



**Meeting Agenda
Monday, August 17, 2026**

5:30 PM

**Planning Board
Regular Board Meeting**

**Cocoa Beach City Hall
2 South Orlando Ave.
Cocoa Beach, FL 32931**

WELCOME

- A. Call to Order
 - 1. Pledge of Allegiance
 - 2. Roll Call
 - 3. Approval of Agenda
 - 4. Approval of Minutes
 - 5. Disclosure of Conflict
- B. Unfinished Business
 - 1. **Ordinance 1719 Vehicle or Trailer Parking**
 - 2. **Ordinance 1708 Outdoor Seating**
- C. New Business
- D. Staff Reports and Announcements
 - 1. Report from Staff Representative
- E. Public Comment
- F. Board Members Reports and Announcements
 - 1. Report from Board/Committee Member
- G. Adjournment

1. Next Meeting Date

Note: more than one member of the City Commission may be in attendance at the meeting and may participate in discussions.

Pursuant to 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by this Board, agency or meeting or hearing, he will need a record of the proceedings, and that for such purpose, affected persons may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk at (321-868-3286), no later than 4:00 p.m., at least 48 hours prior to the meeting.



CITY OF COCOA BEACH – PLANNING BOARD MEETING MINUTES

Monday, July 20th, 2026 @ 5:30 P.M.

A. CALL TO ORDER AND ROLL CALL: 5:40 P.M. Meeting called to order

Members Present: Wes Mason, Warren Burger, and Alexandra Bobo

Alternate Members: Margaret Schneider and Mike Miller

Members Absent: John Butera, Lisa Colloredo, and Loi McKinley

Staff Present: Cory Hall (Senior Planner), David Dickey (Assistant CM and Director Development Services), Michael Ledesma (IT), Christin Harris (Licensing and Board Manager)

City Attorney: Garrett Olsen

Visitors Present: 8

Approval of Agenda: Miller motioned to approve, Seconded by Bobo, **Vote 5-0**

Approval of Meeting Minutes: Miller motioned to approve, Seconded by Mason, **Vote 5-0**

B. UNFINISHED BUSINESS: None

C. NEW BUSINESS:

1. ***Ordinance 1719 Vehicle Parking-*** David Dickey, Assistant City Manager and Director of Development Services presented the ordinance to the planning board.
 - a. *Public Comments Received*
 - b. *Discussion ensued among board members and city staff*
2. ***Ordinance 1708 Outdoor Seating*** – Cory Hall, Senior Planner, presented the ordinance to the planning board.
 - a. *Public Comment: **None***
 - b. *Discussion ensued among board members and city staff*

D. STAFF AND ATTORNEY REPORTS: Staff provided the board members with an update on the city's major projects.

- a. *Discussion ensued among board members and city staff*

E. GENERAL PUBLIC COMMENTS: N/A

F. BOARD FINAL COMMENTS: Staff and Board consensus were to bring the ordinances back to a future meeting to reflect board input.

G. ADJOURNMENT: 6:49 PM

X

Christin Harris
Licensing and Board Manager

X

Lisa Colloredo
Chair

City of Cocoa Beach Planning Board Agenda Item Summary

**DEPARTMENT MAKING
REQUEST/NAME:**

Development Services /

MEETING DATE

August 17, 2026

REQUESTED MOTION/ACTION

Ordinance 1719 Vehicle or Trailer Parking

IS THIS ITEM BUDGETED (IF APPLICABLE)?

BACKGROUND:

Ordinance 1719 is being proposed to supplement regulations for the parking of boats, utility trailers, recreational vehicles, and special purpose vehicles in residential districts.

Currently, the city code does not limit the number of vehicles, trailers, recreational vehicles, or boats that can be parked on a residential lot. This can result in multiple boats, cars, trailers, or a combination thereof, being parked on a residential lot, potentially impacting aesthetics and property values in the area. In addition, the city code does not require boat, car, or trailer parking to be located on improved and/or paved spaces. This results in parking of these vehicles on grass or dirt surfaces.

Exhibit "A"
Ordinance 1719
Trailers

Section 1-20. – Definitions.

Utility Trailer means a trailer designed to transport materials, goods, equipment or boats.

Section 3-03. - Vehicle parking.

A. General.

1. Vehicles, including cars, trucks, semi-trucks or temporary structures, of any kind are not permitted to be parked or left unattended on vacant parcels.
2. Vehicles of any kind, including non-motorized vehicles, are not permitted to be parked on public sidewalks.

B. Vehicle parking in commercial districts.

1. On commercial properties a semi-truck or tractor trailer, as defined in [section 1-20](#), shall be parked in a designated area that is separate from standard vehicle parking areas. Minimum off street parking requirements shall be maintained at all times.
2. Overnight storage of a semi-truck or tractor trailer shall be behind a six-foot high opaque fence.

C. Vehicle parking in residential districts.

1. On residential properties the parking of a semi-truck or tractor trailer shall be restricted to loading and unloading activities, between the hours of 7:00 a.m. and 8:00 p.m. with no overnight parking of vehicles.
2. Unless restricted by other prohibitions, vehicles under twenty-six (26) feet in length are permitted to be parked on any private residential lot which contains a permitted principal structure.
3. The length of a vehicle shall include all accessories, such as hitches, masts, outboard motors, trailers, or any vehicle attached to the vehicle.
4. Any recreational vehicle, whether wheeled, motorized, or in an unassembled state, including trailers, boats and boat trailers separately or in combination, exceeding twenty-six (26) feet in length shall not be **permanently** parked, stored or located on private property in a residential zoning district unless parked in an enclosed garage, or as provided below:
 - a. The vehicle shall be parked on a driveway or other prepared surface, preferably a pervious surface. The surface of the lot or parcel of land upon which or above

which a boat, utility trailer, recreational vehicle or special purpose vehicle is parked shall be paved or shall be maintained in the same manner as the remainder of the lot or parcel of land and there shall not be permitted upon such surface a growth of weeds, undergrowth or lawn which exceeds the twelve (12) inches in height.

- b. The vehicle may be parked in the side or rear yard, under the following conditions:
 - 1) The vehicle shall be setback at least two (2) feet from any abutting property line.
 - 2) If the vehicle is within ten (10) feet of an adjacent property, a six-foot high opaque fence or wall along the adjacent property line shall be provided.

~~c. The vehicle may be parked in the front yard, under the following conditions:~~

- ~~1) The vehicle shall be at least eight (8) feet from the front face of the curb or edge of the travel lane of the street.~~
- ~~2) No portion of the vehicle shall extend over a pedestrian sidewalk or bike path.~~

cd. Vehicles shall not obstruct the sight visibility triangle at intersections, as detailed in [section 3-07](#).

de. Parked vehicles shall not be used as a residential dwelling, be connected to any public utilities, used for storage, or used as an office for business purposes.

ef. Vehicles must be operable with a current license tag and registration.

fg. Only one (1) vehicle exceeding twenty-six (26) feet in length may be parked on a property at any one (1) time.

- 5. Any vehicle which cannot comply with the parking regulations above, may be parked at the owner's property a maximum of one (1) day per week for maintenance, loading, unloading and trip preparation.

~~6. A Maximum of any one (1) boat, utility trailer, recreational vehicle and special purpose vehicle, under twenty-six (26) feet, shall be parked in the front yard of a property at any one time. The vehicle shall be parked on an improved prepared surface, preferably a pervious surface.~~

- ~~a. The vehicle shall be at least eight (8) feet from the front face of the curb or edge of the travel lane of the street.~~

b. No portion of the vehicle shall extend over a pedestrian sidewalk or bike path.

7. A Maximum of any one (1) boat, utility trailer, recreational vehicle or special purpose vehicle, under twenty-six (26) feet, shall be parked in the rear or side yard of a property at any one time. The vehicle shall be parked on an improved prepared surface, preferably a pervious surface.

~~8. No boats, utility trailers, recreational vehicles or special purpose vehicles, or any combination thereof, shall be parked any closer than three (3) feet from the exterior of any structure or building, including eaves or overhangs.~~

~~8. No boats, utility trailers, recreational vehicles or special purpose vehicles, or any combination thereof, shall be parked in the Right of Way (ROW) for more than one (1) hour.~~

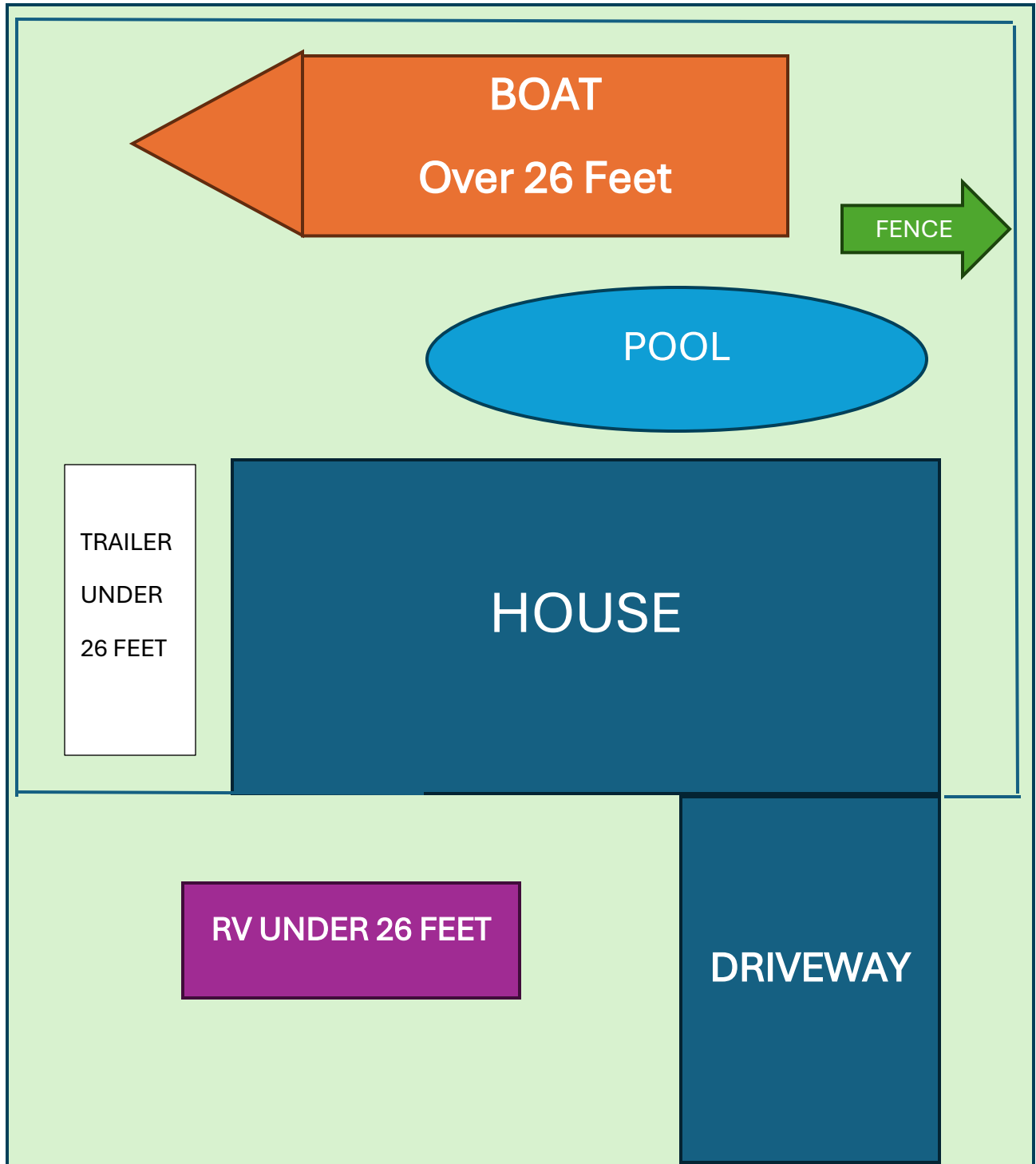
~~9. All boats, utility trailers, recreational vehicles or special purpose vehicles, or any combination thereof, shall have affixed thereto a currently valid license tag registered to the vehicle, shall be parked or stored with wheels and tires mounted, and shall be maintained in a movable condition.~~

~~10. The surface of the lot or parcel of land upon which or above which a boat, utility trailer, recreational vehicle or special purpose vehicle is parked shall be paved or shall be maintained in the same manner as the remainder of the lot or parcel of land and there shall not be permitted upon such surface a growth of weeds, undergrowth or lawn which exceeds the twelve (12) inches in height.~~



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City of Cocoa Beach Planning Board Agenda Item Summary

**DEPARTMENT MAKING
REQUEST/NAME:**

Development Services /

MEETING DATE

August 17, 2026

REQUESTED MOTION/ACTION
Ordinance 1708 Outdoor Seating

IS THIS ITEM BUDGETED (IF APPLICABLE)?

BACKGROUND:

Ordinance 1708 is being proposed to establish rules for outdoor seating areas associated with bars and restaurants. The intent is to encourage outdoor seating by providing a standardized process, at the same time, addressing possible safety hazards for patrons, pedestrians, and property owners. The ordinance provides rules for the following:

1. Stand-alone restaurants
2. Restaurants on private property
3. Restaurants on public property

In addition, the proposed ordinance establishes an application process. Each applicant will be required to enter into an outdoor seating agreement as well as submit appropriate insurance, have a current city Business Tax Receipt, and an alcohol beverage license (if applicable).

Existing restaurants that have an approved outdoor seating area will be exempt from these requirements, unless the seating area is expanded or discontinued for 60 days or more.

Exhibit "A"
Ordinance 1708
Outdoor Seating

Sec. 3-40. - Outdoor restaurant seating areas.

- A. *Intent and purpose.* To protect public health, safety and welfare, and enhance the city's urban environment, by regulating outdoor restaurant seating. The ability to have such seating and the conditions and requirements for such seating shall be determined by the location of the outdoor restaurant seating area as well as the other criteria set forth herein.
- B. *Regulations for specific outdoor restaurant types.*
1. Stand-alone restaurant. Any restaurant located in a free-standing building shall be subject to the following:
 - a. Outdoor restaurant seating areas within five hundred (500) feet of any single-family residential property are prohibited from operating after 9:00 p.m. The distance shall be measured from the perimeter of the outdoor restaurant seating area to the nearest single-family residential property line.
 - b. The development services director or designee may determine that outdoor restaurant seating areas within five hundred (500) feet of any multi-family residential property be restricted or prohibited from operating after 9:00 p.m. Such determination shall be based on the noise, light and visual impacts of the outdoor restaurant seating area on the multi-family property.
 2. Restaurant seating that is located on private property, including those within an off-street parking area shall be subject to the following:
 - a. All areas of an outdoor restaurant seating area must be enclosed by a decorative fence, railing, continuous row of planters or decorative barrier rope not less than three (3) feet in height.
 - b. Service shall be at tables only by restaurant staff. No pass-through windows shall be permitted.
 - c. the total number of parking spaces available for the property must meet or exceed the city's off-street parking standards.
 3. Restaurant seating that is located on public property, including public rights-of-way, shall be subject to the following:
 - a. Unobstructed pedestrian access must be available through or adjacent to the seating area and to the restaurant entrance, at a minimum of five (5) feet at all times, to provide safe public access and comply with the Americans with Disabilities Act (ADA). The required five (5) foot clearance shall be located at least one (1) foot from the closest edge of pavement and measured to the nearest table or chair, when occupied.
 - b. Furnishings may be added to the site provided it is safe and does not block pedestrian access through or past the site. Additional lighting shall not increase the existing footcandle at the property line and shall be consistent with applicable turtle lighting standards.
 - c. Television and live entertainment shall be prohibited at all times in outdoor seating areas.
- C. *Additional regulations.* The following additional regulations are applicable to all restaurant types and locations:
1. Where any part of an outdoor restaurant seating area is located within five (5) feet or less of a parking lot or roadway, a permanent barrier, such as a decorative fence or wall not less than three (3) feet in height, or greater than five (5) feet, shall be required to separate the seating area from the parking lot or roadway. The distance between the parking lot or roadway and the outdoor seating area shall be measured using the position of tables and chairs when they are occupied. Concrete and clay planters may be used as a barrier, provided that they form a

continuous barrier and are permanent furnishings. Rope is not acceptable as a permanent barrier. At the discretion of the development services director, the applicant shall be required to install bollards as appropriate.

2. When a restaurant serves alcoholic beverages, the limits of the outdoor restaurant seating area shall be clearly identified by a decorative fence, wall, planters, decorative rope, or other similar barrier. Such barriers shall be not less than three (3) feet in height. In addition, a sign shall be posted at all exit points citing section 15-20.1, regarding consumption/possession of alcoholic beverages in public places outside the seating area.

3. Outdoor seating areas for bars shall be clearly identified by a decorative fence, wall, planters, decorative rope, or other similar barrier. Such barriers shall be not less than three (3) feet in height. In addition, a sign shall be posted at all exit points citing section 15-20.1, regarding consumption/possession of alcoholic beverages in public places outside the seating area.

4. Any restaurant that proposes creating an outdoor seating area, or expanding an existing outdoor seating area, must **pay all applicable connection fees**, comply with Article 1 of Chapter IV, site plan application process, and obtain necessary permits under the Florida Building Code and the City Code of Ordinances.

D. *Furnishings.* All outdoor restaurants shall comply with the following standards:

1. Outdoor furnishings must be decorative and have a quality design to enhance the visual and aesthetic appearance for the outdoor area as determined by the development services director. Furnishings shall be compatible with the building and the outdoor area in design, color, materials and overall architectural theme. All furnishings shall be reviewed in the permitting process for the outdoor restaurant permit. All furnishings, except planters, must either receive a building permit to be affixed to the ground or they must be brought in on a nightly basis.
2. All furnishings not permanently affixed, other than planters, must be removed from the outdoor restaurant seating area when the restaurant is closed.
3. Trash cans and service areas are prohibited in any outdoor restaurant seating area.
4. Umbrellas used with outdoor furniture shall be designed to be safely incorporated within a table, removed on a nightly basis, and compatible with the colors of the building. Signage on umbrellas shall be prohibited. A minimum of 8 (eight) feet of clearance between the umbrella and the ground shall be maintained at all times.
5. Plastic or PVC furnishings shall be prohibited.
6. Planter furnishings shall not be made of plastic and shall match or complement the color of any other planters on the property.
7. Once an outdoor restaurant permit has been issued, pursuant to this section, any additions or subtractions to outdoor furnishings must be reviewed and approved by the director of development services or designee. No additional review fees will be charged to amend an outdoor restaurant permit for change of furnishings only.

E. *Prohibited uses.*

1. Take out restaurants are prohibited from obtaining an outdoor restaurant permit.
2. Nightclubs are prohibited from obtaining an outdoor restaurant seating area permit.

F. *Application and permitting procedures.* All properties that propose to operate an outdoor restaurant seating area must obtain an outdoor seating restaurant permit. An application shall be completed online submitted, on a form furnished by the city, to the director of development services and/or his/her designee, along with a non-refundable application fee. The application fee shall be established by resolution, as adopted by the city commission. At time of application, the applicant must provide the following information:

1. A valid business tax receipt.
 2. A valid alcoholic beverage license (if applicable).
 3. Licensee at its sole cost and expense shall cause to be maintained, during the term of this License Agreement, insurance as follows:
 - a. Workers compensation insurance in accordance with Florida Law of not less than One Million Dollars (\$1,000,000.00) for each accident for all employees eligible for state worker's compensation benefits.
 - b. Comprehensive or Commercial General Liability Insurance with limits not less than One Million Dollars (\$1,000,000.00) for each occurrence, combined single limit for bodily injury and property damage with any deductible not to exceed \$10,000.00 each occurrence, including coverage for contractual liability, independent contractors, explosion, collapse and underground (XCU) broad form property damage personal injury, products and completed operations. The city shall be named as an additional insured.
 - c. Protection and Indemnity with limits not less than one million (\$1,000,000.00) each occurrence including coverage for water insurance.
 - d. If the licensee is selling, providing, or serving alcohol, the city shall be named as an additional insured on the Licensee's liquor license.
 - e. Should any of the required insurance be provided under a claim made form, Licensee shall maintain such coverage continuously for four (4) years beyond the termination of this License Agreement to cover such claims. Should any of the required insurance be provided under annual aggregate limit that costs of investigation or legal defense cost is included, such annual aggregate limits shall be three (3) times the occurrence limits above. Licensees shall provide proof of insurance from a licensed insurance company approved by Licensor. Said policy shall provide 60-day notice prior to cancellation and name the Licensor as an additional insured.
 4. Proof of payment of additional plant connection fees for any additional or larger water and/or sewer connections which are created by the outdoor restaurant seating area (as may be required by the city engineer).
 5. Written approval from the property owner must be submitted, allowing outdoor restaurant seating, if applicant is not the property owner.
 6. Hold harmless agreement, executed by the applicant, which holds the City of Cocoa Beach harmless from liabilities arising out of, or in connection with, the outdoor restaurant permit, and indemnifies the city, its officers, agents and employees against any loss, damage or expense (including all costs and reasonable attorney fees) suffered by the city.
 7. Site plan or copy of survey showing the exact location **with dimensions** of the outdoor restaurant seating area, the number, type and location of all furnishings, accessible pathways, required barriers, and restaurant entrances and exits. Addition of permanent features may require site plan revision and/or building permit(s), as determined by the development services director.
- G. *Permit issuance.* The director of development services and/or his/her designee shall review applications for outdoor restaurant permits and may approve, approve with conditions, or recommend denial, based on the requirements herein, and the following additional criteria:
1. Proposed hours of operation for outdoor seating and the impact on neighboring residents or establishments.
 2. The code compliance record for the property.
 3. Police enforcement activities directly related to the operations of the establishment in conformance with the Code of Ordinances.

4. Whether the outdoor seating, subject to appropriate conditions, would be consistent with the protection of the public health, safety, and welfare.

Should an outdoor restaurant permit be approved, the applicant shall be required to enter into a "City of Cocoa Beach License Agreement" which shall be valid for a period of one (1) year.

- H. *Permit denial.* The director of development services may deny an outdoor restaurant permit that does not meet the requirements of this section. Denials may be appealed to the city's board of adjustment within seven (7) business days of the denial. Upon denial of an outdoor restaurant permit, the applicant may not resubmit for one (1) year from the effective date of the revocation.
- I. *Permit renewal and annual inspections.* All restaurants which receive an outdoor restaurant permit shall be subject to an annual inspection to ensure that the regulations of this section are met. The director of development services and/or his/her designee is authorized to approve permit renewals that meet the following requirements for annual service inspection:
 1. A valid business tax receipt.
 2. A valid alcoholic beverage license (if applicable).
 3. Proof of liability insurance.
 4. Hold harmless agreement.
 5. Compliance with conditions of the outdoor restaurant permit.
 6. Compliance with the criteria and requirements of this section.
 7. Consideration of code violations for the property, including noise, light and property maintenance.
 8. Consideration of police enforcement activities directly related to the operations of the establishment in conformance with the provisions of the Code of Ordinances.
 9. Payment of an annual inspection fee.

Upon satisfactory annual inspection and review by the director of development services and/or his/her designee, the director may renew the approved outdoor restaurant permit for a period of one (1) year.
- J. *Change of ownership.* An outdoor restaurant permit is not transferable. Prior to issuance of a business tax receipt, a business may apply for a new outdoor restaurant permit.
- K. *Revocation of outdoor restaurant permit.* If the director of development services and/or his/her designee determines that the annual inspection is unsatisfactory, or that the requirements herein have not been met, the director may revoke the outdoor restaurant permit. Furthermore, any person who violates the requirements set forth in this section may have their outdoor restaurant permit revoked at any time by the city.

Upon revocation or denial of the outdoor restaurant permit, the applicant, nor anyone else, may not resubmit for one (1) year from the effective date of the revocation or denial for that property.
- L. *Appeal procedure.* Appeal of any decision by the development services director and/or his/her designee will be considered by the board of adjustment. An appeal of a decision by board of adjustment shall be to the circuit court in and for Brevard County, in a manner provided by state law. In accordance with state law, failure to appeal within thirty (30) days of the rendition of the decision shall result in the applicant waiving his/her rights to appeal.
- M. *Exemption.* Existing restaurants which have an outdoor restaurant seating area shown on a site plan approved by the city prior to the adoption of this ordinance, shall be exempted from the requirements of this section, unless such restaurant intends to increase the size of the outdoor restaurant seating area or the use is discontinued for a period of more than sixty (60) days. In such event, a new application, for outdoor seating or to reinstate the discontinued use, shall be required to comply fully with the provisions of this

section for all outdoor seating, existing or newly proposed. Any outdoor restaurant seating area not previously approved or issued a permit by the city, prior to the adoption of this ordinance, shall comply with the provisions of this section within ninety (90) days of the effective date of this section.

- N. *Violations.* Any person who violates or fails to comply with any provision of this article shall be punished in accordance with general penalty set forth in section 1-8 of this code. Each such person, firm, corporation or agent shall be considered guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed or continued.