

ORDINANCE NO. 2026- _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, AMENDING CHAPTER 62, ARTICLE II, DIVISION 3 OF THE BREVARD COUNTY CODE OF ORDINANCES, ENTITLED “PLANNING AND ZONING BOARD”; SPECIFICALLY AMENDING SECTION 62-182, BREVARD COUNTY CODE, ENTITLED “MEMBERSHIP; APPOINTMENT AND TERM OF MEMBERS”, TO REDUCE THE NUMBER OF REGULAR PLANNING AND ZONING BOARD TO TEN (10) MEMBERS; SPECIFICALLY AMENDING SECTION 62-184, BREVARD COUNTY CODE, ENTITLED “OFFICERS; RULES OF PROCEDURE; QUORUM”, TO REDUCE THE QUORUM OF THE PLANNING AND ZONING BOARD; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Brevard County, Florida, hereinafter the Board, finds that members serving on the Planning and Zoning Board, hereinafter the “P.Z. Board”, which is also designated as the Local Planning Agency, hereinafter the “L.P.A.”, pursuant to Section 62-151, Brevard County Code, have valuable knowledge and experience applicable to land use and zoning matters; and

WHEREAS, it is important to the Board’s decision-making process that these individuals are given ample opportunity to voice their perspectives and discuss such items when brought forward to a vote; and

WHEREAS, in order to ensure such opinions and perspectives are considered, while still maintaining orderly proceedings, the Board determines that certain amendments are needed to modify the composition of the L.P.A. and P.Z. Board; and

WHEREAS, the Board finds it in the best public interest to adopt the following amendments to the Brevard County Code.

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

Underlines denote additions
~~Strikethroughs~~ denote deletions

Section 1. Chapter 62, Article II, Division 3, Section 62-182, Brevard County Code of Ordinances, is hereby amended as follows:

Sec. 62-182. Membership; appointment and term of members.

There shall be appointed to the planning and zoning board ~~three~~two members by each county commissioner and ratified by the board of county commissioners. There shall also be appointed to the planning and zoning board a member to represent the county school district. The school district representative shall be appointed by the school board and shall serve as a non-voting member. There shall also be appointed to the planning and zoning board a representative of Patrick Space Force Base who shall act on behalf of all military installations within the jurisdiction of the county. This military representative shall be appointed by the commanding officer of Patrick Space Force Base and shall be considered an ex officio non-voting member. Each member shall reside in the county, but is not required to be a resident of the county commission district for which he is designated to serve. The term of appointment shall be for two years beginning on January 1 of the year of appointment, and expiring after the term of two years or with the term of the commissioner making the appointment, whichever occurs first. Upon expiration of a term, a member may continue to serve until he or she is reappointed or until a new appointment is made. Appointments to fill a vacancy shall be made by the county commissioner responsible for the initial appointment and ratified by the board of county commissioners, and the appointment shall be for the unexpired term. Members of the planning and zoning board shall serve at the pleasure of the board of county commissioners. The members shall be paid such compensation and actual expenses as provided by the board of county commissioners from time to time by resolution. No member of the planning and zoning board shall serve on the board of adjustment.

Section 2. Chapter 62, Article II, Division 3, Section 62-184(c), Brevard County Code of Ordinances, is hereby amended as follows:

Sec. 62-184. Officers; rules of procedure; quorum.

(c) ~~Six~~Three members of the planning and zoning board shall constitute a quorum, and no action may be taken if less than ~~six~~three members are present and voting. A majority of such quorum shall be sufficient for formal action by the planning and zoning board.

Section 3. Inclusion in Code. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Brevard County Code of Ordinances, and that the sections of this

Ordinance may be renumbered or re-lettered and that the word "Ordinance" may be changed to "Chapter", "Section", "Article", or such other appropriate word or phrase in order to accomplish such intentions.

Section 4. Conflict. In the case of a direct conflict between any provision of this Ordinance and a provision of County law, rule, or regulation, the more restrictive shall apply.

Section 5. Severability. If any provision of this ordinance is held to be illegal or invalid, the other provisions shall remain in full force and effect.

Section 6. Effective Date. This ordinance shall become effective upon filing as provided by law. A certified copy of the ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten (10) days of enactment.

DONE, ORDERED, AND ADOPTED in Regular Session, this ____ day of _____, 2026.

ATTEST:

**BOARD OF COUNTY
COMMISSIONERS OF BREVARD
COUNTY, FLORIDA**

By: _____
Rachel M. Sadoff, Clerk of Court

By: _____
Thad Altman, Chair

As approved by the Board on: _____