MINUTES
CITY OF COCOA
PLANNING & ZONING BOARD/ LOCAL PLANNING AGENCY
REGULAR MEETING
October 6, 2021

A Regular meeting of the Planning & Zoning Board Local Planning Agency was held on October 6, 2021 at City Hall, 65 Stone Street, Cocoa, FL, as publicly noted.

I. CALL TO ORDER:

Chairperson Dobrin called the meeting to order at 6:00 PM.

ROLL CALL:

Michael Dobrin	Chairperson
Al Washington	Vice Chairperson
Todd Anderson	Board Member
Jeri Blanco	Board Member
Marilyn Green	Board Member
Susan Mock	Board Member
Russell Sengel	Board Member
Justin Simpson	Board Member
Aleck Greenwood	Alternate Member
Jesse Heredia	Alternate Member
Debbie Joyce	School Board Representative

PRESENT:

Michael Dobrin	Chairperson
Al Washington	Vice Chairperson
Todd Anderson	Board Member
Marilyn Green	Board Member
Susan Mock	Board Member
Russell Sengel	Board Member
Justin Simpson	Board Member
Aleck Greenwood	Alternate Member
Debbie Joyce	School Board Representative

ABSENT:

Jeri Blanco	Board Member
Jesse Heredia	Alternate Member

STAFF PRESENT:

Kristin Eick, Board Attorney; Alix Bernard, Interim Planning and Zoning Manager and Monica Arsenault, Recording Secretary.

Chairperson Dobrin led the assembly in the Pledge of Allegiance.

II. APPROVAL OF AGENDA AND MINUTES:

1. AGENDA: Meeting of October 6, 2021

* **MOTION BY BOARD MEMBER GREEN; SECONDED BY BOARD MEMBER SENGEL TO APPROVE THE OCTOBER 6, 2021 AGENDA AS WRITTEN.**

AYES: DOBRIN, WASHINGTON, ANDERSON, GREEN, MOCK, SENGEL, SIMPSON, GREENWOOD

MOTION PASSED UNANIMOUSLY (8-0)

2. MINUTES: Meeting of June 2, 2021

* **MOTION BY BOARD MEMBER GREEN; SECONDED BY BOARD MEMBER MOCK TO APPROVE THE JUNE 2, 2021 MINUTES AS WRITTEN.**

AYES: DOBRIN, WASHINGTON, ANDERSON, GREEN, MOCK, SENGEL, SIMPSON, GREENWOOD

MOTION PASSED UNANIMOUSLY (8-0)

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

A. PZ-21-002000001 – Backyard Chicken Pilot Program

Ms. Bernard gave a presentation[1] and explained that in 2017 the City implemented a pilot program for backyard chickens. This program was in place for two years when it sunset in 2019. From 2017 to 2019 there were two families who participated in the program. In addition to the two families who participated, Code Enforcement has received four complaints about residents who illegally have chickens and roosters.

[1] Exhibit A: Backyard Chicken Program Presentation

There are currently 4,073 parcels of land that have a zoning of RU-1, RU1-7a or RU1-10.

Alternate member Greenwood asked for more information regarding what the complaints were. In response, Ms. Bernard explained that she had only contacted Code Enforcement to see if there were any complaints and was told there were four, but it was not discussed further than that.

Vice Chairperson Washington raised a concern regarding the $50 fee that a resident would have to pay the city to have the chickens. He shared that he does not agree with the fee as you wouldn't pay the city if you had a cat or a dog. In response, Board Attorney Eick explained that an inspection is conducted for the coop so the fee is due in part to cover that expense.

Board member Simpson pointed out that a building permit would already be required for the coop so the expense of the inspection should be tied into the permit. Further discussion was held on eliminating the $50 fee since a building permit would be required for the structure of the coop.

Ms. Joyce asked if this was an annual permit or just a one-time permit. In response, Ms. Bernard clarified that she believed this would be an annual permit.

Alternate member Greenwood asked if the $50 fee would be an annual charge as well. In response, Ms. Bernard responded affirmatively and explained that the idea is that in collecting the fee yearly the City can keep track of what permits are active and what is inactive.

Ms. Bernard mentioned that another option would be to charge an initial registration fee and then every year after that would require a recertification, however a permit for the coop would still be required.

Discussion was held on what structures require a building permit, for example, a coop that is already assembled and can be bought from Harbor Freight. In response, Board Attorney Eick clarified that only applicable permits would be required and it is not the Board's duty to decide what is and what is not required to have a permit.

Ms. Bernard shared the highlights of Ordinance No. 14-2021 as follows:

- Persons desiring to participate in the Backyard Chicken Pilot Program must apply for and obtain a permit ($50.00 fee) prior to the keeping of chickens.
- Persons applying for a permit must provide evidence of successful completion of a University of Florida Agricultural Extension Service class, or equivalent, on the care and raising of chickens.

- Up to 4 chickens may be kept on an occupied single-family property within the proper zoning district as noted above.

- Chickens must be kept within a coop and enclosure, and may not be released or set free to roam unless under the direct supervision of the owner and such roaming must be confined to the backyard of the subject property.

- Chickens must be kept for personal use only. Selling of chickens, eggs, feathers, chicken manure, or the breeding of chickens for commercial purposes is strictly prohibited.

- The coop and enclosure must be screened from neighboring property.

- Chicken coops and fence enclosures must be located in the rear/back yard (behind the home). No coop or enclosure will be allowed in any front or side yard. The coop and enclosure must be at least 10 feet from the single-family structure, a minimum of 10 feet from the rear or side property, a minimum of 20 feet from any side street, and a minimum of 20 feet from any neighboring residential homes.

Ms. Bernard stated that staff is recommending that the Planning and Zoning Board recommend approval to City Council of Ordinance No. 14-2021 amending Chapter 5, Animals and Fowl to allow for backyard chickens.

It was noted for the record that no one was in the audience to speak in regards to the item.

* **MOTION BY BOARD MEMBER GREEN; SECONDED BY ALTERNATE MEMBER GREENWOOD TO AMEND THE ORDINANCE TO MAKE THE $50 FEE AN INTIAL FEE AND THEN REQUIRE A RECERTIFICATION EVERY YEAR AFTER.**

AYES: DOBRIN, WASHINGTON, ANDERSON, GREEN, SENGEL, SIMPSON, GREENWOOD

NAYES: MOCK

MOTION PASSED (7-1)

* **MOTION BY BOARD MEMBER ANDERSON; SECONDED BY VICE CHAIRPERSON WASHINGTON TO RECOMMEND APPROVAL TO CITY COUNCIL OF ORDINANCE NO. 14-2021 AMENDING CHAPTER 5, ANIMALS AND FOWL TO ALLOW FOR BACKYARD CHICKENS TO INCLUDE THE BOARD'S AMENDMENT TO THE ORDINANCE.**

AYES: DOBRIN, WASHINGTON, ANDERSON, GREEN, SENGEL, SIMPSON, GREENWOOD

NAYES: MOCK

MOTION PASSED (7-1)

Ms. Bernard shared a few brief updates on projects going on in the city and noted that if anyone had any questions or concerns, they were welcome to contact her.

In regards to any Tree Board updates, Ms. Bernard shared that the City is in the process of reapplying for its Tree City USA application which is due by November 12, 2021.

VII. NEXT MEETING DATE:

The next scheduled meeting for the Planning and Zoning Board will be held on Wednesday, November 3rd at 6pm in Cocoa City Hall, 65 Stone St, Cocoa, FL 32922.

VIII. ADJOURNMENT:

* **MOTION BY BOARD MEMBER ANDERSON; SECONDED BY BOARD MEMBER SENGEL TO ADJOURN THE REGULAR MEETING OF OCTOBER 6, 2021.**

AYES: DOBRIN, WASHINGTON, ANDERSON, GREEN, MOCK, SENGEL, SIMPSON, GREENWOOD

MOTION PASSED UNANIMOUSLY (8-0)

MEETING WAS ADJOURNED AT 6:46 PM.

Michael Dobrin, Chairperson

Respectfully Submitted By:

Monica Arsenault, Recording Secretary