

ORDINANCE NO. 1613

AN ORDINANCE OF THE CITY OF COCOA BEACH, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN, SPECIFICALLY THE FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP REGARDING THE REPEAL OF THE DOWNTOWN OVERLAY DISTRICT, THE CREATION OF THE DOWNTOWN, MIDTOWN, UPTOWN, AND NORTH COCOA BEACH REDEVELOPMENT DISTRICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Cocoa Beach desires to amend and update the Future Land Use Element and Future Land Use Map of its Comprehensive Plan pursuant to Chapter 163, Florida Statutes; and

WHEREAS, the Local Planning Agency and the City Commission have held public hearings concerning all amendments to be considered and the adoption of amendments to the Future Land Use Element and Future Land Use Map as required by Chapter 163, Florida Statutes; and

WHEREAS, the City received and considered the written objections, recommendations, and comments from the State Land Planning Agency, other State agencies and all interested persons; and

WHEREAS, the City finds that said Comprehensive Plan amendments have been processed in accordance with the applicable State Statutes, thus allowing the City to amend the Future Land Use Element and the Future Land Use Map; and

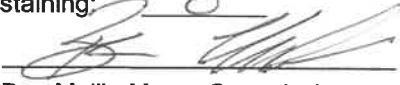
NOW, THEREFORE, BE IT ORDAINED BY the City Commission of the City of Cocoa Beach, Florida:

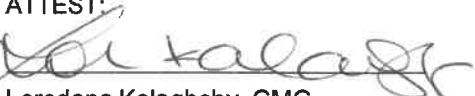
SECTION 1: The Future Land Use Element and the Future Land Use Map of the City of Cocoa Beach's Comprehensive Plan are hereby amended as shown in Exhibit A, which is attached hereto and incorporated herein by reference. These amendments affect the downtown, as previously defined in the Comprehensive Plan, and establish three new areas: Midtown, Uptown, and North Cocoa Beach. These amendments include corresponding changes to the Future Land Use Element.

SECTION 2: Severability – If any section, subsection, sentence, clause, phrase of this ordinance, including Exhibit A, 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 3: Effective Date – The effective date of this Comprehensive Plan amendment shall be the date a final order is issued by the Department of Economic Opportunity, or Administrative Commission, whichever occurs first, finding the amendment in compliance with Section 163.3184, Florida Statutes. If a final order of noncompliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of said resolution shall be sent to the Department of Economic Opportunity, Bureau of Community Planning, 107 East Madison Street, Tallahassee, FL 32399-2100.

Upon Motion by Commissioner Williams and Seconded by Commissioner Martinez, this Ordinance was duly adopted at a Regular Meeting of the City Commission of the City of Cocoa Beach, Florida, held on the 5 day of April, 2018.

Ayes: 5
Nays: 0
Absent or Abstaining: 0

Ben Malik, Mayor-Commissioner

ATTEST:

Loredana Kalaghchy, CMC

City Clerk 12-07-17 03-23-18
First Reading: ___ Date Posted: ___ Date Published: 03-22-18



**CITY OF COCOA BEACH
2025 COMPREHENSIVE PLAN**

**Section I
Future Land Use Element
Goals, Objectives, and Policies**

~~Adopted August 6, 2015 by Ordinance No. 1591~~
Adopted April 5, 2018 by Ordinance No. 1613



INTRODUCTION

The Future Land Use Element (FLUE) designates “proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land,” Section 163.3177(6)(a), Florida Statutes. In addition, acreage and general ranges of density and intensity need to be provided along with establishing a long term vision of future land uses. This element must define the land uses, {based on supporting data and analysis}, specify criteria for making land use decisions, include provisions that will discourage urban sprawl, and include a map series that supports the FLUE.

The Preamble of the City of Cocoa Beach Charter states that the City and its government shall use its powers for the “...establishment of a low-density residential and family-oriented resort community with paramount consideration given to the health, safety, welfare, comfort and quality of life for all its citizens.” Given this direction, the City of Cocoa Beach is characterized as a residential community with a mixture of single-family residences, retail commercial, mid-rise multi-family dwellings, resort uses, and abundant recreational and natural resources. Located within Brevard County, Florida, the City is a coastal community located on the outermost barrier island known as the Cape Canaveral Peninsula.

The City is generally bounded by: the sandy beaches of the Atlantic Ocean {to the east}, the low-lying mangrove islands of the Banana River Lagoon {to the west}, unincorporated Brevard County and the City of Cape Canaveral {to the north}, and unincorporated Brevard County and Patrick Air Force Base {to the south}. The Kennedy Space Center and the Cape Canaveral Air Force Station are located immediately north and northwest of Cape Canaveral. Low-density residential uses are ~~segregated from intense uses, and are~~ located adjacent to the Banana River Lagoon ~~or and~~ at the ~~northern and~~ southern ends of the City. Moderate ~~and higher~~ density multi-family uses ~~serve, in many areas, as a buffer from the intensity and impacts generated by SR A1A~~ are closer to the main corridors. High-density residential uses, ~~h~~Hotels and tourist ~~commercial~~ uses are concentrated along the ocean. General commercial and retail uses are immediately contiguous to SR A1A and SR 520. ~~The City’s existing land uses are depicted in FLUE Map 1 and the anticipated future land uses are shown in FLUE Map 2. A series of maps included in the Supporting Data and Analysis for the Future Land Use Element identifies the City’s natural assets and other community features.~~

Changing Conditions

The City had experienced growth in its permanent population over the years with the growth rate slowing in recent decades. By the 2010 census Cocoa Beach’s permanent population decreased from 12,482 in 2000 to 11,231 in 2010. Similarly, average household size in the City fell to 1.88 persons in 2010 from 1.91 persons in 2000. Offsetting this decline is a steady influx of seasonal winter visitors as well as tourists visiting ~~this coastal resort community~~the city



throughout the year. This annual fluctuation of population (about ~~4,000~~12,000 seasonal residents and about ~~3,850~~3,200 average daily tourists) ~~{CONFIRM that this figure is daily}~~ is the most critical demographic condition affecting demands on public facilities, services, and land uses, and requires that systems be designed to handle recurring seasonal demands in addition to the demands of the City's permanent population.

There are approximately 74 acres ~~(2.8%)~~ of vacant land in the City (2.8 percent of the city's total area), which can accommodate limited new residential and commercial development. Based on the declines in the population for the past several decades, with further projected population declines predicted, paired with maximum allowable densities for single-family and multi-family residential uses, and the amount of vacant land in each of these land use categories, the City has sufficient vacant land to meet the need for single-family and multi-family housing units for the City's permanent and seasonal population through the year 2025. At this time, the City appears to have sufficient commercial, recreational and institutional uses to meet the City's needs through the year 2025.

Supporting Infrastructure

Most of the structures in the City were constructed in the 1960's and 1970's. There are no significant concentrations of slum or blighted residential areas. There are a small number of individual structures and small areas that are in need of rehabilitation or maintenance. The City's Development Services Department, through adopted code enforcement procedures, continues to identify those residential properties and structures needing improved improvement-property maintenance and works toward taking corrective actions. The City adopted a Stormwater Management Plan in 2001 and has implemented much of the plan is currently in the process of implementing it and using it to define future capital improvements.

The City's infrastructure and service facilities are operating at acceptable levels of service; however, there are concerns with the roadway network which consists primarily of two principle arterial roadways (SR A1A and SR 520). These two roads are operating near the adopted capacity. The City has developed an analysis of the roadway system that indicates methods of improving the level of service through system improvements and the use of alternative modes of travel. These methods and implementation strategies are described in the Mobility Element Goals, Objectives, and Policies (GOPs).

Redevelopment Focus

Given ~~this setting~~the aforementioned data, it is evident that, Cocoa Beach ~~has reached~~is nearing a built out condition and the city recognizes that almost all future growth will occur through redeveloping the redevelopment of existing properties rather than developing vacant parcels. ~~Generally, t~~he condition of commercial and residential property in the City remains relatively healthy. Most properties are well maintained; however, ~~several~~many commercial properties ~~(particularly in the Downtown Area)~~ appear dated and in need of aesthetic



enhancement.

~~Three corridors have been identified to accommodate future redevelopment: Downtown Cocoa Beach, the Gateways District (centered on the SR 520/SR A1A intersection), and the north Cocoa Beach area (north of California Avenue); listed in order of priority. In recent years, the City has focused on Downtown.~~

Four redevelopment districts have been identified to accommodate future growth: Downtown, Midtown, Uptown, and North Cocoa Beach. In 2006, the City adopted the Downtown Cocoa Beach Area Sector Plan, which identified key issues and outlined action steps. This work provided the foundation for creating the Downtown Cocoa Beach Community Redevelopment Agency (DCBCRA) in 2009. The Downtown Redevelopment Plan was completed and adopted in 2012.⁷ This document which guides the CRA in making future Downtown decisions. To provide more specifics about the physical look of Downtown, the Downtown Design Standards have been adopted. The Downtown area is positioned to attract future redevelopment activities while respecting the surrounding residential neighborhoods. The key issues, actions, and specific development details contained in the sector and redevelopment plans have been incorporated into the development guidelines for the downtown redevelopment district.

With the Downtown area plan completed, the City focused on ~~the Gateways District~~other redevelopment opportunity areas. In 2014, Dover Kohl & Partners completed the “Gateways Master Plan” for the S-R- 520/S-R- A1A corridor area, which is the location of the highest concentration of commercial uses in the City, as well as the primary location for visitors and tourists to visit when they come to Cocoa Beach. This Plan ~~has~~ provided ~~some development~~ recommendations for new development and redevelopment of these state highways corridors as well as the ~~commercial~~ properties which abut them. ~~The~~is plan was adopted by the City Commission in 2014, ~~with instructions from the City Commission to City Staff to implement these recommendations into this current update of the Comp Plan, and the not too distant rewrite of the Land Development Code (LDC) in 2015 to be incorporated into the Comprehensive Plan and the Land Development Code (LDC).~~ The addition of form based zoning districts will specifically target those redevelopment opportunity districts within the Downtown, Midtown, Uptown, and North Cocoa Beach districts, while seeking to protect the existing character of the lower density residential areas.

~~It is the desire of the City to create overlay districts, which can specifically target this commercial area and possibly other concentrations of commercial and high density residential/resort areas, through the future rewrite of the LDC, to bring these recommendations from the plan to fruition, through future development and/or redevelopment of these areas, while leaving the lower density residential areas as they are. A similar planning activity has yet to be completed for the north Cocoa Beach area.~~

Future Comprehensive Plan Amendments

The methods and procedures for adoption of any future Comprehensive Plan amendments are detailed in City Charter Section 6.07.~~Before the adoption of future comprehensive plan~~



~~amendments, consult City Charter Section 6.07 (charter voting requirements on comprehensive plan amendments).~~

Format

The following Future Land Use goals, objectives, and policies are consistent with the *Supporting Data and Analysis* that has been compiled for the FLUE, reflecting the City's desire to: achieve a balance of compatible land uses, preserve natural assets, protect established low-density neighborhoods, encourage ~~a vibrant Downtown and the supporting mixed use redevelopment areas (Gateways District and North Cocoa Beach),~~ and ensure that supporting land use regulations are in place ~~to accomplish the desired results.~~ All five goals are important to the City of Cocoa Beach; therefore, no one goal has priority over the others. Data, maps, and other background information supporting the FLUE's goals, objectives, and policies are located in the FLUE's *Supporting Data and Analysis*.



GOAL I ~~To a~~ Achieve and maintain a balance of land uses with paramount consideration given to the health, comfort, well-being, and quality of life for all citizens.

Objective I.1 *Effective upon the adoption of this Comprehensive Plan, the City of Cocoa Beach will review, and amend as needed, the Land Development Code (LDC) so that future land uses are consistent with existing land uses, appropriate topography, and soil conditions.*

Policy I.1.1 The 2025 Future Land Use Element Map (FLUE 1) documents the city's land use, natural features, and schools. The Wetlands Map (FLUE 2) and the Beach Access, Shores, and Estuarine System Map (FLUE 3) are also included within this element.

~~The 2025 Future Land Use Map series documents the City's existing and future conditions, covering land use, natural features, schools, and Downtown Cocoa Beach. FLUE Map 1 (Existing Land Use) and FLUE Map 2 (Future Land Use), FLUE Map 7 (Wetlands), and FLUE Map 8 (Beach Access, Shores Map and Estuarine System) are included in this element. The Downtown maps are provided in the Supporting Data and Analysis for the Future Land Use Element.~~

- ~~(a) — FLUE 1 — Existing Land Use (2015)~~
- ~~(b) — FLUE 2 — Future Land Use (2025)~~
- ~~(c) — FLUE 3 — Downtown Area (2025)~~
- ~~(d) — FLUE 4 — Downtown Area Neighborhood Districts (2025)~~
- ~~(e) — FLUE 5 — Downtown Area Street Hierarchy (2025)~~
- ~~(f) — FLUE 6 — Downtown Area Mixed Use Area (2025)~~
- ~~(g) — FLUE 7 — Wetlands Map (2015)~~
- ~~(h) — FLUE 8 — Beach Access, Shores Map and Estuarine System (2015)~~

Policy I.1.2 Table 1-1 establishes the future land use categories and describes the consistency between the City's Future Land Use Map (FLUE Map 12) and the Official Zoning Map (Article II of Chapter III, Cocoa Beach Land Development Code). Uses of land and implementing regulations shall be consistent with the intensities and densities of the uses identified on 2025 FLUE 1 Map 2. Additional zoning classifications or other modifications to the permitted uses identified in the City's LDC shall be consistent with those identified in this table.

Policy I.1.3 The type, intensity and structural design of any development shall be appropriate to the existing natural topography. Site alterations shall be



limited to the absolute minimum necessary to develop a site safely.

Policy I.1.4 Higher density and intensity development shall be directed into those locations which have proper access to the existing transportation system, minimal environmental constraints, sufficient stormwater treatment capacity, compatible land uses, and readily available sewer and water infrastructure.

Policy I.1.5 Consistent with the Capital Improvements Element, issuance of a development order will be based on whether there is sufficient facility capacity to accommodate the impacts of the development and maintain all applicable LOS standards, as adopted by the City.

Policy I.1.6 No development order or permit shall be issued until the City determines that public facilities and services necessary to accommodate the impacts of the development will be available concurrent with the impacts of the development pursuant to Florida Statutes and the Florida Administrative Code.

Objective I.2 ***The City of Cocoa Beach shall, upon adoption of this Comprehensive Plan, establish policies and implementation strategies that support the existing compact built environment.***

Policy I.2.1 The City shall support the efforts of the State Legislature to foster innovative planning in order to maximize existing facilities and services through redevelopment and the revitalization of targeted areas.

Policy I.2.2 The City recognizes that, because the City is built-out and bounded by water to the east and west, and by developed urban areas to the north and south, urban sprawl is unlikely to occur.

Policy I.2.3 All new development within the City of Cocoa Beach shall be required to connect to and be served by central water, sewer, solid waste and stormwater management facilities, which supports a compact development pattern and discourages urban sprawl.

Policy I.2.4 No new permits for septic tanks or package treatment plants within the City limits shall be approved. In areas served by central sanitary sewer facilities where property owners choose to remain on existing septic tanks, no permits shall be issued for repairs to septic tanks.



Policy I.2.5 New development or redevelopment shall be charged the full cost of extending water, sewer, solid waste and stormwater management facilities and services to their project in areas where existing facilities do not exist.

Objective I.3 ~~To e~~**Encourage the use of innovative land development regulations that may include provisions for planned unit developments and other mixed use development techniques.**

Policy I.3.1 The City Commission, based on recommendations from the Development Services Department and the Local Planning Agency, shall review and amend as needed its LDC to include detailed provisions for Planned Unit Developments (PUD's) or a Mixed Use designation. These regulations are to encourage creative and innovative planning by providing flexibility to the ~~strict~~ zoning and development regulations in a manner that is consistent with this and other elements of the Comprehensive Plan.

The City will adopt these regulations if it can be shown that the following benefits will result in:

- (a) Incentives to provide affordable housing;
- (b) Transfer of density from environmentally sensitive areas;
- (c) Improved aesthetic appearance of the man-made environment and protection/preservation of the natural environment;
- (d) Additional open space, buffers and preservation zones; and
- (e) Additional recreational facilities in excess of adopted standards.

Objective I.4 ~~To m~~**Maintain or improve the current quality of natural and historic resources.**

Policy I.4.1 Through the Conservation Element policies, the City shall protect air quality; water resources and water quality; native vegetative communities, wildlife, and wildlife habitat; the natural functions of soils, floodplains, and wetlands.

Policy I.4.2 Through the Coastal Management Element policies, the City shall protect coastal resources and estuarine resources.

Policy I.4.3 Development within areas subject to 100-year flooding due to soil conditions or hydrology shall not increase expected flood levels for adjacent properties or reduce receiving surface water body quality below established levels.



Policy I.4.4 The City may require clustering of residential units on the non-environmentally significant portions of parcels where environmental concerns exist elsewhere on the site.

Policy I.4.5 ~~There are no currently identified archaeological or historic properties within the City that either qualify for, or are listed on,~~ Currently, there are no identified archaeological sites or historic properties which are listed on the National Registry of Historic Places. Should such properties be identified, the City shall maintain an inventory and an evaluation of all archaeological and historic properties that appear to qualify for the *National Register of Historic Places*. Should a future property be considered for eligibility in the National Register of Historic Places, the City shall consult with, and require the applicant to coordinate with the State's Division of Historical Resources prior to any land clearing, ground disturbing or rehabilitation activities taking place.

Objective I.5 ~~To e~~**Encourage the elimination or reduction of uses inconsistent with the community's character and future land uses.**

Policy 1.5.1 The City shall coordinate with adjacent local governments and Brevard County to ensure consistency and compatibility in coordinating land uses.

Policy I.5.2 Existing land uses that are inconsistent with the Comprehensive Plan may be reviewed by the City at the request of the property owner to determine the degree of inconsistencies, as described in the City's LDC. Such review may result in:

- (a) A determination that the impact of the inconsistencies on surrounding consistent uses is minimal and not detrimental to the public health, safety and welfare. As a result, status of development as to its consistency with the comp plan may be waived;
- (b) A determination that the impact of the inconsistencies may be substantially mitigated, in which the development may attain consistent status by implementing the required mitigation measures; and
- (c) A determination that the inconsistencies have substantial impacts, which may not be mitigated. As such, the development shall remain an inconsistent use and such use shall terminate according to law.



- Policy I.5.3 The City shall protect existing residential areas from encroachment by incompatible commercial and high-density residential uses by imposing limitations that are specified in the City's LDC.
- Policy I.5.4 The City shall prohibit residential development where physical constraints or hazards exist, or shall require the density to be adjusted accordingly. Such constraints or hazards shall include, but not be limited to, floods, storm or slope hazards, and unstable soil or geologic conditions.
- Policy I.5.5 Existing inconsistent land uses damaged in excess of 50 ~~percent~~% of their replacement value by natural or man-made causes shall not be allowed to rebuild in a manner that is inconsistent to the plan or LDC.
- Policy I.5.6 Existing inconsistent uses shall not be re-established if the use or activity has ceased for a period of six months consecutively or eighteen months over a ~~twenty-four~~two-year ~~month~~ period.
- Policy I.5.7 Additions or expansions to inconsistent uses shall not be permitted.
- Policy I.5.8 The City will continue to disallow industrial uses and commercial automobile sales within the City limits.
- Policy I.5.9 The development of new transient lodging facilities is prohibited on the west side of SR A1A South of SR 520 (Atlantic Avenue north of the one-way pairs; Atlantic Avenue south of the split into one-way pairs) and on the west side of Ocean Beach Boulevard/Ridgewood Avenue North of SR 520 as specified in the City's LDC. Existing transient lodging located on the west side of SR A1A shall be allowed to continue and operate at the density and intensity of use at the time February 2000. Regulations will include provisions for reconstruction of destroyed, damaged, or deteriorated transient lodging establishments located west of SR A1A, as well as provisions for elimination of transient lodging establishments if such use is abandoned. The prohibitions for new transient lodging facilities, as it applies to boutique hotels, shall not apply within the redevelopment districts, but such operational facilities may be subject to specific conditions. The prohibitions for new transient lodging facilities shall not apply to the Downtown Area as described in Future Land Use Element Objective III.1, providing the transient lodging will be located on lands with a General Commercial or High Density Residential & Tourist



~~Future Land Use designation, is located within the Downtown Area Mixed Use Area (FLUE Map 6), and the lodging use has been authorized by a Special Development Overlay District zoning map approval.~~

Objective I.6

~~To~~**Ensure that coastal planning area population densities are consistent with the appropriate regional hurricane evacuation plan for the purposes of achieving an evacuation time of 18.5 hours.**

Policy I.6.1

Development orders or permits for new development or redevelopment shall not be issued if the proposed development or redevelopment will increase the amount of time required to evacuate the City in the event of an approaching hurricane to more than 18.5 hours.

Policy I.6.2

~~To~~**Protect existing residential areas and ensure safe hurricane evacuation times, the City shall limit maximum allowable residential density consistent with and in furtherance of the provisions of this element.**

Policy I.6.3

The Planning Board with assistance from the Development Services staff shall on an on-going basis review and update the accessory uses allowed within the individual zoning districts. Accessory uses are uses subordinate or incidental to the primary use, and cannot operate without the primary use. Accessory uses must be compatible with the primary use and the adjacent primary uses. A use deemed to be a “prohibited use” by the City’s zoning ordinance also shall never be permitted as an accessory use.

Objective I.7

Encourage the elimination or reduction of uses that are inconsistent with any interagency hazard mitigation report recommendations that the local government determines to be appropriate.

Policy I.7.1

Development orders or permits for new development or redevelopment within the 100-year floodplain or coastal high hazard area (CHHA) shall be issued only after a finding that the proposed development or redevelopment complies with the building elevation requirements established on the Flood Insurance Rate Maps (FIRM’s).

Policy I.7.2

Development orders or permits for new development or redevelopment seaward of the coastal construction control line (CCCL) shall be issued only after a finding that the proposed development or redevelopment has been approved by the Florida Department of Environmental



Protection (FDEP), and that the proposed project complies with any reasonable condition imposed by FDEP.

Policy I.7.3 Structures receiving damage from coastal storms or flooding that is less than 50 percent% of their replacement cost at the time of the damage may be rebuilt to ~~its~~ their pre-disaster condition, subject only to current building and life-safety codes.

Policy I.7.4 Structures receiving damage from coastal storms or flooding in excess of 50 percent% of their replacement cost at the time of the damage, may be rebuilt to their original square footage, height and density, provided they comply with:

- (a) Federal requirements for elevation above the base flood elevation;
- (b) Building code requirements for flood-proofing;
- (c) Current building and life-safety codes; and
- (d) FDEP's CCCL requirements.

Objective I.8 ~~To e~~**Ensure the availability of suitable land for utility facilities necessary to support proposed development.**

Policy I.8.1 The City shall acquire or require sufficient right-of-way in all roadway construction or improvement projects to provide for the location of utility lines.

Policy I.8.2 Public and private utility facilities that support land development shall be authorized at the time of a development order or permit, and construction shall be timed so the required facilities and services will be available concurrent with the impacts of development.

Objective I.9 ***The City of Cocoa Beach shall maintain and/or secure the appropriate Department of Environmental Protection Permits to ensure the availability of dredge spoil disposal sites for the purpose of maintaining City-owned and adjacent intercoastal waterways through the clearing of detrimental muck sediments to benefit navigation, water quality and habitat.***

Policy I.9.1 The City shall coordinate with Brevard County, other beachside communities, and the Florida Inland Navigation District (FIND) to identify appropriate spoil disposal sites.



- Policy I.9.2 The City shall identify existing and future dredge spoil site areas.
- Policy I.9.3 New dredge spoil disposal sites shall be selected in a manner that is consistent with and ensures compliance with the conservation and natural resource protection provisions contained in the Comprehensive Plan.
- Policy I.9.4 The City may use the appropriate State specified forum to discuss and resolve multi-jurisdictional problems and issues regarding the designation of appropriate spoil disposal sites.
- Objective I.10** ~~To~~***Promote the orderly and responsible siting of future educational facilities and services near urban residential areas and the collocation of public and educational facilities.***
- Policy I.10.1 The Brevard County School Board determines the need for new public schools. It is expected that there will be no new public schools needed or constructed within the City of Cocoa Beach through 2025. Should there be a need for new facilities, all schools shall be located consistent with all elements of this Comprehensive Plan and in accordance with Florida Statutes. ~~All future schools shall be an allowable use in all land use categories, except Conservation.~~
- Policy I.10.2 The process of determining the location of new school sites shall include an orderly and timely review of, and compliance with, criteria and standards established by the Florida Department of Education, Brevard County School Board policies and procedures, and City of Cocoa Beach development plans, site plan review procedures, ordinances, land development regulations and the City’s Comprehensive Plan.
- Policy I.10.3 When current or proposed student populations cannot be adequately served by existing schools, the Brevard County School Board and City of Cocoa Beach shall coordinate their data and analysis and apply the criteria contained in the City’s LDC to determine the location of new school sites.
- Policy I.10.4 The final responsibility for site acquisition for public schools lies with the Brevard County School Board, in compliance with all applicable rules, standards, criteria, plans, laws and ordinances, and following public input and the involvement of affected persons and governmental agencies.



Policy I.10.5 The City shall seek to co-locate public facilities such as parks, libraries, and community centers with schools, to the extent possible.

Policy I.10.6 Recognizing that public schools are an essential component in building a sense of community, the Brevard County School Board and the City of Cocoa Beach shall continue to use cooperative agreements to facilitate the shared use of community facilities such as parks, playgrounds, libraries, and neighborhood meeting centers.

Policy I.10.7 Consideration shall be made for the City and Brevard County School Board to jointly purchase and/or develop, maintain, or operate specific properties and/or facilities for recreation, stadiums, libraries, community centers, playgrounds, and the like in those cases where it is beneficial to the community, or where taxpayer savings may occur.



GOAL II ~~To p~~**Preserve the character of the established low-density residential neighborhoods within the City of Cocoa Beach.**

Objective II.1 *The City shall review, and amend as needed, the Land Development Code (LDC) to ensure that land development regulations are compatible with the established low-density neighborhoods.*

Policy II.1.1 Before proposed changes to homes within the established low-density neighborhoods are approved, they shall be determined to be consistent with the neighborhood setting. ~~By September, 2015, t~~The Development Services Department shall review, and amend, as needed, the LDC and permit requirements to ensure that neighborhood consistency criteria are specified.

Policy II.1.2 Land development regulations should provide flexibility so that homes may be updated and parcels redeveloped while remaining consistent with the existing neighborhood character. ~~The Development Services Department shall investigate the potential for developing a set of residential design standards and incentives by examining best practices in other communities. The findings of this review shall be completed by December 31, 2018.~~

Objective II.2 ~~To m~~**Maintain the current family-oriented nature of the community and its associated public amenities.**

Policy II.2.1 To protect existing residential areas from encroachment by land uses which are incompatible due to building height, the City shall regulate maximum allowable building height in accordance with the City Charter Section 6.04 (45 foot height) and allow exemptions for existing buildings. The following criteria shall be incorporated into the Land Development Code.

(a) The maximum allowable building height for all new construction is limited to 45 feet above crown of the abutting road, unless exempted as set forth below:

1. Existing buildings ~~(having been constructed as of~~ constructed prior to the effective date of Ordinance 1328, which is 6-6-02,} having a height greater than 45 feet ~~above grade~~ may be repaired or rebuilt to the same height and floor/area ratio, but without increasing any other nonconformity, as outlined and in accordance with City Charter Section 6.08 - Building height



limit accommodation and City Charter Section 6.09 - Non casualty loss rebuild.

2. Special consideration may be given to allow new structures at a height greater than 45 feet , but in no event greater than 70 feet, when:

- An applicant/property owner petitions for public hearings before the Planning Board, the Board of Adjustment and City Commission. The applicant must demonstrate land use compatibility and consistency with zoning standards, objectives and public infrastructure;
- Petitions may be considered only when the application includes density restrictions, restricted location of the primary land uses, increased setbacks, and substantially increased buffers;
- Approval by the Board of Adjustment, Planning Board and a favorable supermajority vote of four Commission members is required to allow structures at a height greater than 45 feet ; and,
- The applicant must petition for comprehensive plan text amendment to specifically identify the location [property] in the City where these structures will be constructed. Such amendment must specify the height authorized by the special approval.

(b) Residential areas shall be buffered by tiered heights from higher structures. Intervening rights of way or canals cannot be considered buffers.

(c) Special consideration for building heights are granted for the location(s) identified below:

1. Cocoa Beach Junior/Senior High School, Performing Arts Facility located at 1500 Minutemen Causeway, on property having the legal description:
BEGINNING at the NE corner of Section 16, Township 25 South, Range 37 East and run South 1980 feet; thence West 1980 feet; thence North 1980 feet; thence East 1980 feet to the POINT OF BEGINNING, Brevard County, Florida. Containing 90 acres, more or less. Parcel ID: 25-37-16-00-00001.0-0000.00; and, based on plans, specifications, and location as identified in City application number 06-



2000327-02, with a height not to exceed seventy (70) feet.

2. 6th Floor Unit 16 foot x 16 foot sun room addition, Inn at Cocoa Beach located at 4300 Ocean Beach Boulevard , on property having the legal description:

Lots 8-14, Block 5, COCOA OCEAN BEACH SUBDIVISION, according the plat thereof as recorded in Plat Book 10, Page 16; and together with the South one-half of the alley formerly existing which extended from Ocean Beach Boulevard on the West to the 40-foot promenade on the East, between Lots 7 and 8, Block 5, COCOA OCEAN BEACH SUBDIVISION, which alley has been closed to public use; Public Records of Brevard County, Florida.

Containing 1.22 acres, Parcel ID: 24-37-35-CI-00005.0-0008.00 and, based on plans, specifications, and location as identified in City variance application number 12-2000920-01, and building permit application 12-0503, with height not to exceed 59.00 feet.

3. Stair and Training Tower for the new City of Cocoa Beach Fire Station No. 51 construction, located at 50 South Orlando Avenue, on property having the legal description:

Lots 1-17, inclusive, and Lots 22-27, inclusive, together with that portion of the 15 foot wide vacated (O.R. Book 833, Page 137) alley lying North of said Lot 13, all in Block 33, COCOA BEACH Subdivision, according to the plat thereof as recorded in Plat Book 3, Page 54; Public Records of Brevard County, Florida. Containing 2.77 acres, Parcel ID's: 25-37-15-DD-00033.0-0001.00, 25-37-15-DD-00033.0-0006.00, 25-37-15-DD-00033.0-0008.00, and 25-37-15-DD-00033.0-0022.00; and, based on plans, specifications, and location as identified in City variance application number 13-2000506-01 and site development plan application 13-1000506-01, with a height not to exceed 60.0 feet.

4. [Building height allowing a building/structure height of no greater than sixty \(60\) feet for the Ocean Dunes Condominium](#)



at 33, 35, 37, 39, and 41 North Atlantic Avenue and Tax ID: 2517526, to be summary platted to one parcel, on property having the legal description:

LOTS 3 THROUGH 7, INCLUSIVE, OF BLOCK A, COCOA BEACH SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 54, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

Together with the lands lying East of the East line of said Block A, South of the North line of said Lot 3 extended easterly, West of the Erosion Control Line, as established by resolution recorded in Official Records Book 4242, Page 492, and shown on the survey recorded in Survey Book 8, Pages 38-56 and North of the South line of said Lot 7 extended easterly, being more particularly described as follows:

PARCEL 1 (PARCEL ID: 25-37-11-DD-0000A.0-0004.01)

Begin at the Northwest corner of said Lot 3; thence N89°26'01"E, along the North line of said Lot 3, a distance of 334.35 feet, to said Erosion Control Line; thence the following 3 courses along said Erosion Control line: (1) S01°32'11"W, a distance of 45.92 feet; (2) S00°37'25"W, a distance of 195.69 feet; (3) S01°34'33"W, a distance of 8.36 feet, to the South line of said Lot 7; thence S89°26'01"W, along said South line, a distance of 336.48 feet, to the Southwest corner of said Lot 7; thence N01°18'34"E, along the West line of said Block A, a distance of 15 feet to a point on the said West line of Block A; Thence N89°26'01"E, a distance of 110.00 feet; Thence N01°18'34"E, a distance of 220.02 feet, Thence S89°26'01"W, a distance of 110.00 feet to a point on the West line of Block A; Thence N01°18'34"E, a distance of 15.00 feet to the POINT OF BEGINNING; Containing 1.36 acres, more or less.

PARCEL 2 (PARCEL ID: 25-37-11-DD-0000A.0-0003.01)

Commence from the Northwest corner of Lot 3, Block A, Township 25, Range 37, Section 11, Brevard County, Florida as recorded in in Plat Book 3, Page 54; Thence S01°18'34"W, a distance of 15.00 feet along the West line



of Lot 3 to the POINT OF BEGINNING; Thence N89°26'01"E, a distance of 110.00 feet; Thence S01°18'34"W, a distance of 220.02 feet; Thence S89°26'01"W, a distance of 110.00 feet to a point on the West line of Lot 7, Block A; Thence N01°18'34"E, 220.02 feet along the West line of said Block A to the POINT OF BEGINNING, Containing 0.55 acres, more or less.

Policy II.2.2

To protect existing residential areas from encroachment by land uses which are incompatible due to development density, and ensure safe hurricane evacuation times, the City shall regulate maximum allowable residential and transient lodging density in accordance with the City Charter Section 6.01 (Density) and allow exemptions for existing residential and transient lodging developments. The following criteria shall be incorporated into the Land Development Code.

- (a) The maximum allowable density for all new construction is limited to ten (10) residential dwelling units per gross acre or twenty-eight (28) transient lodging rooms per gross acre, unless exempted as set forth below:

Existing properties ~~{having been constructed as of~~ constructed prior to the effective date of Ordinance No. 1328, ~~which is 6-6-02,}~~ having a density greater than ten (10) residential dwelling units per gross acre or twenty-eight (28) transient lodging rooms per gross acre may be repaired or rebuilt to the same density, but without increasing any other nonconformity.

Special consideration may be given to allow new development at a density greater than ten (10), but in no event greater than twelve (12), residential dwelling units per gross acre or twenty-eight (28), but in no event greater than thirty (30), transient lodging rooms per gross acre when:

- An applicant/property owner petitions for public hearings before the Planning Board, the Board of Adjustment and City Commission. The applicant must demonstrate land use compatibility and consistency with zoning standards, objectives and public infrastructure;
- Petitions may be considered only when the



- application includes height restrictions, restricted location of the primary land uses, increased setbacks, and substantially increased buffers;
- Approval by the Board of Adjustment, Planning Board and a favorable supermajority vote of four Commission members is required to allow development at a density greater than ten (10) residential dwelling units per gross acre or twenty-eight (28) transient lodging rooms per gross acre; and,
- The applicant must petition for comprehensive plan text amendment to specifically identify the location [property] in the City where these structures will be constructed. Such amendment must specify the height-density authorized by the special approval.

Objective II.3 ***The City will encourage redevelopment and economic revitalization of the Downtown Area, {including the established low-density neighborhoods,} through the implementation of appropriate planning strategies and through the renewal of substandard structures.***

Policy II.3.1 The City shall, on a continuing basis, use a combination of citizen advisory groups and/or professional staff to evaluate and identify areas that are currently in need of redevelopment and renewal, or have the potential to need future redevelopment or renewal. The City will follow a redevelopment and renewal process that identifies specific areas and includes planning methods and evaluation criteria that ensure financially feasible redevelopment of sites that are compatible with adjacent properties.

Policy II.3.2 ~~By December 2016, t~~The Development Services Department will continually review potential amendments to the City’s LDC including, but not limited to:

- (a) Coordinate with FDOT on the SR A1A Corridor Study and future improvements; and
- (b) Develop and implement standards for a “Walkable Community”.

Policy II.3.3 Consistent with the Housing Element, the City shall conduct an annual windshield survey of the structural conditions of housing units in areas



subject to deterioration. Any housing units that are found to be “substandard/deteriorated” or “substandard/dilapidated” shall be cited and the owner shall be required to rehabilitate or demolish the structure within one year.

Policy II.3.4 Consistent with the Housing Element, if greater than 25 percent% of the residential structures in a neighborhood (but not less than five) are determined to be “substandard/deteriorated” or “substandard/dilapidated”, that neighborhood shall be considered to be in danger of deterioration, and the City will develop a plan for the stabilization of the neighborhood within two years of such determination.

GOAL III ~~To s~~**Support redevelopment of the City’s Downtown area, promote a mix of uses and creative design solutions to ensure the Downtown’s long term economic viability and livability, support new investment, and enhance and preserve the area’s vibrancy and unique “Cocoa Beach” character.**

Objective III.1 ~~*Adopt and enable Downtown Design Standards Incorporate downtown design standards into the LDC to provide for new buildings and building modifications within the boundaries of the Downtown Area, of which are identified on FLUE Map 3.*~~

Policy III.1.1 ~~Continue using the Land Development Code to E~~establish distinct activity centers and points of interest throughout Downtown. to reinforce the Downtown Area Neighborhood Districts, as identified on Map FLUE 4. Reinforce the character of these districts by encouraging new development and building renovations to be designed according to each subdistrict’s intent and standards. and d~~ifferentiate commercial and mixed use subdistricts, which will act as anchors~~buffers, from primarily residential subdistricts.

Policy III.1.2 Enhance pedestrian connectivity within the Downtown Area by creating a more appealing walking environment through building design, streetscape, and pedestrian oriented building uses as described in the ~~Downtown Design Standards~~Land Development Code, by incorporating features such as: building design, streetscape improvements, sidewalks, and retail frontage enhancements.

Policy III.1.3 ~~Increase~~Enhance access and views to the Atlantic Ocean and the Banana River from the public streets. ~~as described in the Downtown Design~~



Standards.

Policy III.1.4 Enhance sidewalks for walking to support new active uses by reducing instances of curb cuts in exchange for shared driveways, provided such reduction does not reduce accessibility or property value.

Policy III.1.5 ~~By December 31, 2016, the City must d~~Develop and maintain incentive and regulatory programs, which will improve the existing street alleys for shared use with pedestrians in the Downtown Area, which will include creating protected spaces that support leisure activities for pedestrians while, at the same time, preserving vehicular access for service, loading, and parking.

Policy III.1.6 Design in the Downtown Area shall reinforce the existing ~~be based on a~~ system of public streets and alleys, identified on Map FLUE 5, which serve different users at varying intensities.

Policy III.1.7. The City will coordinate with land owners to improve Downtown Area vacant lots by encouraging temporary or permanent community gardens, artistic landscaping, and/or public art. These vacant tracts may be managed by the residents, business owners, or managed by the City at the discretion of the land owners.

Policy III.1.8 In the Downtown Area, the City must encourage low impact design, as identified in the Downtown Cocoa Beach Community Redevelopment Agency (DCBCRA) Community Redevelopment Plan to improve stormwater management.

Objective III.2 ***Enable the Vision Plan component of the DCBCRA Community Redevelopment Plan to guide short-term and long-term redevelopment within the boundaries of the ~~Downtown Area Overlay District and the Downtown Community Redevelopment Area.~~***

Policy III.2.1 Support the DCBCRA Community Redevelopment Plan and its redevelopment initiatives ~~by mainly~~ mainly by:

- a) Revitalizing and improving Minutemen Causeway;
- b) Redeveloping the City Hall site;
- c) Redeveloping the Downtown Core Towncenter;
- d) Creating a gateway at the northern end of Downtown;
- e) Repositioning retail and broadening uses; and
- f) Developing operational and management guidelines.



Policy III.2.2 ~~On or before August, 2016 the City must c~~Construct and maintain these sidewalk links as identified in the “Transportation Enhancement Project, Sidewalk/Bike Path Master Plan” in the DCBCRA Community Redevelopment Plan.

Policy III.2.3 ~~In order to~~ To encourage alternate means of transportation in the Downtown Area, the City will coordinate with Brevard County and Space Coast Area Transit to maintain mass transit service to the Downtown area, and coordinate mass transit and/or bus service within streetscape plans.

Policy III.2.4 ~~To assure that this objective is met, by the November, 2015 the City will~~ Develop, and implement and maintain a public parking plan, including improvements to temporary lots, and requiring improvements to those temporary lots which are not code compliant.

Objective III.3 *The City of Cocoa Beach seeks to increase Downtown’s overall population, further economic stability, and improve Downtown with a mix of active commercial uses which support and encourage walking and foot traffic in combination with residential, ~~boutique~~ lodging, and office uses. Therefore, the City must pursue, develop and maintain incentive and regulatory programs, through the land development regulations, and Comprehensive Plan objectives and policies, which will foster social interaction, generate foot traffic, and help create a more memorable image of the Downtown Area.*

Policy III.3.1 The City of Cocoa Beach hereby affirms that mixed residential and commercial uses on the same lot and/or building footprint are allowable in the Downtown Area. ~~Such mixed uses may be established and authorized within those areas identified on FLUE Map 13-6. Inside the mixed use areas identified on FLUE Map 13-6, there may be areas which are identified as being a Category 1 Storm Surge Area. Mixed use development within a Category 1 Storm Surge Area will require authorization by a Special Development Overlay District (SDOD) zoning map approval.~~

Policy III.3.2 The City’s land development regulations for the Downtown Area ~~to will~~ allow for mixed residential and commercial land uses on the same tract, ~~within the parameters of the Future Land Use Element Goal III, Objectives and Policies and maximum Floor Area Ratios (FAR) for each Downtown~~



~~Area Neighborhood District.~~

Downtown Area Neighborhood Districts	Maximum FAR
(Shown on FLUE Map 4)	
Downtown Core	3.00
Artisan District	2.00
Campus Gateway	3.20
Oceanside District	2.00
Cottage Row	2.00
Cottage Row Residential	1.50

~~The FAR's in this Policy supersede other FAR's which may be found in this Comprehensive Plan. Mixed-use Residential development may occur at a maximum density of 10 dwelling units per acre or 28 rooms per acre for transient lodging uses on the same tract or building footprint. Non-residential development may occur at a maximum floor area ratio (FAR) of 3.0. The intensity of non-residential development shall be considered independently, in an effort to promote mixed-use development.~~

Policy III.3.3 ~~The City may permit boutique hotel transient lodging facilities west of Atlantic Avenue within the Downtown Area Mixed-Use Area (FLUE Map 6) by amending the LDC on or before September, 2016.~~

Policy III.3.4 ~~The City will rely upon the site plan review process, as applied by the development review committee, for all new development and redevelopment. An application for site plan improvements in the Downtown Area must include an illustration and an explanation as to how the proposed project is substantially consistent with the Downtown Design Based Code. In addition, consideration should be given to the special features of each Downtown Area Neighborhood District in which the project is located.~~

Policy III.3.5 ~~Develop a set of noise standards within the LDG~~ The City will continually evaluate noise and lighting standards that will allow commercial uses to maintain a certain level of noise operational standards when adjacent to residential uses in the Downtown Core Area.



GOAL IV ~~To~~Enhance the City's overall economic vitality by encouraging and supporting redevelopment activities within ~~the Gateways District (SR 520/SR A1A area) and the north Cocoa Beach (north of California Avenue) areas~~the Midtown, Uptown and North Cocoa Beach redevelopment districts.

Objective IV.1 ~~By December 31, 2014, the City Commission will work towards adoption of one or both Special Area Plans, regarding the need and support for area revitalization efforts the two identified areas of Beach Gateways District and North Cocoa Beach.~~The City of Cocoa Beach seeks to support the redevelopment districts with a mix of active commercial uses which support and encourage pedestrian traffic with a combination of residential, lodging and offices. Expanded land development regulations will provide for redevelopment, new construction and renovations within these areas.

Policy IV.1.1 The city will adopt and maintain standards to support the redevelopment of each of the identified redevelopment districts outside of the downtown. Following a similar process used in completing the Downtown Cocoa Beach Area Sector Plan, the City will seek to adopt a Special Area Plan for each of the areas below, in the order of priority as listed (i.e., (a) first and (b) second):

- (a) The Gateways District Area, around the SR 520 and SR A1A intersection node; and Midtown – along SR A1A on the east side, generally north and south of Lori Wilson Park
- (b) the North Cocoa Beach Area, generally north of California Avenue. Uptown – generally in the vicinity of the intersection of SR A1A and SR 520
- ~~(b)~~(c) North Cocoa Beach – generally north of California Avenue to the northern city limits

Policy IV.1.2 ~~When developing Special Area Plans, the City must seek public participation and input, using techniques including, but not limited to, neighborhood meetings, charettes and advertised public hearings. Significant categories for focus of these public discussions will include:~~Identify distinct centers of activity in the Midtown, Uptown and North Cocoa Beach redevelopment districts in the Land Development Code. Require new development and major renovations to be designed according to the standards provided for within the Land Development



Code.

- ~~(a) Land use;~~
- ~~(b) Protecting existing residential development~~
- ~~(c) Transportation/traffic;~~
- ~~(d) Historic preservation and development patterns; and~~
- ~~(e) Accommodating tourists.~~

Policy IV.1.3

~~For each Special Area Plan, the emphasis will be placed on using innovative planning techniques, such as special zoning districts, overlay zoning or mixed use zoning to encourage pedestrian traffic, traffic control, and reinvestment in older structures in order to achieve the desired guidelines for future redevelopment activities. Create a more appealing walking, bicycling, and transit environment using traffic calming measures and better design of buildings, streets and public spaces using standards provided within the Land Development Code.~~

Policy IV.1.4

Strengthen connections for walking and bicycling by adding and enhancing shaded sidewalks and paths. Provide vehicular access from side streets or alleys to reduce or eliminate curb cuts across sidewalks. Shared driveways can be incorporated when curb cut elimination is not possible.

Policy IV.1.5

Expand the existing network of public streets and alleys. Improve access and views from public streets to the Atlantic Ocean and the Banana River. Minimize the amount of land devoted to parking lots.

Objective IV.2

The City of Cocoa Beach will adopt and maintain a regulatory framework for the Midtown, Uptown and North Cocoa Beach redevelopment districts, which will foster economic development, preserve the vibrancy and unique “Cocoa Beach” character, and contribute to pedestrian activity, social interaction and a preferred destination for residents and visitors.

Policy IV.2.1

Within the redevelopment districts mixed residential and commercial uses are permitted under the guidelines provided within the Land Development Code.

Policy IV.2.2

The City’s land development regulations for redevelopment districts will allow for mixed residential and commercial land uses on the same tract. Residential development may occur at a maximum density of 10 dwelling units per acre or 28 rooms per acre for transient lodging uses on the



same tract or building footprint. Non-residential development may occur at a maximum floor area ratio (FAR) of 3.0. The intensity of non-residential development shall be considered independently, in an effort to promote mixed-use development.

Objective IV.3 ***Improve conditions for pedestrians, bicyclists and motorists traveling along the SR A1A corridor through better development standards for adjoining businesses.***

Policy IV.3.1 ***Identify parcels fronting along SR A1A that will be subject to retrofit standards identified in the Land Development Code.***

Policy IV.3.2 ***Develop and maintain standards for improved building placement and architectural character, less confusing directional signage, smaller and/or shared parking lots, and consolidation of driveways.***

GOAL V **Ensure that adequate facilities and infrastructure are in place as future development and redevelopment occur.**

Objective V.1 ***Do not rely on the “Concurrency Management System” (CMS) that has established the procedures and processes to be used by the City to ensure that no development orders or permits are issued that would result in a reduction or degradation of operating conditions of public facilities and services below adopted LOS standards, when the impacts of development occur.***

Policy V.1.1 The concurrency requirement for sanitary sewer, solid waste, stormwater management, and potable water facilities may be met if either of the following conditions is met:

- (a) The development order or permit is conditioned upon the necessary facilities and services being in place and available to serve the development, at the LOS standard established in the Capital Improvements Element, at the time the City issues a certificate of occupancy; or
- (b) The necessary facilities and services are guaranteed in an enforceable development agreement to be in place and available to serve the development, at the LOS standard established in the Capital Improvements Element, at the time the City issues a certificate of occupancy. ~~An enforceable development agreement may include, but not be limited to, development agreements~~



~~pursuant to Florida Statutes.~~

- Policy V.1.2 The City's CMS requirements apply to state and other public facilities and development to the same extent that it applies to all other facilities and development, as provided by law.
- Policy V.1.3 Public and private utility facilities that support land development shall be authorized at the time of issuance of a development order or permit, and construction shall be timed so the required facilities and services will be available concurrent with the impacts of development.
- Policy V.1.4 A proposed development may be deemed to have a ~~minimum de minimis~~ impact, and not subject to the City's Concurrency Management System requirements, if all of the following ~~applicable~~ conditions have been met:
- (a) The density or intensity of the proposed development is less than or equal to one hundred ten percent (110%) of the density or intensity of the existing development ~~or,~~
 - (b) ~~F~~for the development of a vacant parcel, construction of a residential single family or duplex unit on a single lot in a subdivision previously approved and/or accepted by the City or, for non-residential uses, at a floor area ratio (FAR) of less than of 0.1.
 - (c) Isolated vacant lots in predominantly residential areas, where the construction of a single-family home would be the most suitable use, may be developed for single-family residential use without being subjected to the City's CMS.
- Policy V.1.5 All requests for amendments to the adopted Future Land Use Map shall be accompanied by an analysis of the availability and adequacy of public facilities and services, including available water supplies, and the levels of service needed to support the proposed changes in land use. The City shall not approve any proposed amendment unless the applicant can demonstrate the availability of water supplies and that public facilities and services will be able to provide levels of service established in Capital Improvements Element.
- Policy V.1.6 All requests for preliminary development approval shall be reviewed and evaluated by the appropriate City departments to assess the availability of public facilities/services capacity to serve the development. The latest point in this process at which the concurrency determination may be



made is prior to an application for a development order or permit that includes a specific plan of development, (including densities and intensities of use).

Policy V.1.7

Should the review process described in Policy V.1.6 indicate that a proposed development will not meet the City's concurrency requirements, the applicant may:

- (a) Withdraw the application;
- (b) Reserve capacity by correcting any identified problems prior to receipt of a final development order or permit; or
- (c) Hold the project in abeyance (with no capacity reservation) for a period of no more than one year in order to attempt to correct any identified problems.

Policy V.1.8

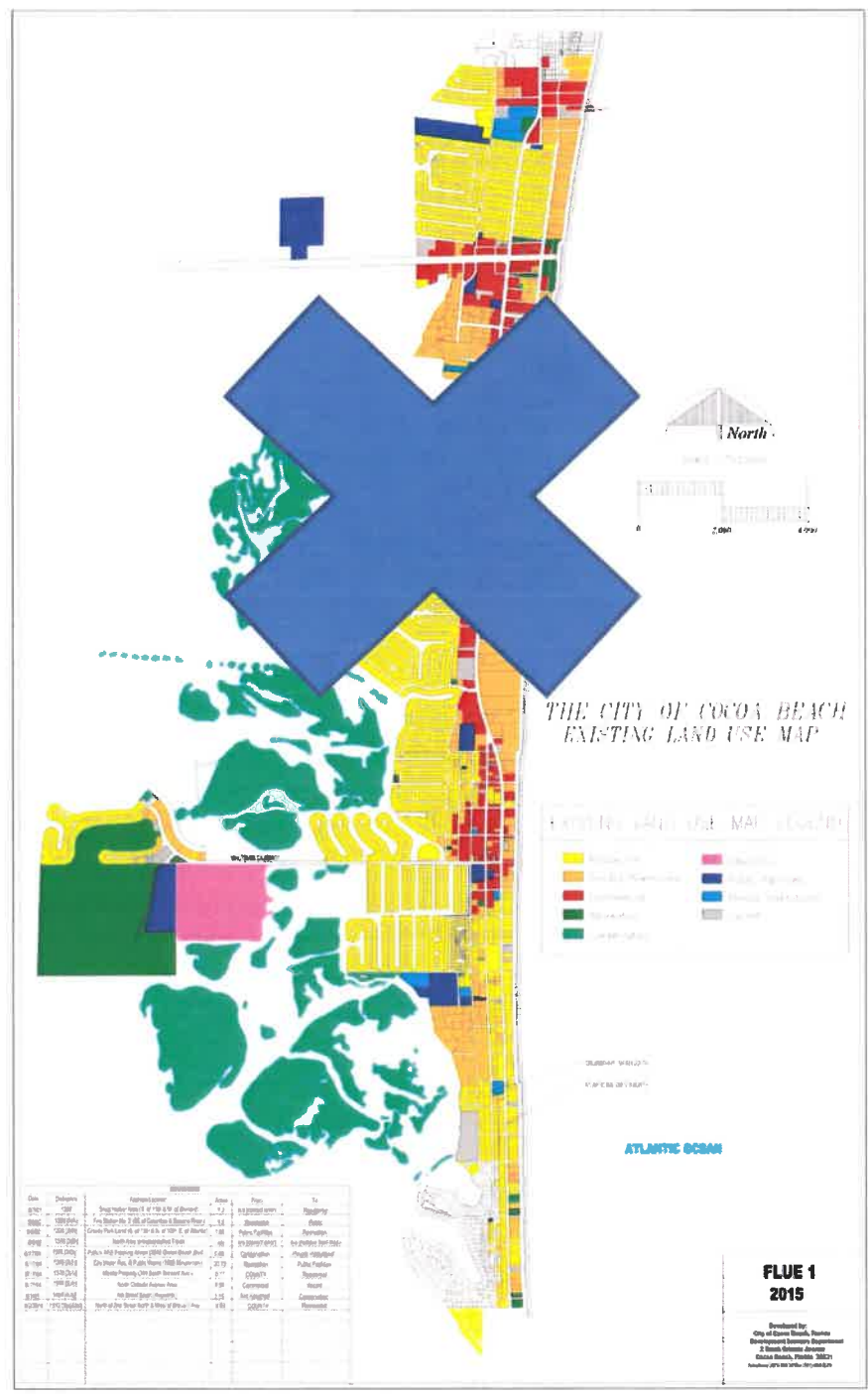
No existing public land shall be abandoned, vacated or otherwise conveyed from public ownership unless the vacation of said public land has been publicly advertised and reviewed at a public hearing, as required by Chapters 177 and 498, Florida Statutes. As part of the public review process the City, at the expense of the party requesting a vacation and conveyance, will conduct an analysis as specified in either the LDC or the application.

Policy V.1.9

The vacation and conveyance of land from the City of Cocoa Beach does not constitute an undeniable right to obtain a development order, site plan approval, building permit and/or occupational license. Pursuant to this and other elements of the City of Cocoa Beach Comprehensive Plan, the City cannot issue a development order that would result in a reduction or degradation of operating conditions of public facilities and services below the adopted level of service standards.

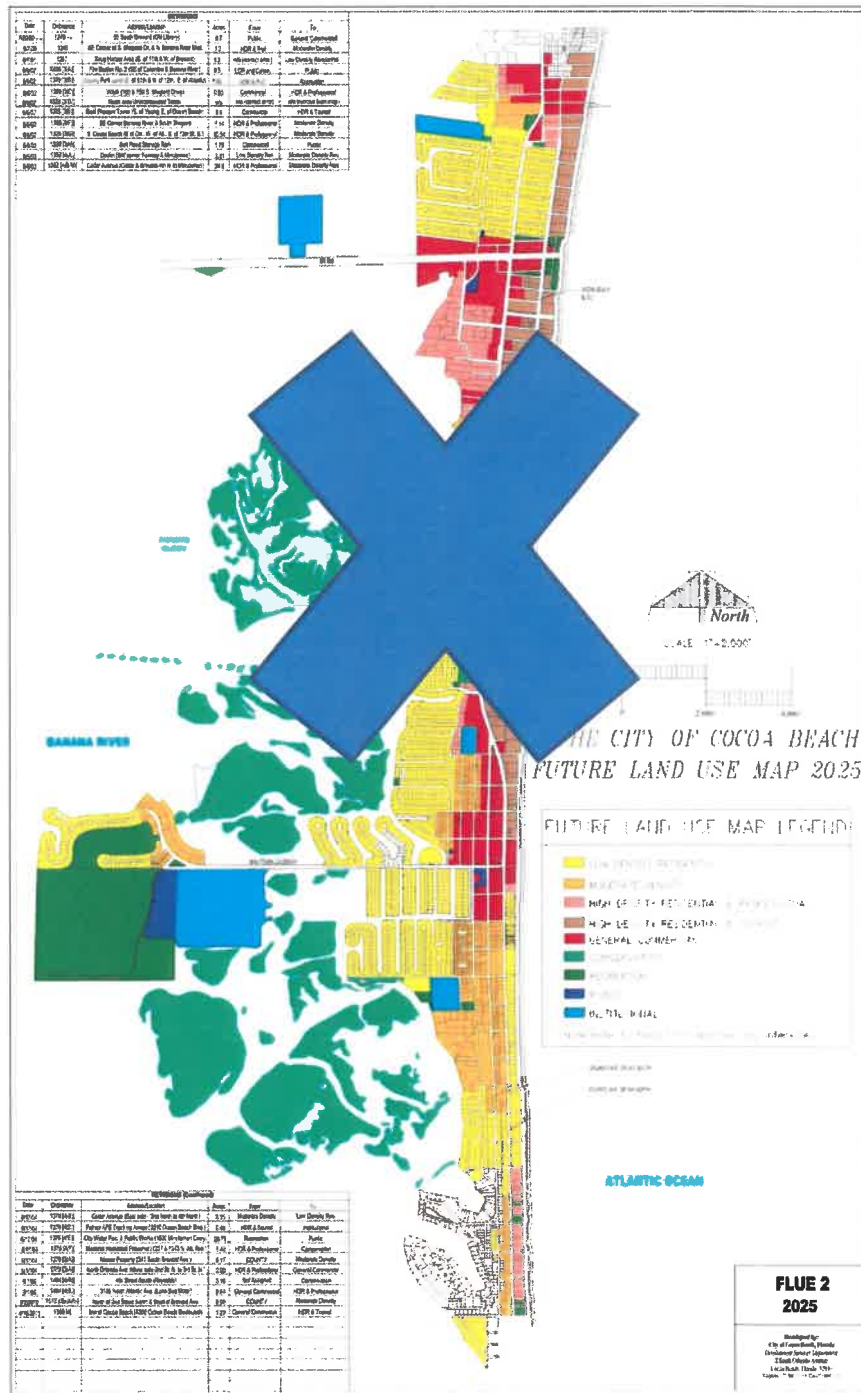


FLUE Map 1 Existing Land Use (2015)



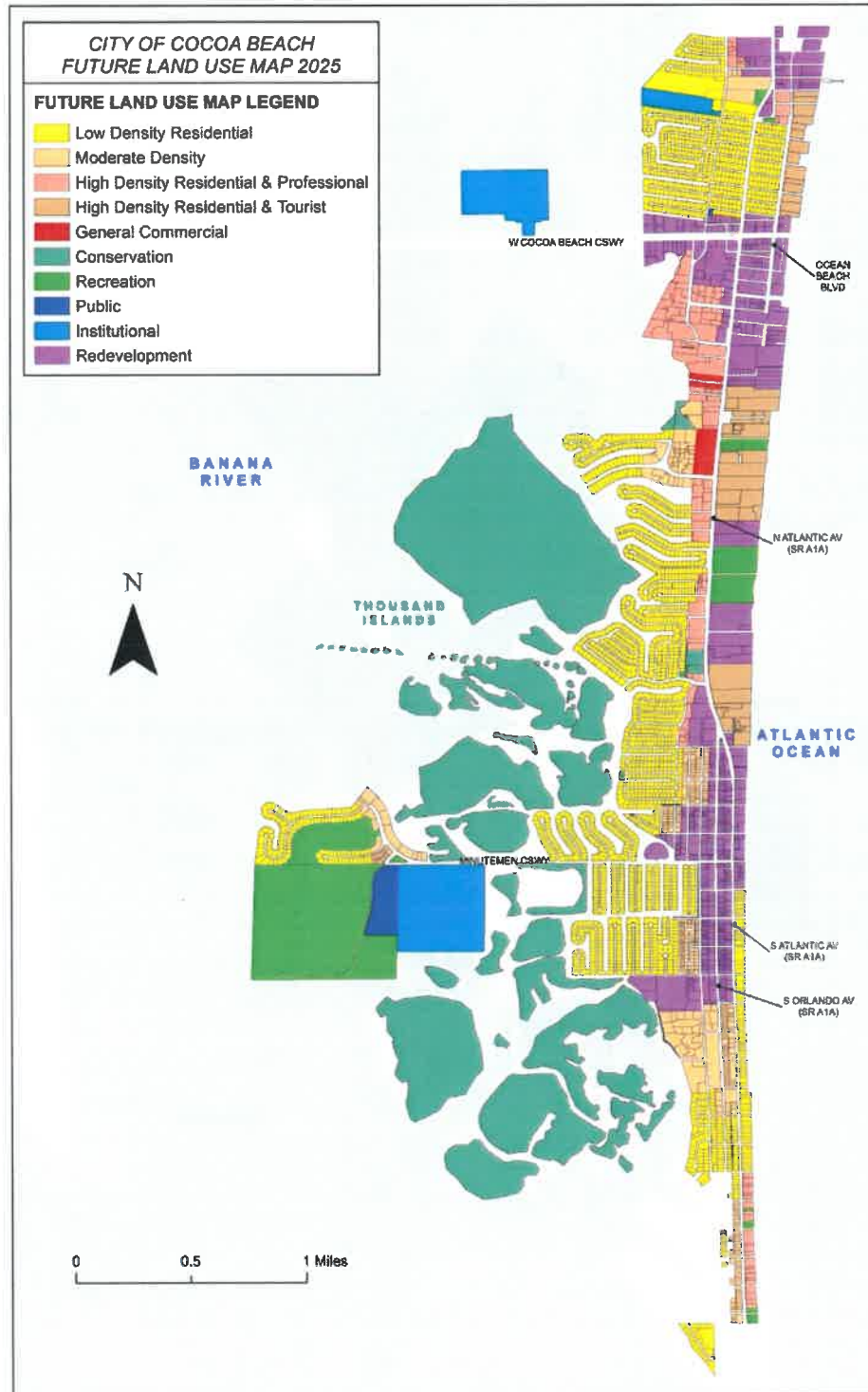


FLUE Map 2 Future Land Use (2025)



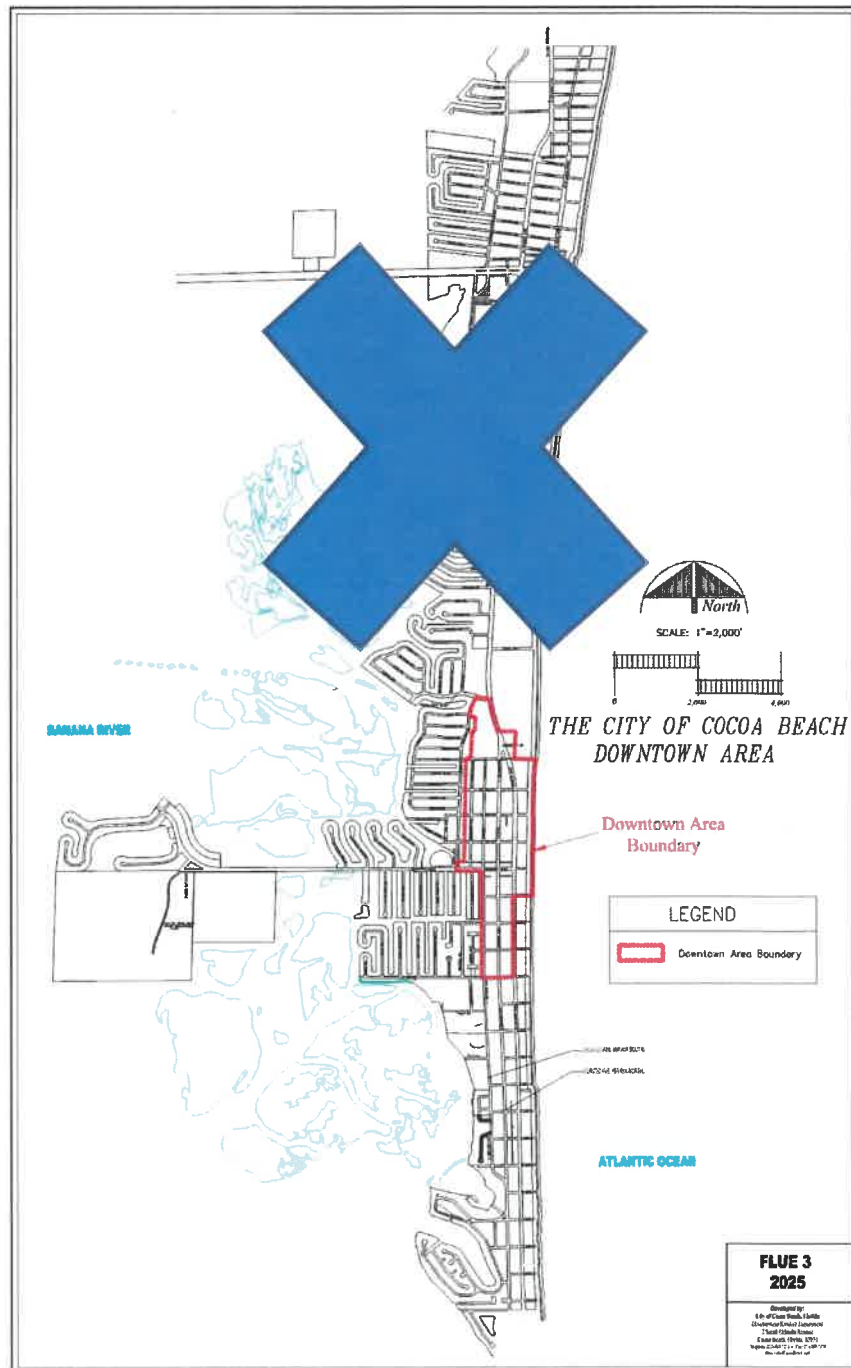


FLUE Map 12 Future Land Use (2025)





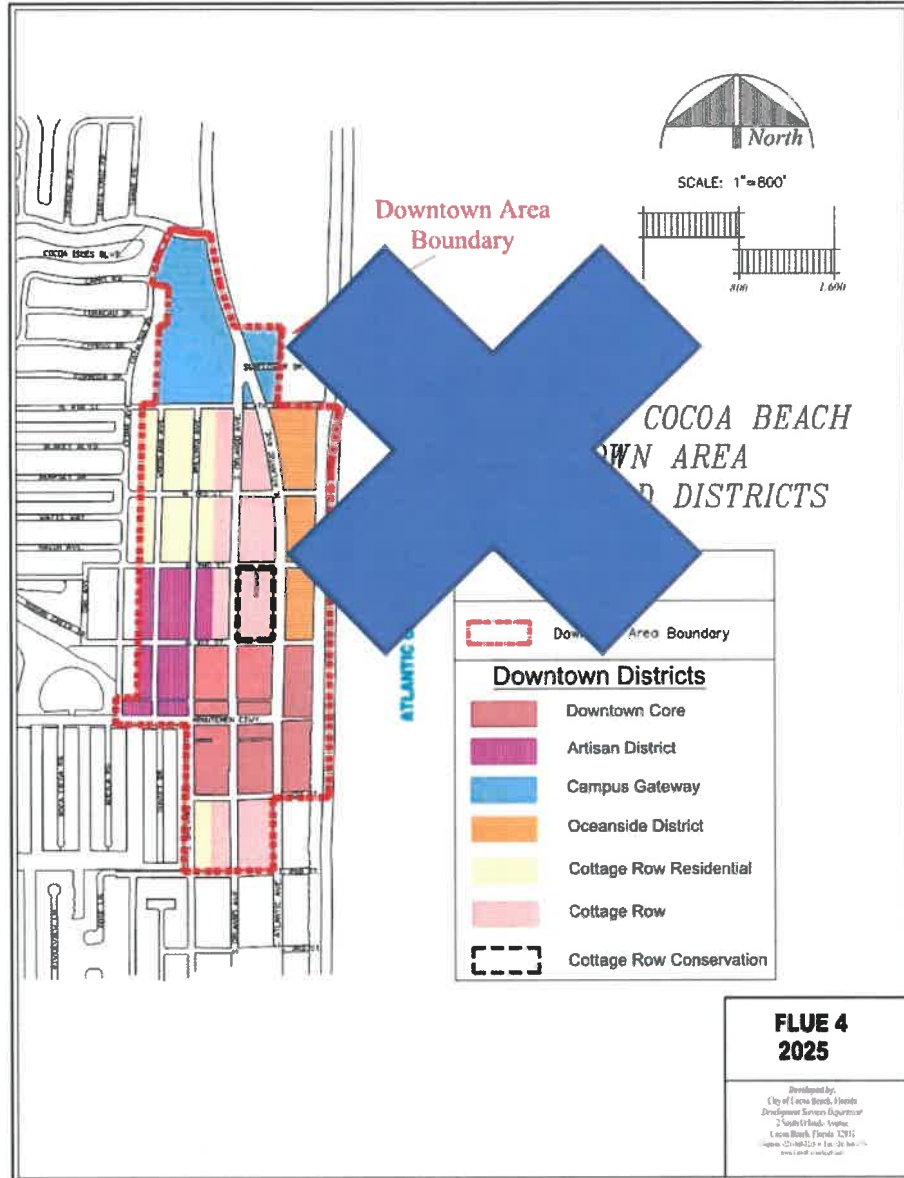
FLUE Map 3 Downtown Area (2025)



FLUE Map 4

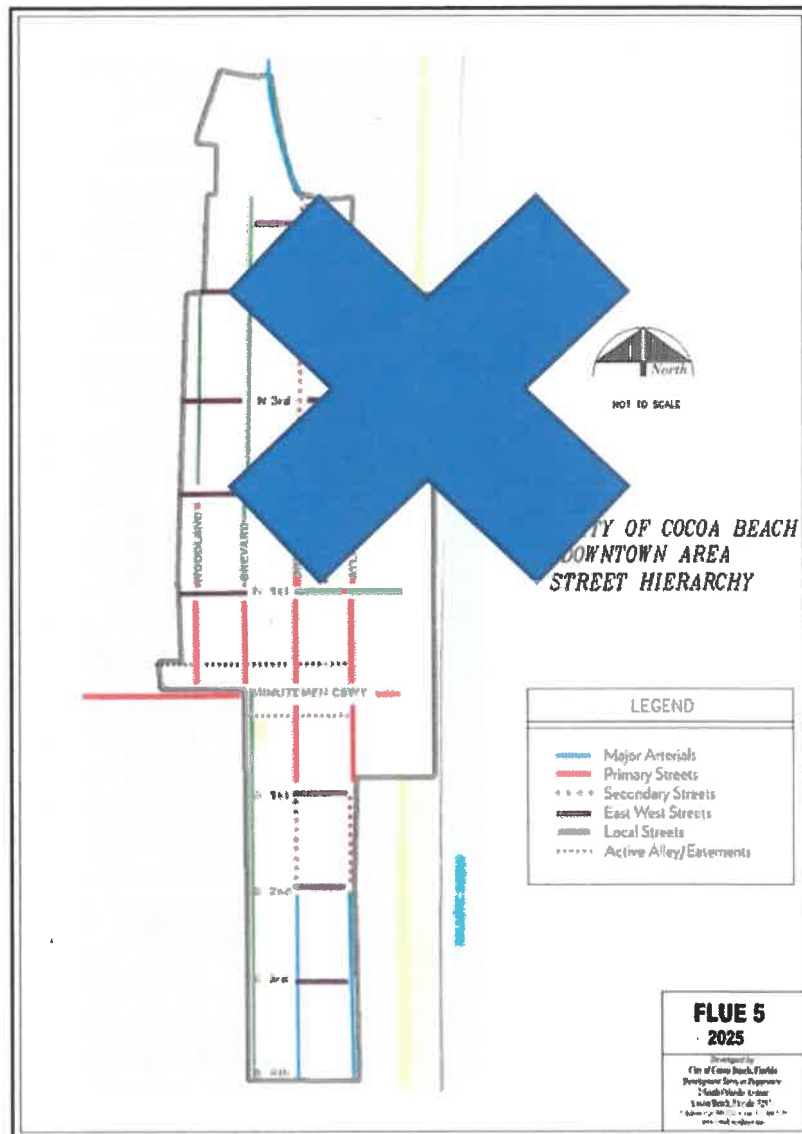


Downtown Area Neighborhood District (2025)



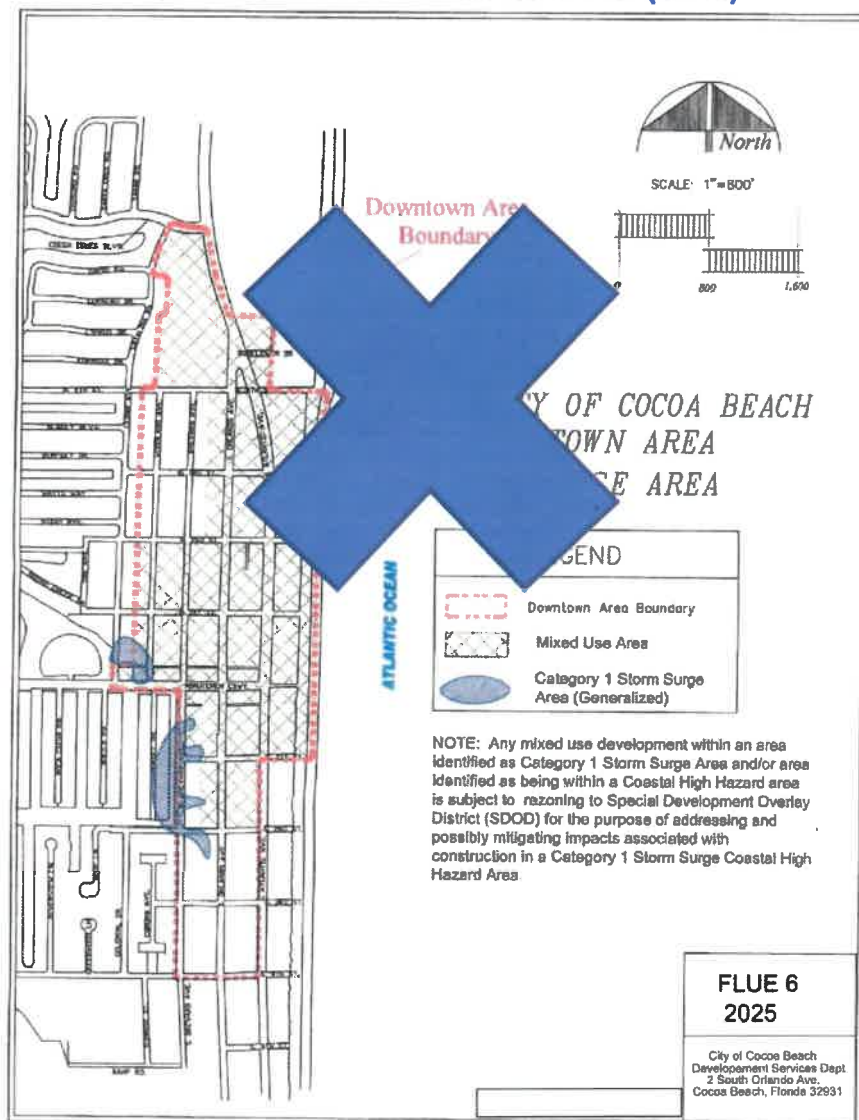


FLUE Map 5 Downtown Area Street Hierarchy (2025)





FLUE Map 6 Downtown Area Mixed-Use Area (2025)





FLUE Map 38
Beach Access, Shores Map and Estuarine System (2015)





**Table I-1
Description of Land Uses and Intensities**

TABLE I-1 CITY OF COCOA BEACH FUTURE LAND USE ELEMENT DESCRIPTION OF USES AND INTENSITIES (See Note 2)										
LAND USE CATEGORY	Low Density	Moderate Density	High Density Professional and Residential	High Density Residential and Tourist	General Commercial	Public	Conservation	Recreation	Institutional	Redevelopment
ZONING CATEGORIES	RS-1 Single-Family Residential <i>Medium</i>	RM-1 Multi-Family Residential	RM-1 Multifamily Residential or RM-2 Multi-Family Professional	RM-2 Multifamily Professional or CT-1 Occasional Residential & Tourist	CG-6 General Commercial or CN Neighborhood Commercial	B-1 Public and Recreational or PS-1 Public	B-1 Public and Recreational or Conservation	B-1 Public and Recreational	B-1 Public and Recreational or PS-1 Public	TC Town Center, QV Gateway, OC Occasional, CR Corridor Row, CV Civic, or B-1
MAX DWELLING UNITS/ACRE INTENSITIES (Note 1 & 2) (Notes below)	5 DU/Acre	10-20 DU/Acre	10 DU/Acre or 50% Building Area (RM-1) or 45% Building Area (RM-2)	10 DU/Acre or 28 rooms/acre, or 40% Max Building Area (CT-1)	Max 35% Building Coverage, or 28 rooms/acre (CG)	Max 50% Building Coverage	Only those uses as described below Maximum 12% Lot Coverage	Max 50% Building Coverage	Max 50% Building Coverage	Redevelopment uses: 10 DU/Acre or 28 rooms/acre, or 45% Building Coverage
MAX BUILDING HEIGHT (Notes 1 & 2) (Notes below)	25 feet	35 feet	RM-1: 35 feet RM-2: 45 feet	45 feet	45 feet	45 feet	45 feet	45 feet	45 feet	45 feet
DESCRIPTION OF USES	This category is to establish and protect traditional detached single-family residential areas within the City. The Low Density Residential land use classification permits detached single-family dwelling units at a maximum density of 5 DUs per acre (gross density).	Provides for alternatives to detached single-family developments and to provide for affordable housing. The moderate land use category can be used as a transition area between single-family residential and more intense residential and commercial uses. Permitted uses include Townhouses Multi-family dwelling units up to a maximum gross density of 10 DUs per acre.	Provides for more intensive residential uses and the coordinated placement of professional and limited personal service uses. Should be located on major thoroughfares, such as SR A1A. Permitted uses include residential uses up to a gross density of 10 DUs per acre, professional office uses, and restricted personal services compatible with the adjacent uses.	Provide for the most intensive of the uses for residential, office and commercial uses. Acreage should have frontage on major roadways, such as SR A1A, SR 920 and Ocean Beach Boulevard. This land use classification is not consistent with Low Density Residential land use classification so the City will not allow this classification into areas classified Low Density Residential.	This classification developed for most commercial and professional uses. Limited transient lodging is allowed within the CG zoning district. Existing Single-family dwellings are permitted to remain, but further expansion of single-family uses in this classification is not recommended.	Uses used, owned and operated by governmental agencies including but not limited to the City of Cocoa Beach, Brevard County and other governmental agencies in Brevard County, the State of Florida, and the Federal Government.	Passive recreation uses involving minimal structural improvements or alterations of the property. Intent is for the preservation, conservation and protection of natural resources, such as, observation towers and hiking trails are permitted, if there are no impacts to natural resources.	This classification is for active recreation facilities. Permitted uses include public parks.	This category is for quasi-public uses that have specific public purposes, such as hospitals, libraries, schools, theaters, etc. The intent is to identify these uses for ensuring compatibility with adjacent uses.	Provides a means to redevelop areas to reestablish a vibrant and diverse community with a variety of uses and activities within an interconnected network of sidewalks, bike lanes, and pedestrian friendly streets.

Notes: 1. Provisions apply for amendments to these standards and for reconstruction of existing structures. 2. Intensity of use is determined by separating floor plate from total floor plate. 3. Intensity of use is determined by separating floor plate from total floor plate. 4. Intensity of use is determined by separating floor plate from total floor plate. 5. Intensity of use is determined by separating floor plate from total floor plate. 6. Intensity of use is determined by separating floor plate from total floor plate. 7. Intensity of use is determined by separating floor plate from total floor plate. 8. Intensity of use is determined by separating floor plate from total floor plate. 9. Intensity of use is determined by separating floor plate from total floor plate. 10. Intensity of use is determined by separating floor plate from total floor plate. 11. Intensity of use is determined by separating floor plate from total floor plate. 12. 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Intensity of use is determined by separating floor plate from total floor plate.

**TABLE I-1
CITY OF COCOA BEACH
FUTURE LAND USE ELEMENT
DESCRIPTION OF USES AND INTENSITIES (See Note 2)**

LAND USE CATEGORY	Low Density	Moderate Density	High Density Residential and Professional	High Density Residential and Tourist	General Commercial	Public	Conservation	Recreation	Institutional	Redevelopment
ZONING CATEGORIES	RS-1 Single-Family Residential ¹	RM-1 Multi-Family Residential	RM-1 Multifamily Residential or RM-2 Multi-Family Professional	RM-2 Multifamily Professional or CT-1 Oceanfront Residential & Tourist	CG General Commercial or CN Neighborhood Commercial	B-1 Public and Recreational or PS-1 Public	B-1 Public and Recreational or Conservation	B-1 Public and Recreational	B-1 Public and Recreational or PS-1 Public	TC Town Center, GW Gateway, OC Oceanside, CR Coitars Row, CV Civic, or B-1 Public and Recreational Use
MAX DWELLING UNITS/ACRE INTENSITIES (Note 1 & 2 See Notes below)	5 DU/Acre	40-8 DU/Acre	10 DU/Acre or 50% Building Area (RM-2) 40-8 DU/Acre or 45% Building Area (RM-1)	10 DU/Acre or 28 rooms/acre, or 40% Max Building Area (CT-1)	Max 35% Building Coverage, or 28 rooms/acre (CG)	Max 50% Building Coverage	Only those uses as described below Maximum 15% Lot Coverage	Max 50% Building Coverage	Max 50% Building Coverage	10 DU/Acre or 28 rooms/acre, or 3.0 FAR coverage
MAX BUILDING HEIGHT (Note 1 & 3 See Notes below)	25 feet	35 feet	RM-1: 35 feet RM-2: 45 feet	45 feet	45 feet	45 feet	45 feet	45 feet	45 feet	45 feet
DESCRIPTION OF USES	This category is to establish and protect traditional detached single-family residential areas within the City. The Low Density Residential land use classification permits detached single-family dwelling units at a maximum density of 5 DU's per acre (gross density).	Provides for alternatives to detached single-family developments and to provide for affordable housing. The moderate land use category can be used as a transition area between single-family development and more intense residential and commercial uses. Permitted uses include Townhouses Multi-family dwelling units up to a maximum gross density of 10 DU's per acre.	Provides for more intensive residential uses and the coordinated placement of professional and limited personal service uses. Should be located on major thoroughfares, such as SR A1A. Permitted uses include residential uses up to a gross density of 10 DU's per acre, professional office personal services compatible with the adjacent uses.	Provides for the most intensive of the uses for residential, office and commercial uses. Areas should have frontage on major roadways, such as SR A1A, SR 520 and Ocean Beach Boulevard. This land use classification is not consistent with Low Density Residential land use classification so the City will not allow encroachment of this classification into areas classified Low Density Residential.	This classification developed for most commercial and professional uses. Limited transient lodging uses are also allowed within the CG zoning district. Existing Single-family dwellings are permitted to remain, but further expansion of single-family uses in the classification is not recommended.	Sites used, owned and operated by governmental agencies including but not limited to the City of Cocoa Beach, Brevard County and other municipalities in Brevard County, the State of Florida and the Federal Government.	Passive recreation uses involving minimal structural improvements or alterations of the property. Intent is for the preservation, conservation and protection of natural resources. Improvements, such as, observation towers and hiking trails are permitted, if there are no impacts to natural resources.	This classification is for active recreation facilities. Permitted uses include public parks.	This category is for quasi-public uses that have specific public purposes, such as hospitals, schools, libraries, etc. The intent is to identify these areas for ensuring compatibility with adjacent uses.	Provides areas to accommodate defined growth and redevelopment with a variety of activities in walkable settings with an interconnected network of sidewalks, bike routes, and pedestrian friendly streets.

Notes: 1. Provisions apply for amendments to these standards and for reconstruction of existing structures. Refer to Policies under Objective I-4 and I-6 Refer to applicable Comp Plan policies
2. intensity of use is determined by considering Floor Area Ratio (FAR), which is the gross floor area of all floors, all structures on a tract of land, divided by the area of the tract
Maximum FAR are: CG 4.48; CN 3.2; RM-2 3.0 (theoretical maximum with ceiling 7.5 feet in height); RM-2 true maximum 2.5; CT-1 1.75; RS-1 1.1
23. In RS-1 and RM-1, maximum building height is less than absolute building height, which is set in the Land Development Code, LDC Table 4.04.

**CITY OF COCOA BEACH
FUTURE LAND USE MAP 2025**

FUTURE LAND USE MAP LEGEND

- Low Density Residential
- Moderate Density
- High Density Residential & Professional
- High Density Residential & Tourist
- General Commercial
- Conservation
- Recreation
- Public
- Institutional
- Redevelopment

BANANA RIVER



THOUSAND ISLANDS



W COCOA BEACH CSWY

OCEAN BEACH BLVD

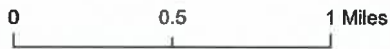
N ATLANTIC AV (SR A1A)

ATLANTIC OCEAN

MILITARY CSWY

S ATLANTIC AV (SR A1A)

S ORLANDO AV (SR A1A)



FLUE 3

Beach Access, Water-Dependent and Water-Related Uses



LEGEND	
Traditional Shoreline	
Public Parks	
Beach Access	
Boat Ramps	
City Limit	

Source: Max DeGard, San Diego Coastal Geographer, CIBERFlow Co., 1997, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 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