

City of Cocoa

*65 Stone Street
Cocoa, FL 32922*



Meeting Agenda

Wednesday, November 2, 2022

6:00 PM

Cocoa City Council Chambers

Planning and Zoning / Local Planning Agency

I. CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

II. APPROVAL OF AGENDA AND MINUTES:

[22-657](#) Approval of the November 2, 2022 Regular Planning & Zoning Meeting Agenda

Attachments: [November 2 2022- PZ Short Agenda.pdf](#)

III. OLD BUSINESS:

IV. NEW BUSINESS:

[22-653](#) Staff recommends that the Planning and Zoning Board recommend approval to City Council of the requested zoning text amendment to allow for printing, engraving, and related reproduction uses; and craft breweries as special exception uses as provided in Ordinance 15-2022.

Attachments: [Ord 15-2022 C-C and Overlay Uses.pdf](#)
[Legal Ad.pdf](#)

V. UPDATES AND STAFF REPORTS:

VI. NEXT MEETING DATE:

The next regularly scheduled meeting of the Planning and Zoning Board will be on Wednesday, December 7 at 6:00 PM at the Cocoa City Hall, 65 Stone Street, Cocoa, Florida.

VII. ADJOURNMENT

NOTICE TO THE PUBLIC:

This is a public meeting. All interested parties may attend in person. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Carie Shealy, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8484 or via email at cshealy@cocoafl.org.

Additionally, interested persons may view or listen to the meeting electronically at the following internet sites:

- (1) <https://tinyurl.com/s5e875r> or
- (2) <https://cocoa.legistar.com/DepartmentDetail.aspx?ID=26365&GUID=FF9D3369-D354-4FAB-800A-57D0AEE30153&Mode=MainBody>

However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.

Interested persons may submit their written comments or questions regarding the meeting prior to the meeting through Email at meetings@cocoafl.org, or via E-comments through the online agenda. Any electronic comments submitted will be made part of the meeting record. Written comments or questions not relevant to the Council meeting agenda will not be made part of the meeting record but will be maintained as public record.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that: if a person decides to appeal any decision made by the City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

Although members of the public are entitled to be heard by the City Council on certain items on the meeting agenda pursuant to the City Council Rules of Procedure, members of the public are not entitled to an immediate response by either administrative staff members or Council; however, the City Council or administrative staff may provide a response at their discretion. When presenting before the City Council, all comments or questions should be directed to the Mayor or the chair of the meeting. Comments or questions should not be made directly to administrative staff without permission from the Mayor or chair.

Public debate by individual speakers from the audience on public hearing items shall be limited to three (3) minutes. Applicants or representatives of recognized groups with special interests in a matter shall be limited to ten (10) minutes; and total debate on a single issue shall be limited to thirty (30) minutes. Only one presentation per person per item shall be allowed.

A Council member may add an item to the agenda during the meeting only at the time the agenda is approved. If the item requires action by the Council, then it may be added to the agenda by an affirmative vote of the Council, and written documentation must be submitted at the time the item is added to the agenda. Matters may also be raised by the Council, City Manager or City Attorney under reports and acted upon by the City Council.

This agenda is posted on the Municipal Bulletin Board and at the Central Brevard Library and Reference Center in Cocoa for public review.



Legislation Details (With Text)

File #: 22-657 **Version:** 2 **Name:**
Type: Agenda **Status:** Agenda Ready
File created: 10/28/2022 **In control:** City Council
On agenda: 11/2/2022 **Final action:**
Title: Approval of the November 2, 2022 Regular Planning & Zoning Meeting Agenda
Sponsors:
Indexes:
Code sections:
Attachments: [November 2 2022- PZ Short Agenda.pdf](#)

Date	Ver.	Action By	Action	Result
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PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AGENDA ITEM

Memo Date: October 28, 2022
Agenda Date: November 2, 2022
Prepared By: Monica Arsenault, Assistant City Clerk
Through:
Requested Action:
Approval of the November 2, 2022 Regular Planning & Zoning Meeting Agenda

BACKGROUND:

N/A

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Approval of the November 2, 2022 Regular Planning & Zoning Meeting Agenda



CITY OF COCOA
Planning & Zoning Board /
Local Planning Agency
City Council Chambers

Cocoa City Hall
65 Stone Street
Cocoa, FL 32922

AGENDA
Regular Meeting
November 2, 2022
6:00 p.m.

I. OPENING MATTERS:

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE

II. APPROVAL OF AGENDA AND MINUTES:

1. AGENDA: Meeting of November 2, 2022

III. OLD BUSINESS: None

IV. NEW BUSINESS:

- A. **Zoning Text AMENDMENT** consistent with APPENDIX A, ARTICLE XI, SECTIONS 18 AND 22 OF THE ZONING ORDINANCE OF THE CITY OF COCOA; CHANGING THE LIST OF SPECIAL EXCEPTION USES IN THE CORE COMMERCIAL ZONING DISTRICT AND COCOA WATERFRONT OVERLAY DISTRICT.

V. OTHER BUSINESS:

1. Tree Board Update: (none)
2. Recent Development (none)
3. Open Discussion by Board members

VI. NEXT MEETING DATE:

Wednesday, December 7, 2022

VII. ADJOURNMENT

General Notice Information:

This is a public meeting. Interested parties are hereby advised that they may appear at said meeting and be heard. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Carie Shealy, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8484 or via email at cshealy@cocoafl.org.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the BOA, P&Z Board/LPA or City Council with respect to any matter considered at its meeting

or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

The BOA or PZ Board/LPA meeting may include the attendance of one (1) or more members of the Cocoa City Council who may or may not participate in the Board discussions held at this public hearing. The BOA, PZ Board/LPA and City Council reserve the right to continue or postpone hearings to a date certain without re-advertising.

Public Participation Information:

Members of the public may view the meeting agenda, ordinances, project applications, supporting documents, and staff reports on the City's website at the following link prior to attending or commenting:

- City of Cocoa meeting calendar at <https://cocoa.legistar.com/Calendar.aspx>

Documents pertaining to the above may also be inspected at the Community Services Department, between 8:00 a.m. and 5:00 p.m., Monday through Friday, or by phoning (321) 433-8535.

Interested persons may submit their written comments or questions prior to the meeting through Email at meetings@cocoafl.org, or via E-comments through the online agenda at the link above. Any electronic comments submitted will be made part of the meeting record.

Viewing In Real Time. Interested persons are encouraged to view and listen to the hearings live by accessing the meetings at the following internet address:

- City of Cocoa meeting calendar at <https://cocoa.legistar.com/Calendar.aspx>

However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.

Special Information for Quasi-Judicial Hearings:

Any person that (1) can demonstrate that they may suffer special damages different in kind and degree from that of the general public at large; and (2) wishes to present factual or expert witnesses and/or evidence at the quasi-judicial hearing is highly encouraged to immediately contact Dodie Selig, Planning and Zoning Manager, at (321) 433-8510 or dselig@cocoafl.org, to make proper arrangements for presentation of witnesses and/or evidence. All witnesses should be identified and all evidentiary documents and exhibits that are intended to be distributed to the BOA, P&Z/LPA and City Council should be submitted to Ms. Selig via email or mail at least three (3) days prior to the hearing.



Legislation Details (With Text)

File #: 22-653 **Version:** 1 **Name:**
Type: Agenda **Status:** Agenda Ready
File created: 10/27/2022 **In control:** Planning and Zoning / Local Planning Agency
On agenda: 11/2/2022 **Final action:**
Title: Staff recommends that the Planning and Zoning Board recommend approval to City Council of the requested zoning text amendment to allow for printing, engraving, and related reproduction uses; and craft breweries as special exception uses as provided in Ordinance 15-2022.

Sponsors:

Indexes:

Code sections:

Attachments: [Ord 15-2022 C-C and Overlay Uses.pdf](#)
[Legal Ad.pdf](#)

Date	Ver.	Action By	Action	Result
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PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AGENDA ITEM

Memo Date: October 27, 2022
Agenda Date: November 2, 2022
Prepared By: Bryant Smith, Public Works Director/City Engineer & Interim Growth and Economic Development Director
Through: Bryant Smith, Public Works Director/City Engineer & Interim Growth and Economic Development Director
Requested Action:

Staff recommends that the Planning and Zoning Board recommend approval to City Council of the requested zoning text amendment to allow for printing, engraving, and related reproduction uses; and craft breweries as special exception uses as provided in Ordinance 15-2022.

BACKGROUND:

Zoning Ordinance Amendment Analysis

In accordance with Section 1(G)(2), Article XXII, Appendix A (Zoning), of the Code of the City of Cocoa, the Planning and Zoning Board shall consider and study the following when an amendment to the zoning code is proposed:

- a. *The need and justification for the change.*
- b. *The relationship of the proposed amendment to the purposes and objective of the comprehensive planning programs and to the comprehensive plan, with appropriate consideration as to whether the proposed changes will further the purposes of [the] zoning code and other codes, regulations, and actions designed to implement the comprehensive plan.*

Need and justification for change

The proposed ordinance would amend the City's Zoning Code as follows:

- Add *printing, engraving, and related reproduction processes and publishing* as a special exception use in the C-C and in subdistricts of the Cocoa Waterfront Overlay District with C-C as the underlying district for consistency.
- Add *craft breweries*, subject to the conditions of the underlying zoning district, as a special exception use in the Cocoa Waterfront Overlay District in all subdistricts with C-C or CBD as the underlying zoning district to ensure consistency with the C-C and CBD zoning districts.

The above proposed amendments are intended to eliminate inconsistencies between the C-C zoning district, the Waterfront Overlay District, and the Central Business District (CBD); and add printing, engraving and reproduction in the Core Commercial District (C-C) as a special exception use.

Printing, Engraving, and Reproduction

Currently, the Core Commercial zoning district does not allow for printing, engraving, and related reproduction uses. These uses would be consistent with the intent of the C-C district to allow uses that are intended to be low to medium intensity commercial, office and professional uses, in areas located adjacent to and between major transportation corridors. Printing, engraving, and related reproduction uses are already permitted uses in the Central Business District and in the Cocoa Waterfront Overlay subdistricts where CBD is an underlying zoning district. Given that these are already permitted uses in the Central Business District, staff believes that the addition of printing, engraving and related uses as a special exception will be consistent with surrounding uses. Moreover, the Board of Adjustment will be able to evaluate through the special exception process any impacts associated with a particular proposed project, such as noise, truck deliveries/traffic, or hours of operation. To ensure consistency, printing, engraving and reproduction uses have also been added as a special exception to the use table in the Cocoa Waterfront Overlay District where C-C is the underlying zoning district. Specifically, these uses would be allowed in the following subdistricts where C-C- is the underlying zoning district: Uptown Neighborhood (UN); South End (SE); Cocoa Village; North of the Village (NV); and the King Willard (KW).

Craft Breweries

Craft breweries are already allowed as a special exception use in the C-C and the CBD, subject to different conditions in each zoning district. However, the Cocoa Waterfront Overlay District does not allow the use in the subdistrict use table. The amendment would allow craft breweries (subject to conditions of underlying zoning district) as a special exception use in all Cocoa Waterfront Overlay subdistricts where C-C or CBD is the underlying subdistrict. The City Council previously adopted Ordinance 03-2016 on March 22, 2016 to provide for craft breweries as a special exception (defined as an entity that utilizes the fermentation process to produce beer beverages) in the C-C district and Ordinance 06-2016 on May 10, 2016 to provide that craft breweries are a special exception use in the CBD. Thus, the change would ensure consistency between the underlying zoning districts of C-C, CBD and Cocoa Waterfront Overlay, which allow for craft breweries as a special exception use.

Relationship and consistency with Comprehensive Plan Policies and Objectives

The proposed change would add printing, engraving, and related reproduction uses as a special exception within the C-C Core Commercial district and corresponding subdistricts of the Cocoa Waterfront Overlay District as allowed via the city's FLU. In addition, the proposed ordinance would ensure that craft breweries are a special exception use allowed in the Cocoa Waterfront Overlay district where C-C- and CBD zoning districts are an underlying district.

Property that will benefit from these changes are located in the Mixed-Use Future Land Use. According to Policy 1.1.2.6 (Mixed-Use), the MU designation "is intended to provide a mixture of residential, commercial, office, recreational and institutional uses along the major transportation corridors (such as SR 520 and US 1). The mixed-use could be developed as single uses on separate parcels or as a mixture of uses within a single development." This will encourage a compact and walkable environment to reduce vehicle miles of travel and transitional areas between high and low intensity uses while also addressing current and future uses and needs. Staff believes that craft breweries and printing, engraving and reproduction businesses have a strong commercial component that will support the continued development of the mixture of uses desired in this Future Land Use category.

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Staff recommends that the Planning and Zoning Board recommend approval to City Council of the requested zoning text amendment to allow for printing, engraving, and related reproduction uses; and craft breweries as special exception uses as provided in Ordinance 15-2022.

ORDINANCE NO. 15-2022

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; CHANGING THE LIST OF SPECIAL EXCEPTION USES IN THE CORE COMMERCIAL ZONING DISTRICT AND COCOA WATERFRONT OVERLAY DISTRICT; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City is granted the authority, under Section 2(b), Art. VIII of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the City Council desires to change the list of special exception uses in the Core Commercial zoning district to provide for printing, engraving, and related reproduction uses as a special exception use and to make consistent amendments to allow for printing, engraving and related reproduction uses as a special exception in the Cocoa Waterfront Overlay District; and

WHEREAS, the City Council previously adopted Ordinance 03-2016 on March 22, 2016 to provide that craft breweries, defined as an entity that utilizes the fermentation process to produce beer beverages, are a special exception use in the C-C, Core Commercial District, given that the City anticipated craft beer breweries would continue to increase in popularity; and

WHEREAS, the City Council previously adopted Ordinance 06-2016 on May 10, 2016 to provide that craft breweries are a special use in the CBD, Central Business District; and

WHEREAS, the City Council desires to amend the list of special exception uses in the Cocoa Waterfront Overlay District to ensure consistency between the underlying zoning districts of C-C and CBD, which allow for craft breweries as a special exception use, and the Overlay, which does not currently address craft brewery uses; and

WHEREAS, the City Council of the City of Cocoa held two duly noticed public hearings on the proposed zoning change set forth hereunder and considered findings and advice of staff, the Planning and Zoning Board, citizens, and all interested parties submitting comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Cocoa Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

WHEREAS, the City Council of the City of Cocoa, Florida, hereby finds this ordinance

to be in the best interests of the public health, safety, and welfare of the citizens of Cocoa.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COCOA HEREBY ORDAINS, AS FOLLOWS:

Section 1. **Recitals.** The foregoing recitals are hereby fully incorporated herein by reference as legislative findings of the City Council of Council.

Section 2. **Code Amendments.** The City of Cocoa Code of Ordinances, Appendix A, Article XI, Sections 18 and 22, are hereby amended as follows (underlined type indicates additions and ~~strikeout~~ type indicates deletions, while asterisks (***) indicate a deletion from the Ordinance of text existing in Appendix A, Article XI, Sections 18 and 22. It is intended that the text in Appendix A, Article XI, Sections 18 and 22 denoted by the asterisks and set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this ordinance):

APPENDIX A - ZONING

* * *

ARTICLE XI. – SCHEDULE OF DISTRICT REGULATIONS

* * *

Sec. 18. District and Intent—C-C, Core Commercial District.

The provisions of this district are intended to apply to the core area as described in the city's adopted redevelopment plan, an area generally bounded on the north by Mitchell Street, on the east by Forest Avenue and Brunson Boulevard, on the south by the city limits and on the west by U.S. 1. Uses are based on the redevelopment plan and are intended to be low to medium intensity commercial, office and professional uses, in areas located adjacent to and between major transportation corridors. The permitted uses and design and development standards are intended to promote major developments of high quality, including medium density multi-family, townhouse, and single-family housing, office parks, village commercial, institutional uses and significant open space areas. It is intended that "performance standards" control the permissible type, density or intensity, mix of development and design and development standards. All development in the Core Commercial District shall be required to submit a site plan and obtain approval pursuant to article XIII, section 1 of this zoning ordinance.

* * *

(C) SPECIAL EXCEPTIONS.

- (1) Multiple-family dwellings as regulated in article XI, section 6, RV-2-25 Multiple-Family Dwelling District, provided, however, that, multiple-family uses may be developed in conjunction with nonresidential uses.

- (2) Townhouse residential subdivision (as regulated by section 5, RU-2-15)
- (3) Single-family homes and duplexes (as regulated by section 5, RU-2-15)
- (4) Churches and schools.
- (5) Parks and green areas.
- (6) Sewer lift stations.
- (7) Child care centers.
- (8) Service stations as regulated in section 12, C-G (C)(2), except that all repair services shall be within an enclosed structure.
- (9) Utilities.
- (10) Bed and breakfast establishments as regulated by article XIII, section 24, Bed and breakfast establishments.
- (11) Telecommunication towers and antennas, pursuant to article XIII, section 26.
- (12) Craft breweries, with a bar and/or lounge area as an accessory use, subject to the following:
 - a. Onsite production shall be limited to beer only; and
 - b. Bar and lounge areas associated with the brewery shall be permitted but shall not exceed 50 percent of the total square footage of the operation; and
 - c. Bar and lounge areas associated with the brewery may serve beer and wine, only; and
 - d. No alcohol consumption, other than that associated with the bar and lounge area, shall be permitted on-site; and
 - e. All materials and supplies related to the brewery operation shall be stored in an enclosed structure.
- (13) Printing, engraving and related reproduction processes as well as the publishing and distribution of books, newspapers and other printed material.

* * *

Sec. 22. Cocoa Waterfront Overlay District.

* * *

- (E) *Cocoa Waterfront Overlay Sub districts.* The waterfront overlay includes nine (9) sub districts and identified in the Regulating Plan. The sub districts include:
1. Cocoa Village (CV).
 2. Heart of Cocoa (HC).

3. King/Willard Corridor (KW).
4. Uptown Neighborhood (UN).
5. South of the Village (SV).
6. South End (SE).
7. Waterfront (WF).
8. North of Village (NV).

(F) *Uses.* The following table identifies, by zoning district and overlay sub district what uses are permitted (P), not permitted (blank) and/or requires a special exception (SE).

"Key: SE-Special Exception, Blank Cell-Not Permitted, P- Permitted, RP- as identified on the regulating plan"	Heart of Cocoa	Uptown Neighborhood (UN)			South of the Village (SV)		South End (SE)		Waterfront (WF)	Cocoa Village			North of the Village (NV)			King Willard (KW)		
	RU-2-10	RU-2-25	CBD	C-C	RU-2-25	CBD	CBD	C-C	CBD	RU-2-10	CBD	C-C	C-G	C-C	C-P	CBD	C-P	C-C
* * *																		
Commercial																		
Adult Entertainment Establishment & Sexually Oriented Businesses (see section 2.5 adult entertainment)																		
Automotive Repair, enclosed structure													SE					
Automotive service stations and Wash (accessory)													P					
Bar or Lounge			SE			SE	SE		SE		SE		SE		SE	SE	SE	
Bed and breakfast establishments		SE	P	SE	P	P	P	SE	P		P	P		SE		P		SE
Car wash, full or self-service													P					
Convenience Store with gas pumps													P		P		P	

<u>Craft Brewery (subject to conditions of underlying zoning district)</u>			<u>SE</u>	<u>SE</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>		<u>SE</u>	<u>SE</u>		<u>SE</u>		<u>SE</u>		<u>SE</u>
Cultural Centers, Museums, Galleries, Community Centers (commercial)			P			P	P		P		P					P		
Dry cleaning Establishments			SE			SE	SE		SE		SE		P			SE		
Financial Institutions			P	P		P	P	P	P		P	P	P	P		P		P
Gym and Fitness facilities			P			P	P		P		P					P		
Hotels and Motels		SE	P	P		P	P	P	P		P	P		P	P		P	
Optical services			P			P	P		P		P		P			P		
Package Store, beer and wine			SE			SE	SE		SE		SE		P		P	SE	P	
Parking, public or private			SE	P		SE	SE	P	SE		SE ¹	P		P		SE		P
Personal Service Establishments, beauty, barber, laundry, dry cleaning, tailor			P	P		P	P	P	P		P	P	P	P	P	P	P	P
Plant Nurseries, greenhouses															P		P	
Printing, Engraving, Repro, Publishing			P	<u>SE</u>		P	P	<u>SE</u>	P		P	<u>SE</u>		<u>SE</u>		P		<u>SE</u>
Private Clubs and Lodges	SE	SE	P	P	SE	P	P	P	P	SE	P	P	SE	P	P	P	P	P
Recreation structures, theatres, driving ranges, bowling alleys (not drive in theatres)			SE			SE	SE		SE		SE		P		P	SE	P	

Repair Service Establishments			P			P	P		P		P					P		
Restaurants			P	P		P	P	P	P		P	P		P		P		P
Retail Stores (except Automotive)			P			P	P		P		P		P			P		
Retail Commercial				P				P				P		P				P
Retail Sales outlet													P			P		
Retail Stores w/outside display																P		P
Sales Office - temporary - no longer than 120 days			SE			SE	SE		SE		SE					SE		
Self-Service Storage			SE			SE	SE		SE		SE		SE			SE		

¹ Parking uses shall be located either in a garage conforming to the requirements of subsection (L) or, except for municipal lots, in a surface lot shared with a commercial, institutional, or civic building in accordance with the on-site location requirements of subsection (I). Parcels solely occupied by a surface parking lot use existing upon the effective date of this Ordinance (August 14, 2019) and as further identified as Parcel Number 24-36-33-39-8-7 (unassigned address) and 24-36-33-77-*1 (4 Church Street), shall be exempt from this requirement until such time as a parking garage or commercial, institutional or civic building is constructed on the parcel. Parking uses located on property with a commercial, institutional, or civic building shall not reduce the number of required parking spaces associated with the use of the building.

Section 3. Repeal of Prior Inconsistent Ordinances and Resolutions. All prior inconsistent ordinances and resolutions adopted by the City Council, or parts of prior ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, 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. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Council of the City of Cocoa, Florida.

ADOPTED by the City Council of the City of Cocoa, Florida, in a regular meeting assembled on the ____ day of _____, 2022.

Michael C. Blake, Mayor

ATTEST:

CARIE SHEALY, MMC
City Clerk

Legal Ad Published:	_____
First Reading:	_____
Legal Ad Published:	_____
Second Reading:	_____
Effective Date:	_____

Final Publication Date
10/26/2022

Ad Number
GCI0964669

Publication
Stuart News

Market
Brevard

Delivery Method
Both

Number of Affidavits Needed
1

Customer Email
cshealy@cocoafl.gov

Customer Name
City Of Cocoa (Te)

Customer Phone Number
(321) 639-7520

Customer Address
65 Stone St
Cocoa, FL 32922-7982

Account Number (If Known)
CIT180

Name
City Of Cocoa (Te) (Attn: Carie Shealy)

Street
65 Stone St

City
Cocoa

State
FL

ZIP Code
32922-7982

Your Name
Marita Froimson

Email Address
mfroimson@gannett.com

A Daily Publication By:



CITY OF COCOA TE
65 STONE ST
COCOA, FL 32922-7982
ATTN CARIE SHEALY

STATE OF FLORIDA COUNTY OF BREVARD

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

PUBLIC NOTICE

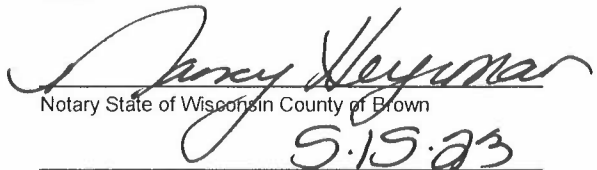
as published in FLORIDA TODAY in the issue(s) of

10/26/2022

Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 26TH DAY OF OCTOBER 2022 by legal clerk who is personally known to me

Affiant



Notary State of Wisconsin County of Brown

My commission expires

PUBLICATION COST: \$623.60
AD NO: GCI0964669
CUSTOMER NO: CIT180
PO#: PUBLIC NOTICE

NANCY HEYRMAN
Notary Public
State of Wisconsin

CITY OF COCOA

NOTICE OF PUBLIC HEARING

**THE PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AND THE
COCOA CITY COUNCIL**

**PROPOSE TO CONSIDER THE FOLLOWING
ZONING TEXT AMENDMENTS:**

ORDINANCE NO. 15-2022

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; CHANGING THE LIST OF SPECIAL EXCEPTION USES IN THE CORE COMMERCIAL ZONING DISTRICT AND COCOA WATERFRONT OVERLAY DISTRICT; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

**PLANNING & ZONING BOARD/ LOCAL PLANNING AGENCY PUBLIC HEARING
WILL BE HELD ON
November 2, 2022**

**AT 6:00 P.M. OR SOON THEREAFTER IN THE
COCOA CITY HALL COUNCIL CHAMBERS LOCATED AT
65 STONE STREET, COCOA, FL**

**CITY COUNCIL PUBLIC HEARING (FIRST READING) WILL BE HELD ON
November 9, 2022**

**AT 6:00 P.M. OR SOON THEREAFTER IN THE
COCOA CITY HALL COUNCIL CHAMBERS LOCATED AT
65 STONE STREET, COCOA, FL**

Members of the public may view the meeting agenda, ordinances, project applications, supporting documents, and staff reports on the City's website at the following link prior to attending or commenting: City of Cocoa meeting calendar at <https://cocoa.legistar.com/Calendar.aspx>

These documents and information pertaining to the above may also be inspected at the Community Services Department, between 9:00 a.m. and 5:00 p.m., Monday through Friday, or by phoning (321) 433-8535.

Interested parties are invited to attend this public meeting in person. Additionally, interested persons may view or listen to the meeting electronically at the following internet sites:

- (1) <https://tinyurl.com/s5e875r> or
- (2) <https://cocoa.legistar.com/DepartmentDetail.aspx?ID=26365&GUID=FF9D3369-D354-4FAB-800A-57D0AFE30153&Mode=MainBody>

However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.

Interested parties may also submit their written comments or questions prior to the meeting through Email at meetings@cocoafl.org, or via E-comments through the online agenda. Any electronic comments submitted will be made part of the meeting record. Written comments may also be mailed to City of Cocoa, Planning & Zoning Manager, 65 Stone Street, Cocoa, Florida 32922. Written comments or questions not relevant to the Council meeting agenda will not be made part of the meeting record but will be maintained as public record.

This is a public meeting. Interested parties are hereby advised that they may appear at said meeting and be heard. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Carrie Shealy, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8484 or via email at cshealy@cocoafl.org.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the P&Z/City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

The City Council reserves the right to continue or postpone hearings to a date certain without re-advertising.