



Legislation Text

---

File #: 20-23, Version: 1

---

## CITY COUNCIL AGENDA ITEM

Memo Date: December 30, 2019  
Agenda Date: January 22, 2020  
Prepared By: Dodie Selig, Planning & Zoning Manager  
Through: Nancy A. Bunt, Community Services Director  
Requested Action:

Ordinance No. 25-2019/ 2<sup>nd</sup> Reading: Approval of a ZONING TEXT AMENDMENT consistent with Appendix A, Zoning, Article XXI, amending Appendix A, Article XI, Section 22 of the zoning ordinance of the City of Cocoa to allow the Single Story Commercial building type on a certain property within the Waterfront Sub-district of the Cocoa Waterfront Overlay District and amending the maximum lot depth from 300 feet to 400 feet for properties eligible for the Single Story Commercial building type.

### **BACKGROUND:**

#### **I. Zoning Ordinance Amendment Analysis**

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

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

#### **Need and justification for change**

The ordinance proposes a text amendment to the City's Zoning Code, Article XI, Section 22, Cocoa Waterfront Overlay District (CWOD), which would make two changes. These two changes will be addressed in turn below.

#### **Single Story Commercial building type:**

The first change to the Regulating Plan of the CWOD would allow the Single Story Commercial

building type for a certain property in the Waterfront Sub-district. The current owner of the subject property has requested that the City examine the rationale behind a prior change to the Regulating Plan and its applicability to his parcel. In response to this request, staff have reviewed the prior ordinance enacting the change and the reasons and analysis offered.

In 2016, the City amended the Regulating Plan of the CWOD to allow the Single Story Commercial building type on all parcels in the Cocoa Village Sub-district of the CWOD lying between eastbound SR520 and westbound SR520. The principle reason given for the change was that the existing development pattern consisted of numerous single story buildings and the existing prohibition of this building type was inconsistent with the surrounding built environment.

The subject parcel was the only parcel located between eastbound SR520 and westbound SR520 lying between Florida Ave. and the Indian River that was not included in that action as the subject parcel is in a different sub-district of the CWOD. However, the same physical constraints to development posed by the SR520 traffic lanes apply to this parcel as applied to the other parcels between the east and westbound traffic lanes. In addition, the Cocoa Village historic character is largely influenced by the pedestrian scale of the older buildings, which are between one and three stories in height. To prohibit single story building height on the subject parcel is not consistent with the surrounding built environment. Furthermore, permitting single story commercial buildings on the property would allow the option of redevelopment of the parcel that would not impede views from westbound SR 520 into the historic Cocoa Village.

It should be noted that while the proposed change would allow a single story commercial building to be built on the subject property, the property could still be developed under the other building types presently allowed under the Regulating Plan, which include Apartment Building, Courtyard Apartment, Small Scale Commercial/Mixed Use, Medium Commercial/Mixed Use, Large Commercial/Mixed Use, and Institutional.

#### Maximum Lot Depth:

The second change to the CWOD would allow an increase in the maximum lot depth for the Single Story Commercial building type from 300 feet to 400 feet. This change stems from staff's analysis of the suitability of allowing the Single Story Commercial building type on the subject parcel. The parcel has a lot depth of 300 feet on the north property line and a lot depth of 410 feet on the south property line. The average lot depth for this parcel is roughly 370 feet.

Applying the potential change to the maximum lot depth for this building type for other parcels within the CWOD did not indicate that any inconsistencies would be created.

## **Relationship and consistency with Comprehensive Plan Policies and Objectives**

The following Comprehensive Plan policies apply:

**GOAL 1.1:** Future 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:** The City shall continue to promote vitality and redevelopment of the three community redevelopment areas established pursuant to Chapter 163, Florida Statutes: Cocoa (Downtown) Redevelopment Area, Diamond Square Redevelopment Area and U.S. 1 Corridor Redevelopment Area.

## **STRATEGIC PLAN CONNECTION:**

## **BUDGETARY IMPACT:**

N/A

## **PREVIOUS ACTION:**

The Planning & Zoning Board recommended approval of this item at its regular meeting on December 4, 2019.

City Council approved the 1<sup>st</sup> Reading of this ordinance at its regular meeting on December 11, 2019.

## **RECOMMENDED MOTION:**

Ordinance No. 25-2019/ 2<sup>nd</sup> Reading: Approval of a ZONING TEXT AMENDMENT consistent with Appendix A, Zoning, Article XXI, amending Appendix A, Article XI, Section 22 of the zoning ordinance of the City of Cocoa to allow the Single Story Commercial building type on a certain property within the Waterfront Sub-district of the Cocoa Waterfront Overlay District and amending the maximum lot depth from 300 feet to 400 feet for properties eligible for the Single Story Commercial building type.