

Review of Statutory Changes between 2016 and 2023.

The evaluation and appraisal process is designed to address any changes in state requirements since the last update of the comprehensive plan and update the plan based on changes to local conditions. Martin County updated its Comprehensive Growth Management Plan (CGMP) on February 2018 based upon an Evaluation and Appraisal Report produced in 2016/2017.

Due to the legislative changes made in 2011 via the Community Planning Act, local governments no longer need to submit evaluation and appraisal reports (EAR) to the Florida Department of Commerce (the State Land Planning Agency) for a sufficiency determination. Instead, local governments must follow these provisions:

At least every seven years, pursuant to Rule Ch. 73C-49, Florida Administrative Code (F.A.C.), Martin County must determine whether the need exists to amend the comprehensive plan to reflect changes in state requirements since the last time the comprehensive plan was updated. According to the Evaluation and Appraisal Notification Schedule found on the DEO website, Martin County must make a determination by December 1, 2023.

In addition to the statutory review, Section 1.8 and Objective 2.1B CGMP contain requirements for any EAR report. Below is provided a list of statutory changes that staff must address for each chapter of the Comprehensive Growth Management Plan.

2018 Changes in Ch. 163 Florida Statutes

Chapter 2018-158, sections 7, 8, and 21, Laws of Florida, effective April 6, 2018

	2018 Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element.
	<p>Local Government Comprehensive Planning Certification Program (Chapter 2018-158, section 8, Laws of Florida)</p> <ul style="list-style-type: none"> • Updates the Local Government Comprehensive Planning Certification Program to modify language of subsections (11), (12), and (14) referencing Developments of Regional Impact. 	Section 163.3246, F.S.	NA	Review Chapter 2, Overall Goals and Definitions, CGMP.

2023 Changes in Ch. 163 Florida Statutes

Chapter 2023-31, Laws of Florida, Effective July 1, 2023

Chapter 2023-169, Laws of Florida, Effective July 1, 2023

	2023 Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element.
	<p>Land Use and Development Regulations (SB 1604) (Chapter 2023-31)</p> <ul style="list-style-type: none"> • Comprehensive planning periods extended from 5 to 10 and from 10 to 20 years. • Revised evaluation and appraisal process. • Emphasis of change is ensuring population projections are appropriately high. • Electric substations 	Signed. Effective July 1, 2023.		<p>Review Chapters:</p> <ul style="list-style-type: none"> 2 Overall Goals and Definitions 4 Future Land Use 6 Housing 10 Sanitary Sewer 11 Potable Water 14 Capital Improvements, CGMP.

	2023 Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element.
	<p>Environmental Protection (HB 1379) (Chapter 2023-169)</p> <ul style="list-style-type: none"> • Amends ss.163.3177(3)(a) to include that, where applicable, the capital improvements schedule must include a list of projects necessary to achieve the pollutant load reduction attributable to the local government, as established in a basin management action plan pursuant to s.403.067(7). • Amends ss.163.3177(6)(c) to require that the sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element addresses coordinating the treatment or upgrade in treatment of facilities to meet future needs and prioritizing advanced waste treatment for increased capacity. • Creates ss.163.3177(6)(c)(3) to require that in the sanitary sewer, solid waste, drainage, potabewater, and natural groundwater aquifer recharge element, for any development of more than 50 residential lots, built or unbuilt, with more than 1 onsite sewage treatment and disposal system per 1 acre, the element must: <ul style="list-style-type: none"> ○ consider the feasibility of providing sanitary sewer services within a 10-year planning horizon; ○ an onsite sewage treatment and disposal system is presumed to exist on a parcel if sanitary sewer services are not available at or adjacent to the parcel boundary; onsite sewage treatment and disposal systems to sanitary sewer; and a timeline for the construction of the sanitary sewer system; 	Signed. Effective July 1, 2023.		Review Chapters: 2 Overall Goals and Definitions 4 Future Land Use 10 Sanitary Sewer 11 Potable Water 13 Drainage and Natural Groundwater 14 Capital Improvements, CGMP.

	2023 Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element.
	<p>Environmental Protection (cont'd) (HB 1379) (Chapter 2023-169)</p> <ul style="list-style-type: none"> ○ identify the name and location of the intended wastewater facility to receive sanitary sewerflows: ○ after connection; the capacity of the facility and any associated transmission facilities; the projected wastewater flow at that facility for the next 20 years, inclusive of expected future new construction and connections of be updated in the comprehensive plan to include this information by July 1, 2024; and these new requirements do not apply to a local government designated as a rural area of opportunity. 			