

**MINUTES
CITY OF COCOA
PLANNING & ZONING BOARD/ LOCAL PLANNING AGENCY
REGULAR MEETING
AUGUST 5, 2020**

A Regular meeting of the Planning & Zoning Board Local Planning Agency was held on August 5, 2020 at City Hall, 65 Stone Street, Cocoa, FL, as publicly noted.

I. CALL TO ORDER:

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

ROLL CALL:

Michael Dobrin	Chairperson
Al Washington	Vice Chairperson
Todd Anderson	Board Member
Jeri Blanco	Board Member
Sherry Ervin	Board Member
Trina Gilliam	Board Member
Marilyn Green	Board Member
Lawrence Koss	Board Member
Russell Sengel	Board Member
Ariel Glass	Alternate Member
Aleck Greenwood	Alternate Member
Debbie Joyce	School Board Representative
Kristin Eick	Assistant City Attorney

PRESENT:

Michael Dobrin	Chairperson
Al Washington	Vice Chairperson
Todd Anderson	Board Member
Jeri Blanco	Board Member (via phone)
Trina Gilliam	Board Member
Marilyn Green	Board Member (via phone)
Lawrence Koss	Board Member (6:03pm)
Russell Sengel	Board Member
Aleck Greenwood	Alternate Member
Debbie Joyce	School Board Representative (via phone)
Kristin Eick	Assistant City Attorney

ABSENT:

Sherry Ervin	Board Member
Ariel Glass	Alternate Member

STAFF PRESENT:

Dodie Selig, Planning & Zoning Manager, Jake Williams Jr., Mayor, Angela Essing, Economic Development Manager and Monica Arsenault, Recording Secretary.

Chairperson Dobrin led the assembly in the Pledge of Allegiance.

II. APPROVAL OF AGENDA AND MINUTES:

1. AGENDA: Meeting of August 5, 2020

- * **MOTION BY BOARD MEMBER ANDERSON; SECONDED BY BOARD MEMBER KOSS TO APPROVE THE AUGUST 5, 2020 AGENDA AS WRITTEN.**

AYES: DOBRIN, WASHINGTON, ANDERSON, BLANCO, GILLIAM, GREEN, GREENWOOD, KOSS, SENDEL

MOTION PASSED UNANIMOUSLY (9-0)

2. MINUTES: June 16, 2020

- * **MOTION BY BOARD MEMBER ANDERSON; SECONDED BY BOARD MEMBER GILLIAM TO APPROVE THE MINUTES AS WRITTEN.**

AYES: DOBRIN, WASHINGTON, ANDERSON, BLANCO, GILLIAM, GREEN, GREENWOOD, KOSS, SENDEL

MOTION PASSED UNANIMOUSLY (9-0)

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

A. PZ-19-00200012 – Large Scale Site Plan (Integra Land Company)

APPROVAL OF A LARGE SCALE SITE PLAN (Integra Trails Apartments) consistent with Appendix A Zoning, Article XIII, Section 1, of the City Code to construct a total of 249 apartment units in five (5) apartment buildings, along with five (5) parking garage buildings, a clubhouse with pool, maintenance building and dog park on two (2) parcels located on the south side of State Road 524, and across from Lance Blvd and the Eastern

Florida State College golf driving range. Parcel ID numbers: 24-35-13-00-00750.0-0000.00 and 24-35-24-00-00001.0-0000.00.

Ms. Selig provided a presentation¹ and shared that the project consists of two hundred forty-nine (249) apartment units in five (5) apartment buildings with five (5) parking garage buildings, a clubhouse with swimming pool, a maintenance building and a dog park. She pointed out the amenities and added the following waivers and variances to be granted by the City:

- Maximum building height may be increased from thirty-five (35) feet to fifty-seven (57) feet for apartment buildings
- Maximum building width may be increased from two hundred (200) feet to two hundred thirty-three (233) feet for apartment buildings
- Minimum living area requirement for one-bedroom apartments shall be decreased from eight hundred (800) sq. ft. to six hundred thirty-eight (638) sq. ft. for a maximum of seventy-nine (79) one-bedroom apartment units

Additionally, the following modifications to the development agreement are being requested:

- Removal of the obligation to construct the trailhead parking area and trailhead stub out
- The Developer shall still be required to convey the one hundred thirty-seven (137) acres of wetland to the City
- In lieu of the obligation to construct the trailhead parking area and trailhead stub out, the Developer shall reimburse the City for actual costs associated with environmental consulting, planning, design, and permitting of a nature trail system on the Conveyance Property up to a cost not to exceed \$24,000.00

Ms. Selig provided the site plan layout and stated that staff is recommending approval of the Large-Scale Site Plan with the conditions set forth below:

1. The site plan shall not be approved unless it is executed by all parties
2. Site plan approval shall be conditioned upon the conveyance of the property identified in the Addendum to the Binding Development Agreement in Section 5.0, Amended Project Enhancements; Conveyance of Property
3. Prior to receiving any certificate of occupancy, the Developer shall convey to the City, free of charge and free and clear of all liens and mortgages, and other encumbrances that are not deemed by the City to be permitted exceptions that will interfere with the City's intended purpose and use for the land, a portion of its Property as legally described and depicted in the survey attached to the Addendum as Exhibit C (the "Conveyance Property"). The Conveyance Property consists of:

¹ Large Scale Site Plan-Integra Trails

- i. The entirety of Tax Parcel Number 24-35-24-00-1; and
- ii. The portion of Tax Parcel Number 24-35-13-00-750 that consists of wetland, excluding the upland buffer and mitigated wetland as determined by the developable limit line and wetland impact line as approved by St. John's River Water Management District and an additional ten (10) foot buffer to allow for the Developer's maintenance of a retaining wall. The total Conveyance Property shall consist of 136.637 acres, more or less.

Board member Sengel asked if there was only one entrance in and out. In response, Ms. Selig shared that there is emergency access that will only be accessible to the Fire Department, Police, etc.

Board member Sengel pointed out that with all of the development going on, he'd like to see a large sidewalk put in because many people on the west side will want access to the local Publix and shopping center and it will be dangerous for pedestrians if there is no sidewalk. In response, Ms. Selig noted that the sidewalk would be done by the Florida Department of Transportation (FDOT).

Mayor Williams pointed out that we are in the design phase and if we put a sidewalk in now they may have to tear it up later when the traffic lights go in, etc.

Mr. David McDaniel, the applicant, spoke in regards to permit approvals and answered questions regarding the sidewalks and the square footage of the units.

Board member Greenwood asked about the cost of rental. It was shared that roughly, one-bedroom units will go for around \$1,200 per month, two-bedroom units will go for around \$1,500 per month and three-bedroom units will go for around \$1,800-\$1,900.

Chairperson Dobrin opened the discussion to the public.

Gregg Stoll, 2203 Salem Dr., shared that he does not understand why the city or developers would be interested in wetland areas. He added that he also doesn't think wood frames are a good idea for the apartment buildings as they wouldn't hold against a strong hurricane.

There being no further questions or comments, Chairperson Dobrin closed the hearing to the public.

* **MOTION BY BOARD MEMBER ANDERSON; SECONDED BY BOARD MEMBER GILLIAM TO APPROVE THE LARGE-SCALE SITE PLAN WITH THE RECOMMENDED CONDITIONS PROPOSED BY STAFF.**

**AYES: DOBRIN, WASHINGTON, ANDERSON, BLANCO, GILLIAM,
GREEN, GREENWOOD, KOSS, SENDEL**

MOTION PASSED UNANIMOUSLY (9-0)

B. Approval of a Tree Removal Permit at 3009 Dunhill Dr.

Removal of an oak tree in the City right-of-way and a replacement tree at Bracco Pond.

Ms. Selig shared that on June 25, 2020 Public Works was called to investigate complaints of root damage to the driveway related to an oak tree in the right-of-way at 3009 Dunhill Dr. The inspector found that the tree's root system has caused damage to both public and private property. Specifically, the tree's roots have pushed up the sidewalk causing it to twist and lift and causing trip hazards for the public. The City removed the sidewalk in the past, ground the tree roots and replaced the affected sidewalk in front of this address as can be seen in the attached photos. Additionally, the root system has caused lifting and some cracking of the property owner's driveway. Public Works staff would like the tree removed to keep from having to do the repairs for the fourth or fifth time.

Additionally, Public Works staff have determined that the tree is otherwise healthy and have recommended that a replacement tree be planted at the Forrest and US 1 pond or at Bracco Pond.

Ms. Selig stated that staff recommends that the Planning & Zoning Board recommend approval to the City Council of removal of an oak tree in the right-of-way adjacent to 3009 Dunhill Dr. with a replacement oak tree to be planted at either the Forrest and US 1 pond or at Bracco Pond.

Vice Chairperson Washington pointed out that he feels it should be cut down, but he believes at some point most of the trees on that street, and there are many, will eventually need to be cut down as many of the trees will get to be too big for the easements they are planted in.

Board member Anderson noted that he disagrees and doesn't feel the tree should be cut down just because the concrete is being pushed up. He explained that he feels this is something that can be addressed without removing the tree.

Board member Greenwood added that he agrees with Board member Anderson and pointed out that he feels it is less expensive to adjust and repair a sidewalk first prior to removing a tree, as it takes a lot more manpower and it is more expensive to remove the debris from cutting a tree down. Furthermore, if the removal of the tree is something the board supports, he will support it as well, although reluctantly,

however the board should consider planting replacement trees in other areas as well other than Bracco Pond or the Forrest and US 1 pond.

Board member Green asked who the inspector is. In response, it was noted that the inspector is Kenneth Terrell from Public Works.

Alternate member Greenwood asked if he is a licensed arborist. In response, Ms. Selig noted that she was not sure. Alternate member Greenwood asked for further information before any decisions were made to remove the tree.

Board member Gilliam shared that she did a tour of the Orlando Public Works department and pointed out they have rubber sidewalks and asked if our Public Works could look into putting these in as they are impervious, flexible and sustainable.

Board member Koss added that incoming developers should be informed that there is a method for planting oak trees so we don't continue to have these issues.

Chairperson Dobrin opened the discussion to the public. There being no questions or comments the public portion of the hearing was closed.

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MOTION BY BOARD MEMBER GILLIAM; SECONDED BY ALTERNATE MEMBER GREENWOOD TO RECOMMEND DENIAL TO THE CITY COUNCIL OF REMOVAL OF AN OAK TREE IN THE RIGHT-OF-WAY ADJACENT TO 3009 DUNHILL DR. AND FOR PUBLIC WORKS TO LOOK INTO INSTALLING RUBBER SIDEWALKS.

AYES: DOBRIN, WASHINGTON, ANDERSON, GILLIAM, GREEN, GREENWOOD, KOSS, SENDEL

NAYS: BLANCO

MOTION PASSED (8-1)

C. Approval of a Tree Removal Permit at 2009 Ivy Dr.

Removal of an oak tree in the City right-of-way and a replacement tree at Bracco Pond.

Ms. Selig shared that Public Works was called to investigate complaints of root damage to the driveway related to an oak tree in the right-of-way at 2009 Ivy Dr. The inspector found that the tree's root system has caused damage to both public and private property. Specifically, the tree's roots have impacted the curb causing water to stand on the side of the road, cracked the driveway apron and the sidewalk. The City repaired the sidewalk in front of this address however, since then the roots have caused extensive damage to both the sidewalk as well as the property owner's driveway. The Public Works Department is

recommending removal of the tree as it has caused serious damage to the property's driveway, curb, and sidewalk.

Public Works staff have determined that the tree is otherwise healthy and have recommended that a replacement tree be planted at the Forrest and US 1 pond or at Bracco Pond.

Board member Greenwood asked if, to save time, the Board would be interested in making one motion to combine the tree removal items for 2009 Ivy Dr. and 2226 Dartmouth Dr. In response, the Board agreed to make one motion for both items.

- * **MOTION BY BOARD MEMBER GILLIAM; SECONDED BY ALTERNATE MEMBER GREENWOOD TO RECOMMEND DENIAL TO THE CITY COUNCIL OF REMOVAL OF TWO OAK TREES, ONE IN THE RIGHT-OF-WAY ADJACENT TO 2009 IVY DR. AND ONE IN THE RIGHT-OF-WAY ADJACENT TO 2226 DARTMOUTH DR. AND FOR PUBLIC WORKS TO LOOK INTO INSTALLING RUBBER SIDEWALKS.**

AYES: DOBRIN, WASHINGTON, ANDERSON, GILLIAM, GREEN, GREENWOOD, KOSS, SENDEL

NAYS: BLANCO

MOTION PASSED (8-1)

D. Approval of a Tree Removal Permit at 2226 Dartmouth Dr.

Removal of an oak tree in the City right-of-way and a replacement tree at Bracco Pond.

E. PZ-20-025 – Ordinance 09-2020 (Temporary Signs)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING SECTION 3-22.5 OF THE CITY CODE REGARDING TEMPORARY ON-PREMISE SIGNS; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Eick² explained that essentially there is an issue with the current Ordinance which allows for an exception for political signs. The display period limitations that are set forth currently don't apply during the thirty days prior to a Federal, State or City of Cocoa local election. Furthermore, Ms. Eick shared that having a thirty-day limitation has pretty consistently been held to be unconstitutional. It also interferes with someone's First

² Board member Sengel left at 6:46pm & returned at 6:48pm

Amendment rights to speak with respect to a political election and so this was one of the reasons for the change.

Additionally, the US Supreme Court addressed the issue of content-based regulations for signs a few years ago and found that, essentially, if you have a content-based regulation and you are then regulating different types of signs based on the content of that message, it would be subject to strict scrutiny under the First Amendment. For this reason, staff is trying to eliminate sections of the Temporary Sign Ordinance that are specific to certain types of signs based on their message.

Similarly, due to their content-based nature, subsections (m) and (n) of the current ordinance are recommended to be stricken. Subsection (l) has been modified to address this issue.

Chairperson Dobrin raised a concern about signs being left several days, sometimes weeks after an event. He asked who is supposed to be enforcing the sign ordinance. In response, Ms. Selig noted that Code Enforcement enforces sign removals.

Board member Koss pointed out that he does not agree with the three-day time frame because a lot of people work fulltime and three days may not be enough time. He proposed a five-day time frame to allow people more time to collect their signs.

Board member Green agreed with Board member Koss.

Chairperson Dobrin opened the discussion to the public. There being no questions or comments the public portion of the hearing was closed.

Vice Chairperson Washington agreed with Board member Koss but pointed out that a lot of the time it is not the candidates who put the signs out, there are property owners and business owners who stake these signs on their own properties and so the candidates may not even know the signs are there. He asked who is ultimately responsible and who would receive the fine if the signs are not removed. In response, Ms. Eick clarified that it is the property owner who has the sign on their property that is responsible.

Ms. Selig stated that staff is recommending that the Planning and Zoning Board recommend approval to City Council of Ordinance No. 09-2020 amending Chapter 3, Section 3-22.5, of the City Code, regarding temporary signs.

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MOTION BY ALTERNATE MEMBER GREENWOOD SECONDED BY BOARD MEMBER KOSS TO APPROVE THE ITEM WITH AN AMENDMENT TO INCORPORATE A FIVE-DAY REMOVAL PERIOD FOR TEMPORARY SIGNS FOLLOWING THE END OF AN EVENT.

AYES: DOBRIN, WASHINGTON, ANDERSON, BLANCO, GILLIAM, GREEN, GREENWOOD, KOSS, SENDEL

MOTION PASSED UNANIMOUSLY (9-0)

F. PZ-20-024 –Ordinance 10-2020 (Mobile Vending)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A, ZONING, ARTICLE XIII, OF THE CITY CODE TO AUTHORIZE THE OPERATION OF MOBILE VENDORS IN THE CITY; PROVIDING STANDARDS FOR OPERATING MOBILE VENDING UNITS; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Selig provided maps³ for potential mobile vending areas. She discussed the Zoning Ordinance Amendment Analysis and the need and justification for the changes. She added that staff is recommending that the Planning and Zoning Board recommend approval to City Council of Ordinance No. 10-2020 amending Appendix A. Zoning, Article XIII of the City Code, to authorize the operation of mobile vending units and providing locations and regulations for the use.

Mayor Williams pointed out this is not driven by food vendors, but rather car detailers, pressure cleaners, and those types of vendors. He added that he has spoken with the individual who brought this forward himself.

Alternate member Greenwood shared that he is hesitant about this and feels the board needs more information as this could be a slippery slope. He suggested that this could be reviewed again after the Coronavirus has calmed down.

Mayor Williams added that he does not feel food vendors will be an issue for the village.

Board member Anderson disagreed with Mayor Williams and pointed out that he has seen food vendors at night in the village many times.

Board member Gilliam shared that she is in support of mobile vendors. She proposed that instead of a site plan requirement, a survey be submitted, even if it is hand-drawn, to help individuals who don't have much money to save on engineering plans/site plans.

Board member Koss suggested that mobile vendors could print out an aerial map from Property Appraiser to make it a little more professional. He further asked if we could include language that vendors can't be in Cocoa Village unless it is part

³ Potential Mobile Vending Areas Maps

of a special event. In response, Ms. Selig clarified that this is already covered in the Ordinance.

Chairperson Dobrin opened the discussion to the public.

April Sullivan, 708 Thomas Ave., mobile food vending owner, talked about a state statute that was recently passed which gives mobile vendors the right to have their business in the City, even if it means the City controls where and when they can go. She stated that she feels they bring diversity outside of the downtown area where there are not so many restaurants. Ms. Sullivan added that she has paid for her licensing and has invested just as much money to operate her business as any other. She feels it is wrong to not be able to have her business in the city when she, along with others, pay taxes here in Cocoa.

In response, Alternate member Greenwood noted that while he understands what Ms. Sullivan is saying, he wished to point out that Florida Statutes are not always very specific and can be quite vague. Additionally, cities are allowed to bring ordinances forth that are more specific.

Alternate member Greenwood also discussed zoning laws and noted that zoning requirements are in place for specific reasons. He suggested that more information be brought forward before a final decision is made.

In response to Alternate member Greenwood's concerns, Mayor Williams explained that this has been going on for a long time and it has not caused a problem before. For years, mobile vending was taking place and it never impacted the downtown area, however with Code Enforcement recently becoming a little more aggressive and a little bit more proactive, mobile vending has been prevented in the City.

Mayor Williams noted that he did not think this would impact the downtown area and pointed out that restaurants are scarce throughout the City outside of the village. He added that he is passionate about this issue because a lot of these vendors, not just food vendors, have nice setups, have invested a lot of money into their businesses and they're from this community and are just trying to make ends meet.

Vice Chairperson Washington asked Ms. Sullivan if she agreed with the proposed language in the ordinance. In response, Ms. Sullivan answered yes.

Board member Gilliam added that she is confident in staff and the research that they've presented to the board on this topic.

There being no further questions or comments the public portion of the hearing was closed.

* **MOTION BY BOARD MEMBER GILLIAM; SECONDED BY BOARD MEMBER KOSS TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF ORDINANCE NO. 10-2020 AMENDING APPENDIX A, ZONING, ARTICLE XIII OF THE CITY CODE, TO AUTHORIZE THE OPERATION OF MOBILE VENDING UNITS AND PROVIDING LOCATIONS AND REGULATIONS FOR THE USE.**

AYES: DOBRIN, WASHINGTON, ANDERSON, BLANCO, GILLIAM, GREEN, KOSS, SENDEL

NAYS: GREENWOOD

MOTION PASSED (8-1)

G. PZ-20-009 –Ordinance 11-2020 (Planned Unit Developments)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A, ZONING, ARTICLE XI, SECTION 17 OF THE CITY CODE RELATING TO THE PLANNED UNIT DEVELOPMENT DISTRICT REGULATIONS; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Selig provided a summary of the item and discussed the Zoning Ordinance Amendment Analysis and the need and justification for the changes. She added that staff is recommending that the Planning and Zoning Board recommend approval to City Council of Ordinance No. 11-2020 amending Appendix A. Zoning, Article XI, Section 17 of the City Code relating to the Planned Unit Development district regulations.

Alternate member Greenwood asked if this is passed, how it will affect projects that are already in progress. In response, Ms. Selig pointed out that there are only two other current PUD projects, both of which are Adamson Creek, both of which will fall under the new Ordinance if it is approved.

Ms. Eick clarified that Adamson Creek Phase 1 would still be governed by the current code. Phase 2 would be governed by the new code, should it be approved.

Ms. Selig pointed out that new language regarding medical marijuana pharmacies will be inserted in the item brought before Council.

Additionally, she reviewed façade interruption requirements and mentioned that the language in the ordinance needed some tweaking. Ms. Selig also suggested the removal of the word “parapets” from the Ordinance. She explained that a parapet is on the roof, which doesn’t break up the façade in any fashion, therefore the word should be removed from the list.

Lastly, Ms. Selig explained that staff and the board have been asked to consider flexibility on the width of a parking space. A developer is coming in who will be doing mixed-use, who would like to make it a PUD and would like to have nine and a half foot parking spaces. Ms. Selig shared that she did some research on other communities and some downtowns do allow it that have mixed-use districts. She asked for feedback from the board.

Alternate member Greenwood mentioned that there are concerns with parking in Cocoa Village already and discussed cost prohibitions and perceptions of developing there.

Board member Green inquired about the hotel developer and asked if this parking space size has been given the go ahead by the planning department. In response, Ms. Selig stated no but they are under a different zoning so this would not affect them. Additionally, Board member Green asked if there were any others. Ms. Selig noted that she believes one of the local condos and Walmart were granted a waiver.

Chairperson Dobrin opened the discussion to the public.

Mr. Stoll stated that if the developer gets any additional credits for increasing capacity he would urge the Board to say no. In regard to the parking spaces, he added that if the developer wants to scale the size back there must be some compensation.

Councilmember Lorraine Koss asked what is wrong with the boardwalks in the wetlands. In response, Ms. Selig explained that there is nothing wrong with the boardwalks, however there was a lot of pushback on the one that was permitted and was then ultimately taken out of the equation. She further explained that the goal is to give credit for not disturbing or mitigating the wetlands. Additionally, Ms. Eick provided further clarification.

There being no further questions or comments the public portion of the hearing was closed.

Ms. Selig asked the Board to consider the following amendments in their motion:

- To change the language regarding pharmacies to match the rest of the Code
- Add clarification on the façade interruption to go from twenty to forty feet and to allow balconies as a type of façade amenity as well as removing the term “parapet” from that list
- Width reduction to nine and a half feet for parking spaces

* **MOTION BY BOARD MEMBER KOSS; SECONDED BY BOARD MEMBER BLANCO TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF ORDINANCE NO. 11-2020 AMENDING APPENDIX A, ZONING, ARTICLE XI, SECTION 17 OF THE CITY CODE RELATING TO THE PLANNED UNIT DEVELOPMENT DISTRICT REGULATIONS AND TO INCLUDE THE AMENDMENTS PROPOSED BY STAFF.**

AYES: DOBRIN, WASHINGTON, ANDERSON, BLANCO, GILLIAM, GREEN, KOSS,

NAYES: GREENWOOD, SENDEL

MOTION PASSED (7-2)

H. PZ-20-017 – Ordinance 12-2020 (Arbor Mitigation/Landscape Requirements)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A, ZONING, ARTICLE XIII, SECTION 22, LANDSCAPING REQUIREMENTS, OF THE CITY CODE; AMENDING LAND CLEARING AND TREE PROTECTION AND REPLACEMENT STANDARDS; CREATING AN ARBOR MITIGATION FUND; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Essing provided a presentation⁴ and discussed state law preemption. She reviewed the proposed changes and the relationship and consistency with the Comprehensive Plan policies and objectives. She added that staff is recommending that the Planning and Zoning Board recommend approval to City Council of Ordinance No. 12-2020, amending land clearing and tree protection and replacement standards and creating an arbor mitigation fund.

Board member Sengel asked if this is applied to residential properties. In response, Ms. Essing pointed out that this does not apply to those. Ms. Eick also provided further clarification.

Chairperson Dobrin open the discussion to the public. There being no questions or comments the public portion of the hearing was closed.

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MOTION BY BOARD MEMBER KOSS; SECONDED BY BOARD MEMBER GILLIAM TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF ORDINANCE NO. 12-2020 AMENDING LAND CLEARING AND TREE PROTECTION AND REPLACEMENT STANDARDS AND CREATING AN ARBOR MITIGATION FUND.

AYES: DOBRIN, WASHINGTON, ANDERSON, BLANCO, GILLIAM, GREEN, GREENWOOD, KOSS, SENDEL

MOTION PASSED UNANIMOUSLY (9-0)

⁴ Zoning Text Amendment – Arbor Mitigation Fund

V. TREE BOARD:

None.

VI. OTHER BUSINESS:

1. Tree Board Update:
 - Tree-City USA designation follow-up
City plans to submit application when the window opens in September
2. Recent Development Update
3. Open Discussion by Board members

VII. NEXT MEETING DATE:

The next regularly scheduled meeting for the Planning and Zoning Board will be held on Wednesday, September 2nd at 6pm in Cocoa City Hall, 65 Stone St, Cocoa, FL 32922.

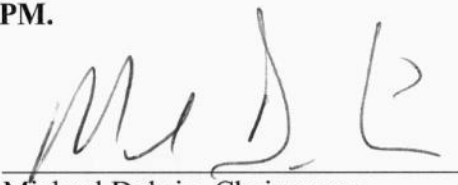
VIII. ADJOURNMENT:

- * **MOTION BY VICE CHAIRPERSON WASHINGTON; SECONDED BY ALTERNATE MEMBER GREENWOOD TO ADJOURN THE REGULAR MEETING OF AUGUST 5, 2020.**

AYES: DOBRIN, WASHINGTON, ANDERSON, BLANCO, GILLIAM, GREEN, GREENWOOD, KOSS, SENDEL

- * **MOTION PASSED UNANIMOUSLY (9-0)**

MEETING WAS ADJOURNED AT 8:39 PM.


Michael Dobrin, Chairperson

Respectfully Submitted By:


Monica Arsenault, Recording Secretary