

## **“Exhibit B”**

### **Conservation**

**NEW Policy 10.7** Brevard County should include LID and GSI design principles in public capital projects and prioritize stormwater retention projects that seek to recharge the aquifer where feasible and fiscally prudent.

**NEW Policy 10.8** Brevard County shall review its public facilities infrastructure and operations for potable water conservation opportunities.

### **Potable Water**

**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. ~~New~~ Irrigation systems ~~installed after January 1, 2010,~~ shall be designed to use non-potable water or reclaimed water as the source when a reclaimed water supply source is available. ~~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 when a non-potable water or reclaimed water supply source is available. ~~Connection to a reclaimed water system is required when available,~~ in accordance with Potable Water Element Policy 1.4
- C. ~~New~~ 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 1.5** ~~By 2011,~~ Brevard County shall continue to collaborate with SJRWMD and consider adopt land development regulations aimed at conserving water and further reducing per capita consumption demand of potable water.

**NEW Policy 1.7** Brevard County shall conserve water by continually seeking ways to improve efficiency in the design, maintenance, operation of its public water facilities.

**NEW Policy 1.8** The County shall cooperate with St. Johns River Water Management District (SJRWMD) during declared water shortage emergencies by conserving water resources and assisting SJRWMD with enforcement of water shortage emergency declaration, orders, and plans (Rule 40C-21, F.A.C., SJRWMD water shortage plan).

**NEW Policy 1.9** The County shall continue to implement its Water Conservation Plan submitted to SJRWMD as part of the consumptive use permitting process.

**Policy 3.1** The following acceptable level of service (LOS) 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

SERVICE AREA	LEVEL OF SERVICE STANDARD
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
BCUSD	200 gal/ERC/day
Barefoot Bay Water & Sewer District	150 gal/ERC/day
City of Cocoa	340 gal/ERC/day or 122 gal/capita/day
City of Melbourne	100 gal/capita/day
City of Palm Bay	225 gal/ERC/day
City of Titusville	96.4 gal/capita/day
City of West Melbourne	210 gal/ERC/day

**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:

**(design capacity - actual capacity)/growth rate = # of years to design capacity**

**# years to design capacity - 5 years = # of years before necessary inclusion within the CIE**

**growth rate = 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 3.54** 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 Melbourne, the City of Palm Bay, the City of Titusville, and the City of West 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** 4.2 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** 4.3 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 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** 4.4 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~~ Central Springs / East Coast Regional Water Supply Plan and any other water supply development- related initiatives facilitated by the District that would affect the County.

**NEW Policy 4.5** The County will monitor and participate, as necessary, in its water service providers' water supply planning process to ensure that these entities account for and meet the County's current and future water needs for the respective unincorporated areas.

**NEW Policy 4.6** The County shall maintain a Water Supply Facilities Work Plan (Work Plan) that is coordinated with SJRWMD's Central Springs / East Coast Regional Water Supply Plan (CSEC

RWSP). The Work Plan and related comprehensive plan policies will be updated, as necessary, within 18 months of an update of the CSEC RWSP that affects the County.

**NEW Policy 4.7** The County’s Water Supply Facilities Work Plan (2023-2035) is incorporated into the comprehensive plan as Appendix A of the Potable Water Element.

**NEW Policy 4.8** The Water Supply Facilities Work Plan shall identify the traditional and alternative water supply projects and programs, along with the water conservation and reuse practices, necessary to meet existing and future water demands.

**NEW Policy 4.9** The Water Supply Facilities Work Plan shall identify those projects (if any) contained in the CSEC RWSP and selected by the County for implementation (if any).

### **Sanitary Sewer**

**Policy 3.4** Maximize reuse of treated wastewater and ~~other water~~ conservation techniques to recover and diminish the demand for ~~fresh~~potable water.

### **Intergovernmental Coordination**

**Policy 1.6** Brevard County shall maintain active coordination and cooperation with all water service providers to the public, and continue to coordinate the provision of potable water with the St. Johns River Water Management District, the Brevard County Utility Services Department, the Cities of Titusville, Cocoa, Palm Bay, West Melbourne, and Melbourne, and the ~~Brevard Water Supply Board~~ other water suppliers within the County.

#### **Criteria:**

- ~~A. Maintain active coordination and cooperation with all water service providers to the public.~~
- ~~B. Continue to participate in the Taylor Creek Reservoir Alternative Water Supply multi-jurisdictional project.~~
- ~~C. Ensure the provisions of potable water services are consistent with the Water Supply Plans of Brevard County, the City of Titusville, the City of Cocoa, the City of Melbourne, and the St. Johns River Water Management District.~~

### **Intergovernmental Coordination**

**Policy 1.10** Brevard County shall continue to coordinate with municipalities to establish and maintain interlocal agreements and joint planning areas for use in coordinating public service delivery and facility maintenance subsequent to municipal annexation procedures. Interlocal planning, annexation and maintenance agreements should, at a minimum, address the topics set forth in the criteria below:

#### **Criteria:**

- A. Existing and future service areas for public services and facilities.

- B. Methodology for advance notification to the County by municipalities conducting annexation procedures and hearings pursuant to Chapter 171, Florida Statutes.
- C. Issues of land use compatibility and consistency with the Brevard County Comprehensive Plan.
- D. Public participation and notification of all affected land owners of the land to be annexed.
- E. Notification of affected adjoining properties in the unincorporated areas.
- F. Available level of services and facilities and identification of the provider of those services.

**Policy 2.1** Annually, with respect to each municipality, Brevard County should ~~pursue~~ establish and maintain interlocal agreements, ~~or the modifications of existing agreements~~, for the purpose of refining the process of:

**Criteria:**

- A. Reviewing land development proposals pursuant to the following:
  - 1. Rezoning proposals within 660 feet of jurisdictional boundaries.
  - 2. The provision of public facilities and services which are provided by other governmental entities.
- B. Assessing the impact of land development proposals on traffic circulation with respect to:
  - 1. A method of notification of the affected local government regarding traffic impacts must be established providing sufficient time for the affected local government to respond.
  - 2. A method of "recording" or "tracking" projected trips on roadways for mutual use should be established.
  - 3. Resolving any discrepancies in the acceptable levels of service if having different levels of service causes intergovernmental problems.
- C. Standardization of all related land development regulations:
  - 1. Standard format, language and criteria should be considered, however, modifications should be permitted to address unique local conditions.

2. Workshops should be held between the County and municipalities for the purpose of identifying and resolving problematic inconsistencies.
  3. Maintain the Planning Coordination Committee.
- D. Annexation and or contraction notification, review and reporting:
1. Joint planning and interlocal annexation agreements shall be encouraged for all annexation or contractions in order to support a smooth transition and enhanced development coordination.
  2. Municipalities proposing a voluntary or involuntary annexation or contraction shall be encouraged to notify and coordinate a County review of the proposed annexation or contraction area prior to commencing annexation procedures. The County notification information should include:
    - a) A schedule of any municipal annexation or contraction public hearings including the subject municipality's schedule for amending its Comprehensive Plan.
    - b) The reporting prerequisites stated within Chapter 171.042, Florida Statutes or, at a minimum, a copy of the municipality's staff annexation report to be considered during municipal public hearing including:
      - A metes and bounds legal description of the property(ies) to be annexed or contracted.
      - The subject property's proposed future land use, zoning designations and, if possible, the intended use for the proposed annexation area.
      - The limits of post-annexation municipal maintenance of adjacent street right-of-way and drainage facilities.
  3. Prior to the adoption of an interlocal enclave annexation agreement between the County and any municipality under F.S. 171.046 (2A), the municipality proposing the annexation should provide written notice to property owners within 500' of the proposed enclave to be annexed no later than 30 days prior to the first public hearing in which the municipality is to consider the enclave annexation interlocal agreement.

**Policy 3.2** In order to ensure efficient, cost effective, and environmentally sound public facilities and services, Brevard County should initiate and maintain interlocal agreements with the municipalities and other service providers that provide public facilities and services in the

unincorporated area, to formalize the designation of facility service areas and acceptable levels of service.

### **Capital Improvements**

**Policy 1.1** As a part of the Capital Improvements Plan (CIP) development process, Brevard County shall utilize the acceptable level of service standards for transportation, potable water, sanitary sewer, solid waste, drainage, recreation and open space, and public schools as adopted in other elements of the Comprehensive Plan and shown below to evaluate the need for public facility improvements.

#### **B. Potable Water: Acceptable LOS Standards**

SERVICE AREA	LEVEL OF SERVICE STANDARD
MIMS	<del>Residential</del> 400 gal/residential unit /day
	<del>Non-Residential</del> 250 gal/equivalent unit/day
TITUSVILLE	104 gal/capita/day
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City of Titusville	96.4 gal/capita/day
City of West Melbourne	210 gal/ERC/day

**NEW Policy 1.5** Brevard County shall include in its CIP all projects identified in its WSFWP to commence or continue within the 5-year horizon.

**NEW Policy 1.6** Brevard County shall include in its CIP all Water Resource Development, Water Supply Development, and Water Conservation Project Options identified in the SJRWMD RWSP assigned to the County as an implementing entity within the 5-year horizon.

**Policy 5.5** Brevard County shall coordinate the provision of potable water from the Cities of Cocoa, Titusville, Palm Bay, West Melbourne, and Melbourne and any other applicable potable water provider, including the County itself, by requiring ~~property owners~~ development applicants located in unincorporated areas of the County to provide written verification from the applicable potable water provider that the facility capacity and adequate water supply are currently available or will be available at the time of development. Prior to approval of a building permit or its functional equivalent, Brevard County shall consult with the applicable water supplier to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by Brevard County of a certificate of occupancy or its functional equivalent. No building or construction permit shall be issued unless the applicable potable water supplier has provided a written statement of committed capacity and water supply availability for the proposed development. Adequate water supplies and potable water facilities shall be in place

and available to serve new development no later than issuance by Brevard County of a certificate of occupancy or its functional equivalent.

## **Glossary**

**Central Springs/East Coast Regional Water Supply Plan (CSEC RWSP)** - Recognizes the unique local challenges and resource constraints facing the central region springs and coastal areas of the St. Johns River Water Management District. The planning region encompasses three sub-regions that include Marion and north Lake counties, Volusia County and Brevard, Indian River and Okeechobee counties. The plan is updated every 5 years and is adopted by the by the St Johns River Water Management District Governing Board.

**Florida Department of Environmental Protection (FDEP)** - The Florida Department of Environmental Protection is the state's lead agency for environmental management and stewardship, protecting our air, water and land.

**Green Stormwater Infrastructure (GSI)** – Plants, soils systems, permeable pavement or other permeable materials that filter and absorb stormwater where it falls and reduce flows of stormwater runoff to sewer systems or into surface waters.

**Low Impact Development or Design (LID)** - Refers to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater to protect water quality and associated aquatic habitat. LID is used to preserve, restore and create green space using soils, vegetation, and rainwater harvest techniques. LID is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features and minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product.

**St. Johns River Water Management District (SJRWMD)** - An environmental regulatory agency of the state of Florida whose work is focused on ensuring a long-term supply of drinking water, and to protect and restore the health of water bodies in the district's 18 counties in northeast and east-central Florida. While the district works closely with utilities on water supply issues, the district is not a water supplier. SJRWMD was established in 1972 by the state Legislature through passage of the Water Resources Act (Chapter 373, Florida Statutes, as it may be amended from time to time).

**Water Supply Facilities Work Plan (WSFWP)** - A plan to establish future water demands and potential water sources and facilities to meet those demands for a 10-year planning horizon. This plan is developed in collaboration with SJRWMD, adopted by reference in the Brevard County Comprehensive Plan and must be updated within 18 months after the SJRWMD approves an update to the Regional Water Supply Plan (RWSP) affecting Brevard County.