

ORDINANCE NO. 1

AN ORDINANCE OF THE CITY OF COCOA BEACH, FLORIDA, AMENDING APPENDIX B OF THE COCOA BEACH CODE OF ORDINANCES ENTITLED COCOA BEACH LAND DEVELOPMENT CODE (LDC); AMENDING LDC CHAPTER II, ZONING DISTRICTS, TO REPEAL SECTION 2-20, DOWNTOWN AREA OVERLAY DISTRICT (DOD) AND NEIGHBORHOOD SUBDISTRICT ADMINISTRATIVE REQUIREMENTS; TO REPEAL SECTION 2-21, GENERAL PROVISIONS FOR THE DOD AND THE NEIGHBORHOOD SUBDISTRICTS; TO REPEAL SECTION 2-22, SPECIAL PROVISIONS FOR THE NEIGHBORHOOD SUBDISTRICTS; TO CREATE A NEW ARTICLE V ESTABLISHING A REDEVELOPMENT ZONING DISTRICT APPLYING TO THE DOWNTOWN, UPTOWN/GATEWAY, AND PIER REDEVELOPMENT AREAS; AMENDING VARIOUS OTHER SECTIONS OF THE LAND DEVELOPMENT CODE; AMENDING SECTION 1-20, DEFINITIONS; AMENDING SECTION 3-01, OFF-STREET PARKING REGULATIONS; REPEALING SECTION 3-02, SPECIAL COMMERCIAL DISTRICT USE OF ON-STREET AND PUBLIC PARKING; ADDING SECTION 3-02, OFF-STREET PARKING IN THE REDEVELOPMENT ZONING DISTRICT; AMENDING SECTION 3-17, REQUIRED LANDSCAPE BUFFERS; AMENDING SECTION 3-66, EXCLUSIONS FROM HEIGHT LIMITS; AMENDING SECTION 4-02, SITE PLAN APPROVAL PROCESS; AMENDING SECTION 4-04, SUFFICIENT APPLICATION, DEVELOPMENT REVIEW COMMITTEE, ADDITIONAL FEES; ADDING SECTION 4-44, DESIGN MODIFICATIONS IN THE REDEVELOPMENT DISTRICT; AMENDING SECTION 5-05, SIGN PROVISIONS BY ZONING DISTRICT; REZONING LAND IN THESE THREE REDEVELOPMENT AREAS TO THE NEW REDEVELOPMENT ZONING DISTRICT; INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission finds that a redevelopment zoning district would enable the City to use its land development code to enable and implement previously adopted master plans for Downtown and for the Uptown/Gateway and Pier areas; and,

WHEREAS, Chapter 163, Florida Statutes requires that municipalities develop Land Development Regulations that are consistent with and implement their Comprehensive Plans; and,

WHEREAS, the City Commission desires to clarify its expectations for development in redevelopment areas using an illustrated, logical, and easy-to-understand format; and,

WHEREAS, the City Commission finds that this ordinance will improve the recently updated LDC and will promote the public health, safety, welfare, economic order, and public interest; and,

WHEREAS, the Cocoa Beach Planning Board has reviewed the proposed amendments to the LDC and has recommended that the City Commission approve these changes with the Planning Board's suggested revisions; and,

WHEREAS, the Planning Board and the City Commission both find that the proposed amendments are consistent with the City Charter and will be internally consistent with the remainder of the City Code of Ordinances; and,

WHEREAS, the City Commission and the Planning Board both find that the proposed amendments will be consistent with the City's 2025 Comprehensive Plan as it is being amended concurrently with the adoption of this ordinance; and,

WHEREAS, the City Commission held duly noticed public hearings on _____, 2017, and _____, 2017, to consider these amendments and has posted and provided public notice regarding this ordinance in accordance with City Code and Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY the Commission of the City of Cocoa Beach, Florida:

SECTION 1: The above recitals are true and correct and by this reference are hereby incorporated herein and made an integral part hereof as though fully set forth herein.

SECTION 2: AMENDMENTS TO ARTICLE IV IN CHAPTER II – The following sections of Article IV of Chapter II of the Land Development Code (LDC), of the Code of Ordinances of the City of Cocoa Beach, Florida, are hereby repealed in their entirety, as they are being replaced by new regulations being added in Article V of Chapter II:

- Section 2-20, Downtown Area Overlay District (DOD) and Neighborhood Subdistrict Administrative Requirements
- Section 2-21, General Provisions for the DOD and the Neighborhood Subdistricts
- Section 2-22, Special Provisions for the Neighborhood Subdistricts

SECTION 3: INTERIM PREAMBLE OF ARTICLE V IN CHAPTER II -- The interim title and interim preamble of Article V in Chapter II of the Land Development Code are being replaced, as follows:

~~ARTICLE V. -- ESTABLISHMENT OF FORM-BASED ZONING DISTRICTS. [RESERVED.]~~

~~A. *Purpose of form-based zoning districts.* Form-based zoning districts can be used in place of standard zoning districts where the City of Cocoa Beach has established a physical vision for future development or redevelopment of an area and has chosen to encourage or require that specified development pattern vision.~~

~~Sections 2-30—2-40-2-33. Reserved.~~

SECTION 4: ADOPTION OF NEW ARTICLE V IN CHAPTER II -- The new title (“ESTABLISHMENT OF REDEVELOPMENT ZONING DISTRICT”) along with all text, charts, maps, and graphics identified as new Article V as shown in Exhibit A as attached hereto and adopted by reference are hereby adopted into Chapter II of the Land Development Code. Certified copies of the Exhibit A shall be available in the offices of the City Clerk, City Manager, and Development Services.

SECTION 5: AMENDMENTS TO CHAPTER I – The amendments to the following section as shown in Exhibit A are hereby adopted into Chapter I of the Land Development Code:
Section 1-20, Definitions

SECTION 6: AMENDMENTS TO CHAPTER III – The amendments to the following sections as shown in Exhibit A are hereby adopted into Chapter III of the Land Development Code:
Section 3-01, Off-Street Parking Regulations
Section 3-02, Off-Street Parking in the Redevelopment Zoning District (new provisions)
Section 3-02, Special Commercial District Use of On-Street and Public Parking (repealed provisions)
Section 3-17, Required Landscape Buffers
Section 3-66, Exclusions From Height Limits

SECTION 7: AMENDMENTS TO CHAPTER IV – The amendments to the following sections as shown in Exhibit A are hereby adopted into Chapter IV of the Land Development Code:
Section 4-02, Site Plan Approval Process
Section 4-04, Sufficient Application; Development Review Committee; Additional Fees
Section 4-44, Design Modifications in the Redevelopment District (new provisions)

SECTION 8: AMENDMENTS TO CHAPTER V – The amendments to the following section as shown in Exhibit A are hereby adopted into Chapter V of the Land Development Code:
Section 5-05, Sign Provisions by Zoning District

SECTION 9: REZONING OF LAND -- All land delineated on the subdistrict maps in Figures 2-44(a) and 2-44(b) of Exhibit A is hereby rezoned to the Redevelopment Zoning District. That land is further described as follows:

DOWNTOWN: All land bounded as follows: Start at the corner of ...

UPTOWN/GATEWAY: All land bounded as follows: Start at the corner of ...

PIER AREA: All land bounded as follows: Start at the corner of ...

SECTION 10: SEVERABILITY/INTERPRETATION CLAUSE – If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 11: REPEAL OF CONFLICTING ORDINANCES – All ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 12: EFFECTIVE DATE – The effective date of this ordinance shall be delayed until the date on which Comprehensive Plan Amendment #____ becomes effective in accordance with Chapter 163, Part II of the Florida Statutes.

Upon Motion by Commissioner _____ and Seconded by Commissioner _____, this Ordinance was duly adopted at a Regular Meeting of the City Commission of the City of Cocoa Beach, Florida, held on the ____ day of _____, 2017.

Ayes: _____

Nays: _____

Absent or Abstaining: _____

Mayor-Commissioner

ATTEST:

Loredana Kalaghchy, CMC
City Clerk

First Reading: ____ Date Posted: ____ Date Published: ____

EXHIBIT A

PROPOSED AMENDMENTS TO COCOA BEACH LAND DEVELOPMENT CODE TO ESTABLISH A REDEVELOPMENT ZONING DISTRICT

1
2

CHAPTER II – New Article V	
DIVISION 1 – Redevelopment Zoning District and Subdistricts	
Section 2-41. Purpose of redevelopment zoning.....	2
Section 2-42. Organization.....	2
Section 2-43. Special procedures.....	2
Section 2-44. Subdistricts.....	3
DIVISION 2 – Allowable Uses in Subdistricts	
Section 2-51. Allowable uses.....	5
Section 2-52. Use definitions from chapter I.....	6
Section 2-53. Accessory dwellings.....	10
Section 2-54. Live/work units.....	10
Section 2-55. Work/live units.....	11
Section 2-56. Special requirements for certain uses.....	11
DIVISION 3 – Dimensional Regulations for Existing Buildings	
Section 2-61. Dimensional regulations for existing buildings.....	12
Section 2-62. Dimensional regulations for new and expanded buildings.....	12
Section 2-63. Fences, walls, and hedges.....	12
DIVISION 4 – Regulating Plans for New and Expanded Buildings	
Section 2-71. Regulating plans generally.....	13
Section 2-72. Regulating plan for Downtown.....	13
Section 2-73. Regulating plan for Uptown Gateway and Pier Areas.....	13
DIVISION 5 – Building Types for New and Expanded Buildings	
Section 2-81. Building types generally.....	16
Section 2-82. Allowable building types described.....	16
Section 2-83. Allowable building types by subdistrict.....	17
Section 2-84. Building type diagrams.....	17
Section 2-85. Building type dimensions and requirements.....	30
Section 2-86. Building placement generally.....	30
Section 2-87. Building frontage requirements.....	31
Section 2-88. Parking placement.....	31
DIVISION 6 – Other Requirements for New and Expanded Buildings	
Section 2-91. Requirements for new streets.....	32
Section 2-92. Requirements for civic spaces.....	33
Section 2-93. Requirements for alleys and rear lanes.....	34
Section 2-94. Fences and walls.....	35
Section 2-95. Performance standards for fuel pumps.....	35
Section 2-96. Performance standards for drive-through lanes.....	35
Section 2-97. Storm surge areas.....	35
Section 2-98. Sustainable development techniques.....	35
DIVISION 7 – Redevelopment Design Manual	
Section 2-101. Purpose of redevelopment design manual.....	36
Section 2-102. Contents of manual.....	36
Section 2-103. Applicability of manual.....	36
DIVISION 8 – Parking	
Section 2-111. Number of off-street parking spaces permitted.....	37
Section 2-112. Permitted location of off-street parking spaces.....	37
Section 2-113. Accessible and bicycle parking, landscaping, loading, construction details.....	38
DIVISION 9 – Procedures and Administration	
Section 2-121. Site plan review and design modifications.....	39
Section 2-122. Special exceptions, variances, waivers, appeals.....	40
Section 2-123. Adjustments to regulating plans and zoning district boundaries.....	40
CHAPTER I – Proposed Additions and Deletions	
Section 1-20. Definitions.....	41
CHAPTER III – Proposed Additions and Deletions	
Section 3-01. Off-Street Parking Regulations.....	46
Section 3-02. Off-Street Parking in the Redevelopment Zoning District.....	46
Section 3-02. Special Commercial District use of On-Street and Public Parking.....	46
Section 3-17. Required landscape buffers.....	47
Section 3-66. Exclusions from Height Limits.....	47
CHAPTER IV – Proposed Additions and Deletions	
Section 4-02. Site plan approval process.....	48
Section 4-04. Sufficient application; Development Review Committee; additional fees.....	48
Section 4-44. Design modifications in the Redevelopment Zoning District.....	49
CHAPTER V – Proposed Additions and Deletions	
Section 5-05. Sign provisions by zoning district.....	50

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

CHAPTER II – ZONING DISTRICTS NEW ARTICLE V – ESTABLISHMENT OF REDEVELOPMENT ZONING DISTRICT Adding New Divisions 1 through 9

DIVISION 1 – Redevelopment Zoning District and Subdistricts

Section 2-41. Purpose of redevelopment zoning.

This article will guide incremental improvements on land within the Redevelopment Zoning District to achieve these ends:

- A. Provide a variety of activities in walkable settings to meet the daily needs of residents, visitors, workers, and businesses.
- B. Enhance the interconnected network of pedestrian- and bicycle-friendly streets that link beaches, sidewalks, bike routes, transit stops, parks, and buildings.
- C. Increase the variety of housing in Cocoa Beach to accommodate all ages and household types.
- D. Accommodate redevelopment at a range of scales including expansions to existing buildings and new small to medium-sized infill buildings.
- E. Implement the Downtown Vision Plan and the Gateways Master Plan.
- F. Support the efforts of the CRA and Cocoa Beach Main Street to revitalize downtown.

Section 2-42. Organization.

This article provides zoning regulations for compatible redevelopment and is organized as follows:

- A. Division 1 describes the purposes of the Redevelopment Zoning District and how it is divided into subdistricts that reflect the existing and proposed character of individual blocks.
- B. Division 2 describes the allowable use of land in each subdistrict.
- C. Division 3 provides dimensional regulations that apply to existing buildings in each subdistrict.
- D. Division 4 includes regulating plans for the Downtown, Uptown Gateway, and Pier areas that identify subdistricts and provide additional details affecting the form of new and expanded buildings.
- E. Division 5 describes building types for new and expanded buildings. Each building type has certain requirements that apply in addition to the general regulations for each subdistrict.
- F. Division 6 provides additional requirements for new and expanded buildings. These include new streets, civic spaces, and alleys in specified locations; building frontage requirement; performance standards for fuel pumps and drive-through lanes; special rules for storm surge areas; and additional sustainability standards.
- G. Division 7 describes the Redevelopment Design Manual that supplements the minimum standards.
- H. Division 8 describes requirements for the location and number of parking spaces.
- I. Division 9 describes procedures that apply to the Redevelopment Zoning District.

Section 2-43. Special procedures.

Procedures for the Redevelopment Zoning District are the same as the remainder of this code except where division 9 provides special procedures:

- A. Site plan approval and design modifications are summarized in section 2-121.
- B. Special exceptions, variances, waivers, and appeals follow this code's standard procedures (section 2-122).
- C. Adjustments to the regulating plan and to the boundaries of this zoning district are described in section 2-123.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

Section 2-44. Subdistricts.

All land in the Redevelopment Zoning District is assigned to a subdistrict that provides suitable regulations for the characteristics and location of that land. Subdistricts are shown on Figure 2-44(a) for Downtown and on Figure 2-44(b) for the Uptown Gateway and Pier areas. Subdistricts are also shown on the regulating plans (see division 4).

- A. The Core subdistrict is a pedestrian-oriented center for surrounding neighborhoods and the entire city. These are centers of dining, shopping, housing, and entertainment, with shaded sidewalks, large windows, intimate pedestrian spaces, outdoor dining, and richly detailed building facades.
- B. The Transition Area subdistrict offers an opportunity to upgrade older commercial districts into destination showcases with a wide variety of housing, civic spaces, and pedestrian-oriented businesses.
- C. The Resort subdistrict provides a walkable beach-oriented experience oriented for visitors.
- D. The Oceanside subdistrict contains beachfront condominiums and public beach accesses at the ends of streets.
- E. The Shopping Row subdistrict provides goods and services along major entry roads.
- F. The Artisan Quarter subdistrict will become an artistic enclave where studios and housing mix with existing businesses and warehouses. This subdistrict supports special events including art walks, gallery nights, and performance art. New workspaces will have storefront entrances at the sidewalk to create an interactive environment.
- G. The Cottage Row Mixed subdistrict provides neighborhood stores and services, often in renovated buildings that match the scale of and preserve architectural elements of earlier buildings.
- H. The Cottage Row Historic subdistrict is a collection of small historic buildings that have been adapted for commercial uses. An interior alley allows large rear yards to become pedestrian spaces for dining, galleries, shopping, and outdoor gardens.
- I. The Cottage Row Residential subdistrict is primarily residential with a wide variety of housing types. New and renovated buildings tuck parking between, behind, and under buildings to maintain a strongly pedestrian character.

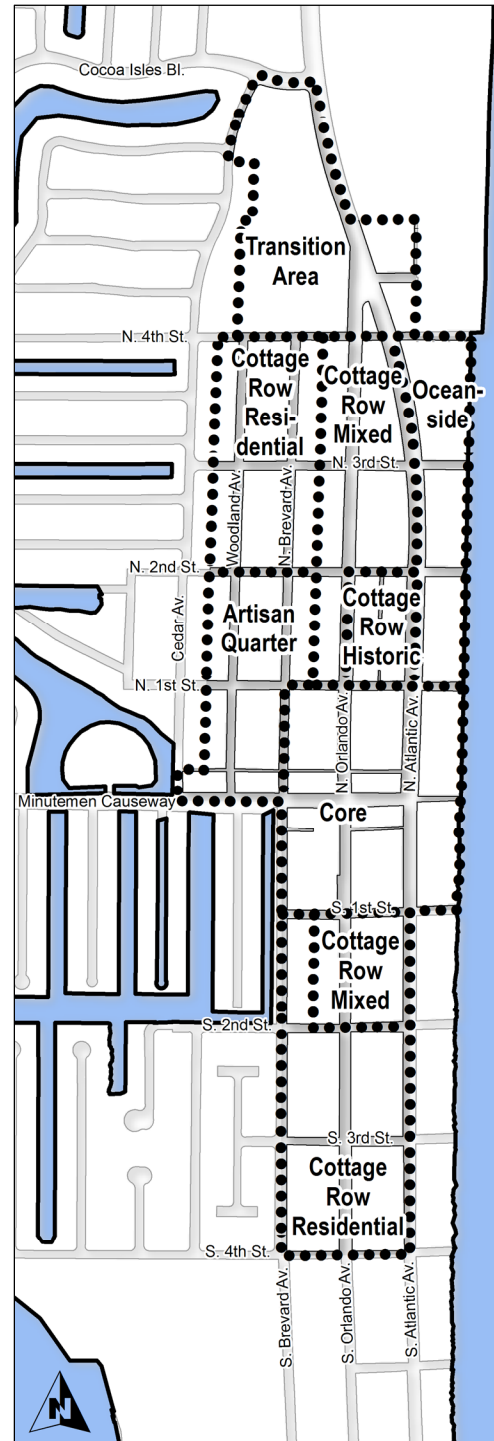


Figure 2-44(a) – Subdistricts in Downtown

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

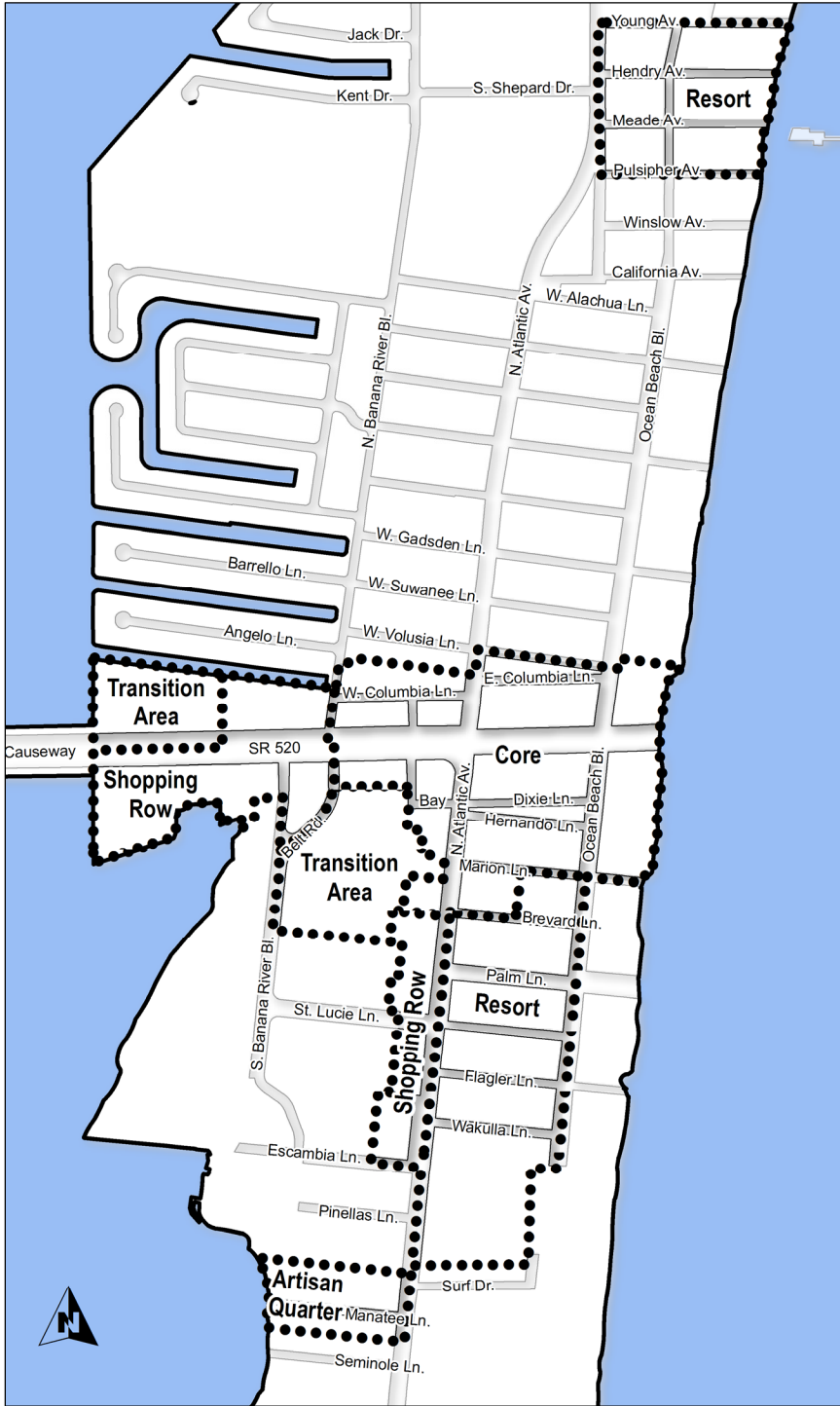


Figure 2-44(b) – Subdistricts in Uptown Gateway and Pier Areas

3 Sections 2-45–50. Reserved.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

DIVISION 2 – Allowable Uses in Subdistricts

Section 2-51. Allowable uses.

Table 2-51 identifies uses that are allowable in each subdistrict, organized into residential, lodging, business, and civic/education categories. Table 2-51 applies to existing buildings as well as new and expanded buildings.

- A. Uses identified with a “P” are principal uses that are permitted by right.
- B. Uses identified with an “SE” may be permitted by special exception; see article V of chapter IV.
- C. Uses identified with a “-“ or which are not identified in Table 2-51 are not permitted.
- D. Many of the uses in Table 2-51 are defined in section 1-20 and are listed alphabetically there with all other terms defined in in this code. Definitions pertaining to uses are repeated below in section 2-52, grouped there in the same categories as in Table 2-51 for easy reference.
- E. If a proposed use might fall within more than one definition or one classification in Table 2-51, the administrator will determine which most closely and most specifically matches the proposed use, taking into account the reasonably expected impacts from the proposed use.
- F. Accessory uses and structures are also permitted where they are customarily ancillary and clearly incidental and subordinate to existing principal uses. They must be located on the same lot as the principal use or structure or on a contiguous lot under same ownership.
 - 1. Residential accessory structures and uses must be in keeping with the character of a residential neighborhood. Home occupations and garage sales are residential accessory uses. Accessory structures include sheds, docks, swimming pools, and garages.
 - 2. Business, lodging and civic/education accessory uses and structures include sheds, recreational facilities, surface parking lots, carports, docks, trash dumpsters, and stormwater facilities.
 - 3. Accessory structures and uses must also comply with criteria in chapter III.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

TABLE 2-51

	----- SUBDISTRICTS -----								
	Core	Transition Area	Resort	Ocean-side	Shopping Row	Artisan Quarter	Cottage Row Mixed	Cottage Row Historic	Cottage Row Residential
RESIDENTIAL									
Single-family dwellings	-	-	-	-	-	-	P	P	P
Two-family or duplex dwellings	-	-	-	P	-	-	P	P	P
Multi-family dwellings (all types)	P	P	SE	P	SE	-	P	SE	SE
Accessory dwelling	P	P	-	-	-	P	P	P	SE
Artist workspace/dwelling	P	P	P	P	P	P	P	P	SE
Live/work unit	P	P	P	P	-	-	P	P	SE
Work/live unit	P	P	-	-	P	P	P	SE	SE
Community residential home, level 1	P	P	P	P	-	SE	P	P	P
Community residential home, level 2-3	P	P	SE	SE	-	SE	-	-	SE
Assisted living or convalescent facility	P	P	SE	P	-	-	SE	SE	SE
LODGING									
Bed-and-breakfast establishment	P	P	P	SE	P	-	P	P	SE
Dormitory	P	P	SE	SE	SE	SE	SE	SE	-
Transient lodging establishment	P	P	P	SE	SE	-	SE	-	-
BUSINESS									
Offices, limited	.	P	P	P	P	P	P	P	P
Offices, general	P	P	P	SE	P	P	SE	SE	SE
Stores & services, limited	P	P	P	P	P	P	P	P	SE
Stores & services, general	P	P	P	SE	P	P	P	SE	SE
Stores & services, large format	SE	SE	SE	-	SE	SE	-	-	-
Adult entertainment/establishment	P	SE	SE	SE	P	P	SE	SE	-
Automotive maintenance facility	-	-	-	-	SE	SE	-	-	-
Body-piercing and/or tattooing salon	P	SE	P	SE	P	P	SE	SE	-
Contractor & trade operations	-	-	-	-	P	P	-	-	-
Convenience store with fuel	-	SE	SE	-	P	SE	SE	-	-
Drive-through facilities (for any use)	-	SE	SE	SE	P	P	SE	-	-
Garage, parking	SE	SE	SE	-	-	-	-	-	SE
Late-night operations (for any use)	P	SE	P	-	SE	-	SE	-	P
Marijuana dispensary	-	-	-	-	-	-	-	-	-
Marina	-	-	-	-	-	-	-	-	-
Mini or self-storage	-	-	-	-	SE	-	-	-	-
Nightclub, bar, or cocktail lounge	P	P	P	P	P	P	P	SE	P
Pain management clinic	SE	SE	-	SE	SE	SE	SE	SE	-
Restaurants	P	P	P	SE	P	SE	P	-	P
Vehicle sales	-	-	-	-	-	-	-	-	-
CIVIC & EDUCATION									
Civic spaces	P	P	P	P	P	P	P	P	P
Public spaces	P	P	P	P	P	P	P	P	P
Institutional uses	SE	SE	SE	SE	SE	SE	SE	SE	SE
Place of worship	SE	SE	SE	SE	SE	SE	SE	SE	SE
Nursery school	P	P	SE	SE	P	SE	P	P	SE
Schools, public and private	SE	SE	SE	SE	SE	SE	P	SE	SE
Public utility structure, minor	P	P	P	P	P	P	P	P	P
Public utility structure, major	SE	SE	SE	SE	SE	SE	SE	SE	SE

1 **Section 2-52. Use definitions from chapter I.**

Proposed Additions to LDC – Redevelopment Zoning District – Ordinance No. 1

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

1 **A. Residential use definitions.**

2 *Artist Workspace/Dwelling.* This is a combination working studio and dwelling unit for artists.

3 *Community Residential Home.* A dwelling unit licensed to serve clients of the Department of Children
4 and Family Services, which shall be categorized by levels according to the number of assigned
5 residents on the premises as well as the zoning district in which it is a permitted use. Residents
6 of these homes shall be as defined in F.S. 419.001(1)(d). Level I Permits includes six (6) or
7 fewer residents, Level II permits up to nine (9) residents and Level III permits up to 14 residents.

8 *Dwelling or Dwelling Unit.* This is any building or structure or portion thereof that is used exclusively
9 for human habitation.

10 *Dwelling, Accessory.* A single permanent dwelling on the same lot as another permitted use.
11 Accessory dwellings can be in the same building as the other use or in a separate building. See
12 section 2-53.

13 *Dwelling, Single-Family.* A permanent, detached, private, residential building designed to be used as
14 a home or residence for one (1) family. This single-family dwelling unit designation also applies
15 to a "Garage" or "In-Law" Apartment in a detached accessory structure.

16 *Dwelling, Multi-Family, Townhouse, Apartment Building, or a House/Group Development.* A
17 permanent building designed to have multiple dwelling units within it which are to be used by
18 three (3) or more families. This does not include transient lodging establishments
19 (hotels/motels).

20 *Dwelling, Two-Family or Duplex.* A single building designed with two (2) separate dwelling units
21 within it which are to be used by two (2) separate families.

22 *Home Occupation.* Any lawful business use inside a residential home as defined by City Code
23 Chapter 13, as a secondary use to the residential dwelling which does not change the residential
24 character of the neighborhood.

25 *Live/work unit.* A single dwelling unit in a detached building, or in a multifamily or mixed-use building,
26 that also accommodates limited commercial uses within the dwelling unit. The predominate use
27 of a live/work unit is residential, and commercial activity is a secondary use. See section 2-54.

28 *Nursing Home (convalescent)/Assisted Living Facility.* A home for the aged, chronically ill, or
29 persons with incurable conditions in which three (3) or more persons not in the immediate family
30 are received, kept or provided with food and shelter or care for compensation; but not including
31 hospitals, clinics or similar institutions devoted to the diagnosis and treatment of the sick or
32 injured.

33 *Work/live unit.* A single dwelling unit in a detached building, or in a multifamily, mixed-use, or
34 commercial building, where the predominate use of the unit is commercial. See section 2-55.

35 **B. Lodging use definitions.**

36 *Bed and Breakfast Establishment.* A dwelling unit or units personally and physically operated and
37 occupied by an owner or manager, where transient guests are permitted to reside, where
38 payment is exchanged for this service, such as a Guest Cottage.

39 *Dormitories.* A building primarily used for and containing sleeping accommodations for students or
40 instructors affiliated with an educational institution, churches, athletic teams and others.

41 Hotel or Motel. See Transient Lodging Establishments.

42 *Transient Lodging Establishments.* Any unit within a building or any group of buildings with multiple
43 units within them, or any similar place whether designated a hotel or motel room, apartment,
44 condominium unit, cooperative unit, time-share unit, single-family unit, or otherwise which is
45 rented more than three (3) times in a calendar year for periods of less than thirty (30) days or
46 one (1) calendar month, whichever is less, or which is advertised or held out to the public as a
47 place regularly rented to transient residents. This does not include any health care providing
48 facility or dormitory. "Transient resident" means a temporary visitor to the community who does
49 not use the dwelling as a principal residence.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

1 C. **Business use definitions.**

2 *Adult Entertainment/Establishment.* Adult entertainment/establishment means an adult theater, an
3 adult store, an adult performance establishment, a commercial contact parlor, sexual encounter
4 business, or escort service.

5 *Alcoholic Beverage Establishment.* Those establishments selling alcoholic beverages as licensed by
6 the State, such as Bars, Cocktail Lounges and Nightclubs, but not including restaurants where
7 more than fifty-one (51) percent of the sales are food sales or hotel/motel pool bars which
8 provide alcoholic beverage services exclusively to guests.

9 *Automobile Maintenance Facility, Body Shop, Automobile Mechanics Garage, Service or Filling
10 Station or Vehicle Repair Shop.* Buildings and premises where automobiles and other vehicles,
11 such as scooters, motorcycles, boats, RVs, aircraft, golf carts, etc. may be worked-on, serviced,
12 repaired, painted, rebuilt, fueled, tinted, enhanced, customized or otherwise have other work
13 done on or to them, such as: Body Shops; Mechanical Garages; and, Service/Filling Stations.

14 *Body-Piercing and/or Tattooing Salon.* Any place or business licensed to perform tattooing, and to
15 perform body-piercing which is described under the provisions of F.S. 381.0075 for body-
16 piercing.

17 *Clinic.* A building where patients are admitted for examination and treatment by one (1) or more
18 persons practicing any form of healing arts which are licensed in the State of Florida.

19 *Convenience Store with Fuel.* This is an establishment that provide limited services primarily to the
20 motoring public such as fuel sales, car washing, or car detailing, and that may also sell
21 merchandise including food and beverages.

22 *Flea Market.* This is an open-air or enclosed market for the sale of new or used merchandise which
23 is typically sold by various merchants.

24 *Garage, Parking.* A building or structure or portion thereof used exclusively for the storage or parking
25 of automobiles. Service other than storage shall be limited to refueling, lubrication, and detailing.

26 *Garage, Private.* This is an accessory building or a portion of the principal building, used for the
27 storage or parking of automobiles by the property occupants. A carport is a private garage.

28 *Industrial.* An activity involved in the research, development, manufacturing or repair of goods,
29 materials, components, devices, equipment or systems.

30 *Junkyard.* This is an area or place containing any scrap materials or whole items which are
31 purchased or collected for the purpose of selling, storing, dismantling, recycling or processing for
32 profit as a commercial business.

33 *Kennel.* Any place or premises where four (4) or more dogs or cats over four (4) months old are
34 kept.

35 *Laundry, Self-Service.* This is a business location where patrons go to do their laundry and pay for
36 the use of clothes washing and drying machines and where other laundry services may be
37 provided.

38 *Mini or Self Storage.* This is the rented storage space for incidental storage of personal effects.

39 *Mixed-Use Development.* This is any combination of office, retail or residential in a building or lot or
40 on property being developed or redeveloped in a unified manner.

41 *Pain Management Clinic.* Any privately owned office, center, clinic, or other facility unaffiliated with
42 any hospital, hospice, and/or facility which provides any type of pain management services
43 and/or the treatment or management of pain by prescribing or dispensing controlled substances
44 to persons with complaints of pain, chronic or otherwise, which are required to register with the
45 Florida Department of Health pursuant to F.S. § 458.3265, or F.S. Chapter 459.

46 *Vehicle Sales.* This includes the sales of any new or used motorized vehicles, such as automobiles,
47 motorcycles, golf carts, trucks, watercraft, recreational vehicles, aircraft and trailers.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

- 1 *Contractor and trade operation.* An establishment that is primarily engaged in providing an off-site
2 service but which maintains a business office and inventory or equipment at a central location,
3 such as a general contractor or subcontractor, pest control operator, caterer, surveyor, etc.
- 4 *Drive-through facility.* Any establishment that provides physical facilities which allow its customers to
5 obtain food or goods, receive services, or be entertained while remaining in their motor vehicles.
- 6 *Late-night operation.* An establishment other than a lounge that regularly sells merchandise or
7 provides services after 11:00 PM. Late-night operations in certain subdistricts require a special
8 exception; see Table 2-61.
- 9 *Marina.* A business that stores, services, fuels, launches, and/or secures boats and may provide
10 related services for owners, crews, and guests.
- 11 *Nightclub, bar, or cocktail lounge.* An establishment that sells alcoholic beverages for consumption
12 on the premises, but not including restaurants where more than fifty-one (51) percent of the
13 sales are food sales or hotel/motel pool bars which provide alcoholic beverage services
14 exclusively to guests.
- 15 *Offices, general.* A room or group of rooms used to conduct the affairs of a business, profession,
16 service, or government and generally furnished with desks tables, files, and communication
17 equipment.
- 18 *Offices, limited.* Has the same meaning as ‘*Offices, general*’ except that the establishment contains
19 less than 1,000 square feet of enclosed floor area.
- 20 *Stores & services, general* means establishments that sell food or merchandise or provide personal
21 or professional services. The following uses are not considered ‘*Stores & services, general*’ for
22 purposes of this code:
- 23 • Stores & services, large format
24 • Automotive maintenance facility
25 • Adult entertainment/establishment
26 • Body-Piercing and/or Tattooing Salon
27 • Contractor and trade operations
28 • Convenience store with fuel
29 • Drive-through facilities (for any use)
30 • Garage, parking
31 • Late-night operations
32 • Marijuana dispensary
33 • Marina
34 • Mini or self-storage
35 • Nightclub, bar, or cocktail lounge
36 • Pain management clinic
37 • Vehicle sales
- 38 *Stores & services, large format* has the same meaning as ‘*Stores & services, general*’ as defined by
39 this code, except that the establishment contains over 50,000 square feet of enclosed floor area.
- 40 *Stores & services, limited* has the same meaning as ‘*Stores & services, general*’ as defined by this
41 code, except that the establishment contains less than 750 square feet of enclosed floor area, is
42 not open for business before 7:00 AM or later than 7:00 PM, and does not include any outdoor
43 storage.
- 44 *Workshop/studio.* An establishment for the creation or display of arts and crafts, the production or
45 repair of clothing and jewelry, or instruction in dance, exercise, or martial arts. To qualify as a
46 workshop/studio under this code, any noise, fumes, vibration, odor, or similar impacts from these
47 activities must be kept within the establishment.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

1 D. **Civic & education use definitions.**

2 *Institutional.* Public and quasi-public buildings and uses for public assemblage such as, libraries, City
3 Hall buildings, fire and police stations, hospitals, sanitariums, convalescent homes, public/private
4 schools, public/private camps and clubs, and similar types of uses.

5 *Nursery School.* This is a day school for the care and instruction of pre-school age children.

6 *Public Utility Structure (Facility).* A structure or facility owned and/or operated by a governmental
7 entity or a public utility which is regulated by the Florida Public Services Commission.

8 *Civic space.* A small outdoor space that serves as a focal point for a neighborhood and is available
9 for civic and recreational uses. Civic spaces are typically constructed by landowners when they
10 build on adjoining property. See section 2-92.

11 *Place of worship.* A church, temple, mosque or other place of worship that may include ancillary
12 buildings for education, recreation, and social functions.

13 *Public space.* An outdoor space that is maintained by a government or nonprofit entity as a civic
14 amenity for the general public. Public spaces include parks, playgrounds, golf courses, beaches,
15 beach accesses, boat ramps, nature preserves, etc.

16 **Section 2-53. Accessory dwellings.**

17 An accessory dwelling is a single permanent dwelling unit on the same lot as another use permitted in
18 the subdistrict.

19 **A.** Accessory dwellings are permitted in certain subdistricts either by right or by special exception.

20 **B.** An accessory dwelling can be in the same building as the other use on the lot or in a separate
21 building.

22 **C.** Only one accessory dwelling may be constructed on a lot.

23 **D.** Accessory dwellings may be up to 750 square feet in size.

24 **E.** An accessory dwelling in a new or expanded building must comply with the requirements for an
25 outbuilding in division 5, including being limited to the height of the principal building.

26 **Section 2-54. Live/work units.**

27 A live/work unit is a single dwelling unit in a detached building, or in a multifamily or mixed-use
28 building, that also accommodates limited commercial uses within the dwelling unit. The predominate use
29 of a live/work unit is residential. Commercial activity is a secondary use; the quiet enjoyment expectations
30 of residential neighbors takes precedence over the work needs of a live/work unit.

31 **A.** Live/work units are permitted in certain subdistricts either by right or by special exception.

32 **B.** Commercial uses in live/work units are limited to *Offices, Limited* and to *Store & Services, Limited*, as
33 those terms are defined by this code.

34 **C.** Commercial uses in live/work units must be conducted entirely within the unit or a customary
35 residential accessory structure.

36 **D.** No more than two employees or contractors other than family members residing in the dwelling may
37 work in a live/work unit.

38 **E.** Signage for live/work units is limited to one non-illuminated wall or window sign up to three square
39 feet.

40 **F.** Products and equipment must not be visible from the street and may not be stored outdoors.

41 **G.** No equipment may create noise, vibration, glare, fumes, or odors outside the dwelling unit that are
42 objectionable to the normal senses.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

- 1 H. Where live/work dwelling units require a special exception, the approval may specify an annual
2 review process that could result in revocation if these requirements and any other conditions of
3 approval are not maintained.

4 **Section 2-55. Work/live units.**

5 A work/live unit is a single dwelling unit in a detached building, or in a multifamily, mixed-use, or
6 commercial building, where the predominate use of the unit is commercial. Because the predominate use
7 of a work/live unit is commercial, customary commercial impacts may take precedence over the quiet
8 enjoyment expectations of residential neighbors.

9 A. Work/live units are permitted in certain subdistricts either by right or by special exception.

10 B. Commercial uses in work/live units are limited to *Offices, General* and to *Store & Services, General*,
11 as those terms are defined by this code.

12 C. Commercial uses in work/live units must be conducted entirely within the unit or a customary
13 accessory structure.

14 D. Signage for work/live units is limited to either one non-illuminated wall or window sign up to three
15 square feet or to a single sign of a type and size allowed in the subdistrict.

16 **Section 2-56. Special requirements for certain uses.**

17 Certain uses in Table 2-51 are limited by special requirements specific to those uses. Examples
18 include adult entertainment establishments, body-piercing and/or tattooing salons, marijuana
19 dispensaries, nightclubs/ bars/cocktail lounges, and pain management clinics. See specific provisions of
20 city codes for those requirements.

21 **Sections 2-57–60. Reserved.**

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

DIVISION 3 – Dimensional Regulations for Existing Buildings

Section 2-61. Dimensional regulations for existing buildings.

Table 2-61 provides dimensional regulations that apply to existing buildings in each subdistrict. These regulations also apply when minor changes are being proposed to existing buildings, such as changes of use, addition of accessory buildings, and minor expansions of up to 30% of the gross floor area. The addition or reconfiguration of fuel pumps or drive-through lanes requires conformance with requirements for new and expanded buildings as provided in divisions 4 through 6. Owners of existing buildings wishing to expand less than 30% may choose to be regulated by divisions 4 through 6 rather than by the dimensional regulations in Table 2-61.

TABLE 2-61

	SUBDISTRICTS								
	Core	Transition Area	Resort	Ocean-side	Shopping Row	Artisan Quarter	Cottage Row Mixed	Cottage Row Historic	Cottage Row Residential
REGULATIONS FOR EXISTING BUILDINGS									
MINIMUM LOT SIZE:									
Lot area	n/a	7,500'	7,500'	7,500'	7,500'	7,500'	7,500'	7,500'	7,500'
Lot width	25'	50'	100'	100'	50'	50'	50'	50'	75'
Lot depth	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	100'
MINIMUM YARD SIZE:									
Street	5'	25'	40'	40'	25'	25'	25'	25'	25'
Side (interior)	n/a	15'	15'	15'	15'	15'	15'	15'	10'
Rear	n/a	25'	25'	25'	15'	25'	15'	15'	15'
MAXIMUM BUILDING HEIGHT:									
Building height	45'	45'	45'	45'	45'	45'	45'	45'	35'
Absolute building height	45'	45'	45'	45'	45'	45'	45'	45'	45'
MINIMUM FLOOR AREA									
	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1,250'
MINIMUM PERVIOUS AREA									
	10%	10%	30%	30%	10%	10%	10%	10%	10%
MINIMUM OPEN SPACE									
	n/a	n/a	30%	30%	n/a	n/a	30%	n/a	10
MAXIMUM INTENSITIES:									
Residential density (DU/ac.) ^{1, 2}	10	10	10	10	10	10	10	8	8
Transient lodging density (U/ac.) ¹	28	28	28	28	28	0	28	0	0

¹ Existing residential units, hotels, motels, or transient lodging establishments and uses, including all customary accessory buildings in existence as of May 4, 2000, which would otherwise be considered a nonconforming use, shall be deemed a special exception following validation of same by resolution of City Commission

² New dwelling units and lodging units, where allowed, may not be on the ground floor in portions of a building that face these primary pedestrian streets: Minutemen Causeway; Atlantic and Orlando Avenues from South 1st to North 2nd; North 1st east of Brevard Avenue; and Brevard Avenue from Minutemen to North 1st.

Section 2-62. Dimensional regulations for new and expanded buildings.

When existing buildings are expanded more than 30% of their gross floor area, the expanded building must meet the requirements for new and expanded buildings as provided in divisions 4 through 6.

Section 2-63. Fences, walls, and hedges.

For lots with existing buildings, the rules for fences, walls, and hedges in section 3-64 will apply, with the Cottage Row Residential subdistrict deemed a 'residential district' and all other subdistricts deemed to be 'commercial districts.'

Sections 2-64–70. Reserved.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

DIVISION 4 – Regulating Plans for New and Expanded Buildings

Section 2-71. Regulating plans generally.

A. Purpose.

Regulating plans are adopted for each area that will be regulated by this article to provide appropriate detail about the existing and desired character of individual streets, blocks, and civic spaces. The standards in this article are keyed to specific features shown on the regulating plan to control the form and scale of buildings and their relationship with other buildings and with the public realm.

B. Origin.

Regulating plans are a primary tool for translating community-based visioning processes into place-specific development regulations. The Downtown regulating plan implements the Downtown Vision Plan and Design Standards, completed in 2012. The Uptown Gateway and Pier Area regulating plans implement the Cocoa Beach Gateways Master Plan, completed in 2014.

C. Content.

Regulating plans contain regulatory, conceptual, and background information including the following:

1. Regulatory:

- a. Perimeter of area regulated by this article
- b. Subdistricts edges
- c. Proposed streets
- d. Proposed alleys
- e. Proposed civic spaces
- f. Primary pedestrian streets, required shopfronts, and other standards for specific block faces
- g. Storm surge areas (as required by Goals III and IV of the Comprehensive Plan's Future Land Use Element)

2. Conceptual:

- a. Shared parking locations
- b. Street and sidewalk improvements
- c. New public spaces

3. Background:

- a. Existing street and alley rights-of-way
- b. Parcels of land
- c. Other contextual information such as existing public spaces and the shoreline

D. Legal effect.

Regulating plans are an integral part of this Land Development Code. They supplement the Official Zoning Map by providing a greater level of detail so that the regulations and standards in this article and design guidance in the Redevelopment Design Manual will apply in the appropriate locations. Changes to regulating plans may be made in accordance with section 2-123.

Section 2-72. Regulating plan for Downtown.

The regulating plan for Downtown is shown on Figure 2-72.

Section 2-73. Regulating plan for Uptown Gateway and Pier Areas.

Regulating plans for the Uptown Gateway and Pier areas are shown on Figure 2-73.

Sections 2-74–80. Reserved.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

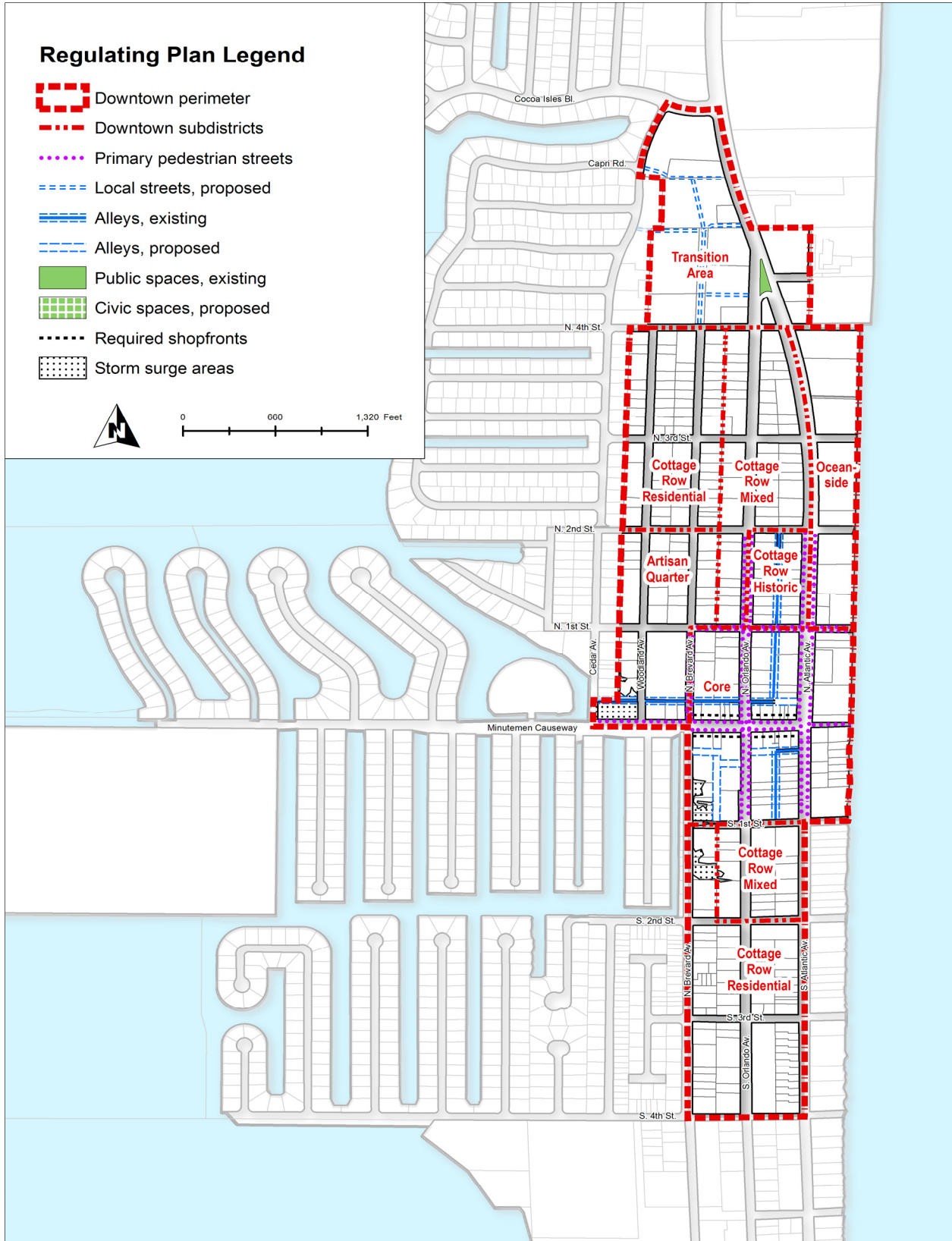


Figure 2-72 – Regulating Plan for Downtown

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District



Figure 2-73 – Regulating Plan for Uptown Gateway & Pier Area

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

DIVISION 5 – Building Types for New and Expanded Buildings

Section 2-81. Building types generally.

Each new building constructed must meet the standards for one of the building types allowed in the subdistrict where it is located, as shown in Table 2-83. When an existing building is expanded by 30% of its gross floor area, the expanded building must also meet the standards for one of the allowable building types.

Section 2-82. Allowable building types described.

- A. A shopfront building has ground-floor space immediately adjoining the sidewalk that can accommodate business uses with doors and large windows facing the sidewalk.
- B. A mixed-use building has multiple tenants or occupancies and may contain residences, lodging and/or businesses to the extent allowed in the subdistrict. Shopfronts are permitted in mixed-use buildings but are not required.
- C. A workplace building is typically a single-story building that may include warehouse space and loading areas facing the side or rear.
- D. An oceanfront building faces the ocean and is sited so that service and parking areas are screened from streets either with building lobbies, other businesses, or other acceptable screening.
- E. A courtyard building accommodates multiple dwellings or businesses arranged around and fronting on a central garden or courtyard that may be partially or wholly open to the street.
- F. A townhouse is a building with common walls on both sides and a private garden to the rear. Service and parking access is from the rear.
- G. A detached building is freestanding with small side yards and a large front yard.
- H. A multiple-unit building contains multiple dwellings above and/or beside each other in a building that occupies most of its lot width and is placed close to the sidewalk. Off-street parking is accommodated to the side or rear.
- I. A parking garage is a specialized building to park vehicles, with screening concealing parked vehicles.
- J. A civic building is a specialized building for public or civic uses such as schools, places of worship, or government functions.
- K. An outbuilding is an additional building on a lot. There are two major varieties in Cocoa Beach: a second significant building that faces the central alley in the Cottage Row Historic subdistrict; and an accessory building such as a garage, shed, workshop, or accessory dwelling toward the rear of a lot.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

1 **Section 2-83. Allowable building types by subdistrict.**

2 Table 2-83 identifies the allowable building types of new and expanded buildings in each subdistrict.

TABLE 2-83

	----- SUBDISTRICTS -----								
	Core	Transition Area	Resort	Ocean- side	Shopping Row	Artisan Quarter	Cottage Row Mixed	Cottage Row Historic	Cottage Row Residential
ALLOWABLE TYPES OF NEW & EXPANDED BUILDINGS									
Shopfront building	YES	YES	YES	YES	YES	YES	-	-	-
Mixed-use building	YES	YES	YES	YES	YES	YES	YES	-	-
Workplace building	-	-	-	-	-	YES	-	-	-
Oceanfront building	YES	-	YES	YES	-	-	-	-	-
Courtyard building	YES	YES	YES	YES	YES	-	YES	YES	YES
Townhouse	YES	YES	YES	YES	-	-	YES	-	YES
Detached building	-	-	-	-	-	YES	YES	YES	YES
Multiple-unit building	-	YES	YES	YES	YES	-	YES	-	YES
Parking garage	YES	YES	YES	-	-	-	-	-	-
Civic building	YES	YES	YES	YES	YES	YES	YES	-	-
Outbuilding	YES	YES	YES	YES	YES	YES	YES	YES	YES

3 **Section 2-84. Building type diagrams.**

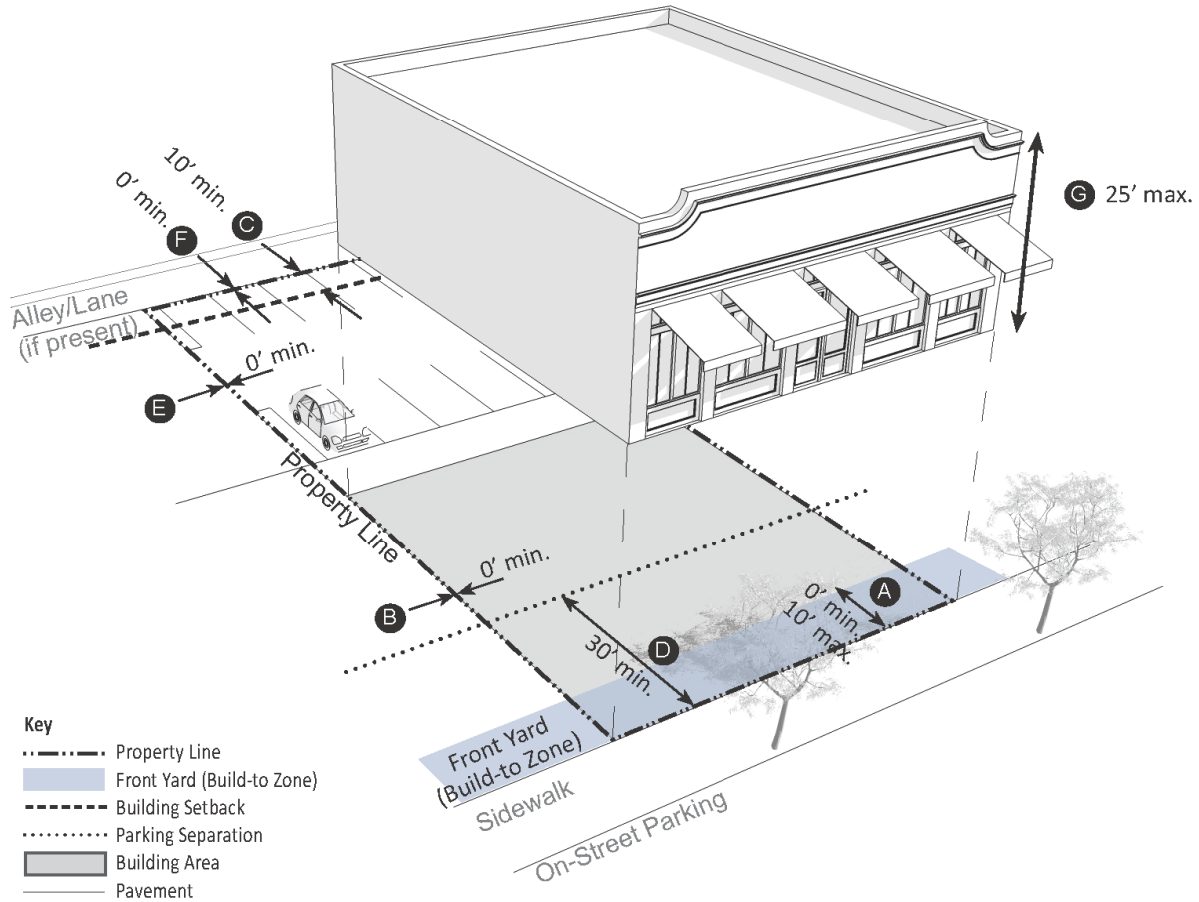
4 Building types and placement on the lot are illustrated in Figures 2-84(a) through (k). Some
 5 dimensions and other requirements from Table 2-85 are also shown. For illustrative purposes only,
 6 character examples are provided for each building type; the dimensions in Figures 2-84 and Table 2-85
 7 control for regulatory purposes.
 8

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

SHOPFRONT BUILDING

Description	Permitted Subdistricts		
A shopfront building has ground-floor space immediately adjoining the sidewalk that can accommodate business uses with doors and large windows facing the sidewalk.	■ Core	■ Oceanside	Cottage Row Mixed
	■ Transition Area	■ Shopping Row	Cottage Row Historic
	■ Resort	■ Artisan Quarter	Cottage Row Residential



Building Placement (Distance from the Lot Line)*		
Front Yard (Build-to Zone)	0' min., 10' max.	A
Side Yard	0' min.	B
Side Street	0' min., 10' max.	
Rear Yard	10' min.	C
Parking Placement (Distance from the Lot Line)*		
Front Separation	30' min.	D
Side Lot Separation	0' min.	E
Side Street Separation	10' min.	
Rear Separation	5' min. (no alley) 0' with alley	F

Building Size*		
Building Height	25' max.	G
Absolute Height	45' max.	
Frontage Percentage	80% min., 100% max.	
Density / Intensity*		
Residential	10 units per acre max., or	
Transient	28 units per acre max., if permitted per Table 2-52	

* See Table 2-85 for footnotes and explanations and for certain exceptions to those requirements.

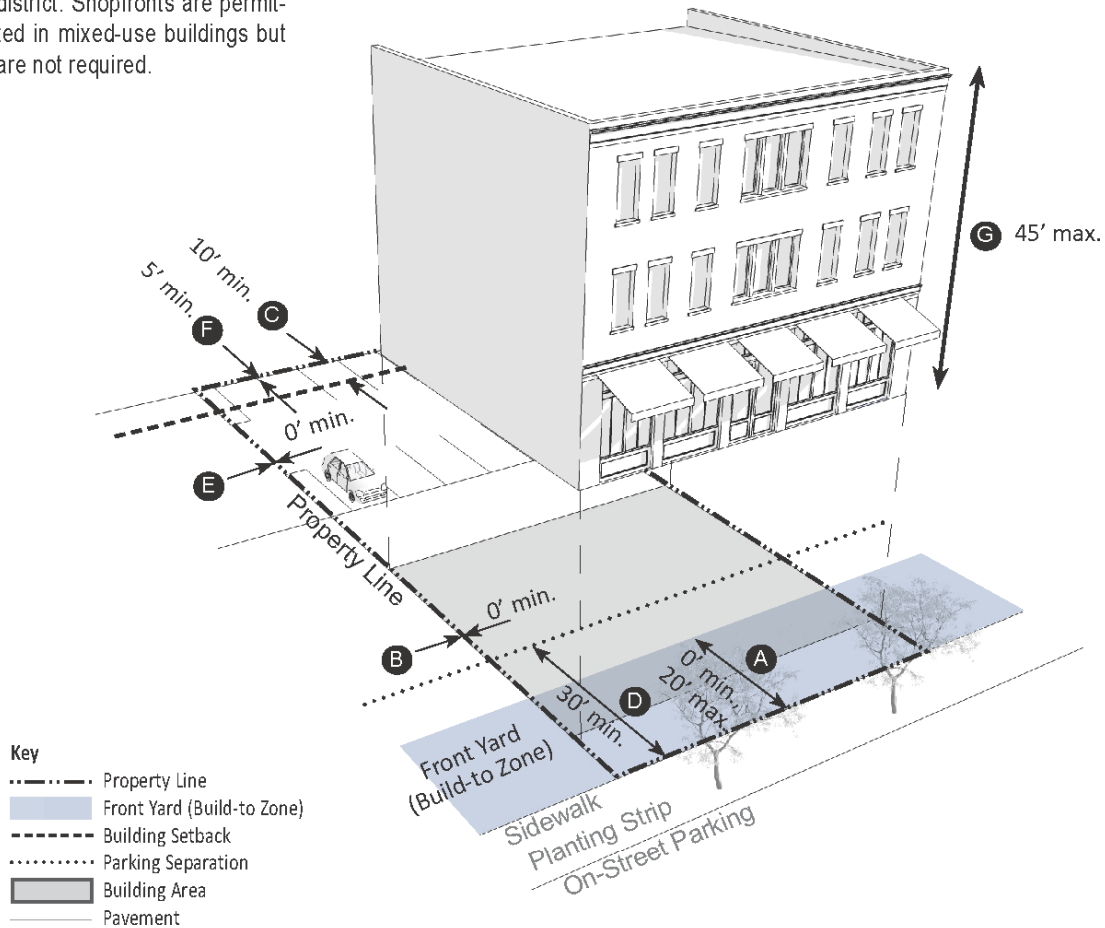
Figure 2-84(a) – Building Type: Shopfront Building

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

1 MIXED-USE BUILDING

Description	Permitted Subdistricts		
A mixed-use building has multiple tenants or occupancies and may contain residences, lodging and/or businesses to the extent allowed in the sub-district. Shopfronts are permitted in mixed-use buildings but are not required.	■ Core	■ Oceanside	■ Cottage Row Mixed
	■ Transition Area	■ Shopping Row	Cottage Row Historic
	■ Resort	■ Artisan Quarter	Cottage Row Residential



Key

- Property Line
- Front Yard (Build-to Zone)
- Building Setback
- Parking Separation
- Building Area
- Pavement

Building Placement (Distance from the Lot Line)*		
Front Yard (Build-to Zone)	0' min., 20' max.	A
Side Yard	0' min.	B
Side Street	0' min.	
Rear Yard	10' min.	C
Parking Placement (Distance from the Lot Line)*		
Front Separation	30' min.	D
Side Lot Separation	0' min.	E
Side Street Separation	10' min.	
Rear Separation	5' min. (no alley) 0' with alley	F

Building Size*		
Building Height	45' max.	G
Absolute Height	45' max.	
Frontage Percentage	80% min., 100% max.	
Density / Intensity*		
Residential	10 units per acre max., or	
Transient	28 units per acre max., if permitted per Table 2-52	

* See Table 2-85 for footnotes and explanations and for certain exceptions to those requirements.

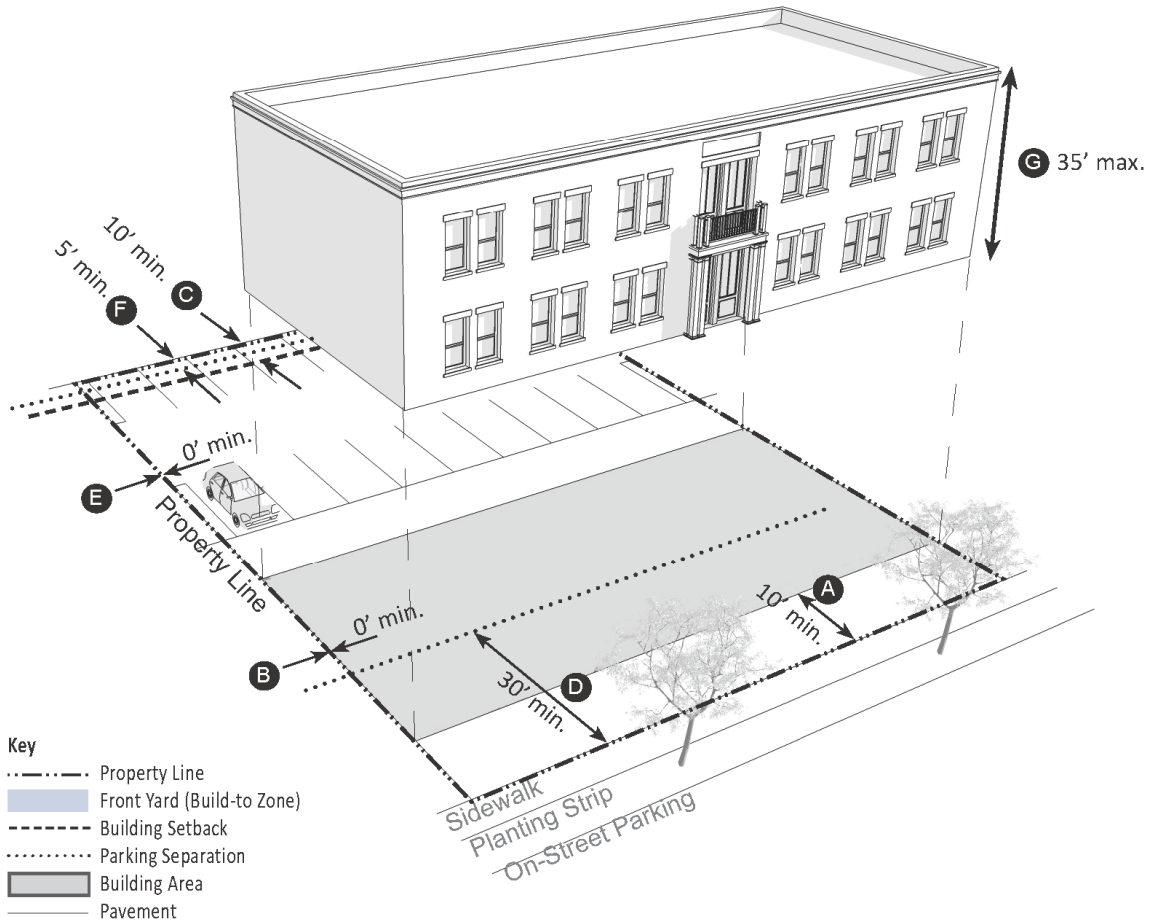
Figure 2-84(b) – Building Type: Mixed-Use Building

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

WORKPLACE BUILDING

Description	Permitted Subdistricts		
A workplace building is typically a single-story building that may include warehouse space and loading areas facing the side or rear.	Core	Oceanside	Cottage Row Mixed
	Transition Area	Shopping Row	Cottage Row Historic
	Resort	■ Artisan Quarter	Cottage Row Residential



Building Placement (Distance from the Lot Line)*		
Front Yard	10' min.	A
Side Yard	0' min.	B
Side Street	10' min.	C
Rear Yard	10' min.	D
Parking Placement (Distance from the Lot Line)*		
Front Separation	30' min.	E
Side Lot Separation	0' min.	F
Side Street Separation	10' min.	
Rear Separation	5' min. (no alley) 0' with alley	G

Building Size*		
Building Height	35' max.	G
Absolute Height	45' max.	
Frontage Percentage	n/a	
Density / Intensity*		
Residential	6 units per acre max.	
Transient	n/a	

* See Table 2-85 for footnotes and explanations and for certain exceptions to those requirements.

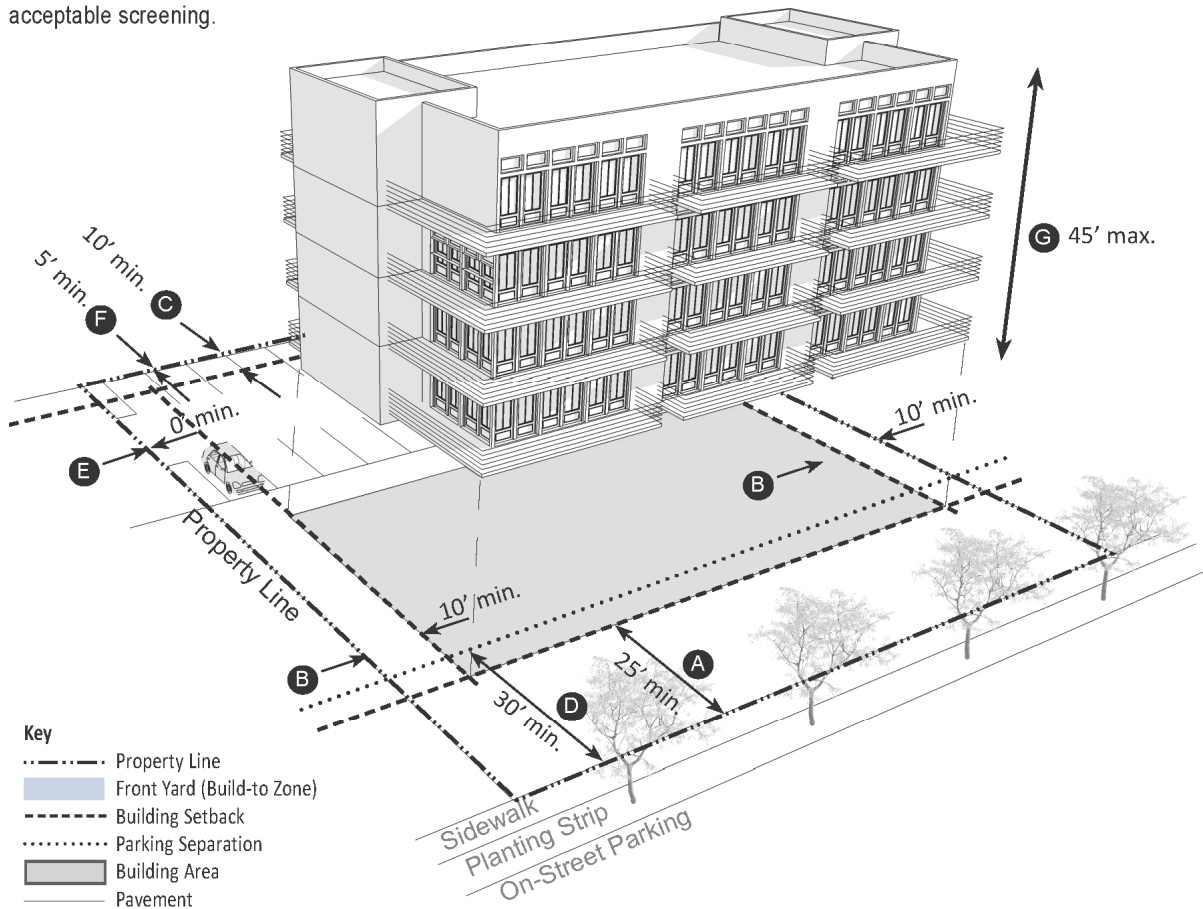
Figure 2-84(c) – Building Type: Workplace Building

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

OCEANFRONT BUILDING

Description	Permitted Subdistricts		
An oceanfront building faces the ocean and is sited so that service and parking areas are screened from streets either with building lobbies, other businesses, or other acceptable screening.	■ Core	■ Oceanside	Cottage Row Mixed
	Transition Area	Shopping Row	Cottage Row Historic
	■ Resort	Artisan Quarter	Cottage Row Residential



Building Placement (Distance from the Lot Line)*		
Front Yard	25' min.	A
Side Yard	10' min.	B
Side Street	10' min.	
Rear Yard	10' min.	C

Parking Placement (Distance from the Lot Line)*		
Front Separation	30' min.	D
Side Lot Separation	0' min.	E
Side Street Separation	10' min.	
Rear Separation	5' min. (no alley) 0' with alley	F

Building Size*		
Building Height	45' max.	G
Absolute Height	45' max.	
Frontage Percentage	n/a	

Density / Intensity*		
Residential	10 units per acre max., or	
Transient	28 units per acre max., if permitted per Table 2-52	

* See Table 2-85 for footnotes and explanations and for certain exceptions to those requirements.

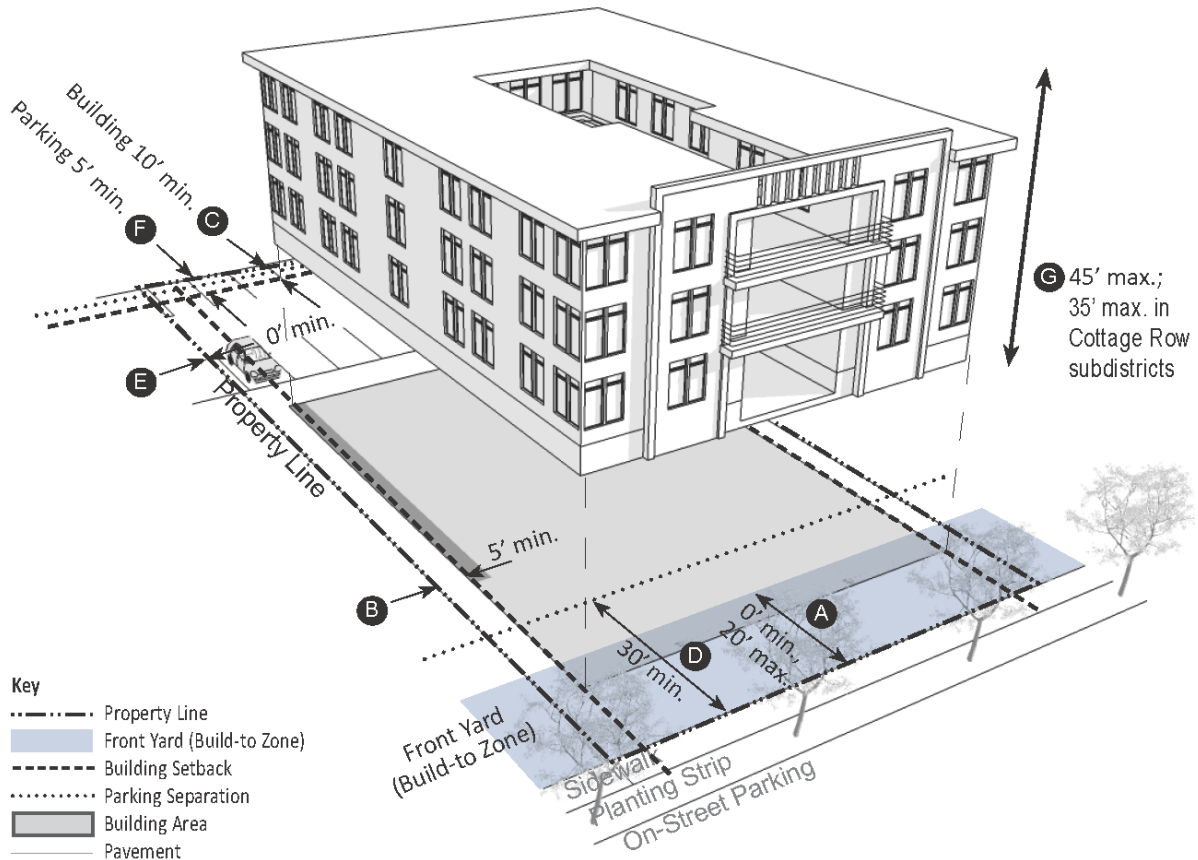
Figure 2-84(d) – Building Type: Oceanfront Building

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

COURTYARD BUILDING

Description	Permitted Subdistricts		
A courtyard building accommodates multiple dwellings or businesses arranged around and fronting on a central garden or courtyard that may be partially or wholly open to the street.	■ Core	■ Oceanside	■ Cottage Row Mixed
	■ Transition Area	■ Shopping Row	■ Cottage Row Historic
	■ Resort	Artisan Quarter	■ Cottage Row Residential



Building Placement (Distance from the Lot Line)*		
Front Yard (Build-to Zone)	0' min., 20' max.	A
Side Yard	5' min.	B
Side Street	0' min.	
Rear Yard	10' min.	C

Parking Placement (Distance from the Lot Line)*		
Front Separation	30' min.	D
Side Lot Separation	0' min.	E
Side Street Separation	10' min.	
Rear Separation	5' min. (no alley) 0' with alley	F

Building Size*		
Building Height	45' max.; 35' max. in Cottage Row Subdistricts	G
Absolute Height	45' max.	
Frontage Percentage	60% min., 100% max.	

Density / Intensity*		
Residential	10 units per acre max., or	
Transient	28 units per acre max., if permitted per Table 2-52	

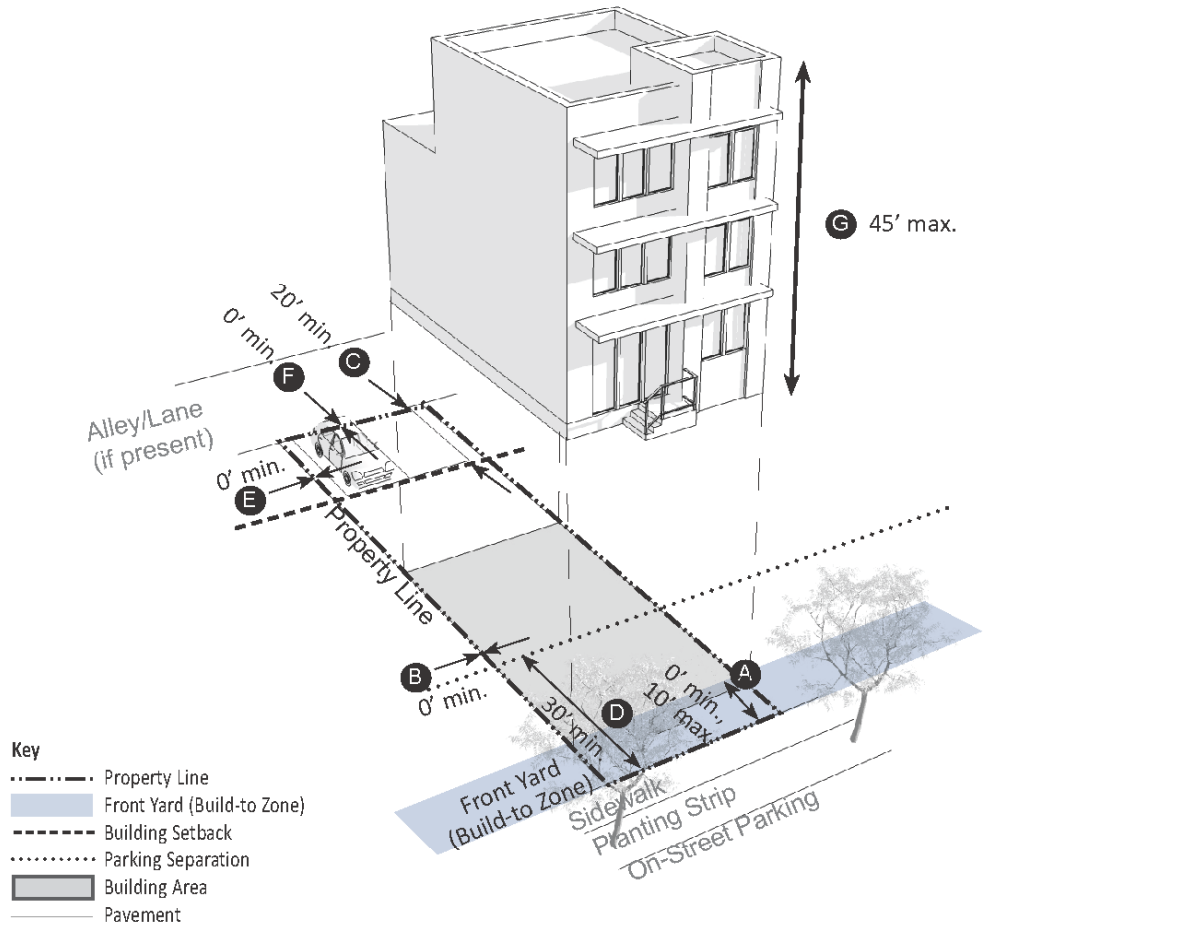
* See Table 2-85 for footnotes and explanations and for certain exceptions to those requirements.

Figure 2-84(e) – Building Type: Courtyard Building

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District TOWNHOUSE

Description	Permitted Subdistricts		
A townhouse is a building with common walls on both sides and a private garden to the rear. Service and parking access is from the rear.	■ Core	■ Oceanside	■ Cottage Row Mixed
	■ Transition Area	Shopping Row	Cottage Row Historic
	■ Resort	Artisan Quarter	■ Cottage Row Residential



Building Placement (Distance from the Lot Line)*		
Front Yard (Build-to Zone)	0' min., 10' max.	A
Side Yard	0' min.	B
Side Street	10' min.	
Rear Yard	20' min.	C
Parking Placement (Distance from the Lot Line)*		
Front Separation	30' min.	D
Side Lot Separation	0' min.	E
Side Street Separation	10' min.	
Rear Separation	5' min. (no alley) 0' with alley	F

Building Size*	
Building Height	45' max. G
Absolute Height	45' max.
Frontage Percentage	90% min., 100% max.
Density / Intensity*	
Residential	10 units per acre max., or
Transient	28 units per acre max., if permitted per Table 2-52

* See Table 2-85 for footnotes and explanations and for certain exceptions to those requirements.

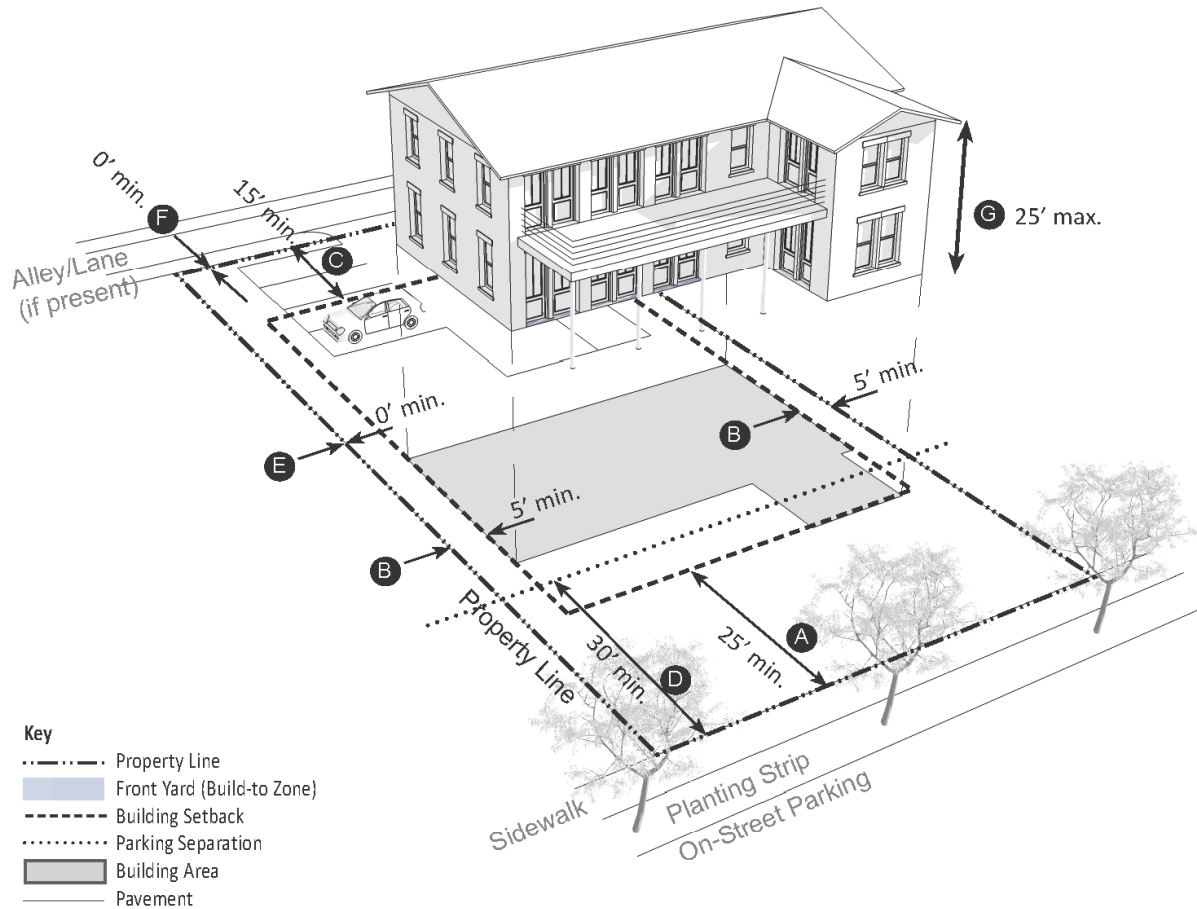
Figure 2-84(f) – Building Type: Townhouse

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

DETACHED BUILDING

Description	Permitted Subdistricts		
A detached building is freestanding with small side yards and a large front yard.	Core	Oceanside	■ Cottage Row Mixed
	Transition Area	Shopping Row	■ Cottage Row Historic
	Resort	■ Artisan Quarter	■ Cottage Row Residential



Building Placement (Distance from the Lot Line)*		
Front Yard	25' min.	(A)
Side Yard	5' min.	(B)
Side Street	5' min.	
Rear Yard	15' min.	(C)
Parking Placement (Distance from the Lot Line)*		
Front Separation	30' min.	(D)
Side Lot Separation	0' min.	(E)
Side Street Separation	10' min.	
Rear Separation	5' min. (no alley) 0' with alley	(F)

Building Size*		
Building Height	25' max.	(G)
Absolute Height	45' max.	
Frontage Percentage	n/a	
Density / Intensity*		
Residential	6 units per acre max., or	
Transient	28 units per acre max., if permitted per Table 2-52	

* See Table 2-85 for footnotes and explanations and for certain exceptions to those requirements.

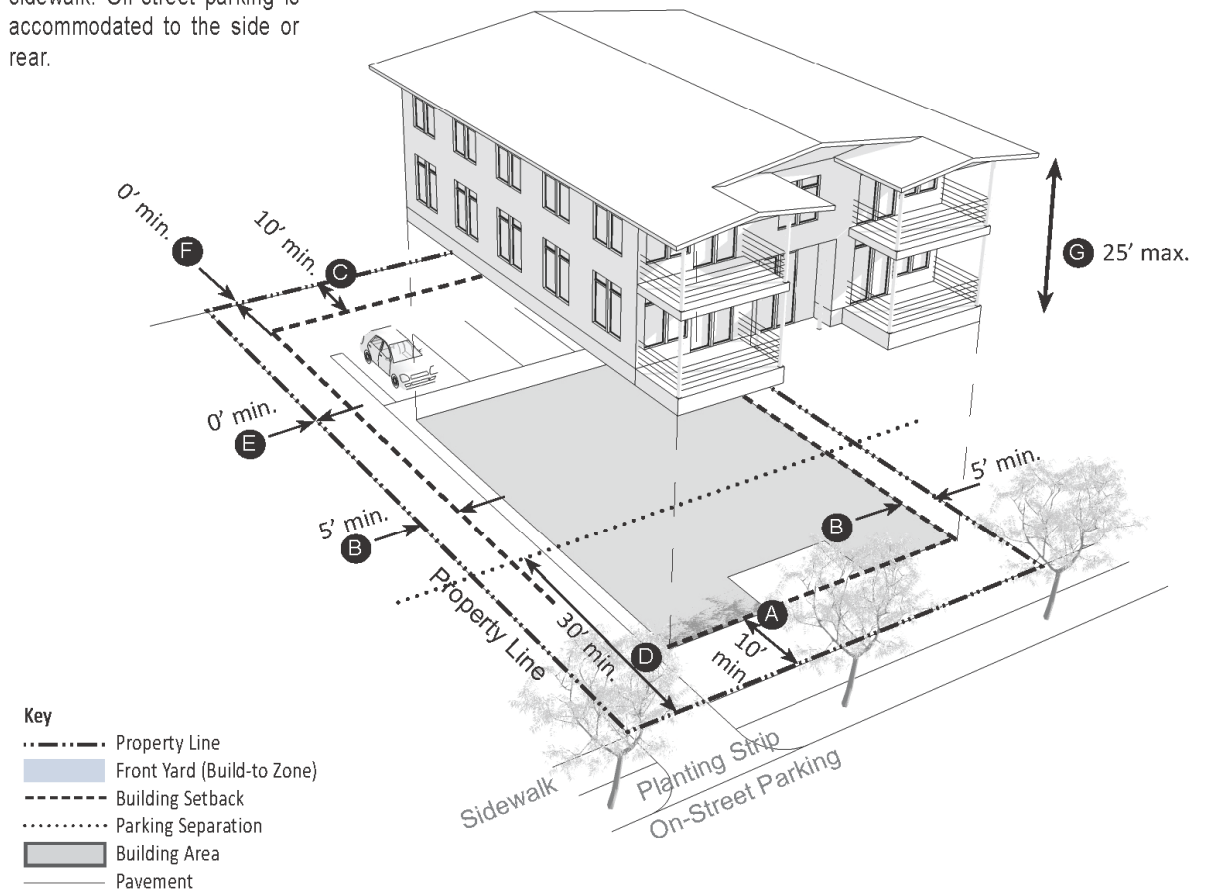
Figure 2-84(g) – Building Type: Detached Building

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

MULTIPLE-UNIT BUILDING

Description	Permitted Subdistricts		
A multiple-unit building contains multiple dwellings above and/or beside each other in a building that occupies most of its lot width and is placed close to the sidewalk. Off-street parking is accommodated to the side or rear.	Core	■ Oceanside	■ Cottage Row Mixed
	■ Transition Area	■ Shopping Row	Cottage Row Historic
	■ Resort	Artisan Quarter	■ Cottage Row Residential



Building Placement (Distance from the Lot Line)*		
Front Yard	10' min.	(A)
Side Yard	5' min.	(B)
Side Street	10' min.	
Rear Yard	10' min.	(C)

Parking Placement (Distance from the Lot Line)*		
Front Separation	30' min.	(D)
Side Lot Separation	0' min.	(E)
Side Street Separation	10' min.	
Rear Separation	5' min. (no alley) 0' with alley	(F)

Building Size*		
Building Height	45' max.	(G)
Absolute Height	45' max.	
Frontage Percentage	n/a	

Density / Intensity*		
Residential	10 units per acre max., or	
Transient	28 units per acre max., if permitted per Table 2-52	

* See Table 2-85 for footnotes and explanations and for certain exceptions to those requirements.

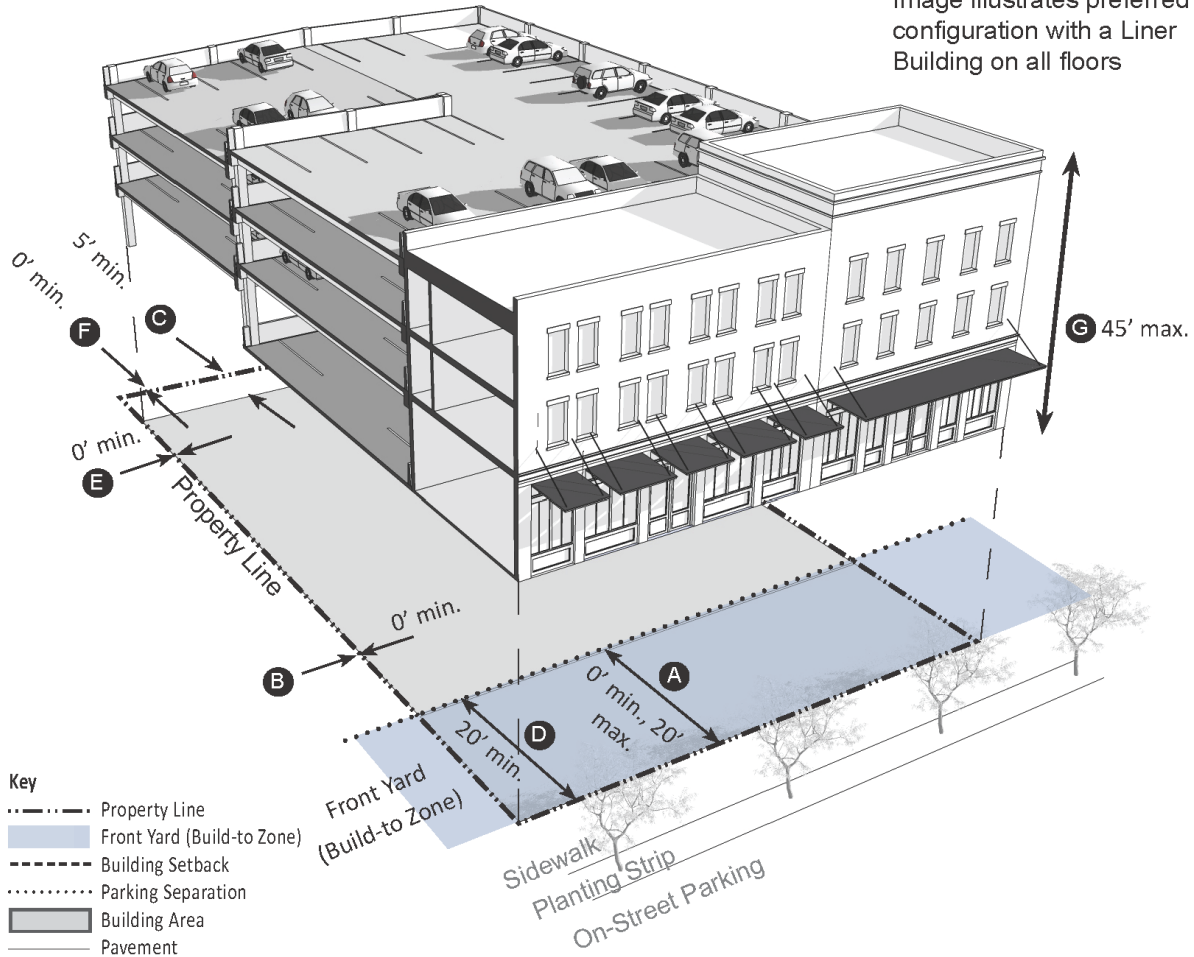
Figure 2-84(h) – Building Type: Multiple-Unit Building

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

PARKING GARAGE

Description	Permitted Subdistricts		
A parking garage is a specialized building to park vehicles, with screening that conceals parked vehicles.	■ Core	Oceanside	Cottage Row Mixed
	■ Transition Area	Shopping Row	Cottage Row Historic
	■ Resort	Artisan Quarter	Cottage Row Residential



Building Placement (Distance from the Lot Line)*		
Front Yard (Build-to Zone)	0' min., 20' max.	A
Side Yard	0' min.	B
Side Street	0' min.	
Rear Yard	5' min. (no alley) 0' with alley	C
Parking Placement (Distance from the Lot Line)*		
Front Separation	20' min.	D
Side Lot Separation	0' min.	E
Side Street Separation	10' min.	
Rear Separation	5' min. (no alley) 0' with alley	F

Building Size*	
Building Height	45' max. G
Absolute Height	45' max.
Frontage Percentage	n/a
Density / Intensity*	
Residential	n/a
Transient	n/a

* See Table 2-85 for footnotes and explanations and for certain exceptions to those requirements.

Figure 2-84(i-1) – Building Type: Parking Garage, page 1

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

PARKING GARAGE CONTINUED

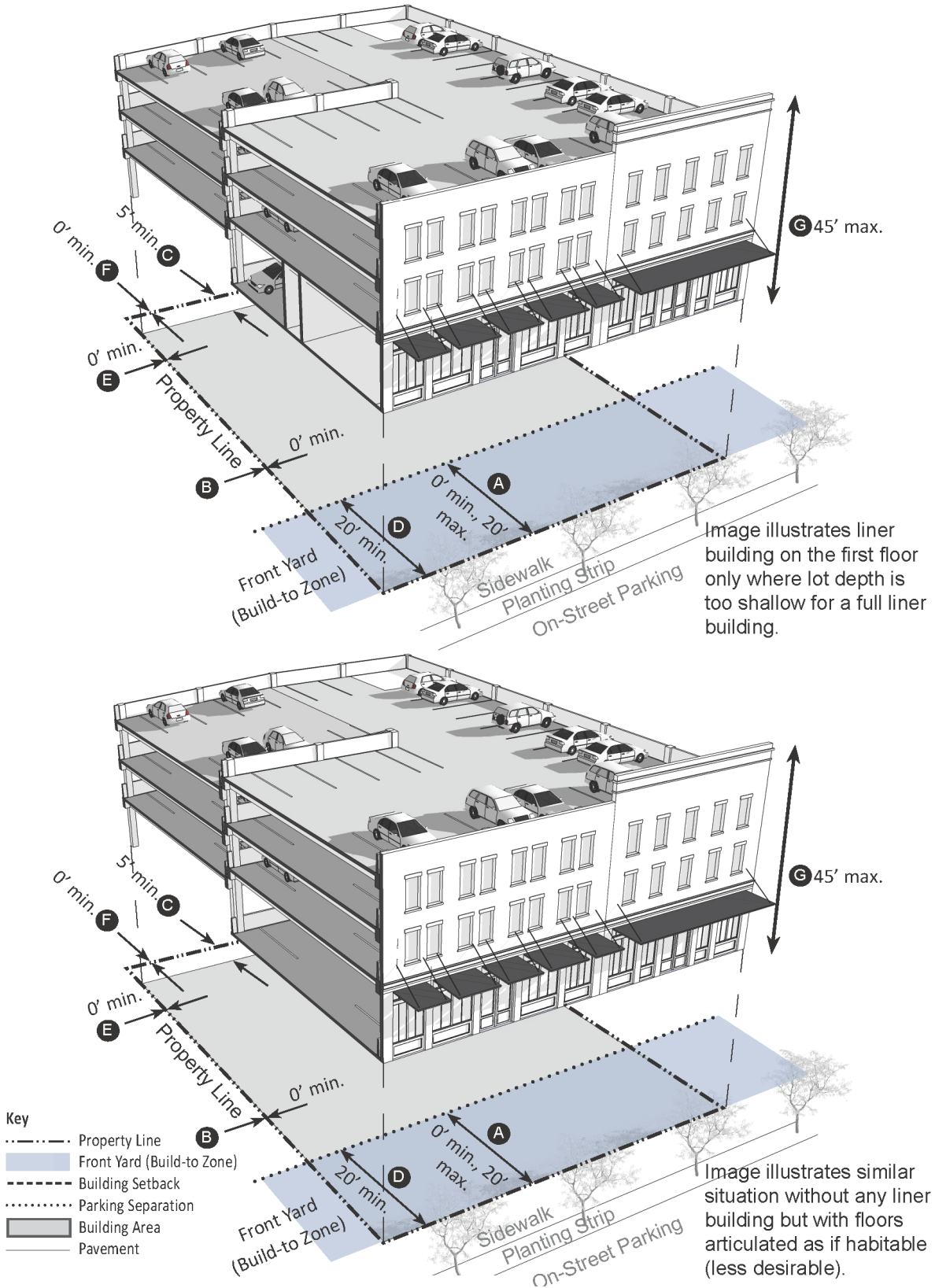


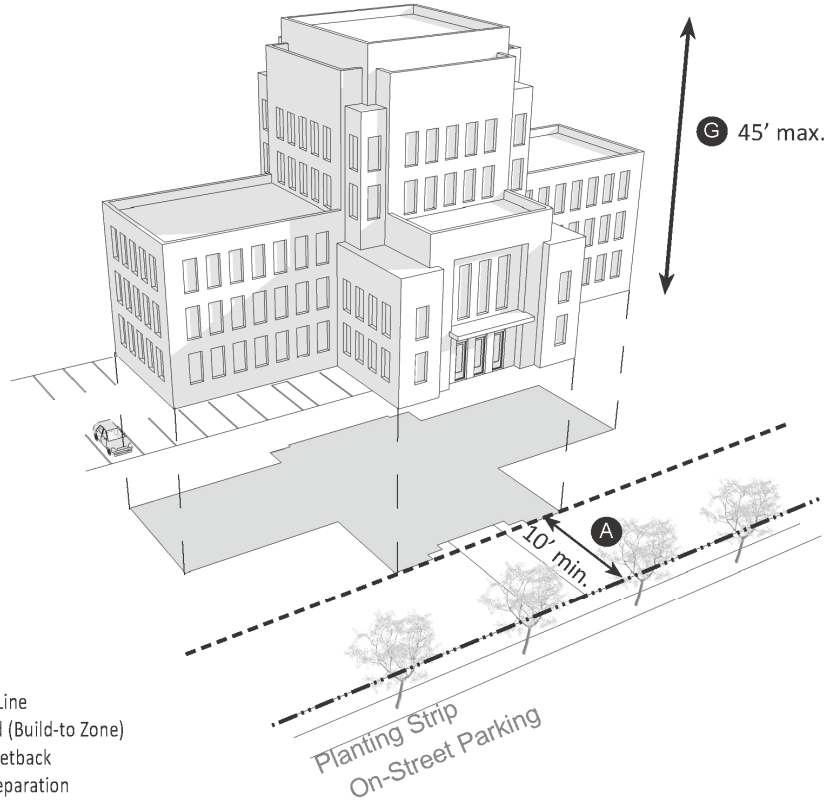
Figure 2-84(i-2) – Building Type: Parking Garage, page 2

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

1 CIVIC BUILDING

Description	Permitted Subdistricts		
A civic building is a specialized building for public or civic uses such as schools, places of worship, or government functions.	■ Core	■ Oceanside	■ Cottage Row Mixed
	■ Transition Area	■ Shopping Row	Cottage Row Historic
	■ Resort	■ Artisan Quarter	Cottage Row Residential



Key

- Property Line
- Front Yard (Build-to Zone)
- Building Setback
- Parking Separation
- Building Area
- Pavement

Building Placement (Distance from the Lot Line)*		
Front Yard	10' min.	A
Side Yard	10' min.	B
Side Street	5' min.	
Rear Yard	5' min.	C
Parking Placement (Distance from the Lot Line)*		
Front Separation	n/a	D
Side Separation	n/a	E
Side Street Separation	n/a	
Rear Separation	n/a	F

Building Size*		
Building Height	45' max.	G
Absolute Height	45' max.	
Frontage Percentage	n/a	
Density / Intensity*		
Residential	n/a	
Transient	n/a	

* See Table 2-85 for footnotes and explanations and for certain exceptions to those requirements.

Figure 2-84(j) – Building Type: Civic Building

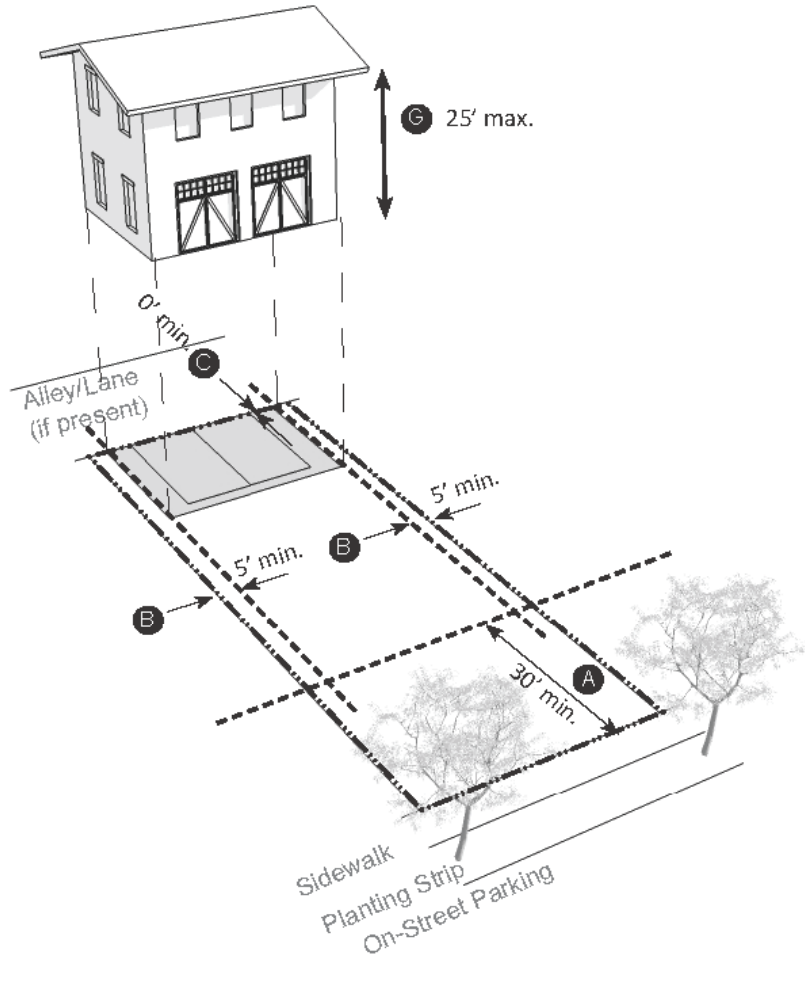
EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

OUTBUILDING

Description	Permitted Subdistricts		
An outbuilding is an additional building on a lot. There are two major varieties in Cocoa Beach.	■ Core	■ Oceanside	■ Cottage Row Mixed
	■ Transition Area	■ Shopping Row	■ Cottage Row Historic
	■ Resort	■ Artisan Quarter	■ Cottage Row Residential

- A second significant building that faces the central alley in the Cottage Row Historic subdistrict; and
- An accessory building such as a garage, shed, workshop, or accessory dwelling toward the rear of a lot.



Key

- Property Line
- Front Yard (Build-to Zone)
- Building Setback
- Parking Separation
- Building Area
- Pavement

Building Placement (Distance from the Lot Line)*		
Front Yard	30' min.	(A)
Side Yard	5' min.	(B)
Side Street	10' min.	
Rear Yard	5' min. (no alley) 0' with alley	(C)
Parking Placement (Distance from the Lot Line)*		
Front Separation	n/a	(D)
Side Lot Separation	n/a	(E)
Side Street Separation	n/a	
Rear Separation	n/a	(F)

Building Size*		
Building Height	25' max.; outbuildings that contain an accessory dwelling are further limited to the height of the principal building.	(G)
Absolute Height	45' max.	
Frontage Percentage	n/a	
Density / Intensity*		
Residential	n/a	
Transient	n/a	

* See Table 2-85 for footnotes and explanations and for certain exceptions to those requirements.

Figure 2-84(k) – Building Type: Outbuilding

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

Section 2-85. Building type dimensions and requirements.

Table 2-85 identifies requirements for each building type for new and expanded buildings.

TABLE 2-85

	Yard Requirements (minimum / maximum)				Building Height ¹ (maximum)		Density/Intensity ^{3,4} (maximum: units per acre)		Frontage Percentage ⁵ (min / max)
	Street	Side	Street Side	Rear ⁶	Building	Absolute ²	Residential	Transient	
REGULATIONS FOR NEW & EXPANDED BUILDINGS									
Shopfront building	0'/10'	0' ⁷	0'/10'	10'/-	25'	45'	10	28	80%/100%
Mixed-use building	0'/20'	0' ⁷	0'/-	10'/-	45'	45'	10	28	60%/100%
Workplace building	10'/-	0'/-	10'/-	10'/-	35'	45'	6	-	-
Oceanfront building	25'/-	10'/-	10'/-	10'/-	45'	45'	10	28	-
Courtyard building	0'/20'	5' ⁷	0'/-	10'/-	35'/45' ⁸	45'	10	28	60%/100%
Townhouse	0'/10'	0' ⁷	10'/-	20'/-	45'	45'	10	28	90%/100%
Detached building	25'/-	5'/-	5'/-	15'/-	25'	45'	6	28	-
Multiple-unit building	10'/-	5'/-	10'/-	10'/-	45'	45'	10	28	-
Parking garage	0'/20'	0'/-	0'/-	5'/-	45'	45'	-	-	-
Civic building	10'/-	10'/-	5'/-	5'/-	45'	45'	-	-	-
Outbuilding	30'/-	5'/-	10'/-	0'/-	25' ⁹	45'	-	-	-

¹ Buildings cannot exceed the maximum heights in feet that are shown in this table. See definitions of building height and absolute height in section 1-20. Building height in special height restriction areas on a regulating plan cannot exceed 35'. See exclusions in section 3-66 that apply to building height only.

² Buildings may not exceed an absolute height of 45' above the crown of the abutting road except under one of the following circumstances:

- A variance is granted in accordance with section 4-40 of this code and Policy II.2.1 of the Comprehensive Plan's Future Land Use Element (variances may never exceed 70'); or
- The method of measuring the 45' height limit in the charter and comprehensive plan is amended to allow heights to be measured as "building height" instead of "absolute height" as those terms are defined in section 1-20 of this code.

³ See density exceptions in section 4-41.

⁴ Transient lodging units are permitted in certain subdistricts; see Table 2-52. In subdistricts where both are permitted, dwelling units and transient lodging units may be combined; for instance, if 60% of the maximum residential density is used, then 40% of the transient intensity may be used, and vice versa.

⁵ Frontage percentage means the percentage of the width of the lot that is required to be occupied by the building's primary façade; see details in section 2-87.

⁶ Parking garages on alleys are not required to provide a rear yard. When lots front on the Atlantic Ocean, all buildings must be placed landward of the Coastal Construction Line (see section 3-61 for details).

⁷ The maximum side yard for this building type is controlled by the minimum frontage percentage (see far right column).

⁸ Building height is limited to 35' in the three Cottage Row subdistricts.

⁹ Outbuildings that contain an accessory dwelling are further limited to the height of the principal building.

Section 2-86. Building placement generally.

Table 2-85 and figures 2-84(a) through (k) include requirements for where on a lot a building may be placed. These requirements identify the minimum yard size, measured in feet, between a principal building and the front, side, and rear lot lines. The "street side" yard applies only to corner lots; see lot definitions in section 1-20.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

Section 2-87. Building frontage requirements.

A. Primary entrances. The primary entrance of new buildings must directly face a street, civic space, or public space, except:

1. Courtyard building entrances may face a central garden or courtyard.
2. Oceanside building entrances do not have this requirement if they are separated from a street, civic space, or public space by another building.
3. Outbuildings have no requirements for the direction that primary entrances face.

B. Frontage percentage. Frontage percentage means the percentage of the width of a lot that is required to be occupied by the building's primary facade. Table 2-85 provides minimum and maximum frontage percentages for several building types.

1. Up to 50% of the width of the primary facade may be counted as meeting the frontage percentage requirement even though it may be set back up to 10 feet further from the street than the primary facade's principal plane. See illustration in Figure 2-87a.
2. The location of the primary facade's principal plane is not changed by facade extensions such as bay windows, awnings, porches, balconies, stoops, colonnades, or arcades, or by upper stories that are closer to or further from the street.
3. The width of a porte cochere may be counted as part of the primary facade.

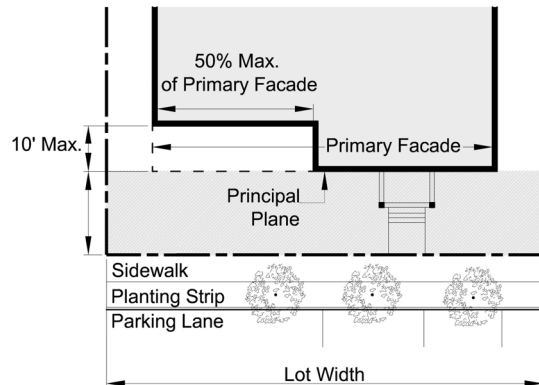


Figure 2-87a – Frontage Percentages

C. Forecourts. For mixed-use buildings and courtyard buildings only, a portion of the building's primary facade may be set back up to 30 feet further from the street than the primary facade's principal plane if this space is constructed as a forecourt or pedestrian entryway that is open to the sidewalk. This recessed portion may be up to 40% of the total width of the primary facade and may not be used by vehicles. See illustration in Figure 2-87b. For courtyard buildings, this forecourt may extend beyond 30 feet into the central garden or courtyard.

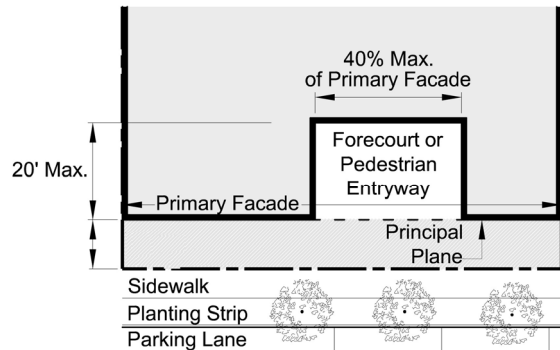


Figure 2-87b – Forecourts

D. Required shopfronts. Regulating plans identify certain blocks where shopfronts are required. On these blocks, the ground floor of new and expanded building must be constructed to accommodate shopfronts. These buildings may be shopfront buildings as defined in division 5 or they may be other building types such as mixed-use buildings that are configured to allow shopfronts on the ground floor.

Section 2-88. Parking placement.

Figures 2-84(a) through (k) provide requirements for parking facilities that may be provided on a lot. These parking placement requirements identify the minimum distance in feet from front, side, and rear lot lines to all parking spaces, aisles, and driveways. Additional parking requirements are found in division 8.

Sections 2-89–90. Reserved.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

DIVISION 6 – Other Requirements for New and Expanded Buildings

Section 2-91. Requirements for new streets.

In each Transition Area subdistrict, the regulating plan identifies future public streets to be constructed by the landowner during the redevelopment process. These streets will provide direct access to every lot and will create small blocks that promote walkability and traffic circulation.

A. Street location. The schematic locations of these new streets are shown on the regulating plan. These locations may be adjusted during the site plan approval process if the new locations meet these requirements:

1. The new location does not reduce the level of connectivity with surrounding streets.
2. The new location does not reduce the level of street connectivity within the site or substantially increase the average block size.
3. The new location does not diminish the size of any proposed civic space shown on the regulating plan (see section 2-92).
4. The new location maintains or enhances pedestrian convenience and safety and does not create any traffic hazards.

B. Street design. Each new street must meet these design requirements:

1. Sidewalks must be provided on both sides of all streets. Sidewalks must be at least 6 feet wide.
2. Street trees must be provided in regularly spaced rows on both sides of all streets except where colonnades are being provided over sidewalks. Street trees may be planted in landscaped planting strips at least 6 feet wide or may be planted in tree wells in sidewalks if the sidewalks are widened to accommodate the trees and tree wells in addition to the required 6-foot minimum sidewalk width.
3. On-street parking must be accommodated on new streets. Parking lanes may be used for drop-off areas, valet stands, transit stops, or fire lanes.
4. Streets may not have more than two travel lanes and must accommodate travel in both directions, except that one-way streets are permissible for a single block or where overall traffic circulation is not impeded.
5. Streets or public sidewalks must provide direct access to every new lot.
6. Alleys or rear lanes are required in accordance with section 2-93.
7. All streets, alleys, and lanes must connect to other streets; cul-de-sacs and T-turnarounds are not permitted except along water bodies.
8. Block faces may not be longer than 325 feet without a street, paseo, or alley providing through access to another street, paseo, or alley.
9. Street designs must also comply with the current edition of the Traditional Neighborhood Development chapter of the Florida Greenbook (Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, published by Florida DOT) for slow or yield movement types. Lane widths include the width of horizontal extensions of curbs such as gutter pans.
10. Street rights-of-way are the preferred location for water and wastewater lines; fire hydrants are the only above-ground projections of utilities that are permitted. Alleys or lanes are the preferred location for power, telephone, television, and internet cables.

C. Street maintenance. The landowner must construct these streets using city specifications and then dedicate them to the City of Cocoa Beach. After the dedication is accepted, the city will maintain these streets.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

Section 2-92. Requirements for civic spaces.

In each Transition Area subdistrict, the regulating plan identifies future civic spaces to be constructed by the landowner during the redevelopment process.

A. Civic space location. The schematic location of each new civic space is shown on the regulating plan. This location and configuration may be adjusted during the site plan approval process if the location and configuration meets these requirements:

1. Does not reduce the level of connectivity of surrounding streets;
2. Maintains or enhances pedestrian convenience and safety and does not create any traffic hazards; and
3. Provides substantially equal benefits, including similar size and location relative to important streets and amenities.

B. Civic space design. Civic spaces are open spaces that are available for civic and recreational uses and strategically placed as focal points of neighborhoods. Design guidance for civic spaces can be found in the Redevelopment Design Manual. Civic spaces can be configured as one of the following types:

1. **GREEN:** An open space available for unstructured recreation. Greens are spatially defined by landscaping or natural edges rather than building frontages. Landscaping consists of lawn and trees, naturalistically disposed. Areas of shade with seating are provided.
2. **SQUARE:** An open space suitable for unstructured recreation and gatherings. Squares are spatially defined by building frontages, streets, or waterways. Landscaping consists of paths, lawns, and trees, formally disposed.
3. **PLAZA:** An open space available for public gatherings and outdoor markets. Plazas are spatially defined by building frontages or streets. Landscaping consists primarily of pavement, using pervious paving wherever feasible. Trees are optional.

Squares and plazas are densely shaded and provide seating. Trees and shrubs are of sufficient quantity and distribution to define a specific geometry of open space while promoting security by allowing visibility through all areas. Ground surfaces are a combination of paving, lawn, or ground cover integrated in design with trees and shrubs. Fountains, sculpture, and works of art are encouraged.

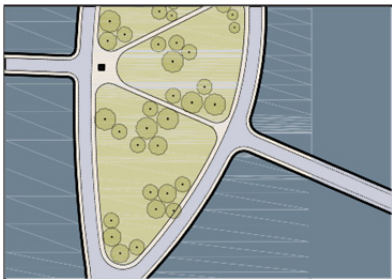


Figure 2-92a – Green

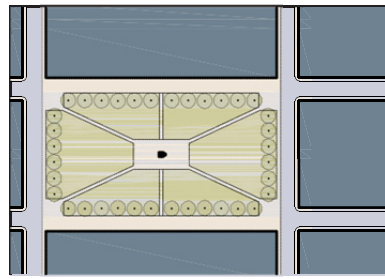


Figure 2-92b – Square

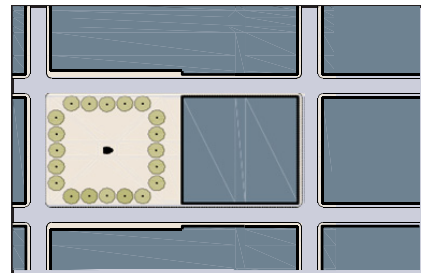


Figure 2-92c – Plaza

C. Civic space maintenance. Unless accepted by a public agency for maintenance, new civic spaces will be owned and maintained by an entity created by the landowner and they must remain available for civic and recreational uses. The maintenance entity, its funding structure, and the permanence of availability must be acceptable to the City of Cocoa Beach. If civic spaces are offered to and accepted by a public agency, maintenance will no longer be the responsibility of the landowner and the civic spaces will become public spaces that are fully accessible to the general public.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

Section 2-93. Requirements for alleys and rear lanes.

Alleys and rear lanes supplement the access provided by streets in order to provide space for utility lines, to allow parking areas to be approached from the rear, to accommodate routine removal of trash and recyclable materials, and to provide supplemental access to lots. Alleys and lanes allows streets, sidewalks, and planting strips to have fewer interruptions and more on-street parking, features that promote walkability and improve safety for pedestrians, bicyclists, and motorists. Alleys or lanes must be provided under these circumstances:

A. In the **Core** subdistrict, the regulating plans identify the location of existing and proposed alleys.

1. Alley rights-of-way may not be vacated unless a redevelopment proposal would accommodate all functions of alleys in another acceptable manner. An example would be new buildings constructed along the perimeter of a block with common areas inside the block providing alley functions.

2. Unless vacated, existing alleys must be maintained and must be extended by the landowner during the redevelopment process.

B. In the **Cottage Row Historic** subdistrict, the regulating plan identifies the existing alley that allows buildings to have a second entrance facing the rear and the use of rear yards for seating and display purposes. This alley may not be vacated under any circumstances.

C. In **Transition Area** subdistricts, the regulating plan identifies future alleys or lanes to be constructed by the landowner during the redevelopment process.

1. All alleys and lanes must connect to other streets, alleys, or lanes; cul-de-sacs and T-turnarounds are not permitted except along water bodies.

2. Alleys and lanes are the preferred location for power, telephone, television, and internet cables. Minimal above-ground projections of utilities are permitted in alleys.

D. Configuration and dimensions:

1. New alleys are to be constructed in rights-of-way that are 24 feet wide. See alley illustration in Figure 2-93a.

2. Rear lanes are to be constructed in rights-of-way that are 24 feet wide. Paved portions of lanes may be up to 12 feet wide. See rear lane illustration in Figure 2-93b.

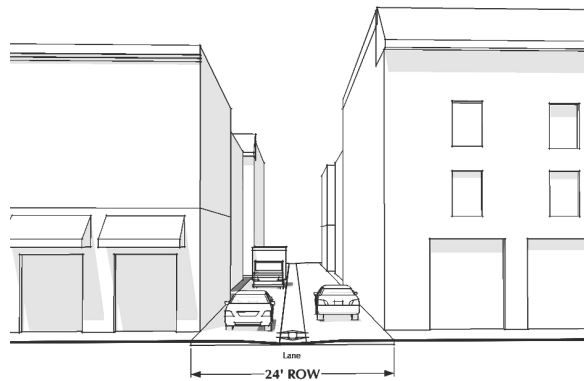


Figure 2-93a – Alley

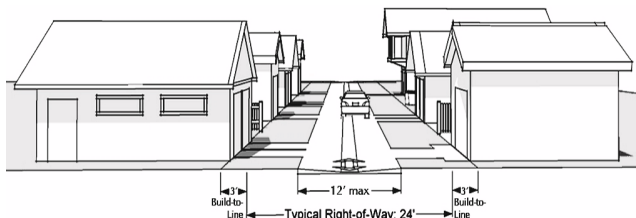


Figure 2-93b – Rear Lanes

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

1 Section 2-94. Fences and walls.

2 The rules for fences, walls, and hedges in section 3-64 will apply, with the Cottage Row Residential
3 subdistrict deemed a 'residential district' and all other subdistricts deemed to be 'commercial districts.'

4 **Section 2-95. Performance standards for fuel pumps.**

5 **A.** Fuel sales are allowed by right or by special exception in
6 certain subdistricts; see Table 2-51.

7 **B.** When fuel sales are allowed, the location of fuel pumps and
8 vehicular circulation must comply with these requirements:

- 9 1. All fuel pumps, parking, and drive-through areas must be
10 located behind a building.
- 11 2. Along primary pedestrian streets:
 - 12 a. A ground-floor shopfront must face the street.
 - 13 b. On corner lots, the shopfront must define the corner.
- 14 3. See example in Figure 2-95.

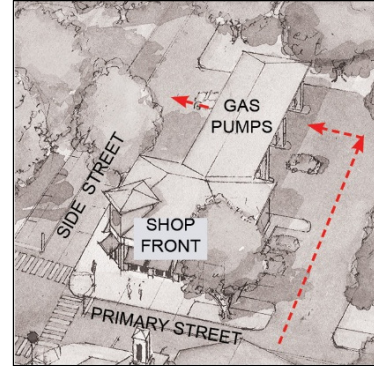


Figure 2-95 – Fuel Pumps

15 **Section 2-96. Performance standards for drive-through lanes.**

16 **A.** Drive-through lanes are allowed by right or by special
17 exception in certain subdistricts; see Table 2-51.

18 **B.** Where drive-through lanes are allowed, their location must
19 comply with these requirements:

- 20 1. Drive-through lanes must be located behind or to the side
21 of a building.
- 22 2. All parking must be located behind the building and
23 accessed from an alley when present.
- 24 3. Along primary pedestrian streets, a ground-floor shopfront
25 must face the street.
- 26 4. See example in Figure 2-96.

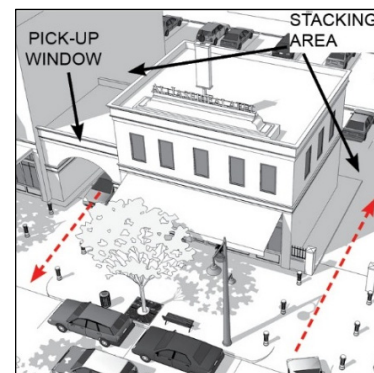


Figure 2-96 – Drive Throughs

27 **Section 2-97. Storm surge areas.**

28 Maps in the Comprehensive Plan identify certain areas as Category 1 storm surge areas. These
29 same areas are shown on the regulating plans. Within these areas, mixed-use development requires
30 authorization as a Special Development Overlay District (SDOD) in addition to meeting other
31 requirements of this code, as required by Policy III.3.1 of the Comprehensive Plan's Future Land Use
32 Element.

33 **Section 2-98. Sustainable development techniques.**

34 The Redevelopment Design Manual provides guidance on sustainable development techniques for
35 walkable neighborhoods.

36 **Sections 2-99–100. Reserved.**

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

DIVISION 7 – Redevelopment Design Manual

Section 2-101. Purpose of redevelopment design manual.

This code contains minimum regulatory standards for individual buildings and other redevelopment activities. The Redevelopment Design Manual contains additional material about the past, present, and future of Cocoa Beach, summaries of planning principles that underlie this code, and design guidance for public spaces, semi-public spaces, and buildings.

Section 2-102. Contents of manual.

- A. Chapter 1 – **Intent** – describes the purposes of the Redevelopment Design Manual and how it will be applied. It provides a photographic inventory of iconic buildings and architectural features from Cocoa Beach’s past. This chapter concludes with a summary of the planning principles for the Downtown, Uptown Gateway, and Pier areas that underlie this article of the Land Development Code and the design manual.
- B. Chapter 2 – **Subdistricts** -- provides descriptions and explains the proposed character and intent of each of subdistrict.
- C. Chapter 3 – **Public Spaces** -- describes the character of the public spaces which encompasses the spaces which are owned by public entities. It provides design guidance for public spaces such as sidewalks, streets, and ocean view corridors. Chapter 3 also identifies and describes street types that are used to customize the design guidance in Chapters 4 and 5.
- D. Chapter 4 – **Semi-Public Spaces** -- provides design guidance for site planning and building placement, including spaces between buildings and streets and also encompassing parking and loading, circulation, and stormwater management.
- E. Chapter 5 – **Buildings and Facades** -- provides design guidance for buildings and facades including the building scale and massing, shopfronts, and signage.
- F. Chapter 6 – **Checklist of Applicable Standards** -- identifies which guidelines apply to which subdistricts.

Section 2-103. Applicability of manual.

- A. The Redevelopment Design Manual, dated *[insert date]*, is hereby incorporated into this code by reference. This manual may be amended by the City Commission.
- B. Chapters 1 and 2 of the manual provide background and explanations for this code.
- C. The design guidance in Chapter 3 advises city, county, regional, and state agencies about how public spaces should be maintained and upgraded to match Cocoa Beach’s requirements for private property. These combined efforts will create a walkable public realm that supports the daily needs of residents and visitors and accommodates new buildings at a matching scale.
- D. The design guidance in Chapters 4 and 5 supplements the dimensional standards for redevelopment and for new and expanded buildings that are set forth in this zoning district. The manual provides design guidance for building placement, building facades, and outdoor spaces. The Development Services Director or designee will be available to meet with landowners who have questions about the applicability of this guidance to proposed improvements to their property. The director will review site plan applications once submitted to the city (see section 2-121).

Sections 2-104–110. Reserved.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

DIVISION 8 – Parking

Section 2-111. Number of off-street parking spaces permitted.

- A. Table 2-111 lists the maximum number of parking spaces permitted for each use. Where the unit of measure is square feet, this means the gross floor area for that use.

TABLE 2-111

RESIDENTIAL	
Single-family dwellings	2 per unit
Two-family or duplex dwellings	2 per unit
Multi-family dwellings (all types)	2 per unit
Accessory dwelling unit	1 per unit
Artist workspace/dwelling	2 per unit
Live/work or work/live unit	2 per unit
Assisted living or convalescent facility	0.50 per bed
LODGING	
Bed-and-breakfast establishment	1 per unit
Transient lodging establishment	1 per unit
BUSINESS	
Offices (other than medical)	3 per 1000 sq. ft.
Offices (medical)	4 per 1000 sq. ft.
Stores & services	5 per 1000 sq. ft.
Automotive maintenance facility	4 per 1000 sq. ft.
Contractor & trade operations	4 per 1000 sq. ft.
Convenience store with fuel	8 per 1000 sq. ft.
Mini or self-storage	1 per 25 units
Nightclub, bar, or cocktail lounge	4 per 1000 sq. ft.
Restaurants	0.25 per seat
CIVIC & EDUCATION	
Place of worship	0.20 per seat
Nursery school	1 per employee
Schools, public and private (up to 8th gr.)	2 per classroom
Schools, public and private (over 8th gr.)	6 per classroom

- B. Where off-street parking lots are provided, the number of spaces allowed by Table 2-111 may be increased to accommodate additional uses if a suitable joint or shared use parking agreement is submitted to and accepted by the Administrator.

Section 2-112. Permitted location of off-street parking spaces.

For new and expanded buildings, the allowable placement of off-street parking spaces is shown on the building-type diagrams in Figures 2-84(a) through (k) and explained in section 2-88.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

1 **Section 2-113. Accessible and bicycle parking, landscaping, loading, construction**
2 **details.**

3 **A. Accessible parking.** Where off-street parking lots are provided, they must include accessible
4 parking spaces as required by the Florida Building Code.

5 **B. Bicycle parking.** Where off-street parking lots are provided, they must include spaces to park
6 bicycles that are equipped with durable bike racks.

7 **C. Landscaping.** Off-street parking lots must include landscaping that meets the requirements of
8 subsections 3-19.A through F.

9 **D. Loading.** Off-street loading facilities may be shared by multiple users.

10 **E. Construction details.** Where off-street parking or loading facilities are provided, they must comply
11 with standard construction details for private parking lots in the city's Engineering Design Standards.

12 **Sections 2-114–120. Reserved.**
13

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

DIVISION 9 – Procedures and Administration

Section 2-121. Site plan review and design modifications.

- A. Development proposals in the Redevelopment Zoning District will be reviewed using the site plan approval process in chapter IV of this code.
1. The development review committee has authority to approve site plans on lots smaller than 3 acres and for buildings smaller than 30,000 square feet in size.
 2. For site plans exceeding those thresholds, the development review committee will review applications and make recommendations to the Planning Board and City Commission.
 3. Single-family and duplex residential dwellings are exempt from the full site plan approval process.
- B. The Development Services Director is responsible for evaluating each application's compliance with the specific regulations in this code and the City's Comprehensive Plan and Charter. The director will also evaluate applications with reference to the Redevelopment Design Manual (see division 7) and will determine if applications meet the essential provisions of the Chapters 4 and 5 of the manual that are applicable to proposed site plan and building and are achievable in that context.
1. For applications being reviewed under the site plan approval process, the director will report these findings to the Development Review Committee.
 2. For applications exempt from that process, the director must make an affirmative administrative decision of compliance before a building permit can be issued.
- C. The Redevelopment Zoning District allows certain design modifications to be requested during the site plan approval process (see section 4-44):
1. Design modifications for a new or expanded building where the development review committee has approval authority may be authorized through an affirmative administrative decision of the Development Services Director with written findings that:
 - a. The proposed design modification is an acceptable alternative to an urban design standard in divisions 4 through 6 or to a specific provision of the Redevelopment Design Manual (see division 7).
 - b. The proposed design modification furthers or does not detract from the design principles supporting the standard or described in the Redevelopment Design Manual.
 - c. The proposed design modification will not be injurious to surrounding properties or the neighborhood.
 - d. The proposed design modification does not have the effect of moving subdistrict boundaries, modifying dimensional regulations for existing buildings, or altering allowable uses.
 2. Design modifications for a new or expanded building where the Development Review Committee's decision is only advisory may be authorized by the City Commission simultaneously with the commission's consideration of the site plan. The Planning Board will review the director's recommendation on the design modification during its consideration of the site plan application and will make its own recommendation to the City Commission.

EXHIBIT A

CHAPTER II – ZONING DISTRICTS; Article V – Establishment of Redevelopment Zoning District

Section 2-122. Special exceptions, variances, waivers, appeals.

- A. Special exceptions.** The Redevelopment Zoning District requires approval of a special exception before certain uses may be initiated in an existing building or in a new or expanded building, as described in section 2-51. This code authorizes the Board of Adjustments to consider and approve or deny special exception requests (see article V of chapter IV).
- B. Variances.** Variances for an existing building or a new or expanded building may be authorized by the Board of Adjustments (see article IV of chapter IV).
1. Variances to exceed the absolute height requirement are described in section 4-40.
 2. Variances to exceed the maximum density limitations are described in section 4-41.
- C. Waivers.** Limited waivers from certain regulations and engineering requirements may be granted administratively (see section 4-42). Waivers from certain subdivision and other regulations may be granted by the Planning Board (see section 4-43).
- D. Appeals.** Decisions regarding the Redevelopment Zoning District may be appealed in accordance with this code's provisions for each type of decision:
1. For decisions on site plan approvals by the Development Services Director or Development Review Committee, see section 1-49.
 2. For decisions on special exceptions by the Board of Adjustments, see sections 1-42.B and 4-53.
 3. For decisions on design modifications by the Development Services Director, see section 1-49.
 4. Other administrative decisions may be appealed in accordance with section 1-49.

Section 2-123. Adjustments to regulating plans and zoning district boundaries.

- A.** Boundary adjustments in the Redevelopment Zoning District may be made only by the City Commission:
1. Expansions of the Redevelopment Zoning District may be made by expanding the area shown on the regulating plan in division 4, assigning a subdistrict, and simultaneously rezoning the property being added into the Redevelopment Zoning District.
 2. Contractions may be made by reducing the area shown on the regulating plan and simultaneously rezoning the area to a standard zoning district.
 3. Boundaries of individual subdistricts within the Redevelopment Zoning District may be adjusted by amending the regulating plan; rezoning is not required.
- B.** Landowners desiring to be included in or excluded from this zoning district may request the City Commission to consider an expansion or contraction as described in subsection A.1 or A.2.
- C.** Landowners desiring to have adjustments made to the regulating plan without an expansion or contraction may request the City Commission to consider an amendment to the land development code as described in subsection A.3.
- D.** Proposed boundary adjustments and any other changes to regulating plans must be advertised, posted, and noticed as a land development code amendment, and a rezoning if necessary, as required by law.

EXHIBIT A

CHAPTER I – PURPOSE AND GENERAL PROVISIONS

CHAPTER I – Proposed **Additions** and **Deletions**

CHAPTER I – PURPOSE AND GENERAL PROVISIONS ARTICLE IV – RULES OF CONSTRUCTION

Section 1-20. Definitions.

A. Purpose

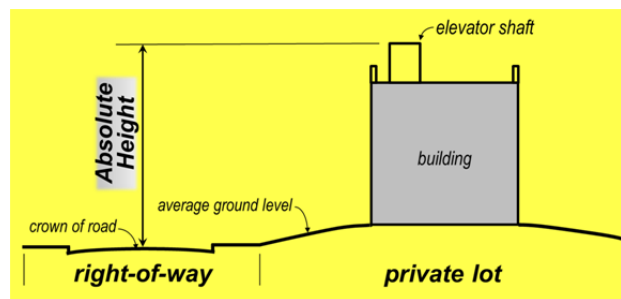
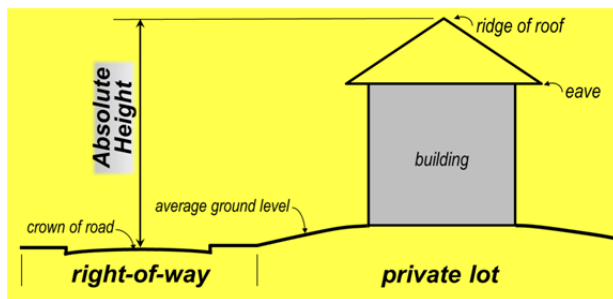
For the purpose of these Land Development Code (LDC) regulations, certain words and terms shall be interpreted to have meanings as defined herein, and when not defined herein, "The Complete Illustrated Book of Development Definitions" latest edition, by Harvey S. Moskowitz shall be the standard used by City Staff when interpretations are required. When words or terms are not defined, their most commonly accepted meaning shall apply. The context in which the word or term is used may imply the intended meaning. Words used in the present tense include the future tense; the singular number includes the plural and the plural includes the singular. The words "shall", "must" and "will" are mandatory; the words "may" or "might" are permissive. The masculine gender shall imply the feminine and neuter genders and vice versa. The words "used" or "occupied" include the words intended, designed, maintained or arranged to be used or occupied. The word "lot" includes the words plot, tract or parcel. The word "structure" includes the word building and vice versa. The word "land" includes the words marsh, water, or swamp.

B. Definitions

For the purpose of these regulations, the following definitions apply, unless they are found to be inconsistent with the intent of the City Commission, the City Charter or the Comprehensive Plan:

NOTE: definitions below that are numbered are in the existing LDC and are being amended as shown. Unnumbered definitions below are completely underlined because they are being added to the LDC.

15. **Artist Workspace/Dwelling.** This is a combination working studio and dwelling unit for artists. A working studio is an establishment for the creation or display of arts and crafts, the production or repair of clothing and jewelry, or instruction in dance, exercise, or martial arts. To qualify as a workshop/studio under this code, any noise, fumes, vibration, odor, or similar impacts from these activities must be kept within the establishment.
26. **Building, Absolute Height of.** This is the vertical distance from the crown of the abutting road to the highest point of the structure including any coping, chimney, elevator shaft, sign or other attachments to the structure. (See Crown of Road definition)

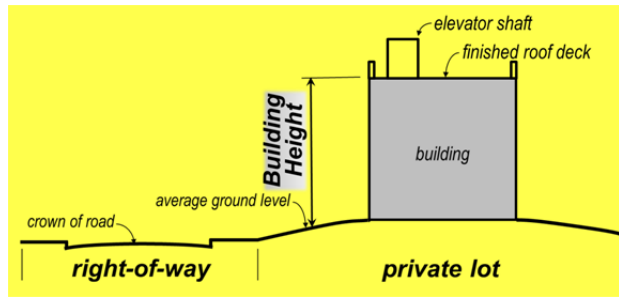
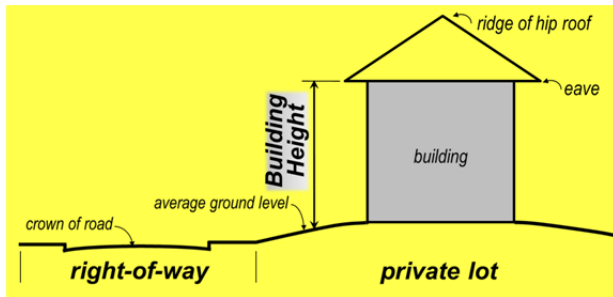


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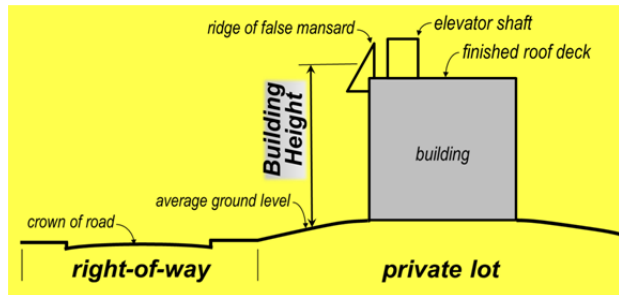
EXHIBIT A

CHAPTER I – PURPOSE AND GENERAL PROVISIONS

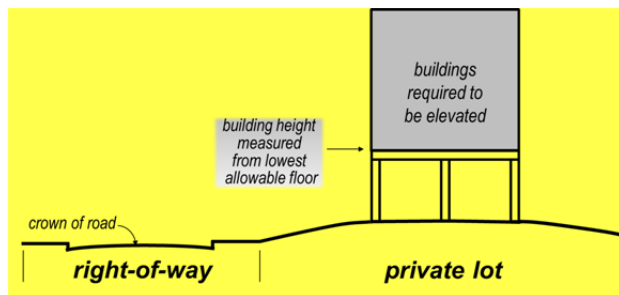
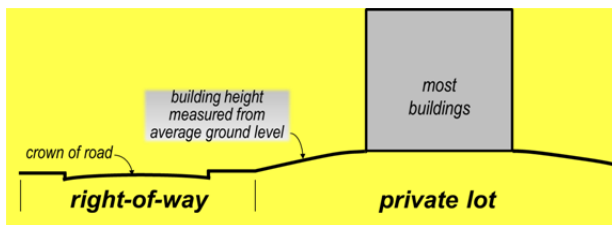
- 1 29. *Building, Height of.* The vertical distance from finished grade:
- 2 • for flat or shed roofs, to the highest point of the finished roof deck elevation (top of the roof
- 3 deck) of a flat roof, or
- 4 • for gable, hip, gambrel, or false mansard roofs, to the highest bearing point of the roof
- 5 trusses or roof joists for gable, hip or gambrel roofs, provided any habitable space enclosed
- 6 by the roof above the bearing point of the trusses or joists shall be solely for the use of
- 7 occupant of the floor immediately below and not used as separate occupancy.



8



- 9 • Finished grade means the final elevation of the average ground level between exterior
- 10 walls or columns and the lot line; however, on lots where buildings must be elevated to meet the
- 11 flood damage prevention requirements of the Florida Building Code or Appendix C of this code,
- 12 building heights will instead be measured from the surface of the lowest allowable habitable
- 13 floor.



- 14 • This definition, and the exclusions in section 3-66 for chimneys and flagpoles, are is for
- 15 purposes of implementing the regulation of "building height" found in chapter II III "zoning" and
- 16 chapter III IV "design standards" of these regulations only; they do not apply to the regulation of
- 17 "absolute height."

- 18 Civic space. A small outdoor space that serves as a focal point for a neighborhood and is available
- 19 for civic and recreational uses. Civic spaces are typically constructed by landowners when they
- 20 build on adjoining property. See section 2-92.

EXHIBIT A

CHAPTER I – PURPOSE AND GENERAL PROVISIONS

1 Contractor and trade operation. An establishment that is primarily engaged in providing an off-site
2 service but which maintains a business office and inventory or equipment at a central location,
3 such as a general contractor or subcontractor, pest control operator, caterer, surveyor, etc.

- 4 47. Convenience Store with Fuel Market/Mart. This is an establishment that provide limited services
5 primarily to the motoring public such as fuel sales, car washing, or car detailing, and that may
6 also sell merchandise including food and beverages. small retail grocery store which may also
7 sell automotive fuel and rent or lease trailers, trucks, watercraft, beach equipment, bicycles, etc.
8 under some circumstances, as approved by these LDC regulations.

9 Drive-through facility. Any establishment that provides physical facilities which allow its customers to
10 obtain food or goods, receive services, or be entertained while remaining in their motor vehicles.

11 Dwelling, Accessory. A single permanent dwelling on the same lot as another permitted use.
12 Accessory dwellings can be in the same building as the other use or in a separate building. See
13 section 2-53.

14 Late-night operation. An establishment other than a lounge that regularly sells merchandise or
15 provides services after 11:00 PM. Late-night operations in certain subdistricts require a special
16 exception; see Table 2-61.

17 Live/work unit. A single dwelling unit in a detached building, or in a multifamily or mixed-use building,
18 that also accommodates limited commercial uses within the dwelling unit. The predominate use
19 of a live/work unit is residential, and commercial activity is a secondary use. See section 2-54.

20 Marina. A business that stores, services, fuels, launches, and/or secures boats and may provide
21 related services for owners, crews, and guests.

- 22 93. Mixed-Use Development. This is any combination of office, retail or residential in a building or lot or
23 on property being developed or redeveloped in a unified manner.

24 Nightclub, bar, or cocktail lounge. An establishment that sells alcoholic beverages for consumption
25 on the premises, but not including restaurants where more than fifty-one (51) percent of the
26 sales are food sales or hotel/motel pool bars which provide alcoholic beverage services
27 exclusively to guests.

28 Offices, general. A room or group of rooms used to conduct the affairs of a business, profession,
29 service, or government and generally furnished with desks tables, files, and communication
30 equipment.

31 Offices, limited. Has the same meaning as 'Offices, general' except that the establishment contains
32 less than 1,000 square feet of enclosed floor area.

33 Paseo. A connecting walkway that links streets, alleys, and civic and public spaces. Paseos typically
34 run perpendicular to sidewalks and are often used to improve pedestrian access along long
35 block faces.

36 Place of worship. A church, temple, mosque or other place of worship that may include ancillary
37 buildings for education, recreation, and social functions.

38 Public space. An outdoor space that is maintained by a government or nonprofit entity as a civic
39 amenity for the general public. Public spaces include parks, playgrounds, golf courses, beaches,
40 beach accesses, boat ramps, nature preserves, etc.

41 Stores & services, general means establishments that sell food or merchandise or provide personal
42 or professional services. The following uses are not considered 'Stores & services, general' for
43 purposes of this code:

- 44 • Stores & services, large format
- 45 • Automotive maintenance facility
- 46 • Adult entertainment/establishment
- 47 • Body-Piercing and/or Tattooing Salon
- 48 • Contractor and trade operations
- 49 • Convenience store with fuel

EXHIBIT A

CHAPTER I – PURPOSE AND GENERAL PROVISIONS

- 1 • Drive-through facilities (for any use)
- 2 • Garage, parking
- 3 • Late-night operations
- 4 • Marijuana dispensary
- 5 • Marina
- 6 • Mini or self-storage
- 7 • Nightclub, bar, or cocktail lounge
- 8 • Pain management clinic
- 9 • Vehicle sales

10 Stores & services, large format has the same meaning as 'Stores & services, general' as defined by
11 this code, except that the establishment contains over 50,000 square feet of enclosed floor area.

12 Stores & services, limited has the same meaning as 'Stores & services, general' as defined by this
13 code, except that the establishment contains less than 750 square feet of enclosed floor area, is
14 not open for business before 7:00 AM or later than 7:00 PM, and does not include any outdoor
15 storage.

16 144. Vehicle Used-Car Sales. This includes the sales of any new or used motorized vehicles, such as
17 automobiles, motorcycles, golf carts, trucks, boats, watercraft, recreational vehicles, aircraft and
18 trailers on display for the purposes of sale.

19 Work/live unit. A single dwelling unit in a detached building, or in a multifamily, mixed-use, or
20 commercial building, where the predominate use of the unit is commercial. See section 2-55.

EXHIBIT A
CHAPTER III – DESIGN STANDARDS

CHAPTER III – Proposed Additions and Deletions

CHAPTER III – DESIGN STANDARDS

ARTICLE II – SCHEDULE OF LOT DIMENSIONAL DESIGN STANDARDS

The dimensional design standards for each zoning district are listed in the following Table 3.01. Specific use regulations allowed in each zoning district are provided in chapter II of these regulations.

SCHEDULE OF DIMENSIONAL DESIGN STANDARDS --- TABLE 3.01

DIS-TRICT	MIN-IMUM LOT AREA	MIN-IMUM LOT WIDTH ²	MIN-IMUM LOT DEPTH	MINIMUM YARD REQUIREMENTS ¹ SEE TABLE 4.01A	MAXIMUM BUILDING HEIGHT					MAXIMUM BUILDING COVERAGE		MIN-IMUM FLOOR AREA	MIN-IMUM PERVIOUS AREA (4)	OPEN SPACE
					BUILD-ING HEIGHT	ABSOLUTE ALL ATTACH-MENTS	ABUT RS-1	ABUT RM-1	ABUT RM-2	PRINCI-PAL (3)	PRINCI-PAL PLUS ACCES-SORY (3)			
RS-1	8,500 sq. ft.	80 ft.	100 ft.		25 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35%	45%	1,250 sq. ft.	20%	20%
RM-1	N/A*	75 ft. ⁶	100 ft.		35 ft.	45 ft.	35 ft.	45 ft.	45 ft.	40%	45%	1,250 sq. ft. ⁵	10%	10%
RM-2	10,000 sq. ft.	100 ft.	N/A*		45 ft.	45 ft.	35 ft.	45 ft.	45 ft.	50% 35% ⁷	50% 40% ⁷	750 sq. ft. ⁶	10%	10%
RM-2A	7,500 sq. ft.	75 ft.	100 ft.		45 ft.	45 ft.	35 ft.	45 ft.	45 ft.	50%	50%	1,250 sq. ft. per dwelling unit	10%	10%
CT-1	20,000 sq. ft.	100 ft.	NONE		45 ft.	45 ft.	35 ft.	45 ft.	45 ft.	35%	40%	Same as RM-2	30%	30%
CN	7,500 sq. ft.	50 ft.	NONE		45 ft.	45 ft.	35 ft.	45 ft.	45 ft.	35%	40%	N/A*	10%	N/A*
CG	NONE	25 ft.	NONE		45 ft.	45 ft.	35 ft.	45 ft.	45 ft.	35%	40%	Same as RM-2	10%	N/A*
B-1	NONE	NONE	NONE		35 ft.	45 ft.	35 ft.	35 ft.	35 ft.	50%	50%	NONE	95% ⁷	N/A*
PS-1	NONE	NONE	NONE		45 ft.	45 ft.	35 ft.	35 ft.	35 ft.	50%	50%	NONE	15%	N/A*

REDEVELOPMENT ZONING DISTRICT **SEE ARTICLE V OF CHAPTER II FOR REQUIREMENTS**

¹ See Section 4-69 for minimum setbacks for gasoline pumps and storage tanks.

² A building permit shall not be issued unless a lot abuts for a minimum of twenty (20) feet on a street, and only one principal use may be constructed on such frontage.

³ The percentage shown is an estimated amount of coverage expected, and it cannot possibly apply to every lot in every zoning district, in every area of the City. Should the applicant have solid justifications for why the coverage should be increased on a specific lot, such as: the lot was created decades previously and adhering to these restrictions would essentially leave the lot vacant and unbuildable, such as on the much smaller lots in **older neighborhoods the Downtown District**, or other justifications which can show good cause for the coverage percentage to be exceeded, this may be approved by the City Engineer and Administrator, so long as all other development requirements of the regulations have been met.

⁴ The same logic and approval process discussed in (3) above applies to the percentage of pervious area on a lot.

⁵ One thousand two hundred fifty (1,250) [square feet] for single family; two or more bedroom apartment, seven hundred fifty (750) square feet; one bedroom apartment, five hundred (500) square feet; efficiency apartment, four hundred (400) square feet; duplex and triplex conform to same square footage areas as apartments based on number of bedrooms.

⁶ Two (2) or more bedroom apartment, seven hundred fifty (750) square feet; one bedroom apartment, five hundred (500) square feet; efficiency apartment, four hundred (400) square feet.

⁷ May be reduced to sixty (60) percent upon special exception approval.

* N/A= Not Applicable

EXHIBIT A
CHAPTER III – DESIGN STANDARDS

1

SCHEDULE OF DIMENSIONAL DESIGN STANDARDS MINIMUM YARD REQUIREMENTS --- TABLE 3.01A			
DISTRICT	FRONT	SIDE AND STREET SIDE	REAR
RS-1	25 ft. Front setbacks from all streets except State Routes 520, A1A, South Banana River and Ocean Beach Boulevards, where front setbacks shall be 40 ft.	Side is 10 ft. and street side is 15 ft. from local streets and 20 ft. from all other streets and 25 ft. from State Routes 520 and A1A and Ocean Beach and South Banana River Boulevards.	15 ft. or Coastal Construction setback line on oceanfront property.
RM-1	Same as RS-1	Same as RS-1.	Same as RS-1.
RM-2 and RM-2A	Same as RS-1	Side is 15 ft. and street side is 20 ft. from local streets and 20 ft. from all other streets and 25 ft. from State Routes 520 and A1A and Ocean Beach and South Banana River Boulevards.	Same as RS-1.
CT-1	Same as RS-1	Same as RM-2 and RM-2A.. All buildings exceeding 45 ft. in height shall have an additional side setback of 5 ft. on each side for the lot for each additional 10 ft. or fraction thereof of building height exceeding 45 ft., as governed by the tallest building on the lot.	25 ft. or Coastal Construction setback line on oceanfront property.
CN	Same as RS-1.	Same as CT-1.	Same as CT-1.
CG	Same as RS-1.	Same as CT-1.	Same as CT-1.
B-1	NONE		
PS-1	NONE		
REDEVELOPMENT ZONING DISTRICT -- SEE ARTICLE V OF CHAPTER II FOR REQUIREMENTS			

2

ARTICLE III – OFF-STREET PARKING AND LOADING

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4
5
6

It is the intent of these regulations that every building~~s~~ and use~~s~~ shall be provided with adequate off-street parking facilities for the use of occupants, employees, visitors, or patrons, and that certain uses provide adequate off-street loading facilities. Such off-street parking and loading shall be maintained and continued as an accessory use so long as the principle use is continued.

7

Section 3-01. Off-street parking regulations.

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9
10
11
12

Except as required for the downtown area overlay district, This article provides standards for off-street parking and loading facilities shall be provided for every use or part thereof in all districts as prescribed in this section. Where the parking requirements for a use are not specifically defined, or a use is not mentioned, the parking requirements for such use shall be determined by the Administrator.

[no further changes required to section 3-01]

13

Section 3-02. Off-street parking in the Redevelopment Zoning District.

14
15

Off-street parking in the Redevelopment Zoning District is regulated by section 2-88 and sections 2-111 through 2-113 of this code.

16

Section 3-02. Special commercial district use of on-street and public parking.

17
18
19
20

- A.—Scope:** [deleted]
- B.—Findings:** [deleted]
- C.—Purposes, intent and objective:** [deleted]
- D.—Areas described:** [deleted]

EXHIBIT A

CHAPTER III – DESIGN STANDARDS

1 ~~E. Reduced parking requirement:~~ [deleted]

2 ~~F. Variances:~~ [deleted]

3 ~~G. Exemptions:~~ [deleted]

4 ~~H. Non-conforming uses:~~ [deleted]

5 **Section 3-17. Required landscape buffers.**

6 A landscape buffer is a specified land area which meets the opacity of a solid wall, and is designed to
7 provide a barrier or screen between conflicting uses or between commercial and residential zoning
8 districts. The buffer may be comprised wholly of landscaping, or it may also include a fence, wall, hedge,
9 or berm where such additional screening is necessary to achieve the desired degree of buffering between
10 adjacent conflicting zoning districts and uses. The following developments do not require landscape
11 buffers:

- 12 1. Between single-family homes and/or duplexes.
- 13 2. Between licensed plant or tree nurseries and any other uses. Landscape buffers shall only be
14 required for this type of use if it is located in a residential zoning district and an abutting property
15 has a commercial zoning district classification.
- 16 3. Between passive recreation uses such as parks, golf courses, hiking/equestrian/bicycle trails,
17 boardwalks or between any other development which is naturally landscaped, and any other use
18 or zoning district.
- 19 4. ~~Between uses within the Redevelopment Zoning District (see article V of chapter II).~~

20 **Section 3-66. Exclusions from height limits.**

21 Chimneys ~~and smokestacks~~; water and fire towers; church spires, domes, cupolas; ~~and~~ elevator and
22 roof access enclosures; ~~vertical parapet walls that enclose rooftop mechanical equipment~~; lightning
23 arresters; and flagpoles may be erected above the ~~height~~ limits ~~for building height~~ herein established
24 upon the issuance of a permit by the Building Official after approval by the Fire Marshal. ~~Additional height~~
25 restrictions ~~shall be imposed, however, by the law, charter also apply through or other applicable~~
26 ~~regulations, including~~ the absolute building height limitations herein established.

EXHIBIT A

CHAPTER IV – APPLICATION AND REVIEW PROCESS

CHAPTER IV – Proposed Additions and Deletions

CHAPTER IV – APPLICATION AND REVIEW PROCESS

ARTICLE I – SITE PLAN APPLICATION PROCESS

Section 4-02. Site plan approval process.

The site plan approval process includes a site plan review that is conducted by the development review committee (DRC), which is comprised of City and outside agency staff, such as the Florida Department of Transportation (FDOT), the Florida Department of Environmental Protection (FDEP), the St. Johns River Water Management District, the City of Cocoa Water Department, and other outside agencies which may have jurisdiction applicable to the project. The purpose of the site plan review is to ensure that all the applicable provisions of these regulations are met by the applicant. Site and building plans in the Redevelopment Zoning District must also comply with essential provisions of the Redevelopment Design Manual.

The applicant must submit three (3) paper copies and one (1) electronic copy in PDF format of the site plan, boundary survey (if not included in the site plan), traffic impact statement, tree survey, landscaping plan, and any other items listed in Section 4-01 above and as specifically required by the Administrator. The submittal shall be prepared, signed and sealed by an architect and/or professional engineer, licensed by the State of Florida. The applicant shall pay the required site plan review fees as established by resolution by the City Commission. An application that meets all of these requirements will be considered a "sufficient" application. Additionally, prior to issuance of a building permit, the petitioner must execute and record a stormwater maintenance agreement, as required by stormwater provisions contained in these regulations.

In keeping with the requirements specified above, all site plans shall include the items determined to be required for the specific project by the administrator during the pre-application meeting.

Section 4-04. Sufficient application; Development Review Committee; additional fees.

A. The purpose of the development review committee (DRC) is to review all site plans for the City. The DRC is comprised of city staff, which includes the administrator, city planner, fire marshal, city engineer, chief building official, representatives from the public works department to review the plans for stormwater, sewage, and other city utilities, along with any required outside agencies needed to review the site plan, based on jurisdictional requirements, as specified in section 4-02 above. For site plans on lots larger than five (5) acres, or which contain buildings larger than fifty thousand (50,000) square feet in size, the thresholds which then requires approvals from the planning board and city commission, this DRC review is advisory only. A sufficient site plan application and all application fees must be filed with the development services department before the DRC review can begin. Once submitted, staff shall transmit the electronic and/or paper copies to the appropriate DRC members and outside agencies for their review and comment. The DRC reviews the site plan for compliance with the requirements of Sections 4-01 and 4-02 above. The city planner shall also review the site plan for conformance with the city's Comprehensive Plan and Charter, and for applications in the Redevelopment Zoning District, for compliance with essential provisions of the Redevelopment Design Manual. Site plan applications requiring approvals from the planning board and city commission must make application a minimum of forty-five (45) days in advance of the planning board meeting where their application will be heard.

B—E. [no changes required]

EXHIBIT A

CHAPTER IV – APPLICATION AND REVIEW PROCESS

1 ARTICLE IV – VARIANCES, WAIVERS, AND DESIGN MODIFICATIONS APPEALS

2 **Section 4-44. Design modifications in the Redevelopment Zoning District.**

3 **A.** A design modification is an acceptable alternative to an urban design standard in the Redevelopment
4 Zoning District (see article V of chapter II). Design modifications may be proposed to a urban design
5 standard in divisions 4 through 6 or to a specific provision of the Redevelopment Design Manual in
6 division 7.

7 **B.** Design modifications may be authorized only through the procedures in section 2-121.

8 **C.** Design modifications cannot move subdistrict boundaries, modify dimensional regulations for existing
9 buildings, or alter the allowable uses as specified in this code.

EXHIBIT A
CHAPTER V – SIGNS AND DISPLAYS

CHAPTER V – Proposed Additions and Deletions

CHAPTER V – SIGNS AND DISPLAYS

ARTICLE I – GENERAL SIGN PROVISIONS

Section 5-05. Sign provisions by zoning district.

A. RS-1 Single-Family Residential District. [no changes required]

B. RM-1 Multifamily Residential District. [no changes required]

C. RM-2 Multifamily Professional District and RM-2A High Density Multifamily District II.

[no changes required]

D. CT-1 oceanfront residential and transient district, CG general commercial district, CN neighborhood commercial district, and PS-1 public and semi-public district.

[no changes required]

E. Other district regulations:

1. Signs in various subdistricts of the Redevelopment Zoning District must comply with the following provisions:

a. Core subdistrict: section 5-05.D.

b. Transition Area subdistrict: section 5-05.D.

c. Resort subdistrict: section 5-05.D.

d. Oceanside subdistrict: section 5-05.D.

e. Shopping Row subdistrict: section 5-05.D.

f. Artisan Quarter subdistrict: section 5-05.D.

g. Cottage Row Mixed subdistrict: section 5-05.D.

h. Cottage Row Historic subdistrict: section 5-05.D.

i. Cottage Row Residential subdistrict: section 5-05.B.

2. Signs in the B-1, Public and Recreational Open Space District, are prohibited except signs erected by any governmental entity.

3. Signs in newly annexed areas are allowed to remain until the land has been properly zoned for use, at which time they must conform to the requirements for the appropriate zoning district and are subject to the time limits for removal of signs stated in section 6-30. Such time limits start with the effective date the zoning was approved.