



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 3582, **Version:** 2

Subject:

Public Hearing, Re: Adoption of EAR Based Amendments, 2017-2.2. DEO #17-3ER

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Local Planning Agency consider adoption of the Evaluation and Appraisal Report (EAR-based) amendments, 2017-2.2 (DEO #17-3ER)

Summary Explanation and Background:

Pursuant to Florida Administrative Code Rule Chapter 73C-49, local government must submit an Evaluation and Appraisal Report (EAR) every seven years for principal process of updating their comprehensive plans to reflect changes in state legislative requirements, since the last update of the comprehensive plan to the Florida Department of Economic Opportunity (DEO). Brevard County's deadline to adopt the 2016 EAR is March 31, 2021.

While there are numerous minor updates proposed in this EAR amendment 2017-2.2, the primary changes address the legislation establishing "Peril of Flood" (Florida Statutes 163.3178(1)(f)) enacted during the 2015 Legislative Session. During the transmittal phase of the EAR, DEO provided an Objections, Recommendations and Comments (ORC) Report indicating the proposed amendments to coastal redevelopment component in the Coastal Management Element needed to include:

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.

In order to satisfy DEO concerns, staff coordinated with various agencies and participated in the East Central

Florida Regional Planning Council's (ECFRPC) development of a Regional Resiliency Action Plan (RRAP). In addition, the County was awarded a state-funded planning grant through the Florida Department of Environmental Protection (FDEP) Florida Resilient Coastlines Program - aimed at preparing Florida coastal communities for current and future effects of coastal flooding and addressing compliance with the "Peril of Flood" statute. This resulted in a new objective and thirteen (13) proposed policies developed through cross-departmental coordination and DEO guidance to ensure consistency with Peril of Flood requirements of Section 163.3178(2)(f), F.S.

The proposed Amendment 2017-2.2 is provided as an attachment and includes thirteen (13) new Coastal Management Element policies developed specifically to comply with Section 163.3178(2)(f), F.S. ("Peril of Flood"), as well as text modifications that were previously transmitted to DEO in 2017. Additions to the Comprehensive Plan are shown as underlined and deletions are shown as strikethrough. Modifications not previously reviewed by DEO are highlighted in **yellow**.

Clerk to the Board Instructions:

None