

**MINUTES
CITY OF COCOA
PLANNING & ZONING BOARD/ LOCAL PLANNING AGENCY
REGULAR MEETING
March 3, 2021**

A Regular meeting of the Planning & Zoning Board Local Planning Agency was held on March 3, 2021 at City Hall, 65 Stone Street, Cocoa, FL, as publicly noted.

I. CALL TO ORDER:

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

ROLL CALL:

Michael Dobrin	Chairperson
Al Washington	Vice Chairperson
Todd Anderson	Board Member
Jeri Blanco	Board Member
Sherry Ervin	Board Member
Trina Gilliam	Board Member
Marilyn Green	Board Member
Susan Mock	Board Member
Russell Sengel	Board Member
Aleck Greenwood	Alternate Member
Debbie Joyce	School Board Representative

PRESENT:

Michael Dobrin	Chairperson
Al Washington	Vice Chairperson
Jeri Blanco	Board Member
Sherry Ervin	Board Member
Trina Gilliam	Board Member
Marilyn Green	Board Member
Susan Mock	Board Member
Russell Sengel	Board Member
Aleck Greenwood	Alternate Member

ABSENT:

Todd Anderson	Board Member
Debbie Joyce	School Board Rep.

STAFF PRESENT:

Kristin Eick, Board Attorney; Dodie Selig, Planning & Zoning Manager, Alix Bernard, Senior Planner, Lavander Hearn, Board Liaison, and Monica Arsenault, Recording Secretary.

Chairperson Dobrin led the assembly in the Pledge of Allegiance.

II. APPROVAL OF AGENDA AND MINUTES:

1. AGENDA: Meeting of March 3, 2021

- * **MOTION BY BOARD MEMBER ERVIN; SECONDED BY BOARD MEMBER GREEN TO APPROVE THE MARCH 3, 2021 AGENDA AS WRITTEN.**

AYES: DOBRIN, WASHINGTON, BLANCO, ERVIN, GILLIAM, GREEN, GREENWOOD, MOCK, SENDEL

MOTION PASSED UNANIMOUSLY (9-0)

2. MINUTES: Meeting of February 3, 2021

- * **MOTION BY BOARD MEMBER BLANCO; SECONDED BY BOARD MEMBER GREEN TO APPROVE THE FEBRUARY 3, 2021 MINUTES AS WRITTEN.**

AYES: DOBRIN, WASHINGTON, BLANCO, ERVIN, GILLIAM, GREEN, GREENWOOD, MOCK, SENDEL

MOTION PASSED UNANIMOUSLY (9-0)

III. OLD BUSINESS:

A. PZ-21-002- Zoning Text Amendment (RU-2-10 District Regulations)

Ms. Selig shared a presentation¹ and explained that the purpose of the proposed changes to RU-2-15 and RU-2-25 are to remove reference to RU-2-10 zoning district regulations for development of single-family and duplex dwellings and to provide new regulations for the development. The Substitute Consent Decree specifically limits the application of the RU-2-10 zoning district regulations to the lands subject to the decree. In addition, the City Council has expressed the desire to limit building of dwelling units on small parcels of land without accompanying amenities.

¹ Exhibit A: Zoning Text Amendment RU-2-10

Ms. Selig provided maps of the Consent Decree area, locations of the RU-2-10 and RU-2-25 zonings and the City's zoning map. She also shared zoning comparisons and discussed permitted uses, bulk regulations and setbacks. She pointed out that there are two development scenarios to consider which is redevelopment on existing RU-2-15 or RU-2-25 parcel(s) and new development on land rezoned to RU-2-15 or RU-2-25.

Alternate member Greenwood raised concerns about the setbacks being only 15 ft. in the rear side of a property in RU-1-7 and RU-2-10 zones.

Board member Gilliam verified that the max lot coverage is thirty percent. In response, Ms. Selig replied affirmatively but only in RU-1-7 and forty percent in the other zones.

Furthermore, Ms. Selig provided a summary of the Ordinance, explaining that the proposed changes to the RU-2-15 regulations will allow the construction of single-family (and multi-family of not more than 3 units per building) under a choice of two options:

- Build under the RU-1-7 (Single Family Dwelling District) regulations, which require a minimum lot size of 75 feet by 100 feet, without amenities.
- Or build under the RU-2-15 regulations which allow a minimum lot size of 50 feet by 100 feet, but require the developer to provide a percentage of the gross acreage as open space/recreation amenities.

The proposed changes to the RU-2-25 regulations will allow the construction of single-family (and multi-family of not more than 4 units per building) under a minimum lot area, lot width and setbacks that are comparable to those under the RU-2-15 district.

Staff is recommending that the Planning and Zoning Board recommend approval to City Council of an Ordinance of the City Council of the City of Cocoa, Brevard County, Florida; amending Appendix A, Zoning, Article XI, Sections 4A, 5 and 6 of the Zoning Ordinance of the City of Cocoa; limiting the future application of the RU-2-10 zoning district and the regulations therein pertaining to the construction of Single-Family Dwellings; providing for the repeal of prior inconsistent ordinances and resolutions, incorporation into the Code, severability, and an effective date.

* **MOTION BY BOARD MEMBER BLANCO; SECONDED BY VICE CHAIRPERSON WASHINGTON TO RECOMMEND APPROVAL TO CITY COUNCIL OF AN ORDINANCE AMENDING APPENDIX A, ZONING, ARTICLE XI, SECTIONS 4A, 5 AND 6 OF THE ZONING ORDINANCE OF THE CITY OF COCOA; LIMITING THE FUTURE**

APPLICATION OF THE RU-2-10 ZONING DISTRICT AND THE REGULATIONS THEREIN PERTAINING TO THE CONSTRUCTION OF SINGLE-FAMILY DWELLINGS; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY AND AN EFFECTIVE DATE.

AYES: DOBRIN, WASHINGTON, BLANCO, ERVIN, GILLIAM, GREEN, MOCK, SENDEL

NAYES: GREENWOOD

MOTION PASSED (8-1)

IV. NEW BUSINESS:

A. PZ-21-004 – Zoning Text Amendment (C-C & CWOD District Regulations)

Ms. Selig gave a presentation² and provided the project summary. She explained that the City would like to allow for the possibility of construction of townhouses, single-family homes and duplexes under the C-C, Core Commercial zoning district regulations, specifically as a Special Exception use.

Currently these uses are listed as prohibited in this district. Allowing a low-density residential option near the downtown area where the C-C district is located would allow infill redevelopment on smaller existing lots which are not suitable for larger commercial or residential developments without the combination of parcels.

Ms. Selig shared a map of the affected areas and explained the change to C-C zoning. She noted that in Section 18, Core Commercial Zoning District this would:

- Add townhouse residential subdivision (regulated by RU-2-15) as a Special Exception use.
- Add single-family homes and duplexes (regulated by RU-2-15) as a Special Exception use.
- Remove single-family homes and duplexes from the list of prohibited uses.

The RU-2-15 zoning district was chosen for the regulation of these uses because it already provides specific zoning regulations for single-family, duplex and townhome development.

Additionally, Ms. Selig explained the changes to CWOD zoning. In Section 22, Cocoa Waterfront Overlay District this would:

² Exhibit B: Zoning Text Amendment – C-C & CWOD

- Amend the use table to add Duplexes to single-family detached dwelling use and add “SE” for Special Exception to the Core Commercial Zoning district columns under the Uptown Neighborhood and King/Willard Sub-districts.
- Amend the use table to add Townhouse to single-family attached dwelling use and add “SE” for Special Exception to the Core Commercial Zoning district columns under the Uptown Neighborhood, South End, Cocoa Village, North of the Village and King/Willard Sub-districts.
- Amend the Regulating Plan building types table to add “RP” for Regulating Plan to the King/Willard Sub-district under the House building type.

The changes proposed for Section 22 are necessary to mirror the changes in Section 18. The Regulating Plan is divided into 8 sub-districts and the uses allowed within each are further regulated based on the underlying zoning district of the various parcels within.

The first change proposed above will allow single-family and duplex use in two of the sub-districts which have Core Commercial zoning. These uses were not added to the remaining three sub-districts in order not to dilute the more intensely commercial nature of those sub-districts.

The second change proposed above will allow the townhouse use in those sub-districts which have Core Commercial zoning.

The third change listed above is specific to one parcel of land along the north side of SR520 which is currently developed with a single-family home. This is the only parcel within the King/Willard sub-district that has a single-family use. The property owner has a significant sentimental attachment to the property as it has passed down within his family and he wishes to rebuild a home on the property. No single-family building type is permitted in the King/Willard sub-district at this time. Therefore, the combination of allowing single-family as a use with approval of a Special Exception along with the addition of the House building type to this particular parcel would create a potential method by which the current property owner might be able to rebuild his grandmother’s home without diluting the commercial nature of the corridor in general.

Ms. Selig advised that staff is recommending that the Planning and Zoning Board recommend approval to City Council of an Ordinance of the City Council of the City of Cocoa, Brevard County, Florida; amending Appendix A, Article XI, Sections 18 and 22 of the Zoning Ordinance of the City of Cocoa; allowing townhouses and single-family homes as a Special Exception use within the Core Commercial district and certain sub-districts of the Cocoa Waterfront Overlay District; amending the Waterfront Overlay Regulating Plan to allow for House building types on certain properties within the Cocoa Waterfront Overlay District; providing for the repeal of prior inconsistent ordinances and resolutions, incorporation into the code, severability, and an effective date.

Alternate member Greenwood pointed out that if the Board approves this item there will be a house surrounded by all commercial properties.

Board member Sengel added that even if the Board does not approve the item the house will still be there regardless. In response, Ms. Selig discussed "spot zoning" and advised that this would not necessarily set a precedent as these situations would have to be approved by Special Exception and would need to come before the Board of Adjustment for approval on a case-by-case basis.

- * **MOTION BY BOARD MEMBER GREEN; SECONDED BY BOARD MEMBER SENDEL TO RECOMMEND APPROVAL TO CITY COUNCIL OF AN ORDINANCE AMENDING APPENDIX A, ARTICLE XI, SECTIONS 18 AND 22 OF THE ZONING ORDINANCE OF THE CITY OF COCOA; ALLOWING TOWNHOUSES AND SINGLE-FAMILY HOMES AS A SPECIAL EXCEPTION USE WITHIN THE CORE COMMERCIAL DISTRICT AND CERTAIN SUB-DISTRICTS OF THE COCOA WATERFRONT OVERLAY DISTRICT; AMENDING THE WATERFRONT OVERLAY REGULATING PLAN TO ALLOW FOR HOUSE BUILDING TYPES ON CERTAIN PROPERTIES WITHIN THE COCOA WATERFRONT OVERLAY DISTRICT; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.**

AYES: DOBRIN, WASHINGTON, BLANCO, ERVIN, GILLIAM, GREEN, GREENWOOD, MOCK, SENDEL

MOTION PASSED UNANIMOUSLY (9-0)

V. OTHER BUSINESS:

A. Tree Board: City Arborist Update

Ms. Selig shared that the City's Public Works Department is looking at bringing two people on board who will have arborist licenses. She advised that she will keep the Board apprised on this.

B. Board Discussion

Vice Chairperson Washington pointed out that he heard there was interest in the old Winn Dixie site, but he has not seen anything happening on the site yet. He also asked about the Starbucks as he has not seen any activity there yet either. In response, Ms. Selig explained that these projects will take some time.

Board member Ervin asked when the new Amazon Distribution Center will break ground. In response, Alternate member Mock shared she read in the paper that they would like to start in May.

Board member Gilliam pointed out that sometimes when permits and projects are held up it is not always the City's fault as sometimes other organizations, such as St. John's Water Management, etc., can hold things up too.

VII. NEXT MEETING DATE:

The next scheduled meeting for the Planning and Zoning Board will be held on Wednesday, March 17th at 6pm in Cocoa City Hall, 65 Stone St, Cocoa, FL 32922.

VIII. ADJOURNMENT:

* **MOTION BY BOARD MEMBER ERVIN; SECONDED BY BOARD MEMBER GILLIAM TO ADJOURN THE REGULAR MEETING OF MARCH 3, 2021.**

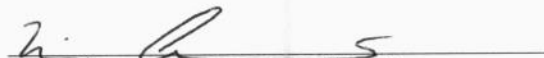
AYES: DOBRIN, WASHINGTON, BLANCO, ERVIN, GILLIAM, GREEN, GREENWOOD, MOCK, SENDEL

MOTION PASSED UNANIMOUSLY (9-0)

MEETING WAS ADJOURNED AT 7:05 PM.


Michael Dobrin, Chairperson

Respectfully Submitted By:


Monica Arsenault, Recording Secretary