

ORDINANCE NO. 24-

AN ORDINANCE AMENDING ARTICLE III, CHAPTER 62, OF THE CODE OF ORDINANCES OF BREVARD COUNTY, ENTITLED "THE 1988 COMPREHENSIVE PLAN", SETTING FORTH THE ADOPTION OF THE WATER SUPPLY FACILITES WORK PLAN AS AN APPENDIX TO THE COMPREHENSIVE PLAN AND AMENDMENTS NECESSARY TO IMPLEMENT THE WATER SUPPLY FACILITES WORK PLAN; AMENDING SECTION 62-501 ENTITLED CONTENTS OF THE PLAN; SPECIFICALLY AMENDING SECTION 62-501, PART I, ENTITLED CONSERVATION ELEMENT TO ADOPT NEW POLICIES; SPECIFICALLY AMENDING SECTION 62-501, PART VI, ENTITLED POTABLE WATER ELEMENT TO REVISE PREVIOUSLY ADOPTED POLICIES AND ADOPT NEW POLICIES; SPECIFICALLY AMENDING SECTION 62-501, PART VII, ENTITLED SANITARY SEWER ELEMENT TO REVISED PREVIOUSLY ADOPTED POLICIES; SPECIFICALLY AMENDING SECTION 62-501, PART XII, ENTITLED INTERGOVERNMENTAL COORDINATION ELEMENT TO REVISE PREVIOUSLY ADOPTED POLICIES; SPECIFICALLY AMENDING SECTION 62-501, PART XIII, ENTITLED CAPITAL IMPROVEMENTS ELEMENT TO REVISE PREVIOUSLY ADOPTED POLICIES; SPECIFICALLY AMENDING SECTION 62-501, PART XVI, ENTITLED GLOSSARY TO ADD NEW DEFINITIONS; AND PROVISIONS WHICH REQUIRE AMENDMENT TO MAINTAIN INTERNAL CONSISTENCY WITH THESE AMENDMENTS; PROVIDING LEGAL STATUS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3177 (6) (c) (4), Florida Statutes requires local governments to update their Water Supply Facilities Work Plan (WSFWP) within eighteen (18) months of the approval of the regional water supply plan by the water management districts; and

WHEREAS, the St. Johns River Water Management District (SJRWMD) approved an updated Regional Water Supply Plan in 2022; and

WHEREAS, in November 2023, the WSFWP for the planning period of 2020-2035 was completed; and

WHEREAS, on February 7, 2024, the Building and Construction Advisory Committee considered the WSFWP and related Comprehensive Plan; and

WHEREAS, on February 12, 2024, the Local Planning Agency reviewed the WSFWP and related Comprehensive Plan amendments and recommended transmittal to the Florida Department of Commerce; and

WHEREAS, on (a date to be determined) the Local Planning Agency considered the comments from the Florida Department of Commerce and recommended adoption; and

WHEREAS, the County desires to make amendments to the Conservation, Potable Water, Sanitary Sewer, Intergovernmental Coordination, Capital Improvements Elements and Glossary of the Comprehensive Plan to be consistent with the 2020-2035 Work Plan as recommended by the SJRWMD.

NOW, THEREFORE, BE IT ENACTED by Brevard County, Florida as follows:

SECTION 1. Recitals. The foregoing recitals are deemed true and correct and are hereby adopted and incorporated herein by this reference.

SECTION 2. Upon the effective date of the Comprehensive Plan Amendment adopted by this Ordinance, the Work Plan, “Exhibit A”, shall be incorporated into Brevard’s County Comprehensive Plan as an appendix to the Comprehensive Plan.

SECTION 3. Brevard County’s Comprehensive Plan, “Exhibit B,” is also hereby amended to include policies to support the Work Plan”.

SECTION 4. 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 5. Repeal of Prior Inconsistent Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 6. Effective Date. The effective date of this plan amendment shall be when the Florida Commerce finds the amendment in compliance in accordance with Section 163.3177, Florida Statutes.

DONE AND ADOPTED, this ____ day of _____, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel M. Sadoff, Clerk

By: _____
Jason Steele, Chair

As approved by the Board on _____