

**STATE OF FLORIDA  
DEPARTMENT OF COMMERCE**

In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY BREVARD COUNTY, FLORIDA,  
ORDINANCE NO. 2025-21

**FINAL ORDER APPROVING  
BREVARD COUNTY ORDINANCE NO. 2025-21**

The Florida Department of Commerce (the “Department”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, approving land development regulations adopted by Brevard County (the “County”) Ordinance No. 2025-21 (the “Ordinance”).

**FINDINGS OF FACT**

1. In 2023, the Brevard Barrier Island Area was designated as an area of critical state concern by Section 380.0553, Florida Statutes. The County is a local government located within the Brevard Barrier Island Area.
2. The County adopted the Ordinance on November 18, 2025, and rendered the Ordinance to the Department on December 17, 2025.
3. The Ordinance amends Chapter 62, Article IX, of the Land Development Code to permit signage for public or private parks operated by a Community Development District. The Ordinance allows an individual sign size of up to 75 square feet and a cumulative total sign surface area of up to 150 square feet for identification and local community event purposes, regardless of the property’s current zoning classification or size limitation.

**CONCLUSIONS OF LAW**

4. The Department is required to approve or reject land development regulations that are adopted by any local government that is located within an area of critical state concern. *See* Section 380.05(6), Florida Statutes.

5. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the County's Comprehensive Plan as required by Section 163.3177(1), Florida Statutes, generally, and is specifically consistent with the Future Land Use Element Goal, Commercial Land Uses Objective 2, Policy 2.3, Recreation and Open Space Element Goal, Park and Open Space System Objective 1, and Policy 1.1.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. *See* Section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Brevard Barrier Island Area are set forth in Section 380.0553(5), Florida Statutes.
8. The Ordinance is consistent with the Principles for Guiding Development in Section 380.0553(5), Florida Statutes and is specifically consistent with the following Principles:
  - e. Safeguarding against adverse economic, social, environmental, and public health and safety impacts posed by flooding and storm surge by protecting critical assets identified in s. 380.093; and
  - j. Ensuring that development is compatible with the unique characteristics of the Brevard Barrier Island Area.

WHEREFORE, IT IS ORDERED that the Department finds that the Brevard County Ordinance No. 2025-21 is consistent with the County's Comprehensive Plan and the Principles for Guiding Development for the Brevard Barrier Island Area of Critical State Concern and is hereby APPROVED.

This Final Order becomes final 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

A handwritten signature in black ink, appearing to read "JD", written over a horizontal line.

Justin R. Damer, Deputy Secretary  
Division of Community Development  
Florida Department of Commerce

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, BY FILING A PETITION.

A PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMERCE WITHIN 21 CALENDAR DAYS OF BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK  
FLORIDA DEPARTMENT OF COMMERCE  
OFFICE OF THE GENERAL COUNSEL  
107 EAST MADISON ST., MSC 110  
TALLAHASSEE, FLORIDA 32399-4128  
FAX 850-921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.


FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES.

PURSUANT TO SECTION 120.573, FLORIDA STATUTES, AND CHAPTER 28, PART IV, FLORIDA ADMINISTRATIVE CODE, YOU ARE NOTIFIED THAT MEDIATION IS NOT AVAILABLE.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 5<sup>th</sup> day of February 2026.

  
Karis De Gannes, Agency Clerk  
Florida Department of Commerce  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By Certified Mail:

Commissioner Thad Altman, Chair  
Brevard County Board of County Commissioners  
150 5<sup>th</sup> Avenue  
Indialantic, FL 32903

Rachel M. Sadoff, Clerk  
Brevard County  
400 South Street  
Titusville, FL 32780

Billy Prasad, Planning Director  
Brevard County Planning & Development  
2725 Judge Fran Jamieson Way  
Viera, FL 32940