

**MINUTES
CITY OF COCOA
PLANNING & ZONING BOARD/ LOCAL PLANNING AGENCY
REGULAR MEETING
May 1, 2024**

A Regular meeting of the Planning & Zoning Board Local Planning Agency was held on May 1, 2024 at City Hall, 65 Stone Street, Cocoa, FL, as publicly noted.

I. CALL TO ORDER:

Chairperson Park called the meeting to order at 6:00 PM.

ROLL CALL:

Wesley Park	Chairperson
Todd Anderson	Vice Chairperson
Ron Chabot	Board Member
Aleck Greenwood	Board Member
Veronica Lopez	Board Member
Marcus Wheeler	Board Member
Merrybeth Burgess	Alternate Member
Katherine Stewart	Alternate Member
Kristin Eick	City Attorney

PRESENT:

Wesley Park	Chairperson
Todd Anderson	Vice Chairperson
Ron Chabot	Board Member
Aleck Greenwood	Board Member
Merrybeth Burgess	Alternate Member
Katherine Stewart	Alternate Member (arrived 6:04pm)

ABSENT:

Marcus Wheeler	Board Member
Veronica Lopez-Valez	Board Member

STAFF PRESENT:

Kristin Eick, Board Attorney; Lori Chabot, Recording Secretary; and Abbey Bass, Assistant City Clerk, Luci Ribeiro, Jennifer Webster.

Chairperson Park led the assembly in the Pledge of Allegiance.

II. APPROVAL OF AGENDA AND MINUTES:

1. AGENDA: Meeting of May 1, 2024

- * **MOTION BY BOARD MEMBER ANDERSON; SECONDED BY BOARD MEMBER GREENWOOD TO APPROVE THE MAY 1, 2024 REGULAR MEETING AGENDA AS WRITTEN.**

AYES: PARK, ANDERSON, CHABOT, GREENWOOD, BURGESS

MOTION PASSED UNANIMOUSLY (5-0)

2. MINUTES: Meeting of April 3, 2024.

- * **MOTION BY BOARD MEMBER CHABOT; SECONDED BY BOARD MEMBER ANDERSON TO APPROVE THE April 3, 2024 REGULAR MEETING MINUTES AS WRITTEN.**

AYES: PARK, ANDERSON, CHABOT, GREENWOOD, BURGESS

MOTION PASSED UNANIMOUSLY (5-0)

III. OLD BUSINESS:

None¹.

IV. NEW BUSINESS:

PZ-24-02000001 – ZONING TEXT AMENDMENT - ORDINANCE 05-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, AMENDING Chapter 18, *Subdivisions*, of the Code of the City of Cocoa to create a new Article VII, *Lot Splits and Boundary Line Adjustments*, and to make certain other amendments to Chapter 18, of the Code as may be necessary to effectuate the new Article VII; providing for amendments to the City's Subdivision application requirements and processing procedures for both Preliminary and Final Plats; altering the requirements for posting security to ensure completion of public improvements prior to Final Plat approval; amending the processing procedures for Site Plans processed concurrently with Plat applications and requiring approval of the City Council on such Site Plans; eliminating specific procedures for the creation of flag lots within the City of Cocoa; changing references to the Community Development Director to the City Manager or his or her designee in the code related to Subdivision and Site Plan Application processing; providing for the repeal of prior inconsistent Ordinances and Resolutions, incorporation into the code, severability, and an effective date.

¹ Alternate member Stewart arrived at 6:04pm

City Attorney Eick presented the item via a presentation² and explained the changes and that this ordinance had not been changed since 1953 and was intended to make the process smoother for residents and was in accordance with state law.

Board Member Greenwood asked for clarification on what types of subdivisions this will affect and how many units will be affected.

Attorney Eick explained this type of ordinance will affect existing subdivisions and replats and that three or more lots require a subdivision approval.

Board Member Chabot asked if he divided a two-acre lot into three lots would that be considered a subdivision.

Attorney Eick confirmed that is correct and it falls under state law.

Board member Greenwood asked if this code will make it more difficult for new developments to come here or will it still remain the same.

Attorney Eick explained that this change would actually make it simpler for lot splits and these provisions will make the process easier for everyone. She stated it will make it where these lots will meet zoning requirements.

Chairperson Park wanted to touch on the miswording in the ordinance and asked it be corrected. He also asked for clarification on some of the items listed in the ordinance such as the misdemeanor section being stricken and the section stating it would fall onto the City Manager for the final decision. Additionally, he asked in Section 18-24 why the wording "shall" was changed to "should". He also requested to add "and Zoning" to the wording in the ordinance behind Planning Board.

Attorney Eick advised she would correct the wording before the ordinance went before Council and re-explained the ordinance and that the City Manager has the ability to make a boundary line adjustment.

Board Member Chabot asked if he had five acres of land and divided it so his children each has a plot of land, would it still be considered a subdivision since it's all owned by family members.

Attorney Eick advised that under state law it would have to be. If you divide property under separate ownership it will be classified as a subdivision.

*

MOTION BY BOARD MEMBER PARK; SECONDED BY BOARD MEMBER TODD TO APPROVE THE ORDINANCE WITH THE RECOMMENDED CHANGES AS DISCUSSED.

AYES: PARK, ANDERSON, CHABOT, GREENWOOD, BURGESS, STEWART

² Exhibit A: 05/01/2024 Planning & Zoning Presentation

MOTION PASSED UNANIMOUSLY (6-0)

V. TREE BOARD:

Board Member Greenwood stated he spoke with a coalition in Rockledge that works towards saving the trees and limiting the amount of trimming. He asked if the Board would consider allowing the City of Cocoa to join their team in helping preserve the trees.

He also touched on septic systems destroying the trees and suggested smart septic tanks be required as a way to preserve the trees.

Chairperson Park stated he was scared to lose the trees as well but requiring smart septic tanks costs a lot of money to home owners. He agreed that the city should find a way to preserve the trees. He said moving the city to sewer would save the city residents money from having to replace a septic tank every 20-30 years.

Attorney Eick re-explained the ordinance that was already in place and touched on certain homeowners being exempt from pulling a permit in order to remove a tree from their property.

Alternate Member Stewart asked the city attorney what legal rights we have to join another City's coalition.

Attorney Eick said it needs to be addressed with the City Manager or possibly taken before the City Council.

VI. OTHER BUSINESS:

Planning and Zoning Board Open Discussion

VII. NEXT MEETING DATE:

The next scheduled meeting for the Planning and Zoning Board will be held on Wednesday, June 5, 2024 at 6 pm in Cocoa City Hall, 65 Stone St, Cocoa, FL 32922.

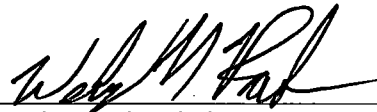
VIII. ADJOURNMENT:

* **MOTION BY MEMBER VICE CHAIRPERSON ANDERSON; SECONDED BY ALTERNATE MEMBER STEWART TO ADJOURN THE MEETING.**

**AYES: PARK, ANDERSON, CHABOT, GREENWOOD, BURGESS,
STEWART**

MOTION PASSED UNANIMOUSLY (6-0)

MEETING ADJOURNED AT 7:06 PM.



Wesley Park, Chairperson

Respectfully Submitted By:



Abigail Bass, Assistant City Clerk