

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

January 12, 2018

The Honorable Curt Smith
Chairman Brevard County, Board of County Commissioners
2725 Judge Fran Jamieson Way
Viera, Florida 32940

Dear Chairman Smith:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Brevard County (Amendment No. 17-3ER), which was received and determined complete on November 13, 2017. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S. Review comments received by the Department from the appropriate reviewing agencies are also enclosed.

Also enclosed is DEO's Objections, Recommendations, and Comments (ORC) Report. The ORC report outlines findings concerning the proposed amendment. We have identified one (1) objection to the proposed changes. The Department is prepared to work with the County to resolve the objection. The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(4)(e)1., F.S., provides that if the second public hearing is not held within 180 days of your receipt of the Department of Economic Opportunity report, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment.

If you have any questions related to this review, please contact Dan Pennington, at (850) 717-8524, or by email at dan.pennington@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury".

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/dp

Enclosures: ORC Report
Procedures for Adoption
Agency Comments

cc: Hugh Harling, P.E., Executive Director, East Central Florida Regional Planning Council
Erin Sterk, Planning and Zoning Manager, Brevard County

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT

PROPOSED COMPREHENSIVE PLAN AMENDMENT

BREVARD COUNTY (DEO No. 17-3ER)

Objection

Section 163.3178(2)(f)(1-3), F.S., directs local governments to update the Coastal Management Element of the comprehensive plan to contain a coastal redevelopment component that addresses how to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise. The proposed Brevard County amendments 17-3ER do not provide a coastal redevelopment component in the Coastal Management Element that includes:

1. Development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.
2. Best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.
3. Site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.

Though an action plan for Brevard County may emerge from the ongoing ECFRPC and FDEP project, there is presently sufficient data, available tools and statutory direction for the County to move ahead under the current plan update to develop a coastal redevelopment component that addresses how to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise.

Authority: Section 163.3178(2)(f)(1-3), F.S

Recommendation

The County should revise the amendment prior to adoption to update the Coastal Management Element of the comprehensive plan to contain a coastal redevelopment component that addresses how to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise.

The County should consider revising this amendment, prior to adoption, to provide a coastal redevelopment component within the Coastal Management Element that addresses how to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise. In a redevelopment component, the objectives and policies should guide the identification of at-risk coastal areas, and in these areas the public and private resources at risk to flood hazard. The County should consider adopting specific redevelopment principles, strategies, and engineering solutions based upon the community's values and capacity, that will allow better protection identified areas of flood risk. Before adopting the proposed amendment, the County may want to coordinate with the East Central Florida Regional Planning Council that, in addition to

developing the aforementioned action plan for the region, has expert staff familiar with the Peril of Flood requirements needed to address Section 163.3178(2)(f)1., 2., and 3., F.S.

A first step may be to identify those areas of the County that currently experience, or have historically experienced, flooding and coastal inundation. These areas may include locations on FEMA Flood Insurance Rate Maps subject to inundation from the 100-year flood, V- and VE zones (coastal velocity hazards), storm surge zones and, areas where localized ponding typically occurs. Some communities include other low elevation areas in close proximity to the coast, or otherwise hydrologically connected, that are subject to flooding, ponding, or wave action. Some southeast Florida communities make a point of documenting areas that experience flooding during astronomical high tides and consider these areas as especially vulnerable to coastal flooding.

After identifying current/historic at-risk areas the County should use/select from available models and tools, to better identify those portions of the community most vulnerable to the effects of projected sea-level rise *and future* coastal flooding hazard. Some resources available to assist the County in this effort include the mapping tools provided by the National Oceanic and Atmospheric Administration and the University of Florida's GeoPlan Center to identify at-risk flood areas, development and infrastructure, available these web links:

- <https://coast.noaa.gov/digitalcoast/tools/flood-exposure>;
- <http://coast.noaa.gov/digitalcoast/tools/slr>;
- <https://coast.noaa.gov/slrdata/>; and,
- <http://sls.geoplan.ufl.edu>.

With the information identifying areas most vulnerable to flood hazard and projected sea-level rise, the County should further identify assets of concern in the community that may be affected by flooding or projected sea-level rise. This includes identifying the public facilities and infrastructure, cultural, historic and natural resources important to the community, as well as certain private assets/investments located, or planned to be located within the affected areas (e.g., elder care and important medical facilities).

Based upon the County's community values and capacity to act, including available and projected fiscal resources, the County could consider appropriate strategies and engineering solutions that will allow the community to adapt to potential flooding hazards identified. The strategies and engineering solutions should seek to minimize impacts to identified facilities and resources and improve the community's resilience to disasters and aid rapid post-disaster social and economic recovery actions. Upon completion of the ongoing ECFRPC/FDEP action plan, future amendments may provide data and analyses updates and additional redevelopment principles, strategies, and engineering solutions.

One very useful optional tool provided for under Section 163.3164(1) F.S., is the identification of especially high-risk areas and areas with significant resources subject to flood hazard that the County identifies as *Adaptation Action Areas (AAAs)*. Identification of AAAs, coupled with the adoption of strategies prioritizing efforts to minimize and mitigate flood risks in these areas, serves the purpose of helping to prioritizing funding and community adaptation planning. DEO is available to provide further assistance on these planning efforts.

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR STATE COORDINATED REVIEW

Section 163.3184(4), Florida Statutes

May 2011

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Department of Economic Opportunity identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format;

_____ In the case of future land use map amendment, an adopted future land use map, in **color format**, clearly depicting the parcel, its existing future land use designation, and its adopted designation;

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the Department of Economic Opportunity posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity to the ORC report from the Department of Economic Opportunity.



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

November 15, 2016

Mr. Ray Eubanks, Plan Processing Administrator
Division of Community Planning
Dept. of Economic Opportunity
107 East Madison Street, MSC-160
Tallahassee, FL 32399-4120

Re: Brevard County Evaluation & Appraisal Report (EAR) Notification Letter

Dear Mr. Eubanks:

In accordance with the provision of F.S. Chapter 163.3191, please accept this letter as Brevard County's evaluation of its comprehensive plan to determine if plan amendments are necessary to reflect changes in State requirements since the last update of the comprehensive plan.

The County acknowledges the modification to Section 163.3178(1)(f), F.S. enacted during the 2015 Legislative Session, which enumerates requirements of a redevelopment component in the Coastal Management Element. Staff is currently reviewing data compiled by the East Central Florida Regional Planning Council and researching best practices. Accordingly, we are committed to adopting amendments to implement required redevelopment policies as part of the County's second Comprehensive Plan amendment cycle of 2017.

If you have any questions regarding this Evaluation & Appraisal notification letter please contact Robin M. DiFabio, AICP, Director of Planning & Development at (321) 633-2069 or at robin.difabio@brevardfl.gov

Sincerely,

Jim Barfield, Chairman
Board of County Commissioners

cc: Hugh W. Harling, Jr., Executive Director ECFRPC



Florida Department of Transportation

RICK SCOTT
GOVERNOR

719 South Woodland Boulevard
DeLand, Florida 32720

MICHAEL J. DEW
SECRETARY

December 1, 2017

D. Ray Eubanks
Plan Processing Administrator
Florida Department of Economic Opportunity
107 East Madison Street, MSC-160
Tallahassee, FL 32399

SUBJECT: PROPOSED COMPREHENSIVE PLAN AMENDMENT
LOCAL GOVERNMENT: BREVARD COUNTY
DEO #: 17-3ER

Dear Mr. Eubanks,

The Department of Transportation has completed its review of the subject Comprehensive Plan Amendment as requested in Brevard County's transmittal letter dated November 2, 2017.

We appreciate the opportunity to participate in this review process and we offer our technical assistance with this letter. The majority of the EAR-based text amendments are not expected to have significant adverse impacts to the State Highway System (SHS) and the Strategic Intermodal System (SIS). The exceptions are the proposed amendments to Future Land Use Element Objective 2 (Commercial Land Uses), Policy 2.6 (F) and 2.8 (D), which remove the maximum square footage limitations for Neighborhood Commercial and Community Commercial, and defers to Floor Area Ratio limitations.

Due to the potential impacts to State Facilities based on the proposed amendments to these policies, the Department recommends Brevard County continue to monitor impacts to State Facilities through traffic impact analyses, as Neighborhood Commercial and Community Commercial lands develop/redevelop. The Department also recommends Brevard County coordinate with the Department in order to identify appropriate mitigation strategies to address the potential impacts to State facilities.

If you have any questions, you may contact Steve Shams at 386-943-5421 or by e-mail at Steve.Shams@dot.state.fl.us.

Sincerely,

Jean Parlow
Growth Management Coordinator

Attachment

C: Erin Sterk, Brevard County
Fred Milch, ECFRPC
Carmen Monroy, FDOT
Dana Reiding, FDOT

David J. Cooke, FDOT
Jennifer Carver, FDOT
Adam Biblo, DEO

COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Brevard County
DEO Amendment #: 17-3ER
Date Amendment Received FDOT: 11/13/2017
Review Comments Deadline: 12/13/2017
Today's Date: 12/1/2017

GENERAL BACKGROUND INFORMATION

Brevard County has submitted the proposed Brevard County 17-3ER large scale Comprehensive Plan Amendment for Evaluation and Appraisal Review (EAR) based text amendments pertaining to the Brevard County Comprehensive Plan. Text amendments to the following Elements of the Comprehensive Plan are included in this transmittal:

- Conservation
- Surface Water
- Recreation and Open Space
- Historic Preservation
- Housing
- Sanitary Sewer
- Solid Waste and Hazardous Materials
- Transportation
- Coastal Management
- Future Land Use
- Public Schools
- Glossary

FDOT Contact:	Steve Shams, MURP In-house Consultant FDOT District 5	Reviewed by:	Tyler K. Johnson, AICP
Telephone:	386-943-5421		Vanasse Hangen Brustlin, Inc.
Fax:	386-943-5713		407-839-4006
E-mail:	Steve.Shams@dot.state.fl.us		407-839-4008
File:	tjohnson@vhb.com		
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TEXT AMENDMENTS

Elements: Conservation
Surface Water
Recreation and Open Space
Historic Preservation
Housing
Sanitary Sewer
Solid Waste and Hazardous Materials
Transportation
Coastal Management
Future Land Use
Public Schools
Glossary

Rule Reference: Chapter 163, Florida Statutes

Background:

Brevard County has submitted the proposed Brevard County 17-3ER large scale Comprehensive Plan Amendment for Evaluation and Appraisal Review (EAR) based text amendments pertaining to the Brevard County Comprehensive Plan.

The majority of the proposed amendments are not substantive and consist primarily of:

- Corrections of scrivener's errors and grammatical clarification
- Rewording of existing policies to clarify purpose and intent
- Updated references (e.g. Florida Building Codes, State statutes)
- Updated agency names, terminology, and internal policy references
- Update maps based on more recent data sources
- Removal of duplicative policies
- Rearrangement and moving of policy within the Comprehensive Plan
- Add titles to sections

Proposed amendments which do not qualify as any of the above categories are summarized below.

Recreation and Open Space Element

- 1) Acceptable Levels of Service calculations were changed from Park Planning Areas to County-wide.

FDOT Contact:	Steve Shams, MURP In-house Consultant FDOT District 5	Reviewed by:	Tyler K. Johnson, AICP
Telephone:	386-943-5421		Vanasse Hangen Brustlin, Inc.
Fax:	386-943-5713		407-839-4006
E-mail:	Steve.Shams@dot.state.fl.us		407-839-4008
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- 2) Objective 1 (Park and Open Space System), Policy 1.8 – Criteria regarding the Greenway Network was eliminated as these functions are being coordinated by the Transportation Planning Organization.
- 3) Objective 1 (Park and Open Space System), Policy 1.10 & 1.11 – Criteria regarding oceanfront and riverfront breezeways was eliminated to avoid future conflicts with current Land Development Regulations.
- 4) Objective 5 (Public and Private Partnerships), Policy 5.2 – Criteria for lands acquisition were eliminated, as the mechanisms to do so do not need to be outlined within the Comprehensive Plan.

Solid Waste and Hazardous Materials Element

- 1) Objective 10 (Intergovernmental Coordination) – Stricken, as coordination requirements have changed. The transmittal indicated State review agency feedback requested as a part of the review of proposed amendments.

The deleted Objective stated “Brevard County shall continue coordinating with the County Departments involved in hazardous material management. Public and private sector entities will be encouraged to become involved in the development of an optimal hazardous materials management system.” Associated policies removed directed the County to establish a Hazardous Material Task Force and specified a purpose and outcome goals for the Task Force. As this proposed amendment is not expected to impact State facilities, the Department has no comments or recommendations regarding the text amendment proposed above.

Transportation Element

- 1) Objective 1 (Monitoring and Evaluation), Policy 1.1 (C) 2 – Updated to reflect the current 2040 planning horizon year, changed from 2020.
- 2) Objective 1 (Monitoring and Evaluation), Policy 1.3 (A) 2 and Policy 1.3 (B) – Updated to match FDOT LOS standards.
- 3) Objective 2 (Prioritization of Transportation Improvements), Policy 2.2 – Updated to reflect accurate 6-20 year long-range transportation improvement program horizon.
- 4) Objective 2 (Prioritization of Transportation Improvements), Policy 2.8 – Updated to include transit consideration in roadway reconstruction.

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Telephone:	386-943-5421		Vanasse Hangen Brustlin, Inc.
Fax:	386-943-5713		407-839-4006
E-mail:	Steve.Shams@dot.state.fl.us		tjohnson@vhb.com
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- 5) Objective 4 (Multi-modal Transportation), Policy 4.2 (B) – Updated to ensure that review of ADA standards is incorporated into land development regulations
- 6) Objective 5 (Airport, Sea Port, and Rail Facilities) – Updated to include Spaceport within the Objective and subsequent Policy.
- 7) Objective 10 (Intergovernmental Coordination), Policy 8.1 (D) – Stricken, as the Committee is no longer functional.

Coastal Management Element

- 1) Objective 4 (Beaches and Dunes), Figure 1 – “Diagram Reflecting the Spatial Relationship between the FDEP 1981 Coastal Construction Control Line (CCCL) and the Brevard County Coastal Setback Line (CSL)” updated for clarity.
- 2) Objective 6 (Coastal High Hazard Areas), Policy 6.3 – Modified to allow the conversion of on-site septic disposal systems to sewer within the coastal high hazard area zone for projects selected specifically to improve ground and surface water quality.

Future Land Use Element

- 1) Objective 2 (Commercial Land Uses), Policy 2.6 (F) and 2.8 (D) – Updated to remove maximum square footage limitation, antiquated numbers in today's development, and defer to Floor Area Ratio limitations.

The potential effects of this proposed text amendment are further analyzed below.

- 2) Objective 2 (Commercial Land Uses), Policy 2.9, 2.10, and 2.11 – Stricken, as the Small Scale and Large Scale Comp Plan Amendment procedures are the formal mechanism utilized today to propose changes to Commercial Future Land Use boundaries.
- 3) Objective 8 (Developments of Regional Impact), Policy 8.1 – DRI's no longer functioning stricken.
- 4) Objective 18 (Platt Ranch Mixed Use Category) – Stricken, as Platt Ranch parcels were annexed into the City of Melbourne.
- 5) Objective 22 (Mixed Use Development Land Uses) – Stricken, as the Mixed Use Development Future Land Use Designation is no longer utilized.

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Analysis of FLU Element Objective 2, Policies 2.6(F):

The proposed text amendments to FLU Element Objective 2, Policies 2.6(F) are presented in strikethrough/underline format below:

FLUE: Objective 2, Policy 2.6(F) The gross floor area of neighborhood commercial complexes should not exceed a 21,800 square feet and the Floor Area Ratio (FAR) should not exceed of 0.75.

The Comprehensive Plan contains a maximum size of 8 acres for a Neighborhood Commercial cluster, resulting from 2 acres in each corner of an intersection. As there are Neighborhood Commercial FLU lands throughout the County, including parcels of varying sizes, the maximum scenario was used for a conservative analysis of the maximum allowable situation. In this scenario, a total of 87,200 square feet of commercial complex would be allowed. This equates to one commercial complex of 21,800 square feet at each corner of an intersection.

Table 1 below shows the trip generation potential for the currently adopted and proposed future land use policy, and the change in trips as a result of the amendment.

Table 1: Trip Generation Potential of Maximum Allowable Neighborhood Commercial Scenario Affected by Text Amendment to FLUE Objective 2, Policy 2.6(F)

Scenario	Land Use Designation	ITE Land Use Code	Allowed Development	Daily Trips	P.M. Peak Hour Trips
Adopted	Commercial	820	87,200 s.f.	6,690	491
Proposed	Commercial	820	261,360 s.f.	14,112	1,106
Change in Trips				+7,422	+615

Source: ITE Trip Generation Manual 10th Edition
s.f. = square feet

The analysis shows the proposed text amendment would increase the trip generation potential of a maximum allowable neighborhood commercial cluster by 7,422 daily trips and 615 P.M. peak hour trips. These estimates are general and reflect a conservative analysis as this is an estimate of the maximum allowable scenario and does not analyze each instance of Neighborhood Commercial parcels throughout the County. It is not possible to determine with certainty the potential impacts of this proposed text amendment since it is applied throughout the entire County.

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The Neighborhood Commercial FLU is a designation used throughout the County, and primarily exists along SR 5/US 1, SR 520, SR 3, and at I-95 interchanges. As Neighborhood Commercial areas exist throughout the County and are located along State facilities, the proposed text amendment has the potential to impact State facilities.

Analysis of FLU Element Objective 2, Policies 2.8(D):

The proposed text amendment to FLU Element Object 2, Policies 2.8(D) are presented in strikethrough/underline format below:

FLUE: Objective 2, Policy 2.8(D) ~~The gross floor area of community commercial complexes should not exceed 150,000 square feet for commercial clusters up to 10 acres in size and shall not exceed 400,000 square feet for commercial clusters greater than 10 acres but less than 40 acres.~~

The Comprehensive Plan contains a maximum FAR of 1.0 and a maximum size of 40 acres for Community Commercial land areas. As there are Community Commercial FLU lands throughout the County, including parcels of varying sizes, the two scenarios specified in Policy 2.8(D) were used for a conservative analysis of the maximum allowable situations.

Table 2 below shows the trip generation potential for the currently adopted and proposed future land use policy for Community Commercial parcels 10 acres in size, and the change in trips as a result of the amendment.

Table 2: Trip Generation Potential of a 10-Acre Community Commercial Parcel Affected by Text Amendment to FLUE Objective 2, Policy 2.8(D)

Scenario	Land Use Designation	ITE Land Use Code	Allowed Development		Daily Trips	P.M. Peak Hour Trips
Adopted	Commercial	820	150,000	s.f.	9,674	734
Proposed	Commercial	820	435,600	s.f.	19,974	1,614
Change in Trips					+10,300	+880

Source: ITE Trip Generation Manual 10th Edition
d.u. = dwelling units; s.f. = square feet

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Table 3 below shows the trip generation potential for the currently adopted and proposed future land use policy for Community Commercial parcels 40 acres in size, and the change in trips as a result of the amendment.

Table 3: Trip Generation Potential of a 40-Acre Community Commercial Parcel Affected by Text Amendment to FLUE Objective 2, Policy 2.8(D)

Scenario	Land Use Designation	ITE Land Use Code	Allowed Development		Daily Trips	P.M. Peak Hour Trips
Adopted	Commercial	820	400,000	s.f.	18,849	1,516
Proposed	Commercial	820	1,742,400	s.f.	51,270	4,504
Change in Trips					+32,421	+2,988

Source: ITE Trip Generation Manual 10th Edition
d.u. = dwelling units; s.f. = square feet

The analysis shows the proposed text amendment would increase the trip generation potential of a 10-acre parcel of Community Commercial by 10,300 daily trips and 880 P.M. peak hour trips and the trip generation potential of a 40-acre parcel of Community Commercial by 32,421 daily trips and 2,988 P.M. peak hour trips. These estimates are general in nature and reflect a conservative analysis as these estimates are based on the two size limits in Policy 2.8(D) and do not analyze each instance of Community Commercial parcels throughout the County. It is not possible to determine with certainty the potential impacts of this proposed text amendment since it is applied throughout the entire County.

The Community Commercial FLU is a designation used throughout the County, and primarily exists along SR 5/US 1, SR 520, SR 3, and at I-95 interchanges. As Community Commercial areas exist throughout the County and are located along State facilities, the proposed text amendment has the potential to impact State facilities.

Technical Assistance:

The majority of the amendments are not expected to have significant adverse impacts to the State Highway System and the Strategic Intermodal System; therefore, the Department does not have comments or recommendations regarding those amendments. The exceptions are the proposed amendments to Future Land Use Element Objective 2 (Commercial Land Uses), Policy 2.6 (F) and 2.8 (D), which remove the maximum square footage limitations for Neighborhood Commercial and Community Commercial, and defers to Floor Area Ratio limitations.

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Telephone:	386-943-5421		Vanasse Hangen Brustlin, Inc.
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Review Comments Deadline: 12/13/2017
Today's Date: 12/1/2017

This proposed amendment in particular has the potential to result in a significant increase in the trip generation potential for the NC and CC areas. As these areas are primarily located along SR 5/US 1, SR 520, SR 3, and at I-95 interchanges, there is potential for significant adverse impacts to the State Highway System (SHS) and the Strategic Intermodal System (SIS).

Due to the potential impacts to state facilities and the inability to accurately determine how the proposed amendments to FLU Element Objective 2, Policies 2.6(F) and 2.8(D) may affect trip generation potential of commercially designated lands throughout the County. The Department recommends as Neighborhood Commercial and Community Commercial lands develop/redevelop, Brevard County continue to monitor impacts to State Facilities through traffic impact analysis and coordinate with the Department in order to identify appropriate mitigation strategies to address potential impacts to State Facilities.

The Department respectfully requests a copy of the adopted plan. Please provide the adopted plan within 10 working days of adoption, in order to assist in facilitating review within the required 30-day time frame from adoption, as required by Statutes (State Coordinated Review Process Section 163.3184(4), Florida Statutes).

FDOT Contact:	Steve Shams, MURP In-house Consultant FDOT District 5	Reviewed by:	Tyler K. Johnson, AICP
Telephone:	386-943-5421		Vanasse Hangen Brustlin, Inc.
Fax:	386-943-5713		407-839-4006
E-mail:	Steve.Shams@dot.state.fl.us		407-839-4008
File:	H:\OOC\Planning\Growth Management\CPA Project Files\Brevard County\EAR\2017\17-3ER\Proposed\Brevard_Proposed_17-3ER_Review.docx		tjohnson@vhub.com

Pennington, Dan

Subject: St Johns River WMD Comments

From: Steve Fitzgibbons [<mailto:SFitzgibbons@sjrwmd.com>]
Sent: Wednesday, December 13, 2017 7:33 AM
To: DCPexternalagencycomments <DCPexternalagencycomments@deo.myflorida.com>
Cc: Sterk, Erin <Erin.Sterk@brevardfl.gov>; robin.difabio@brevardfl.gov
Subject: Brevard County proposed comprehensive plan amendment 17-3ER

Dear Mr. Eubanks,

St. Johns River Water Management District (District) staff have reviewed Brevard County proposed comprehensive plan amendment 17-3ER in accordance with the provisions of Chapter 163, *Florida Statutes*. Based on review of the submitted materials, District staff have no comments on the proposed amendment. If you have any questions or need additional information, please contact me.

Please note that all proposed and adopted comprehensive plan amendments can be submitted to the District by email at sfitzgibbons@sjrwmd.com.

Sincerely,
Steve Fitzgibbons

Steven Fitzgibbons, AICP
Intergovernmental Planner
Governmental Affairs Program
St. Johns River Water Management District
7775 Baymeadows Way, Suite 102
Jacksonville, FL 32256
Office (386) 312-2369
E-mail: sfitzgibbons@sjrwmd.com
Website: www.sjrwmd.com
Connect with us: [Newsletter](#), [Facebook](#), [Twitter](#), [Instagram](#), [YouTube](#), [Pinterest](#)



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Executive Director
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*Managing fish and wildlife
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well-being and the benefit
of people.*

Office of the
Executive Director
Eric Sutton
Executive Director

(850) 487-3796
(850) 921-5786
FAX

620 South Meridian Street
Tallahassee, Florida
32399-1600
Voice: (850) 488-4676

Hearing/speech-impaired:
(800) 955-8771 (T)
(800) 955-8770 (V)

MyFWC.com

December 12, 2017

D. Ray Eubanks, Administrator
Plan Review and Processing
Florida Department of Economic Opportunity
107 East Madison Street
Tallahassee, FL 32399
DCPexternalagencycomments@deo.myflorida.com

RE: Brevard County 17-3ER, EAR Based Amendments 2017-2.2

Dear Mr. Eubanks:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced comprehensive plan amendment package and provides the following comments and recommendations for your consideration in accordance with Chapter 163.3184, Florida Statutes.

Brevard County has submitted evaluation- and appraisal-based amendments to its comprehensive plan in accordance with the state-coordinated review process. As indicated in their transmittal report, the County reviewed each element of the comprehensive plan and made revisions as necessary. FWC staff's primary comment is regarding Chapter II, Objective 4, of the Surface Water Element. Renumbered Policy 4.8, Criterion F, states the following:

All mosquito impoundments should be evaluated and those found to be breached or non-functional should be repaired ~~returned to their natural condition~~ by the appropriate Mosquito Control District. ~~This would include, but not be limited to, removal of existing dikes and re-establishment of historical tidal channels.~~

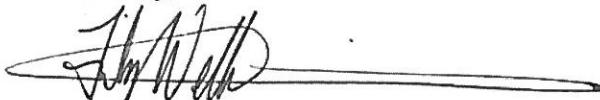
The term "repair" is vague and we recommend the comprehensive plan's glossary provide a detailed definition. The addition of a statement in criterion F that clarifies the conditions or instances in which repair would be preferred over returning the impoundment to its natural condition would be beneficial. Brevard County has a history of removing dikes around mosquito impoundments and returning these areas to their natural conditions, which is preferred and can result in new potential habitat for a variety of fish and wildlife species. FWC staff is available to provide technical assistance in this regard.

As an editorial note, Chapter I, the Conservation Element, Policies 9.1 and 9.15, refer to the "Florida Game and Fresh Water Fish Commission." This should be changed to the "Florida Fish and Wildlife Conservation Commission."

We appreciate the opportunity to review this proposed comprehensive plan amendment. If you need any further assistance, please do not hesitate to contact our office by email at

FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions, please contact Laura DiGruttolo at (352) 732-1225 or by email at Laura.DiGruttolo@MyFWC.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Fritz Wettstein', is written over a horizontal line.

Fritz Wettstein, Land Use Planning Program Administrator
Office of Conservation Planning Services

fw/ld
ENV 2-3-3
Brevard County 17-3ER_34238_121217

cc: Erin Sterk, Interim Planning and Zoning Manager
Brevard County Planning and Development Department
Erin.Sterk@brevardfl.gov



FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER ADAM H. PUTNAM

December 6, 2017

VIA EMAIL (Erin.Sterk@brevardfl.gov)

Brevard County BOCC
The Honorable Curt Smith
2725 Judge Fran Jamieson Way, Bldg. A
Room 114
Viera, Florida 32940

Re: DACS Docket # -- 20171114-1017
Brevard County EAR Based Amendments 2017-2.2
Submission dated November 2, 2017

Dear Commissioner Smith:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on November 14, 2017 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

If we may be of further assistance, please do not hesitate to contact me at 850-410-2280.

Sincerely,

A handwritten signature in cursive script that reads "Derek Buchanan".

Derek Buchanan
Budget Director
Office of Policy and Budget

cc: Florida Department of Economic Opportunity
(SLPA #: Brevard County 17-3 ESR)