



THE CITY OF COCOA

BUSINESS IMPACT ESTIMATE **PURSUANT TO F.S. 166.041(4)**

This form should be included in the agenda packet with the proposed ordinance to be considered. It must be posted on the City's website by the time notice of the proposed ordinance is published pursuant to Section 166.041(3)(a), Florida Statutes.

City Council Meeting Dates: December 10, 2024
Ordinance Number: 11-2024
Posted To Webpage: November 26, 2024
Revised and Reposted: December 4, 2024

This Business Impact Estimate is given as it relates to the proposed ordinance titled:
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; UPDATING THE BUILDING TYPES TABLE FOR CONSISTENCY WITH THE LIST OF PERMITTED USES FOR THE CONSENT DECREE AREA; PROVIDING FOR THE REPEAL OF PRIOR

**INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION
INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.**

Parts I-IV below are not required to be completed if the ordinance involves any one of the following types of exemptions. Please check if applicable:

- ☐ 1. Ordinances required for compliance with federal or state law or regulation;
- ☐ 2. Ordinances relating to the issuance or refinancing of debt;
- ☐ 3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ 4. Ordinances required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by a municipal government;
- ☐ 5. Emergency ordinances;
- ☐ 6. Ordinances relating to procurement; or
- ☐ 7. Ordinances enacted to implement the following:
 - ☐ a. Development orders and development permits, as those terms are defined in Section 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;
 - ☐ b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality;
 - ☐ c. Sections 190.005 and 190.046;
 - ☐ d. Section 553.73, relating to the Florida Building Code; or
 - ☐ e. Section 633.202, relating to the Florida Fire Prevention Code.

Part I.

Summary of the proposed ordinance and statement of public purpose:

(Address the public purpose to be served by the proposed ordinance, such as serving the public health, safety, morals, and welfare of the City of Cocoa.)

This amendment is intended to add uses for limited neighborhood commercial and mixed-use developments within the Consent Decree Area / Heart of Cocoa on specifically designated parcels as described in the revised Regulating Plan of the Waterfront Overlay District. The proposed ordinance allows for these limited commercial activities and public parking only on specified properties, ensuring that the Substitute Consent Decree requirements are observed while facilitating compatible economic development and maintaining neighborhood character and quality of life in the Heart of Cocoa.

Part II.

Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Cocoa: *(fill out subsections a-c as applicable, if not applicable write "not applicable")*

(a) Estimate of direct compliance costs that businesses may reasonably incur if the proposed ordinance is enacted:
Not applicable

(b) Identification of any new charges or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and
Not applicable

(c) An estimate of the City of Cocoa's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.
Not applicable

Part III.

Good faith estimate of the number of businesses likely to be impacted by the ordinance:

The ordinance provides new opportunity to develop neighborhood commercial uses and mixed use commercial buildings on approximately 20 properties in the Consent Decree Area, consistent with the provisions of the Substitute Consent Decree in Houston, et. al. v. City of Cocoa, et. al., Case No: 6:89-CV-00082-PCF, United States District Court, Middle District of Florida. Existing businesses in the Consent Decree Area will not be impacted as the provisions regarding existing CW and CC permitted uses, including conversion and abandonment of such uses, remain unchanged.

Part IV. Additional Information the City Council may find useful (if any):

This Business Impact Estimate may be revised following its initial posting.