

**PROPOSED COMPREHENSIVE PLAN AMENDMENT 2022-2.1
COASTAL MANAGEMENT ELEMENT AND GLOSSARY - TEXT AMENDMENT**

Request: A text amendment to the Comprehensive Plan adding the Coastal High Hazard Area map to the Coastal Management Element X and correcting a scrivener's error in the Glossary Element XVI

Owner / Applicant: Planning & Development Department

Location: County-wide

Acreage: N/A

Existing Land Use Designation: N/A

Proposed Land Use Designation: N/A

PROPOSED TEXT AMENDMENT

Background:

Following the February 3, 2022 adoption of Comprehensive Plan Amendments associated with the 2017 Evaluation and Appraisal Report (EAR), the Department of Economic Opportunity (DEO) notified Brevard County that it was necessary to include a map or map series of the Coastal High Hazard Area (CHHA) in the Comprehensive Plan pursuant to F.S. 163.3178.

CHHA is defined in Florida Statute 163.3178(2)(h) as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

The Coastal Management Element previously included a map of the CHHA based on a 2009 SLOSH computerized storm surge model. Because the CHHA was deemed subject to change, the map was removed during the preparation of recent EAR-based amendments.

While DEO found Brevard's EAR-based amendments in compliance (Docket No. 17-03ER-NOI-05-01-(A)-I), dated 3/31/2022), the County was advised to adopt the most current CHHA map back into the Comprehensive Plan during the next large-scale or text comprehensive plan amendment cycle.

Staff has prepared a series of three (3) maps depicting the Coastal High Hazard Areas in the north, central and south portions of the County and is proposing the adoption of these maps into the Coastal Management Element of the Comprehensive Plan. The maps were created using the most current data provided by East Central Florida Regional Planning Council Regional Evacuation Study Program - Storm Tide Atlas.

Additionally, staff is proposing to correct a scrivener's error identified in the Glossary discovered following the adoption of EAR-based Comprehensive Plan Amendments. The correction will change "and" to "or" in a list of conditions under the definition of "Should".

Description:

The proposed amendments will add the Coastal High Hazard Area maps (as a series of three (3) maps) to the Coastal Management Element Appendix and correct a scrivener's error in the Glossary of the Comprehensive Plan.

- **Coastal Management Element X:**
 - **Policy 6.1:** Adding a reference to Maps 3a, 3b, and 3c
 - **Appendix A:** Adding Maps 3a, 3b, and 3c to List of Maps and Appendix
- **Glossary Element XVI:**
 - **Should:** Striking "and" in list of conditions and adding "or" to correct scrivener's error

Proposed Text Amendments:

The proposed amendments would be adopted as Coastal Management Element X and Glossary XVI. Additions to the Comprehensive Plan will be shown as underlined and deletions are shown as ~~strike through~~.

- E. Of lowest priority are those uses which are non-water-dependent, non-water enhanced and which result in an irretrievable commitment of coastal resources.

Policy 5.16

Brevard County should encourage the construction of marine sanitation device (MSD) pumpout facilities.

Policy 5.17

Brevard County shall utilize available management plans in developing standards for marina siting and other water-dependent uses. These management plans include, but are not limited to, Aquatic Preserve Management Plans, the Surface Water Improvement Management (SWIM) Plan and the IRLCCMP.

Coastal High Hazard Areas

Objective 6

Limit future public expenditures for infrastructure and service facilities which subsidize growth within the coastal high hazard areas of Brevard County. Expenditures for public land acquisition or enhancement of natural resources shall be encouraged.

Policy 6.1

Brevard County shall designate coastal high hazard areas to be those areas below the elevation of the Category 1 storm surge elevation as established by a Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, as defined in Chapter 163, Florida Statute (see Maps 3a, 3b, and 3c).

Policy 6.2

Brevard County shall not support or finance new local transportation corridors which lie within the coastal high hazard area or areas zoned as Environmental Area, except where there are no other cost-feasible alternatives. Corresponding improvements may only be considered when the facilitation of such improvements is needed to support the densities programmed on the Future Land Use Map (FLUM) series of the Comprehensive Plan.

Policy 6.3

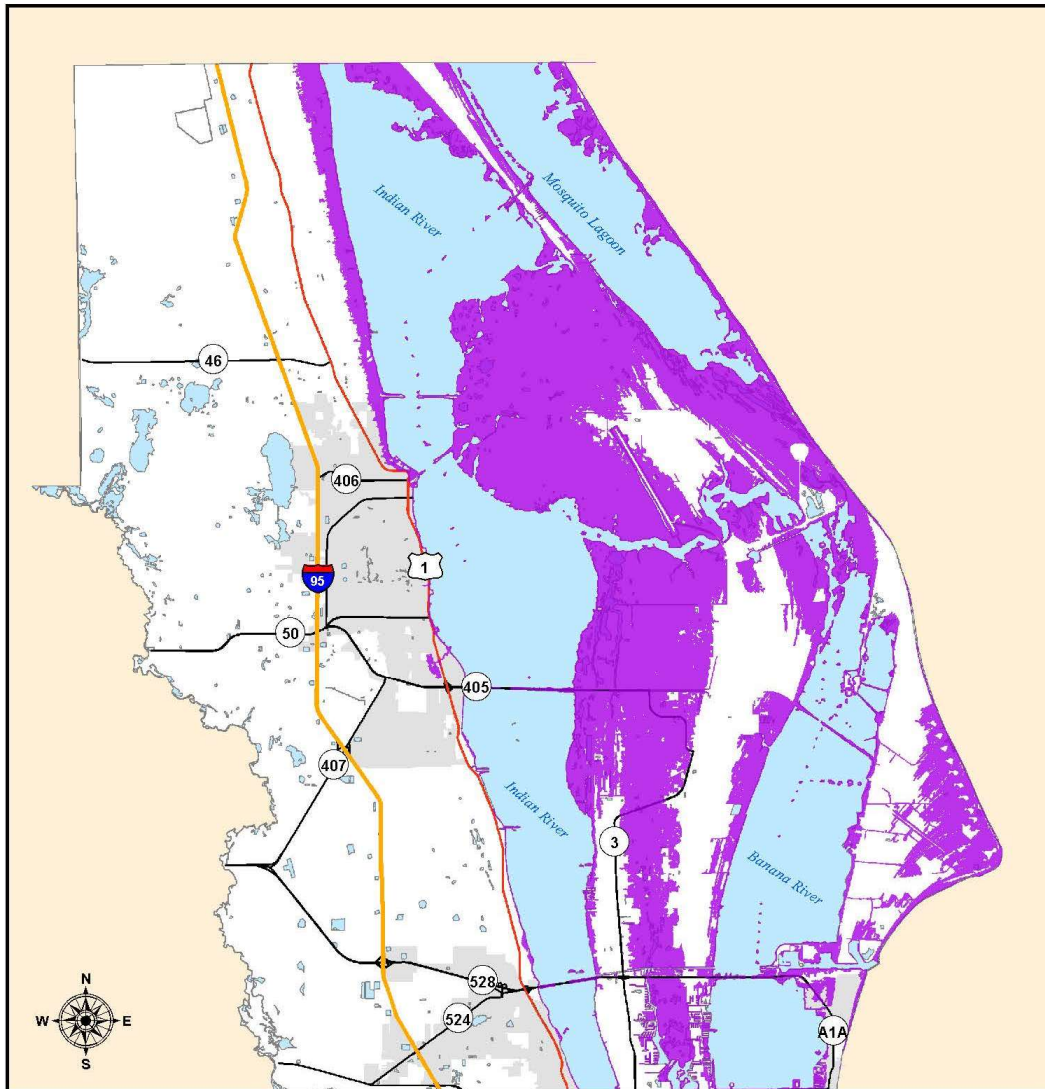
Brevard County should not locate sewer and water transmission lines within the coastal high hazard area, except where there is no practical and cost-feasible alternative due to engineering, safety and cost considerations, lack of alternative existing rights-of-way, or for septic to sewer conversion projects selected specifically to improve ground and surface water quality.

APPENDIX A

LIST OF MAPS

Map	Title
1	Marine Facilities
2	Evacuation Routes
<u>3a, 3b, 3c</u>	<u>Coastal High Hazard Areas</u>

Brevard Coastal High Hazard Area Map



Category 1

 Coastal High Hazard Area

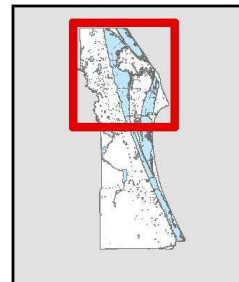
Source: East Central Florida Regional Planning Council
Regional Evacuation Study Program - Storm Tide Atlas



Map generated by best available data on 4/29/2022. Map subject to change, please contact Brevard County for map confirmation.

Disclaimer: This map displays general County Information and was created from best data available. It is not suitable for site-specific uses. The Brevard County Board of Commissioners expressly disclaims all responsibility for errors or omissions thereof.

North Brevard CHHA Region Display



Map 3a

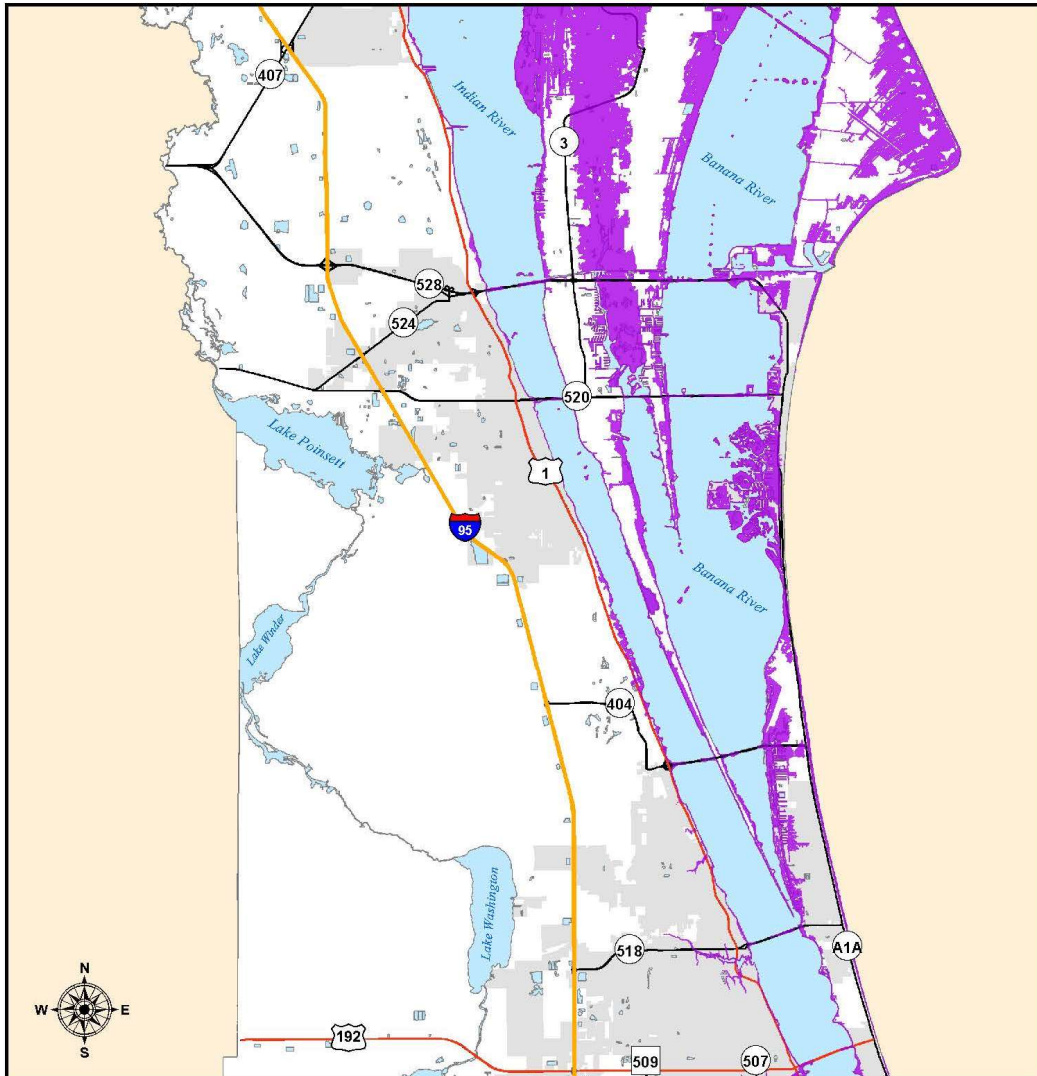
Coastal High Hazard Area (north Brevard region)

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Brevard Coastal High Hazard Area Map



Central Brevard CHHA Region Display

Category 1

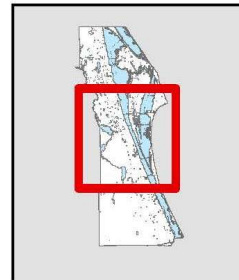
 Coastal High Hazard Area

Source: East Central Florida Regional Planning Council
Regional Evacuation Study Program - Storm Tide Atlas



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Map 3b

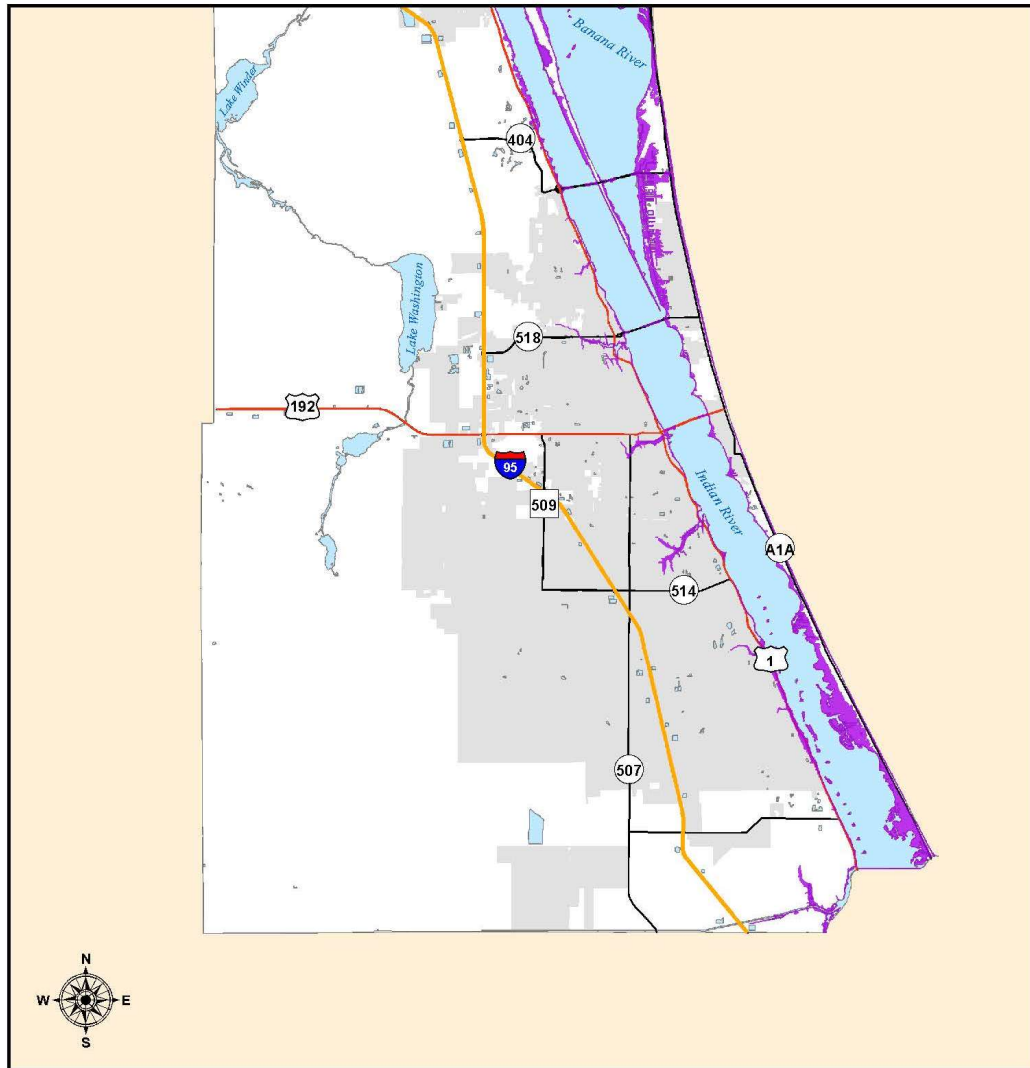
Coastal High Hazard Areas (central Brevard region)

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Brevard Coastal High Hazard Area Map



Category 1

 Coastal High Hazard Area

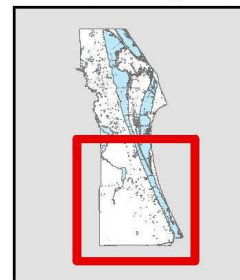
Source: East Central Florida Regional Planning Council
Regional Evacuation Study Program - Storm Tide Atlas



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South Brevard CHHA Region Display



Map 3c

Coastal High Hazard Area (south Brevard region)

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Shoreline means the point where the water meets the land at any point in time.

Shoreline Protection Buffer - a setback established from the mean or ordinary high water line or safe upland line whichever the applicant chooses. Within the shoreline protection buffer, passive recreation, hunting, fish and wildlife management open space, nature trails and limited amounts and types of shoreline access facilities shall be allowed. The amounts and types of development allowed within the shoreline protection buffer and other development restrictions are found in Conservation Element Policies 3.3, 3.4, and 3.5.

Short Shoot - The area between the rhizome (root) and the blade of a seagrass.

Should - expresses obligation; mandatory action necessary unless it can be clearly demonstrated that:

- a. Strict application will be contrary to the public interest;
- b. The public values being protected are insignificant and strict application will result in an excessive hardship to the project;
- c. Strict application will place an excessive hardship on the project, and an alternative action is available which is equal to or superior than the original requirements in reaching the policy's objective, **and or**;
- d. The activity is not financially feasible for the local government.

Significant Adverse Impacts means that within the sphere of influence of a proposed boating facility, death or injury to manatees or destruction of manatee habitat can be reasonably expected to occur as a result of the construction, expansion, or increase in powerboat densities and activities associated with boating facility.

Significant Manatee Habitat Features - each of the following five habitat features is considered significant as described.

1. Seagrass - 5% or more seagrass present on the proposed project site is considered significant.
2. Manatee Abundance - five (5) or more observations/overflight within a 5 mile radius of the site. If more than one survey falls within the 5-mile radius, the number of manatees observed will be counted for each survey, divided by the number of overflights and then the normalized values will be summed.
3. Significant Manatee Mortality - the number of watercraft mortality within a 5 mile radius, divided by the total number of watercraft mortalities in Brevard County, A value of 0.03 or larger is considered significant.
4. Manatee Freshwater Source/Calving/Cavorting/Feeding/Resting Area is within a 1/2 mile of the proposed site.
5. The proposed site is in a Class II Waterbody, Outstanding Florida Waterway (OFW), or an Aquatic Preserve.