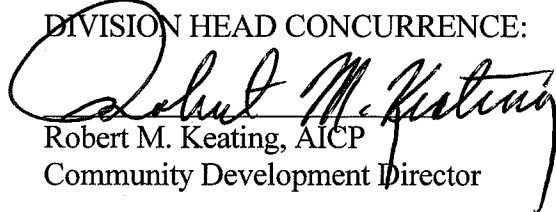


INDIAN RIVER COUNTY, FLORIDA

MEMORANDUM

**TO:** The Honorable Members of the Utilities Advisory Committee

DIVISION HEAD CONCURRENCE:

  
Robert M. Keating, AICP  
Community Development Director

**THROUGH:** Sasan Rohani, AICP *S.R.*  
Chief, Long-Range Planning

**FROM:** Gale Carmoney *G.C.*  
Senior Planner, Long Range Planning Section

**DATE:** December 12, 2006

**SUBJECT:** CONSIDERATION OF THE INDIAN RIVER COUNTY EVALUATION AND APPRAISAL REPORT PUBLIC PARTICIPATION PLAN AND COMMITTEE WORK PLANS

It is requested that the following information be given formal consideration by the Utilities Advisory Committee at its regular meeting of January 4, 2007.

**DESCRIPTION AND CONDITIONS:**

Recognizing that an effective comprehensive plan cannot remain static, Section 163.3191, F.S. requires that local planning should be a continuous and ongoing process. As part of this process, each local government in the state must periodically assess the success or failure of its comprehensive plan, address changing conditions, and update its plan to reflect changes in state policy on planning and growth management. As part of its Evaluation and Appraisal Report (EAR), each local government must identify major unresolved issues in its jurisdiction. Based on its EAR assessment, a local government's comprehensive plan must then be updated and revised to ensure that the plan continues to provide sufficient guidance for the local government to make appropriate land development decisions.

Section 163.3191(2), F.S. lists the major components of an Evaluation and Appraisal Report (EAR). At a minimum, the EAR must address the following:

- (a) Population growth and changes in land area, including annexation.
- (b) The extent of vacant and developable land.
- (c) The financial feasibility of implementing the comprehensive plan and of providing needed infrastructure to achieve and maintain adopted level-of-service standards and

- sustain concurrency management systems through the capital improvements element.
- (d) The location of existing development.
  - (e) An identification of the major issues for the jurisdiction and, where pertinent, the potential social, economic, and environmental impacts.
  - (f) Relevant changes to the state comprehensive plan.
  - (g) An assessment of whether the plan objectives within each element, as they relate to major issues, have been achieved.
  - (h) A brief assessment of successes and shortcomings related to each element of the plan.
  - (i) The identification of any actions or corrective measures, including whether plan amendments are anticipated to address the major issues identified and analyzed in the report.
  - (j) A summary of the public participation program and activities undertaken by the local government in preparing the report.
  - (k) The coordination of the comprehensive plan with existing public schools and those identified in the applicable educational facilities plan adopted pursuant to s.1013.35.
  - (l) Consideration of the appropriate water management district's regional water supply plan approved pursuant to s.373.0361.
  - (m) If any of the jurisdiction of the local government is located within the coastal high-hazard area, an evaluation of whether any past reduction in land use density impairs the property rights of current residents when redevelopment occurs, including, but not limited to, redevelopment following a natural disaster.
  - (n) An assessment of whether the criteria adopted pursuant to Section 163.3177(6)(a) were successful in achieving compatibility with military installations.
  - (o) An assessment of concurrency exception requirements and multimodal transportation district designations.
  - (p) An assessment of changes needed to develop a common methodology for measuring impacts on transportation facilities for the purpose of implementing the concurrency management system.

Section 163.3191(7) specifies that the EAR must include findings and recommendations regarding items (a) through (p), listed above. In addition, section 163.3191, F.S. requires that the EAR identify changes needed to update the plan, including revised objectives, policies and standards. Section 163.3131(10), F.S. also states that any EAR-based comprehensive plan amendments must be consistent with and implement the findings and recommendations of the EAR.

According to Section 163.3191(4), F.S., the Local Planning Agency (LPA) shall prepare the evaluation and appraisal report and shall make recommendations to the governing body. In so doing, the local planning agency shall hold at least one public hearing, with public notice, on the proposed report. All advisory committees should also contribute to the accuracy of the data and analysis of the EAR. According to state rules, Indian River County must submit its EAR to the state by December 1, 2008.

#### **ANALYSIS:**

In order to address state Evaluation and Appraisal Report preparation requirements, staff has prepared an Evaluation and Appraisal Report Public Participation Plan. This public participation

plan was reviewed and approved by the Board of County Commissioners in June, 2006. At the completion of the EAR process, the Public Participation Plan will be submitted to the State Department of Community Affairs (DCA).

As indicated in the EAR public participation plan, the Utilities Advisory Committee (UAC) is charged with developing the Solid Waste, Potable Water and Sanitary Sewer Sub-Element sections of the Evaluation and Appraisal Report. In this capacity, the Utilities Advisory Committee should review staff reports, hold public meetings (at its regularly scheduled meetings), solicit public input, and provide direction to staff.

As a first step in this process, staff has prepared an Evaluation and Appraisal Report work program and has begun collecting data and compiling information. To prepare the Solid Waste, Potable Water and Sanitary Sewer Sub-Element components of the Evaluation and Appraisal Report, the following steps must be taken:

- Assemble Baseline Data
- Identify solid waste, potable water and sanitary sewer conditions at the time of last major plan update (1998)
- Identify existing solid waste, potable water and sanitary sewer conditions (2005/06)
- Compare data at the time plan adoption (1998) with current data (2005/06)
- Evaluate the achievement of each of the sub-element objectives and determine why certain objectives may not have been achieved
- Evaluate the implementation of each of the sub-element policies
- Identify major issues related to solid waste, potable water and sanitary sewer services
- Analyze development trends & conditions
- Identify future actions
- Identify anticipated amendments

Attached are copies of the Potable Water, Sanitary Sewer and Solid Waste sub-elements of the Comprehensive Plan. The plan sub-elements contain information on conditions existing at the time of last major plan update (1998).

According to section 9J-5.011 F.A.C., each sub-element shall be based on data and analysis that includes: identification of facilities; the operational responsibility of each facility; geographic service area and associated land uses of each facility; design capacity, current demand, level of service and surplus capacity or deficiencies for each facility; and projected needs based on population projections and future land use distribution. The Potable Water Sub-Element must also identify alternative, traditional, conservation, and reuse, water supply projects pursuant F.S. 163.3177(6)(c) to meet future demands over the intervening planning period.

The EAR will also examine each objective of the sub-elements to determine if the objective has been achieved. Further EAR components will include the analysis of the effects of land use and development trends and legislative or planning changes on infrastructure services. Finally, the EAR must identify and recommend actions to address any planning issues, including necessary amendments to the comprehensive plan.

At the May 3, 2007, UAC meeting, staff will provide further information on the EAR process, provide baseline data, examples of data comparisons that are part of the EAR, and present the partial draft of the Potable Water, Sanitary Sewer, and Solid Waste sub-elements EAR.

At this time, the UAC should review the attached EAR sub-elements work plans and provide direction to staff.

**RECOMMENDATION:**

Staff recommends that the Utilities Advisory Committee review staff's report and provide direction to staff.

**ATTACHMENTS:**

1. Copy of Section 163.3191, F.S., Evaluation and Appraisal of Comprehensive Plan
2. Copy of the 9J-5.011 F.A.C., Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water, and Natural Groundwater Aquifer
3. Copy of the existing Potable Water Sub-Element
4. Copy of the existing Sanitary Sewer Sub-Element
5. Copy of the existing Solid Waste Sub-Element
6. Copy of the proposed EAR public participation plan
7. Copy of the proposed EAR work plans for the U.A.C.