

Meeting Date
11/2/2017



AGENDA	
Section	Public Hearing
Item No.	IV.1

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	PUBLIC HEARING RE: TRANSMITTAL OF EAR BASED AMENDMENTS 2017-2.2
DEPT/OFFICE:	Planning & Development Department

Requested Action:
It is requested that the Board of County Commissioners approve the transmittal of the Evaluation & Appraisal Report (EAR-based) amendments to the State Land Planning Agency (DEO) and other state review agencies for State Coordinated Review.

Summary Explanation & Background:
Every seven years, in accordance with Rule Chapter 73C-49, Florida Administrative Code, each local government must determine whether there is a need to amend the comprehensive plan to reflect changes in statutory requirements that have been enacted since the previous Evaluation and Appraisal Report was implemented. The due date for Brevard County to make this determination was December 1, 2016. Modifications to Section 163.3178(1)(f), F.S. enacted during the 2015 Legislative Session, enumerates requirements of a redevelopment component in the Coastal Management Element. Due to this legislation, the County must update the Coastal Management Element to meet these requirements within one year of the EAR Notification and Appraisal letter.

Any local government that fails to submit proposed amendments within one year of notification may not amend its comprehensive plan until it those amendments are submitted to the DEO. On November 15, 2016, Brevard County transmitted an Evaluation & Appraisal Report Notification Letter to the Department of Economic Opportunity (DEO) acknowledging the County's commitment to submit an amendment as part of the second amendment cycle of 2017. The DEO acknowledged that, pursuant to Section 163.3191(2), Florida Statutes, the EAR amendments should be transmitted to the DEO by November 28, 2017.

The evaluation and appraisal addresses changes in statutory requirements enacted since the previous EAR update of the comprehensive plan and update the plan based on changes in local conditions. We have taken this opportunity to completely review each element of the comprehensive plan and make revisions as necessary, which are summarized in the attached staff report. Brevard County has previously complied with all State mandated requirements and the amendments have been found in-compliance. An EAR Transmittal Letter, copy of the draft EAR Notification Letter and DEO response, and staff report are included in the Transmittal Package and attached for your review.

The Local Planning Agency unanimously recommended approval of transmittal of the EAR-based amendments on October 23, 2017.

Staff Contact: Erin Sterk, Interim Planning & Zoning Manager, Planning & Development Dept.
Tel: (321) 633-2070 e-mail: Erin.Sterk@BrevardFL.gov

Clerk to the Board Instructions: Chairman to sign Transmittal Cover Letter. Draft Ordinance – to be signed at future Adoption Public Hearing.

Exhibits Attached: 2017-2.2 EAR Based Amendments Transmittal Package

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager Frank Abbate	Assistant County Manager John Denninghoff			Department Director / Extension Tad Calkins			
	Interim Assistant County Manager Jim Liesenfelt						



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

November 3, 2017

MEMORANDUM

TO: Tad Calkins, Planning and Development Director Attn: Erin Sterk

RE: Item IV.I., Public Hearing for Transmittal of Evaluation and Appraisal Report (EAR)
Based Amendments 2017-2.2

The Board of County Commissioners, in regular session on November 2, 2017, approved the transmittal of the Evaluation and Appraisal Report (EAR) Based Amendments to the State Land Planning Agency Department of Economic Opportunity (DEO) and other State review agencies for State Coordinated Review. Enclosed is the original Letter for your action.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

Encl. (1)



BOARD OF COUNTY COMMISSIONERS

Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

November 2, 2017

Mr. Ray Eubanks,
Plan Processing Administrator
Division of Community Planning
Florida Department of Economic Opportunity
107 East Madison Street, MSC-160
Tallahassee, FL 32399-4120

Re: Transmittal of EAR Based Amendments 2017-2.2

Dear Mr. Eubanks,

Enclosed please find the Comprehensive Plan Amendment transmittal package for the County-initiated application for amendment being considered for transmittal: 2017-2.2. Proposed changes more fully described in the attached staff report. The evaluation and appraisal addresses changes in statutory requirements enacted since the previous EAR update of the comprehensive plan and updates the plan based on changes in local conditions.

The Local Planning Agency held a public hearing regarding the transmittal of the 2017-2.2 Plan Amendment on November 23, 2017, unanimously recommending approval.

Copies of the proposed transmittal package have been sent to the St. Johns River Water Management District, the East Central Florida Regional Planning Council, the Florida Department of Environmental Protection, the Florida Department of Transportation (District 5), the Florida Department of State, the Florida Fish and Wildlife Conservation Commission, the Florida Department of Education, and the Florida Department of Agriculture and Consumer Services.

The plan amendment's "content and effect" is included in this mailing. Brevard County requests that DEO provide review of the amendment based on evaluation and appraisal reports pursuant to Section 163.3191, Florida Statutes, subject to State Coordinated Review process pursuant to Section 163.3184(4), Florida Statutes.

The proposed amendment package is not within an area of critical state concern.
The proposed amendment package is not within the Wekiva River Protection Area.

The proposed amendments are not being adopted under a joint planning agreement pursuant to Section 163.3171, Florida Statutes.

The contact person for the 2017-2.2 Plan Amendment package is:

Erin Sterk, Interim Planning & Zoning Manager
Planning and Development Department
2725 Judge Fran Jamieson Way, Building A
Viera, FL 32940
(321) 633-2070 - FAX (321) 633-2074

A local newspaper of general circulation is:

Florida Today
1 Gannett Plaza
Melbourne, FL 32940
(321) 259-5555

In accordance with Florida Statutes, one paper copy and two copies in Portable Document Format (PDF) on the enclosed CD-ROM of the proposed amendment package including all proposed text and maps changes and supporting documents are sent to your office via this transmittal. If you have any questions regarding the enclosed materials, please contact Erin Sterk at the above address.

Sincerely,

Curt Smith, Chairman
Brevard County Board of County Commissioners

Enclosures

- cc: Board of County Commissioners (w/out encl.)
- Frank Abatte, County Manager (w/out encl.)
- John Denninghoff, Assistant County Manager (w/out encl.)
- Scott Knox, County Attorney (w/out encl.)
- Tad Calkins, Director, Planning and Development Department (w/out encl.)
- East Central Florida Regional Planning Council
- Florida Department of Transportation, District Five
- St. Johns River Water Management District
- Florida Department of Environmental Protection
- Florida Division of Agriculture and Consumer Services
- Florida Department of State, Bureau of Historic Preservation
- Florida Fish and Wildlife Conservation Commission
- Florida Department of Education
- Patrick Air Force Base



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

November 15, 2016

Mr. Ray Eubanks, Plan Processing Administrator
Division of Community Planning
Dept. of Economic Opportunity
107 East Madison Street, MSC-160
Tallahassee, FL 32399-4120

Re: Brevard County Evaluation & Appraisal Report (EAR) Notification Letter

Dear Mr. Eubanks:

In accordance with the provision of F.S. Chapter 163.3191, please accept this letter as Brevard County's evaluation of its comprehensive plan to determine if plan amendments are necessary to reflect changes in State requirements since the last update of the comprehensive plan.

The County acknowledges the modification to Section 163.3178(1)(f), F.S enacted during the 2015 Legislative Session, which enumerates requirements of a redevelopment component in the Coastal Management Element. Staff is currently reviewing data compiled by the East Central Florida Regional Planning Council and researching best practices. Accordingly, we are committed to adopting amendments to implement required redevelopment policies as part of the County's second Comprehensive Plan amendment cycle of 2017.

If you have any questions regarding this Evaluation & Appraisal notification letter please contact Robin M. DiFabio, AICP, Director of Planning & Development at (321) 633-2069 or at robin.difabio@brevardfl.gov

Sincerely,

Jim Barfield, Chairman
Board of County Commissioners

cc: Hugh W. Harling, Jr., Executive Director ECFRPC

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

November 29, 2016

The Honorable Jim Barfield, Chairman
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

RE: Brevard County Evaluation and Appraisal Notification Letter (corrected letter)

Dear Chairman Barfield,

This is to acknowledge receipt of your Evaluation and Appraisal Notification Letter which was due on December 1, 2016, and received by the Department on November 28, 2016.

Please note that your proposed comprehensive plan amendments based on your Evaluation and Appraisal should be transmitted to the Department by **November 28, 2017**, within one year of your notification, pursuant to Section 163.3191(2), Florida Statutes. The amendments are subject to the State Coordinated Review Process as outlined in Section 163.3184(4), Florida Statutes.

Mr. Adam Antony Biblo of the Department's staff is available to assist and provide technical guidance to your questions concerning the contents of the Evaluation and Appraisal based comprehensive plan amendments and may be reached at (850) 717-8503.

If you have any questions concerning the processing of the Evaluation and Appraisal based amendments, please contact Mr. Ray Eubanks, Plan Processing Administrator, at (850) 717-8483.

Sincerely,

D. Ray Eubanks
Plan Processing Administrator

DRE/me

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.florida.gov
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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STAFF REPORT
PROPOSED COMPREHENSIVE PLAN AMENDMENT 2017.2.2
EVALUATION AND APPRAISAL REVIEW OF COMPREHENSIVE PLAN

Every seven years, in accordance with Rule Chapter 73C-49, Florida Administrative Code, each local government must determine whether there is a need to amend the comprehensive plan to reflect changes in statutory requirements that have been enacted since the previous Evaluation and Appraisal Report was implemented. The due date for Brevard County to make this determination was December 1, 2016. Modifications to Section 163.3178(1)(f), F.S. enacted during the 2015 Legislative Session, enumerates requirements of a redevelopment component in the Coastal Management Element. Due to this legislation, the County must update the Coastal Management Element to meet these requirements within one year of the EAR Notification and Appraisal letter.

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Most text modifications are not substantive and consist of:

- Correction of scrivener's errors and grammatical clarification
- Updated references (e.g., Florida Building Code, State statute, etc.)
- Updated agency names, terminology, and internal policy references

More substantive changes have been summarized below:

CHAPTER 1: CONSERVATION ELEMENT

Directives for air quality were removed, as details are captured within Goals, Objectives, and Policies.

Objective 7 (Soil Erosion), Policy 7.1 – updated to reflect land clearing exemptions currently included in Chapter 62, Article XIII, Division 2, entitled Landscaping, Land Clearing & Tree Protection.

The following maps had no changes:

- General Soils
- Vegetation
- Wetlands
- Mitigation Qualified Roadways
- Landscape Level Polygon

The following maps were updated with more current data:

- Floodplains
- Surface Water – Classification

The following maps were deleted:

- Biologically Diverse Habitat – Stricken, as map no longer provides relevant information with regard to the Conservation Element policies.
- Marine Facilities – Stricken, as map was duplicated and remains in the Coastal Management Element, the appropriate place for this data.

CHAPTER 2: SURFACE WATER ELEMENT

Text modifications were not substantive and consisted of:

- Correction of scrivener's errors and grammatical clarification
- Updated agency names, terminology, and references

Policy 4.8 was stricken and reserved, as it was a duplicate of Policy 4.7

CHAPTER 3: RECREATION AND OPEN SPACE ELEMENT

Acceptable Levels of Service calculations were changed from Park Planning areas to County-wide.

Objective 1 (Park and Open Space System), Policy 1.8 – Criteria regarding the Greenway Network was eliminated as these functions are being coordinated by the Transportation Planning Organization.

Objective 1 (Park and Open Space System), Policy 1.10 & 1.11 – Criteria regarding oceanfront and riverfront breezeways was eliminated to avoid future conflicts with current Land Development Regulations.

Objective 5 (Public and Private Partnerships), Policy 5.2 – Criteria for lands acquisition were eliminated, as the mechanisms to do so do not need to be outlined within the Comprehensive Plan.

CHAPTER 4: HISTORIC PRESERVATION ELEMENT

Objective 5 (Historical Homes) – Removed from the Historic Preservation Element and moved from the Housing Element.

CHAPTER 5: HOUSING ELEMENT

Text modifications were not substantive or minor and consisted of:

- Correction of scrivener's errors and grammatical clarification
- Updated agency names, terminology, and references
- Language updates, without intent to change the purpose of the Policy

Objective 1 (Affordable Housing), Policy 1.2 & 1.3 – Newly added policy to refer to Florida Building code.

Objective 2 (Housing Programs Awareness), Policy 2.6 & 2.7 – New language added to reflect statutory obligations regarding utilizing certified contractors and furthering fair housing.

Objective 7 (Historical Homes) – Removed from the Historic Preservation Element and moved from the Housing Element.

CHAPTER 6: POTABLE WATER ELEMENT

No changes proposed.

CHAPTER 7: SANITARY SEWER ELEMENT

Objective Titles added.

Objective 5 (Reclaimed Water System) – Updated to clarify that reuse systems will be included where a supply of reuse is available.

CHAPTER 8: SOLID WASTE AND HAZARDOUS MATERIALS ELEMENT

No substantial changes proposed.

Objective 10 (Intergovernmental Coordination) – Stricken, as coordination requirements have changed. State review agency feedback requested as a part of the Transmittal's review. New language to be proposed at Adoption.

CHAPTER 9: TRANSPORTATION ELEMENT

Objective 1 (Monitoring and Evaluation), Policy 1.1 (C) 2 – Updated to reflect the current 2040 planning horizon year, changed from 2020.

Objective 1 (Monitoring and Evaluation), Policy 1.3 (A) 2 and Policy 1.3 (B) – Updated to match FDOT LOS standards

Objective 2 (Prioritization of Transportation Improvements), Policy 2.2 – Updated to reflect accurate 6-20 year long-range transportation improvement program horizon.

Objective 2 (Prioritization of Transportation Improvements), Policy 2.8 – Updated to include transit consideration in roadway reconstruction.

Objective 4 (Multi-modal Transportation), Policy 4.2 (B) – Updated to ensure that review of ADA standards is incorporated into land development regulations

Objective 5 (Airport, Sea Port, and Rail Facilities) – Updated to include Spaceport within the Objective and subsequent Policy.

Objective 10 (Intergovernmental Coordination), Policy 8.1 (D) – Stricken, as the Committee is no longer functional.

The following maps were deleted:

- Future Transportation Corridors, North Area
- Future Transportation Corridors, South Area
- Pineda Causeway Extension (East)
- Pineda Causeway Extension (West)
- St. Johns Heritage Parkway

CHAPTER 10: COASTAL MANAGEMENT ELEMENT

Objective 4 (Beaches and Dunes) – Italicized language stricken, as no longer necessary to remain in Comprehensive Plan.

Objective 4 (Beaches and Dunes), Figure 1 – “Diagram Reflecting the Spatial Relationship between the FDEP 1981 Coastal Construction Control Line (CCCL) and the Brevard County Coastal Setback Line (CSL)” updated for clarity.

Objective 6 (Coastal High Hazard Areas), Policy 6.3 – Modified to allow the conversion of on-site septic disposal systems to sewer within the coastal high hazard area zone for projects selected specifically to improve ground and surface water quality.

Other text modifications were not substantive and consisted of:

- Correction of scrivener's errors and grammatical clarification
- Updated agency names, terminology, and references

CHAPTER 11: FUTURE LAND USE ELEMENT

Objective 2 (Commercial Land Uses), Policy 2.6 (F) and 2.8 (D) – Updated to remove maximum square footage limitation, antiquated numbers in today’s development, and defer to Floor Area Ratio limitations.

Objective 2 (Commercial Land Uses), Policy 2.9, 2.10, and 2.11 – Stricken, as the Small Scale and Large Scale Comp Plan Amendment procedures are the formal mechanism utilized today to propose changes to Commercial Future Land Use boundaries.

Objective 8 (Developments of Regional Impact), Policy 8.1 – DRI’s no longer functioning stricken.

Objective 18 (Platt Ranch Mixed Use Category) – Stricken, as Platt Ranch parcels were annexed into the City of Melbourne.

Objective 22 (Mixed Use Development Land Uses) – Stricken, as the Mixed Use Development Future Land Use Designation is no longer utilized.

CHAPTER 12: INTERGOVERNMENTAL COORDINATION ELEMENT

No substantial changes proposed.

CHAPTER 13: CAPITAL IMPROVEMENTS ELEMENT

No changes proposed.

CHAPTER 14: PUBLIC SCHOOL FACILITIES ELEMENT

Objective 4 (Annual Updates) – Updated to include reference to Five Year District Facilities Work Program.

The following maps were updated with current data:

- Public School Facilities

The following maps were deleted:

- Existing and Proposed Elementary Schools
- Existing and Proposed Middle and Jr/Sr. High Schools
- Existing and Proposed High and Jr/Sr. High Schools
- Existing and Proposed Ancillary Facilities

CHAPTER 15: GLOSSARY

Text modifications were not substantive and consisted of:

- Clarification of “CCCL” definition
- Updated map references
- Updated agency name

PERIL OF FLOOD

In May 2015, the Governor passed SB 1094 (Laws of Florida No. 2015-69), an act relating to the peril of flood; amending s. 163.3178, F.S.; specifying requirements for the Coastal Management element required for local Comprehensive Plans. The amended statute and staff response is as follows:

(f) A redevelopment component that outlines the principles that must be used to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise. The component must:

1. Include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.

In its Comprehensive Plan, Brevard County has development and redevelopment principles and strategies that reduce the flood risk in coastal areas; however, not specifically related to climate change and sea-level rise. The East Central Florida Regional Planning Council received funding from the Florida Department of Environmental Protection (FDEP) to develop a regional action plan for Brevard and Volusia Counties focusing on resiliency and sustainability related to climate change. Brevard County will participate and serve on the steering committee. This effort will provide data and analysis required to develop a regional action plan and the associated Comprehensive Plan policies. In the interim, the following policy statement (Coastal Management Element, Objective 6, Coastal High Hazard Areas, Policy 6.6,) is proposed:

Brevard County shall participate in the East Central Florida Regional Planning Council’s state-funded project to develop a regional action plan focusing on resiliency and sustainability. Once complete, Brevard County shall include in the Coastal Management Element development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of climate change.

2. Encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.

Brevard County currently establishes land use policies within floodplains in Conservation Element Objective 4, Floodplain Areas; codified in Chapter 62, Article X, Division 5, Floodplain Protection. Additionally, county stormwater management policies are established in the Surface Water Management Element; and codified in Chapter 62, Article X, Division 6, Stormwater Management Criteria.

3. Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.

Brevard County currently establishes land use policies within floodplains and wetlands in Conservation Element Objectives 4 and 5, respectively. Floodplain and wetlands policies are codified in Chapter 62, Article X, Division 5, Floodplain Protection, and Division 4, Wetlands Protection, respectively. Additionally, county stormwater management regulations are established in the Surface Water Management Element; and codified in Chapter 62, Article X, Division 6, Stormwater Management Criteria.

4. Be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.

Floodplain management policies are currently established in Objective 4, Floodplain Areas; and codified in Chapter 62, Article X, Division 5, Floodplain Protection. Additionally, the Brevard County Building Department reviews development for compliance with the Florida Building Code.

5. Require that any construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 (Beach and Shore Preservation) be consistent with chapter 161.

The Brevard County Coastal Setback Line (CSL) and related development policies are established in Coastal Management, Objective 4, Beaches and Dunes; and codified in Chapter 62, Article XII, Coastal Setback & Control Lines.

6. Encourage local governments to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for their residents.

Brevard County actively participates in the FEMA National Flood Insurance Program Community Rating System.

ORDINANCE NO. 17-___

AN ORDINANCE AMENDING ARTICLE III, CHAPTER 62, OF THE CODE OF ORDINANCES OF BREVARD COUNTY; ENTITLED "THE COMPREHENSIVE PLAN", SETTING FORTH PLAN AMENDMENT 2017-2.2; AMENDING SECTION 62-501, ENTITLED "CONTENTS OF THE PLAN"; SPECIFICALLY AMENDING SECTION 62-501 TO ADOPT EVALUATION AND APPRAISAL REPORT RECOMMENDATIONS INCLUDING PART I, ENTITLED CONSERVATION ELEMENT, PART II, ENTITLED SURFACE WATER MANAGEMENT ELEMENT, PART III, ENTITLED RECREATION AND OPEN SPACE ELEMENT, PART IV, ENTITLED HISTORIC PRESERVATION ELEMENT, PART V, ENTITLED HOUSING ELEMENT, PART VI, ENTITLED POTABLE WATER ELEMENT, PART VII, ENTITLED SANITARY SEWER ELEMENT, PART VIII, ENTITLED SOLID WASTE AND HAZARDOUS MATERIALS ELEMENT, PART IX, ENTITLED TRANSPORTATION ELEMENT, PART X, ENTITLED COASTAL MANAGEMENT ELEMENT, PART XI, ENTITLED FUTURE LAND USE ELEMENT, PART XII, ENTITLED INTERGOVERNMENTAL COORDINATION ELEMENT, PART XIII, ENTITLED CAPITAL IMPROVEMENTS ELEMENT, PART XIV ENTITLED PUBLIC SCHOOL FACILITIES ELEMENT, AND PART XV, ENTITLED THE GLOSSARY; RE-ADOPTING THE FUTURE LAND USE MAP TO ADDRESS LAND USE CHANGES AND CORRECT SCRIVENER'S ERRORS; PROVIDING FOR INTERNAL CONSISTENCY WITH THESE AMENDMENTS; PROVIDING LEGAL STATUS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 et. seq., Florida Statutes (1987) established the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Section 163.3167, Florida Statutes, requires each County in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the Department of Community Affairs; and

WHEREAS, on September 8, 1988, the Board of County Commissioners of Brevard County, Florida, approved Ordinance No. 88-27, adopting the 1988 Brevard County Comprehensive Plan, hereafter referred to as the 1988 Plan; and

WHEREAS, Sections 163.3184 and 163.3187, and 163.3189, Florida Statutes, established the process for the amendment of comprehensive plans pursuant to which Brevard County has established procedures for amending the 1988 Plan; and

WHEREAS, Brevard County initiated amendments and accepted application for amendments to the Comprehensive Plan on June 30, 2017, for adoption as the Fall Plan Amendment Cycle 2017-2; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, have provided for the broad dissemination of proposals and alternatives, opportunity for written comments, public hearings after due public notice, provisions for open discussion, communication programs and consideration of and response to public comments concerning the provisions contained in the 1988 Plan and amendments thereto; and

WHEREAS, Section 62-181, Brevard County Code designated the Brevard County Planning and Zoning Board as the Local Planning Agency for the unincorporated areas of Brevard County, Florida, and set forth the duties and responsibilities of said local planning agency; and

WHEREAS, on October 23, 2017, the Brevard County Local Planning Agency held a duly noticed public hearing on Plan Amendment 2017-2.2, and considered the findings and advice of all interested parties submitting comments; and

WHEREAS, on **a date to be determined**, the Brevard County Board of County Commissioners held a duly noticed public hearing, and considered the findings and recommendations, the input from all interested parties submitting written or oral comments, the recommendations of the Local Planning Agency, and upon thorough and complete consideration and deliberation, approved the transmittal of Plan Amendment 2017-2.2 to the Department of Economic Opportunity for review; and

WHEREAS, on **a date to be determined**, the Department of Economic Opportunity issued an Objections, Recommendations and Comments Report regarding the 2017-2.2 plan amendment package; and

WHEREAS, on **a date to be determined**, the Local Planning Agency held a duly noticed public hearing and considered the Objections, Recommendations and Comments Report, any and all revisions to Plan Amendment 2017-2.2 as transmitted to the Department of Economic Opportunity, input from all interested parties submitting written or oral comments, and recommended the revised 2017-2.2 plan amendment package to the Board of County Commissioners for adoption; and

WHEREAS, on **a date to be determined**, the Brevard County Board of County Commissioners held a duly noticed public hearing, and considered the Objections, Recommendations and Comments Report, any and all revisions to Plan Amendment 2017-2.2 as transmitted to the Department of Economic Opportunity, input from all interested parties submitting written or oral comments, the recommendations of the Local Planning Agency, and upon thorough and complete consideration and deliberation, adopted Plan Amendment 2017-2.2; and

WHEREAS, Plan Amendment 2017-2.2 adopted by this Ordinance complies with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Plan Amendment 2017-2.2 adopted by this Ordinance is based upon findings of fact as included in Exhibit A.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Section 1. Authority. This ordinance is adopted in compliance with, and pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section 2. Purpose and Intent. It is hereby declared to be the purpose and intent of this Ordinance to clarify, expand, correct, update, modify and otherwise further the provisions of the 1988 Brevard County Comprehensive Plan.

Section 3. Adoption of Comprehensive Plan Amendments. Pursuant to Plan Amendment 2009-2.1 to the 1988 Comprehensive Plan, Article III, Chapter 62-504, Brevard County Code, the 1988 Brevard County Comprehensive Plan is hereby amended based on documentation shown in Exhibit A and as specifically shown in Exhibit B. Exhibits A and B are hereby incorporated into and made part of this Ordinance.

Section 4. Legal Status of the Plan Amendments. After and from the effective date of this Ordinance, the plan amendment, Plan Amendment 2017-2.2, shall amend the 1988 Comprehensive Plan and become part of that plan and the plan amendment shall retain the legal status of the 1988 Brevard County Comprehensive Plan established in Chapter 62-504 of the Code of Laws and Ordinances of Brevard County, Florida, as amended.

Section 5. Severability. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section 6. Effective Date. The plan amendment shall become effective once the state land planning agency issues a final order determining the adopted amendment to be in compliance with Florida Statutes, Section 163.3184(9), or until the Administration Commission issues a final order determining the amendment to be in compliance with Florida Statutes, Section 163.3184(10). A certified copy of the ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten days of enactment.

DONE, ORDERED AND ADOPTED in regular session, this ____ day of _____, 2018.

ATTEST

BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

Scott Ellis, Clerk

, Chairman
(as approved by the Board on _____, 2018)

CHAPTER I
CONSERVATION ELEMENT

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DIRECTIVES

Directives are principles or guidelines that provide the general philosophical outlook of Brevard County with regard to the element of the Plan in which it is stated. Directives do not necessarily require specific actions for implementation. However, they shall guide specific actions wherever possible.

Air Quality

In order to maintain its "attainment" status, Brevard County should develop a complete air monitoring program. More complete baseline data would allow better assessment of large scale development which could degrade air quality. Areas of localized poor air quality should be identified, and a program for reduction or elimination of the pollution source should be developed in conjunction with FDEP and EPA.

Stationary air pollution sources and new transportation projects listed on the adopted Transportation Improvement Program should be evaluated for their cumulative effects on air quality. These sources should include sources adjacent to, as well as within, the county.

Alternate energy resources that do not degrade air quality should be given preference over resources which do degrade air quality. In addition, Brevard County ordinances or programs concerning clean up and disposal of hazardous materials, mass burn facilities, and solid waste disposal shall not result in the degradation of air quality or endangerment of human health.

Conversion of power plant to coal should not cause degradation of air quality below minimum standards. Best available technology should be utilized for all new power plants.

Land use should also be compatible with the maintenance of good air quality. Development should be designed in such a way as to minimize traffic congestion. Urban land uses should be buffered from stationary and linear pollution sources (roadways). Vegetation should be utilized whenever possible to buffer air pollution sources and maintain air quality. Multi-use developments, such as Planned Unit Development, or other innovative land uses should be utilized to reduce the need to travel. Facilities that house the elderly, very young or sick should be located away from emission sources or areas of poor air quality.

GOALS, OBJECTIVES AND POLICIES

GOAL

Protect, conserve, enhance, maintain and appropriately use natural resources and environmental systems, maintaining their quality and contribution to the quality of life and economic well being of brevard county.

Air Quality

Objective 1

Air quality within Brevard County shall meet or exceed the minimum air quality as adopted by the Florida Department of Environmental Protection.

Policy 1.1

Brevard County shall cooperate with the Florida Department of Environmental Protection (FDEP) in monitoring ambient air quality within the county.

Policy 1.2

Developments of Regional Impact, major transportation projects and power generation projects shall be evaluated for their impacts on air quality. Buffer areas adjacent to industrial uses, power generation projects or other stationary air pollution sources shall be utilized as required to maintain air quality within accepted standards.

Policy 1.3

The County shall reduce the potential for mobile source emissions by the following means:

Criteria:

- A. Promote appropriate Planned Unit Development and multi-use developments or use centers.
- B. Vegetative strips along major transportation corridors to buffer residential land uses.
- C. Promote alternative transportation methods such as car pooling, van pooling and mass transit.
- D. Promote bicycle and pedestrian traffic by constructing and maintaining additional bike and pedestrian paths.
- E. Roadways with adopted Levels of Service should be evaluated in order to

maintain acceptable air quality after the development is completed.

Policy 1.4

Brevard County shall continue to enforce the noise regulations in the land development code.

Policy 1.5

Brevard County shall continue to enforce regulations within the land development code that address the location of facilities that potentially generate noxious emissions.

Policy 1.6

Alternate energy resources that do not degrade air quality should be given preference over resources which do degrade air quality. In addition, Brevard County ordinances or programs concerning clean-up and disposal of hazardous materials, mass burn facilities, and solid waste disposal shall not result in the degradation of air quality or endangerment of human health.

Policy 1.7

Conversion of power plant to coal should not cause degradation of air quality below minimum standards. Best available technology should be utilized for all new power plants.

Policy 1.8

Land use should also be compatible with the maintenance of good airarea quality. Development should be designed in such a way as to minimize traffic congestion. Urban land uses should be buffered from stationary and linear pollution sources (roadways). Vegetation should be utilized whenever possible to buffer air pollution sources and maintain air quality. Multi-use developments, such as Planned Unit Development, or other innovative land uses should be utilized to reduce the need to travel. Facilities that house the elderly, very young or sick should be located away from emission sources or areas of poor air quality.

Energy

Objective 2

Reduce per capita energy consumption within Brevard County.

Policy 2.1

Brevard County shall address various energy saving methods including:
Criteria:

- A. Encouraging appropriate Planned Unit Development and multi-use developments;
- B. Regulating subdivisions to address bicycle and pedestrian pathways; and
- C. Regulating land clearing and landscaping regulations to augment passive cooling by trees.

Policy 2.2

Brevard County shall continue to implement the Florida Energy Efficient Code Building Code, Energy Conservation for new construction and substantially rehabilitated structures.

Policy 2.3

Brevard County should continue to implement waste reduction, reuse, recycling and conversion of waste to energy as part of its waste management strategies.

Policy 2.4

Brevard County shall consider energy conservation in the development and implementation of County ordinances.

Policy 2.5

Brevard County should pursue transportation options that would decrease per capita energy consumption.

Policy 2.6

Brevard County should coordinate with the East Central Florida Regional Planning Council, the Economic Development Commission of Florida's Space Coast, and the State to encourage development and use of energy efficient and renewable technologies to enhance economic development while conserving energy.

Surface Water

Objective 3

Improve the quality of surface waters within Brevard County and protect and enhance the natural functions of these waters.

Policy 3.1

Brevard County shall cooperate with the Florida Department of Environmental Protection (FDEP) to require small package treatment plants adjacent to surface waters to comply with existing federal, state, or regional rules and regulations, and to ensure

that the necessary renovations to achieve compliance are completed in a timely manner.

Policy 3.2

Brevard County shall continue to prevent negative impacts of development in and adjacent to Class I waters by implementing and revising, as necessary, the Surface Water Protection Ordinance including the following minimum criteria:

Criteria:

- A. Maintain a two hundred (200) foot surface water protection buffer from the ordinary high water line or mean high water line as determined or approved by the FDEP Bureau of Survey and Mapping. In lieu of an approved ordinary high water line, mean high water line, or safe upland line, an alternative buffer establishment line that approximates the land-water interface may be approved administratively as defined in ordinance. The use of the alternative buffer establishment line shall only be applied to shorelines with a clearly defined land-water interface.
- B. Acceptable uses within the surface water protection buffer are passive recreation, hunting, fish and wildlife management, open space and nature trails, and similar uses.
- C. Require discharges of any substances into Class I waters to meet or exceed applicable receiving water quality standards.
- D. Prohibit dredging and filling, except for permitted utility crossings, publicly owned recreational projects which do not degrade water quality, and necessary maintenance of existing projects.
- E. Regulate development and mining operations within the hydrologic basin of Class I waters. Prohibit mining operations within the 10-year floodplain of Class I waters.
- F. Prohibit alteration within the surface water protection buffer unless it is in the public interest and does not adversely impact water quality and natural habitat.

Policy 3.3

Brevard County shall continue to make efforts to prevent negative impacts of development in and adjacent to the Indian River Lagoon and its tributaries designated as Class II waters, Aquatic Preserves and Outstanding Florida Waters by implementing and revising as necessary, the Surface Water Protection Ordinance, including the following minimum criteria:

Criteria:

- A. Maintain a fifty (50) foot surface water protection buffer from the ordinary high water line, mean high water line, or safe upland line as determined or approved by the FDEP Bureau of Survey and Mapping. In lieu of an approved ordinary high water line, mean high water line, or safe upland line, an alternative buffer establishment line that approximates the land-water interface may be approved administratively as defined in ordinance. The use of the alternative buffer establishment line shall only be applied to shorelines with a clearly defined land-water interface.

- B. Except as allowable under Policies 3.3.C and 3.3.D, primary structures shall not be permitted within the surface water protection buffer. The County shall establish allowable uses within the surface water protection buffer. Stormwater management for all alterations associated with allowable uses shall be required to protect water quality of the receiving water body. Provisions for the alteration and/or removal of non-native invasive plants, mitigation projects, and the planting of native species shall be established by the County.

- C. For residential lots platted or established by deed on the official record books of Brevard County prior to September 8, 1988, an alternative to the fifty (50) foot surface water protection buffer described above shall be available for those lots which have insufficient lot depth to construct a primary structure. In the case where there is insufficient lot depth to construct a primary structure, this alternative shall allow the surface water protection buffer to be reduced to twenty five (25) feet if additional measures are taken to preserve water quality and natural habitat within the adjacent surface water body. These additional measures shall, at a minimum, prevent the first inch of stormwater runoff from entering surface waters; and may include, but not be limited to, a stormwater retention system or native shoreline revegetation. Where applicable, stormwater management measures shall be consistent with DEP 62-25, as amended and FS 373, as amended.

- D. For residential lots located along areas of the Indian River Lagoon and its tributaries added to the State's designation of Class II Waters as of February 17, 2016, and platted or established by deed on the official record books of Brevard County prior to that date, an alternative to the fifty (50) foot surface water protection buffer described above shall be available for those lots which have insufficient lot depth to construct a primary structure. In the case where there is insufficient lot depth to construct a primary structure, this alternative shall allow the surface water protection

buffer to be reduced to twenty five (25) feet if additional measures are taken to preserve water quality and natural habitat within the adjacent surface water body. These additional measures shall, at a minimum, prevent the first inch of stormwater runoff from entering surface waters; and may include, but not be limited to, a stormwater retention system or native shoreline revegetation. Avoidance and minimization of buffer impacts shall be required. Where applicable, stormwater management measures shall be consistent with DEP 62-25, as amended and FS 373, as amended. Lots located along areas of Aquatic Preserves and Outstanding Florida Waters shall maintain a fifty (50) foot surface water protection buffer in accordance with Policy 3.3.A, B, and C.

- E. Within the surface water protection buffer the maximum amount of impervious surface is thirty (30) percent.
- F. Prohibit shoreline alteration other than that allowed by ordinance, unless the alteration is in the public interest and does not adversely impact water quality, natural habitat, and adjacent shoreline uses.
- G. Prohibit channelization, dredging and filling, and impoundment of natural waters of the State unless the activity is clearly in the public interest and does not adversely impact water quality, natural habitat, and adjacent shoreline uses. Dredging shall not be permitted in or connected to Class II Waters, Outstanding Florida Waters (OFWs), Aquatic Preserves, areas that contain ten percent (10%) seagrass or more, and conditionally approved shellfish harvesting waters unless the activity is a federal navigation project, in the public interest, such as approved maintenance dredging of existing public or private navigational channels, or where dredging may improve water quality by removing accumulated silt or improving circulation, or for maintenance of existing structures and utility structures and utility crossings, or for shoreline hardening as allowed by this element.
- H. Prohibit discharges of any substances below ambient water quality standards.

Policy 3.4

Brevard County shall continue to prevent negative impacts of development in and adjacent to Class III waters (except Outstanding Florida Waters and Aquatic Preserves) along the St. Johns River and Indian River Lagoon and its tributaries by implementing and revising as necessary, the Surface Water Protection Ordinance including the following minimum criteria:

Criteria:

- A. A twenty five (25) foot surface water protection buffer from the ordinary high water line, mean high water line, or the safe upland line as determined or approved by the FDEP Bureau of Survey and Mapping shall be established. In lieu of an approved ordinary high water line, mean high water line, or safe upland line, an alternative buffer establishment line that approximates the land-water interface may be approved by the director. The use of the alternative buffer establishment line shall only be applied to shorelines with a clearly defined land-water interface.
- B. Except as allowable under Policies 3.4.C and 3.4.D, primary structures shall not be permitted within the surface water protection buffer. The County shall establish allowable uses within the surface water protection buffer. Stormwater management for all alterations associated with allowable uses shall be required to protect water quality of the receiving water body. Provisions for the alteration and/or removal of non-native invasive plants, mitigation projects, and the planting of native species shall be established by the County.
- C. For residential lots platted or established by deed on the official record books of Brevard County prior to September 8, 1988, an alternative to the twenty five (25) foot surface water protection buffer described above along Class III waters shall be available for those lots which have insufficient lot depth to construct a primary structure. In the case where there is insufficient lot depth to construct a primary structure, this alternative shall allow the surface water protection buffer to be reduced to fifteen (15) feet if additional measures are taken to preserve water quality and natural habitat within the adjacent surface water body. These additional measures shall, at a minimum, prevent the first inch of stormwater runoff from entering surface waters; and may include, but not be limited to, a stormwater retention system or native shoreline revegetation. Where applicable, stormwater management measures shall be consistent with DEP 62-25, as amended and FS 373, as amended.
- D. Prohibit shoreline alteration other than that allowed by ordinance, unless it is in the public interest or prevents or repairs erosion; and does not adversely impact water quality, natural habitat and adjacent shoreline uses.
- E. Except for properties on existing residential manmade canals, the maximum amount of impervious surface within the surface water protection buffer is thirty (30) percent.

- F. Prohibit discharges of any substances below ambient water quality standards.

Flood Plain Areas

Objective 4

Reduce loss of flood storage capacity and reduce risk to life and property by continuing to apply regulations which minimize the impact of development within flood hazard areas.

Wetlands

Objective 5

Preserve, protect, restore, and replace wetlands to achieve no net loss of functional wetlands in Brevard County after September, 1990. The County shall ensure the protection of wetlands and wetland functional values by prioritizing protective activities with avoidance of impacts as the first priority, minimization of impacts as the second priority, and mitigation for impacts as the third priority.

Policy 5.1

Brevard County shall utilize the same methodology, soil types, hydrological requirements and vegetation types as the FDEP and the SJRWMD in delineating wetlands.

Policy 5.2

Brevard County shall adopt regulations which promote no net loss of functional wetlands. At a minimum, the following criteria shall be included in the land development regulations:

Criteria:

- A. The basis for no net loss shall be established ~~as of the effective date of the required~~ in ordinance.
- B. Wetlands shall be considered functional unless the applicant demonstrates that the water regime has been permanently altered, either artificially or naturally, in a manner to preclude the area from maintaining surface water or hydroperiodicity necessary to sustain wetland functions.

- C. If an activity is undertaken which degrades or destroys a functional wetland, the person performing such an activity shall be responsible for repairing and maintaining the wetland. If it is not feasible or desirable for the responsible person to perform the repair and maintenance of the wetland, then the responsible person shall mitigate for the wetland loss. Mitigation can include, but not be limited to: wetland restoration, wetland replacement, wetland enhancement, monetary compensation or wetland preservation.
- D. Wetland activity conducted by a public agency may not be utilized for wetland mitigation credit by private persons unless approved by Brevard County.
- E. The following land use and density restrictions within wetlands are established as a maximum density or most intense land use that may be considered only if the other criteria established in Conservation Element Policy 5.2 are met:
 - 1. Residential land uses within wetlands, that are a part of a formal subdivision or site plan, on properties containing wetlands shall be limited to the following:
 - a. Residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. The preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Policy 5.2.E (7), for subdivisions and multi-family parcels greater than five acres in area, New Town Overlays, PUDs, and if applicable, mixed-use land development activities as specified in Policy 5.2.E (6).
 - b. For development activities on property greater than five (5) acres, density may be transferred to an upland portion of the site if consistent with all county land development regulations and compatible with adjacent uses.
 - c. Except as allowable in Policy 5.2.E(1)a, subdivided lots and multi-family parcels shall contain sufficient uplands for the

intended use and for any buffering necessary to maintain the function of the wetland(s), and shall be compatible with adjacent uses.

2. Residential land uses within wetlands and created by metes and bounds, which are not part of a formal subdivision, on properties containing wetlands shall be limited to the following:
 - a. Residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy would render a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. The preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts as described in Policy 5.2.E (1)a above. Application of the one-unit-per-five-acres limitation shall limit impacts to wetlands for single family residential development on a cumulative basis, to not more than 1.8% of the total property as defined in Policy 5.2.E (7).
 - b. Except as allowable in Policy 5.2.E (2)a, properties shall contain sufficient uplands for the intended use and for any buffering necessary to maintain the function of the wetland(s), and shall be compatible with adjacent uses.
 - c. In addition to impacts allowable in Policy 5.2.E (2)a, on properties where sufficient uplands for the intended use and for any buffering necessary to maintain the function of the wetland(s) exist except for access, wetland impacts may be permitted for single access to the uplands.
3. Commercial and industrial land development activities shall be prohibited in wetlands contained in properties designated on the Future Land Use Map as commercial or industrial, and in surrounding upland buffers for such wetlands, except as provided below for I-95 interchanges, mitigation qualified roadways, abutting properties, and access to uplands. In no instance shall a proposed land development activity result in increased flooding on adjacent properties. Where the State does not require a buffer, wetland buffers specifications shall be established in land development regulations and be based on peer-reviewed

publications to include, but not be limited to, Buffer Zones for Water, Wetlands, and Wildlife in the East Central Florida Region, (1990, Brown, M.T., Schaefer, and K. Brandt, published by the Center for Wetlands, University of Florida). Where impacts are permitted, the applicant is encouraged to propose innovative wetland preservation alternatives.

- a. Impacts to wetlands are permissible for commercial or industrial land development activities on a property that is designated as commercial or industrial on the Future Land Use map, and is located within one-half mile of the intersection of the off-ramp of the I-95 interchange with the connecting roadway. The one-half mile radius shall extend from the end of the limited access boundary of I-95. This shall not include those interchanges where I-95 intersects a limited access highway as defined by Florida Statute. Where the State does not require mitigation for any wetland impact, mitigation shall be provided to meet the County's no net loss policy as defined in Objective 5.
- b. In mitigation qualified roadways, commercial or industrial land development activities may be permitted in wetlands contained in properties designated for commercial or industrial land uses on the Future Land Use Map. Mitigation qualified roadways are depicted and identified in a table on Map 8.

An amendment to the Comprehensive Plan shall be required to add a mitigation qualified roadway to Map 8 and the associated table. Impacts to high functioning and landscape level wetlands shall be prohibited unless the proposed impacts are found to be in the public interest, or overriding public benefit. Where the State does not require mitigation for any wetland impact, mitigation shall be provided to meet the County's no net loss policy as defined in Objective 5.

- c. Commercial or industrial land development activities may be permitted in wetlands contained in properties designated for commercial or industrial land uses on the Future Land Use Map prior to February 23, 1996, if the property abuts land(s) developed as commercial or industrial as of December 31, 2010, and has sufficient infrastructure available to serve the

commercial or industrial use. This shall not apply to properties that are addressed under Policies 5.2.E.3.a, b, and d. Impacts to high functioning and landscape level wetlands shall be prohibited unless the proposed impacts are found to be in the public interest, or overriding public benefit. Where the State does not require mitigation for any wetland impact, mitigation shall be provided to meet the County's no net loss policy as defined in Objective 5.

- d. Impacts to wetlands for commercial or industrial land development activities limited solely to providing access to uplands, and for no other purpose than providing access as required by Brevard County land development regulations may be permitted in wetlands contained in properties designated on the Future Land Use Map as commercial or industrial of February 23, 1996, only if all of the following criteria are met:
 - (i) Sufficient uplands exist for the intended use except for access to uplands.
 - (ii) The property was not subdivided from a larger property after December 31, 2010. This shall not preclude a single shared access through wetlands for properties subdivided after December 31, 2010.
 - (iii) Where the State does not require mitigation for any wetland impact, mitigation shall be provided to meet the County's no net loss policy as defined in Objective 5.

- 4. Institutional and Residential Professional development activities within wetlands shall be limited to the following:
 - a. Institutional or Residential Professional land development on properties which contain wetlands and which are designated on the Future Land Use Map as Neighborhood Commercial or Community Commercial shall be considered commercial as set forth in Policy 5.2.E.3. The property shall have sufficient infrastructure available to serve the use.
 - b. Institutional or Residential Professional land development on properties which contain wetlands and which are designated

on the Future Land Use Map as residential shall be limited to properties of at least 5 acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than 5 acres, as unbuildable.

5. In the event that the denial of commercial or industrial development activities in wetlands results in an inordinate burden under the Bert Harris Property Rights Act or a taking under state or federal law, an affected property owner may appeal such denial to the Board of County Commissioners in the manner provided in Section 62-507(b)(2), Code of Ordinances of Brevard County, Florida.
6. Beginning on January 1, 2010, mixed-use land development activities may be permitted in wetlands only if all of the following are met:
 - a. The land development activities that impact wetlands must be part of a mixed use development that includes a minimum of three of the following land uses: residential, commercial (retail services and/or office), recreation/open space and institutional uses. Industrial land uses shall be prohibited in mixed use land development activities within wetlands. For purposes of this policy mixed use land development activities shall be consistent with the following criteria:
 - (i) The mixed use land development activity includes a variety of densities, intensities and types designed to promote walking between uses and utilizes a variety of transportation modes such as bicycles, transit and automobiles; and
 - (ii) The residential component of the land development activity is an integrated part of the project and comprises not less than 30% of the gross square footage of land uses within the development as shown on a site plan or a Sketch Plan complying with the standards set forth in Chapter 11, ~~Policy 9.9.2~~ Objective 9.
 - (iii) The development is in conformance with an integrated site plan or commercial subdivision which includes both vertical and horizontal mix of uses within a defined area.

- b. Impacts to wetlands from mixed-use development activities (including without limitation impacts resulting from associated improvements such as sidewalks, parking areas and driveways) do not exceed the limitation set forth in Policy 5.2 E(7); and
 - c. To the extent direct impacts to wetlands are caused by a particular building or buildings within a mixed-use development, not less than 30% of the gross square footage of such building or buildings must be for residential use; or such building or buildings shall be physically attached to a building having not less than 30% of its gross square footage permitted for residential use.
- 7. Impacts to wetlands from residential and mixed-use land development activities, on a cumulative basis, shall not exceed 1.8% of the non-commercial and non-industrial acreage of a DRI, PUD, parcel acreage or, if the project is within a New Town Overlay (as defined in Chapter 11, ~~Policy 9.2~~Objective 9), 1.8% of the non-commercial and non-industrial acreage within the applicable New Town Overlay.
- 8. Allowable wetland impacts shall be kept to a minimum and related to structural building area requirements, on-site disposal system requirements, the 100 year flood elevation requirement for first floor elevations, required stormwater management and parking, and required access to the on site structures. Minimization shall include application for available land development regulation waivers that would result in reduced wetland impacts.
- 9. Dumping of solid or liquid wastes shall be prohibited.
- 10. Applying or storing pesticides and herbicides should be prohibited unless such application is required for protection of the public health or removal of invasive, exotic, or nuisance plant species for management and mitigation or conservation purposes approved by Brevard County or removal of invasive, exotic, or nuisance plant species for management and mitigation or conservation purposes approved by Brevard County.

11. The County shall develop incentives to minimize impacts to highly functional wetlands.

F. Agricultural Activities

1. An exemption for agricultural pursuits, utilizing best management practices which do not result in permanent degradation or destruction of wetlands, shall be included within the land development regulation.
2. Wetland impacts for activities listed in agricultural zoning classifications as permitted, permitted with conditions, or approved by the Board of County Commissioners as a Conditional Use on properties designated as bona fide agricultural lands per F.S. 193.461 and 823.14, may be allowed subject to the following criteria:
 - a. The property shall be classified as bona fide agricultural per F.S. 193.461 and 823.14 for not less than ten consecutive years as of the date of the proposed impact;
 - b. The property shall have Agriculture Future Land Use designation or DRI Future Land Use designation and the proposed use is consistent with the defined agricultural uses under an approved DRI Development Order.
 - c. Upon approval of the impact, no less than 50 percent of the property area shall retain bona fide agricultural use pursuant to F.2.a above;
 - d. Impacts to high functioning or landscape level wetlands shall be prohibited unless the proposed impacts are found to be in the public interest, or overriding public benefit; and
 - e. The property shall have an agricultural zoning classification or be zoned PUD and the proposed use is consistent with the defined agricultural uses in the PUD zoning resolution or approved Preliminary Development Plan.

Where the allowable use is residential, residential policies shall apply. Sufficient buffer setbacks of the activity from incompatible land uses shall be provided. Buffer setbacks shall be established through the land development regulations. The property shall meet all other State

regulatory criteria.

Policy 5.3

Wetland regulations adopted by Brevard County should avoid duplication of wetland regulation unless regulated activities will result in the destruction and/or degradation of functional wetlands. Where the wetland degradation or destruction has been permitted by FDEP or SJRWMD based on FDEP and SJRWMD professional staff application of criteria and evaluation the County shall apply the land use and density requirements of Policy 5.2 and the avoidance, minimization of impacts, and mitigation priorities established by Objective 5. Any permitted wetland degradation or destruction shall provide for mitigation as designated in the Conservation Element.

Policy 5.4

Wetlands artificially created for wastewater treatment or disposal or for wetland stock nurseries shall not be subject to these regulations and shall not be used to fulfill the requirements of this objective (Objective 5).

Policy 5.5

Natural, isolated wetlands should be incorporated into water management systems where practical and appropriate, as an alternative to destruction of wetlands. Whenever wetlands are utilized within water management systems, quality of the water discharged to the wetlands, hydroperiods and stage elevations should be designed to maintain or enhance the wetland.

Policy 5.6

Wetlands policy should provide allowances to promote redevelopment, and urban and industrial infill.

Minerals

Objective 6

Brevard County shall continue to implement regulations regarding mining, borrow operations and private lakes which protect environmental systems and permit appropriate utilization of the mineral resources.

Policy 6.1

Mining regulations ~~entitled *Land Alteration*~~ shall continue to include, at a minimum, the following provisions to prevent adverse effects on water quality and quantity.

Criteria:

- A. Mining operations are not permitted within Type 1 aquifer recharge areas,

as defined by this Comprehensive Plan.

- B. Mining operations are not permitted within Type 2 aquifer recharge areas which are being used for a drinking water supply or where there is potential for private drinking water supply systems.
- C. Mining operations are not permitted within the 10-year floodplain of the St. Johns River or freshwater tributaries of the Indian River Lagoon or wetlands as protected within this Plan.
- D. Mining operations located within the watersheds of Class I surface waters shall not have adverse impacts on water quality and quantity of potable surface water sources.

Policy 6.2

The County's mining regulations shall continue to include, at a minimum, the following provisions to minimize adverse impacts to environmental resources.

Criteria:

- A. Mining operations should not adversely impact protected wetlands or other water dependent systems, and shall be set back a minimum of 100 feet from such wetlands, except as allowable per Policy 5.2.F.²
- B. Mining operations shall not cause salt water intrusion. Monitoring by the mining operator shall be required to insure this requirement.

Policy 6.3

The County's mining regulations shall continue to include, at a minimum, the following provisions.

Criteria:

- A. Mining operations within any zoning classification shall require a Conditional Use Permit.
- B. Reclaimed mines shall have a minimum five (5) feet horizontally to one (1) foot vertically (5:1) side slopes to a normal water depth of at least five (5) feet below the water surface; subaqueous side slopes deeper than five (5) feet shall be no steeper than 2:1, and a littoral zone.
- C. When the borrow pit (lake) is to be utilized in conjunction with residential development, stormwater shall not be released directly into lakes with depths greater than eight (8) feet. Pretreatment of stormwater, for example via swales, shall be required.

Policy 6.4

A reclamation plan and proof of financial responsibility must be submitted and approved prior to the commencement of the mining operation. The reclamation plan shall address the following concerns, at a minimum.

Criteria:

- A. Average depth;
- B. Bottom contours and littoral zones;
- C. Revegetation plan, showing plant materials;
- D. Control of stormwater runoff and drainage;
- E. Recreational amenities, if any;
- F. Stocking with fish, if any; and
- G. Maintenance plan.

Policy 6.5

A concept plan to bind the operational scope and other physical features of the operation shall be submitted and approved prior to the commencement of the mining operation. The concept plan shall address the following criteria, at a minimum.

Criteria:

- A. Size and location of operation;
- B. Location of equipment and equipment storage;
- C. Extent of buffering and setbacks;
- D. Side slopes;
- E. Points of ingress and egress; and
- F. A vicinity map depicting removal routes that trucks and other vehicles will use to haul to sites or areas external to the borrow site.
- G. The required reclamation plan shall also be included.

Policy 6.6

Brevard County shall continue to implement regulations for land excavation operations in addition to those for commercial borrow operations. These regulations ~~are~~

~~titled Private Lakes~~ and shall ~~continue to~~ include, at a minimum, the following:

Criteria:

- A. Definition of regulated land excavation operations. The construction of a private lake will not be used or constructed as a commercial borrow operation by virtue of its intended use, and maximum size.
- B. Exemptions, including the construction of swimming pools, and water retention areas required in conjunction with an approved site plan or subdivision plat.
- C. The minimum size to be regulated.
- D. Setbacks shall continue to be established in the private lake regulations from property lines and rights-of-way lines of a publicly owned road, street, highway, drainage, or public or private utility easements, and cable TV easements.
- E. Regulated excavations shall not be permitted within:
 - 1. Type 1 aquifer recharge areas as identified within this Plan or within;
 - 2. Type 2 aquifer recharge areas being utilized as sources for public drinking water supplies.
 - 3. Below the ten-year floodplain of freshwater tributaries of the Indian River Lagoon or the St. Johns River.
- F. Limitations shall be adopted on length of time that excavations may occur and hours of operation.
- G. Requirements for side slopes of the completed excavation.
- H. Maximum permitted depths.
- I. Reclamation requirements.

Soil Erosion

Objective 7

Eliminate inappropriate land use practices causing soil erosion and reduce sediment

accumulation in the Indian River Lagoon, St. Johns River and other large surface water bodies.

Policy 7.1

Brevard County shall continue to implement its adopted land clearing, tree protection, and landscaping ordinances to address revegetation and premature land clearing.

Criteria:

- A. Require permitting prior to ~~any~~ land clearing unless exempt by ordinance.
- B. Require phased clearing in conjunction with phased construction.
- C. Require permits for the removal of trees or vegetation in conjunction with land surveying ~~along property lines~~ unless exempt by ordinance.
- D. Require areas cleared of vegetation to be revegetated with biologically appropriate vegetation, to prevent wind or water erosion, within ninety (90) days of initial land clearing activity where no approved landscape plan exists or no active development order has been issued. Native vegetation should be utilized to the maximum extent possible.
- E. Exempt single-family residential lots of two and one-half (2 1/2) acres or less in size, from the requirement of written notification to clear land, if the activity complies with ordinance, after the issuance of a Certificate of Occupancy for the single-family residential lot.
- F. Exempt land clearing in conjunction with agricultural purposes or normal silviculture ~~utilizing best management practices~~ conducted in accordance with F.S. 193.461, as amended.

Policy 7.2

Where localized soil erosion is noted by Code Enforcement, the Natural Resources Management ~~Office~~Department, or other County agency, the Land Conservation Assistance Program (LANDCAN)~~Brevard Soil and Water Conservation District~~ will be contacted and their recommendations shall be incorporated into a program instituted to assist the landowner to renourish and stabilize such areas.

Policy 7.3

In those cases where soil erosion is of concern, especially properties along the Atlantic Ridge, Brevard County shall request review by the LANDCAN~~Brevard Soil and Water Conservation District~~. Brevard County shall consider their recommendations in the design, review and development of projects. Projects should minimize

impervious surfaces by using pervious surfaces where ever feasible, such as for overflow parking.

Policy 7.4

Brevard County will participate with the LANDCAN Brevard Soil and Water Conservation District to educate the public about the causes of soil erosion, as well as methods for preventing or repairing such erosion.

Policy 7.5

Brevard County should employ Best Management Practices for control of erosion and sedimentation for road construction and other County projects.

Policy 7.6

Brevard County shall utilize techniques in the installation of new facilities or improvement of existing facilities to minimize sediment accumulation within surface water bodies and wetlands.

Criteria:

- A. Turbidity screens shall be utilized for all projects which have the potential to release sediments.
- B. All runoff shall be detained prior to release to allow pollutants, soil, particulates and organic materials to settle out.
- C. Phased projects should be cleared in conjunction with construction of each phase.
- D. Areas cleared of vegetation should be revegetated with appropriate vegetation, to prevent wind or water erosion, within ninety (90) days of initial land clearing activity where no approved landscape plan exists or no active development order has been issued.

Vegetation

Objective 8

Conserve, appropriately use and protect native vegetative communities, including forests as appropriate, by regulating land clearing and landscaping practices within Brevard County.

Policy 8.1

Brevard County shall continue to implement and improve the land clearing and tree protection ordinance, and the landscaping ordinance, as amended.

Policy 8.2

Brevard County shall continue to utilize information from the East Central Florida Regional Planning Council and other agencies in undertaking a program to inventory and identify vegetative communities within the County, and to determine loss rates and rarity of such communities.

Wildlife

Objective 9

Protect endangered and threatened wildlife species and species of special concern from adverse impacts due to loss of crucial habitat.

Policy 9.1

Brevard County shall continue to obtain and utilize information from the U.S. Fish and Wildlife Service, Florida Game and Freshwater Fish Commission, Florida Department of Environmental Protection, Florida Natural Areas Inventory, East Central Florida Regional Planning Council and other agencies to inventory and identify crucial habitat for endangered or threatened wildlife species and species of special concern within the County, and to determine loss rates and rarity of such habitat.

Policy 9.2

~~By 2002,~~ Brevard County shall continue to make available Natural Resources of Regional Significance state and federal maps as adopted Florida Department of Environmental Protection in 1998 and revised in 2004, and the Florida Natural Inventory (FNAI) adopted 2000, and revised in 2006 to provide crucial habitat review at the pre-application stage of all projects requiring site-plan or subdivision approval to guide future development away from crucial habitats.

Policy 9.3

Brevard County should coordinate a scientific advisory group to investigate preservation of wildlife habitat, particularly of upland communities.

Policy 9.4

Brevard County shall continue the Environmentally Endangered Lands Program (EEL), as authorized by the voter-approved public referendums in September 1990 and 2004. This program shall remain committed to acquiring, protecting, and maintaining environmentally endangered lands and making improvements as appropriate for passive recreation and environmental education.

Policy 9.5

Development of Brevard County owned conservation areas shall be in accordance with the intent of the original acquisition.

Policy 9.6

Prior to development of any county-owned property, an environmental assessment should be completed which would analyze the impact of the proposed development on the natural resources and wildlife habitat of the property.

Policy 9.7

Brevard County shall continue to rely upon the Environmentally Endangered Lands (EEL) Program, Selection and Management Committee (SMC) land acquisition analysis and the Florida Fish and Wildlife Conservation Commission (FWCC) adopted in 1994, revised in 2006, wildlife corridor studies to determine the appropriateness of wildlife corridors, how extensive they should be, and the location of potential corridors, Brevard County should explore what fiscal resources, including the EELs program, are available for implementation and possible economic incentives for property owners to voluntarily participate in formation of a wildlife corridor program.

Policy 9.8

Brevard County shall delineate and protect linkages between natural systems and the open space systems.

Policy 9.9

On February 7, 2003, the Florida Fish and Wildlife Conservation Commission approved the Brevard County Manatee Protection Plan (MPP). The MPP includes the following major components: habitat protection, education, boat facility siting, State of Florida manatee protection boat speed zones, manatee mortality, law enforcement, and boating safety. In addition to the criteria established in the MPP and incorporated into the Coastal Element, the following criteria shall also apply:

Criteria:

- A. All existing and new marinas shall erect manatee education and awareness signs, which will be posted and maintained in a prominent location. Each marina operator shall establish and maintain a permanent manatee educational display at a prominent location at their marina. Brevard County shall establish and maintain a display at public boat launch facilities and license tag agencies.
- B. Those involved in the sale of boats and motors should provide manatee information to the buyer at the time of delivery of boats or motors.
- C. Brevard County shall maintain well-marked speed limit signs, in accordance with the uniform waterway marker program, for manatee

protection and boating safety speed zones established by local ordinance only.

- D. Brevard County, or other appropriate agencies, shall develop standardized information packet containing information regarding manatees and regulations protecting manatees for distribution by the U.S. Fish and Wildlife Service, Florida Department of Environmental Protection, Brevard Marine Association, and other agencies or groups as appropriate. This will include information concerning the existing manatee slow speed or idle zones, and any additional zones which may be deemed necessary within areas frequented by manatees.
- E. Brevard County shall continue to monitor manatee protection measures to determine their effectiveness.
- F. Brevard County shall identify areas containing significant manatee habitat features. Marinas with powerboat slips should not be sited within these areas.

Policy 9.10

Brevard County should continue to enforce its sea turtle protection ordinance in order to protect sea turtles along the County's beaches. Efforts shall be made to make beachfront lighting ordinances within the County uniform. This may be accomplished through interlocal agreements.

Policy 9.11

Beach renourishment and dune restoration plans shall continue to be designed and implemented so that sea turtle nesting is not disrupted.

Policy 9.12

Brevard County ~~Office of~~ Natural Resources Management Department shall continue to comply with the county-wide scrub-jay ~~Habitat management~~ Conservation agreement ~~Plan~~ as approved by the US Fish and Wildlife Service ~~on July 10, 2003 and revised in 2007~~. Management plans shall be developed for other species, as deemed necessary.

Policy 9.13

The Brevard County ~~Office of~~ Natural Resources Management Department shall make available to the development community, State prepared model management plans for other endangered and threatened species and species of special concern dependent upon habitat rarity and loss rates as described in Policies 9.2, 9.7, and 9.12, in this element.

Policy 9.14

Brevard County shall continue to assist in the application of, and compliance with, all state and federal regulations which pertain to endangered, or threatened species and species of special concern.

Policy 9.15

~~By 2016, t~~The County shall continue to implementdevelop education programs to promote the preservation of endangered and threatened species and species of special concern as well as their habitat, with the assistance of the Florida Department of Environmental Protection, the Florida Game and Fresh Water Fish Commission, and the U.S. Fish and Wildlife Service, and other agencies or groups as appropriate. Brevard County encourages the development of post-development wildlife management plans which would enhance the wildlife potential of existing developments.

Policy 9.16

Brevard County supports the use of Turtle Excluder Devices (TEDs) or other devices to protect wildlife from shrimp and other fishing nets.

Aquifer Protection

Objective 10

Maintain the surficial and Floridan aquifer systems for reasonable and beneficial uses.

Policy 10.1

~~By 2016, Brevard County shall~~ continue to implement ~~undertake a surficial and Floridan aquifer protection study, including modeling of wellfield cones of influence. This study will be coordinated with other appropriate agencies and will become the basis for an~~ the aquifer management plan protection ordinance.

Policy 10.2

~~Until an aquifer management plan is adopted by Brevard, a~~At a minimum, the following criteria shall be incorporated into the land development regulations to protect the aquifer.

Criteria:

- A. In Type 1, 2, and 3 aquifer recharge areas, post-development groundwater recharge volume shall equal pre-development recharge volume. The maximum allowable impervious surfaces in these areas shall be: Type 1 - 25%; Type 2 - 35%; and Type 3 - 45% unless the developer can demonstrate that post-development recharge volume shall equal pre-development recharge volume and dependent upon additional regulations and local

conditions. Citrus, improved pasture, row crop agricultural operations, and normal silvicultural operations using Best Management Practices shall be exempt.

- B. For water quality purposes, stormwater run-off in Type 1, 2, and 3 aquifer recharge areas should be directed through a vegetated stormwater management system which at a minimum has a soil depth of at least two feet above the seasonal high water table. Citrus, improved pasture, row crop agricultural operations, and normal silvicultural operations using Best Management Practices shall be exempt. If alternative methods can be shown to meet an equal or greater degree of stormwater treatment these methods may be considered.
- C. Within Type 1 aquifer recharge areas, the following are prohibited:
 - 1. New septic tanks.
 - 2. New underground storage tanks.
 - 3. Storage of threshold amounts of hazardous materials.
 - 4. Disposal of hazardous materials.
- D. Within Type 2 aquifer recharge areas, the following are prohibited:
 - 1. Storage of threshold amounts of hazardous materials.
 - 2. Disposal of hazardous materials.
- E. Within Type 3 aquifer recharge areas, the disposal of hazardous materials is prohibited.
- F. Groundwater withdrawals shall be managed to prevent salt water intrusion and adverse affects to existing wells. Anyone proposing a new public water supply well must own or control all areas within 500 feet of the proposed well.
- G. An applicant can show that the area does not function as a recharge area by providing additional information about hydrogeologic conditions on site which may include vertical permeability as found in the Aquifer Protection ordinance.

Policy 10.3

Brevard County shall support the City of Titusville's efforts to obtain G-1 sole source aquifer designation.

Policy 10.4

Brevard County shall continue cooperation with the City of Titusville through ~~the existing Interlocal Agreement Ordinance No. 99-010E and development of new pre-~~annexation agreements for properties within the City's Area of Critical Concern in order to carry out Titusville's aquifer protection policies and the provision of potable water.

Policy 10.5

Brevard County shall develop a public education program concerning the importance and methods of protecting the County's surficial and Floridan aquifers.

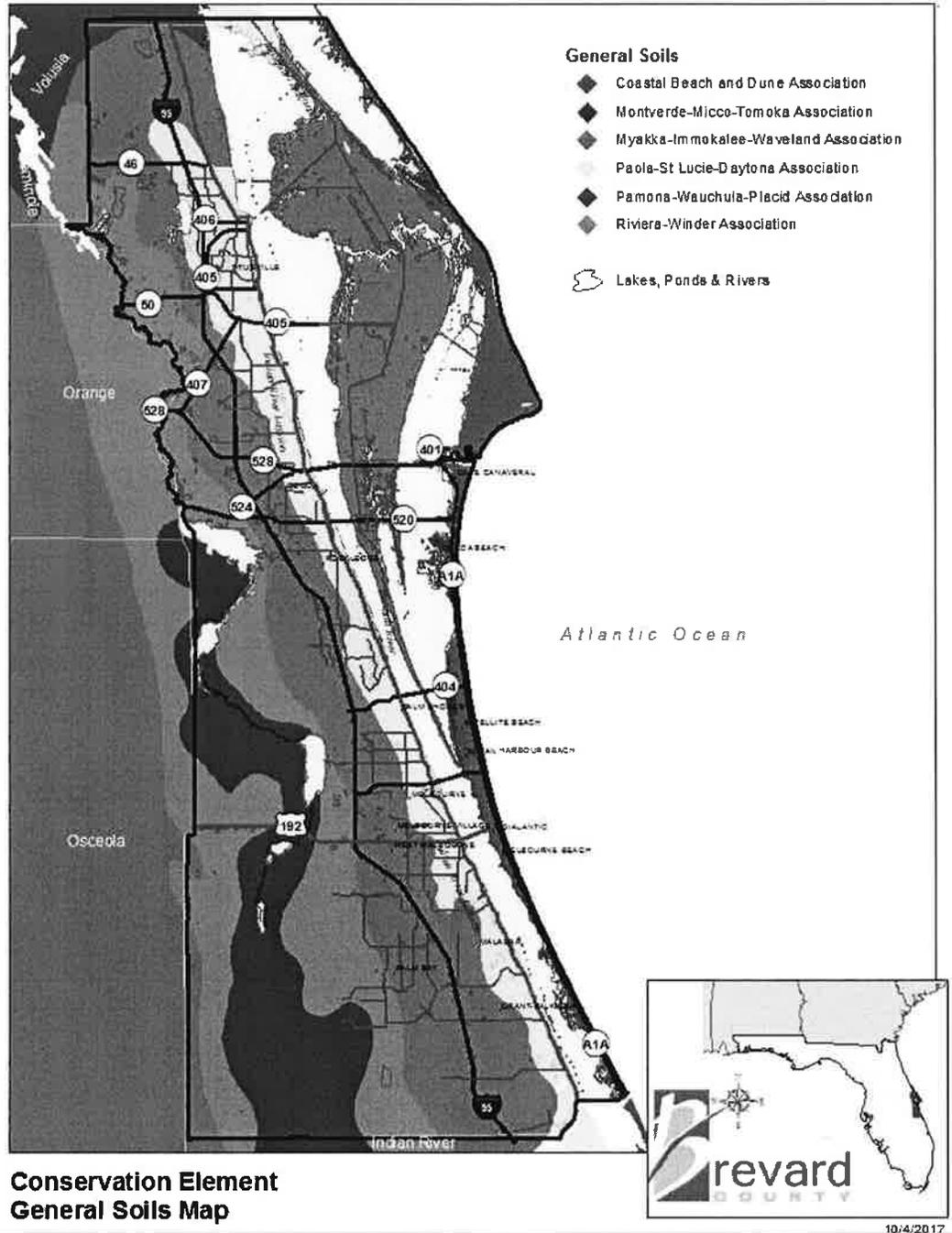
Policy 10.6

~~By 2002,~~ Brevard County shall continue to develop and adopt within its Land Development Regulations to regulate land uses which involve the storage, production, use and disposal of threshold amounts ~~(to be determined)~~ of regulated substances identified as priority pollutants by the Environmental Protection Agency in 40 CFR ~~122.21-401.15, as amended~~ within Type 1, Type 2, and Type 3 aquifer recharge areas. These regulations shall meet the state criteria for protecting wellfields.

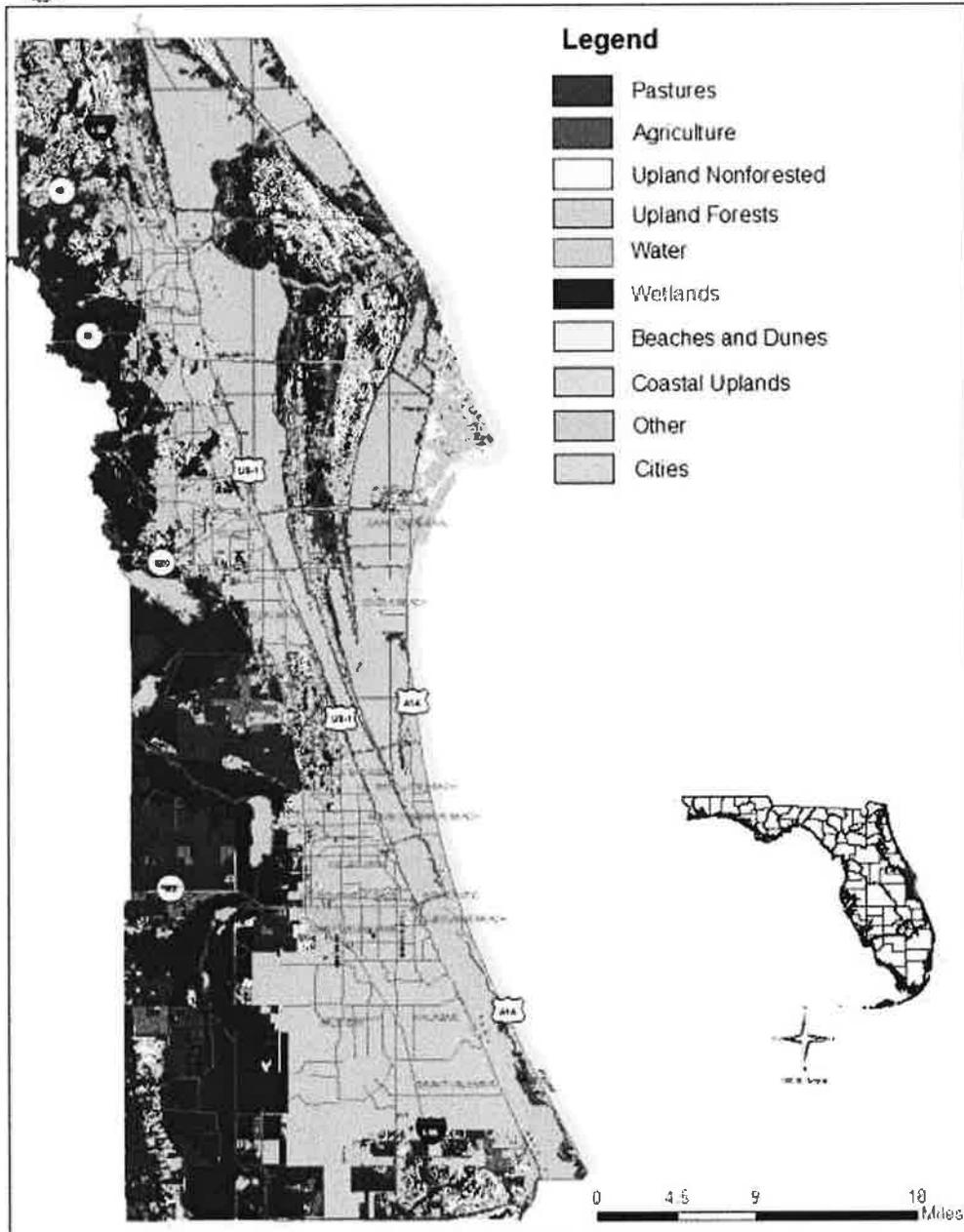
APPENDIX

LIST OF MAPS

Map	Title
<u>1</u>	General Soils
<u>2</u>	Vegetation
<u>3</u>	Biologically Diverse Habitat
<u>43</u>	Floodplains
<u>54</u>	Surface Water - Classification
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<u>7</u>	Marine Facilities
<u>86</u>	Mitigation Qualified Roadways
<u>97</u>	Landscape Level Polygon



Map 1
Soils

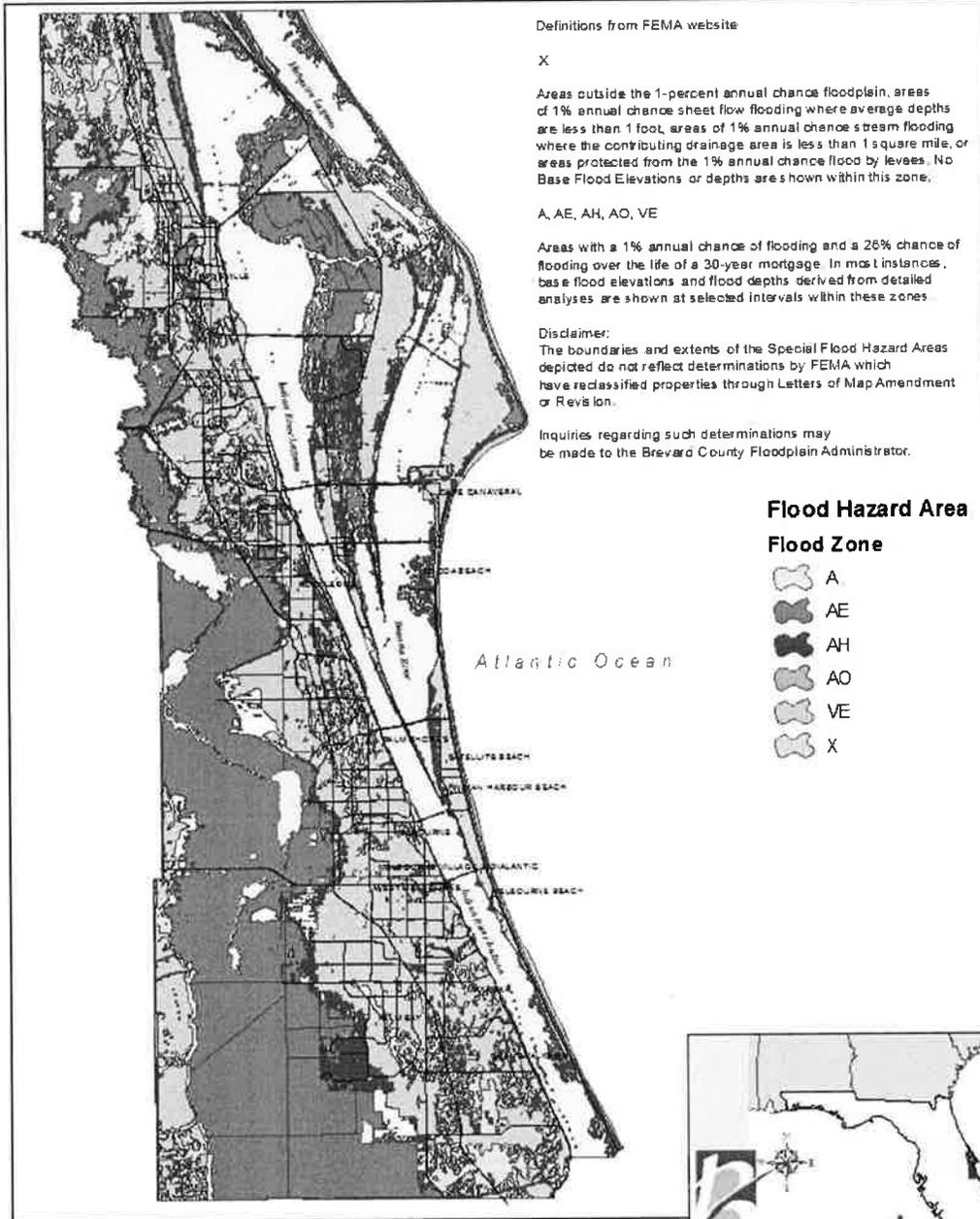


**Conservation Element
Vegetation**

Prepared by: Brevard County Natural Resources Management Office
Notes: State Plane 1984, Florida East
Vegetation by SJRWMD based on aerial photography, FLUCFCS codes
General soil map produced by mapping soil series by their order classifications.

**Map 2
Vegetation Including Wetlands**

CONSERVATION ELEMENT



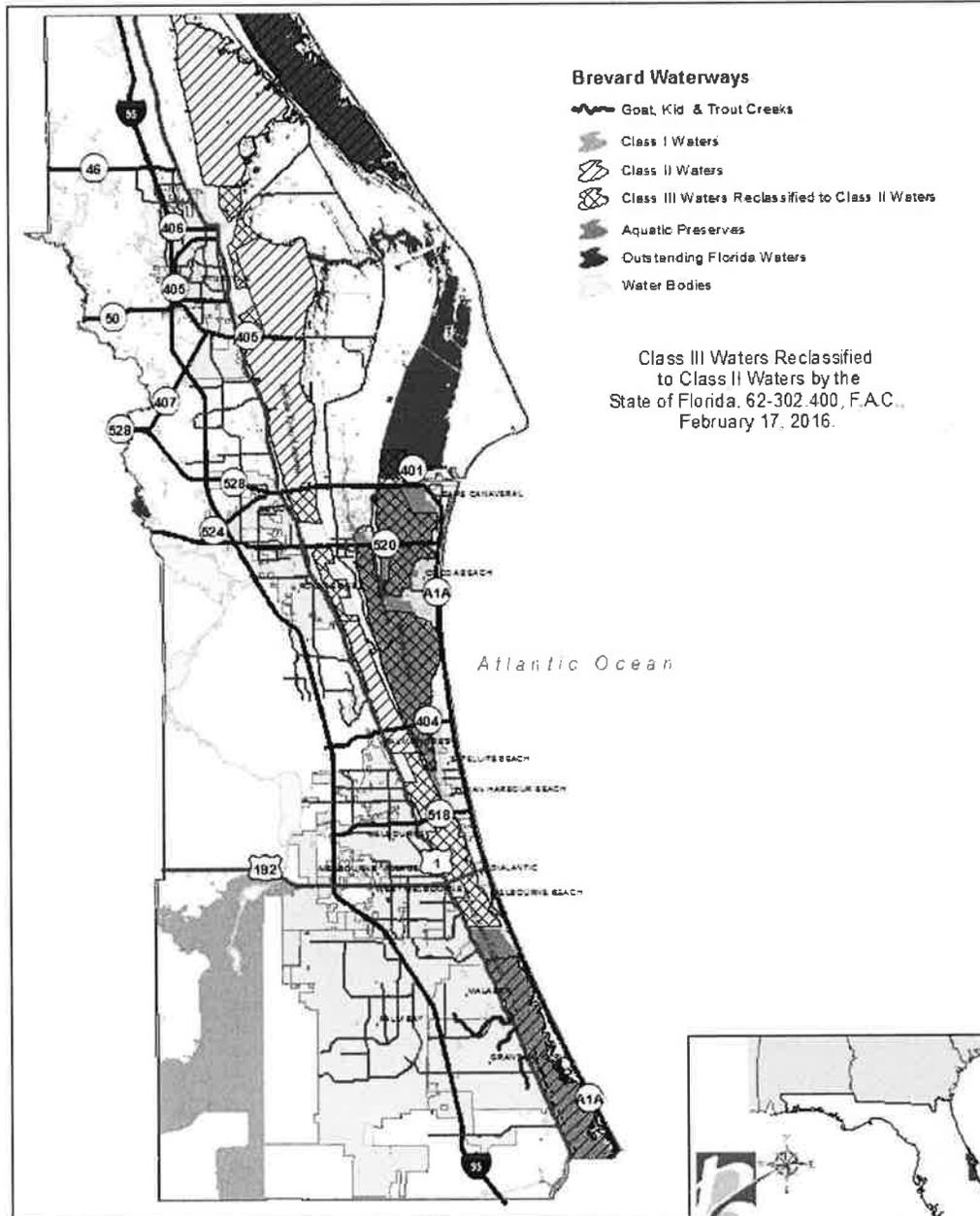
**Conservation Element
Flood Zones**



9/28/2017

**Map 3-4
Floodplains**

CONSERVATION ELEMENT



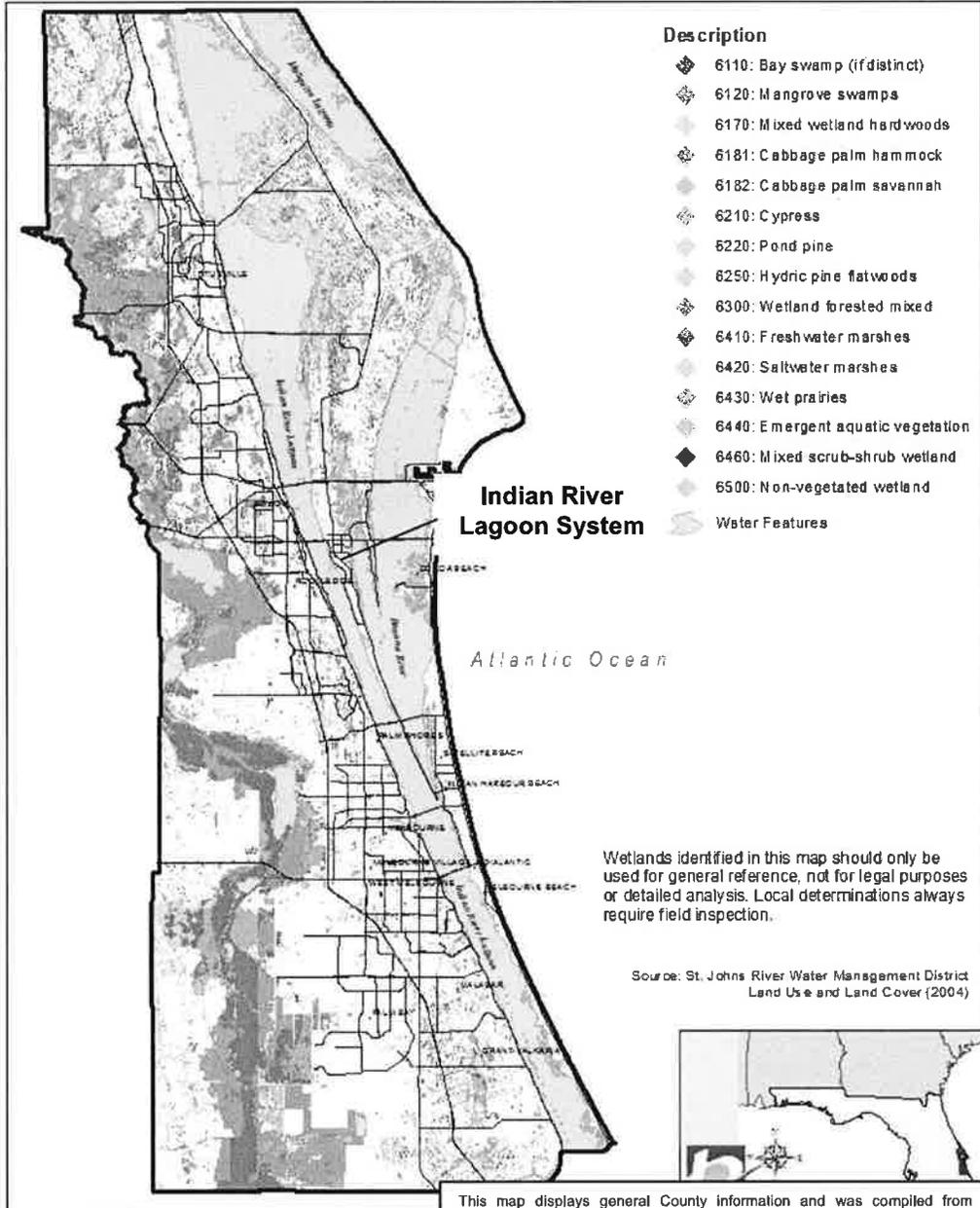
**Conservation Element
Surface Water - Classification**



9/28/2017

**Map 4 5
Surface Water - Classification**

CONSERVATION ELEMENT



Conservation Element Wetlands

This map displays general County information and was compiled from recorded documents. It is not suitable for site-specific uses. The Brevard County Board of Commissioners does not assume responsibility for errors or omissions thereof.

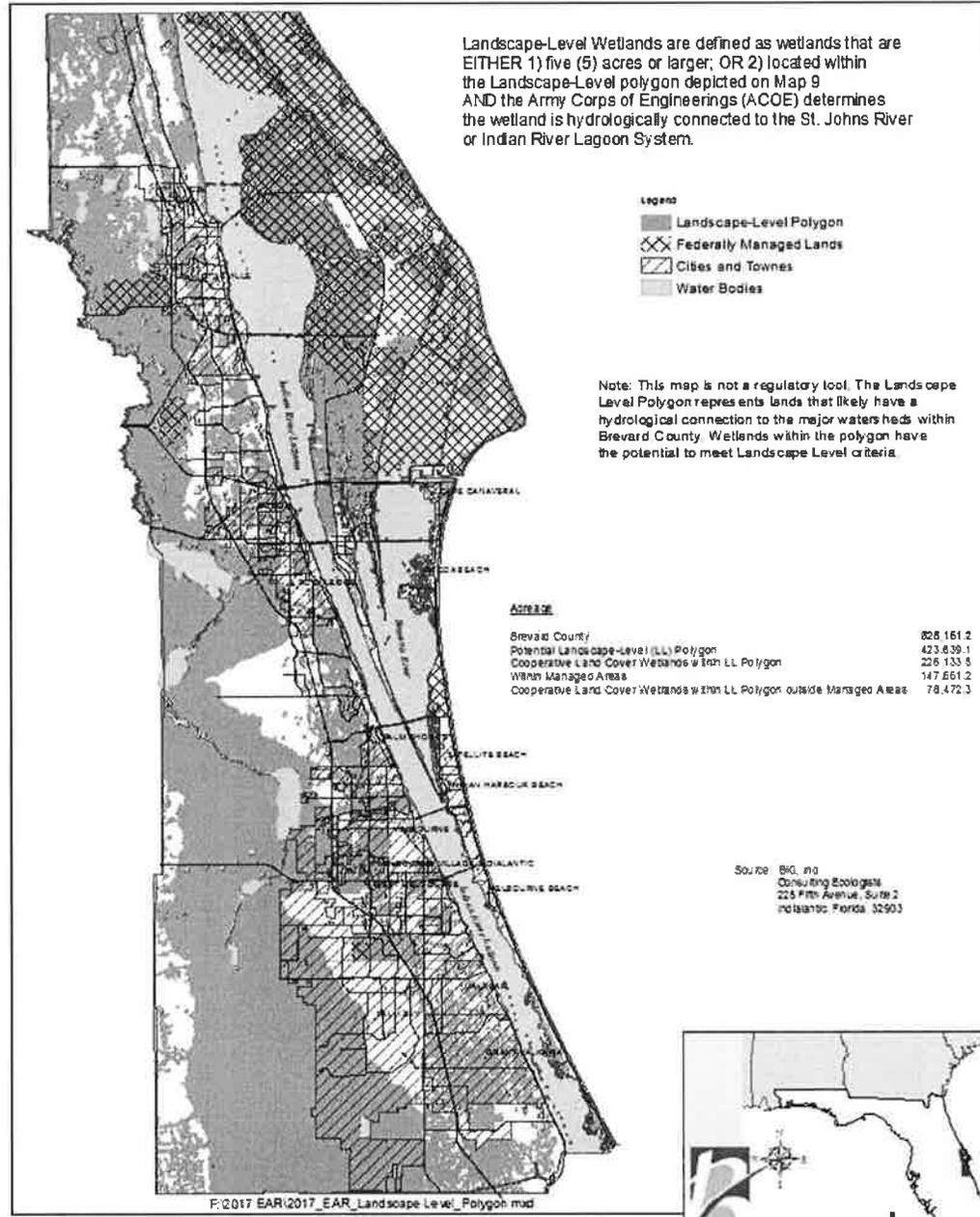
10/4/2017

Map 5 6 Wetlands

CONSERVATION ELEMENT

MQR SEGMENT NAME (Segments apply ONLY in unincorporated areas of Brevard County)	FROM	TO
Stuck Way Rd (CR 3A)	I-95 interchange area*	U.S. Highway 1
U.S. Highway 1	County Line Rd	Kingman Rd (Titusville City Northern Boundary)
SR 46 / Main St	I-95 interchange area*	Approx. 300' west of Turpentine Rd
SR 46 / Main St	I-95 interchange area*	U.S. Highway 1
Parriah Rd	Singleton Ave	U.S. Highway 1
Cheney Hwy (SR 50)	I-95 interchange area*	Approx. 3,800' west of I-95 interchange area*
South Street	Cheney Hwy (SR 50)	Fox Lake Rd
Columbia Blvd (SR 405)	Woodland Hills Dr	U.S. Highway 1
U.S. Highway 1	Titusville City Boundary	Cocoa City Boundary
Grissom Pkwy	Titusville City Boundary	Cocoa City Boundary
Port St. John Pkwy	I-95 interchange area*	Grissom Pkwy
Kings Hwy	U.S. Highway 1	Approx. 329' west of Koesaw
Curtis Blvd	Fay Blvd	Approx. 210' east of Song Dr
Pay Blvd	Carole Ave	Adobe Ave
Canaveral Groves Blvd	U.S. Highway 1	Approx. 330' west of Morris Ave
SR 520	I-95 interchange area*	Penry Ln
SR 524	SR 520	Cocoa City Boundary
Friday Rd	SR 520	Cocoa City Boundary
Lake Dr	SR 520	Cocoa City Boundary
School St	Clearlake Rd	Pineda St
King St (SR 520)	I-95 interchange area*	Cocoa City Boundary
Peachtree St	Clearlake Rd	Pineda St
Pineda St	Peachtree St	School St
Burnett Rd	Lake Dr	Pluckebaum Rd
Range Rd	Lake Dr	Pluckebaum Rd
Pluckebaum Rd	Burnett Rd	Approx. 700' east of Range Rd
Clearlake Rd	SR 520	Tate St
Prake Blvd	I-95 interchange area*	Eyster Blvd
U.S. Highway 1	Rockledge City Boundary	Post Rd (Melbourne City Boundary)
Murrell Rd	Wickham Rd	Rockledge City Boundary
Viera Blvd	Stadium Pkwy	U.S. Highway 1
Spyglass Hill Rd	Murrell Rd	Pinehurst Ave
Wickham Rd	I-95 interchange area*	New Haven Ave (SR 192)
Suntree Blvd	Wickham Rd	U.S. Highway 1
Pineda Cswy	Wickham Rd	RR Crossing
Aurora Rd	Citrus St	Melbourne City Boundary (Approx. 235' east of Alpha Dr)
Croton Rd	Carlton Dr	Melbourne City Boundary (Approx. 100' north of Leewood Blvd)
John Rhodes Blvd	Melbourne City Boundary (N end of Lamplighter Village)	New Haven Ave (SR 192)
Ellis Rd	John Rhodes Blvd	Distribution Dr
New Haven Ave (SR 192)	I-95 interchange area*	Minton Road
Babcock St	Micco Rd	Approx. 680' north of Micco Rd
Micco Rd	Babcock Road	Approx. 1,310' east of Babcock St
US 1/SR 3/Dixie Hwy	Senne St (Grant - Valkaria City Boundary)	Sebastian Inlet Bridge (South Brevard County Line)
Micco Rd	US 1/SR 3/Dixie Hwy	Approx. 340' west of Pine Ridge Trail
N Courtenay Pkwy	Pine Island Rd	SR 520
Courtenay Pkwy	SR 520	Approx. 470' south of Island Beach Blvd.
Sea Ray Dr	N Courtenay Parkway	Banana River Dr
Marine Harbor Dr	N Courtenay Parkway	Tropical Tr
Tropical Tr	Marine Harbor Dr	Barge Canal
N Banana River Dr	Barge Canal	Stafford Ave
Merritt Island Cswy (SR 520)	Indian River Lagoon (east shore)	New Found Harbor (west shore)
Merritt Island Cswy (SR 520)	Newfound Harbor (east shore)	Banana River (west shore)
Milford Point Dr	Merritt Island Cswy	Approx. 629' north of Merritt Island Cswy
Banana River Dr	Merritt Island Cswy	Approx. 1,200' south of Merritt Island Cswy
Newfound Harbor Dr	Merritt Island Cswy	Approx. 179' south of Kessler Dr
Atlantic Ave	Grant	Barlow
Orlando Ave (SR A1A)	11th St (Cocoa Beach City Boundary)	Atlantic Ave (SR A1A)
Atlantic Ave/SR A1A	Indian Village Trail (Cocoa Beach City Boundary)	Grosse Pointe Ave (Indianalantic City Boundary)
SR 513/S Patrick Dr	Pineda Cswy	Satellite Beach City Boundary (Approx. 185' north of Siena Ct)
Eau Gallie Blvd	Harbor City Parkway	SR A1A

* - Please refer to Policy 5.2.E.3.a



**Conservation Element
 Landscape-Level Polygon Map**



9/29/2017

**Map 7 9
 Landscape Level Polygon**

CONSERVATION ELEMENT

CHAPTER II

SURFACE WATER MANAGEMENT ELEMENT

TABLE OF CONTENTS

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GOALS, OBJECTIVES AND POLICIES

GOAL

A SAFE, EFFICIENT, ENVIRONMENTALLY SOUND AND COMPREHENSIVE SURFACE WATER MANAGEMENT SYSTEM IN BREVARD COUNTY.

Master Stormwater Management Plan Implementation

Objective 1

Correct existing deficiencies to ensure preservation and improvement of surface water quality, according to priorities established within the County's Master Stormwater Management Plans.

Policy 1.1

Brevard County shall continue to implement and update a ~~the~~ Master Stormwater Management Plans which establishes criteria and methodologies for drainage basin analysis and Level of Service standards. Drainage basins will be prioritized and analyzed based on severity of problems and available funding. The analysis shall identify the following information, at a minimum:

Criteria:

- A. Surface water drainage basins and sub-basins.
- B. Public and private stormwater treatment facilities, including detention/retention facilities, and the entity having operations responsibility.
 1. For shared facilities, the proportional capacity allocated to each entity shall be identified.
 2. The geographic service area of each facility and the predominant types of land use served by the facility.
 3. The design capacity of the facility.
 4. The current demand on the facility.
 5. The impact of the drainage facility on adjacent natural resources, including water quality of receiving waters.
- C. Estimated timeframe and costs of correcting deficiencies.

Policy 1.2

Priorities for basin analysis and retrofitting shall be established using a matrix approach and the following criteria, at a minimum:

Criteria:

- A. Health and safety.
- B. Flooding potential.
- C. Impact of stormwater on the water quality of the receiving water bodies.

Policy 1.3

The Natural Resources Management ~~Office~~ Department shall be the lead agency for the development and implementation of the ~~Master~~ Stormwater Management Plans and shall coordinate its efforts with the Florida Department of Environmental Protection (FDEP) and St. John's River Water Management District (SJRWMD) on the Basin Management Action Plan (BMAP) ~~Indian River Lagoon Comprehensive Conservation and Management Plan (CCMP)~~, Total Maximum Daily Loads (TMDL's) and the National Pollution Discharge Elimination System (NPDES) permit schedule and requirements.

Policy 1.4

Where an approved stormwater system has been altered, resulting in negative impacts to neighboring properties, Brevard County shall require property owners to return these systems to their original design or to an approved design which is a betterment, as appropriate. Any such improvements shall be consistent with the adopted Stormwater Management Criteria within the Land Development Regulations: Chapter 62, Article X, Division 6 ~~Master Stormwater Management Plans.~~

Policy 1.5

Brevard County shall address modification of existing development, which does not meet stormwater management standards within the Stormwater Management Criteria ~~Master Stormwater Management Plan~~, and should use available financial mechanisms for the modification of such development.

Criteria:

- A. Stormwater management facilities within existing developments should be retrofit to provide for treatment of runoff (including sediment removal where appropriate) prior to release to receiving waters. The Level of Service Standards for these facilities shall be the reduction of the pollutant loading as necessary to enhance or maintain the beneficial uses of the receiving water and to meet

receiving water standards per Florida Administrative Code. All facilities should be maintained at design capacity.

- B. Properties with bulkheads or seawalls should be modified so that runoff is detained prior to release to the receiving body. This may be achieved by planting native or other appropriate vegetation along the shoreline to retain silt, sediment and nutrients so that the rate of runoff is equivalent to the pre-development state.
- C. Properties with vegetated shorelines should modify the shorelines to retain silt, sediment and nutrients by planting native vegetation or other appropriate vegetation. A detention structure, swale, and/or berm may be used to allow sediments to settle and nutrient uptake to occur only if non-native vegetation is predominant. Runoff rates should be equivalent to the pre-development state.

Policy 1.6

Brevard County's ~~Master Stormwater Management Plan~~ Stormwater Utilities Program will continue to ~~shall~~ include a program for periodic, scheduled inspections of stormwater management facilities.

Policy 1.7

Brevard County should continue the public information program on the value of stormwater management. The County should continue to coordinate this program with Natural Resource Conservation Service (NRCS), the Indian River Lagoon National Estuary Program and other appropriate agencies.

Policy 1.8

Brevard County shall determine the feasibility of innovative methods of stormwater treatment. Innovative methods of stormwater treatment should be construed as any technique other than standard retention and detention basin, and shall include such alternatives as stormwater reuse and area wide stormwater management facilities.

Policy 1.9

Brevard County shall pursue funding from federal, state and regional sources to investigate and utilize innovative methods of stormwater treatment.

Policy 1.10

Funding sources for development and implementation of the ~~Master~~ Stormwater Management Plans will continue to ~~shall~~ include the stormwater utility which is also identified within the Capital Improvements Element.

Policy 1.11

Brevard County shall continue to implement the stormwater utility as a reliable long-term funding mechanism to correct existing deficiencies and to provide for future stormwater management needs. Fee structure may be related to type of development, quantity of runoff generated, impervious surface or other "user related" standard.

Policy 1.12

Land use decisions relating to water resources and natural drainage features should be consistent with comprehensive water basin management plans. Area wide water quality management plans should be considered during the continued development of the BMAP Stormwater Management Master Plan. ~~During the development of the Master Stormwater Management Plans, A~~all new development shall meet the established stormwater requirements. If during the time that the ~~Master Stormwater Ordinance Management Plan~~ is being implemented, it becomes apparent that additional regulations are required in order to protect water quality in surface water bodies in Brevard County, the County will initiate protective regulations through the adoption or revision of land development regulations. ~~without awaiting completion of the Master Stormwater Management Plan.~~

Policy 1.13

During continued development of the ~~Master Stormwater Ordinance Management Plan~~, the County shall initiate ~~provide for~~ the adoption of retention and detention standards for stormwater throughout Brevard County.

Policy 1.14

Brevard County should support a program to retrofit large drainage canals with water control structures or rapid infiltration basins to hold canal stages high during the dry season. This would reduce irrigation demands, conserve ground water resources and reduce degradation of water quality of the Indian River Lagoon and the St. Johns River.

Policy 1.15

Nonstructural methods of stormwater management that reduce the generation and accumulation of potential stormwater runoff contaminants should be utilized to the maximum extent possible. Nonstructural methods of stormwater management include pesticide and herbicide control, proper fertilizer management, erosion control, proper waste disposal, etc. In addition, the use of wetlands and floodplains should be utilized whenever feasible in such a manner as to maintain the natural function and biodiversity of the system.

Policy 1.16

No new structures (such as dams, weirs, locks, levees or other artificial mechanisms) designed to control the stage and/or flow of waters of the State shall be constructed, except where no practical alternative exists and where such structures are necessary to protect the public safety, safeguard existing flood control structures, habitable structures and other public investments, or restore the function of the natural water dependent ecosystem. The use of temporary structural modifications to control the stage or flow of a water body as a part of any government sanctioned program of flood control, water quality restoration, habitat restoration or exotic plant control should be designed and operated so as to minimize harm to non-target organisms or natural ecosystems.

Policy 1.17

The channelization, dredging or impoundment of natural waters of the State shall be prohibited, except where no practical alternative exists for those operations necessary to correct existing threats to public health or safety, allow maintenance of existing navigational waterways, or provide reasonable access to water dependent shore-based facilities. All practical steps shall be taken to minimize adverse impacts to biological attributes of the water resources and water-dependent natural systems.

Meeting Future Needs**Objective 2**

Require stormwater management facilities to meet future development requirements, consistent with the County's ~~Master Stormwater Management Plan and this Comprehensive Plan.~~ Master Stormwater Ordinance

Policy 2.1

Brevard County's ~~Master Stormwater Management Plans~~ shall coordinate the timing and location of stormwater management facilities to projected future needs and the ~~F~~future ~~L~~and ~~U~~se plan. Intensity and levels of stormwater services shall be tied to the development of an area, and consistent with level of service standards.

Policy 2.2

The ~~Master Stormwater~~ Utilities Program Management Plans shall continue to leverage ~~also contain~~ alternative methods of funding for the provision of projected future stormwater management needs. These may include, but are not limited to impact fees, capacity reservation fees, or hookup fees to pay for new public facilities or improvements to existing public facilities required for new development.

Policy 2.3

Brevard County requires that new stormwater management facilities or techniques shall not negatively impact adjacent properties.

Policy 2.4

Brevard County should develop a schedule for maintenance of all existing County maintained stormwater management facilities.

Policy 2.5

The provision of stormwater management facilities by the County shall be coordinated and consistent with the provision of other facilities, as directed by this Comprehensive Plan, including the Future Land Use, Conservation, Coastal Management, Transportation and Capital Improvements Elements.

Policy 2.6

The development and use of stormwater management facilities by Brevard County shall be undertaken to maximize the overall public benefit, while minimizing construction, operation and maintenance costs.

Concurrency Management

Objective 3

Require new development to adequately manage stormwater generated by the development.

Policy 3.1

The Brevard County Land Development Regulations shall require all new development being site planned or subdivided to provide for stormwater management, which meets the following Level of Service Standards, at a minimum:

Criteria:

- A. Retention and detention requirements shall at a minimum meet SJRWMD ~~St. Johns River Water Management~~ Criteria.

- B. Retention of the first inch of runoff.
- C. Post-development rate of discharge shall not exceed pre-development rate of discharge for a 25 year - 24 hour storm event.
- D. Stormwater discharge facilities shall be designed so as to not lower receiving water quality or degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 62-302 FAC.

Policy 3.2

Brevard County shall maintain Land Development Regulations consistent with the following minimum criteria:

Criteria:

- A. Land Development Regulations shall be consistent with Brevard County Subdivision and Site Plan Regulations and subsequent amendments or any subsequent stormwater land development regulation, whichever is more stringent.
- B. Land Development Regulations shall require any other design standards as may be required, including the flexibility for the use of the 2-pond retention/detention system or other innovative method of stormwater management approved by the Natural Resources Management Department Office.
- C. Land Development Regulations shall require performance bonds, annual operating fee or other fee structure for the maintenance of private systems which are accepted by the County for maintenance but not for ownership.
- D. If it becomes apparent that additional regulations are required in order to protect water quality in surface water bodies ~~in Brevard County~~, the Brevard County will initiate protective regulations through the adoption or revision of Land Development Regulations.
- E. A plan amendment will be required to change or alter the level of service standards adopted for drainage facilities.

Policy 3.3

Brevard County shall require stormwater management systems to employ the most efficient and cost-effective control techniques available, including Best Management Practices to control siltation and prevent erosion.

Policy 3.4

Brevard County shall continue record keeping on stormwater management practices and monitoring of selected facilities. This information will provide a database for state, regional and local programs.

Policy 3.5

Brevard County shall provide stormwater treatment facilities for all roadways, which it constructs or improves for the purpose of increasing traffic flow. These facilities shall be designed, constructed, operated and maintained consistent with County and state standards.

Policy 3.6

Brevard County should investigate the delegation of stormwater permitting from the SJRWMD ~~to John's River Water Management District~~ or the FDEP ~~Florida Department of Environmental Regulation~~, as appropriate. If Brevard County accepts delegation, this program shall be properly funded and adequately staffed.

Policy 3.7

~~Until the Master Stormwater Management Plan is developed,~~ The Natural Resources Management Department ~~Office~~ shall review and comment on the impact of new development on stormwater conveyance systems. If the conveyance system is determined to be presently deficient, ~~as determined by the Natural Resources Management Office~~, the developer shall be required to retain additional runoff on site, or make improvements to the conveyance system equal to the impact of the new development.

Natural Drainage Functions

Objective 4

Maintain the function of natural drainage features within Brevard County by reducing loss of flood storage capacity, protecting the functional value of wetlands and by reducing the interbasin diversion of waters from the St. Johns River basin into the Indian River Lagoon. Quality of waters which are diverted into the Lagoon system shall be improved.

Policy 4.1

Surface water interbasin diversions for new development shall be prohibited. The reduction or elimination of existing interbasin diversions to re-establish the historic St. Johns River drainage basin shall be encouraged.

Policy 4.2

Brevard County shall review and provide comments on all state and federal proposals for controlling or retrofitting the existing interbasin canals for consistency with this Comprehensive Plan. The County shall request compliance and consistency with this Comprehensive Plan.

Policy 4.3

Brevard County should support the development of a program by the SJRWMD ~~St. Johns River Water Management District~~ to coordinate surface water management data. Information should be collected, reviewed and placed on a computer model to determine cumulative effects of new development on discharge rates and volumes.

Policy 4.4

Brevard County should continue ~~and participate in a County wide task force~~ to coordinate stormwater management plans ~~within the County with~~ municipalities and State and Federal land holders.

Policy 4.5

Development within areas prone to flooding due to localized soil conditions or hydrology shall not negatively impact adjacent properties or receiving surface water body quality.

Policy 4.6

Brevard County shall fulfill the intent of the Conservation and Coastal Management elements of this Comprehensive Plan for the protection of the County's natural drainage features.

Policy 4.7

Public facilities should not be located within the 100-year floodplain or wetland areas unless the following apply:

Criteria:

- A. The facilities are water-dependent, such as boat ramps, docks, mosquito control facilities excluding their chemical storage areas, or other uses described as water-dependent in the glossary of this Comprehensive Plan ; or,

- B. The facilities are water-related, or surface water management facilities or other uses described as water-related in the glossary of this Comprehensive Plan ; or,
- C. The facilities are not adversely affected by periodic flooding or standing water, such as highway bridges and some recreational facilities; or,
- D. The building structures are flood proofed and located above the 100-year flood elevation or removed from the floodplain by appropriately constructed dikes or levees; or,
- E. The facilities are found to be in the public interest and there is no feasible alternative.

Policy 4.8

~~Public facilities should not be located within the 100-year floodplain or wetland areas unless the following apply:~~

Criteria:

- ~~A. The facilities are water dependent, such as mosquito control facilities excluding their chemical storage areas; or,~~
- ~~B. The facilities are water related, such as boat ramps, docks or surface water management facilities; or,~~
- ~~C. The facilities are not adversely affected by periodic flooding or standing water, such as highway bridges and some recreational facilities; or,~~
- ~~D. The building structures are flood proofed and located above the 100-year flood elevation or removed from the floodplain by appropriately constructed dikes or levees; or,~~
- ~~E. The facilities are found to be in the public interest and there is no feasible alternative.~~

Policy 4.89

~~By 2002,~~ Brevard County shall continue its implementation of a mosquito impoundment management plan which should address the following criteria, at a minimum:

Criteria:

- A. Acquisition of impoundments for maintenance and operation.

- B. Appropriate water management system shall be utilized.
- C. Impoundments shall be restored or reconnected with the Indian River Lagoon when a public benefit can be demonstrated.
- D. Proposed alteration of an impoundment should be reviewed by Mosquito Control. Brevard County should compensate property owners for mosquito impoundments when this use precludes all use by the owner or when no alteration would be acceptable to Mosquito Control.
- E. Non-permitted alteration of an impoundment shall be enforced by Brevard County.
- F. All mosquito impoundments should be evaluated and those found to be breached or non-functional should be repaired ~~returned to their natural condition~~ by the appropriate Mosquito Control District. ~~This would include, but not be limited to, removal of existing dikes and re-establishment of historical tidal channels.~~
- G. Those fully functioning impoundments determined to be needed by the Mosquito Control District, should be placed under a rotational impoundment management plan as approved by the Florida Coordinating Council on Mosquito Control.
- H. Any other "source reduction" mosquito control activities that also reduce the natural habitat required by freshwater or marine organisms should be prohibited.
- I. Mosquito control impoundments shall be managed in a manner that avoids adverse impacts to the water quality of receiving water bodies.
- J. The primary use of mosquito control impoundments shall be to protect human health through the control of mosquito populations. Secondary uses may include stormwater management, habitat improvement, wildlife management, and other uses as appropriate. Brevard County shall encourage multiple uses of mosquito control impoundments.
- K. Brevard County should develop a program to acquire right-of-way or easements for drainage systems and mosquito control systems which the County maintains, if not already acquired.

Policy 4.910

Brevard County shall continue a water and sediment quality monitoring program within the Indian River Lagoon system, and shall coordinate such a program with other federal, state and local agencies. Specific methods of coordination include making data available to other agencies, and coordinating possible management strategies. A water and sediment monitoring program will be evaluated at least every 5 years to determine deficiencies or other necessary changes.

Policy 4.1011

Brevard County will continue to identify, and map point and non-point sources of pollution within the Indian River Lagoon system and St. Johns River watersheds to ~~identify and~~ reduce point and nonpoint pollutant loading sources of pollution. This program shall be coordinated with other federal, state and local agencies.

Policy 4.1112

Where illegal or accidental discharges of materials, or violations of water quality standards are observed, such violations will be reported to the appropriate federal, state and local regulatory agencies for further action and enforcement.

Policy 4.1213

Brevard County shall continue to participate in the development and implementation, as appropriate, of the Surface Water Improvement Management (SWIM) BMAP asin Plans, as developed in coordination with the FDEP and SJRWMD ~~t. Johns River Water Management District, municipalities and counties and other agencies.~~

~~BREVARD COUNTY COMPREHENSIVE PLAN~~
CHAPTER III

RECREATION AND OPEN SPACE ELEMENT

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GOALS, OBJECTIVES, AND POLICIES

GOAL 1

PROVIDE A PARK AND OPEN SPACE SYSTEM WHICH OFFERS OPPORTUNITIES FOR A VARIETY OF PASSIVE AND ACTIVE RECREATION, PROMOTES VISUAL APPEAL AND PROVIDES RELIEF FROM EXPANSES OF DEVELOPMENT.

Parks and Open Space System

Objective 1

Provide a system of parks and open space to meet the recreational needs of the public.

Policy 1.1

The Brevard County Parks and Recreation Department develops, operates and maintains the County's parks and recreational areas as well as other facilities managed ~~by agreement~~ from the State of Florida, Brevard County School Board and other lands managed by agreement. This involves the general management of the facilities and program evaluation to identify existing deficiencies and recreational needs for future development. The Department's responsibilities extend to the construction, operation and maintenance of all county recreational facilities.

Policy 1.2

A system of parks and recreational facilities meeting the needs of the population shall be maintained to provide for the acceptable levels of service.

Policy 1.3

Brevard County establishes an acceptable level of service (A.L.O.S.) of total developed acreage of County owned or managed ~~by agreement~~ parks, except for the city owned and County operated parks of Titusville, Rockledge, ~~and Cocoa and Brevard County School sites~~, at 3.0 acres per 1,000 people living in the unincorporated areas of ~~each Parks Operations Area the County~~.

Policy 1.4

Brevard County establishes three Parks Operations Areas:

- North Area Parks Operations;
- Central Area Parks Operations;
- South Area- Parks Operations.

Policy 1.5

Provide adequate maintenance to ensure that existing facilities remain open to the public.

Policy 1.6

Develop and enhance existing parks and open space sites to provide additional recreational facilities based on the recreational needs of the public and as funding become available.

Policy 1.7

Acquire additional parks and an open space site based on the recreational needs of the public and as funding becomes available.

Policy 1.8

Brevard County shall continue to identify appropriate linear open spaces for potential greenway network programming, potential acquisition, planning and development. A greenways network plan shall be created and coordinated with municipalities to promote, develop and maintain linear connections between existing and proposed parks and open spaces. The greenways network shall provide for pedestrian, bicycle, and other non-motorized uses and other passive uses.

Criteria:

- A. ~~The greenways network plan shall inventory and contain ranking criteria for appropriate properties to be considered for acquisition and greenway development. The criteria shall, among other things, prioritize sites that can be integrated into a greenway network and which preserve viable natural resources.~~
- B. ~~Brevard County shall coordinate efforts with municipalities, utilities and resource management agencies to identify appropriate opportunities for the utilization of power line and drainage corridors for greenway development.~~
- C. ~~The County shall seek coordination with municipalities in creating regulations and incentives for new developments, especially those falling within any planned greenway corridors, to dedicate land and easements for the creation of buffers along surface waters and for connections between existing or planned natural, recreation or other community resources.~~

Policy 1.9

Brevard County's Land Development Regulations shall continue to implement the following provisions:

- Regulations which preserves scenic vistas and establishes vegetative coverage requirements for developing and redeveloping properties; and
- Regulations concerning the provision of oceanfront and riverfront breezeways.

Policy 1.10

Oceanfront breezeways shall be provided to permit unrestricted movement of onshore breezes and preserve visual access to the ocean. All oceanfront property, except single-family residential, shall have a minimum of 30 percent of the width clear as breezeway/visual corridor pursuant to current Land Development Regulations.

Criteria:

- A. — All oceanfront property shall provide for the preservation of at least a thirty (30) percent of each property's ocean frontage as open space.
- B. — Additional breezeway space shall be required for building heights exceeding thirty five feet pursuant to land development regulations.
- C. — Construction shall be located west of Brevard County's Coastal Setback Line to maintain a corridor of open space parallel to the Atlantic Ocean.

Policy 1.11

Riverfront breezeways shall provide for a minimum ~~thirty (30)~~ percent breezeway, as measured along the waterfront and visual corridor of each property's river frontage, except single-family residential, pursuant to current Land Development Regulations.

Criterion:

~~Affected properties are those properties between the mean low water line of the river up to an upland distance of two hundred and fifty feet (250) or to the closest dedicated public right of way running parallel to the river. This policy would only affect those properties adjacent to one of the rivers associated with the Indian River Lagoon and the St. John's River systems.~~

- A. — ~~Where development would jeopardize or cause irreversible damage to linkages between surrounding natural systems, development shall be subject to the criteria in the Conservation and Future Land Use Elements.~~
- B. — ~~Site plans should be designed to link on-site open space areas with off-site parcels of open space land, where applicable.~~

Policy 1.12

Brevard County shall maintain, and update as may be necessary, an inventory of County-owned or managed by agreement parks that are open to the public by Parks Operations Area. This inventory will be used to assess whether the adopted Levels of Service are being achieved and maintained. ~~On an annual basis, t~~The inventory of parks including any lands purchased for recreation and/or conservation purposes will be reviewed for amendment to the Future Land Use Map, as needed.

GOAL 2

PROVIDE A COMPREHENSIVE PROGRAM OF ACTIVE AND PASSIVE RECREATION THAT MEETS THE NEEDS OF THE PUBLIC.

Public and Private Access to Waterways

Objective 21

To ensure that Brevard's waterways are a publicly-accessible local system of waterways linked to a larger regional system that contributes to the greatest possible recreational and commercial access to the navigable waters of the State of Florida in a manner that does not jeopardize their environmental values.

Policy 21.1

~~By 2011,~~ The County shall identify, inventory and characterize its system of waterways in terms of use, capacity and relationship to recreational and commercial working waterfronts.

Policy 21.2

~~By 2012,~~ The County shall use this data when identifying future public access opportunities, for integrating waterways with recreational and commercial working waterfronts and when coordinating with other jurisdictions on the potential regional aspects.

Maintenance of Parks and Open Space System

Objective 32

A system of parks and recreation facilities meeting the needs of the population shall be maintained to provide for organized recreational programs and passive enjoyment of park resources.

Policy 32.1

Recreational programs shall be offered at existing facilities based on facility capacities, staff resources and the leisure pursuit interests of the public.

Policy 32.2

The County will strive to locate future parks at, nearby or adjoining existing school sites through coordination with the Brevard County School Board, other government agencies and not-for-profit organizations, where feasible.

Policy 32.3

~~The County will strive to coordinate Existing joint-use agreements with Brevard County schools, shall be maintained and the joint development of future school recreational areas should be coordinated between the school's administrative personnel and the County.~~

Policy 32.4

~~Adequate and qualified~~ levels of staff shall be maintained to ensure that recreational programs are cost effective and properly administered.

Policy 32.5

Persons with disabilities shall be provided access to county owned or operated recreational facilities in accordance with the Americans with Disabilities Act.

Policy 32.6

Enhance the existing public access sites to beaches, shores, parks, and conservation lands by providing additional facilities as determined by need, the character of the land, and as funding becomes available.

Policy 32.7

Brevard County shall encourage cultural and related programs.

GOAL 3

ATTAIN PUBLIC AND PRIVATE SUPPORT FOR THE ACQUISITION, DEVELOPMENT, OPERATION AND MAINTENANCE OF RECREATIONAL FACILITIES AND OPEN SPACE AREAS AND FOR THE DEVELOPMENT AND OPERATION OF RECREATIONAL PROGRAMS.

Level of Service

Objective 43

Provide adequate funding to achieve the appropriate levels of service in a cost effective manner.

Policy 43.1

~~Ad valorem taxes, dedications and fees in lieu thereof, user fees, local, state and federal grants and cooperation with the other governmental agencies, not for profit organizations, and private sector shall be among the v~~Various means shall be utilized by Brevard County to fund the acquisition and development of parks and recreational areas and to provide recreational programs.

Policy 43.2

Establish user fees and/or enterprise funds to offset costs at park sites where facilities and programs are intensive and require continued care and operational guidance.

Criteria:

- A. — User fees may be implemented through fees for rental of facilities, events, parking fees, campsite, golf courses, and program fees or other fees directly related to a recreation service being provided.

Policy 43.3

Monitor Existing joint-use and contractual agreements between the County and other governmental units should be continually monitored to ensure cost effectiveness and that County needs are served.

Public and Private Partnerships

Objective 54

Coordinate public and private resources to meet recreational demands.

Policy 54.1

Development of residential areas shall provide active recreation and open space areas, to augment public recreational facilities and to provide direct, convenient facilities to residents to meet the recreational needs of the residents, as required in the Planned Unit Development (PUD) section of the County's Zoning Regulations.

Policy 54.2

Brevard County may acquire lands, funds, or both, to gain additional neighborhood or community parks necessary to support new residential development.

Criteria:

- A. — An equivalent value of land may be donated to serve as a neighborhood or community park or a substantial portion thereof, or 2 acres of land for every one thousand (1,000) potential residents anticipated to occupy the development.

- B. — Or an equivalent value of money may be deposited in a non-lapsing Trust Fund, administered by the Brevard County Finance Department in cooperation with the Parks and Recreation Department, equal to or exceeding the value of the dedicated land. The Brevard County Property Appraiser's office assessed value of the land may be presumed to be the actual value in the absence of certified appraisal information.

C. — Monies deposited pursuant to the requirements of this subsection shall be expended for the sole purpose of providing, maintaining and managing a neighborhood or community park to be located not greater than a 5-mile radius from the residential development.

D. — These donations shall be a precondition to final subdivision plat approval.

E. — The subject neighborhood or community park shall be established within the boundaries of the residential development and under the responsibility of a Home Owners Association, or equivalent body, for the purpose of assuming the long term maintenance and operation of the park. Recorded covenants running in perpetuity with the land shall restrict the use of the land to park and recreation purposes. Approval of the subdivision plat shall require depiction of the community park area and the presence of Home Owner Association Documents.

RECREATION AND OPEN SPACE ELEMENT

APPENDIX-A

LIST OF TABLES

Table	Title
1.	Park Inventory by Park Operations Area

TABLE 1
Brevard County Parks and Recreation Department

Parks included in Calculation for Acceptable Levels of Service
September, 2012

NORTH AREA PARKS OPERATIONS

Park Name	Acreage	Park Classification
1. Bernice G. Jackson Park	21.62	Community Park
2. Blue Hole Park	.46	Neighborhood Park
3. Chain of Lakes	270.19	Urban District Park
4. Cuyler Park	13.31	Community Park
5. Fay Lake Wilderness Park	192.70	Urban District Park
6. Fay Park	11.10	Community Park
7. Fox Lake Park	31.57	Urban District Park
8. Friendship Park	.96	Neighborhood Park
9. Gibson Complex And Fields	28.90	Community Park
10. Harry T. & Harriette V. Moore Memorial Park	11.93	Community Park
11. Hatbill Park	15.00	Boating Area
12. Holder Park	40.95	Community Park
13. Kennedy Point Park	5.38	Community River Park
14. Manatee Hammock	26.45	Urban District River Park
15. Mims Launch Ramp	.75	Boating Area
16. Nicol Park	5.27	Community River Park
17. North Brevard Senior Center	17.10	Community Park
18. Parrish Park - Scottsmeer	16.95	Neighborhood Park
19. Parrish Park - Titusville	36.60	Urban District River Park
20. Port St. John Boat Ramp	1.03	Boating Area
21. Port St. John Community Center	5.48	Community Park
22. Rotary Riverfront Park	5.79	Community River Park
23. Sandrift Recreation Center	2.40	Community Park
24. Scottsmeer Landing	3.05	Community River Park
25. Scottsmeer Meeting Hall	.46	Community Park
26. Sherwood Park	4.00	Neighborhood Park
27. Singleton Tennis Courts	4.42	Community Park
28. Six Mile Creek	4.15	Community River Park
29. Space Coast Communities Sports Complex	207.14	Regional Park

30. Stuart Park	3.00	Neighborhood Park
31. Tom Statham Park	5.15	Community River Park
32. W. W. James Park	53.17	Community Park
33. William J. Manzo Memorial Park	2.48	Community River Park
TOTAL ACREAGE	1,048.91	

RECREATION AND OPEN SPACE ELEMENT

CENTRAL AREA PARKS OPERATIONS – MAINLAND SERVICE SECTOR

Park Name	Acreage	Park Classification
1. Cocoa West Recreation Complex	19.39	Community Park
2. F. Burton Smith Regional Park	1,080.36	Regional Park
3. James G. Bourbeau Memorial Park	194.54	Community River Park
4. Lee Wenner Park	11.55	Community River Park
5. Leroy Wright Recreation Area	32.65	Community River Park
6. Melarty Park	19.85	Community Park
7. Pineda Park	8.00	Community Park
8. Riverwalk – A Family Park	6.37	Community River Park
9. Silver Pines Park	3.77	Neighborhood Park
10. Beach Access Sites	3.64	Beach Access Sites
11. Cherie Down Park	6.99	Community Beach Park
12. Dolphin Park	.72	Neighborhood Park
13. Harbor Point Park	.09	Neighborhood River Park
14. Intracoastal Waterway Park	8.50	Community River Park
15. Kelly Park	15.37	Community River Park
16. Kelly Park West	40.93	Community River Park
17. Kings Park	240.00	Community River Park
18. Kiwanis Island Park	18.38	Community River Park
19. Lori Wilson Park	32.43	Regional Beach Park
20. Manatee Cove	29.49	Community River Par
21. Margaret & Danny Strickland Park	.14	Neighborhood River Park
22. Mitchell Ellington Park	114.15	Urban District Park
23. Osteen Park	3.80	Community River Park
24. Pineview Park	3.77	Neighborhood Park
25. Robert P. Murkshe Memorial Park	2.50	Community Beach Park
26. Rotary Park Merritt Island	37.77	Community Park
27. Ulumay Wildlife Sanctuary	436.53	Conservation Area
28. Veterans Memorial Park	2.63	Community River Park
29. Watts Park	2.07	Neighborhood River Park
30. Woody Simpson Park	12.00	Community Park
TOTAL ACREAGE	2,388.38	

RECREATION AND OPEN SPACE ELEMENT

SOUTH AREA PARKS OPERATIONS

Park Name	Acreage	Park Classification
1. Beach Access Sites	5.57	Beach Access Sites
2. Bonsteel Park	2.34	Community Beach Park
3. Canova Beach Park	9.10	Community Beach Park
4. Christenson's Landing	36.90	Boating Area
5. Coconut Point Park	36.90	Community Beach Park
6. Eau Gallie Causeway Boat Ramp	1.40	Boating Area
7. Erna Nixon Park	53.93	Community Park
8. First Street Boat Ramp	.54	Boating Area
9. Fisherman's Landing	7.48	Community River Park
10. Flutie Athletic Complex	29.00	Community Park
12. Howard E. Futch Memorial Park	12.39	Regional Beach Park
12. Irene H. Canova Park	3.30	Community River Park
13. John Jorgensen's Landing	.49	Boating Area
14. Juan Ponce deleon Landing Park	13.66	Community Beach Park
15. Judith Resnick Memorial Park	10.06	Community Beach Park
16. Kiwanis Park At Geiger Point	7.00	Community River Park
17. Lake Shepard Boat Ramp	.12	Boat Ramp
18. Lake Washington Park	25.96	Community River Park
19. Long Point Park	84.50	Urban District River Park
20. Max K. Rodes Park	134.38	Community Park
21. Micco Park	9.32	Community Park
22. Oars And Paddles Park	4.27	Community River Park
23. Palm Bay Aquatic Center	2.80	Community Beach Park
24. Palm Bay Regional Park	200.00	Regional Park
25. Pineda Causeway	.20	Boating Area
26. POW/MIA Park	4.58	Community River Park
27. Police Foundation Park	6.34	Neighborhood Park
28. Rotary Park At Suntree	10.36	Community River Park
29. Sarno Lakes	45.00	Community Park
30. Seagull Park	1.60	Neighborhood Beach Park
31. South Beach Community Park	67.22	Community Park
32. South Mainland Community Center - Micco	10.38	Community Park
33. South Patrick Community Park	8.12	Neighborhood Park
34. Spessard Holland North Beach Park	4.53	Community Beach Park
35. Spessard Holland South Beach Park	6.50	Community Beach Park
36. S.P.R.A. Park	.83	Neighborhood Beach Park
37. Viera Regional Park	124.62	Regional Park
38. Wickham Park	391.04	Regional Park

RECREATION AND OPEN SPACE ELEMENT

November 2017May 2014

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TABLE 1**Brevard County Parks and Recreation Department****2017 Acceptable Level of Service Acreage**

July, 2017

<u>North Area</u>	
<u>Bernice G. Jackson Park</u>	<u>21.62</u>
<u>Blue Hole Park</u>	<u>.45</u>
<u>Chain of Lakes</u>	<u>270.19</u>
<u>City Point Community Church</u>	<u>.40</u>
<u>Cuyler Park</u>	<u>13.31</u>
<u>Fay Lake Wilderness Park</u>	<u>192.70</u>
<u>Fay Park</u>	<u>11.10</u>
<u>Fox Lake Park</u>	<u>31.57</u>
<u>Friendship Park</u>	<u>.96</u>
<u>Gibson Complex and Fields</u>	<u>22.71</u>
<u>Harry T. & Harriette V. Moore Memorial Park</u>	<u>11.93</u>
<u>Hatbill Park</u>	<u>15.00</u>
<u>Holder Park</u>	<u>40.95</u>

<u><i>Kennedy Point Park</i></u>	<u>5.38</u>
<u><i>Manatee Hammock</i></u>	<u>26.45</u>
<u><i>Mims Launch Ramp</i></u>	<u>.75</u>
<u><i>Nicol Park</i></u>	<u>5.27</u>
<u><i>North Brevard Senior Center</i></u>	<u>16.68</u>
<u><i>Parrish Park – Scottsmoor</i></u>	<u>16.95</u>
<u><i>Parrish Park – Titusville</i></u>	<u>36.60</u>
<u><i>Port St John Boat Ramp</i></u>	<u>1.03</u>
<u><i>Port St John Community Center</i></u>	<u>5.48</u>
<u><i>Rotary Riverfront Park</i></u>	<u>5.79</u>
<u><i>Sandrift Community Center</i></u>	<u>2.41</u>
<u><i>Scottsmoor Landing</i></u>	<u>3.04</u>
<u><i>Scottsmoor Meeting Hall</i></u>	<u>.46</u>
<u><i>Sherwood Park</i></u>	<u>4.00</u>
<u><i>Singleton Tennis Courts</i></u>	<u>4.42</u>
<u><i>Six Mile Creek</i></u>	<u>4.15</u>
<u><i>Space Coast Communities Sports Complex</i></u>	<u>207.18</u>
<u><i>Stuart Park</i></u>	<u>3.00</u>
<u><i>Tom Statham Park</i></u>	<u>5.15</u>
<u><i>W. W. James Park</i></u>	<u>40.17</u>

RECREATION AND OPEN SPACE ELEMENT

<u><i>William J. Manzo Memorial Prk</i></u>	<u>2.37</u>
<u><i>Total ALOS Park Acreage – North Area</i></u>	<u>1,029.62</u>
<u><i>Central Area</i></u>	
<u><i>Cherie Down Park</i></u>	<u>6.99</u>
<u><i>Cocoa West Recreation Area</i></u>	<u>18.85</u>
<u><i>Dolphin Park</i></u>	<u>.72</u>
<u><i>F. Burton Smith Regional Park</i></u>	<u>1,103.95</u>
<u><i>Harbor Point Park</i></u>	<u>.09</u>
<u><i>Intracoastal Waterway Park</i></u>	<u>8.50</u>
<u><i>James G. Bourbeau Memorial Park</i></u>	<u>194.54</u>
<u><i>Kelly Park East</i></u>	<u>15.37</u>
<u><i>Kelly Park West</i></u>	<u>40.93</u>
<u><i>Kings Park</i></u>	<u>240.00</u>
<u><i>Kiwanis Island Park</i></u>	<u>23.93</u>
<u><i>Lee Wenner Park</i></u>	<u>11.55</u>
<u><i>Leroy Wright Recreation Area</i></u>	<u>55.56</u>
<u><i>Lori Wilson Park</i></u>	<u>34.50</u>

<u><i>Manatee Cove Park</i></u>	<u>29.52</u>
<u><i>Margaret & Danny Strickland Park</i></u>	<u>.25</u>
<u><i>McLarty Park</i></u>	<u>19.85</u>
<u><i>Mitchell Ellington Park</i></u>	<u>114.15</u>
<u><i>Osteen Park</i></u>	<u>3.60</u>
<u><i>Pineda Park</i></u>	<u>4.52</u>
<u><i>Pineview Park</i></u>	<u>3.77</u>
<u><i>Riverwalk – A Family Park</i></u>	<u>6.37</u>
<u><i>Robert P. Murkshe Memorial Park</i></u>	<u>2.50</u>
<u><i>Rotary Park Merritt Island</i></u>	<u>37.90</u>
<u><i>Silver Pines Park</i></u>	<u>3.77</u>
<u><i>Ulumay Wildlife Sanctuary</i></u>	<u>436.53</u>
<u><i>Veterans Memorial Park</i></u>	<u>68.66</u>
<u><i>Watts Park</i></u>	<u>2.07</u>
<u><i>Woody Simpson Park</i></u>	<u>8.91</u>
<u><i>Beach Access Sites</i></u>	<u>3.64</u>
<u><i>Total ALOS Park Acreage – Central Area</i></u>	<u>2,501.49</u>

RECREATION AND OPEN SPACE ELEMENT

<u>South Area</u>	
<u>Bonsteel Park</u>	<u>2.34</u>
<u>Brevard Zoo Linear Park</u>	<u>37.03</u>
<u>Canova Beach Park</u>	<u>9.10</u>
<u>Christenson's Landing</u>	<u>3.92</u>
<u>Coconut Point Park</u>	<u>36.90</u>
<u>Eau Gallie Causeway Boat Ramp</u>	<u>1.40</u>
<u>Erna Nixon Park</u>	<u>53.93</u>
<u>First Street Boat Ramp</u>	<u>.64</u>
<u>Fisherman's Landing</u>	<u>7.48</u>
<u>Flutie Athletic Complex</u>	<u>36.49</u>
<u>Howard E. Futch Memorial Park</u>	<u>12.39</u>
<u>Irene H. Canova Park</u>	<u>3.95</u>

<u>John Jorgensen's Landing</u>	<u>1.01</u>
<u>Juan Ponce de León Landing Park</u>	<u>13.66</u>
<u>Judith Resnick Memorial Park</u>	<u>10.06</u>
<u>Kiwanis Park at Geiger Point</u>	<u>7.00</u>
<u>Lake Shepard Boat Ramp</u>	<u>.12</u>
<u>Lake Washington Park</u>	<u>26.83</u>
<u>Long Point Park</u>	<u>84.50</u>
<u>Max K. Rodes Park</u>	<u>134.38</u>
<u>Micco Park</u>	<u>9.27</u>
<u>Pineda Causeway</u>	<u>.97</u>
<u>POW/MIA Park</u>	<u>4.90</u>
<u>Police Foundation Park</u>	<u>6.34</u>
<u>Rotary Park at Suntree</u>	<u>10.36</u>
<u>Sarno Lakes</u>	<u>41.25</u>
<u>Seagull Park</u>	<u>1.60</u>
<u>South Beach Community Park</u>	<u>65.65</u>
<u>South Mainland Community Center - Micco</u>	<u>10.38</u>
<u>South Patrick Community Park</u>	<u>8.12</u>
<u>Spessard Holland North Beach Park</u>	<u>9.25</u>
<u>Spessard Holland South Beach Park</u>	<u>5.25</u>

RECREATION AND OPEN SPACE ELEMENT

<u>S.P.R.A. Park</u>	<u>.83</u>
<u>Viera Regional Park</u>	<u>124.62</u>
<u>Wickham Park</u>	<u>476.27</u>
<u>Beach Access Sites</u>	<u>5.57</u>
<u>Total ALOS Park Acreage – South Area</u>	<u>1,270.87</u>
<u>Total ALOS Park Acreage</u>	
<u>Unincorporated Brevard County</u>	<u>4,801.98</u>

**BREVARD COUNTY COMPREHENSIVE PLAN
CHAPTER IV**

HISTORIC PRESERVATION ELEMENT

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GOALS, OBJECTIVES AND POLICIES

GOAL

IDENTIFY, PROTECT, PRESERVE, RECOGNIZE, AND MITIGATE IMPACTS UPON THE RESOURCES WHICH ARE SIGNIFICANT IN TERMS OF HISTORIC, ARCHAEOLOGICAL, ARCHITECTURAL AND CULTURAL VALUES, AND SERVE AS REMINDERS OF BREVARD COUNTY'S HERITAGE.

Historical Resource Inventory

Objective 1

Brevard County will continue to develop and maintain an inventory of the resources which are significant in local, state and national history.

Policy 1.1

A survey of historic resources will continue to be supported and conducted by Brevard County.

Criteria:

- A. As a first priority, areas should be surveyed that are experiencing or are anticipated to experience pressures for development.
- B. Both reconnaissance or intensive survey efforts shall be conducted by professionals with expertise in historic resource survey work.
- C. The public should be encouraged to participate in these survey efforts, by submitting known locations of historic resources to increase public support for preservation and to reduce survey costs.
- D. Information on those resources identified as historically significant shall be submitted to the Florida Division of Historical Resources for inclusion in the Florida Master Site File. Sites or properties deemed significant or potentially significant should be proposed for listing in the National Register of Historic Places.
- E. Information obtained from these surveys shall be utilized in the development of appropriate historic preservation measures for Brevard County.

Policy 1.2

Historic sites and landmarks should be identified and evaluated for significance in local, state and national history utilizing the minimum criteria below:

Criteria:

- A. Character, interest, or value as part of the development, heritage or cultural characteristics of an area;
- B. Location or site of a significant historic event;
- C. Identification with a person or persons of historical fame, or who have significantly contributed to the culture and development of an area;
- D. Exemplification of the cultural, economic, social or historic heritage of an area;
- E. Portrayal or exemplification of the environment of a group of people in an era of history characterized by a distinctive architectural style;
- F. Embodiment of distinguishing characteristics of an architectural type or specimen;
- G. Identification as the work of an architect or master builder whose individual work has influenced the development of an area;
- H. Embodiment of elements of architectural design, detail, materials, or craftsmanship that represent a significant architectural innovation or style;
- I. Relationship to other distinctive structures, properties or areas that are eligible for preservation according to a plan based on a historical, cultural or architectural motif;
- J. Unique location or singular physical characteristic representing an established and familiar visual feature of an area;
- K. Religious properties deriving primary significance from architectural or artistic distinction, or historical importance;
- L. A building or structure removed from its original location, but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event;
- M. A birthplace marker or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his or her life;

- N. A cemetery which derives its primary significance from graves of persons of historic importance, from age, from distinctive design features, or from association with historic events;
- O. A reconstructed building when accurately executed in a suitable environment and/or presented in a dignified manner as part of a restoration master plan, and no other building or structure with the same association has survived;
- P. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional importance;
- Q. A property achieving significance within the past fifty years if it is of exceptional importance; and
- R. A property, structure or group of structures that represent the qualities and characteristics of a particularly fine or unique example of a utilitarian purpose, and having a high level of architectural integrity or significance. Examples include but are not limited to farmhouses, barns, citrus packing houses, gasoline stations and other commercial structures.

Policy 1.3

Archaeological resources shall be identified and evaluated for significance utilizing the minimum criteria below:

Criteria:

- A. An important historical event, person or group of people was associated with the site;
- B. The quality of the site or the data recoverable from the site is of sufficient significance that it would provide unique information on prehistoric or historical events;
- C. The site was the focus of discrete types of activities such as habitation, religious practice, burial, fortification, etc.;
- D. The site was the location of historic or prehistoric activities during a particular period of time; and
- E. The site maintains a sufficient degree of environmental integrity to reflect some aspect of the relationship of the site's original occupants to the environment.

Policy 1.4

Maintain a Local Register of Historic Places to recognize those historic resources that may be ineligible for state or national listing but are significant in Brevard County's history.

Criteria:

- A. The criteria for determining historic and archaeological significance, as listed under Policies 1.2 and 1.3 of this element should be used to guide the selection of properties for the Local Register.
- B. The County Historical Commission should coordinate this effort with the County Historic Preservation Officer, municipalities, local historical societies, local arts councils and museums.
- C. Official listing on the Local Register shall be at the will of the property owner; however, serious efforts shall be taken to encourage property owners to include their properties on the Local Register. Property owners shall retain the right to remove their property from the Local Register, providing no public financial or other incentives have been received for the preservation of the historic resource on that property.

Policy 1.5

Develop a computerized inventory of the buildings, structures, districts, sites, objects and places in the County which are designated as being historically significant.

Criteria:

- A. Resources listed on the National Register of Historic Places, the Florida Master Site File and the Local Register of Historic Places shall be included in the inventory.
- B. Locally significant historic resources should be included to recognize those not eligible for national or state recognition in and of themselves.
- C. Historic resources should be classified according to their period, functions and characteristics, to aid in proper and adequate information filing, storage and retrieval.

Policy 1.6

Maintain a campaign to encourage property owners to provide information for the Florida Master Site File, and to prepare nomination forms for historic resources that may be eligible for listing in the National Register of Historic Places or the Local Register of Historic Places.

Criteria:

- A. Technical assistance in the completion of the nomination forms should be provided by the Florida Bureau of Historic Preservation, the County Historical Preservation Officer, and the County Historical Commission.
- B. The municipalities, private businesses and industries, local historical societies, local arts councils, schools and museums should be encouraged to participate in this campaign which will strengthen community pride, increase tourism opportunities, and enhance the preservation of the historic resources.

Policy 1.7

The identification and evaluation of all historic resources shall be coordinated with the Florida Division of Historical Resources to ensure that these efforts are conducted in an appropriate and efficient manner.

Policy 1.8

Brevard County shall coordinate the collection, preservation and maintenance of historical records, in accordance with federal and state standards, as may be applicable.

Preservation of Historical Resources

Objective 2

Brevard County should adopt and implement measures for the protection and preservation of the historic resources in the County.

Policy 2.1

The County should facilitate the adoption of a historic preservation ordinance to provide appropriate protection for significant historic resources.

Criteria:

- A. The ordinance should provide protection for the resources listed on the National Register of Historic Places, the Florida Master Site File, the Local Register of Historic Places, and those to be discovered in the future.
- B. The ordinance should outline standards for the identification and evaluation of historic resources.

- C. The ordinance should establish a review board to be responsible for evaluating development proposals for their impact on historic resources. Representatives should be appointed to this board based upon their knowledge in dealing with both historical structures and archaeological sites. A County Historic Preservation Officer should be designated to serve as staff to this board.
- D. The ordinance should establish procedures for the review of all development and redevelopment proposals, including those for infrastructure, for the impact upon designated historic resources. Alterations to these resources should also be reviewed prior to approval. The Standards for Rehabilitation of the Secretary of the U.S. Department of the Interior should be used in the review of alterations to historic buildings.

Policy 2.2

Upon adoption of the historic preservation ordinance, Brevard County shall pursue certification of the ordinance from the U.S. Department of the Interior.

Policy 2.3

All public and private development and redevelopment proposals, including those for infrastructure, should be reviewed for the impact upon designated historic resources.

Criteria:

- A. The resources designated as being historically significant are those on the National Register of Historic Places, the Florida Master Site File, the Local Register of Historic Places, and those to be discovered in the future.
- B. If a determination is made that there will be a potentially negative impact to a historic resource, the County shall notify the Florida Division of Historical Resources and the County Historic Preservation Officer.
- C. Every effort shall be taken to preserve the resource. Where preservation is not a feasible alternative, the resource shall be relocated, information regarding the resource shall be recorded, or elements of the resource shall be salvaged for further study.

Policy 2.4

Public and private development and redevelopment activities, including those for infrastructure, shall cease where artifacts of historical or archaeological significance are discovered to allow for an evaluation of historical significance.

Criteria:

- A. Immediately upon discovery, notification shall be given to the Florida Division of Historical Resources and the County Historic Preservation Officer.

- B. Ground disturbing activities shall be suspended within 20 feet of the discovery for up to 30 days from the day of notification to allow for an initial evaluation of significance. If the resource is found to be potentially significant, activities shall be further suspended for up to 30 days to allow for further evaluation. Ground disturbing activities shall be undertaken with caution in the surrounding area. Efforts shall be taken to evaluate the site in a timely and reasonable manner. The property owner should be allowed to hire a professional archaeologist to evaluate the site.

- C. Where the discovery is determined to be historically significant, every effort should be taken to preserve the resource. Where preservation is not a feasible alternative the resource should be relocated, information regarding the resource should be recorded, or elements of the discovery should be salvaged for further study. Funding for these efforts should be supported by the public sector, where financially feasible, and through voluntary support from the private sector. The County should encourage private participation in these efforts through incentives.

Policy 2.5

Develop a transfer of development rights program that would encourage the protection of historic resources from the potential impacts of development and redevelopment.

Policy 2.6

Brevard County shall utilize the Standards for Rehabilitation of the Secretary of the U.S. Department of the Interior, as amended, for all rehabilitation projects subsidized by public funds and should facilitate proposals that encourage their use in private rehabilitation efforts through investment tax credits or other incentives.

Criteria:

- A. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

- B. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- C. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
- D. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- E. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
- F. Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- G. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- H. Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.
- I. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.

- J. Whenever possible, new additions or alterations to structures shall be done in a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

Policy 2.7

Support modifications to the State enabling legislation to encourage the rehabilitation of historic buildings by the private sector.

Policy 2.8

Efforts should be taken to protect the designated historic resources from vandalism and destruction.

Criteria:

- A. Exact locations of known archaeological resources shall not be publicized to protect these resources from harm.
- B. Publicly-owned or maintained resources should be protected with appropriate security devices and private property owners should be encouraged to do the same.

Policy 2.9

The responsibilities of the County Historical Commission should be expanded to more fully involve the Commission in the implementation of the directives of this element.

Criteria:

- A. The Board of County Commissioners should appoint three members to the Historical Commission for each district. Members should be appointed based upon their knowledge in dealing with historic and archaeological resources. Expertise in the fields of anthropology, archaeology, architecture, civil engineering, history, law and planning should be considered.
- B. The Historical Commission should be provided adequate office space and access to County staff as necessary. All actions of the Historical Commission shall be coordinated through the County Historic Preservation Officer.
- C. The Historical Commission shall be responsible for the preparation of an annual report of their activities for presentation to the Board.

Policy 3.1

Facilitate the preparation and distribution of information or materials that increase the public's knowledge and appreciation of the County's heritage.

Criteria:

- A. Information should be provided on the County's history.
- B. A variety of resources should be considered including pamphlets, brochures, newspaper articles, photo exhibits, video tapes, cassette tapes, and radio and television broadcasts.
- C. Information should be made available to the public in a variety of locations including the Brevard County Service Complexes, County libraries, Tourist Development Office, schools, colleges and universities, recreational facilities, senior centers, museums, Brevard Arts Council, Brevard Economic Development Council Office, chambers of commerce, and city halls.

Policy 3.2

Maintain and support a local historic landmark program to recognize the significant historic resources in Brevard County.

Criteria:

- A. Landmarks should recognize the resources listed on the National Register of Historic Places, Florida Master Site File, and Local Register of Historic Resources. However, exact locations of known archaeological resources should not be identified where proper security cannot be provided.
- B. Informational materials should be prepared and made available to the public to promote the local historic landmark program. The materials should identify contact persons if further information is desired.
- C. The landmark program should be coordinated with the municipalities, local historical societies, local arts councils, museums, private businesses and industries, and interested individuals.

Policy 3.3

Brevard County should provide information regarding the County's historic preservation programs to interested groups and organizations in an effort to increase public awareness of the County's heritage and commitment to preservation.

Policy 3.4

A collection of historic preservation publications should be developed, maintained and made available to the public.

Criteria:

- A. The collection should be centrally located and administered by the County Historic Preservation Officer.

- B. Copies of selected publications should also be provided to the County libraries.

Public and Private Partnerships

Objective 4

Brevard County should increase the level of funding for historic preservation through mechanisms that involve both the public and private sectors.

Policy 4.1

Brevard County shall pursue the Federal and State Historic Preservation Grants-in-Aid funding to support the efforts to identify, evaluate, protect and preserve its historic resources and support public education programs.

Policy 4.2

As a part of the "Historic Brevard!" campaign, seek contributions from private businesses, industries, foundations and civic organizations to support the historic preservation efforts throughout the County.

Policy 4.3

Utilize volunteers, where feasible, in all aspects of the historic preservation program to involve interested individuals with knowledge of local historic resources.

Policy 4.4

Allocate portions of the Tourist Development Tax funding to support the County's historic preservation efforts, in recognition of the positive impact of historic preservation upon tourism.

Historical Homes

Objective 5

Brevard County shall increase the knowledge and appreciation of the historically significant housing in Brevard County through measures which identify, preserve, protect and educate the community about the heritage of such housing.

Policy 7.1

Brevard County should continue to implement the policies of the Historic Preservation element of the Comprehensive Plan regarding the identification, evaluation, protection and preservation of the housing which is historically significant, including those listed within the following databases when established:

Criteria:

- A. National Register of Historic Places; ~~the~~
- B. Florida Master Site File; ~~or the~~
- C. Local Register of Historic Places ~~when established.~~

Policy 7.2

Brevard County should provide technical assistance to owners of historically significant housing or other individuals that are interested in preservation activities.

Criteria:

- A. Assistance to be provided should include, but not be limited to, that for the preparation of National Register and Florida Master Site File nomination forms, preparation of grant applications, and the identification of historic resources.
- B. Assistance should also be provided in the interpretation and application of the Historic Preservation element of this Comprehensive Plan and any regulations prepared pursuant to that element.

Policy 7.3

Pursue available Federal, State and local funding sources to support efforts to preserve or protect historically significant housing.

Criteria:

- A. At a minimum, applications should be made for the Historic Preservation Grants-in-Aid program administered by the Division of Archives, History and Records Management of the Florida Department of State.
- B. Appropriate activities eligible for grant funding are classified as Acquisition and Development or Survey and Planning activities (Chapter 1A-34, F.A.C.). Emphasis should be placed on surveys and evaluations of historic resources, research efforts to study the effectiveness of preservation programs and techniques, and on community relations and education programs.

HOUSING ELEMENT

CHAPTER V

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GOALS, OBJECTIVES AND POLICIES

GOAL

TO PRODUCE AND PRESERVE AFFORDABLE HOMEOWNERSHIP AND MULTIFAMILY HOUSING .TO BENEFIT VERY LOW, LOW AND MODERATE INCOME RESIDENTS OF BREVARD COUNTY. PROVIDE ADEQUATE AND AFFORDABLE HOUSING, IN SUITABLE RESIDENTIAL ENVIRONMENTS THAT MEET THE PUBLIC'S PHYSICAL AND SOCIAL NEEDS, WHILE STRIVING TO ENSURE EQUAL HOUSING OPPORTUNITIES FOR ALL RESIDENTS OF BREVARD COUNTY.

Affordable Housing

Objective 1-Affordable Housing

Brevard County should act within its authority to substantially increase the supply of affordable housing through implementation of programs that meet the needs of eligible households . Eligible households are determined by HUD, as adjusted for family size.

Policy 1.1

Brevard County has established the following as the definitions of affordable and workforce housing:

Criteria:

- A. Brevard County defines Affordable Housing as a single or multi- family owner occupied or rental housing unit that has a gross household income mortgage or rental payment, including utilities, not exceeding 30% of the gross income of households at or below 120% of the Area Median Income (AMI), as adjusted for family size;
- B. Brevard County defines Workforce Housing as a single or multi-family owner occupied, or multi-family owner occupied, or rental housing unit that has a gross household income including utilities, not exceeding 30% of the annual gross income of households at or below 140% of the Area Median Income (AMI), as adjusted for family size.
- C. Housing costs include: contract rent and utilities; and payment of principal, interest, taxes and insurance for owner occupied units.

Policy 1.2

Newly constructed dwelling units shall comply with the requirements of the 5th Edition 2014 Florida Building Code as published by the Southern Building Code Congress International, as amended from time to time.

Policy 1.3

The Brevard County should increase the supply of affordable housing within the County by utilizing the following strategies:

Criteria:

- A. Utilize federal, state, and local sources of funding, when available, to enable low income families to purchase their first homes through down-payment assistance, interest buy-downs, and/or other financing.
- B. Provide housing counseling assistance to prospective first time homebuyers.
- C. Provide counseling to home owners who are in danger of mortgage default or who may require special assistance in obtaining other aid, as funding allows.
- D. Ensure that homes purchased through Brevard County Purchase Assistance Program are in compliance with applicable building codes or standards.
- E. Encourage mortgage lenders to invest in housing for low and very low income families.
- F. Encourage mortgage lenders to investigate and utilize existing programs, such as Fannie Mae, for low income homebuyers.
- G. Forge public - private partnerships to facilitate a community based first time homebuyers' program.
- H. Increase developer awareness of federal and state sources of loans and grants for rental property rehabilitation and construction.
- I. Provide technical assistance to owners, developers, and potential developers of affordable housing.
- J. Recruit, identify, and develop partnerships with non-profits to develop capacity for successful rehabilitation/construction, and management of affordable units.
- K. Review the County's permitting process on a continual basis and conduct pre-application meetings with affordable housing developers.
- L. Continue to utilize a joint review of development plans at scheduled meetings to expedite the permitting process.

- M. Establish and maintain the Affordable Housing Council, pursuant to Florida Statute 420.9076, as part of the process by which each new proposed regulation will be reviewed for its impact upon housing.

Policy 1.24

Brevard County shall define 'significant economic impact(s)' which result from regulation, and require each new proposed regulation to be reviewed and evaluated accordingly. Brevard County shall include the Housing and Human Services Department, Affordable Housing Council, Planning and Development and other Departments as needed in the process by which each new proposed regulation will be reviewed for impact of cost upon housing. The Affordable Housing Council will weigh that cost impact against the quality of life aspects of the regulations' intent and purpose.

Policy 1.35

The Housing and Human Services Department ~~Community Development Program~~ should focus on the development and rehabilitation of housing which is affordable to ~~the very~~ low income households.

Policy 1.46

Brevard County shall identify and establish, as appropriate, a local funding source to assist in the provision of very low income housing, including housing for households with special housing needs. This funding source shall be a stable, consistent and broad-based financial resource.

Criteria:

- A. The following funding sources when available should include, but not be limited to:
1. Public Housing Authorities
 2. Community Development Block Grant Program
 3. Community Reinvestment Act
 4. State Housing Initiatives Partnership (SHIP) Program
 5. Rural Development
 6. HOME Investment Partnership Program
 7. Florida Housing Finance Corporation
 8. Brevard County Housing Finance Authority
 9. Non-profit Organization
 10. Tax Increment Financing
 11. Interest on Real Estate Escrow Accounts
 12. General Obligation Bonds
 13. Housing Finance Authority Reserves
 14. Private Investments
 15. Tax Credit Program
 16. Local Option Sales Tax

17. Property Tax Relief

Policy 1.57

Identify public or private vacant lands or structures that would be suitable for the location of housing affordable to very low income households or to meet the needs of the homeless and identify the funding sources for an acquisition and development program.

Criteria:

- A. Suitable locations should be conveniently located to the essential public facilities and services, employment centers, shopping, mass transit, schools, health services, and other community services.

- B. Such locations should be residential in character, with a variety of locations being available throughout the County so as not to cluster this development in limited locations.

Policy 1.68

~~Housing and Human Services Department will support and provide input to Brevard County should coordinate with~~ entities that provide services to the homeless in order to determine to identify the need for temporary shelters and transitional housing so as to target identify available funding to these areas.

Policy 1.79

As a part of Development of Regional Impact reviews, Chapter 380, F.S., Brevard County should review these proposals with respect to the impact upon the need for affordable housing for very low and low income households within the County and East Central Florida Region.

Policy 1.810

~~The Brevard~~ County encourages Developments of Regional Impact (DRI's) to incorporate affordable and workforce housing within the boundaries of the project. Developers will be encouraged to meet with ~~C~~ county staff to discuss opportunities for including affordable and workforce housing in their project through a Community Benefits Agreement for the provision of such housing.

Policy 1.911

~~The Brevard~~ County shall continue to encourage the use of the Affordable and Workforce Housing Incentives ~~s~~Sections of the County Land Development Regulations ~~adopted on May 3rd, 2007.~~

Policy 1.1012

The Board of County CommissionersBOCC and respective County departments and agencies recognize that affordable/workforce housing is a vital component of the local economy and will participate in solution oriented efforts to facilitate, preserve, and increase affordable and workforce housing inventory.

Policy 1.1113

The County, when funding is available, will continue to offer down payment assistance to very low, low and moderate income homebuyers.

Policy 1.1214

The County shall use the existing Housing Trust Fund, and proceeds from Board of County CommissionersBOCC authorized dedicated funding sources, to generate revenues for the provision of affordable/workforce housing by the private and non-profit sectors.

Policy 1.1315

The County shall continue to provide local regulatory incentives through the State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan, and other programs and opportunities for affordable housing, and eliminate disincentives that negatively affect housing costs and supply in the private and non-profit sectors, consistent with state statutes. These incentives shall be annually reviewed by the Affordable Housing Council, and forwarded with any recommendations to the Board of County Commissioners.

Policy 1.1416

The County shall review its Building Code, Land Development and Zoning Regulations to identify, modify, or eliminate those regulations and/or procedures that unnecessarily increase the cost of housing.

Policy 1.1517

The County shall analyze the effect impact fees and concurrency will have on affordable housing and evaluate, if appropriate, methods that could be used to reduce identified adverse impacts.

Policy 1.1618

The County shall further evaluate, and if appropriate adopt, local regulatory incentives in the Zoning and Land Development -RegulationsCodes, including, but not limited to, transfer of development rights, density bonuses, and other similar incentives.

Policy 1.1719

The County shall ~~further continue and~~ maintain , develop and review procedures to expedite review of affordable housing developments and housing for essential employees and special needs groups. ~~Such procedures shall be included in the~~ within its Land Development Regulations.

Housing Programs Awareness

Objective 2-~~Housing Programs Awareness~~

Brevard County shall increase the public's awareness of housing programs and activities, especially those which target very low income households through effective marketing of available programs.

Policy 2.1

The Housing and Human Services Department should maintain a list of the various housing programs and opportunities that are available from the public and private sectors and ensure that this information is readily available to the public.

Policy 2.2

A Housing Resource webpage and brochure will be available to provide information, on the housing assistance programs to provide information, on the housing assistance programs available from the public and private sectors throughout the County will be maintain.

Policy 2.3

~~Brevard County~~The Housing and Human Services Department~~Community Development~~ should maintain information on trends and needs in the housing market to assist the participants in the housing delivery system in the provision of housing which meets the physical, economic and social needs of the residents.

Criteria:

- A. At a minimum, information should be maintained and distributed on general housing and population characteristics, housing units by type, residential building permits by type and general location, housing vacancy rates, and land use acreage.
- B. This information should be updated in coordination with the 5 Year Consolidation Plan where possible~~on an annual basis where possible, or when more current information becomes available.~~

Policy 2.4

The County, when funding is available, shall provide and maintain a comprehensive and effective education program, using existing programs and resources, to prepare low-income families for homeownership and long term affordability. This program should include the following components: homebuyer education, homebuyer counseling, and mortgage default prevention counseling.

Policy 2.5

The County shall continue to meet quarterly and coordinate County housing assistance programs with other municipal, regional, State, and Federal programs that are designed to provide housing opportunities for very low, low and moderate income groups.

Policy 2.6

Brevard County will encourage, whenever possible, the use of Section 3 certified and MBE/WBE contractors pursuant to Section 3 of the Housing and Urban Development Act of 1968 and 24CFR Part 85.36 (e) (1), respectively.

Policy 2.7

Brevard County will affirmatively further fair housing, pursuant to Section 808(e)(5) of the Fair Housing Act (42 U.S.C. 3608(e)(5)).

Equal Housing Opportunities

Objective 3–Equal Housing Opportunities

Brevard County shall seek to achieve a housing market with mechanisms to ensure that the market is fair and balanced, and provides equal housing opportunity for all residents of the County.

Policy 3.1

All housing, community development, and redevelopment activities of Brevard County shall be administered in accordance with Title VIII of the Civil Rights Act of 1968, the Florida Fair Housing Act, Chapter 760.20 – 760.37, F.S., and a local fair housing ordinance if adopted.

Adequate Residential Choices

Objective 4–Adequate Residential Choices

Brevard County shall continue to provide for adequate lands for residential land uses in a wide variety of housing types, housing price levels, and broad geographic choices to meet the needs of all existing and anticipated residents in the County.

Policy 4.1

~~The zoning and~~ Land development regulations and Comprehensive Plan policies shall continue to designate adequate lands for residential development which allows for a variety of housing types, while providing residents with choices in residential locations. The following criteria shall apply:

Criteria:

- A. ~~The zoning and~~ Land development regulations shall continue to designate lands for single-family, multi-family and mobile home residential development in a range of densities consistent with the service sectors, Future Land Use Map, and this Comprehensive Plan.
- B. ~~The zoning and~~ Land development regulations shall continue to designate lands for residential development where the public facilities and services are available at the adopted levels of service in this Comprehensive Plan. Where public facilities are not available, residential development should only be permitted at densities which allow for self-sufficiency for water and sewer service.
- C. ~~The zoning and~~ Land development regulations should continue to provide for a variety of minimum lot sizes, minimum floor areas, setbacks, and residential land use mixes that allow for choice in housing types, designs and price levels.
- D. ~~The zoning and~~ Land development regulations shall continue to provide for appropriate land use relationships to be considered in the review of development proposals to ensure land use compatibility between residential and surrounding uses.

Policy 4.2

The Land Development Regulations should allow for housing which is affordable to very low, low and moderate income households, to be located conveniently to major employment centers, mass transit corridors, shopping, schools, health centers, and other community facilities and services.

Policy 4.3

The County shall update, as needed, the location evaluation matrix and needs analysis methods in the land development regulations to aid in determining favorable locations for affordable/workforce housing development and determining eligibility for funding and incentives. ~~Current mapping resources and programs~~ The Community Characteristics Inventory Maps, developed by the Brevard County Transportation Planning Organization in June of 2007, and as revised, may be adopted into the Comprehensive Plan and land development regulations to help evaluate and guide in the location and development of affordable/workforce housing. ~~(See Attached Maps (3))~~

Policy 4.4

The County will study accessory units as a method for use by private families and individuals in the provision of affordable/workforce housing opportunities and solutions on their own properties, in areas with established infrastructure. The County will consider land development regulations and other ordinances as needed that would regulate their use as permitted by state statute.

Policy 4.5

The County will study and determine the opportunities for the co-location and joint use of county owned lands and facilities to provide affordable/ workforce housing and discuss these opportunities with other government agencies in the County.

Policy 4.6

As an incentive and resource the County, before eliminating residential density on County owned lands, will consider allowing a transfer of a portion of the residential development rights to an eligible receiver site, or the housing trust fund unit mitigation bank.

Policy 4.7

~~The County shall, as needed, utilize the Affordable Housing/Workforce Team, per County Ordinance 62-6302(1) to monitor building and demolition permit applications, and monitor the number of housing units attributable to new construction, conversions, mobile home replacements and removals. The Affordable Housing/Workforce Team shall include staff from the following offices and departments and include, but is not limited to: Land Development, Planning and Zoning, Natural Resources Management, Housing and Human Services, Traffic Engineering and Space Coast Transportation Planning Organization (TPO). The County shall establish and maintain a program to monitor building and demolition permit applications, and monitor the number of housing units attributable to new construction, conversions, mobile home replacements and removals.~~

Residential Environments

Objective 5 –Residential Environments

Brevard County shall reduce the degree of substandard housing conditions, improve residential environments, and ensure for relocation housing or assistance to ensure that adequate housing and suitable residential neighborhoods are available for all residents of the County.

Policy 5.1

A local minimum housing code shall be adopted, enforced and amended as necessary, to ensure the construction and maintenance of sound, safe and sanitary housing for the public health, safety and welfare.

Criteria:

- A. The Standard Minimum Housing Code shall be adopted as the local minimum housing code. Amendments may be made to this Code to meet unique circumstances in its administration in Brevard County.

- B. The following codes should also be adopted and enforced, with regard to housing construction and maintenance, and maintained through adoption of subsequent revisions:
 - 1. National Electric Code
 - 2. Standard Building Code
 - 3. Standard Plumbing Code
 - 4. Standard Swimming Pool Code
 - 5. Standard Mechanical Code
 - 6. Standard Gas Code
 - 7. Standard Aluminum Code

Policy 5.2

Portions of available funding in compliance with applicable regulations ~~federal, state and local funds~~ should be allocated to rehabilitation, reconstruction and/or demolition of residential structures as well as to the provision, renovation and/or reconstruction of public facilities and services which target ~~very low~~ income eligible households and neighborhoods.

Criteria:

- A. These funds shall be dedicated to improve the housing conditions and residential environments of ~~very low and moderate~~ income eligible households and neighborhoods.

- B. Public education measures shall be strengthened through affirmative outreach efforts to low income households to ensure that the persons or neighborhoods eligible for such assistance are aware of its availability and procedures for obtaining such assistance. Public workshops should be held in areas where these needs are demonstrated.

Policy 5.3

Redevelopment plans supported by Brevard County should provide for a variety of housing types and price levels, while ensuring that such provisions do not reduce the supply of housing which is affordable to very low, low and moderate income households.

Criteria:

- A. Redevelopment plans which will result in the displacement of households shall make advance written determination of the extent of displacement and shall provide a relocation plan with strategies for mitigation. Provisions for notice and hearing should be included.

- B. The provisions of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended, shall be used to guide mitigation.

Policy 5.4

Residents who are displaced as a result of redevelopment, demolition or other public projects shall be provided prompt equitable compensation to affected property owners or assistance in locating comparable relocation housing for displaced tenants.

Criteria:

- A. Relocation housing should be comparable to the existing dwelling as much as possible, with an emphasis on the number of rooms, size of living space, location to commercial and public facilities and place of employment, and shall be within the financial means of the displaced household. Relocation housing shall be a sound, safe and sanitary dwelling meeting all locally adopted minimum housing codes.
- B. Relocation housing or equitable compensation shall be provided prior to the time displacement occurs.
- C. The provisions of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended, shall direct the fulfillment of this policy.

Policy 5.5

In order to assist in the preservation of affordable housing unit inventory, ~~the~~ The County may require that solution oriented relocation efforts are made by property owners, and when needed and as permitted by law, pursue mitigation solutions for the loss of affordable housing units.

Policy 5.6

The County encourages the use and application of the Affordable and Workforce Housing Incentives Section of the County Land Development Regulations to aid in mitigation solutions related to housing displacement.

Policy 5.7

The County, as needed, will study manufactured housing, mobile home parks and subdivisions that provide affordable/workforce housing inventory, and will consider creating solutions to help upgrade these uses while maintaining affordability. The Affordable/Workforce Housing Team, the Affordable Housing Council and/or Legal staff will evaluate existing policies and regulations and develop recommendations and options for consideration by the Board of County Commissioners.

Policy 5.8

~~Every five (5) years, The Housing and Human Services Department shall survey and report affordable housing needs through a 5 Year Consolidated Plan. By December 31, 2012, Brevard County shall conduct an affordable housing study to assess affordable housing needs allowing the utilization of the newly released 2010 Census Baseline data for the analysis.~~

Residential Types

~~Objective 6-Residential Types~~

Brevard County shall integrate care facilities, group homes, child and adolescent care facilities, and retirement homes into residential areas of the County, and provide the opportunity for these facilities to be located in a variety of urban and rural locations.

Policy 6.1

The Group Homes Ordinance of the Land Development Regulations shall continue to allow for the location of group home facilities in all residential and other areas of the County as a permitted or conditional use, to ensure that the facility residents have access to normal residential settings.

Policy 6.2

The Group Homes Ordinance of the Land Development Regulations shall be reviewed continually to ensure its effectiveness in integrating care facilities, group homes, child and adolescent care facilities, and retirement homes into a variety of urban and rural residential locations.

Policy 6.3

The County Code shall continue to require compliance with Chapter 553, Florida Statutes, which requires special exterior and interior design in the construction of dwelling units to make them accessible for persons with physical or developmental disabilities and senior citizens.

Policy 6.4

The County shall continue to support transitional housing programs and developments which will enable homeless people to live as independently as possible. The Board of County Commissioners may utilize at their discretion the reasonable accommodation standards and procedures and temporary use agreements sections of the County Code to evaluate and permit transitional and emergency housing facilities.

~~Objective 7-Historical Homes~~

Brevard County shall increase the knowledge and appreciation of the historically significant housing in Brevard County through measures which identify, preserve, protect and educate the community about the heritage of such housing.

Policy 7.1

Brevard County should continue to implement the policies of the Historic Preservation element of the Comprehensive Plan regarding the identification, evaluation, protection and preservation of the housing which is historically significant.

Criteria:

Historically significant housing would include that listed on the National Register of Historic Places, the Florida Master Site File, or the Local Register of Historic Places when established.

Policy 7.2

Brevard County should provide technical assistance to owners of historically significant housing or other individuals that are interested in preservation activities.

Criteria:

- A. Assistance to be provided should include, but not be limited to, that for the preparation of National Register and Florida Master Site File nomination forms, preparation of grant applications, and the identification of historic resources.
- B. Assistance should also be provided in the interpretation and application of the Historic Preservation element of this Comprehensive Plan and any regulations prepared pursuant to that element.

Policy 7.3

Pursue available Federal, State and local funding sources to support efforts to preserve or protect historically significant housing.

Criteria:

- A. At a minimum, applications should be made for the Historic Preservation Grants in Aid program administered by the Division of Archives, History and Records Management of the Florida Department of State.
- B. Appropriate activities eligible for grant funding are classified as Acquisition and Development or Survey and Planning activities (Chapter 1A-34, F.A.C.). Emphasis should be placed on surveys and evaluations of historic resources, research efforts to study the effectiveness of preservation programs and techniques, and on community relations and education programs.

Public and Private Partnerships

Objective 7.8 – ~~Public and Private Partnerships~~

Brevard County shall increase the coordination between the public and private sector entities involved in the provision of housing, ~~and in~~ community development, and redevelopment activities.

Policy 7.8.1

Brevard County Housing and Human Services ~~Community~~ Department shall coordinate with applicable private agencies and assist them in obtaining housing information, preparing recommendations, ~~lobbying~~, and implementing programs and activities that would target the housing needs for the very low income households.

Policy 7.8.2

The Planning and Zoning Office ~~Development~~ Department should be responsible for ensuring the review of housing, community development and redevelopment proposals or activities for consistency with this Comprehensive Plan.

Policy 7.8.3

Brevard County should initiate efforts to standardize all building and housing codes utilized by Brevard County and the municipalities within the County for efficiency in the development process.

Policy 7.8.4

Review of amendments to the Housing Element of the Comprehensive Plan will be conducted by the Affordable Housing/Workforce Housing Team and representatives of the Affordable Housing Council. ~~The Technical Advisory Group for the Housing Element and representatives of the Affordable Housing Council should be responsible for reviewing comprehensive plan amendments to the Housing Element.~~

BREVARD COUNTY COMPREHENSIVE PLAN

CHAPTER VI

POTABLE WATER ELEMENT

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POTABLE WATER ELEMENT

GOALS, OBJECTIVES AND POLICIES

GOAL 1

BREVARD COUNTY SHALL PURSUE A POTABLE WATER SUPPLY WHICH DOES NOT DEplete THE FRESHWATER RESOURCE AND IS SAFE, ENVIRONMENTALLY SOUND, AND EFFICIENT.

Objective 1

Brevard County shall strive to utilize potable water more efficiently on a per capita basis.

Policy 1.1

Brevard County shall maintain efforts to increase public awareness and acceptance of water conservation techniques including wastewater reclamation.

Policy 1.2

By 2011, the County shall include the following provisions within Land Development Regulations as they pertain to subdivision and site plan reviews in an effort to reduce per capita consumption:

- A. Irrigation systems installed after January 1, 2010, shall be designed to use non-potable water or reclaimed water as the source. Connection to a reclaimed water system is required when available, in accordance with Potable Water Element Policy 1.4
- B. New industrial or commercial development that does not require water meeting potable water quality standards shall be designed to use non-potable water or reclaimed water. Connection to a reclaimed water system is required when available, in accordance with Potable Water Element Policy 1.4
- C. Irrigation systems installed after January 1, 2010, shall utilize micro-irrigation techniques to the greatest extent practical.
- D. Landscaping for new development shall utilize waterwise landscaping principles including limits on the use of landscaping that requires irrigation.
- E. Brevard County shall maintain at a minimum, but not limited to, the following practices and provisions:

- a. Showerhead exchange program;
- b. Toilet rebate program;
- c. Maintain water main replacement program;
- d. Require low flow plumbing fixtures;
- e. Require dual piping for reclaimed water in reclamation areas.
- f. Provision of leak detection/ water conservation kits;
- g. Provision of water conservation and restriction messages on utility bills.

Policy 1.3

The County shall strengthen and enforce the provisions found in the Brevard County Water Source Heat Pump Ordinance in an effort to protect water resources.

Policy 1.4

The County shall identify additional reclamation zones and implement the provisions found in the Brevard County Wastewater Reuse Ordinance.

Policy 1.5

By 2011, Brevard County shall adopt land development regulations to further reduce per capita consumption of potable water.

Policy 1.6

Brevard County's Utility Services Department shall maintain a rate schedule of connection and service fees at an adequate level to provide necessary annual operation and maintenance funds, capital improvements, and renewal and replacement funds, for all County operated potable water systems.

Objective 2

All Brevard County Utilities Department public water supply systems serving Brevard County residents shall be maintained at accepted water quality standards to protect the health of the users of potable water.

Policy 2.1

Brevard County shall meet or exceed the water quality standards found in Chapter 62-550, F.A.C.

Policy 2.2

Brevard County shall cooperate with the Florida Department of Environmental Protection (FDEP) to ensure that the appropriate purveyor of potable water shall notify the users of the public water supply systems when violations of water quality standards occur by following, at a minimum, the procedure found in Chapter 17-22, F.A.C.

Policy 2.3

Brevard County, municipalities, the School Board, and all primary and support agencies designated within the Brevard County Comprehensive Emergency Management Plan (CEMP), being governed by the authority of Public Law 93-288, Chapter 62-22, F.A.C, Chapter 252, F.S. and the St. Johns River Water Management District Water Shortage Plan (40C-21, F.A.C.), shall ensure the provision of potable water supplies to users of potable water within Brevard County during or after natural or man-made catastrophes.

Policy 2.4

Anyone proposing a new public water supply well shall comply with the policies contained in the Conservation Element.

Objective 3

Ensure that the present and future population has access to potable water that is consistent with the service sectors defined in the Future Land Use Element of this Comprehensive Plan.

Policy 3.1

The following acceptable level of service standards based on the maximum daily demand are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development within the respective service areas. Potable water service areas are those areas depicted in Map 1.

POTABLE WATER

<u>SERVICE AREA</u>	<u>LEVEL OF SERVICE STANDARD</u>
MIMS	Residential - 400 gal/residential unit/day Non-Residential - 250 gal/equivalent unit/day
TITUSVILLE	104 gal/capita/day
COCOA	234 gal/ERC/day
SOUTH BREVARD	125 gal/capita/day

Policy 3.2

Brevard County's Water and Wastewater Division shall develop and implement a procedure to monitor the water system's level of service (LOS) status, and to determine the impact of a requested development order on available potable water capacity. Consistency with the established LOS determines approval of the development order as it pertains to the Potable Water Element as it pertains to the Potable Water Element. The gallons per day criteria for residential and non-residential consumption as established by the individual water suppliers shall be used as the criteria to measure the available capacity of the applicable water treatment plant.

Policy 3.3

Recognizing that acceptable level of service standards may not be achieved in practice and to avoid the possibility of curtailment of potable water service, the Brevard County water service agency shall initiate action (including introduction into the Capital Improvement Element), utilizing a lead time based on a calculated number of years before the design capacity has been reached using the following formulas to ensure additional capacity is on-line within five years:

$$\frac{\text{design capacity} - \text{actual capacity}}{\text{growth rate}} = \text{\# of years to design capacity}$$

$$\text{\# years to design capacity} - 5 \text{ years} = \text{\# of years before necessary inclusion within the CIE}$$

$$\text{growth rate} = \text{percentage capacity increase per year.}$$

Brevard County shall pursue agreements with the other water suppliers in Brevard to adopt and utilize this or a similar procedure.

Policy 3.4

Newly proposed service areas, expanding restricted service areas, or Public Service Commission (PSC) regulated service areas shall be reviewed and approved by Brevard County and applicable agencies.

Policy 3.5

Potable water facilities and services intended to serve future development needs that are not located in the 0-20 year future potable water service area (see Map 1) shall not be permitted or provided unless the potable water service area is amended in the Potable Water Element of the Comprehensive Plan or a non-governmental entity is the provider of the potable water facilities, so long as the private potable water service is consistent with the Brevard County Comprehensive Plan, the Water Supply Plans of the County, the St. Johns River Water Management District, the City of Cocoa, the City of Titusville, and the City of Melbourne. Nothing in this element will prevent a private property owner from utilizing on-site water sources, such as a well, for individual and personal potable water use.

Objective 4

Provide the facilities necessary to meet the projected needs of the County-operated public water supply system for the next twenty years by implementing the Brevard County Water Supply Plan dated 2009.

Policy 4.1

Brevard County shall continue to implement an wellfield expansion program to increase the safe yield of the surficial aquifer in the north county area, in order to provide an adequate and dependable water supply source to meet the current and future needs of the County-operated water system.

Policy 4.2

Brevard County supports the efforts of the Brevard Water Supply Board to meet the future needs of Brevard County which is consistent with and supportive of the provisions found in the Brevard County Comprehensive Plan, the Water Supply Plans of the County, the St. Johns River Water Management District, the City of Cocoa, the City of Titusville, and the City of Melbourne.

Policy 4.3

Brevard County shall continue cooperative efforts with other governmental entities, both within the County and outside of the County, for the planning, implementation, and management of water resources and supplies.

Policy 4.4

A potable water interconnect should be established and maintained between all of the publicly owned water systems in order to provide potable water during emergencies.

Policy 4.5

For potable water uses, Brevard County should utilize the highest quality water source, whenever economically and environmentally feasible.

Policy 4.6

Brevard County shall evaluate the Water Supply Plan and its projections at least every five years and amend the Water Supply Plan and Comprehensive Plan as may be necessary. Brevard County shall also update the Water Supply Plan within 18 months after the St. Johns River Water Management District approves an update to the regional water supply plan if the changes to the regional water supply plan affect Brevard County.

Policy 4.7

Brevard County shall continue to participate in the development of updates to the St. Johns River Water Management District Regional Water Supply Assessment and Water Supply Plan and any other water supply development-related initiatives facilitated by the District that would affect the County.

Objective 5

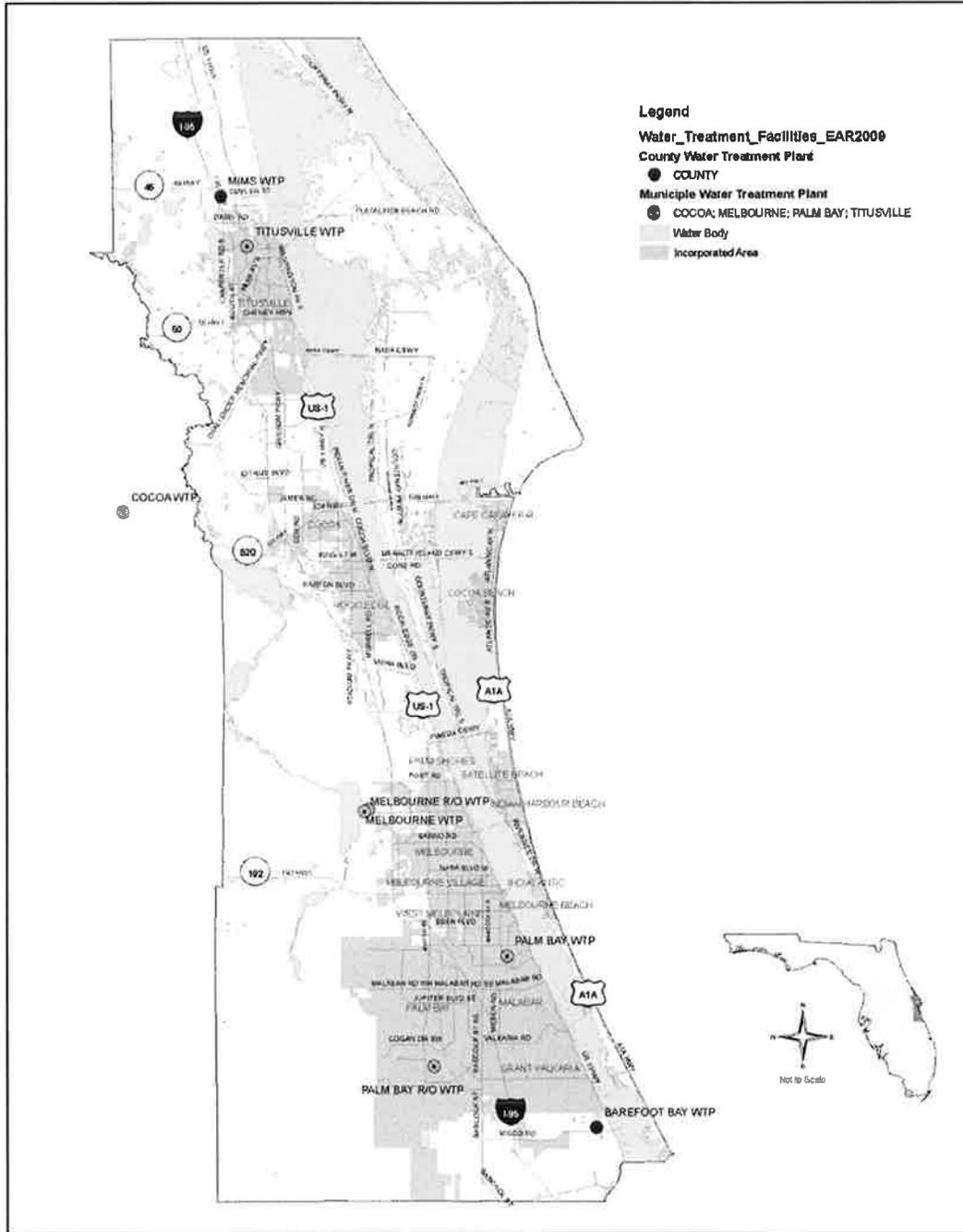
Brevard County shall maximize the use of existing potable water supplies facilities to discourage urban sprawl and encourage efficient, sustainable development and re-development.

Policy 5.1

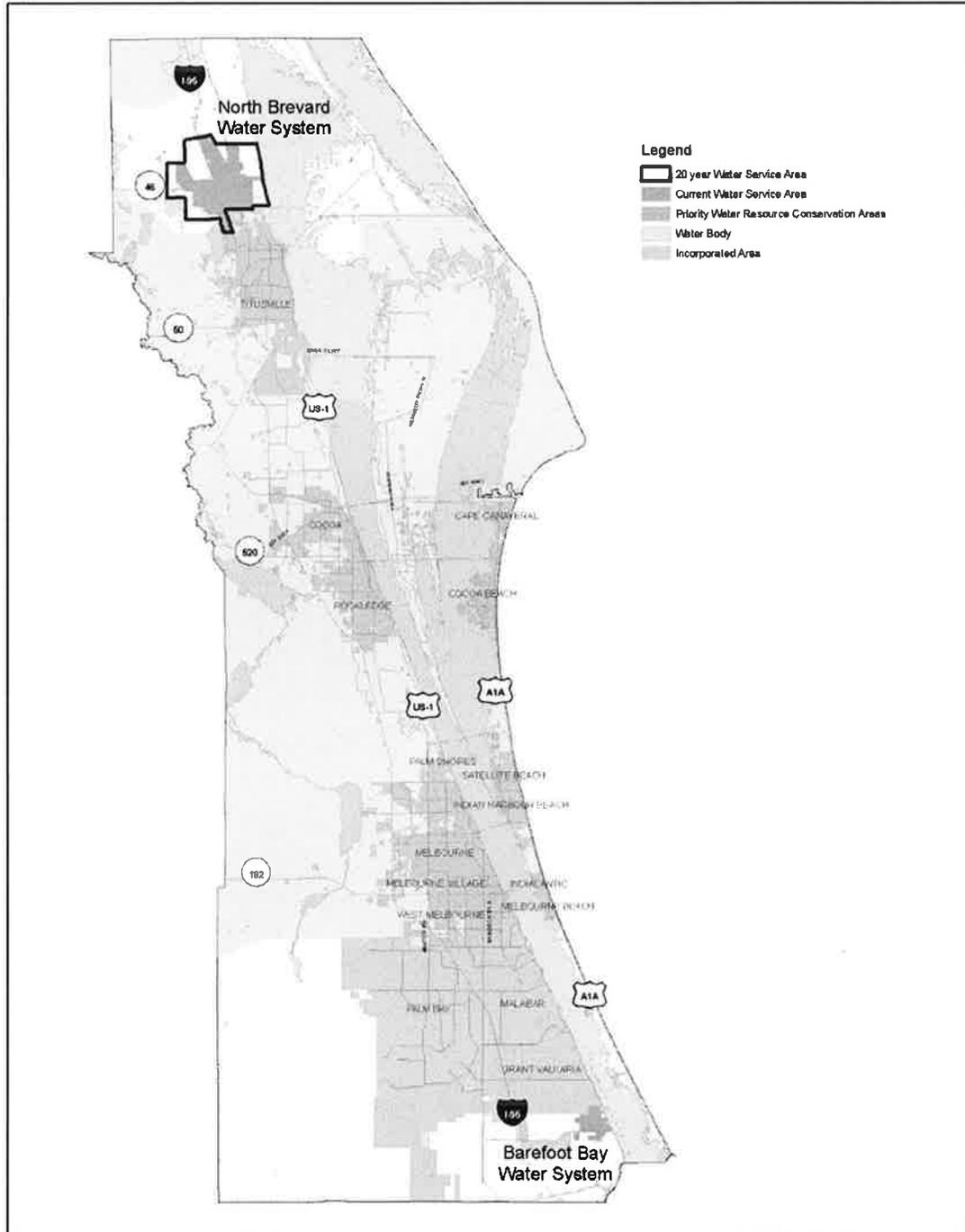
The development and use of County-owned potable water facilities and systems shall be for the overall public benefit by providing potable water for public consumption, maximizing the efficient and effective provision of potable water and minimizing construction, operation, and maintenance costs.

APPENDIX
LIST OF MAPS

Map	Title
1	Potable Water Treatment Plants
2	Existing Potable Water Customers and Future Service Areas



**Potable Water Element
Potable Water Treatment Plants**



**Potable Water Element
Existing Potable Water Customers and Future Service Areas**

~~BREVARD COUNTY COMPREHENSIVE PLAN~~
CHAPTER VII

SANITARY SEWER ELEMENT

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GOALS, OBJECTIVES AND POLICIES

GOAL

BREVARD COUNTY SHALL OPERATE AND MAINTAIN AN ENVIRONMENTALLY SOUND, AND EFFICIENT WASTEWATER COLLECTION, TREATMENT, AND DISPOSAL SYSTEM THAT PROTECTS THE PUBLIC HEALTH.

Operations and Maintenance

Objective 1

Brevard County shall operate and maintain its sanitary sewer system in a manner that protects the health of the public and the resource values of the natural environment as a top priority.

Policy 1.1

Brevard County's wastewater treatment and disposal systems shall, at a minimum, be operated consistent with all local, state, and federal standards.

Policy 1.2

Brevard County shall maintain its practice of no new direct discharges of wastewater into surface water bodies.

Policy 1.3

Untreated wastewater shall not be discharged into drainage ditches, surface waters or aquifers.

Policy 1.4

Florida Department of Health in Brevard County shall permit the use of on-site sewage treatment and disposal systems only in areas where a sewer system is not available, and then only when the system is consistent with the regulations found in Section 381, F.S. and Chapter 64E10D-6, F.A.C.

Policy 1.5

Guidance on the maintenance and operation of on-site sewage disposal systems shall be developed and monitored by Brevard County.

Criteria~~Criterion:~~

- A.** Brevard County shall continue public education programs on the proper use, inspection requirements, maintenance and abandonment of septic tanks.

Planning and Evaluation

Objective 2

Brevard County shall identify and correct existing sewer facility deficiencies within its sewer system.

Policy 2.1

Capital improvements planning should include comparative evaluation of the costs and benefits of upgrading, expanding or modifying existing public facilities versus the costs of constructing new facilities.

Policy 2.2

In cases where infrastructure is inadequate to meet the needs of new development, the developer shall be allowed to construct infrastructure improvements to provide the necessary capacity.

Policy 2.3

The utilization of County-owned sewer facilities should be maximized through innovative redesigns and improvements.

Policy 2.4

Brevard County shall continue to evaluate its own sanitary sewer service areas in order to respond when needs are identified.

Policy 2.5

In order to reduce the number of package plants, Brevard County shall discourage new package treatment plants, except as provided in Policy 3.17, and encourage sewer connection.

Policy 2.6

Brevard County shall continue to implement the Capital Improvement Program to correct existing deficiencies in the County-owned sewer facilities.

Policy 2.7

The provision of public facilities and services shall be based on the most cost-effective method of production and delivery.

Policy 2.8

As a priority, Brevard County shall continue to implement its program to reduce or eliminate infiltration and inflow into the collection system.

Service Provision and Expansion

Objective 3

Brevard County shall ensure the provision of sewer service consistent with projected needs.

Policy 3.1

Promote the management of wastewater as a dual function that can protect public health and generate recovered water as a resource.

Policy 3.2

Promote the use of best available technology in the collection, treatment, disposal and reuse of wastewater wherever economically feasible.

Policy 3.3

Encourage cooperation and coordination between the County, municipalities and other entities to manage present and future sanitary sewer service needs.

Policy 3.4

Maximize reuse of treated wastewater and other conservation techniques to recover and diminish the demand for fresh water.

Policy 3.5

Brevard County shall ensure the provision of sanitary systems coordinated with other public facilities and services through the Capital Improvement Program.

Policy 3.6

In order to be provided sewer service by County facilities, new development must be located within existing or future sewer service areas.

Policy 3.7

The "user pays" concept, which encourages the users of public facilities to be financially responsible for bearing any added, marginal costs of additional public facilities created by new development, should be one of the primary revenue bases for financing expansion, operation and maintenance of all County-owned wastewater facilities and services.

Policy 3.8

Brevard County shall provide adequate wastewater treatment plant capacity to maintain the proportion of the permit plant capacity divided by the number of equivalent units as more than 200 gallons per day per equivalent unit, except in the South Central Service Area service area, where the equivalent unit per day will be 165 gallons per day.

Policy 3.9

Treatment and disposal system capacity should be available prior to expansion of the active collection system.

Policy 3.10

Brevard County shall evaluate whether~~insure that~~ adequate sanitary sewer facility capacity is available or will be available when needed to serve development.

Policy 3.11

Brevard County shall insure that County-issued development orders do not cause municipal wastewater treatment systems to exceed their own established level of service.

Policy 3.12

Brevard County shall designate future sewer service areas in 1-5 year and 6-15 year increments based upon the location, health/environmental needs, and the needs of future growth. These future sewer service areas shall represent areas for which the County is committed only to make treatment plant capacity available within the designated period of time.

Policy 3.13

Coordinate the extension of sanitary sewer service areas with the Future Land Use Element of this Comprehensive Plan and the Comprehensive Plans of all affected local governments.

Policy 3.14

Brevard County shall continue to review and comment on wastewater infrastructure plans for developments connecting to the County owned sewer system for consistency with the County's Comprehensive Plan.

Policy 3.15

All new development requiring a centralized sewer system within future sewer service areas shall connect to the public wastewater treatment plant if there is sufficient available capacity, or the building permit will be denied.

Policy 3.16

All new development requiring a centralized sewer system outside of the 6-20 year future sewer service area shall choose one of the following options:

Criteria:

- A. Amend the Future Sewer Service area map and connect to the public sewage system if capacity is available; or
- B. Install a private treatment plant excepting that no new private treatment plants shall discharge to surface waters and all new private waste water treatment plants will meet the requirements outlined in Policy 3.17 of this element.

Policy 3.17

Private treatment plants shall be permitted subject to all of the following criteria:

Criteria:

- A. Private treatment plants shall be permitted under any of the following circumstances:
 - 1. When environmental conditions exist which preclude on-site sewage disposal, connection to the central sewer system is not feasible and the establishment of a private treatment plant is the only alternative for wastewater treatment;
 - 2. To serve commercial land uses located at interstate interchanges to accommodate regional traffic;
 - 3. To serve commercial land uses adjacent to existing residential uses in the urban fringe, urbanizing or urban density areas. Such commercial uses shall reduce an existing deficiency in commercial area, defined as less than 160 square feet of commercial area for each residence within a two-mile radius;
 - 4. To serve ~~planned unit~~ developments with a mixture of uses (PUDs) located as an extension of existing residential uses and of an overall project density no greater than that permitted in the density area.

5. To serve residential development using a transfer of density to protect an environmentally sensitive area. Such development shall be located as an extension of existing residential uses, and shall be of an overall project density no greater than that permitted in the density area.
- B. Under no circumstances shall the development of a private treatment plant be used to increase the density of an area beyond the density permitted by the Future Land Use element or any other portion of the Comprehensive Plan.
- C. Private treatment plants shall meet the technical standards of the Florida Department of Environmental Protection.
- D. Developers of new private treatment plants in areas where potable water is used as the irrigation source are strongly encouraged to utilize reclaim water to assist in meeting the irrigation needs for the development or should configure a ground water disposal system to recharge the surficial aquifer.
- E. ~~An binding development~~ agreement ~~may~~shall be established for all new private treatment plants and such agreement will, at a minimum, address the following:
 1. Execution of a closure agreement with a permanent service provider, such as a municipality or the County. The closure agreement shall identify the amount of and payment schedule for connection or impact fees, as may be applicable.
 2. Terms of closure for the private treatment plant facility, including the ownership of the private treatment plant and land.
 3. Escrow account for the purpose of funding the prepayment of connection charges for connecting units served by private treatment plants to the permanent service provider shall be made by the developer into the escrow account at the time of certificate of occupancy.

4. Other facility requirements and costs such as force mains, pump stations, a reuse needs analysis, and other related infrastructure needs.
5. Timing and conditions for connection to the permanent service provider.
6. Notification of ultimate owners within the project that the private treatment plant is temporary and will eventually be connected to a permanent system, subject to applicable fees, regulations and benefits.

Policy 3.18

Interim and/or "package-type" waste water treatment facilities shall be required, at the option of the County, to connect to the public centralized system when access to the system is made available.

Policy 3.19

When a private sanitary sewer facility is phased out and connected to the County sewer system, the cost of the connection to the system including impact fees ~~shall~~ may be incurred solely by the owner ~~or shared by the County~~.

Policy 3.20

All private sanitary sewer facilities may be permitted to expand their service beyond the project boundaries for which they are approved, only if they are consistent with the Future Land Use Map Series and all other applicable comprehensive plan elements and land development regulations.

Criteria:

- A. The expansion of sewer service areas, or facilities should be based on excess capacity availability and approved by the Board of County Commissioners.
- B. Any expansions shall require approval by the Board of County Commissioners after two public hearings.
- C. Expansions of the private treatment plant service area shall not be permitted to cross natural water bodies; such as the Indian River Lagoon and its tributaries, St. Johns River and its lakes, Mullet Creek and Sykes Creek.
- D. An application for expansion of the service area shall include the following, at a minimum:

1. A financial statement certifying the current financial condition of the party responsible for the management and operation of the private treatment plant.
2. Certification by the Florida Department of Environmental Protection (DEP) that the treatment plant meets current DEP operating requirements; and sufficient capacity exists to provide for existing and proposed development.

Maintaining a Public Benefit

Objective 4

Brevard County shall maximize the use of existing facilities to discourage urban sprawl.

Policy 4.1

Ensure that the Brevard County public sewer system is economically self-sustaining and that new growth pays its fair, full share of the total sewer infrastructural improvement costs.

Policy 4.2

The development and use of public facilities and systems shall be undertaken to maximize the overall public benefit while minimizing construction, operation and maintenance costs.

Policy 4.3

Brevard County shall maintain land development regulations which encourage development to locate in areas within a designated sewer service area with adequate capacity and in the appropriate service sector for the land use proposal.

Reclaimed Water System

Objective 5

Develop and implement a system for the efficient reuse of treated wastewater to reduce demands on fresh water resources, conserve existing resources, and to reduce effluent disposal by deep well injection.

Policy 5.1

Maximize the reuse of treated wastewater to reduce demand for fresh water and prioritize funding of reuse water lines in an effort to eliminate wasteful discharge of recyclable water.

Policy 5.2

Brevard County shall continue to expand its wastewater reuse program, where feasible.

Policy 5.3

~~By 2025,~~ Brevard County shall strive to reuse or otherwise reclaim 75 percent of the wastewater generated by public sewer systems operated by the County.

Policy 5.4

All projects to be served by treatment plants should design and construct a reclaimed water system as part of the wastewater disposal system, where a supply of reuse is available.

Policy 5.5

Brevard County should maximize economic benefits derived from the utilization of treated effluent and sludge without compromising public health or the environment.

Policy 5.6

All new development in designated reuse areas shall provide reclaimed waterreuse lines to the specifications established by Brevard County.

Policy 5.7

In existing development within designated reclaimed waterreuse areas, Brevard County will budget for the installment of reclaimed waterreuse lines whenever the existing sewer lines are exposed for major replacement, or new sewer service is provided, where practical and economically feasible.

Policy 5.8

Brevard County shall support and encourage the use of reclaimedreuse water for industrial purposes through cooperative efforts with municipalities and other reuse water generators.