

**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.

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**MICHAEL C. BLAKE, Mayor**

**ATTEST:**

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**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:

