CITY OF COCOA BEACH, FLORIDA
PLANNING BOARD AGENDA

DATE: February 5, 2024, 5:30 PM
LOCATION: Cocoa Beach Country Club, 5000 Tom Warriner Boulevard, Cocoa Beach FL 32931

Notice: Robert's Rules of Order and the Sunshine Law govern the conduct of the meeting.

Broadcasting of Meetings:
Live meeting broadcasts on: Spectrum-Channel 499, Comcast-Channel 51 or 13, ATT UVerse-Channel 99, or www.cityofcocoabeach.com.
Report issues: IT Support Desk - 321 868-3319 – a recorded line, or "report a concern" via the City's webpage.
Meeting Video Archives: www.cityofcocoabeach.com, under the Government tab.

Board Members: *Lennie Arnold, Chair; Lisa Colloredo, Vice-Chair; Margaret Schneider; Charles Mason; Alexandra Bobo*
Alternate Members: *Alt 1: TBD; Alt 2: Orson Tarver*
School Board Representative: *Loi McKinley*
City Attorney: *Vose Law Firm*

A. Call to Order

1. Pledge of Allegiance
2. Roll Call
3. Election of Chair/Vice Chair
4. Approval of Agenda
5. Approval of Minutes – December 4, 2023

B. Unfinished Business

1. 2025 Comprehensive Plan Update

C. New Business

1. Introduction to Development Services Staff

D. Staff and City Attorney Reports

1. Year End 2023 PB Report
2. Financial Disclosures

E. General Public Comments

F. Board Final Comments

G. Adjournment – Next tentative meeting – March 4, 2024

PUBLIC COMMENTS: Comments will be heard on items that do not appear on the agenda of this meeting. Speakers will limit their comments to three (3) minutes. The Board shall make an effort to allow public comment for any agenda item following introduction and initial discussion by the Board. For items not on the agenda, the Chair will have discretion regarding the length and appropriateness of general public comments. The Board asks the public to limit comments to areas for which the Planning Board is responsible.
APPEALS: Appeals to decisions or actions of the planning board. Any person aggrieved by any decision or action of the planning board may submit in writing, an appeal to the city commission specifying the grounds for appeal. Such appeal shall be noted to the city manager by certified mail within fifteen (15) days after the action complained of is recorded in the minutes of the planning board and shall be heard within thirty (30) days after notice to the city manager at a regularly scheduled meeting of the city commission.
ACCOMMODATIONS: In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations to participate in this proceeding shall, at least forty-eight (48) hours prior to the meeting, contact the Office of the City Clerk at (321) 868-3286; Florida Relay Service (800) 955-8771 (TDD); or (800) 955-8779 (Voice); or 711.

DEVELOPMENT SERVICES MEMORANDUM

TO: City Commission
THRU: City Manager
FROM: Planning Board Chairman
DATE: January 8th, 2024
SUBJECT: Planning Board Year End Report for 2023

Included are the yearly attendance calendars and a summary of activities for the Planning Board for 2023.

SUMMARY OF BOARD MEMBERS ATTENDANCE – REGULAR MEETINGS

Seat No.	Members	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1-Capizzi	Arnold	C	C	C	P	A	P	P	C	C	C	C	P
2-Jackson	Mason	C	C	C	P	P	A	A	C	C	C	C	P
3- Woulas	Schneider	C	C	C	P	P	P	P	C	C	C	C	P
4- Williams	Colloredo	C	C	C	P	P	P	P	C	C	C	C	P
5- Hutcherson	Bobo	C	C	C	P	P	P	P	C	C	C	C	P
2- Jackson Alternate 1	Tschaar	C	C	C	O	O	O	O	C	C	C	C	P
1-Capizzi Alternate 2	Tarver	C	C	C	P	P	P	A	C	C	C	C	O
School District Board Representative	Loi McKinley	C	C	C	P	A	P	P	C	C	C	C	P

C – Cancelled Meeting A – Absent EA –Excused Absence PR – Present after Roll Call
O – Off Board P – Present R – Resigned T – Terminated TE – Term Expired

BOARD CHARACTERISTICS – REGULAR MEETINGS

- The Chairman was Lennie Arnold
- The Vice Chairman was Lisa Colloredo
- Average number of visitors in the audience: 9.25

PLANNING BOARD
YEAR END REPORT FOR 2023

ACTIVITY – REGULAR MEETINGS

January- Cancelled

February- Cancelled

March- Cancelled

April- 1.) Large Scale Site Plan 3250 N Atlantic Avenue; Ms. Schneider motioned to recommend to City Commission for approval; Ms. Colloredo seconded. Motion was approved 5:0. 2). Amend Chapter III, Article III, Section 3-35, to permit the sale of frozen prepackaged food from mobile food dispensing vehicles within the public right-of-way. Questions and comments from the board followed. Ms. Schneider motioned to forward to the City Commission the proposed amendments with a recommendation of denial was made. There was no second to the motion. The motion was lost. Ms. Bobo motioned to forward to the City Commission the proposed amendments with a recommendation of approval was made. Mr. Mason seconded; the motion was approved 4:1.3.) Amend Chapter II, Article III, Section 2-06, to provide a flood protection height exception. Questions and comments from the board followed. Mr. Mason motioned to forward to the City Commission the proposed amendments with a recommendation of denial was made. Ms. Bobo seconded; the motion to deny was approved 5:0. 4.) General discussion to allow mobility of beach businesses. Board engaged in discussion regarding amending the current beach business license agreement process to allow businesses mobility along the beach. Board requested staff to work on updating the process and return with a proposal for review. 5.) Staff Reports: Ms. Anderson presented the 2022 Year-End Report. Ms. Schneider motioned to approve the Year-End Report, as presented. Ms. Colloredo seconded; the motion was approved 5:0.

May- 1.) Large Scale Site Plan Review for 2 North Atlantic Avenue. Questions and comments from the board followed. The applicant's lawyer Ms. Kim Rezenka, applicant Oshri Gal, and project engineer Andy Kirbach discussed the project and answered questions from the board. Public comments were heard. Discussion among the planning board members followed. Mr. Tarver motioned to recommend site plan approval with the following conditions: (1) meet with city staff to define road closures, (2) the city engineer to look at the traffic flow on minutemen to ensure it will work, (3) meeting with city staff regarding pedestrian safety (lights, sensors, mirrors, etc). There was no second to the motion. The motion was lost. Ms. Schneider motioned to recommend for site plan to be tabled for one month and the applicant to take care of the planning board concerns and return with requested information. The concerns were listed as (1) what will happen to the parking garage during street closures for special events and (2) for the board to get written confirmation from all departments within the city that staff are comfortable with the traffic study provided, the ADA traffic flow, the sight lines, and the impact to pedestrians. There was no second to the motion. The motion was lost. Mr. Tarver then motioned to recommend site plan approval with no conditions. There was no second. The motion was lost. The board then had a discussion with Mr. Vose regarding what are the requirements for tabling the item and for denying the motion. Ms. Schneider motioned to recommend for site plan to be tabled for one month to give the applicant the opportunity to address the following items with city staff and applicant's own consultants: (1) a concrete plan for what will happen during road closures for special events, (2) written confirmation from city staff regarding their approval of the provided traffic study, pedestrian impacts, and the ADA traffic flow, (3) whether or not it is advisable that the applicant provide bathroom facilities. Ms. Bobo seconded. The applicant was given time to address the items listed in the motion to table. The applicant felt that the item should not be tabled as he has already waited over six months for site plan review. He felt as if he should not have to close his parking garage during the road closures. Clarification was made by the board and Mr. Vose that knowing what the business plan is during road closures is within bounds and does not recommend place conditions that the applicant has to close the business during that time. The board returned to the motion to table. The motion was lost with a 2:3 vote. Schneider and bobo voted yes. Colloredo, mason, and tarver voted no. Ms. Colloredo made a motion to approve on condition that a Planning Board Representative attend the City Commission to notify the commission of board concerns that have been brought forth throughout the discussion. Motion rescinded as unclear if as acting chair Ms. Colloredo could make the motion. Mr. Tarver motioned to forward the site plan for approval with the following conditions: (1) Applicant to meet with city staff to define road closures and business plan, (2) City Engineer to review the traffic study to ensure it is adequate, (3) Applicant to meet with city staff regarding enhancing pedestrian safety. Ms. Colloredo seconded; the motion was approved 4:1. Colloredo, mason, bobo, and tarver voted yes. Schneider voted no. 2.) Amend Chapter IV, Article IV, Section 4-43, to permit modification of previously approved special exceptions, even when the special exception is no longer a permitted use. Questions and comments from the board followed. Public comments were heard. Concern was noted regarding the proposed language and amendments were made. Mr. Tarver motioned to forward to the City Commission the proposed amendments, with the discussed changes, with a recommendation of approval. Mr. Mason seconded; the motion was approved 5:0.3.) General discussion of watercraft regulations. Board engaged in discussion regarding intention of watercraft regulations and what items shall be focused on regarding amendments. Public comments were heard. Commissioner Capizzi spoke on the item as a citizen. He made clear he would be unable to vote on this matter should it move forward to the Commission. The board ended discussion with request for staff to answer questions brought forward at discussion and begin to review potential watercraft regulation additions to required Vacation Rental Registration items. 4.) Staff Updates: Ms. Armstrong presented the Quarter 1 Building Permit Report: January – March 2023, updated report included Vacation Rental data for Quarter 1.

June- 1.) Ms. McCoy gave a presentation outlining the Development Services Department and its roles and functions. She discussed the different divisions of the Development Services Department and the sections of the Land Development Code that is used to process building permits and site plan applications. She completed a cursory review of our site plan approval process. Questions arose regarding what is allowed after a site plan has been approved by the Planning Board and Commission. Ms. McCoy stated that staff will get a clearer picture of this and give a follow-up at a later date. 2.) Mr. Vose gave a presentation on Sunshine Law, Public Records, Voting Conflicts, & Quasi-Judicial Hearing Training for Local Government Board Members.

July- 1.) Ms. McCoy presented Agenda Item C.1 – Development Master Plan Review for 375 West Cocoa Beach Causeway. Questions and comments from the board followed. The applicant Cole Oliver and Nick Herring discussed the project and answered questions from the board. There were no public comments. Discussion among the planning board members followed. Ms. Colloredo motioned to approval with the with the request to streamline the “short-term” and “transient” language that is used interchangeably throughout the two development agreements. Recommendation to utilize one specific term rather than both. Ms. Schneider seconded; the motion was approved 4:0. Arnold, colloredo, bobo, and schneider voted yes. 2.) Amend Chapter XV, Section 15-47, Operation of golf carts on public roads and streets. Questions and comments from the board followed. There were no public comments. Ms. Schneider motioned to forward to the City Commission the proposed amendment with a recommendation of approval. Mrs. Colloredo seconded; the motion was approved 4:0. 3.) Review of Planning Board Standard Operating Procedures. Board engaged in review of the current Planning Board Standard Operating Procedures. Discussion was had on potential changes. No changes were recommended at this time. There were no public comments. 4.) Staff Reports: Ms. Armstrong presented the Quarter 2 Building Permit Report: April – June 2023, updated report included Vacation Rental data for Quarter 2

August- Cancelled

__September__- Cancelled

__October__- Cancelled

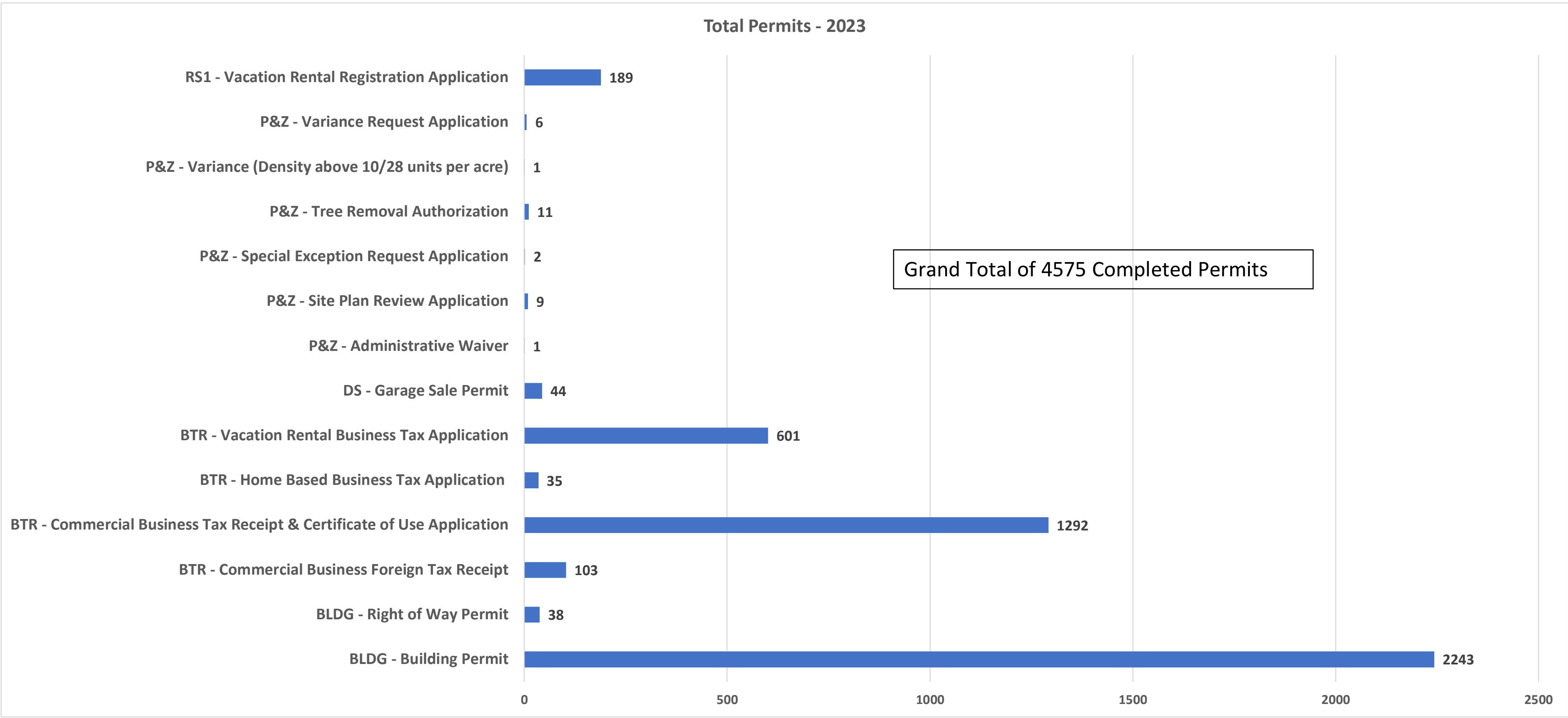
__November__- Cancelled

__December__- SunShine Law/Public Records Law - The City Attorney presented a PowerPoint presentation on Sunshine Law/Public Records Law. 2.) Standard Procedures & Policies – Director Tanja McCoy presents section 4.03 of the planning board on PowerPoint presentation slide. Discusses what the planning board is about and what city staff provides and or evaluates. 3.) The Principal Planner presents PowerPoint presentation on the Comprehensive Plan. 4.) Staff asks for future workshop sessions be the first hour of regular scheduled Planning Board meetings. Ms. Schneider asks if the 2012 design standards and 2014 master gateway plans can be provided at the next meeting. The Director states we can provide the documents requested and post to website. Ms. Schneider states that another box should be added as who are we as a city currently before the process begins. Ms. Colloredo inquires on the work session processes. The Director states a consultant will be involved and are familiar with the process. Discussion follows. Mr. Arnold states at the next meeting to bring an outline of the work session process plan. Ms. Bobo asks who will be leading the meetings. The Director states the staff and third-party consultants. Discussion follows. Director concludes with outlining the next steps of the process and how public participation is open. 5.) Staff Report: Senior Planner presents building permits and vacation rental registration activity for the months of July through September 2023.

Submitted by:

Devan Taly, Senior Planner	Planning Board Chairman

Approved by the Board on:


Total Permits - 2023
RS1 - Vacation Rental Registration Application
189
P&Z - Variance Request Application
6
P&Z - Variance (Density above 10/28 units per acre)
1
P&Z - Tree Removal Authorization
11
P&Z - Special Exception Request Application
2
P&Z - Site Plan Review Application
9
P&Z - Administrative Waiver
1
DS - Garage Sale Permit
44
BTR - Vacation Rental Business Tax Application
601
BTR - Home Based Business Tax Application
35
BTR - Commercial Business Tax Receipt & Certificate of Use Application
1292
BTR - Commercial Business Foreign Tax Receipt
103
BLDG - Right of Way Permit
38
BLDG - Building Permit
2243
0
500
1000
1500
2000
2500
Grand Total of 4575 Completed Permits