

**CHAPTER 12**

**INTERGOVERNMENTAL COORDINATION ELEMENT (ICE)**

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## INTERGOVERNMENTAL COORDINATION ELEMENT (ICE)

### GOALS, OBJECTIVES & POLICIES

#### **GOAL**

**BREVARD COUNTY SHALL INITIATE AND/OR PARTICIPATE IN INTERGOVERNMENTAL COORDINATION EFFORTS NECESSARY TO ESTABLISH GOVERNMENTAL RELATIONSHIPS WHICH IMPROVE THE COORDINATION, EFFECTIVENESS, AND EFFICIENCY OF PUBLIC POLICY-MAKING BODIES WITHIN BREVARD COUNTY.**

#### **Objective 1**

Brevard County shall coordinate the Comprehensive Plan and its implementation with the State, the region, adjacent municipalities and counties, as well as with the Brevard County School Board, and special districts.

#### **Policy 1.1**

Brevard County shall encourage the State, the region, adjacent municipalities and counties, Brevard County School Board and special districts to review their proposed public facility improvement plans and plan amendments with Brevard County for consistency with the policies and criteria of this Comprehensive Plan.

- A. Public facility and service needs within and affecting the County shall be identified and regularly updated.
- B. Identified public facility and service needs should be included in the Capital Improvements Program of Brevard County and encouraged to appear within the Capital Improvements Program of all Brevard County local governments.
- C. Facility needs shall be based on a projection of proposed development intensity.
- D. The Planning and Zoning Office and other County offices or departments shall participate in the evaluations of potential development impacts.

#### **Policy 1.2**

Brevard County shall establish and maintain a repository of the comprehensive plans or other master plans of the State, region, adjacent municipalities and counties, as well as those of the Brevard County School Board and special districts.

#### **Policy 1.3 (Coordinated Public School Facility Siting)**

Brevard County shall encourage the Brevard County School Board to mutually agree on, promote and support high-quality community and

neighborhood development by coordinating site searches, planning and design of public educational facilities as well as assuring the consistency of those facilities with the Comprehensive Plan and Land Development Regulations.

**Criteria:**

- A. A specific, formalized mechanism should be mutually developed through intergovernmental agreement which outlines a process for coordinated siting and development of public education facilities.\_
- B. Coordinated planning and site design of neighborhoods and schools should include:
  - 1. Mapping projected build-out populations of Brevard County to assist in school population projections and the development of long range Capital Improvement Programs for schools and ancillary facilities.
  - 2. Listing and mapping, in a form suitable for joint planning and design, all major capital improvements programmed for parks; recreation, pedestrian, bike and greenway trails; libraries; children’s services; and related improvements that might impact schools.
- C. An intergovernmental bikeway/pedestrian plan and schedule of improvements should be mutually developed by the School Board and Brevard County for new schools within Brevard County. The Plan should include identification of bicycle and pedestrian access deficiencies on school sites and within any designated access corridors within two (2) miles of school sites.
- D. In order to maximize the use of public facilities and resources, the School Board and Brevard County should strive to coordinate development of properties adjoining school sites into libraries, parks, children’s services, recreation and other appropriate related facilities.

**Policy 1.4**

Brevard County shall implement all other policies of this comprehensive plan which address intergovernmental coordination.

**Criteria:**

- A. During reviews of the Comprehensive Plan as set forth in the resolution adopted pursuant to 9J-5.004 and as a part of the Evaluation and Appraisal Reports required by Chapter 163, an assessment shall be made of the effectiveness of the Intergovernmental Coordination Element and any deficiencies in the element shall be identified.
- B. The Planning and Zoning Office staff shall coordinate the review.

### **Policy 1.5**

Brevard County shall pursue the use of interlocal agreements to identify and quantify the potential impacts of proposed public facility improvements upon historic resources and to ensure the protection of such resources if discovered during associated ground disturbing activities. At a minimum, the interlocal agreements should include provisions provided for in the Historic Preservation element policies as cited below.

#### **Criteria:**

- A. Policy 1.4 (B) Local Register of Historic Places
- B. Policy 1.6 (B) Historic Brevard Campaign
- C. Policy 2.11 Encourage cities to adopt Historic Preservation ordinances
- D. Policy 2.3 Review of public/private projects
- E. Policy 2.4 Discovery procedures
- F. Policy 3.1 Distribute information and materials
- G. Historic landmark program

### **Policy 1.6**

Brevard County should continue to coordinate monitoring of potable water resources with the St. Johns River Water Management District, the Brevard County Water Resources Department and the Brevard Water Supply Board.

#### **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 provision 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.

### **Policy 1.7**

Brevard County shall continue to participate in meetings of the Brevard County Planning Coordination Committee (PCC).

#### **Criteria:**

- A. The Planning Coordination Committee should have authority to advise all local governments on planning issues.
- B. Membership should be comprised of planning staff representatives of the County, each municipality, a School Board representative and other appropriate representatives as necessary.

### **Policy 1.8**

If necessary, Brevard County may use an informal mediation process involving the East Central Florida Regional Planning Council to assist in resolving conflicts between the County's Comprehensive Plan and the comprehensive plans of adjacent municipalities and counties.

**Policy 1.9**

Brevard County shall cooperate with the East Central Florida Regional Planning Council during the preparation of any Regional Development Guides which identify potential urban and rural service areas, and conservation areas to be used as a basis for determining the expansion of regionally significant public facilities.

**Policy 1.10**

Brevard County shall coordinate with municipalities to establish 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. A system of Brevard County early notification by those 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 1.11**

Brevard County shall maintain a geographic information system (GIS) which will, among other operations, store, retrieve and display data related to evaluating and managing land use and growth, and assist in implementation of the Comprehensive Plan.

**Criteria:**

- A. The geographic information system should be capable of reading data from the County's municipalities as well as special districts, and regional, state and federal sources.

- B. Information and products generated by this system should be made available to both public and private sector entities consistent with available fiscal and time resources.

**Policy 1.12**

The health and social service base for coordination in Brevard County should include the Florida Department of Children and Families, Community Services Council, Area Agencies on Aging, the Brevard County School Board, Brevard County Housing and Human Services Department, public and private medical facilities, private social service groups and agencies, private and public educational institutions, Local Health Planning Council, representatives of business and industry, law enforcement agencies and authorities, and the District Mental Health Councils.

**Policy 1.13**

Brevard County and its municipalities shall coordinate their level of service standards and projected sewer service areas for sewer facilities outside their jurisdiction to ensure that enough wastewater treatment plant capacity is available and to ensure that public sewer service is provided to Brevard's citizens in the most efficient manner.

**Policy 1.14**

Brevard County Board of County Commissioners will continue to encourage annual meetings with the Brevard County School Board or their designee to discuss concurrency of infrastructure to serve proposed schools. Pursuant to the requirements of Chapter 163.3177(3) and 163.3194(1), Florida Statutes, the general location of public educational facilities should be consistent with the Capital Improvements Program within the Comprehensive Plan of Brevard County.

**Policy 1.15**

Brevard County shall take steps necessary to coordinate with the Spaceport Florida Authority, the Economic Development Commission of Florida's Space Coast and the Space Coast Development Commission on promotional efforts concerning those areas of the County uniquely suited for the development of space commerce and the National Space Policy.

**Criteria:**

- A. Support the implementation of previously completed and adopted economic plans.
- B. Continue to work with the City of Titusville, National Aeronautics and Space Administration, Department of Commerce, Department

of Community Affairs, Department of Education, and other appropriate agencies.

**Policy 1.16**

Brevard County shall provide sewer services to those areas located in proximity to municipal sewer systems if requested and if capacity is available. The cost of providing these services shall be paid for by the property owners that are benefited unless grant funds are available.

**Policy 1.17**

Brevard County should coordinate with the City of Titusville for the provision of public sanitary sewer service from the north limits of the community of Port St. John to the south limits of the City of Titusville.

**Policy 1.18**

Brevard County shall invite all municipalities to participate in class I watershed studies. The criteria set forth within related Conservation Element policies shall provide some guidelines for the study and recommendations for action.

**Policy 1.19**

Brevard County, if requested and feasible, shall cooperate with appropriate federal, state, regional, and local governmental agencies in the aerial photography and topographic mapping of Brevard County.

**Criteria:**

- A. Brevard County should contact the St. Johns River Water Management District, the U.S. Fish and Wildlife Service, the Florida Department of Transportation and the municipalities and flood control districts within Brevard County which may benefit from aerial photography and topographic mapping of Brevard County to determine respective aerial and topographical mapping needs and corresponding financial participation in such a project.
- B. The aerial photography and topographic mapping of Brevard County should coincide with aerial and topographical mapping needs of the above referenced agencies dependent upon their financial participation in the project.

**Policy 1.20**

Brevard County shall cooperate with the incorporated municipalities within its boundaries and adjacent counties in the development of any regional stormwater management planning efforts.

**Policy 1.21**

Brevard County supports any state policies that require deepwater ports to submit port master plans including and pursuant to Section 403.021(9), Florida Statutes, as required in Chapter 163.3177(6)(g), Florida Statutes.

**Criteria:**

- A. The master plans for deepwater ports shall, at a minimum, conform to Chapter 163, F.S.
- B. Such port master plans shall be reviewed consistent with Chapter 163, F.S., and Rule 9J-5, F.A.C.

**Objective 2**

Brevard County shall strive for increased efficiency in development approval processes including the review of development proposals which impact adjacent municipalities, counties, the region and the State.

**Policy 2.1**

Annually, with respect to each municipality, Brevard County should pursue 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 2.2**

Brevard County shall coordinate with appropriate local governments and Florida Department of Natural Resources in the development of a Mangrove Protection Ordinance and a Wetland Ordinance for uniform regulation of these valuable resources. Specific guidelines are set forth in the Conservation Element and described in the criteria below.

**Criteria:**

- A. Policy 5.1 Wetlands
- B. Policy 5.2 Wetlands
- C. Policy 5.3 Mangroves
- D. Policy 5.4 Wetlands

**Policy 2.3**

Strive to improve the delivery of community services through adoption and implementation of effective records-management, information management and evaluative procedures.

**Criteria:**

- A. Develop a records management process utilizing the Geographic Information System (GIS) or other mechanism that can track resources and expenditures in the delivery of community services.
- B. Coordinate the ongoing development of this system with other local governments and service providers in order to achieve a common data base for the delivery of community facilities and services within Brevard County.

**Policy 2.4**

Brevard County's legal relationship with the Port of Canaveral's Port Master Plan is governed by Chapter 163, Florida Statutes. Upon the Port Canaveral Authority's request, Brevard County shall review the Port Master Plan for consistency with the Coastal Management Element of the Brevard County Comprehensive Plan, pursuant to the County's procedure for reviewing plans of other jurisdictions and Chapter 163.3177(6)(g), F.S. Brevard County shall identify provisions of the Port Master Plan which it considers inconsistent with the Coastal Management Element or any other elements of the County Comprehensive Plan and a meeting shall be established to discuss and rectify the inconsistencies and other issues as set forth in the criteria below:

**Criteria:**

- A. Disposal of dredge material
- B. Air quality
- C. Alteration of wetlands
- D. Floodplains
- E. Wildlife habitat
- F. Noise pollution
- G. Odor from seafood processing
- H. Water quality
- I. Easements and land uses along the Barge Canal
- J. Other environmental impacts

**Policy 2.5**

Brevard County shall coordinate with the municipalities and appropriate state agencies to develop Evacuation Zone Management Plans as described in the Coastal High Hazard section of the Coastal Management Element as well as the recommendations found within the Brevard County Comprehensive Emergency Management Plan (CEMP).

### **Objective 3**

Brevard County, in cooperation with the appropriate federal, state and local governmental agencies, shall achieve coordinated level of service standards for essential public facilities and services.

#### **Policy 3.1**

Brevard County may maintain a county-wide advisory committee to recommend acceptable levels of service for public facilities and services which are multi-jurisdictional and to advise the respective governing bodies.

##### **Criteria:**

- A. The public facilities to be addressed should include potable water, sanitary sewer, solid waste, drainage, parks and transportation.
- B. Committee members should include County and municipal staff members responsible for planning and coordinating the above public facilities.

#### **Policy 3.2**

In order to ensure efficient, cost effective, and environmentally sound public facilities and services, Brevard County should initiate interlocal agreements with the municipalities that provide public facilities and services in the unincorporated area, to formalize the designation of facility service areas and acceptable levels of service.

#### **Policy 3.3**

Brevard County shall continue to coordinate with the Florida Department of Transportation for development of permitted connections to the State Highway System with level of service standards adopted by the County and its MPO.

#### **Policy 3.4**

County-wide uniform level of service standards shall be utilized in the implementation of an impact fee program.

#### **Policy 3.5**

The Planning and Zoning Office shall assist the Sheriff's Department in the planning of their facilities and service delivery plans and fiscal programs by coordinating and providing requisite data and planning expertise.

**Policy 3.6**

Brevard County shall utilize uniform standards in the provision and operation of community facilities within designated service areas and develop fiscal programs where feasible, for capital and operational needs.

**Criteria:**

- A. In order to promote greater efficiencies of service through adaptive reuse, joint-use agreements and rehabilitation of existing structures. These measures may be utilized as an alternative to construction of new community facilities, where economically feasible and consistent with the Future Land Use Element.
- B. In order to eliminate needless duplication of community facilities and services and to promote communication and cooperation in governmental activities and programs within State, regional, county, city, and other governmental units.

**Policy 3.7**

Brevard County shall coordinate with the East Central Florida Regional Planning Council regarding strategic and local planning efforts that are relevant to Brevard County. Additional coordination mechanisms shall be established or maintained as required by Florida Statutes.

**Policy 3.8**

Brevard County shall continue coordination with the Brevard County School District and municipalities through the Interlocal Agreement that ensures the public school facilities level of service is maintained. Brevard County shall continue to be responsive to any legislative changes regarding school facility development and coordination with local governments and agencies.

**Policy 3.9**

Brevard County shall reduce fire loss and personal injury through intergovernmentally coordinated fire prevention programs and early detection systems. Brevard County should support the volunteer fire department efforts by providing data and financial assistance consistent with defined needs and the services provided. Brevard County shall maintain and improve the Fire Insurance Rating for the unincorporated areas of the County, and coordinate with incorporated areas in order to achieve fire rating objectives.

**Policy 3.10**

Brevard County shall coordinate with the Port of Canaveral in the provision of public services to the easement area adjacent to the Barge Canal that is controlled by the Port Authority.

**Policy 3.11**

Brevard County shall encourage municipalities to adopt level of service criteria, standards for roadway widths, right-of-way width standards, and other roadway-related requirements in support of the scenic or historic roadways table/data found within the Transportation Element of the Brevard County Comprehensive Plan.

**Policy 3.12**

Brevard County should continue coordination with the Brevard Metropolitan Planning Organization (MPO), Florida Department of Transportation, local governments and local transportation agencies regarding current and future transportation infrastructure needs. Where appropriate, Brevard County, in cooperation with the Brevard MPO, may facilitate consideration of alternative land use scenarios as a possible means of addressing transportation infrastructure demands.