTALS, AND REVIEW PROCESS INCLUDING THE ESTABLISHMENT OF THE DOWNTOWN DESIGN REVIEW COMMITTEE AND THE COMMUNITY REDEVELOPMENT WAIVER SUBCOMMITTEE; BY ESTABLISHING DIVISION 2 "THE DOWNTOWN MIXED USE ZONING DISTRICT" PROVIDING THE DESCRIPTIONS FOR THE SUB-DISTRICTS; BY ESTABLISHING DIVISION 3 "USES AND DIMENSIONAL CRITERIA" PROVIDING THE PERMITTED, CONDITIONAL, AND PROHIBITED LAND USES WITHIN EACH SUB-DISTRICT, ESTABLISHING SPECIFIC USE CRITERIA FOR PERMITTED AND CONDITIONAL USES, AND CREATING SITE DIMENSION CRITERIA; BY ESTABLISHING DIVISION 4 "PERFORMANCE STANDARDS" PROVIDING PARKING STANDARDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City of Titusville has established a Community Redevelopment Area for the Downtown to encourage the redevelopment of blighted areas, encourage private investment, and to increase the overall aesthetic value of the area;

Whereas, the City of Titusville has adopted a Downtown Master Plan to provide a vision for the future of the Downtown Community Redevelopment Area;

Whereas, the City of Titusville has undergone an extensive public participation process, including workshops and public hearings, in the development of new Downtown Mixed Use Smart Code.

Whereas, the purpose of the new Downtown Mixed Use Smart Code are to replace the Central Business District, Public, Commercial Marine, Open Space and Recreation, and R-3 zoning districts within the Community Redevelopment Area.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF TITUSVILLE, FLORIDA as follows:

Section 1. That the Land Development Regulations of City of Titusville, Florida Chapter 59 is hereby amended by adding Article XI "Downtown Mixed Use Smart Code for the Community Redevelopment Area", which said article reads as follows:

ARTICLE XI.
Downtown Mixed Use Smart Code for the Community Redevelopment Area

Division 1.
General and Administrative

59-1431 Intent/Purpose

The general intent of this Land Development Code provision is to establish procedures and standards for the development of land within the City of Titusville Downtown Community Redevelopment Area (DCRA) boundary, enforceable under the planning jurisdiction of the City of Titusville in an effort to:

- a. Provide for and encourage development within the DCRA in a manner that is harmonious with its environs, consistent with the Downtown CRA Plans, and Plans and Codes of the City.
- b. Stimulate Economic and Redevelopment of not only the downtown, but the US 1 Corridor and other major corridors leading thereto.
- c. Coordinate design pattern of streets, sidewalks, and other transportation facilities, including multi-modal forms of transportation.
- d. Encourage public and civic spaces for recreation, water resource management, public gatherings, and placemaking.
- e. Assure flood prevention, proper storm drainage, and appropriate utility systems so development is not a burden to the DCRA.
- f. Conserve valuable and scenic natural features, with provision for adequate open space.
- g. Conserve valuable and culturally-significant historic structures and characteristics.
- h. Promote the public health, safety, and general welfare by creating incentives for or eliminating impediments to a quality, well planned development.
- i. Require a high degree of quality and aesthetics in developments.

59-1432 Relationship to Downtown Master Plan From the Downtown Master Plan

"The purpose of the Community Redevelopment Plan Update was to develop a plan for coordinated growth in the Downtown CRA through a series of strategic initiatives that can be realized over the next fifteen to twenty years. The plan identifies investments aimed at preserving the established qualities of the Downtown area and creating a vibrant mixed-use town center environment. The plan also identifies redevelopment opportunities to enhance local market conditions for new commercial and residential development, and to maximize the revitalization potential of the entire DCRA. The long range vision reflects the objectives articulated by residents at workshops. These objectives include creating a series of clearly defined centers along the length of the DCRA. The plan envisions the addition of new mixed-use buildings on infill lots along the Washington/Hopkins one-way pairs, new open space amenities, enhanced streetscape conditions, and new public facilities (parking structures and stormwater ponds) that will increase the area's capability to accommodate new growth."

The plan envisions new standards for future development. These standards or regulations will be aimed at preserving the historic character while creating more appealing physical conditions. The goal is to realize a downtown area through "smart growth" that will attract and sustain private investment and create a unique sense of place. The following implementation recommendations in the Plan are intended as follow-up measures in the Downtown CRA over the next five to eight years.

The Private Sector Initiatives indicated include the following:

- a. Implement the River Park mixed-use development next to the Stormwater Park.
- b. Develop a variety of new residential opportunities throughout the DCRA.
- c. Develop in-fill housing in the North and South Palm Street areas and adjacent to the FEC railroad.
- d. Begin development of the Sand Pointe Plaza project and general area.

The Public Sector Initiatives are as follows:

- a. Conduct a real estate/market analysis and feasibility study for the DCRA.
- b. Acquire land and assemble feasible development parcels around the Garden Street and US 1 intersection.
- c. Acquire land in the North Palm Street and South Palm Street areas.
- d. Implement the Stormwater Park project.
- e. Acquire land in the Town Center, Civic Center, and Southern Gateway areas for central parking and stormwater facilities.
- f. Implement a priority streetscape enhancement program throughout the DCRA and at major entry points.
- g. Implement proposed FDOT improvements along Washington Avenue and Hopkins Avenue.
- h. Implement effective historic preservation measures.

The recommended regulatory issues include the following:

- a. The adoption of a long-range development plan for the DCRA.
- b. Modify the Comprehensive Plan to reflect the Town Center concept.
- c. Modify existing zoning or establish an overlay district to attract desired types of development.
- d. Adopt a "form based" code and development standards.
- e. Create a local historic district for the Old Town residential area.
- f. Establish historic preservation criteria for commercial properties in the Town Center area.

These strategies are aimed at leveraging and maximizing the impact of future public investment in attracting private sector investment, and ensuring that the area develops in a manner consistent with the "vision" of the community."

This hybrid, form based code seeks to implement the strategies identified above through a variety of tools.

- a. Updating and integrating the existing Land Development Codes into one concise document containing "everything anyone ever wanted to know" about development in Downtown Titusville. This makes it easier on the public sector, but more importantly, on the private, who needs to have consistency, clarity, and known expectations in order to assume the risk associated with redevelopment projects. It also attempts to streamline the process by having more flexibility, less travel through various boards/agencies, and more control for staff and the DCRA.
- b. Using the concept of Smart Growth, and the model for Smart Codes, which looks at communities from the standpoint of a 'transect', which are development areas lying between rural, suburban, and urban development zones. ~~This concept will be explained more in Article 3.~~
- c. Visually expressing the codes to streamline and be "user-friendly". Pictures tell a story and the graphic depiction of what the words mean can allay problems with interpretation, semantics, and expectations.

59-1433 Relationship to Comprehensive Plan and City's Land Development Regulations.

It is the intention of the City Council and Local Planning Agency that this Chapter also serves to implement the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act, Section 163.3202 of the Florida Statutes, which requires the adoption of Land Development Regulations. In the event of a conflict between these regulations and the Comprehensive Plan, the Comprehensive Plan shall prevail. In the event of a conflict between these regulations and the Citywide Land Development Regulations, this Chapter shall prevail. In the event of any conflict, the Administrator shall make a determination that may be appealed to the DCRA.

59-1434 Location, Land Use and Zoning Maps

Maps 1-7 depict the general location, land use, zoning, DCRA sub-districts, and existing street network.

59-1435 Applicability

The Central Business District (CBD), and any other zoning district in the Community Redevelopment Area with the exception of the Residential Historic Preservation District is hereby repealed in its entirety and replaced with a new district entitled:

59-1435.1 Downtown Mixed Use Zoning District

The Downtown Mixed Use Zoning District (DMU) is hereby established to promote the health, safety, social and economic welfare of the residents of the City by increasing the City's tax base and promoting the long-term economic growth and vitality of the downtown area. This district enables the City to encourage public and private development compatible with the character of the downtown area and in conformance with the Community Redevelopment Plan. The DMU encourages a mix of uses and development form throughout the District. Through the DMU, the City can become the center for economic and business affairs, expand employment and living opportunities, protect historic resources, promote new investment, protect the natural beauty and public spaces that make Titusville special, and encourage public use (not necessarily ownership) of the waterfront. It is further intended that this district will use the existing grid street network as the spine or bones improved pedestrian and vehicular circulation, parking management, and encouragement of excellence in urban design, preserving the unique character and historic fabric of the downtown. In this way, the City will have a diverse, welcoming downtown for entertainment, tourism, employment, recreation, business, and living.

59-1435.2 Downtown Mixed Use Zoning District (DMU) Boundaries

The boundaries of the Downtown Mixed Use Zoning District (DMU) are the same as the boundaries of the Downtown Community Redevelopment Area, with the exception of the Residential Historic Preservation Zoning District. The Residential Historic Preservation District shall retain the same the zoning designation,; however, all properties in this district with the DCRA shall comply with the Administrative procedures of Article 1. The Downtown Community Redevelopment Area as created by City Council under Ordinance 66-1982 pursuant to the powers conferred by section 163.330 Florida Statutes entitled "the Community Redevelopment Act of 1986" and any amendments thereto, specifically those powers granted in section 163.330 et seq. and as refined within this subsection. The boundaries of the Community Redevelopment area are as follows:

- a. North. The northwest property line of Parcel 28, Section 33, running southwest-northeast and extending from FEC Railroad on the west to the center of the navigable portion of the Indian River on the east.
- b. South. An east-west line running parallel with the center line of Grace Street and extending from the FEC Railroad to the west, to the center of the navigable portion of the Indian River on the east.
- c. East. A line running generally north and south, but continuous to the center of the navigable portion of the Indian River, and extending from the intersection with the south boundary as described above intersection with the north boundary as described above.
- d. West. A line running generally north and south and parallel to the FEC Railroad, and extending from the intersection of the north boundary to the center line of Grace Street on the south.
- e. Except the following: Beginning at the confluence of the west mean high water line of the Indian River and the east terminus of the River View Place right-of-way; thence west along the north right-of-way line of River View Place to the west right-of-way line of Indian River Avenue; thence south along the west right-of-way line of Indian River Avenue to the south right-of-way line of Palmetto Street; thence west along the south right-of-way line of Palmetto Street 125 feet; thence south and parallel to the west right-of-way of Indian River Avenue to the south right-of-way line of Grace Street; thence east along the south right-of way line of Grace Street to the west mean high water line of the Indian River; thence north along the west mean high water line of the Indian River to the point of beginning. (See Community Development Department for any question pertaining to boundaries.)

Within the Downtown Mixed Use District (DMU) and the Residential Historic Preservation Zoning District, all applicable laws pertaining to the DCRA and including the goals and objectives of the Community Redevelopment Plan shall be adhered to.

The regulations established in the DMU have been established in accordance with the Community Redevelopment Plan with reasonable consideration among other things to prevailing land uses, growth opportunities, the elimination of slum and blight and to encourage the development and redevelopment of land in the community redevelopment area and community input. Therefore, the district provides regulations to implement applicable goals, objectives and

policies of the City's redevelopment efforts so as to be consistent with the applicable goals, policies and objectives of the City's Comprehensive Plan.

59-1435.3 Severability.

If any part or provision of this section or application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the part, provisions or application directly involved in the controversy in which such judgment shall have been rendered. That judgment shall not affect or impair the validity of the remainder of this section or the application thereof to any other persons or circumstances.

59-1435.4 Repeal of conflicting ordinances.

The provisions of this section shall supersede any ordinance in conflict herewith. The procedure for processing development within the redevelopment area shall be in accordance with this ordinance and shall supersede conflicting provisions.

59-1435.5 Enactment.

This section shall take effect as provided by law; provided that when any provisions of this ordinance [section] are amended, the effective date of such amendment shall apply for the purposes of deciding any question directly controlled by such amendment.

59-1436 Guiding Principles

Decision making by City staff, boards, agencies, and Council should be influenced by the following guiding principles:

- a. That development within the DMU should be compact, pedestrian oriented, and Mixed Use.
- b. That ordinary activity of daily living should occur within walking distance of most dwellings, allowing independence to those who do not drive.
- c. That interconnected networks of streets, alleys, sidewalks, bike paths, and greenways should be designed to disperse traffic and reduce the length of automobile trips.
- d. That within neighborhoods, a range of housing types and price levels should be provided to accommodate diverse ages and incomes.
- e. That appropriate building densities, intensities, heights, and land uses should be provided within the DMU to create a viable, thriving urban center.
- f. That development should encourage or be served by transit and within walking distance of transit stops.
- g. That Civic, Institutional, and Commercial activity should be embedded in downtowns.
- h. That a range of Open Space including Parks, Squares, playgrounds, and other civic spaces should be distributed within the neighborhood and downtown.
- i. That buildings and landscaping should contribute to the physical definition of streets, sidewalks, outdoor seating, plazas, and similar Civic places.
- j. That development should adequately accommodate automobiles while respecting the pedestrian and the spatial form of public areas.
- k. That the design of streets and buildings should reinforce safe environments, but not at the expense of accessibility.
- l. That architecture and landscape design should reflect the Titusville climate, topography, history, and building practice.
- m. That buildings, infrastructure, site design, and features should utilize energy efficient methods.
- n. That Civic Buildings and public gathering places should be provided to reflect and reinforce community identity.
- o. That the preservation and renewal of historic buildings should be facilitated, to affirm the continuity and evolution of this community and our society.
- p. That new construction should be compatible with adjacent uses, respect the natural environment, and create little impact on the adjacent built environment.

59-1437 Rules for Interpretation of District Boundaries

The DMU is one zoning category with sub-district regulations addressing defined areas within the DMU. District Boundaries are identified on Map4. The Residential Historic Preservation Sub-District shown on Map 4 shall comply with the Administrative approval processes described in Articles 1, 2, and 3 of this Code, as well as Division 7 of Article VI of the City's Land Development Regulations. Therefore, when uncertainty exists as to the boundaries of the various sub-districts on the zoning map, the following rules shall apply:

59-1437.1 Location of sub-district boundary lines.

59-1437.1.1 Where boundaries approximately follow streets, alleys or highways

Where district boundaries are indicated as approximately following the center line or street line of streets, the center line or alley line of alleys, or the center line or right-of-way line of highways such lines shall be construed to be such district boundaries.

59-1437.1.2 Where boundaries parallel street lines, alley lines or highway right-of-way lines. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, the center lines or alley lines of alleys, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto, and at such distance there from, as indicated on the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown on said zoning map.

59-1437.1.3 Where boundaries approximately follow lot lines

Where district boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be said boundaries.

59-1437.1.4 Where the boundary follows a railroad line

Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located midway between the main tracks of said railroad line.

59-1437.1.5 Where the boundary follows a body of water

Where the boundary of a district follows a stream, lake or other body of water said boundary line shall be construed to be the limit of the jurisdiction of the City of Titusville, unless otherwise indicated.

59-1437.1.6 Vacation of public ways

Whenever any street, alley, or other public way is vacated in the manner authorized by law, the zoning district adjoining each side of such street, alley, or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then henceforth be subject to all regulations of the extended districts.

59-1437.1.7 Where district boundaries are indicated as following platted lot lines

Such lot lines shall be construed to be the district boundaries.

59-1437.1.8 Where district boundaries are indicated by specific dimensions

Such specific dimensions shall control.

59-1437.1.9 Where district boundaries divide platted lots or cross undivided property, and where no specific dimensions are indicated on the zoning map

The scale of the zoning map shall control.

59-1437.1.10 Where the street or property layout or other physical features existing on the ground are at variance with the zoning map, or where other uncertainties exist as to interpretation of the Future Land Use Map

The City Manager or his designee shall interpret the map to fix the exact location of the boundaries.

59-1437.2 Provisions for parcels divided by district boundaries

Where any parcel of land is divided into two (2) or more zoning districts, the regulations of each individual district shall apply to that part of the parcel so zoned, except that when a parcel is divided into two (2) or more residential districts, the permitted intensity of development may be averaged over the entire parcel as long as the remaining applicable dimensional requirements are followed.

59-1438 Pre-Existing Conditions/Applicability

- 59-1438.1** Where buildings exist on adjacent lots, the Planning Director may require that a proposed building be compatible with the adjacent buildings rather than the provisions of this Code.
- 59-1438.2** Any addition to or modification of a structure that has been designated as historical or located within the Historical District by the Local Preservation Organization or to a building actually or eligible for inclusion on a state, local or national historic register, shall be subject to approval by the local Historic Preservation Board or other City designated organization.
- 59-1438.3** The restoration or rehabilitation of an existing building shall not require the provision of (1) parking in addition to that existing or (2) on-site stormwater retention/detention in addition to that existing or to provide same if neither is provided. Provisions for regional parking and regional stormwater programs and payments in-lieu of on-site provision are found in Article 5. Existing parking requirements that exceed those for this Code may be reduced as provided by the waiver provisions outline in Division 1, Section 59-1440.2 .
- 59-1438.4** All new buildings, renovations of 35% of the square footage, or improvements involving roof, structural, window replacement, painting, façade repair/replacement, additions or demolition/repair of existing buildings are subject to the Downtown Mixed Use District Code and Downtown Urban Design Manual.
- 59-1438.5** Existing buildings which have a change of use shall be reviewed by the Planning Director for a modification determination. An example of a change of land use is from commercial to residential, office to commercial, office to mixed use, and so on. Any waivers to these requirements shall be determined as outlined in Section 59-1440.2. Modification determination shall include consideration of the last time improvements were made to a structure:
- 59-1438.5.1** If a structure has not been modified or updated within 5 years, the following minimum improvements shall be required consistent with all current land development regulations and the Urban Design Manual:
- 59-1438.5.1.1** If Painting of structure
- 59-1438.5.1.2** If Landscaping
- 59-1438.5.1.3** If New Signage (must conform to current standards)
- 59-1438.5.1.4** If Replacement of safety hazards
- 59-1438.5.1.5** If Addition of 1 design feature from the Urban Design Manual appropriate to the style of the building.

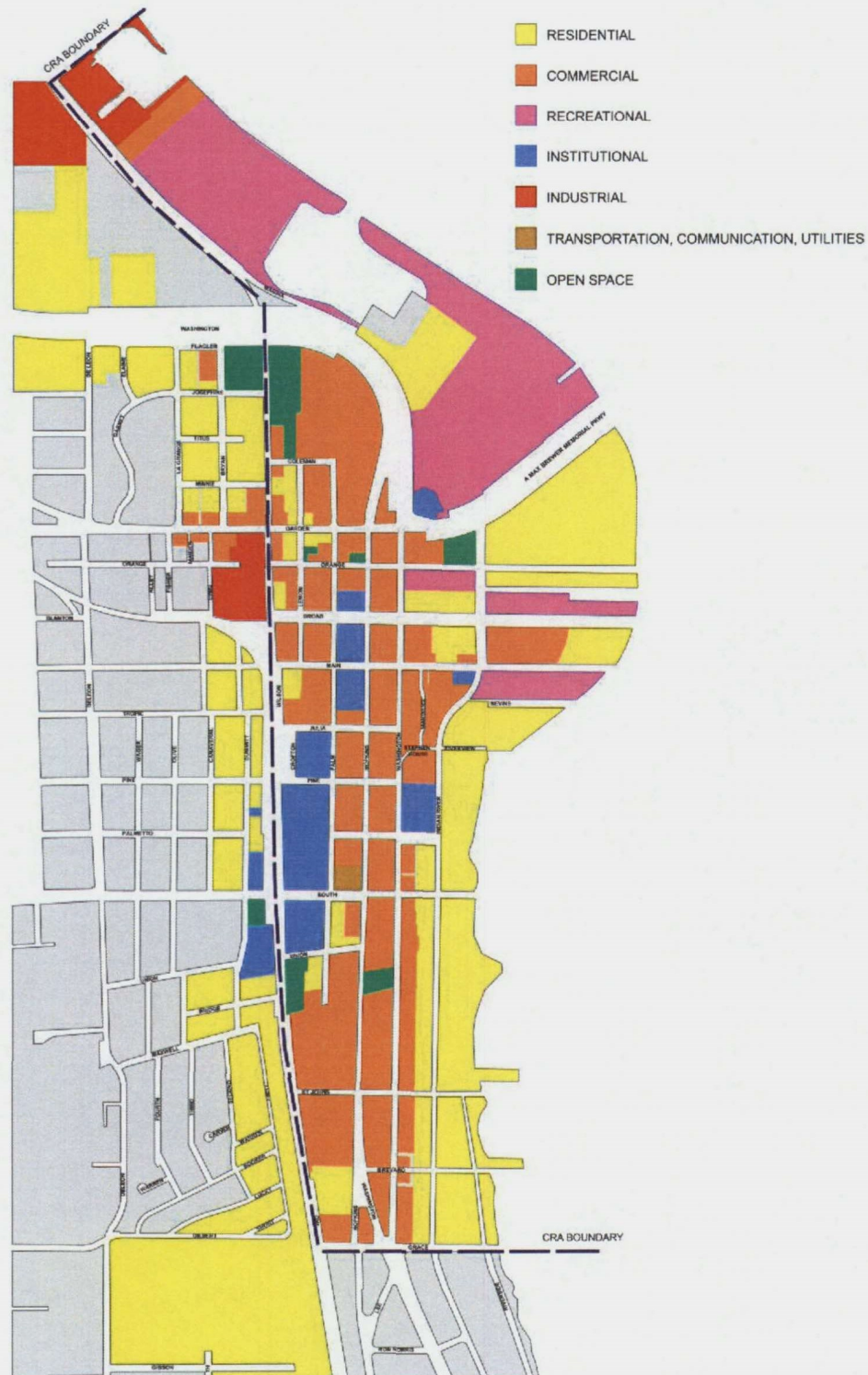
- 59-1438.5.2** If a structure has not been modified or updated between 5 and 10 years, the following minimum improvements shall be required consistent with all current land development regulations and the Urban Design Manual:
 - 59-1438.5.2.1** Painting, landscaping, new signage and replacement of safety hazards
 - 59-1438.5.2.2** Repair, replacement, or fixing of broken windows, structural problems, roof problems
 - 59-1438.5.2.3** Addition of 3 design features from the Urban Design Manual appropriate to the style of the building
- 59-1438.5.3** If a structure has not been modified or updated in more than 10 years, and not of historic character or on a register, the following minimum improvements shall be required consistent with all current land development regulations and the Urban Design Manual:
 - 59-1438.5.3.1** If Compliance with the Land Development Regulations, unless and variances and/or waivers are approved per Section 59-1440.2.
 - 59-1438.5.3.2** If Compliance with the Urban Design Manual

**THE MAPS ON THE FOLLOWING PAGES IDENTIFY THE GENERAL LOCATION, ZONING, LAND USE, AND
CONTEXT AREA FOR THESE PROPOSED LAND DEVELOPMENT REGULATIONS**

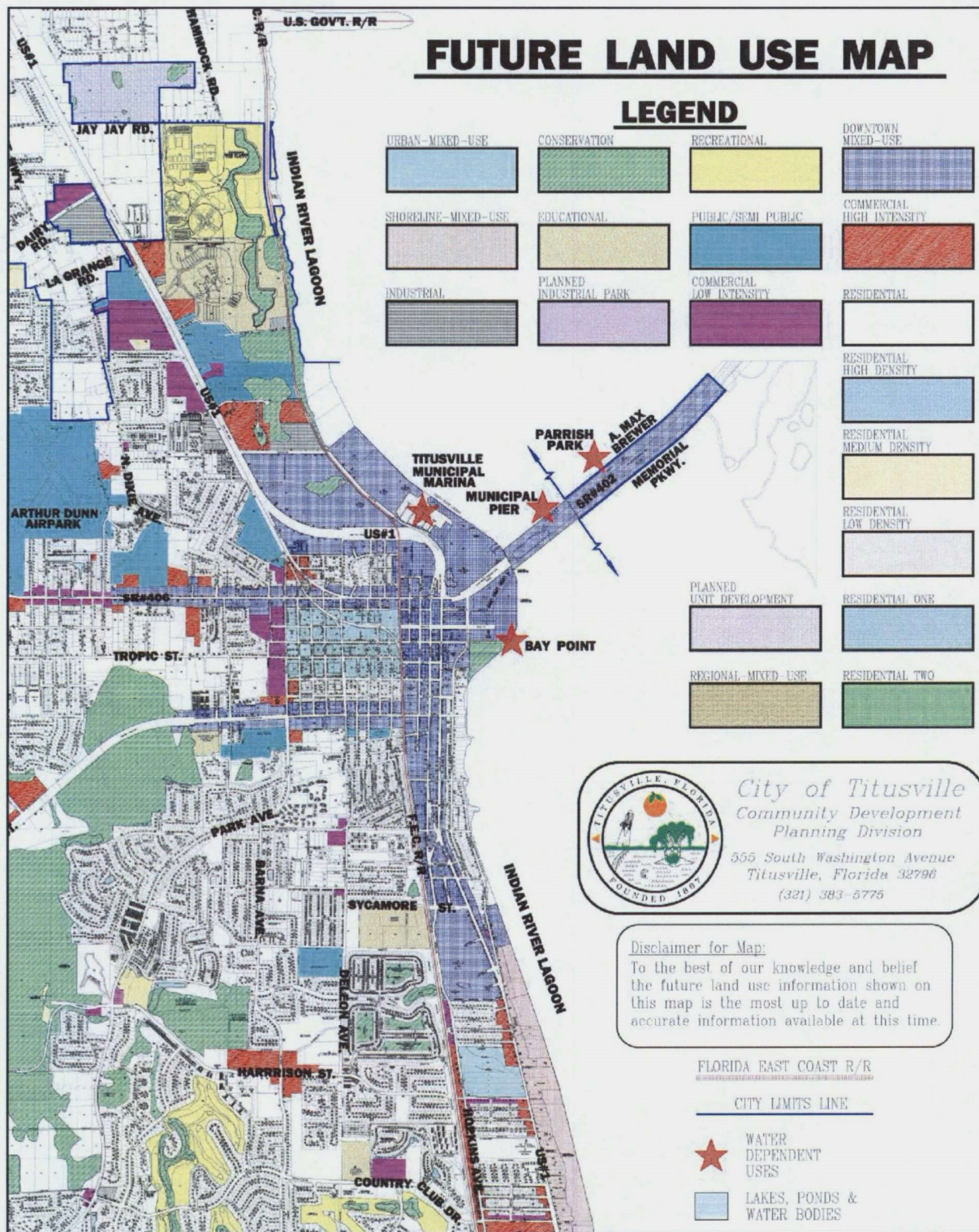
MAP 1 AERIAL/ LOCATION MAP



MAP 2 EXISTING LAND USE MAP



MAP 3 FUTURE LAND USE MAP



LEGEND

- CIVIC WATERFRONT
- UPTOWN
- DOWNTOWN
- DOWNTOWN HISTORIC DISTRICT
- MIDTOWN
- RESIDENTIAL HISTORIC DISTRICT

Zoning Districts

Residential Estates (RE)
 Rural Residential (RR)
 Single Family Low Density (R-1A)
 Single Family Medium Density (R-1B)
 Single Family High Density (R-1C)
 Multifamily, Medium Density Residential (R-2)
 Multifamily, High Density Residential (R-3)
 Residential Manufactured Housing Subdivision (RMH-1)
 Residential Manufactured Housing Park (RMH-2)
 Hospital-Medical (HM)
 Tourist (T)
 Neighborhood Commercial (NC)
 Community Commercial (CC)
 Regional Commercial (RC)
 Office-Professional, Separated (O-P-2)
 Commercial Marine (CM)
 Light Industrial Services and Warehousing (IM-1)
 Industrial (IM-2)
 Highway Industrial Infill (IM-3)
 Planned Industrial Development (PID)
 General Use (GU)
 Open Space and Recreation (OR)
 Central Business District (CBD)
 Urban Mixed Use (UMU)
 Shoreline Mixed Use (SMU)
 Residential Historic Preservation (RHP)
 Public Use (PU)
 Study Area (SA)
 Regional Mixed Use (RMU)
 Planned Unit Development (PUD-2)

Zoning Boundaries

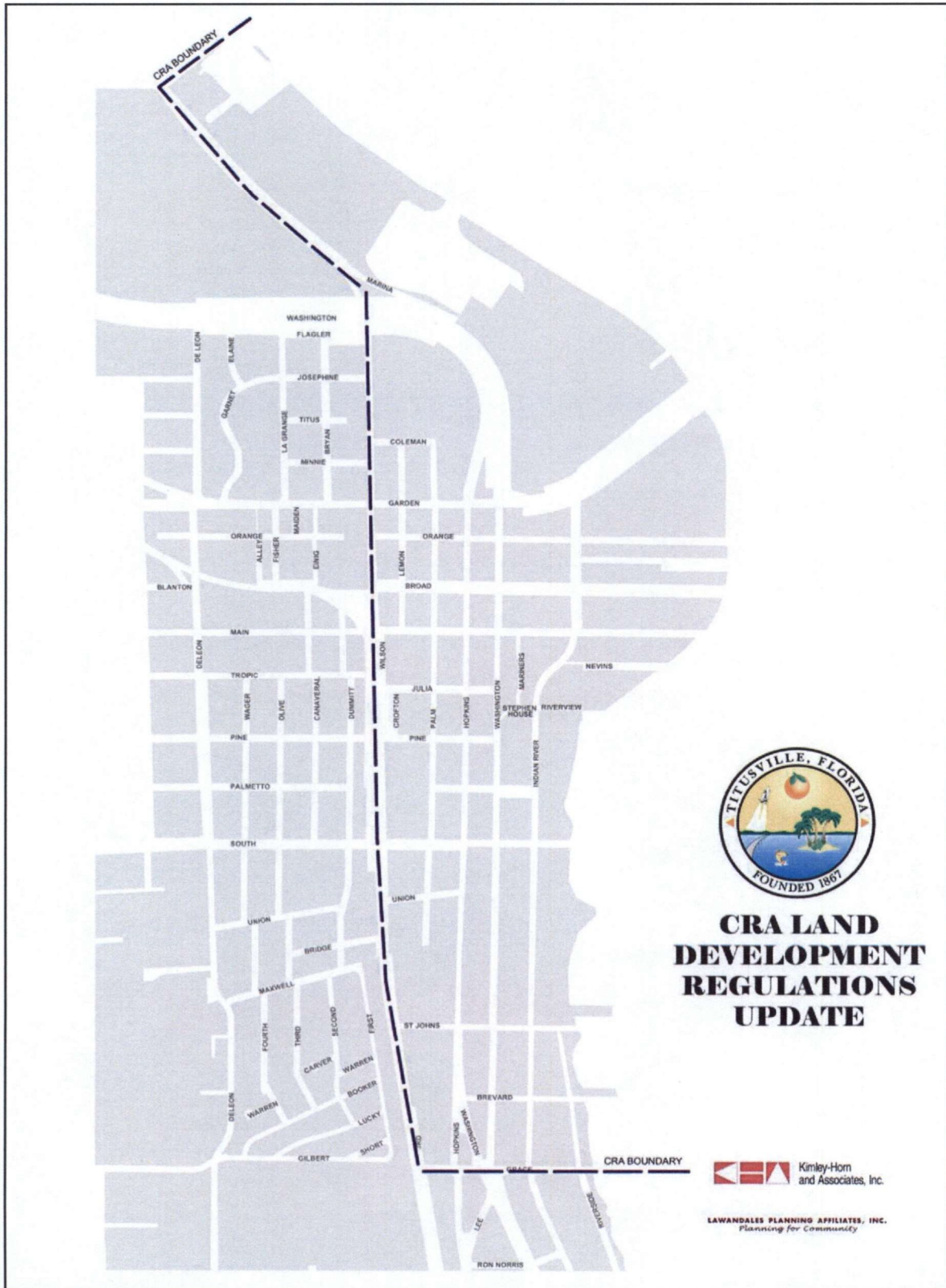
LA WANDALES PLANNING AFFILIATES, INC.
 Planning for Community

08-19-09

MAP 5 DOWNTOWN and DOWNTOWN HISTORIC DISTRICT



MAP 6 STREET NETWORK



MAP 7 RESIDENTIAL HISTORIC PRESERVATION DISTRICT



City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Planning and Zoning Commission
From: Bradley Parrish, Community Development Director
Subject: **Data Center Ordinance**
Department/Office: Community Development

Recommended Action:

Approve the ordinance prohibiting data centers.

This is a legislative item.

The City Council will hold public hearings on August 25, 2026 and September 8, 2026.

Summary Explanation & Background:

On June 9, 2026, the City Council requested information related to data centers; specifically, whether the City can prohibit their use.

On May 7, 2026, the Governor signed Senate Bill 484 governing data centers, which went into effect July 1, 2026.

Section 163.326 FL. Stat. states that certain land uses, including facilities with substantial electric or other utility demands, such as data centers and other large load customers as defined in s. 366.043(2), may present unique planning, infrastructure, and compatibility considerations. The Legislature intends that such considerations shall be addressed through local comprehensive planning and land development regulations adopted pursuant to this chapter, including provisions related to infrastructure capacity, land use compatibility, environmental impacts, and the efficient provision of public facilities and services. Local governments shall maintain the authority to exercise the powers and responsibilities for comprehensive planning and land development regulation granted by law with respect to large load customers. A large load customer may not be considered an electric substation for the purposes of s. 163.3208.

The law defines "Data center" as a facility that primarily contains electronic equipment used to process, store, and transmit digital information—which may be a free-standing structure or a facility within a larger structure which uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment. The law further defines "Large-scale data center" as a single location, with a data center on site, that has an anticipated monthly peak load of 50 megawatts or more, calculated

as the highest average load over a 15-minute interval. This does not include a load aggregated across multiple locations owned by the same customer. However, it does include all customers or other entities that have entered into a colocation or similar agreement at a single location that otherwise meets the anticipated monthly peak load threshold.

State law does not appear to limit a local jurisdiction's ability to regulate or prohibit data centers. The City Council considered whether to draft an ordinance defining and regulating the placement of data centers and establish performance standards and procedures for their approval; or, draft an ordinance explicitly prohibiting data centers.

On July 14, 2026, the City Council directed the staff to draft an ordinance explicitly prohibiting data centers from locating in the City of Titusville.

Alternatives:

- Approve the ordinance with changes.
- Do not approve the ordinance.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. Data Center Ord Ver4
2. SB484 Analysis
3. Chapter 2026-65 SB484 Data Centers

ORDINANCE NO. X-2026

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, TO ESTABLISH DATA CENTERS AS A PROHIBITED USE, BY AMENDING SECTIONS 28-52, "PROHIBITED USES", AND 37-1, "DEFINITIONS", OF THE TITUSVILLE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, INCORPORATION INTO THE CODE, AND EFFECTIVE DATE.

WHEREAS, under Ch. 2026-65, Laws of Florida, effective July 1, 2026, Florida municipalities and counties retain full authority to regulate land development, zoning, and permitting for large-scale data centers, often referred to as "large load customers"; and

WHEREAS, Section 163.326, Florida Statutes, provides that certain land uses, including facilities with substantial electric or other utility demands, such as data centers and other large load customers may present unique planning, infrastructure, and compatibility considerations, and provides that such considerations are to be addressed through local comprehensive planning and land development regulation; and

WHEREAS, data centers and associated facilities may require significant electric demand, water supply, cooling infrastructure, water capacity, stormwater infrastructure, backup generation, fuel storage, fire protection, emergency response planning, security infrastructure, utility infrastructure, and related public facilities and services; and

WHEREAS, data centers and associated facilities may present land use compatibility concerns due to impacts of noise, heat, and other impacts associated with these facilities; and

WHEREAS, the City Council finds that data centers and associated facilities are incompatible with the City's present land development framework and with the orderly development of the City of Titusville unless and until the City Council determines otherwise by subsequent ordinance; and

WHEREAS, the City Council finds that prohibiting data centers and associated facilities within the incorporated limits of the City is necessary and appropriate to protect the public health, safety, and welfare and to preserve the City's authority over local land use, development compatibility, infrastructure capacity, environmental impacts, and public facilities and services; and

WHEREAS, the City Council has determined that adoption of this Ordinance is in the best interests of the citizens of the City of Titusville and has conducted the necessary public hearings required for enactment.

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF TITUSVILLE, FLORIDA:

SECTION 1. RECITALS. The foregoing recitals are deemed true and correct and are hereby adopted and incorporated herein by this reference.

This ordinance is intended to regulate local land use and development approvals. It is not intended to regulate electric utility rates, tariffs, service classifications, cost allocation, interconnection requirements, electric service curtailment, or any matter within the jurisdiction of the Florida Public Service Commission or any other state or federal agency.

SECTION 2. That the Code of Ordinances, City of Titusville, Chapter 28, "Zoning", Article IV, "Use Table", Section 28-52, "Prohibited uses", is hereby amended to read as follows:

Sec. 28-52. Prohibited uses.

The uses in this section are specifically prohibited in the zoning districts listed with each use. These uses are in addition to the prohibited uses illustrated in the use table by a blank cell. Any use not permitted by right, or as a conditional use or accessory use, in a zoning district shall be prohibited in such district.

- (a) Marijuana cultivation is prohibited in all zoning districts in the City of Titusville.
- (b) Pain management clinics and cash-only pharmacies are prohibited in all zoning districts except the Hospital Medical (HM) zoning district. A Conditional Use Permit must be obtained prior to the establishment of any pain management clinic or cash-only pharmacy within the Hospital Medical (HM) zoning district.
- (c) Special education classes for juvenile delinquents, correctional facilities, drug or alcohol dependency/abuse or similar programs are prohibited uses in the Neighborhood Commercial (NC) and Office Professional (OP) zoning districts.
- (d) Outdoor storage is prohibited in the Regional Mixed-Use (RMU) zoning district, including all sub-districts.
- (e) Drive-through services are prohibited in the Regional Mixed-Use 200 sub-district (RMU-200).
- (f) Internet cafés are prohibited in the Indian River City Neighborhood-Commercial (IRCN-C) zoning district.
- (g) Soup kitchens are prohibited in the Downtown Mixed-Use (DMU) zoning district, including all sub-districts.
- (h) Mobile home parks are prohibited in the Downtown Mixed-Use (DMU) zoning district, including all sub-districts.
- (i) In addition to other prohibited uses listed in this section, the following uses are prohibited in the Neighborhood Commercial (NC) zoning district:
 - (1) Adult businesses.
 - (2) Pawnshops.
 - (3) Flea markets/farmer's markets.
 - (4) Physical contact establishments.
 - (5) Transient merchants, itinerant merchants, and itinerant vendors.
 - (6) Automotive sales and service.
 - (7) Sales and/or service of household appliances, gasoline-powered mowers, garden tillers, outboard engines, motor scooters, motor bikes, or motorcycles.
 - (8) Outdoor sales display or storage of merchandise.
- (j) Data centers, including large scale data centers, are prohibited in all zoning districts in the City of Titusville.
- (k) Additional uses may be prohibited on property within any overlay district. Overlay districts are established in Chapter 29 of these regulations.

SECTION 3. That the Code of Ordinances, City of Titusville, Chapter 37, "Definitions", Section 37-1, "Definitions", is hereby amended to read as follows:

Data center means a facility that primarily contains electronic equipment used to process, store, and transmit digital information, which may be:

(a) A free-standing structure; or

(b) A facility within a larger structure which uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment.

Large-scale data center means a single location, with a data center on site, that has an anticipated monthly peak load of 50 megawatts or more, calculated as the highest average load over a 15-minute interval. This does not include a load aggregated across multiple locations owned by the same customer. However, it does include all customers or other entities that have entered into a colocation or similar agreement at a single location that otherwise meets the anticipated monthly peak load of 50 megawatts or more, calculated as the highest average load over a 50-minute interval.

SECTION 4. SEVERABILITY. If any provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances, and all resolutions and parts of resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. INCORPORATION INTO CODE. This Ordinance shall be incorporated into the City of Titusville Code of Ordinances and any section or paragraph, number, or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this Ordinance and the Code may be made.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective upon adoption by the City Council in accordance with the Charter of the City of Titusville, Florida.

PASSED AND ADOPTED this ____ day of _____.

Andrew Connors, Mayor

ATTEST:

Wanda F. Wells, City Clerk

The Florida Senate
HOUSE MESSAGE SUMMARY

Prepared By: The Professional Staff of the Committee on Reapportionment

[2026s00484.hms.ri]

BILL: CS/CS/SB 484

INTRODUCER: Rules Committee, Community Affairs Committee, and Senators Avila, Yarborough, and Gaetz

SUBJECT: Data Centers

DATE: March 11, 2026

I. Amendments Contained in Message:

House Amendment — 383957 (body with title)

II. Summary of Amendments Contained in Message:

House Amendment - *Barcode 383957* revises CS/CS/SB 484 by:

- Deleting a specification that agencies may not enter into non-disclosure agreements, or other contracts restricting the agency from disclosing information about a potential data center development to members of the public.
- Changes the effective date (to effective upon becoming a law) of a provision maintaining the authority of local governments to exercise the powers and responsibilities for comprehensive planning and land development regulation granted by law with respect to large load customers. This provision also establishes that large load customers may not be considered an electric substation for the purposes of s.163.3208, F.S.
- Revising s. 288.075, F.S., which provides in current law a 12-month public records exemption, upon written request, for certain information held by economic development agencies when a business is considering locating, relocating, or expanding in Florida, with a possible 12-month extension upon written request. The underlying bill provision requires disclosure if the project involves a data center and eliminates the additional 12-month extension for projects that involve data centers. The amendment maintains this extension prohibition (with stylistic revisions), but removes the disclosure requirement.
- Removes a directive for the PSC to engage in rulemaking relating to creating large load tariff minimum requirements.
- Removes a provision that large load tariffs minimize the risk of nonpayment of such costs to the maximum extent practicable and replaces it with a directive that the general body of ratepayers may not bear the risk of non-payment of the costs to serve large load customers.
- Making the ratemaking and other financial tools to effectuate large load tariffs to be optional and does not provide or direct the PSC to use these in creating minimum standards.
- Requires updated large load tariffs to be filed by the utilities by October 1, 2026.

- Changes the effective date (to effective upon becoming a law) of a provision in the bill amending 373.203, F.S., to create a definition for data centers and large-scale data centers for ch. 373, F.S., which regulates Florida's water resources.
- Creates a requirement that the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall contract for an independent, interdisciplinary study of policy considerations related to the construction and operation of large-scale data centers
- Removes a re-enactment and makes technical changes

CHAPTER 2026-65

Committee Substitute for Committee Substitute for Senate Bill No. 484

An act relating to data centers; creating s. 163.326, F.S.; providing legislative findings; specifying that local governments maintain authority to exercise power and responsibility over comprehensive planning and land development regulations relating to large load customers; prohibiting a large load customer from being considered an electric substation; amending s. 288.075, F.S.; defining the term “data center”; providing an exception to a provision allowing an extension of certain confidentiality protections; creating s. 366.043, F.S.; providing legislative findings; defining terms; requiring public utilities to provide certain minimum tariff and service requirements for large load customers; requiring that such requirements ensure that large load customers bear their costs of service and that such costs are not shifted to the general body of ratepayers; requiring certain measures to minimize the risk of nonpayment of such costs; requiring that such minimum tariff and service requirements include certain provisions designed to prevent a public utility from providing electric service to a large load customer that is a foreign entity; prohibiting a customer from separating a certain electrical load into multiple smaller connections for a specified purpose; authorizing the Florida Public Service Commission to approve public utility tariffs that include certain utility industry-accepted ratemaking and other financial tools; prohibiting any tariff, contractual provision, service requirement, or other public utility policy from preventing or hindering the curtailment or interruption of electric service to a large load customer for certain purposes; prohibiting a public utility from knowingly providing electric service to a large load customer that is a foreign entity; requiring each public utility to file a tariff in compliance with the provisions of the bill by a specified date; amending s. 373.203, F.S.; defining terms; creating s. 373.262, F.S.; providing legislative intent; prohibiting the governing board of a water management district or the Department of Environmental Protection from issuing a permit for the consumptive use of water to a large-scale data center under certain circumstances; requiring that such permit be issued to a large-scale data center applicant if the applicant establishes that the proposed use of water satisfies certain requirements; requiring the governing board or the department to require the use of reclaimed water for a large-scale data center applicant’s allocation when certain requirements are met; specifying requirements for certain permit applications; prohibiting the approval of permit applications without a hearing; amending s. 373.239, F.S.; requiring that consumptive use permit modifications proposed by a large-scale data center be treated in a specified manner; requiring the Office of Program Policy Analysis and Government Accountability to contract for a study relating to the construction and operation of large-scale data centers; providing requirements for the study; requiring the study to be submitted

to the Governor, the President of the Senate, and the Speaker of the House by a specified date; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Effective upon becoming a law, section 163.326, Florida Statutes, is created to read:

163.326 Large load customer considerations.—

(1) The Legislature finds that certain land uses, including facilities with substantial electric or other utility demands, such as data centers and other large load customers as defined in s. 366.043(2), may present unique planning, infrastructure, and compatibility considerations. The Legislature intends that such considerations shall be addressed through local comprehensive planning and land development regulations adopted pursuant to this chapter, including provisions related to infrastructure capacity, land use compatibility, environmental impacts, and the efficient provision of public facilities and services.

(2) Local governments shall maintain the authority to exercise the powers and responsibilities for comprehensive planning and land development regulation granted by law with respect to large load customers. A large load customer may not be considered an electric substation for the purposes of s. 163.3208.

Section 2. Paragraphs (a), (b), and (c) of subsection (1) of section 288.075, Florida Statutes, are redesignated as paragraphs (b), (c), and (d), respectively, paragraph (a) of subsection (2) is amended, and a new paragraph (a) is added to subsection (1) of that section, to read:

288.075 Confidentiality of records.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Data center” has the same meaning as in s. 373.203.

(2) PLANS, INTENTIONS, AND INTERESTS.—

(a)1. If a private corporation, partnership, or person requests in writing before an economic incentive agreement is signed that an economic development agency maintain the confidentiality of information concerning plans, intentions, or interests of such private corporation, partnership, or person to locate, relocate, or expand any of its business activities in this state, the information is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution for 12 months after the date an economic development agency receives a request for confidentiality or until the information is otherwise disclosed, whichever occurs first.

2. An economic development agency may extend the period of confidentiality specified in subparagraph 1. for up to an additional 12 months upon

written request from the private corporation, partnership, or person who originally requested confidentiality under this section and upon a finding by the economic development agency that such private corporation, partnership, or person is still actively considering locating, relocating, or expanding its business activities in this state. Such a request for an extension in the period of confidentiality must be received prior to the expiration of any confidentiality originally provided under subparagraph 1. This subparagraph does not apply to information described in subparagraph 1. relating to data centers.

If a final project order for a signed economic development agreement is issued, then the information will remain confidential and exempt for 180 days after the final project order is issued, until a date specified in the final project order, or until the information is otherwise disclosed, whichever occurs first. However, such period of confidentiality may not extend beyond the period of confidentiality established in subparagraph 1. or subparagraph 2.

Section 3. Section 366.043, Florida Statutes, is created to read:

366.043 Large load tariffs for public electric utilities.—

(1) The Legislature finds that the provision of safe and reliable electric services, provided at fair, just, and reasonable rates, is essential to the welfare of the ratepayers of this state. The Legislature further finds that when one class of electric service customer requires uniquely large electrical loads at a single location, it imposes a disproportionate risk on the other ratepayers of this state and makes it necessary for the commission to develop and enforce rate structures and other policies for such customers which ensure such risk is mitigated as much as possible and prevent shifting the costs of serving large load customers to the general body of ratepayers.

(2) As used in this section, the term:

(a) “Controlled by” means having the power to direct or cause the direction of the management or policies of a company, whether through ownership of securities, by contract, or otherwise. A person or an entity that directly or indirectly has the right to vote 25 percent or more of the voting interests of the company or that is entitled to 25 percent or more of its profits is presumed to control the entity.

(b) “Foreign country of concern” has the same meaning as in s. 692.201.

(c) “Foreign entity” means an entity that is:

1. Owned or controlled by the government of a foreign country of concern;
or

2. A partnership, an association, a corporation, an organization, or other combination of persons organized under the laws of or having its principal

place of business in a foreign country of concern, or a subsidiary of such entity.

(d) “Large load customer” means a customer with an anticipated monthly peak load of 50 megawatts or more, calculated as the highest average load over a 15-minute interval at a single location. The term does not include a load aggregated across multiple locations owned by the same customer. However, the term includes all customers or other entities that have entered into a colocation or similar agreement at a single location that otherwise meets the anticipated monthly peak load provided in this paragraph.

(e) “Public utility” has the same meaning as in s. 366.02, except that the term does not include a gas utility.

(3) The following minimum tariff and service requirements for large load customers are required in public utility tariffs:

(a) The minimum tariff and service requirements must reasonably ensure that each large load customer bears its own full cost of service and that such cost is not shifted to the general body of ratepayers. Such cost of service includes, but is not limited to, connection, incremental transmission, incremental generation, and other infrastructure costs; operations and maintenance expenses; and any other costs required to serve a large load customer. The risk of nonpayment of such costs may not be borne by the general body of ratepayers.

(b) The minimum tariff and service requirements must include provisions reasonably designed to prevent a public utility from providing electric service to a customer that would otherwise qualify as a large load customer if that customer is a foreign entity.

(4) A customer may not separate an electrical load at a single location into multiple smaller connections to avoid being classified as a large load customer.

(5) To effectuate the requirements of subsection (3), the commission may approve public utility tariffs that include utility industry-accepted rate-making and other financial tools, including, but not limited to, the following:

(a) Contributions in aid of construction or other required customer infrastructure investments that may be returned, in whole or in part, to such customers over time.

(b) Demand charges, including minimum demand charges.

(c) Incremental generation charges.

(d) Financial guarantees.

(e) Minimum load factors.

(f) Take-or-pay provisions or similar provisions requiring payment for contracted capacity, regardless of a large load customer's actual electricity use or demand.

(g) Minimum period of service contract requirements, including early termination fees or other fees for violation of such contracts.

(6) Any tariff, contractual provision, service requirement, or other public utility policy relating to large load customers may not prevent or otherwise hinder the curtailment or interruption of electric service to a large load customer where such curtailment or interruption is intended to ensure grid stability, reduce the likelihood or breadth of wider service outages, or ensure public safety during an emergency or other exceptional circumstance.

(7) A public utility may not knowingly provide electric service to a customer that would otherwise qualify as a large load customer if that customer is a foreign entity.

(8) No later than October 1, 2026, each public utility shall file, for commission approval, a tariff that complies with this section.

Section 4. Effective upon becoming a law, subsections (3) and (4) of section 373.203, Florida Statutes, are redesignated as subsections (5) and (6), respectively, and new subsections (3) and (4) are added to that section, to read:

373.203 Definitions.—

(3) “Data center” means a facility that primarily contains electronic equipment used to process, store, and transmit digital information, which may be:

(a) A free-standing structure; or

(b) A facility within a larger structure which uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment.

(4) “Large-scale data center” means a single location, with a data center on site, that has an anticipated monthly peak load of 50 megawatts or more, calculated as the highest average load over a 15-minute interval. The term does not include a load aggregated across multiple locations owned by the same customer. However, the term includes all customers or other entities that have entered into a colocation or similar agreement at a single location that otherwise meets the anticipated monthly peak load provided in this subsection.

Section 5. Section 373.262, Florida Statutes, is created to read:

373.262 Large-scale data center permitting.—

(1) It is the intent of the Legislature that the development and operation of large-scale data centers in this state be managed under a permitting framework that ensures this state's water resources are used in the public interest, in a manner that is not harmful to the water resources of this state, and consistent with local government zoning regulations and comprehensive plans.

(2) Consistent with other provisions of this part, the governing board of a water management district or the department may not issue a permit to a large-scale data center applicant for an allocation of water if the proposed use of the water is harmful to the water resources of the area or is prohibited by the applicable local government zoning regulations and comprehensive plan. A permit shall be issued to a large-scale data center applicant for an allocation of water if the applicant establishes that the proposed use of water:

(a) Is a reasonable-beneficial use as defined in s. 373.019;

(b) Will not interfere with any presently existing legal use of water; and

(c) Is consistent with the public interest.

(3) The governing board or the department shall require the use of reclaimed water in lieu of all or a portion of a proposed use of surface water or groundwater by a large-scale data center applicant when:

(a) A suitable reclaimed water supply source is available and permitted;

(b) Reclaimed water distribution or supply lines are available at the property boundary in sufficient capacity and quality to serve the applicant's needs;

(c) The applicant is capable of accessing the reclaimed water source through distribution or supply lines;

(d) Use of reclaimed water is environmentally, economically, and technically feasible; and

(e) Use of reclaimed water would not conflict with the requirements contained in the applicant's surface water discharge permit, if applicable.

(4)(a) In addition to the requirements of s. 373.229, all permit applications made under this part requesting an allocation of at least an average daily flow of 100,000 gallons of water per day by a large-scale data center must contain:

1. All sources and amounts of water and losses of water used for cooling, industrial and treatment processes, personal or sanitary needs of employees, and landscape irrigation; and

2. A water conservation plan that, at a minimum, incorporates recycling cooling water before discharge or disposal, implementation of a leak detection and repair program, use of water efficient fixtures, and implementation of an employee awareness and education program concerning water conservation.

(b) Notwithstanding s. 373.229(4), the governing board or the department may not approve a permit application made under this part by a large-scale data center without a hearing.

Section 6. Subsection (2) of section 373.239, Florida Statutes, is amended to read:

373.239 Modification and renewal of permit terms.—

(2) If the proposed modification involves water use of 100,000 gallons or more per day or is proposed by a large-scale data center as defined in s. 373.203, the application shall be treated under the provisions of s. 373.229 in the same manner as the initial permit application. Otherwise, the governing board or the department may at its discretion approve the proposed modification without a hearing, provided the permittee establishes that:

(a) A change in conditions has resulted in the water allowed under the permit becoming inadequate for the permittee's need, or

(b) The proposed modification would result in a more efficient utilization of water than is possible under the existing permit.

Section 7. The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall contract for an independent, interdisciplinary study of policy considerations related to the construction and operation of large-scale data centers, including, but not limited to, state, regional, or local economic development and tax revenue impacts; use of land, water, and other natural resources; energy use and related cost and rate impacts; and public health and safety related impacts. OPPAGA may contract with one or more nonpartisan academic or nonprofit research organizations with policy and scientific expertise in relevant fields of study. The study must identify any issues unique to the construction and operation of large-scale data centers in this state. The study must also include recommendations on facility siting and mitigation measures that should be considered to reduce any potential negative impacts. OPPAGA shall submit the study to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2027.

Section 8. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2026.

Approved by the Governor May 7, 2026.

Filed in Office Secretary of State May 7, 2026.