



CITY OF TITUSVILLE

PLANNING AND ZONING COMMISSION

AGENDA

Special Meeting

June 4, 2025 - 5:00 PM

Council Chamber at City Hall

555 South Washington Avenue, Titusville, FL 32796

All persons who anticipate speaking on any Public Hearing item must fill out an Oath Card to be heard on that agenda item and sign the oath contained thereon. These cards are located on the table near the entrance to the Council Chamber or may be obtained from the Recording Secretary. This meeting will be conducted in accordance to the procedures adopted in Resolution #24-1997

Those speaking in favor of a request will be heard first, those opposed will be heard second, and those who wish to make a public comment on the item will speak third. The applicant may make a brief rebuttal if necessary. A representative from either side, for or against, may cross-examine a witness.

Anyone who speaks is considered a witness. If you have photographs, sketches, or documents that you desire for the Commission to consider, they must be submitted into evidence and will be retained by the City. Please submit such exhibits to the Recording Secretary.

1. CALL TO ORDER

2. ROLL CALL

3. DETERMINATION OF A QUORUM

4. BUSINESS WHICH IS THE SUBJECT OF THE SPECIAL OR CALLED MEETING

A. Evaluation and Appraisal Report (EAR) Public Workshop

Conduct the public workshop related to the Evaluation and Appraisal Report (EAR).

5. ADJOURNMENT

Any person who decides to appeal any decision of the Planning and Zoning Commission with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and

evidence upon which the appeal is to be based.

The City desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the chairperson that the physically handicapped person desires to attend the meeting.

Presentation Outline June 4th Work Session City of Titusville Planning & Zoning Commission Meeting

Comprehensive Plan Evaluation and Appraisal Report and Amendments

The purpose of the PZC work session on June 4th is to review the statutory updates required by the 2025 Evaluation and Appraisal Review, as well as recommended updates proposed based on past community engagement efforts. The outline below summarizes the content the consultant will present to the commission.

Attached Materials:

- Titusville Local Conditions Analysis
- Matrix of Statutory Updates

Presentation Outline:

- Introduce Titusville's Comprehensive Plan and provide context to the public.
- Provide an overview of the Evaluation and Appraisal Review (EAR) process, as required by the State every 7 years.
- Provide an overview of past community engagement efforts in Titusville, including:
 - Titusville Tomorrow (2017)
 - Natural Resources Public Engagement (2024)
- Evaluation of projected growth, holding capacity, and levels of service.
- Recommended amendments to the Comprehensive Plan based on relevant statutory updates since the last EAR, including changes to the following Elements:
 - Public Schools
 - Housing
 - Infrastructure
- Additional recommendations:
 - Support the vision of Titusville Tomorrow to enhance the Waterfront through amendments to the Future Land Use and Transportation Elements.
 - Amend the Conservation Element to address outstanding issues raised during the Natural Resources Public Engagement not already addressed by the Comprehensive Plan.
 - Address access management through new objectives and policies to reduce vehicle trip demand, increase safety, and improve connectivity.
 - Ensure the Comprehensive Plan aligns with the East Central Florida Regional Planning Council Resilience Action Plan.
- Opportunity for Q&A

MEMORANDUM

City of Titusville Draft DIA Update

To: City of Titusville

From: Kimley-Horn and Associates, Inc.

Date: May 21, 2025

Subject: Memorandum for the City of Titusville Data Inventory and Analysis (DIA) Update

Population

Current Population

According to the U.S. Census Bureau's American Community Survey (ACS), the population of the City of Titusville was 49,004. This is a slight increase from the 2020 Decennial Census count of 48,789. Brevard County's American Community Survey population was 643,979 in 2023. Titusville's population is 7.6% of Brevard's total population.

Population Projections

Population projections for the next 25 years are estimated using the University of Florida's Bureau of Economic and Business Research (BEBR) and Florida Clearinghouse (Shimberg) data.

Table 1: Population Projections 2030 - 2050

	2023	2030	2035	2040	2045	2050
Titusville Projected Population (Shimberg)	49,004	52,962	54,406	55,334	55,916	56,280
Titusville Share of County Population	7.6%	7.6%	7.5%	7.3%	7.2%	7.1%
Brevard County Total Population (Shimberg)	643,979	694,602	724,597	748,303	767,692	784,500
Brevard County Total Population (BEBR)	643,979	694,600	724,600	748,300	767,700	784,500

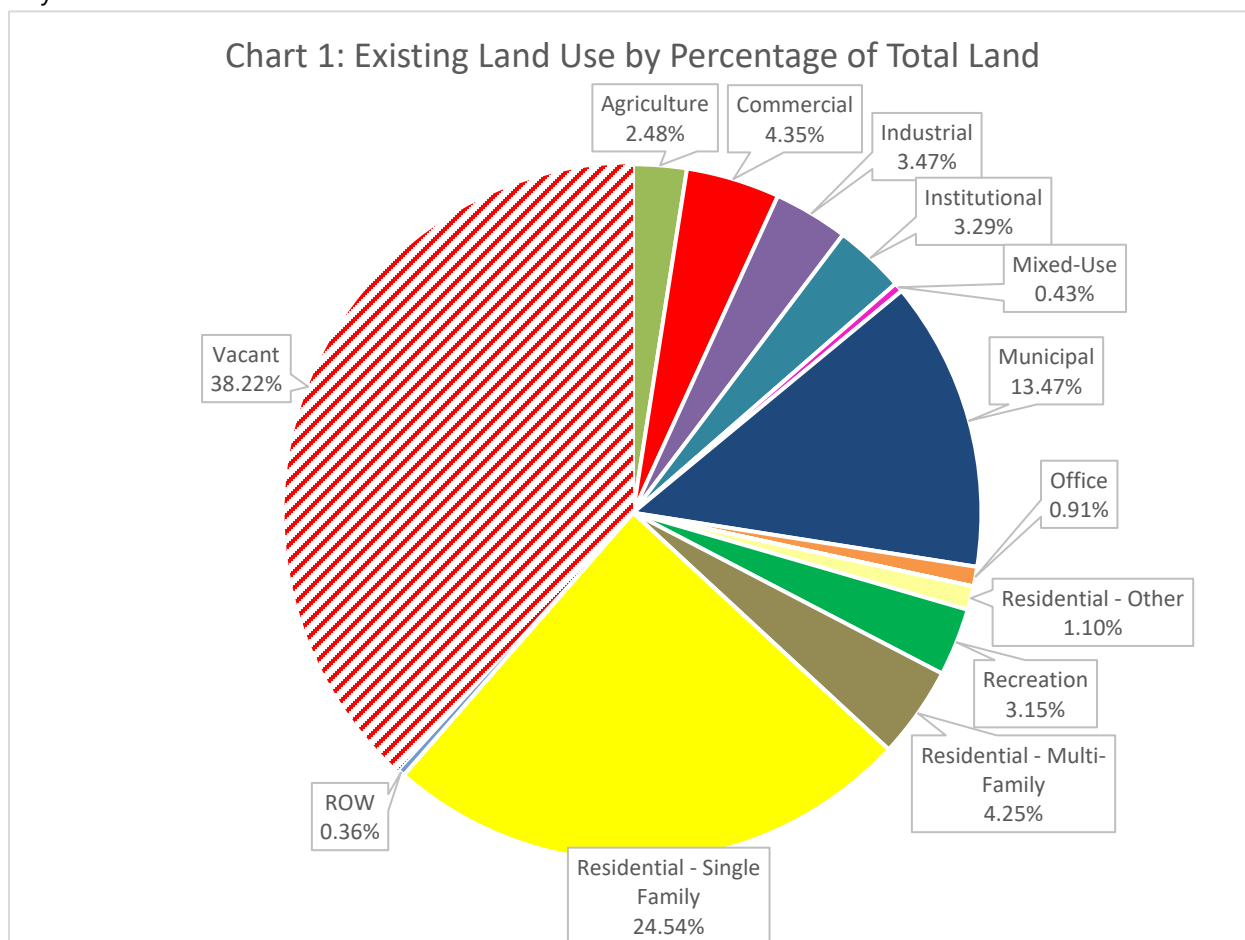
Source: Florida Clearinghouse (Shimberg); University of Florida's Bureau of Economic and Business Research (BEBR)

The data from BEBR only estimates the County's total population for the next 25-year planning horizon. The estimate used was the "medium" projection for the County. Table 1 above shows that the 2050 projections for BEBR and Shimberg were the same (with BEBR's number rounded to the 100s) for

the County. Because Shimberg gives projections for the City's population, the rest of the calculations within this report will use Shimberg's estimates for the City.

Existing Land Use

The existing land use in the City primarily consists of Vacant and Single-Family Residential uses. Chart 1 below is a breakdown of the existing land uses by their percentage of the total acreage within the City. Appended to this document, the Existing Land Use Map shows where those uses are within the City.



Holding Capacity

To plan for the growth of the City, a holding capacity analysis was conducted identifying vacant parcels with Future Land Use (FLU) designations that allow residential. Table 2 shows each FLU designation, the maximum number of dwelling units per acre (du/ac) allowed for that designation, and the vacant lots that currently have no development. This analysis did not account for parcels that are already developed but could be redeveloped, as well as parcels with a PUD designation. The Titusville Land Development Code defines density based on gross acreage. For this exercise, upland density was calculated to create a more conservative estimate of likely development potential. Upland acres exclude wetlands and water bodies to reflect the number of buildable acres for each lot. Based on the analysis, if the upland portions of currently vacant lots with a residential FLU designation were to be built to maximum density, the City could accommodate 10,581 more dwelling units.

Table 2: Vacant Residential FLU Parcels Development Maximum

FLU Name	Max Density (du/ac)	# of vacant lots	Max Units	Upland Acres
Downtown Mixed-Use	20 ¹	36	260 ²	13.85
High Density Residential	15	268	2,190	154.92
Low Density Residential	5	346	1,193	266.42
Medium Density Residential	10	299	1,108	124.44
Residential 1	1	21	22	28.51
Residential 2	2	136	19	33.79
Regional Mixed-Use³	40	205	5,720	289.86
Shoreline Mixed-Use	20	2	5	0.31
Urban Mixed-Use	15	2	8	0.62
US-1 Corridor⁴	15	16	56	4.25
		1,331	10,581	916.97

1. Maximum density can be up to 30 du/ac in 2 of the 3 subdistricts. The lesser was chosen for simplicity of the calculation. See also note 2.

2. *This calculation does not include the density pool for the DMU-Downtown subdistrict, which can allow 2,000 additional units. Due to the small number of vacant acres in the Downtown subdistrict, new units under this provision would likely be part of redevelopment, which was not considered in this analysis.*
3. *Only 50% of the site may be any single land use in the Regional Mixed-Use designation, limiting the density to only apply to half of the acreage available. This calculation was done assuming the multi-family land use was maximized at 50%.*
4. *The Gateway Corridor Overlay allows incentive bonuses of up to 40 dwelling units per acre, along specified roadways. This overlay applies to US-1, Shoreline Mixed-Use, and Downtown Mixed-Use. Incentive bonuses were not considered in this analysis.*

Sources: Florida Clearinghouse (Shimberg); City of Titusville Florida Comprehensive Plan; Titusville GIS Data Library

Using the total number of units from the Holding Capacity calculation (10,581) and applying the average number of people per household within Brevard County of 2.3, Titusville could accommodate up to **24,336** more people by 2050. When accounting for the estimated population increase from 2023 to 2050 of 7,279 people, the City could have a housing surplus for an additional **17,057** people as shown in Table 3.

Table 3: Holding Capacity

Estimated Holding Capacity	Estimated Population Capacity (2.3 people per unit)	Projected Population Increase (Shimberg)	Surplus Capacity (Population)
10,581 units	24,336 persons	7,279 persons	17,057 persons

Sources: Florida Clearinghouse (Shimberg); City of Titusville Florida Comprehensive Plan; Titusville GIS Data Library

Levels of Service

Parks and Recreation Level of Service Needs

The majority of the parks within the Titusville city limits are managed by Brevard County Parks and Recreation North Division, and the Brevard County Parks Master Plan. Titusville relies on this partnership with Brevard County to meet its level of service target for parks.

As stated in the Titusville Comprehensive Plan, the target level of service for the City's parks is 8 acres per 1,000 residents. Table 4 shows the anticipated needs based on projected population increase with the targeted 8 acres per 1,000 residents. The current total acreage of parks within Titusville is 858.3 acres, according to the Brevard County Parks and Recreation Department.

Table 4: Parks and Recreation Level of Service Needs

Year	Estimated Population (Shimberg)	Level of Service (Acres per 1,000 residents)	Needed Park Acreage	Existing Park Acreage
2023	49,004	8	392.03	858.3
2035	54,406	8	435.25	858.3
2045	55,916	8	447.33	858.3
2050	56,280	8	450.24	858.3

Sources: Florida Clearinghouse (Shimberg); City of Titusville Florida Comprehensive Plan; Brevard County Parks and Recreation

Titusville currently exceeds the level of service target of 8 acres per 1,000 residents, and that level of service can still be reached with the projected population for 2050. With the 925.47 acres, the current parks within the City could serve up to 107,287 people based on the adopted level of service.

Sanitary Sewer Level of Service

The City's current comprehensive plan lists a level of service of 80 gallons per capita per day for sanitary sewer. The estimated increase in population in 2050 to 56,280 people increases the total gallons per day to 4,502,400. The City also provides out-of-city sanitary sewer service to properties within its Urban Service Area in Unincorporated Brevard County. The City utilizes two water reclamation facilities: Blue Heron and Osprey. Together, their total design capacity can handle 6.75 million gallons per day. Based on these capacities, the City will be able to meet additional demand in 2050.

Table 5: Sanitary Sewer Capacity

Year	Estimated Population	Level of Service (gallons/capita per day)	Total Capacity Needed per Level of Service	Existing Daily Capacity
2023	49,004	80	3,920,320	6,750,000
2035	54,406	80	4,352,480	6,750,000
2045	55,916	80	4,473,280	6,750,000
2050	56,280	80	4,502,400	6,750,000

Sources: Florida Clearinghouse (Shimberg); City of Titusville Florida Comprehensive Plan; City of Titusville website (Titusville.com)

Potable Water Level of Service

The City of Titusville Public Works service area for potable water includes areas outside of the City limits. The population served today is 52,389, which is an additional 1,423 people than the current City population. The current gallons per day flow from the City is 4,539,000 gallons per day.

The City's current comprehensive plan lists a level of service of 81 gallons per capita per day for potable water. The City utilizes 1 water treatment plant, 1 pumping facility, and 3 wellfields to provide 6.5 million gallons of drinking water storage per day.

Table 6: City of Titusville Potable Water Capacity

Year	Estimated Population (Shimberg)	Total Population Served	Level of Service (gallons/capita per day)	Total New Capacity Needed per LOS	Total Gallons per Day Capacity Needed	Existing Daily Capacity
2025	50,966	52,389	81		4,539,000	6,500,000
2035	54,406	55,829	81	278,640	4,817,640	6,500,000
2045	55,916	57,339	81	122,310	4,939,950	6,500,000
2050	56,280	57,703	81	29,484	4,969,434	6,500,000

Sources: Florida Clearinghouse (Shimberg); City of Titusville Florida Comprehensive Plan; City of Titusville website (Titusville.com)

Transportation Demand

The Space Coast TPO 2045 Long-range Transportation Plan (LRTP) is the most recently completed plan of needed transportation improvements for Brevard County and within City of Titusville. The plan was adopted in 2020 and the TPO's 2050 LRTP is currently in development and anticipated to be adopted in September 2025, which will involve an updated assessment of the transportation network in Brevard County.

Projects included on the 2045 LRTP Needs List were input into the Central Florida Regional Planning Model Version 7.0 (CFRPM v7) to identify network deficiencies. The CFRPM v7 relies on the 2017 National Household Travel Survey to provide updated trip generation information.

As shown in Figure 1 below, no roadways have a volume-to-capacity (v/c) greater than 1.0 at the level of service C volume threshold. Improvements to SR 405 remain a priority for the City and the TPO. A study is being conducted on SR 405 as a part of their List of Priority Projects.

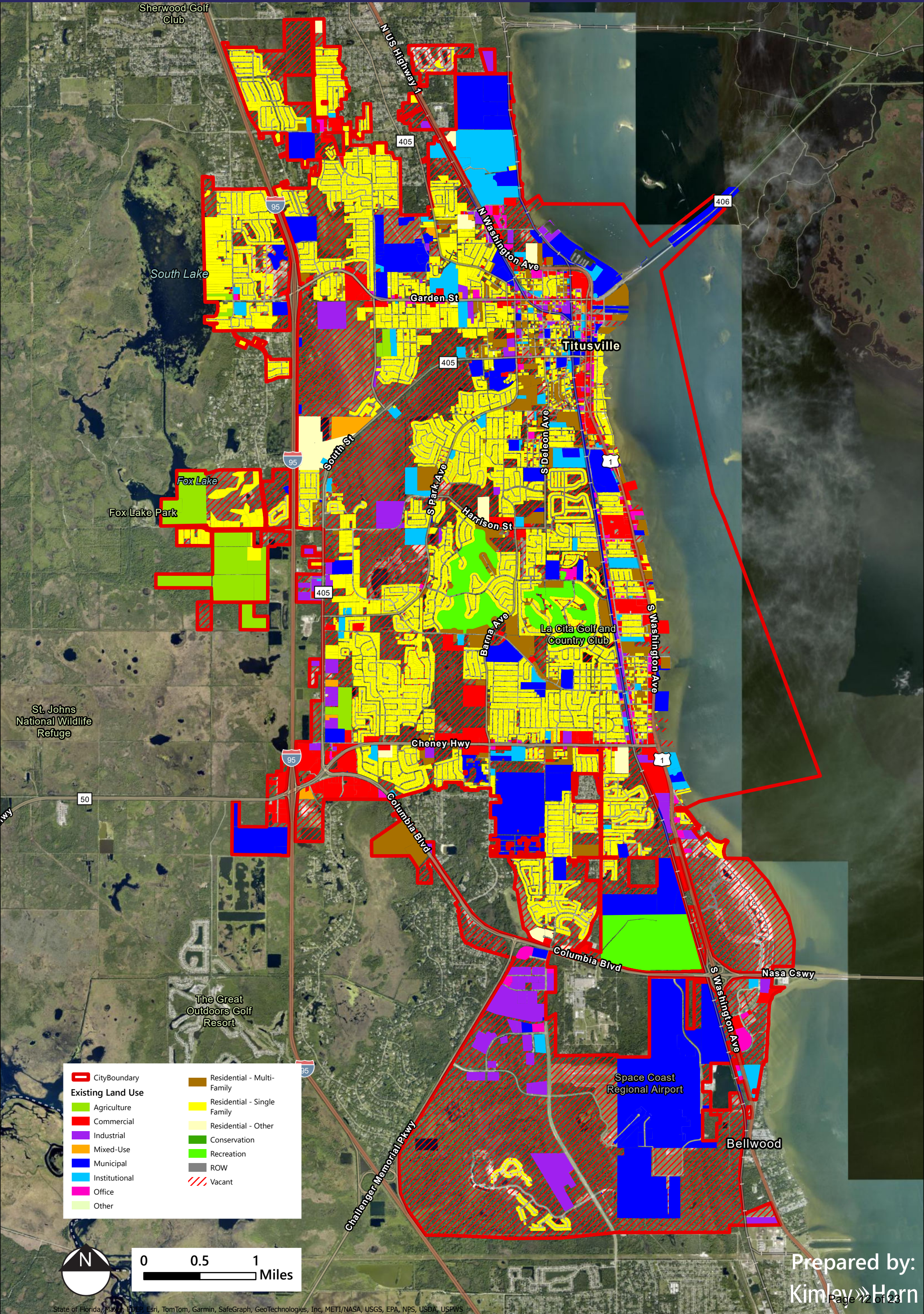
FIGURE 1

Needs List Modeling Results



Source: Space Coast TPO 2045 Long-Range Transportation Plan

Future Land Use Series: Existing Land Use



Changes to Chapter 163, F.S 2016-2024	Description	Element	Addressed (Where/how)	Amendment Needed by Element	Staff Feedback
2016					
163.3175 (7)	Revisions to coordination between local governments and military installations.		No	Not applicable.	
163.3184 (2)(c)	Require state coordinated review of plan amendments that approve DRI sized proposed developments.		No	No mention of requiring DRI's to be reviewed by the State.	
163.3184 (5)(e) 3.	The recommended order from an administrative challenge becomes effective in 90 days, with some exceptions.		No	No action needed, information only.	
163.3184 (7)(d)	For plan amendment challenges that are subject to mediation or expeditious resolution, to provide that when an administrative law judge issues a recommended order finding an amendment in compliance, except where the parties agree or there are exceptional circumstances, the state land planning agency must issue a final order within 45 days after issuance of a recommended order; and if the final order is not issued in 45 days, the recommended order finding the amendment in compliance becomes the final order.		No	No action needed, informational only.	
163.3245(1)	Modifies this section to reduce the minimum amount of total land area required for a sector plan from 15,000 acres to 5,000 acres.		No	No action needed. No sector plans.	
163.3177(6)(a)11	Amendments to Future Land Use Element to Address Military Base Compatibility: Deletes this obsolete subsection which required local governments to transmit comprehensive plan updates or amendments to address compatibility of lands adjacent or closely proximate to existing military installations or lands adjacent to an airport to the state land planning agency by June 30, 2012.		No	Not applicable.	
2017 (None)					
2018					
163.3221(4)(b)(2) and (4)(b)(8)	Amends the definition of “development” to exclude work by electric utility providers on utility infrastructure on certain rights-of-way or corridors and the creation or termination of distribution and transmission corridors.	Infrastructure Element	No	Staff should review LDC for consistency. Not addressed in the Comprehensive Plan.	
163.3245(3)(e), (3)(e)6., and (3)(e)12	Sector Plans, updated statutory cross references.		No	No action needed. No sector plans.	
163.3246 (11), (12), and (14)	Local Government Comprehensive Planning Certification Program updated to delete references to Development of Regional Impact Review.		No	No action needed.	
163.3164(31)	Definitions, added a new definition of “master development plan” or “master plan” as subsection (31) and renumbered subsequent sections.	Future Land Use element, Goal 1	No	Add definition to clarify what a Master Development Plan is within the context of this statute and the Comprehensive Plan.	
2019					
163.3187(1)(b)	Amends to repeal the 120 acre cumulative annual limit on small scale development amendments that may be approved by a local government. Local government adoption of small-scale development amendments to their comprehensive plans would no longer be subject to the cumulative annual acreage restriction, thereby allowing amendments to local comprehensive plans that meet the remaining three criteria for adoption.		No	No action needed.	

Changes to Chapter 163, F.S 2016-2024	Description	Element	Addressed (Where/how)	Amendment Needed by Element	Staff Feedback
163.3167 (3)	Amended; A comprehensive plan adopted after January 1, 2019, and all land development regulations adopted to implement the comprehensive plan must incorporate each development order existing before the comprehensive plan’s effective date, may not impair the completion of a development in accordance with such existing development order, and must vest the density and intensity approved by such development order existing on the effective date of the comprehensive plan without limitation or modification. (Amends this subsection to require the incorporation of development orders, existing prior to the comprehensive plan, into comprehensive plans adopted after January 1, 2019.)		No	This only applies to municipalities created after 2016, as edited in 2021.	
163.3180(5)(i)	Amends subsection 163.3180(5)(i) to clarify compliance requirements for a mobility fee based funding system. A mobility fee-based funding system must comply with s. 163.31801 governing impact fees.	Transportation	Yes; Policy 1.3.2	Mobility impact fees exist and comply with this change.	
163.3180(6)(h)2.b.	Revises subsection 163.3180(6)(h)2.b. to require that if the interlocal agreement and the local government comprehensive plan authorize a contribution of land; the construction, expansion, or payment for land acquisition; the construction or expansion of a public school facility, or a portion thereof; or the construction of a charter school that complies with the requirements of s. 1002.33(18), as proportionate-share mitigation, the local government shall credit such a contribution, construction, expansion, or payment toward any other impact fee or exaction imposed by local ordinance for public educational facilities, on a dollar-for-dollar basis at fair market value. The credit must be based on the total impact fee assessed and not on the impact fee for any particular type of school.	Public Schools	No	Need language in a Policy to address waiving of impact fees for this legislation within the Public Schools element, likely Objective 1.2.	

Changes to Chapter 163, F.S 2016-2024	Description	Element	Addressed (Where/how)	Amendment Needed by Element	Staff Feedback
163.31801	Impact Fees: Revises the title and subsection 163.31801(3) and adds subsections 163.31801(3)(e) through (i) to amend the minimum requirements for the adoption of impact fees by specified local governments and notes restrictions to the allowable uses of those impact fees. Adds subsection 163.31801(6), which exempts water and sewer connection fees from the Florida Impact Fee Act; Amends subsection 163.31801(3) to add minimum conditions that certain impact fees must satisfy. Adds subsection 163.31801(4) to require local governments to credit against the collection of an impact fee any contribution related to public education facilities. Adds subsection 163.31801(5) so that if a local government increases its impact fee rates then the holder of impact fee credits is entitled to the full benefit of the intensity or density of the credit balance as of the date it was established and renumbers subsequent subsections. Amends renumbered subsection 163.31801(7) to provide that in certain actions, the government has the burden of proving by a preponderance of the evidence that the imposition or amount of certain required dollar-for-dollar credits for the payment of impact fees meets certain requirements and prohibits the court from using a deferential standard for the benefit of the government. Adds subsection 163.31801(8) to authorize a local government to provide an exception or waiver for an impact fee for the development or construction of affordable housing and in doing such is not required to use any revenues to offset the impact. Adds subsection 163.31801(9) to clarify that this section does not apply to water and sewer connection fees.	Capital Improvements Element	Yes addressed in Objective 1.3. No additional language needed.	Existing impact fees within Objective 1.3 address anything that is mentioned here. No added language is suggested.	
163.3202	Adds paragraph (j) to subsection 163.3202(2) to require preexisting development orders to be incorporated into local land development regulations.		No	Applies to LDRs, no action needed.	
163.3215(8)	Standing to Enforce Local Comprehensive Plans Through Development Orders: Amends subsection 163.3215(8)(a) to provide that either party is entitled to a certain summary procedure in certain court proceedings. Adds subsection 163.3215(8)(b) clarifying how a court may find a summary procedure does not apply. Adds subsection 163.3215(8)(c), which provides that a prevailing party in a challenge to certain development orders can be entitled to recover certain fees and costs.		No	No action needed.	
163.3209	Deletes a provision that authorizes electric utilities to perform certain right-of-way tree maintenance only if a property owner has received local government approval. (Amends to delete that an owner needs approval of the local government for tree pruning or trimming).		No	No action needed.	
163.3175(2)	Relocates existing paragraphs (i) through (n) of subsection 163.3175(2) to be redesignated as paragraphs (j) through (o). Adds new paragraphs (i) and (p) to subsection 163.3175(2) to specify additional local governments that must coordinate with certain military installations regarding the compatibility of land development.	Intergovernmental Coordination	No	Patrick Space Force Station created recently. Does not lie within City limits, so no changes are required.	
163.3177(6)(f)	Updates statutory reference related to affordable workforce housing: Amended to conform to the redesignation of s. 380.0651(3)(h) as s. 380.0651(1)(h).	Housing	Yes; Goal 1	This is just informational on naming of the Statute. No action needed.	
2020					

Changes to Chapter 163, F.S 2016-2024	Description	Element	Addressed (Where/how)	Amendment Needed by Element	Staff Feedback
163.3178	Coastal Management: Amends subsection 163.3178(2)(k) (discussing deepwater ports) to update statutory references. Revises subsection 163.3178(8)(b) and (c) to remove outdated deadlines.		No	No amendment needed. Informational.	
163.31771	Accessory Dwelling Units: Amends subsections 163.31771(3) and (4) to remove the requirement that a local government must adopt an ordinance finding a shortage of affordable rentals in the jurisdiction before allowing accessory dwelling units to be located in any area zoned for single family residential use.	Housing	No	Add objective on accessory dwelling units to Policy 1.1.1, stating that they are a method of supporting a mix of housing.	
163.31801	Impact Fees: Adds subsection 163.31801(10) and supporting paragraphs (a) through (e) to address the data on impact fee charges that must be reported in an annual financial report by a county, municipality or special district.	Capital Improvements	Yes, Objective 1.3	Consider adding a policy to Objective 1.3 addressing the need to add an annual financial report to the State, as the annual report is required.	
163.31801	Amends subsection 163.31801(3)(d) to specify that a new or increased impact fee may not be charged to current or pending permit applications submitted before the effective date of an ordinance or resolution imposing such an impact fee. Amends subsection 163.31801(4) to clarify that a local government must provide credit against the collection of an impact fee of any contribution related to public education facilities regardless of any charter provision, comprehensive plan policy, ordinance, or resolution. Adds subsection 163.31801(8) that sets forth the provisions by which impact fee credits are assignable and transferable and renumbers subsequent subsections.	Capital Improvements	No	Ensure that impact fees may not be charged to current or pending permit applications submitted before the effective date of an ordinance or resolution imposing such impact fee.	
163.3168	Planning Innovations and Technical Assistance: Adds subsection 163.3168(4) providing guidance to the state land planning agency when selecting applications for technical assistance funding to give preference to counties with a population of 200,000 or less, and to municipalities located within such counties, in determining whether the area in and around a proposed multiuse corridor interchange as described in Section 338.2278 contains appropriate land uses and protections and aiding in amending a comprehensive plan to provide such appropriate land uses and protections.		No	No action needed, informational only.	
163.3180	Concurrency: Amends subsection 163.3180(2) to alter the governmental entity that approves onsite sewage treatment and disposal systems from the Department of Health to the Department of Environmental Protection.	Intergovernmental Coordination	Yes, Policy 1.2.14	Need to change language in Policy 1.2.14 from Department of Health to DEP.	
SB 7040	Updates stormwater design and operations regulations for ERP permits, increases removal of nutrients from stormwater within BMAPs, and addresses LID BMPs.	Infrastructure Element	No	Add an Objective or Policy under Goal 3 to add BMAPs. LID's are already addressed in Goal 4, and comply with the standards of the legislation.	
2021					
163.3162	Agricultural Lands and Practices: Reenacts subsection (2)(b) to provide a definition for "Farm operation."		No	No action needed.	

Changes to Chapter 163, F.S 2016-2024	Description	Element	Addressed (Where/how)	Amendment Needed by Element	Staff Feedback
163.3163	Applications for Development Permits; Disclosure and Acknowledgement of Contiguous Sustainable Agricultural Land: Reenacts subsection (3)(b) to provide a definition for “Farm operation.”		No	No action needed.	
163.31801	Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges: Adds a new subsection (3) to define “Infrastructure” and “Public facilities.”; Renumbers existing subsections (3) through (11) and rewords existing subsections (3), (5), (6), (8), and (11) for clarity. ; Amends existing subsection (4) to provide additional regulations pertaining to impact fee credits. ; Adds a new subsection (6), which prescribes the circumstances under which impact fees may be increased, sets forth limitations on those fee increases, and notes that this section applies retroactively to January 1, 2021.	Capital Improvements	Yes, Objective 1.3	Objective 1.3 mentions that fees may change, but language needs to be added that puts the limit on the time and the amount. (Not more than 25% of current rate in 2 annual increments, or up to 50% in 4 annual installments.) The language could just include that fees may change in accordance with State statute.	
163.3168	Planning Innovations and Technical Assistance: Repeals existing subsection (4) that directed the state land planning agency to give preference when selecting applications for funding for technical assistance to counties with a population of 200,000 or less, and to municipalities within those counties, for assistance in determining whether the area in and around a proposed multiuse corridor interchange contains appropriate land uses and natural resource protections and amending a comprehensive plan to provide for such land uses and protections.		No	No action needed, informational only.	
163.3205	Solar Facility Approval Process: Creates section 163.3205, F.S., which applies to sites that are subject to an application to construct a solar facility submitted to a local government on, or after, July 1, 2021, to encourage renewable solar electrical generation, define “solar facility”, and set forth an allowance for solar facilities in all agricultural land use categories in a local government comprehensive plan and all agricultural zoning districts in an unincorporated area.		No	No action needed - FLUM does not include Agricultural lands.	
163.3167	Scope of Act: Amends subsection (3) to clarify that requirements pertaining to development orders and their incorporation and interaction with comprehensive plans are specifically related to plans for municipalities incorporated after January 1, 2016.		No	No action needed, informational only.	
163.3177	Required and Optional Elements of Comprehensive Plan; Studies and Surveys: Adds subsection (6)(i) which requires each local government to include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decision-making. The statute also provides a statement of rights local governments may adopt in order to meet these requirements.	Property Rights	Yes	Already includes a Property Rights Element.	

Changes to Chapter 163, F.S 2016-2024	Description	Element	Addressed (Where/how)	Amendment Needed by Element	Staff Feedback
163.3237	Amendment or Cancellation of a Development Agreement: Amends this section to allow a party to a development agreement and a local government to amend or cancel a development agreement without consent of other affected property owners unless the amendment or cancellation will modify the allowable uses or entitlements on such owner’s property.		No	No action needed.	
163.3202	Land Development Regulations: Adds new subsection (5) to specify that land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling except under certain listed conditions.		No	No action needed. May limit future LDC regulations.	
163.3167	Scope of Act: Revises subsection (5) to allow landowners with a development order approved before the municipality was incorporated to abandon said development order and develop the order’s vested density and intensity as long as the vested uses, density, and intensity are consistent with the municipality’s comprehensive plan and all existing concurrency obligations in the development order remain in effect.		No	No action needed.	
163.3187	Process for Adoption of Small-Scale Comprehensive Plan Amendment: Amends subsection (1)(a) to increase the small-scale development amendment limit to 50 acres or fewer.; Revises subsection (3) pertaining to small-scale development amendments for sites within a rural area of opportunity to allow a 100 percent increase to the 50-acre acreage limit now included in subsection (1)(a).		No	No action needed, policy only.	
2022					
163.32051	Floating Solar Facilities , (Chapter 2022-83, section 1, Laws of Florida) • Creates 163.32051, which provides legislative findings regarding floating solar facilities. • Defines the term “floating solar facility.” • Requires a floating solar facility to be a permitted use in the appropriate land use categories and requires local governments to amend their land development regulations to promote expanded uses of floating solar facilities. • Authorizes a county or municipality to specify buffer and landscaping requirements, which may not exceed the requirements for similar uses involving the construction of other solar facilities permitted in agricultural land use categories and zoning districts. • Provides exceptions to the construction of floating solar facilities in an Everglades Agricultural Area reservoir project if it is determined to have negative impacts on the project.		No	No action needed - to be updated in the LDC.	

Changes to Chapter 163, F.S 2016-2024	Description	Element	Addressed (Where/how)	Amendment Needed by Element	Staff Feedback
163.3180	Amending Concurrency , (Chapter 2022-122, section 1, Laws of Florida) • Amends subsection (6)(h)2. to revise provisions specifying when school concurrency is deemed satisfied. • Requires the district school board to notify the local government that capacity is available for development within 30 days after receipt of the developer’s legally binding commitment. • Specifies that any proportionate-share mitigation directed toward a school capacity improvement not identified in the 5-year school board educational facilities plan must be set aside and not spent until such an improvement has been identified.	Public School Facilities	Yes, Objective 1.2	Add a new policy under Objective 1.2 addressing the requirement for the School District to notify available capacity within 30 days.	
163.3175	Updating Military Base Names , (Chapter 2022-183, section 5, Laws of Florida) Amends paragraph (n) subsection (2) to update two military base names to Patrick Space Force Base and Cape Canaveral Space Force Station, associated with Brevard County and Satellite Beach.		No	If mentioning these bases in the update after complying with previous laws, this will naturally be addressed	
163.3178	Coastal Management , (Chapter 2022-204, section 2, Laws of Florida) Reenacts Subsections (2)(k), (5), and (6) to incorporate the amendment made to Section 311.09 by Chapter 2022-204, Laws of Florida, adding Putnam County to the Florida Seaport Transportation and Economic Development Council.		No	Not applicable.	
2023					
HB 49	Abandoned and Historic Cemeteries , Creates the Historic Cemeteries Program in Florida, with the State Historic Preservation Officer as director, and provide grants to research institutions, local governments, and nonprofit organizations to facilitate genealogical and historical research, assist with identifying and contacting relatives of persons buried in abandoned African-American cemeteries, and repair and maintain such cemeteries. The program requires developing guidelines for state agencies, local governments and developers to identify, locate, and maintain historic cemeteries. It also amends certain definitions of terms to include abandoned cemeteries and authorize certain entities to acquire conservation easements to preserve cemeteries.	Infrastructure	No	Policy needs to be written if Titusville has any historic cemeteries. Identify the appropriate placement specifying that efforts will be made in coordination with the Historic Cemeteries Program to identify any cemeteries that may apply to the program.	
SB 250	Natural Emergencies Provisions intended to accelerate rebuilding following Hurricanes Ian and Nicole and other natural disasters. The bill would require local governments to expedite the issuance of building permits following a disaster and extend certain building permits following a disaster declaration. It would bar local governments within the disaster declaration area for Ian and Nicole from increasing building fees or adopting “more restrictive or burdensome procedures” to its comprehensive plans or land development regulations concerning review, approval or issues of a site plan, development permit or development order before Oct. 1, 2024.	Coastal Management	Yes, Policy 5.1.2	Policy 5.1.2 allows for building moratoriums after storms. This conflicts with the new regulation. Suggest removal of this policy.	

Changes to Chapter 163, F.S 2016-2024	Description	Element	Addressed (Where/how)	Amendment Needed by Element	Staff Feedback
163.3184	Local Comprehensive Plans It allows prevailing parties to recover attorney fees in challenges to comprehensive plans and plan amendments.		No	No action needed.	
163.3167	Local Government Revise procedures for municipal annexation and contraction, including adding a provision requiring approval of landowners of property targeted for a contraction in certain instances even when those owners are not registered voters within the jurisdiction. The bill was amended late in the committee process to prohibit a local initiative or referendum on any land development regulations, a provision also contained in HB 41 and SB 856, two bills that failed to pass.		No	No action needed, annexation provisions are in the LDC.	
163.3177	Land Use and Development Regulations Extends required planning periods to 10 to 20 years from 5 to 10 years and prohibits local governments that fail to update their plans according to the 7-year evaluation and appraisal process from initiating or adopting any public plan amendments. The bill preempts local government authority over electrical substations, prohibits local government architectural or design review boards established after January 2020 from applying land development regulations relating to building design to single family or two-family dwellings, and includes provisions related to the Reedy Creek Improvement District.		No	Not applicable.	
SB 102	Affordable Housing Provides up to \$811 million to fund state affordable housing programs (SHIP, SAIL and Hometown Heroes) through housing trust funds, general revenue and a new corporate tax donation program capped at \$100 million a year. It codifies and expands eligibility for the Hometown Heroes program created in 2022. It establishes a sales tax credit for building materials used to construct affordable housing. It preempts local government limits on height and density in commercial and mixed use zones, and suspends any requirement for zoning changes or comprehensive plan amendments. It prohibits local governments from imposing rent control under emergency declarations or any other circumstances. It creates new property tax exemptions for new or rehabilitated affordable housing units.	Housing	Yes, Objective 1.2	No action needed.	
163.2517	Local Ordinances Gives businesses the ability to veto local ordinances. It requires local governments to prepare a business impact estimate before enacting a wide range of ordinances, including measures to protect the local environment and quality of life. The bill also provides additional avenues for businesses to sue local governments. While businesses would be entitled to recover attorney fees and costs if they prevailed, the local government would not, making it very unlikely that local governments would take on business interests.	Coastal Management	No	No action needed.	

Changes to Chapter 163, F.S 2016-2024	Description	Element	Addressed (Where/how)	Amendment Needed by Element	Staff Feedback
163.3177	Capital Improvements Element of Comprehensive Plans •Requires the capital improvements element of comprehensive plans to include a list of projects necessary to achieve pollutant load reductions for local basin management action plans (BMAPs). The bill also requires the sanitary sewer and solid waste element to prioritize advanced waste treatment with a plan to provide sanitary sewer connection services for properties with a density of more than one septic system per acre, and requires the local government to submit septic to sewer conversion plans to the Florida Department of Environmental Protection for review. •The bill also amends the BMAP planning process to include a list of projects prioritized by those that are most likely to achieve the pollutant load reductions. The bill acknowledges that agricultural best management practices alone will not achieve the necessary load reductions in basin management action plans and creates a water quality improvement grant program to fund restoration projects.	Intergovernmental/Infrastructure	Yes, Policy 3.1.1	Add reference to FDEP for septic to sewer conversions within the existing language on septic within the Intergovernmental Coordination Element. Policy 3.1.1 in the Infrastructure Element already addresses pollutant loads.	
HB 5	Renames the Department of Economic Opportunity to Florida Department of Commerce.		No	No previous mention of the old name, but future policies will need to reflect the new name.	
S. 163.3191, F.S.	Revises the requirements of the EAR process by including language that the EAR notification include a separate signed affidavit attesting that all elements of the comprehensive plan comply with the requirements of s. 163, F.S. Additionally, the sources and dates of the population projections used in establishing the 10-year planning period must be certified in the affidavit.		No	No amendment needed. Informational only.	
2024					
SB 1628	Local Government Actions •The bill provides that local governments must complete a business impact statement prior to adopting and implementing a comprehensive plan amendment or land development regulation amendment, other than those amendments initiated by a private party. •The bill also provides that a local government holding a referendum on approving a bond issue in an amount greater than \$500 million must do so at a general election, as opposed to a special election held for that purpose.		No	No action needed, informational only.	
SB 1084	Electric Vehicle Charging •Preempts the regulation of electric vehicle charging stations to the state and prohibits local governmental entities from enacting or enforcing such regulations.		No	No action needed, related to the LDC and no policy mentioned.	

Changes to Chapter 163, F.S 2016-2024	Description	Element	Addressed (Where/how)	Amendment Needed by Element	Staff Feedback
163.3167	Department of Commerce •Specifies that a citizen-led county charter amendment not required to be approved by the board of county commissioners which preempts certain land development decisions is prohibited, unless expressly authorized in the county charter that was lawful and in effect on January 1, 2024 •Provides that if the local government doesn’t hold a second public hearing and adopt a comprehensive plan amendment within 180 days after the DCM provides comments, the amendment is deemed withdrawn; and provides that comprehensive plan amendments are deemed withdrawn if the local government fails to transmit the comprehensive plan amendment to the DCM within 10 working days after the final adoption hearing.		No	No action needed, informational only.	
SB 328	Affordable Housing •Amends and clarifies 2023 Live Local Act's land use and zoning provisions: •Requires local governments to reduce parking requirements for qualifying developments by at least 20% if the development is located within 1/2 mile of certain transportation facilities and parking is within 600 ft. •Modifies building height entitlement to address situations where qualifying development is adjacent to single family parcels.	Housing / Future Land Use	No	Add policy to the Housing Element related to Live Local Act, as well as a policy to the FLU relating to land use, if desired.	
163.31801	Alternative Mobility Funding Systems •Authorizes local governments to adopt alternative mobility plan & fee system; provides requirements for application of adopted alternative system; prohibits alternative system from imposing responsibility for funding existing transportation deficiency upon new development; prohibits local governments that do not issue building permits from charging for transportation impacts associated with development; requires local governments that issue building permits to collect for extra jurisdictional impacts; prohibits local governments from assessing multiple charges for same transportation impact; revises requirements for calculation of impact fees by local governments & special districts.	Capital Improvements	Yes, Policy 1.3.2	Update to include extra jurisdictional impacts.	

Changes to Chapter 163, F.S 2016-2024	Description	Element	Addressed (Where/how)	Amendment Needed by Element	Staff Feedback
SB 812	Expedited Approval of Residential Building Permits •Requires certain local governments to create a program to expedite the issuance of residential building permits based on a preliminary plat and to issue the number or percentage of permits requested by an applicant if certain conditions are met. Local governments required to establish this expedited program are counties with 75,000 residents or more (except for Monroe County) and municipalities that have 10,000 residents or more and 25 acres or more of contiguous land designated for agricultural or residential purposes. •By October 1, 2024, applicable local governments must establish the program and allow an applicant to request up to 50 percent of the permits for a residential subdivision or planned community. By December 31, 2027, applicable local governments must update their program to allow an applicant to request up to 75 percent of the permits of the development.		No	No action needed, related to the LDC.	
HB 1645	Energy Resources •Creates limitations on local government regulation of natural gas resiliency and reliability infrastructure. After July 1, 2024, a local government may not amend its local land regulations to conflict with a resiliency facility as an allowable use. A “resiliency facility” is defined as a facility owned and operated by a public utility for the purposes of assembling, creating, holding, securing, or deploying natural gas reserves for temporary use during a system outage or natural disaster.”		No	No action needed, related to the LDC.	
SB 1720 - 163.3175	Current law identifies 16 major military installations that, due to their mission and activities, have a greater potential for experiencing compatibility and coordination issues with local government planning than others. For these identified installations, local governments must transmit to the commanding officer information relating to proposed changes to comprehensive plans, plan amendments, and proposed changes to land development regulations which, if approved, would affect the use of land adjacent to or in close proximity to the military installation. The local government must take into consideration the advisory comments submitted by the commanding officer on the impact of proposed changes on the mission of the military installation.		No	Does not affect Titusville. No military installations within the City limits.	