

City of Cocoa

*65 Stone Street
Cocoa, FL 32922*



Meeting Agenda

Wednesday, September 4, 2024

6:00 PM

Cocoa City Council Chambers

Planning and Zoning / Local Planning Agency

I. OPENING MATTERS

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

II. APPROVAL OF AGENDA AND MINUTES:

AGENDA:

[24-509](#)

Request approval of the Agenda for the Planning & Zoning Board Regular Meeting held on Wednesday, September 4th, 2024, either as written or with amendments

Attachments:

[PZ Short Agenda Sept 4 \(003\).pdf](#)

MINUTES:

[24-511](#)

Request Board approval of the Minutes of the Planning & Zoning Meeting held on August 7, 2024, either as is or with amendments

Attachments:

[8-7 draft.pdf](#)

III. OLD BUISNESS

NONE

IV. NEW BUISNESS

A. [24-507](#)

Consideration of Ordinance 08-2024, a City-initiated Future Land Use Map (FLUM) Amendment consistent with Florida Statute Chapter 163, of (20) parcels of real property totaling approximately 3.36 acres from City of Cocoa "Commercial" to City of Cocoa "Neighborhood Commercial."..End

Attachments:

[Ordinance 08-2024 FLU Amendment Cocoa Place.docx](#)

[Exhibit A-Comp Amendment Location.pdf](#)

[Exhibit B- Comp Amendment.pdf](#)

[Legal Ad PZ Cocoa Place_Sept 4 _affadavit.pdf](#)

- B.** [24-508](#) Consideration of Ordinance 09-2024, a City-initiated Zoning Map Amendment to change the Zoning category of (18) parcels of real property totaling approximately 3.1 acres from City of Cocoa RU-1-7 "Single-Family Residential" to C-N "Neighborhood Commercial"....End

Attachments: [Ordinance 09-2024__Rezoning Cocoa Place.docx](#)
 [Exhibit A- Re-Zoning Location.pdf](#)
 [Exhibit B- Re-Zoning.pdf](#)
 [Legal Ad PZ Cocoa Place_Sept 4 _affadavit.pdf](#)

V. TREE BOARD

NONE

VI. OTHER BUISNESS

PLANNING AND ZONING BOARD OPEN DISCUSSION

VII. NEXT MEETING DATE:

The next regularly scheduled meeting of the Planning and Zoning Board will be on Wednesday, October 2, 2024 at 6:00 PM at the Cocoa City Hall, 65 Stone Street, Cocoa, Florida.

VIII. 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: Monica Arsenault, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8488 or via email at marsenault@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.



Legislation Details (With Text)

File #: 24-509 **Version:** 1 **Name:**
Type: Agenda **Status:** Agenda Ready
File created: 8/30/2024 **In control:** Planning and Zoning / Local Planning Agency
On agenda: 9/4/2024 **Final action:**
Title: Request approval of the Agenda for the Planning & Zoning Board Regular Meeting held on Wednesday, September 4th, 2024, either as written or with amendments
Sponsors:
Indexes:
Code sections:
Attachments: [PZ Short Agenda Sept 4 \(003\).pdf](#)

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

Memo Date: August 30, 2024
Agenda Date: September 4, 2024
Prepared By: Abigail Bass, Assistant City Clerk
Through: Tammy Gemmati, Administrative Services Director
Requested Action:
Request approval of the Agenda for the Planning & Zoning Board Regular Meeting held on Wednesday, September 4th, 2024, either as written or with amendments

BACKGROUND:

N/A

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Request approval of the Agenda for the Planning & Zoning Board Regular Meeting held on Wednesday, September 4th, 2024, either as written or with amendments



AGENDA

**Regular Meeting
September 4, 2024
6:00 p.m.**

I. OPENING MATTERS:

- A. CALL TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE

II. APPROVAL OF AGENDA AND MINUTES:

AGENDA: Regular Meeting of September 4, 2024

MINUTES: Regular Meeting of August 7, 2024

III. OLD BUSINESS: None

IV. NEW BUSINESS:

A. PZ 24-00500001 COMPREHENSIVE PLAN AMENDMENT | ORD 08-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, relating to comprehensive planning; amending the Future Land Use Map for twenty (20) parcels of real property within the City of Cocoa totaling 3.36 acres, more or less, and generally located along Cocoa Place, west of the intersection of Cocoa Place and North Cocoa Boulevard, in Cocoa, Florida, more particularly depicted and described on exhibit "A" attached hereto; changing the Future Land Use Map designation of said parcels from "Commercial" to "Neighborhood Commercial;" providing for the repeal of prior inconsistent ordinances and resolutions, severability, incorporation into the comprehensive plan, and an effective date and legal status of the plan amendment. Tax parcel ID numbers:

TAX PARCEL ID 24-36-28-01-*-2, 106 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-3, 110 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-4, 114 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-5, 118 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-6, 122 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-7, 126 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-8, 130 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-9, 134 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-10, 138 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-21, 139 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-20, 135 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-19, 131 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*-18, 127 COCOA PLACE, COCOA, FLORIDA 32922

TAX PARCEL ID 24-36-28-01-*17, 123 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*16, 119 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*15, 115 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*14, 111 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*13, 107 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*1, 865 N COCOA BLVD, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*12, 863 N COCOA BLVD, COCOA, FLORIDA 32922

B. PZ 24-02100005 COCOA PLACE ZONING MAP AMENDMENT | ORD 09-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; amending the official zoning map designation of eighteen (18) parcels of real property totaling 3.1 acres, more or less, and generally located along Cocoa Place, west of the intersection of Cocoa Place and North Cocoa Boulevard, in Cocoa, Florida, more particularly depicted and described on exhibit "A" attached hereto, from RU-1-7 (Single-Family Residential) to C-N (Neighborhood Commercial District); providing for the repeal of prior inconsistent ordinances and resolutions, severability, and an effective date. Tax parcel ID numbers:

TAX PARCEL ID 24-36-28-01-*2, 106 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*3, 110 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*4, 114 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*5, 118 COCOA PLACE, COCOA, FLORIDA 32922
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TAX PARCEL ID 24-36-28-01-*9, 134 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*10, 138 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*21, 139 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*20, 135 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*19, 131 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*18, 127 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*17, 123 COCOA PLACE, COCOA, FLORIDA 32922
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TAX PARCEL ID 24-36-28-01-*15, 115 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*14, 111 COCOA PLACE, COCOA, FLORIDA 32922
TAX PARCEL ID 24-36-28-01-*13, 107 COCOA PLACE, COCOA, FLORIDA 32922

V. TREE BOARD:

None

VI. OTHER BUSINESS:

Planning and Zoning Board Open Discussion

VII. NEXT MEETING DATE:

Wednesday, October 2, 2024 at 6:00 pm

VIII. 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: Monica Arsenault, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8488 or via email at marsenault@cocoafl.gov.

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 Lucilene Ribeiro, Senior Planner, at (321) 433-8510 or, 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 #: 24-511 **Version:** 1 **Name:**
Type: Minutes **Status:** Agenda Ready
File created: 8/30/2024 **In control:** Planning and Zoning / Local Planning Agency
On agenda: 9/4/2024 **Final action:**
Title: Request Board approval of the Minutes of the Planning & Zoning Meeting held on August 7, 2024, either as is or with amendments
Sponsors:
Indexes:
Code sections:
Attachments: [8-7 draft.pdf](#)

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

Memo Date: August 30, 2024
Agenda Date: September 4, 2024
Prepared By: Abigail Bass, Assistant City Clerk
Through: Tammy Gemmati, Administrative Services Director
Requested Action:
Request Board approval of the Minutes of the Planning & Zoning Meeting held on August 7, 2024, either as is or with amendments

BACKGROUND:

N/A

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Request Board approval of the Minutes of the Planning & Zoning Meeting held on August 7, 2024, either as is or with amendments

**MINUTES
CITY OF COCOA
PLANNING & ZONING BOARD/ LOCAL PLANNING AGENCY
REGULAR MEETING
AUGUST 7, 2024**

A Regular meeting of the Planning & Zoning Board Local Planning Agency was held on August 7, 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
Tamisha Findlay	Board Member
Marcus Wheeler	Board Member
Frank Manfredi	Board Member
Marybeth Burgess	Board 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
Tamisha Findlay	Board Member
Frank Manfredi	Board Member
Katherine Stewart	Alternate Member

ABSENT:

STAFF PRESENT:

Abbey Bass, Assistant City Clerk; Luci Ribeiro, City Planner; Jennifer Webster, City Planner; and Stockton Whitten, City Manager.

Chairperson Park led the assembly in the Pledge of Allegiance.

II. APPROVAL OF AGENDA AND MINUTES:

1. AGENDA: Meeting of August 7, 2024

- * **MOTION BY BOARD MEMBER STEWART; SECONDED BY BOARD MEMBER CHABOT TO APPROVE THE AUGUST 7, 2024 REGULAR MEETING AGENDA AS WRITTEN.**

AYES: PARK, ANDERSON, CHABOT, GREENWOOD, STEWART, FINDLAY, MANFREDI

MOTION PASSED UNANIMOUSLY (7-0)

2. MINUTES: Special Meeting of June 12, 2024.

- * **MOTION BY BOARD MEMBER CHABOT; SECONDED BY BOARD MEMBER STEWART TO APPROVE THE JUNE 12, 2024 SPECIAL MEETING MINUTES AS WRITTEN.**

AYES: PARK, ANDERSON, CHABOT, GREENWOOD, STEWART, FINDLAY, MANFREDI

MOTION PASSED UNANIMOUSLY (7-0)

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

A. PZ-22-0200011 – Preliminary PUD (Karali Associates, LLC – Tax Acct IDs 2415105, 2423194, 2423188)

CONSIDERATION OF A PRELIMINARY PLANNED UNIT Development (PUD) consistent with Appendix A, Zoning, Article XI, Section 17, for a 61-lot single-family residential subdivision on +/- 57.23 acres of property located on the east side of N. Range Rd., North of Kathi-Kim St.

Steve Noto with RVI presented the item via presentation.¹

Gregory Crawford, engineer for the item, elaborated on the item and advised the board he would be open to answering questions.

Boardmember Greenwood asked if the construction of the units would be concrete or wood, what types of roofing materials would be used, and what would the price of the

¹ Exhibit A- Karali Associates, LLC – Subdivision Preliminary PUD Request – N. Range Rd.

units be. He asked if any projects like these have been built anywhere else.

Mr. Crawford advised the price of the units would be \$300,000 and up for 1600 sq. feet and would go up from there.

Boardmember Stewart asked for clarification on the lot size.

Vice Chairperson Anderson asked if staff was familiar with the lot size of the houses in the Coventry community and noticed that these plans look familiar to that community.

Mr. Noto agreed that it was similar to the plans of Coventry in regards to lot sizing.

Boardmember Chabot said he liked the idea and thinks it's a good project.

Boardmember Manfredi said it looked like a good project as well. He asked the applicant if this project had any impact on the school system.

Mr. Crawford stated that it would bring more families in and could be beneficial to the community and school systems.

* **MOTION BY BOARD MEMBER GREENWOOD; SECONDED BY BOARD MEMBER STEWART TO RECOMMEND APPROVAL TO CITY COUNCIL OF THE PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) CONSISTENT WITH APPENDIX A, ZONING, ARTICLE XI, SECTION 17, FOR THREE PARCELS TOTALING +/- 57.23 ACRES LOCATED ON THE EAST SIDE OF N. RANGE RD. WITH PARCEL ID NUMBERS 24-36-19-00-501, 24-36-30-00-252, AND 24-36-30-00-258.**

AYES: PARK, ANDERSON, CHABOT, GREENWOOD, STEWART, FINDLAY, MANFREDI

MOTION PASSED UNANIMOUSLY (7-0)

B. ORDINANCE NO. 13-2024 - Zoning Text Amendment (C-G, 909 N Cocoa Blvd)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, amending the zoning ordinance of the City of Cocoa to add major recreational equipment sales and rental to the list of permitted uses in the general commercial (CG) zoning district and establishing conditions for such use; providing for the repeal of prior inconsistent ordinances and resolutions, incorporation into the code, severability, and an effective date. - **Postponed to next meeting.**

* **MOTION BY CHAIRPERSON PARK; SECONDED BY BOARD MEMBER**

STEWART TO POSTPONE TO SEPTEMBER 4, 2024 @ 6PM AT COCOA CITY HALL.

AYES: PARK, ANDERSON, CHABOT, GREENWOOD, STEWART, FINDLAY, MANFREDI

MOTION PASSED UNANIMOUSLY (7-0)

C. ORDINANCE NO. 11-2024 – Zoning Text Amendment (RU-2-10) – Consent Decree

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; Amending Appendix A, Article XI, sections 4A and 22 of the zoning ordinance of the City of Cocoa to allow for Neighborhood Commercial, Mixed Use Development, and Public Parking on certain very limited properties within the Consent Decree Area, also known as the Heart of Cocoa, consistent with the substitute Consent Decree; amending the list of permitted and special exception uses for the Consent Decree Area; amending the building types permitted for those certain properties authorized for neighborhood commercial and mixed use development within the Heart of Cocoa subdistrict of the Cocoa Waterfront Overlay district as more particularly depicted on exhibit “A” attached hereto; amending the bulk regulations for single-family, duplex, triplex, and fourplex development in the consent decree area; amending the minimum yard setbacks in the consent decree area; providing for the repeal of prior inconsistent ordinances and resolutions, incorporation into the code, severability, and an effective date.

Ms. Webster advised the board of some changes that were made to this item and stated that print outs were given to the members to reflect these changes. She presented the item via powerpoint.²

Boardmember Greenwood asked about the zoning consent decree and wanted clarification on the RU-17 if that was the mixed use idea.

Ms. Webster noted that these are optional ideas for the area.

Ms. Riberio advised Boardmember Greenwood to look at Exhibit A of the new packet for better clarification and outline. She highlighted the zoning areas proposed for the change as well.

Attorney Eick advised it was only limited areas where this would be permitted.

* **MOTION BY BOARD MEMEBER CHABOT; SECONDED BY BOARD MEMBER GREENWOOD TO RECOMMEND APPROVAL TO CITY**

² Exhibit B ORD 11-2024 ZONING TEXT AMENDMENT

COUNCIL REGARDING THE PROPOSED LAND DEVELOPMENT CODE AMENDMENT TO APPENDIX A, ARTICLE XI, SECTIONS 4A AND 22 OF THE ZONING ORDINANCE OF THE CITY OF COCOA TO ALLOW FOR NEIGHBORHOOD COMMERCIAL, MIXED USE DEVELOPMENT, AND PUBLIC PARKING ON CERTAIN VERY LIMITED PROPERTIES WITHIN THE CONSENT DECREE AREA, ALSO KNOWN AS THE HEART OF COCOA, CONSISTENT WITH THE SUBSTITUTE CONSENT DECREE, AND AMENDING THE LIST OF PERMITTED AND SPECIAL EXCEPTION USES AND THE BUILDING TYPES PERMITTED FOR THOSE CERTAIN PROPERTIES AUTHORIZED FOR NEIGHBORHOOD COMMERCIAL AND MIXED-USE DEVELOPMENT WITHIN THE HEART OF COCOA SUBDISTRICT OF THE COCOA WATERFRONT OVERLAY.

AYES: PARK, ANDERSON, CHABOT, GREENWOOD, STEWART, FINDLAY, MANFREDI

MOTION PASSED UNANIMOUSLY (7-0)

D. ORDINANCE NO. 12-2024 – Zoning Text Amendment (RU-1-7) Diamond Square)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; Amending Appendix A, Article XI, Section 3, of the code of the City of Cocoa to create new minimum yard requirements applicable to properties located in both the RU-1-7 zoning district and the Diamond Square Community Redevelopment Area; providing for the repeal of prior inconsistent ordinances and resolutions, incorporation into the code, severability, and an effective date.

Ms. Ribeiro presented the item via powerpoint.³

Boardmember Greenwood asked for clarification on the yard setbacks and improvement it would bring to the city and asked if it would make the lot sizes smaller. He also asked if this project will allow more affordable housing as well.

Boardmember Chabot asked if there will be grants or state assistance for this community.

City Manager Whitten advised that there is down payment assistance programs and income based programs.

Board Member Stewart asked what is the current affordable housing price range.

³ Exhibit C- Diamond Square Zoning Text Amendment RU 1-7 Single- Family Residential District

City Manager Whitten shared that the current price is \$269k for single families and gets adjusted annually and there are income requirements.

Chairperson Park advised of corrections he wanted made to the ordinance where r's were missing from whereas's and words were misspelled.

Attorney Eick advised that in the merging some of the r's turned into ones and she would correct them.

- * **MOTION BY BOARDMEMBER GREENWOOD; SECONDED BY BOARD MEMBER STEWART TO APPROVE OF ORDINANCE 12-2024 WITH CHANGES DISCUSSED.**

AYES: PARK, ANDERSON, CHABOT, GREENWOOD, STEWART, FINDLAY, MANFREDI

MOTION PASSED UNANIMOUSLY (7-0)

V. TREE BOARD:

Board member Greenwood discussed the advantages for the change over to sewer-septic systems and advised its less intrusive. He elaborated on the fact that the homes along the river have over one hundred year old septic systems in the back and it could cause damage to the property and take longer to complete.

VI. OTHER BUSINESS:

Boardmember Chabot complimented staff on the job they did with this meeting.

VII. NEXT MEETING DATE:

The next scheduled meeting for the Planning and Zoning Board will be held on Wednesday, September 4, 2024 at 6 pm in Cocoa City Hall, 65 Stone St, Cocoa, FL 32922.

VIII. ADJOURNMENT:

- * **MOTION BY BOARDMEMBER MANFREDI; SECONDED BY BOARD MEMBER GREENWOOD TO ADJOURN THE MEETING.**

AYES: PARK, ANDERSON, CHABOT, GREENWOOD, STEWART, FINDLAY, MANFREDI

MOTION PASSED UNANIMOUSLY (7-0)

0MEETING ADJOURNED AT 7:07PM.

Respectfully Submitted By:

Wesley Park, Chairperson

Abigail Bass, Assistant City Clerk



Legislation Details (With Text)

File #: 24-507 **Version:** 1 **Name:**
Type: Agenda **Status:** Agenda Ready
File created: 8/29/2024 **In control:** Planning and Zoning / Local Planning Agency
On agenda: 9/4/2024 **Final action:**
Title: Consideration of Ordinance 08-2024, a City-initiated Future Land Use Map (FLUM) Amendment consistent with Florida Statute Chapter 163, of (20) parcels of real property totaling approximately 3.36 acres from City of Cocoa "Commercial" to City of Cocoa "Neighborhood Commercial."..End

Sponsors:

Indexes:

Code sections:

Attachments: [Ordinance 08-2024 _ FLU Amendment Cocoa Place.pdf](#)
[Exhibit A-Comp Amendment Location.pdf](#)
[Exhibit B- Comp Amendment.pdf](#)
[Legal Ad PZ Cocoa Place Sept 4 affidavit.pdf](#)

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

Memo Date: August 29, 2024
Agenda Date: September 4, 2024
Prepared By: Jennifer Webster - Planner, City of Cocoa
Through: Stockton Whitten - City Manager
Requested Action:

Consideration of Ordinance 08-2024, a City-initiated Future Land Use Map (FLUM) Amendment consistent with Florida Statute Chapter 163, of (20) parcels of real property totaling approximately 3.36 acres from City of Cocoa "Commercial" to City of Cocoa "Neighborhood Commercial."..

BACKGROUND:

The Subject Parcels for this FLUM amendment are comprised of a grouping of (20) contiguous parcels totaling approximately 3.36 acres. The parcels are located along Cocoa Place, west of the intersection of Cocoa Place and North Cocoa Boulevard. A map depicting the location of the Subject Parcels is attached as Exhibit "A", also described as:

106 - 139 Cocoa Place, 863 N Cocoa Blvd and 865 N Cocoa Blvd.

Staff determined that the current Zoning and current Future Land Use of the Subject Parcels are inconsistent. All of the parcels currently have the Future Land Use designation of **Commercial**, as shown in Exhibit "B". However, the current zoning district of (18) of these parcels is RU-1-7 (Single-Family Residential), and R-P (Residential Professional) for (2) parcels. Neither RU-1-7 nor R-P are

East	Neighborhood Commercial	RU-2-25, C-N, and RU-2-15	Stormwater Pond, Medical Office, Residential
West	N/A	N/A	FEC Railroad

(Immediately west of the FEC Right of Way has an Industrial FLU designation)

I. COMPREHENSIVE PLAN AMENDMENT ANALYSIS

Consistency with Code of the City of Cocoa

Planning & Zoning staff has addressed the criteria contained in Chapter 15, Article II, Sections 15-10 and 15-11 below:

- (1) Whether the proposed amendment will have a favorable or unfavorable effect on the city's budget or the economy of the city or the region;

Staff Finding The proposed amendment solves Zoning inconsistencies with the Future Land Use (FLU), establishing a more appropriate and logical land use pattern in this area of the City of Cocoa. The ability to redevelop and/or improve these parcels will increase property value, the potential for additional tax revenue, and other benefits to the local economy.

- (2) Whether the proposed amendment will diminish the level of service of public facilities;

Staff Finding: The Subject Parcels are an existing, established neighborhood. There is no anticipated increase in density or intensity. Therefore, the proposed amendment will not negatively impact or diminish the service level of public facilities, as described below.

Potable Water: The City of Cocoa Utilities Department provides water service to these (18) single-family and (2) small office parcels. Given the maximum achievable units on the property, there is no anticipated impact on potable water level of service.

Sanitary Sewer: The Subject Parcels area served by the City of Cocoa Utilities Department for sewer service to these (18) single-family and (2) small office parcels. Given the maximum achievable units on the property, there is no anticipated impact on sanitary sewer service.

Solid Waste: The solid waste service to the Subject Parcels is provided through the City's Solid Waste agreement, and shall continue to be served as such, in accordance with the applicable LOS standards and pursuant to the applicable requirements of the Waste Management Agreement and City Code.

Stormwater Management: It is not anticipated that the FLUM amendment will impact the

stormwater management, as future development will be the same or similar to the existing density and intensity. Site plans for new developments will be required to adhere to the City's stormwater level of service standards.

Transportation: If a property is modified from its current use, a traffic impact analysis or Trip memorandum will be required to determine potential traffic impacts.

Parks: The Subject Parcels are an existing, established neighborhood. The quantity of park acreage within the City already far exceeds the minimum requirement of the comprehensive plan. There is no anticipated increase in density or intensity that will impact the requirements of the Parks and Recreation element of the Comprehensive Plan.

Schools: As mentioned above, this is an existing, established neighborhood. There is no anticipated increase in density or intensity that will impact the requirements of the Public School Facilities Element of the Comprehensive Plan.

- (3) Whether there will be a favorable or unfavorable impact on the environment or the natural or historical resources of the city or the region as a result of the proposed amendment;

Staff Finding: The text amendment will not impact any natural or historical resources.

- (4) Whether the proposed amendment is consistent with and its effect upon the goals, objectives, and policies of the state comprehensive plan set forth in Chapter 187, Florida Statutes, and the East Central Florida Comprehensive Regional Policy Plan, adopted by Rule 29F-19.001, Florida Administrative Code;

Staff Finding: The proposed text amendment meets the following goal of the State Comprehensive Plan, Chapter 187.201(15) LAND USE - "In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner".

- (5) Whether the city is able to provide adequate service from public facilities to the affected property, if the amendment is granted, and whether the amendment will promote the cost/effective use of or unduly burden public facilities below the level of service set in the comprehensive plan;

Staff Finding: The proposed text amendment would not alter the City's ability to provide service capacity to lands under the Neighborhood Commercial FLU designation.

- (6) Whether the amendment is compatible with surrounding neighborhoods and land use;

Staff Finding: As mentioned above, the Subject Parcels are currently designated as Commercial FLU, with which the Neighborhood Commercial FLU category is compatible as it still supports commercial uses, but is transitional as it allows for small scale commercial, multi-family, and single-family uses.

- (7) If the amendment being requested is consistent with all the elements of the comprehensive plan.

Staff Finding: The proposed FLUM amendment is consistent with the following Comprehensive Plan policies:

Land Use Element

GOAL 1.1: *Create and maintain a broad range of land use activities that maximize the City's potential as a growth center while protecting the public health, safety, welfare, and appearance through the thoughtful planned use and development of the land and public facilities.*

Policy 1.1.1.1: *Land Use Categories. The adopted FLUM contains and identifies appropriate locations for the following land use categories. The maximum densities/intensities shown in Figure FLU-1 are not guaranteed for all sites within each category. The zoning map and land development regulations may impose tighter densities and intensities of development based on land use allocation criteria policies.*

Policy 1.1.2.8 Neighborhood Commercial (NCOMM). *Neighborhood commercial areas are intended to be low-impact in nature and serve the needs of the immediate residential area. The following criteria shall be used for determining appropriate locations for neighborhood commercial land use designations on the future land use map.*

- A. *Neighborhood commercial areas may be allowed closer to the residential neighborhoods.*
- B. *The City anticipates that the average overall mix of uses in the Neighborhood Commercial Land Use category throughout the City will be a minimum of 85% commercial/office, public/institutional and recreational and a maximum of 15% residential.*
- C. *Pedestrian connectivity between neighborhood commercial and surrounding multi-family developments is highly encouraged.*
- D. *The following factors shall be considered when designating new Neighborhood Commercial areas or expanding existing Neighborhood Commercial areas:*
 1. *A land use compatibility study shall be conducted by the applicant to analyze the potential impact of a proposed new Neighborhood Commercial area or Neighborhood Commercial area expansion on the character of the surrounding uses, neighborhoods and natural environment.*
 2. *A multimodal transportation study shall be conducted by the applicant demonstrating that the transportation systems including roads, pedestrian walkways, bike ways,*

transit facilities affected by the proposed Neighborhood Commercial areas have sufficient current and projected capacity to handle the travel demand generated by the increased intensity. Additionally, multimodal transportation study shall address the requirements and level of service standards of the Transportation Element.

3. The applicant shall prepare and submit a market study to demonstrate market demand and economic potential for a proposed Neighborhood Commercial area. The market study should include data and analysis concerning the existing, planned and approved supply of commercial property within the market area, occupancy patterns and trends, the demand for commercial uses allowed under the Neighborhood Commercial designation and the demand for the commercial uses specifically proposed.
4. The City may consider the following qualitative factors when reviewing proposed Neighborhood Commercial areas:
 - (a) Whether existing vacant Neighborhood Commercial land in the market area can accommodate the size, shape, location, visibility, and access requirements of the proposed uses.
 - (b) Whether opportunities are available to redevelop existing Neighborhood Commercial land within the market area.
 - (c) Whether the proposed designation will encourage reinvestment in deteriorating or underutilized area, protect property values, discourage the proliferation of low intensity strip commercial uses and promote infill development.
- E. At the discretion of the Planning and Zoning Administrator applicant submitted transportation or market studies may be waived for small scale future land use map amendments.
- F. Annexed lands at the time of the initial City land use designation shall be exempt from the above study requirements provided the lands proposed for Neighborhood Commercial designation maintained a Brevard County Neighborhood Commercial future land use designation and no net increase in density or intensity will occur as a result of the City future land use designation. Notwithstanding the exemption from the above requirement any future land use map amendment is still subject to the requirements of Chapter 163 Part II Florida Statutes (F.S.).
- G. For the purposes of analyzing public facilities impacts of proposed Future Land Use Map amendments, a mix of 85% non-residential and 15% residential land area split shall be utilized.

- (8) Whether the amendment will have a favorable or adverse effect on the ability of people to find adequate housing reasonably accessible to their places of employment;

Staff Finding: The proposed FLUM amendment is designed to allow the single-family use to continue without being in conflict with the FLU, and the property uses are anticipated to remain single-family residential. Therefore, the amendment will not adversely affect the ability of people to find adequate housing reasonably accessible to their places of employment.

- (9) Whether the proposed amendment will promote or adversely affect the public health, safety, welfare, economic order, or aesthetics of the region or the city.

Staff Finding: The proposed application will reinforce the positive elements of the City by paving the way for future economic vitality without any negative impacts to public health, safety, and welfare.

STRATEGIC PLAN CONNECTION:

N/A

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Staff recommends the Planning & Zoning Board recommend **APPROVAL** to the City Council of Ordinance 08-2024, a City-initiated request of a Future Land Use Map Amendment consistent with Florida Statute Chapter 163 to change the Future Land Use Map designation of (20) parcels of real property totaling approximately 3.36 acres from “Commercial” to “Neighborhood Commercial”.

ORDINANCE NO. 08-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, RELATING TO COMPREHENSIVE PLANNING; AMENDING THE FUTURE LAND USE MAP FOR TWENTY (20) PARCELS OF REAL PROPERTY WITHIN THE CITY OF COCOA TOTALING 3.36 ACRES, MORE OR LESS, AND GENERALLY LOCATED ALONG COCOA PLACE, WEST OF THE INTERSECTION OF COCOA PLACE AND NORTH COCOA BOULEVARD, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND DESCRIBED ON EXHIBIT “A” ATTACHED HERETO; CHANGING THE FUTURE LAND USE MAP DESIGNATION OF SAID PARCELS FROM “COMMERCIAL” TO “NEIGHBORHOOD COMMERCIAL;” PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, INCORPORATION INTO THE COMPREHENSIVE PLAN, AND AN EFFECTIVE DATE AND LEGAL STATUS OF THE PLAN AMENDMENT.

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

WHEREAS, the future land use map amendment embodied by this Ordinance is a small-scale amendment to the City of Cocoa Comprehensive Plan in accordance with Section 163.3187(1), Florida Statutes; and

WHEREAS, the Local Planning Agency of the City of Cocoa held a duly noticed public hearing on July 11, 2024, in accordance with the procedures established in Chapter 163, Part II, Florida Statutes, on the proposed comprehensive plan amendment; and

WHEREAS, the City Council of the City of Cocoa held two duly noticed public hearings on the proposed amendment set forth hereunder and 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, hereby approves and adopts the Comprehensive Plan Amendment set forth hereunder; and

WHEREAS, the City Council hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of the City of Cocoa, Florida.

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

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

Section 2. Authority. This Ordinance is adopted in compliance with, and pursuant to, the Community Planning Act, sections 163.3161, et. seq., Florida Statutes.

Section 3. Purpose and Intent. It is hereby declared to be the purpose and intent of this Ordinance to adopt a comprehensive plan amendment incorporating the revisions stated herein as part of the City of Cocoa Comprehensive Plan.

Section 4. Adoption of Amendment to the Future Land Use Map. The City of Cocoa Comprehensive Plan, Future Land Use Map, is hereby amended by changing the designation of the real property legally described and depicted on **Exhibit “A”** from “Commercial” to “Neighborhood Commercial.” **Exhibit “A”** is attached hereto and fully incorporated herein by this reference.

Section 5. 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 6. 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 7. Incorporation into Comprehensive Plan. Upon the effective date of the Comprehensive Plan Amendment adopted by this Ordinance, said Amendment shall be incorporated into the City of Cocoa Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

Section 8. Effective Date and Legal Status of the Plan Amendment. The effective date of this Ordinance shall take effect thirty-one (31) days after adoption, in accordance with Section 163.3187(5)(c), Florida Statutes, unless challenged within thirty (30) days after adoption of this Ordinance, in which case this Ordinance shall become effective at such time as the state land planning agency or the Administrative Commission issues a final order determining that the adopted small scale development amendment is in compliance. No development order, development permits, or land use dependent on this Amendment may be issued or commenced before it has become effective. After and from the effective date of this Amendment, the Comprehensive Plan Amendment set forth herein shall amend the City of Cocoa Comprehensive Plan and become a part of that plan and the Amendments shall have the legal status of the City of Cocoa Comprehensive Plan, as amended.

ADOPTED by the City Council of the City of Cocoa, Florida, in a regular meeting assembled on the _____ day of _____, 2024.

MICHAEL C. BLAKE, Mayor

ATTEST:

MONICA ARSENAULT, City Clerk

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

EXHIBIT A

Description of Real Property

Tax Parcel ID 24-36-28-01-*-2, 106 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-3, 110 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-4, 114 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-5, 118 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-6, 122 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-7, 126 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-8, 130 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-9, 134 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-10, 138 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-21, 139 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-20, 135 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-19, 131 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-18, 127 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-17, 123 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-16, 119 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-15, 115 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-14, 111 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-13, 107 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-1, 865 N Cocoa Blvd, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-12, 863 N Cocoa Blvd, Cocoa, Florida 32922

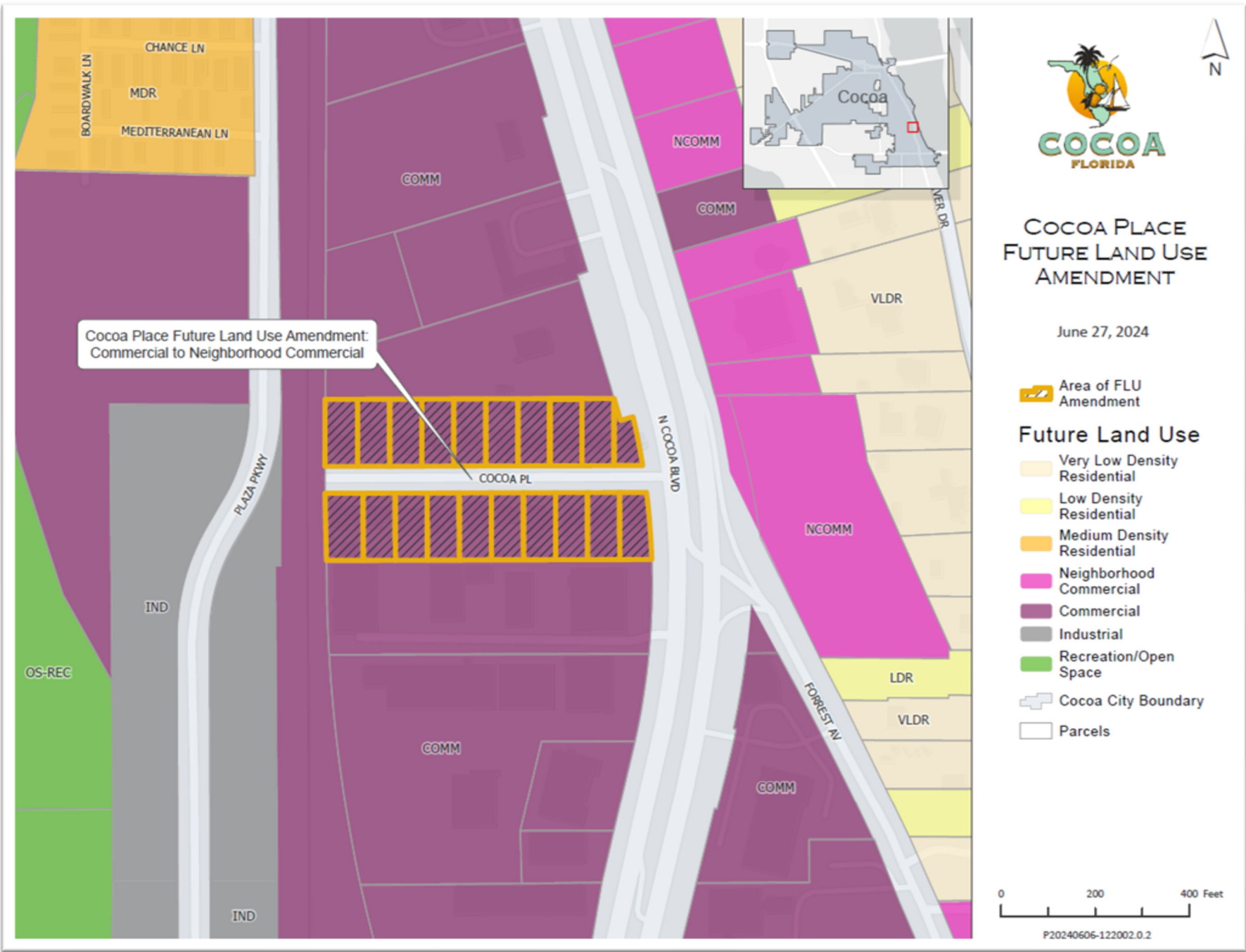
The Above Parcels are Depicted as Follows:



EXHIBIT "A"



EXHIBIT "B"





Florida
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

CITY OF COCOA (TE)
Accounting Division
City Of Cocoa - Te
65 Stone ST
Cocoa FL 32922-7982

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the 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 Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

08/20/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 08/20/2024


Legal Clerk

Notary, State of WI, County of Brown

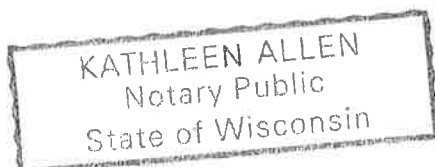
1-2-25

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Ad#10484870; 8/20/2024

CITY OF COCOA
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN
THAT THE PLANNING & ZONING
BOARD/LOCAL PLANNING
AGENCY AND THE COCOA CITY
COUNCIL PROPOSE TO
CONSIDER THE FOLLOWING
ORDINANCES:

**PZ 24-00500001 COMPREHENSIVE
PLAN AMENDMENT I ORD 08-2024**

AN ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF
COCOA, BREVARD COUNTY,
FLORIDA, RELATING TO
COMPREHENSIVE PLANNING;
AMENDING THE FUTURE LAND
USE MAP FOR TWENTY (20)
PARCELS OF REAL PROPERTY
WITHIN THE CITY OF COCOA
TOTALING 3.36 ACRES, MORE OR
LESS, AND GENERALLY
LOCATED ALONG COCOA PLACE,
WEST OF THE INTERSECTION
OF COCOA PLACE AND NORTH
COCOA BOULEVARD, IN COCOA,
FLORIDA, MORE PARTICULARLY
DEPICTED AND
DESCRIBED ON EXHIBIT "A"
ATTACHED HERETO; CHANGING
THE FUTURE LAND USE MAP
DESIGNATION OF SAID PARCELS
FROM "COMMERCIAL" TO
"NEIGHBORHOOD COMMER-
CIAL;" PROVIDING FOR THE
REPEAL OF PRIOR INCONSIS-
TENT ORDINANCES AND RESO-
LUTIONS, SEVERABILITY,
INCORPORATION INTO THE
COMPREHENSIVE PLAN, AND
AN EFFECTIVE DATE AND
LEGAL STATUS OF THE PLAN
AMENDMENT. TAX PARCEL ID
NUMBERS:

TAX PARCEL ID 24-36-28-01--2, 106
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--3, 110
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--4, 114
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--5, 118
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--6, 122
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--7, 126
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--8, 130
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--9, 134
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--10,
138 COCOA PLACE, COCOA,
FLORIDA 32922

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139 COCOA PLACE, COCOA,
FLORIDA 32922

TAX PARCEL ID 24-36-28-01--20,
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FLORIDA 32922

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131 COCOA PLACE, COCOA,
FLORIDA 32922

TAX PARCEL ID 24-36-28-01--18,
127 COCOA PLACE, COCOA,
FLORIDA 32922

TAX PARCEL ID 24-36-28-01--17,
123 COCOA PLACE, COCOA,
FLORIDA 32922

TAX PARCEL ID 24-36-28-01--16,
119 COCOA PLACE, COCOA,
FLORIDA 32922

TAX PARCEL ID 24-36-28-01--15,
115 COCOA PLACE, COCOA,
FLORIDA 32922

TAX PARCEL ID 24-36-28-01--14, 111
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--13, 107
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--1, 865
N COCOA BLVD, COCOA,
FLORIDA 32922

TAX PARCEL ID 24-36-28-01--12,
863 N COCOA BLVD, COCOA,
FLORIDA 32922

- AND -

**PZ 24-02100005 COCOA PLACE
ZONING MAP AMENDMENT I**

ORD 09-2024

AN ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF
COCOA, BREVARD COUNTY,
FLORIDA; AMENDING THE
OFFICIAL ZONING MAP DESIG-
NATION OF EIGHTEEN (18)
PARCELS OF REAL PROPERTY
TOTALING 3.1 ACRES, MORE OR
LESS, AND GENERALLY
LOCATED ALONG COCOA PLACE,
WEST OF THE INTERSECTION
OF COCOA PLACE AND NORTH
COCOA BOULEVARD, IN COCOA,
FLORIDA, MORE PARTICULARLY
DEPICTED AND
DESCRIBED ON EXHIBIT "A"
ATTACHED HERETO, FROM RU-
I-7 (SINGLE-FAMILY RESIDEN-
TIAL) TO C-N (NEIGHBORHOOD
COMMERCIAL DISTRICT);
PROVIDING FOR THE REPEAL
OF PRIOR INCONSISTENT ORDI-
NANCES AND RESOLUTIONS,
SEVERABILITY, AND AN EFFEC-
TIVE DATE. TAX PARCEL ID
NUMBERS:

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32922

TAX PARCEL ID 24-36-28-01--5, 118
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32922

TAX PARCEL ID 24-36-28-01--6, 122
COCOA PLACE, COCOA, FLORIDA
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TAX PARCEL ID 24-36-28-01--7, 126
COCOA PLACE, COCOA, FLORIDA
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TAX PARCEL ID 24-36-28-01--8, 130
COCOA PLACE, COCOA, FLORIDA
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TAX PARCEL ID 24-36-28-01--9, 134
COCOA PLACE, COCOA, FLORIDA
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TAX PARCEL ID 24-36-28-01--10,
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FLORIDA 32922

TAX PARCEL ID 24-36-28-01--21,
139 COCOA PLACE, COCOA,
FLORIDA 32922

TAX PARCEL ID 24-36-28-01--20,
135 COCOA PLACE, COCOA,
FLORIDA 32922

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FLORIDA 32922

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TAX PARCEL ID 24-36-28-01--14, 111
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--13, 107
COCOA PLACE, COCOA, FLORIDA
32922

PLANNING & ZONING BOARD/
LOCAL PLANNING AGENCY
PUBLIC HEARING WILL BE
HELD ON
Sept 4, 2024

CITY COUNCIL 1st PUBLIC
HEARING WILL BE HELD ON
Sept 10, 2024

ALL HEARINGS WILL TAKE
PLACE AT 6:00 P.M. OR SOON
THEREAFTER IN THE
COCOA CITY HALL COUNCIL
CHAMBERS LOCATED AT
65 STONE STREET, COCOA, FL

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: Monica Arsenault, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8484 or via email at marsenault@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, 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>
952X

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) 433-8451.

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.



Legislation Details (With Text)

File #: 24-508 **Version:** 1 **Name:**
Type: Agenda **Status:** Agenda Ready
File created: 8/29/2024 **In control:** Planning and Zoning / Local Planning Agency
On agenda: 9/4/2024 **Final action:**
Title: Consideration of Ordinance 09-2024, a City-initiated Zoning Map Amendment to change the Zoning category of (18) parcels of real property totaling approximately 3.1 acres from City of Cocoa RU-1-7 "Single-Family Residential" to C-N "Neighborhood Commercial"....End

Sponsors:

Indexes:

Code sections:

Attachments: [Ordinance 09-2024 _ Rezoning Cocoa Place.pdf](#)
[Exhibit A- Re-Zoning Location.pdf](#)
[Exhibit B- Re-Zoning.pdf](#)
[Legal Ad PZ Cocoa Place Sept 4 affidavit.pdf](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

PLANNING & ZONING BOARD/LOCAL PLANNING AGENCY AGENDA ITEM

Memo Date: August 29, 2024
Agenda Date: September 4, 2024
Prepared By: Jennifer Webster - Planner, City of Cocoa
Through: Stockton Whitten - City Manager
Requested Action:

Consideration of Ordinance 09-2024, a City-initiated Zoning Map Amendment to change the Zoning category of (18) parcels of real property totaling approximately 3.1 acres from City of Cocoa RU-1-7 "Single-Family Residential" to C-N "Neighborhood Commercial"..

BACKGROUND:

This rezoning request to C-N is being made concurrently with Ordinance 08-2024 which is the request to change the Future Land Use (FLU) category of these parcels from "Commercial" to "Neighborhood Commercial". For purposes of further discussion, this report assumes that this request has been received and granted by the Board. The subject parcels are located along Cocoa Place, west of the intersection of Cocoa Place and North Cocoa Blvd, as shown in the attached Exhibit "A". The subject parcels have been developed and platted as a single-family residential neighborhood since 1959. Single-family residential as a *land use* is not compatible or permissible within the current Commercial FLU. Furthermore, RU-1-7 is not an allowable zoning district within the Commercial FLU. See Zoning Map, Exhibit "B". It was recently brought to the City's attention that one of the properties' primary structures was completely lost due to a fire. Because the lot is now vacant, a single-family residence cannot be reconstructed until the future land use and zoning

designations are consistent and are established such that single-family residential is an allowable use.

Although the subject parcels have existed in the City since approximately 1959, the lot dimensions are considered nonconforming to the City's current development standards for the RU-1-7 zoning district. Particularly, the lot widths are only 60', where the minimum required lot width for RU-1-7 is now 75'. However, in accordance with Appendix A, Zoning, Article X, Nonconformities, Sec. 3., in any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot which is of record, even if it is non-conforming due to its dimensions. Any new homes that are erected will be required to meet applicable setbacks absent approval of a variance.

Neighborhood Commercial (C-N) allows for single-family homes to be constructed in accordance with RU-1-7 standards. If these parcels are rezoned to C-N, the existing single family use will be consistent with both their anticipated Neighborhood Commercial future land use and zoning. Single-family redevelopment where structures are lost due to fire or other natural disaster will be permissible. However, utilization of the properties for multi-family or neighborhood commercial development will require the future aggregation of lots to ensure that they are no longer nonconforming. Accordingly, not only will rezoning to C-N allow the permissible redevelopment of single-family uses, it would also expand the opportunity for other uses (small scale multi-family and neighborhood commercial uses) if and only if two or more of these lots were to be *combined* in the future.

Therefore, staff feels that the most practical solution to make the zoning and the future land use of these parcels consistent is to rezone them to C-N in conjunction with the future land use amendment to Neighborhood Commercial.

Future Land Use Designation: Current: Commercial

Proposed: Neighborhood Commercial (Ord 08-2024)

Zoning District: Current: RU-1-7 (Single-Family Residential)

Proposed: C-N (Neighborhood Commercial) (Ord 09-2024)

Existing Land Use: Single-family residential

Council District: District 2 - Councilmember Lavander Hearn

Legal Ad Date: August 20, 2024

Overview of Surrounding Area:

	Future Land Use Designations	Zoning Districts	Land Uses
North	Commercial	General Commercial (C-G)	Used Auto Sales
South	Commercial	Wholesale Commercial (C-W)	Mixed Use Commercial

East	Neighborhood Commercial	Residential Professional (R-P); RU-2-25; C-N, RU-2-15	Medical/Office, Stormwater Pond, Residential
West	N/A	N/A	FEC Railroad

(Immediately west of the FEC Right of Way has an Industrial FLU designation)

I. Rezoning Analysis

The Planning & Zoning staff have studied and considered the following criteria, according to Appendix A of the City of Cocoa, Article XXI, Section 1(G), to show whether or not:

- a. The proposed change is contrary to the established land use pattern.*

Staff Finding: The surrounding land area consists of primarily commercial use. Therefore, this request is not contrary to the established land use pattern. Further, as described above, the C-N zoning district allows for single-family residential uses.

- b. The proposed change would create an isolated district unrelated to adjacent and nearby districts.*

Staff Finding: As noted in the table above, the surrounding zoning districts are a mixture of General Commercial (C-G), Wholesale Commercial (C-W), Residential Professional (R-P), and RU-2-25 and C-N for those properties across US-1. The Florida East Coast Railroad Right of Way is directly west of this property. The area of the subject parcels that will be designated as Neighborhood Commercial (C-N) will not create an isolated district unrelated to adjacent and nearby districts and is located very close to other C-N zoned properties on US-1.

- c. The proposed change would materially alter the population density pattern and thereby increase or overtax the load on public facilities such as schools, utilities, streets, access, etc.*

Staff Finding: The area to be rezoned is +/- 3.1 acres consisting of (18) individual lots averaging .17 acres each. Seventeen (17) of these lots consist of (1) single-family dwelling unit, which is consistent with its current zoning of RU-1-7. One (1) lot is vacant. The existing density is likely to remain unchanged absent the aggregation of the existing platted lots. Only in the event of a multiple lot combination would the density be permitted to increase. Therefore, at this time, the proposed change would not materially alter the population density pattern nor will it increase or overtax the load on the City's public facilities. Even in the event that all of the affected properties were aggregated, the maximum number of multi-family units that could be constructed would be 45 units (a net increase of 27 units), which is unlikely to overtax public facilities.

- d. Existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.*

Staff Finding: The Subject Parcels are currently zoned RU-1-7 and are not drawn illogically in relation to their existing conditions on the property proposed for change. However, the RU-1-7 zoning district is inconsistent with the current Commercial FLU designation. The boundary of this district is appropriate in consideration of the request to rezone to C-N.

- e. The proposed change would be contrary to the Future Land Use Map and would have an adverse effect on the Comprehensive Plan.*

Staff Finding: The proposed rezoning is consistent with Future Land Use Element Policy 1.1.2.8. **Neighborhood Commercial** in that these areas are “intended to be low-impact in nature and serve the needs of the immediate residential area.” Further, in Figure FLU-1, *Standards for Future Land Use Categories*, shows that C-N is an applicable zoning district for the Neighborhood Commercial FLU. The proposed rezone to C-N would not have an adverse effect on the Comprehensive Plan.

- f. Changed or changing conditions make the passage of the proposed amendment necessary.*

Staff Finding: It was recently brought to the City’s attention that one of the properties’ primary structures was completely destroyed due to a fire. With the lot now cleared and vacant, the lot remains undevelopable under the current zoning, due to the incompatibility with the current Commercial FLU. The City recognizes that any future losses of use would not be able to be restored if no change was made. It is this awareness of circumstance that makes the passage of the proposed amendment necessary. The proposed rezoning will allow for future restoration due to any foreseeable losses and will also be consistent with the surrounding zoning districts and mix of commercial uses.

- g. The proposed change will adversely influence living conditions in the neighborhood.*

Staff Finding: The existing density is likely to remain unchanged absent aggregation of the previously platted lots and is not expected to adversely influence living conditions in the neighborhood. Conversely, new, individual, single-family redevelopment will be permitted which would increase the value of and beautify the properties. Only in the event of a multiple lot combination would the density be permitted to increase, at which time the development would be reviewed on a case by case basis as to the impact on the neighborhood.

- h. The proposed change will create or excessively increase traffic congestion or otherwise affect public safety.*

Staff Finding: It is not anticipated that the proposed rezoning would create or excessively increase traffic congestion or otherwise affect public safety. As noted above, Fire Protection is provided by the City of Cocoa’s Fire Station No. 2 (300 Brunson Avenue) which is located 1.5 miles south of the subject parcels. All stations will continue to provide Enhanced BLS (Basic Life Support) services and fire prevention and protection services.

- i. The proposed change will create a drainage problem.*

Staff Finding: Any new single-family development in this neighborhood will be required to not exceed the maximum lot coverage, or the maximum impervious surface ratio (ISR) that is required for single-family development standards so as not to impact public stormwater areas.

Therefore, it is not anticipated the proposed change will create a drainage problem. In the event of future lot combinations, the developments would also be required to meet those regulations for stormwater retention.

- j. The proposed change will seriously reduce light and air to adjacent areas.*

Staff Finding: Any new construction is required to meet the requirements of the City Code to ensure light and air to adjacent areas are not reduced. It is not anticipated that this project will reduce light and air to adjacent areas.

- k. The proposed change will adversely affect property values in the adjacent areas.*

Staff Finding: As previously mentioned, the area to be rezoned is +/- 3.1 acres and relatively small compared to the adjacent commercial properties. It is not anticipated that the zoning change will adversely affect property values in the adjacent areas. Conversely, new, individual, single-family redevelopment would increase the value of and beautify the properties. Furthermore, in the event of future lot combinations to create small scale multifamily or commercial developments, this would further increase property value in the neighborhood.

- l. The proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.*

Staff Finding: It is not anticipated that the proposed rezoning would be a deterrent to the improvement or development of adjacent property, as it is increasing the land use compatibility with the adjacent properties. None of the surrounding properties are vacant, and the rezoning is not anticipated to functionally impact any surrounding parcel.

- m. The proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.*

Staff Finding: The proposed change is City-initiated and will not constitute a grant of special privilege to the property owners of the subject parcels as contrasted with the public welfare. The proposed zoning designation meets the requirements of the Comprehensive Plan and is consistent with the commercial zoning districts in the surrounding area.

- n. There are substantial reasons why the property cannot be used in accord with existing zoning.*

Staff Finding: As previously mentioned, the current zoning district of RU-1-7 is not permitted in a Commercial or Neighborhood Commercial FLU. As a result of this limitation, the properties cannot be developed or restored without a rezoning. It is necessary to rezone to C-N in order to provide a permissible path to single-family development.

- o. Whether the change suggested is out of scale with the needs of the neighborhood of the city.*

Staff Finding: The proposed rezoning is not out of scale with the needs of the area and would complement the existing commercial character in the immediate area.

p. It is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Staff Finding: There is no proposed use being requested at this time. However, the rezoning of these properties will expand the acceptable uses for future development.

Consistency with Comprehensive Plan Policies and Objectives

The proposed C-N “Neighborhood Commercial” zoning designation is consistent with the allowable uses under the “Neighborhood Commercial” Future Land Use per the City of Cocoa Comprehensive Plan.

Concurrency Management/Adequate Public Facilities

Section 15-22 of the City Code provides for a concurrency management system to ensure public facilities and services needed to support development are available concurrent with the impacts of such development and that development orders and development permits are not issued in a manner that will not result in a reduction in the levels of service below the adopted level of service standards adopted by the City for public facilities and services, as contained in the City’s adopted Comprehensive Plan.

If capacity issues relating to any public facilities or services regulated by the City of Cocoa adopted Comprehensive Plan is identified, necessary and appropriate mitigation will be required to be addressed prior to construction. As stated above, the maximum density increase possible as a result of the rezoning will be a net gain of 27 units. This is minimal and is not anticipated to negatively impact public facilities, particularly because the property is adjacent to a major arterial of US-1. However, because the lots are nonconforming in nature, the density is likely to remain unchanged, and no further impact to public facilities is anticipated.

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Staff recommends that the Planning & Zoning Board recommend APPROVAL to City Council of the Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of (18) parcels along Cocoa Place, totaling approximately 3.1 acres, from RU-1-7 “Single-Family Residential” to C-N “Neighborhood Commercial” and to adopt the written findings contained in the Staff Report.

ORDINANCE NO. 09-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING THE OFFICIAL ZONING MAP DESIGNATION OF EIGHTEEN (18) PARCELS OF REAL PROPERTY TOTALING 3.1 ACRES, MORE OR LESS, AND GENERALLY LOCATED ALONG COCOA PLACE, WEST OF THE INTERSECTION OF COCOA PLACE AND NORTH COCOA BOULEVARD, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND DESCRIBED ON EXHIBIT “A” ATTACHED HERETO, FROM RU-1-7 (SINGLE-FAMILY RESIDENTIAL) TO C-N (NEIGHBORHOOD COMMERCIAL 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), Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the Planning and Zoning Board and City Staff of the City of Cocoa have recommended approval of this Ordinance; 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 HERBY ORDAINS, AS FOLLOWS:

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

Section 2. Zoning Map Amendment. That the Official Zoning Map of the City of Cocoa, as described in the City of Cocoa Code, Article VIII, Section 1, is hereby amended to include a change of classification from RU-1-7 (Single-Family Residential) to C-N (Neighborhood Commercial District) for the real property depicted and described on **Exhibit “A,”** attached hereto and incorporated herein by this reference. City Staff are directed to promptly amend the Official Zoning Map upon the effective date of this Ordinance.

Section 3. Repeal of Prior Inconsistent Ordinances and Resolutions. All prior inconsistent ordinances and resolutions adopted by the City Council, or parts of ordinances and resolutions inconsistent 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 the effective date of Ordinance No. 08-2024 as adopted by the City Council of the City of Cocoa, Florida, and pursuant to the City Charter. If Ordinance No. 08-2024 does not become effective, then this Ordinance shall become null and void.

ADOPTED by the City Council of the City of Cocoa, Florida, in a regular meeting assembled on the _____ day of _____, 2024.

MICHAEL C. BLAKE, Mayor

ATTEST:

MONICA ARSENAULT, CMC, City Clerk

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

EXHIBIT A

Description of Real Property

Tax Parcel ID 24-36-28-01-*-2, 106 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-3, 110 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-4, 114 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-5, 118 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-6, 122 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-7, 126 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-8, 130 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-9, 134 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-10, 138 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-21, 139 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-20, 135 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-19, 131 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-18, 127 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-17, 123 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-16, 119 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-15, 115 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-14, 111 Cocoa Place, Cocoa, Florida 32922

Tax Parcel ID 24-36-28-01-*-13, 107 Cocoa Place, Cocoa, Florida 32922

The Above Parcels are Depicted as Follows:



EXHIBIT "A"



COCOA PLACE RE-ZONING LOCATION

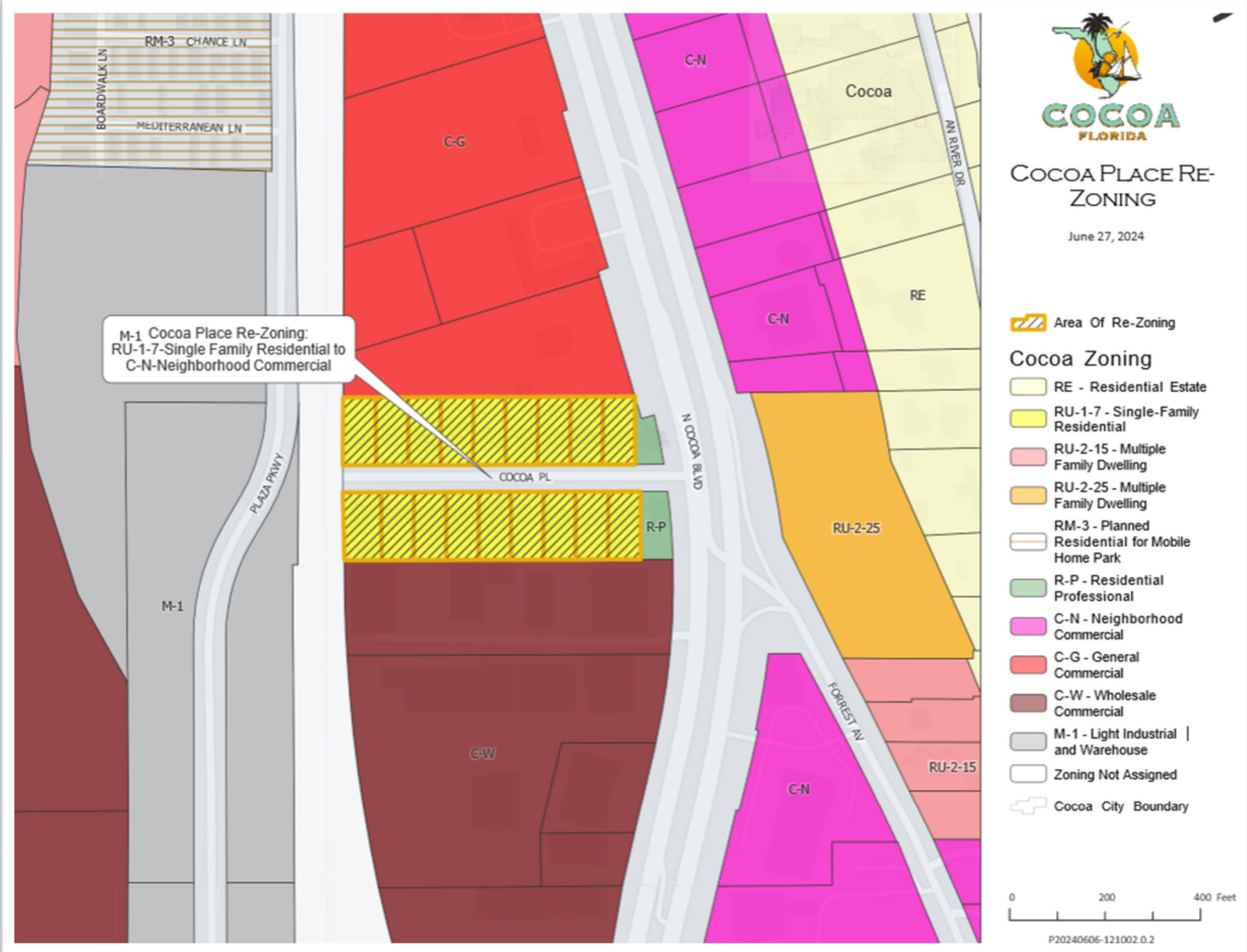
June 27, 2024

ZZA Area Of Re-Zoning
Parcels



P20240616-120020.1

EXHIBIT "B"



AFFIDAVIT OF PUBLICATION

CITY OF COCOA (TE)
Accounting Division
City Of Cocoa - Te
65 Stone ST
Cocoa FL 32922-7982

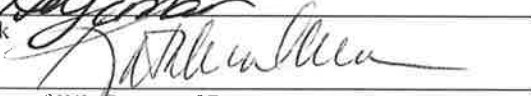
STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the 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 Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

08/20/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 08/20/2024

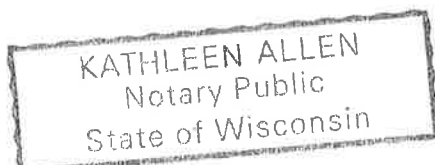

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

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Tax Amount: \$0.00
Payment Cost: \$583.67
Order No: 10484870 # of Copies:
Customer No: 1127247 1
PO #:

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Ad#10484870; 8/20/2024

CITY OF COCOA
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN
THAT THE PLANNING & ZONING
BOARD/LOCAL PLANNING
AGENCY AND THE COCOA CITY
COUNCIL PROPOSE TO
CONSIDER THE FOLLOWING
ORDINANCES:

**PZ 24-00500001 COMPREHENSIVE
PLAN AMENDMENT I ORD 08-2024**

AN ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF
COCOA, BREVARD COUNTY,
FLORIDA, RELATING TO
COMPREHENSIVE PLANNING;
AMENDING THE FUTURE LAND
USE MAP FOR TWENTY (20)
PARCELS OF REAL PROPERTY
WITHIN THE CITY OF COCOA
TOTALING 3.36 ACRES, MORE OR
LESS, AND GENERALLY
LOCATED ALONG COCOA PLACE,
WEST OF THE INTERSECTION
OF COCOA PLACE AND NORTH
COCOA BOULEVARD, IN COCOA,
FLORIDA, MORE PARTICULARLY
DEPICTED AND
DESCRIBED ON EXHIBIT "A"
ATTACHED HERETO; CHANGING
THE FUTURE LAND USE MAP
DESIGNATION OF SAID PARCELS
FROM "COMMERCIAL" TO
"NEIGHBORHOOD COMMER-
CIAL;" PROVIDING FOR THE
REPEAL OF PRIOR INCONSIS-
TENT ORDINANCES AND RESO-
LUTIONS, SEVERABILITY,
INCORPORATION INTO THE
COMPREHENSIVE PLAN, AND
AN EFFECTIVE DATE AND
LEGAL STATUS OF THE PLAN
AMENDMENT. TAX PARCEL ID
NUMBERS:

TAX PARCEL ID 24-36-28-01--2, 106
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--3, 110
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--4, 114
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--5, 118
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--6, 122
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--7, 126
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--8, 130
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--9, 134
COCOA PLACE, COCOA, FLORIDA
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TAX PARCEL ID 24-36-28-01--10,
138 COCOA PLACE, COCOA,
FLORIDA 32922

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FLORIDA 32922

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FLORIDA 32922

TAX PARCEL ID 24-36-28-01--17,
123 COCOA PLACE, COCOA,
FLORIDA 32922

TAX PARCEL ID 24-36-28-01--16,
119 COCOA PLACE, COCOA,
FLORIDA 32922

TAX PARCEL ID 24-36-28-01--15,
115 COCOA PLACE, COCOA,
FLORIDA 32922

TAX PARCEL ID 24-36-28-01--14, 111
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--13, 107
COCOA PLACE, COCOA, FLORIDA
32922

TAX PARCEL ID 24-36-28-01--1, 865
N COCOA BLVD, COCOA,
FLORIDA 32922

TAX PARCEL ID 24-36-28-01--12,
863 N COCOA BLVD, COCOA,
FLORIDA 32922

- AND -

**PZ 24-02100005 COCOA PLACE
ZONING MAP AMENDMENT I**

ORD 09-2024

AN ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF
COCOA, BREVARD COUNTY,
FLORIDA; AMENDING THE
OFFICIAL ZONING MAP DESIG-
NATION OF EIGHTEEN (18)
PARCELS OF REAL PROPERTY
TOTALING 3.1 ACRES, MORE OR
LESS, AND GENERALLY
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WEST OF THE INTERSECTION
OF COCOA PLACE AND NORTH
COCOA BOULEVARD, IN COCOA,
FLORIDA, MORE PARTICULARLY
DEPICTED AND
DESCRIBED ON EXHIBIT "A"
ATTACHED HERETO, FROM RU-
I-7 (SINGLE-FAMILY RESIDEN-
TIAL) TO C-N (NEIGHBORHOOD
COMMERCIAL DISTRICT);
PROVIDING FOR THE REPEAL
OF PRIOR INCONSISTENT ORDI-
NANCES AND RESOLUTIONS,
SEVERABILITY, AND AN EFFEC-
TIVE DATE. TAX PARCEL ID
NUMBERS:

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32922

TAX PARCEL ID 24-36-28-01--13, 107
COCOA PLACE, COCOA, FLORIDA
32922

PLANNING & ZONING BOARD/
LOCAL PLANNING AGENCY
PUBLIC HEARING WILL BE
HELD ON
Sept 4, 2024

CITY COUNCIL 1st PUBLIC
HEARING WILL BE HELD ON
Sept 10, 2024

ALL HEARINGS WILL TAKE
PLACE AT 6:00 P.M. OR SOON
THEREAFTER IN THE
COCOA CITY HALL COUNCIL
CHAMBERS LOCATED AT
65 STONE STREET, COCOA, FL

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: Monica Arsenault, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8484 or via email at marseault@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, 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>
952X

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) 433-8451.

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.