



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Miscellaneous

J.3.

4/22/2025

Subject:

Workshop to discuss 2024 Evaluation and Appraisal (EAR) Update and Area of Critical State Concern (ACSC)

Fiscal Impact:

NA

Dept/Office:

D1 Commission

Requested Action:

It is requested that the Board of County Commissioners conduct a workshop to hear public comments on the 2024 EAR and ACSC Amendments that were returned with comments from the state on January 21, 2025.

Proposed workshop dates are: May 14th, 15th, 26th, and 27th at 5 p.m.

Summary Explanation and Background:

Chapter 85-55, Laws of Florida, amended the Chapter 163, Part II, Florida Statutes, that required local governments to comply with the amended requirements. 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, that has been amended from time to time.

Section 163.3191, Florida Statutes, requires each local government to evaluate its comprehensive plan every seven years to determine if plan amendments are necessary to reflect a minimum planning period of at least ten years or reflect changes in state requirements adopted since the last update. This process is known as the Evaluation and Appraisal Review (EAR). The state land planning agency (Florida Commerce) established December 1, 2023, as the deadline to complete the EAR.

Brevard County reviewed the requirements of Section 163.3191, Florida Statutes and determined that amendments to the comprehensive plan would be necessary to comply with the statutory requirements. The County notified Florida Commerce of its determination on November 28, 2023. The County now had one year to prepare and transmit the necessary amendments to Florida Commerce for review pursuant to the State Coordinated Review process (Section 3184(4), Florida Statutes). Florida Commerce has established December 1, 2024, as the due date for transmittal of the EAR based amendments.

Planning and Development, along with its consultant, Bonnie C. Landry and Associates, has prepared EAR based amendments for each of the fifteen elements in the Comprehensive Plan, with the exception of the Historic Preservation Element and the Property Rights Element, which did not require amendment. The amendments consist of proposed new goals, objectives, and policies and/or revisions to previously adopted

goals, objectives, and policies for the following elements: Conservation; Surface Water Management; Recreation and Open Space; Housing; Potable Water; Sanitary Sewer; Solid Waste and Hazardous Materials; Transportation; Coastal Management; Future Land Use; Intergovernmental Coordination; Capital Improvements, Public School Facilities; and the Glossary. The amendments propose a new element (Part XVI) to the Comprehensive Plan establishing goals, objectives, and policies relating to the Brevard Barrier Island Area.

Planning and Development, along with its consultant, has coordinated the preparation of the proposed amendments with the affected departments.

After the EAR based amendments were received by Florida Commerce, Florida Commerce issued an Objections, Recommendations, and Comments (ORC) Report. The County now has 180 days from January 21, 2025 to make changes to address the ORC Report and to adopt the EAR based amendments. Staff has advised that they have requested an additional 60-day extension to the 180-day deadline, leaving time to incorporate additional citizen input.

At the November 7, 2024 meeting, after receiving multiple public comments critical of the submission being forwarded to the state, Commissioner Pritchett recommended a public workshop be conducted to address public concerns prior to finalizing the documents. The ORC report comments have now been received by the county and staff has had time to review them. It is recommended that the board conduct the recommended public workshop in May prior to submitting the revised documentation to the Land Planning Agency (LPA) and then to the BOCC for final approval.

A link to the November 7, 2024 Commission Meeting with the attachments that were transmitted to the state is here:

<https://brevardfl.legistar.com/LegislationDetail.aspx?ID=6994487&GUID=2804BAF0-5B54-4B90-9C53-FC367013C71E&Options=&Search=&FullText=1>

Clerk to the Board Instructions:



FLORIDA'S SPACE COAST

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

Telephone: (321) 637-2001

Fax: (321) 264-6972

Kimberly.Powell@brevardclerk.us



April 23, 2025

M E M O R A N D U M

TO: Commissioner Katie Delaney, District 1

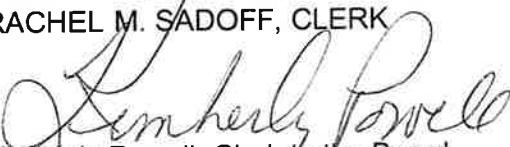
RE: Item J.3., Workshop to discuss 2024 Evaluation and Appraisal (EAR) Update and Area of Critical State Concern (ACSC)

The Board of County Commissioners, in regular session on April 22 2025, discussed conducting a workshop to hear public comment on the 2024 EAR and ACSC Amendments that were returned with comments from the State on January 21, 2025, but took no action.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/sj

cc: Each Commissioner
County Manager
County Attorney

Board Meeting Date

4-22-25

Item Number: J.3. - NO action

Motion By: _____

Second By: _____

Nay By: _____

Commissioner	DISTRICT	AYE	NAY
Commissioner Delaney	1		
Vice Chair Goodson	2		
Commissioner Adkinson	3		
Commissioner Altman	5		
Chairman Feltner	4		