



**CITY OF WAUCHULA
EVALUATION AND APPRAISAL REPORT (EAR) OF THE CITY'S COMPREHENSIVE PLAN
EAR LETTER AND AFFIDAVIT**

TO: City of Wauchula, City Commission

PREPARED BY: Central Florida Regional Planning Council

AGENDA DATE: September 8, 2025

REQUESTED ACTION: **APPROVE THE EAR AFFIDAVIT AND AUTHORIZE THE MAYOR TO SIGN**

Evaluation and Appraisal Report (EAR):

Pursuant to Chapter 73C-49, Florida Administrative Code, at least every seven years, local governments shall determine whether the need exists to amend their Comprehensive Plan to reflect changes in state requirements and local trends since the last time the Comprehensive Plan was updated.

In addition, the EAR evaluates how successful the City has been in addressing identified major land use planning issues through the implementation of its Comprehensive Plan. Based on this evaluation, the EAR recommends how the plan should be updated to further address objectives, changing conditions and trends affecting the community and changes in state requirements.

Submittal of EAR Notification Letter:

According to Florida Commerce Evaluation and Appraisal Report Notification Schedule, Wauchula's Evaluation and Appraisal Affidavit is due October 1, 2025. The City will submit an Evaluation and Appraisal notification letter to the State consistent with Florida Statutes 163.3191(1) to bring the City in compliance with this due date. The notification letter package will include:

- Notification that amendments are necessary to reflect a minimum planning period of at least 10 years and to reflect changes in state requirements.
- An affidavit, signed by the Mayor, attesting that all elements of the comprehensive plan will comply, will certify that the adopted comprehensive plan contains the minimum planning period of 10 years, and will cite the source and date of the population projections used in establishing the 10-year planning period.

Attachments:

Evaluation and Appraisal Affidavit
Section 163.3191, Florida Statutes



WAUCHULA EVALUATION AND APPRAISAL AFFIDAVIT

I, Keith Nadaskay, Jr., am the Mayor of the City of Wauchula, Hardee County, Florida and do hereby certify, swear, or affirm under the penalty of perjury that I am competent to give the following declaration based on my personal knowledge, and that the following statement is true and correct to the best of my knowledge:

1. This affidavit is provided consistent with the requirements of Florida Statute 163.3191(1).
2. The City of Wauchula's Comprehensive Plan must be updated to address changes to state planning requirements which have occurred since the update of the City's Comprehensive Plan, to extend the Comprehensive Plan to the required minimum planning periods, and to update the population projections as required through Florida Statutes.
3. As Part of the Evaluation and Appraisal Report based amendments, all elements of the Wauchula Comprehensive Plan will comply with Florida Statute 163.3191(1).
4. As Part of the Evaluation and Appraisal Report based amendments, the adopted comprehensive Plan will cover a planning period of 10 years occurring after the plan's adoption and an additional 20-year period, as provided in required by s. 163.3177(5)(a), F.S.
5. The Evaluation and Appraisal Report based amendments will cite the source and date of the population projections used in establishing the 10-year planning period.

Further the affiant saith naught.

(Print Name) (Sign Name) (Date)

STATE OF FLORIDA
COUNTY OF HARDEE

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 20____, by, as, on its behalf, who is personally known to me or who has produced _____ as identification.

Notary Public, State of Florida

Printed Name

My commission expires: _____

Select Year: 2024 ▼ Go

The 2024 Florida Statutes

[Title XI](#)
COUNTY ORGANIZATION AND INTERGOVERNMENTAL
RELATIONS

[Chapter 163](#)
INTERGOVERNMENTAL
PROGRAMS

[View Entire
Chapter](#)

163.3191 Evaluation and appraisal of comprehensive plan.—

(1) At least once every 7 years, each local government shall evaluate its comprehensive plan to determine if plan amendments are necessary to reflect a minimum planning period of at least 10 years as provided in s. [163.3177\(5\)](#) or to reflect changes in state requirements in this part since the last update of the comprehensive plan, and notify the state land planning agency as to its determination. The notification must include a separate affidavit, signed by the chair of the governing body of the county or the mayor of the municipality, attesting that all elements of its comprehensive plan comply with this subsection. The affidavit must also include a certification that the adopted comprehensive plan contains the minimum planning period of 10 years, as provided in s. [163.3177\(5\)](#), and must cite the source and date of the population projections used in establishing the 10-year planning period.

(2) If the local government determines amendments to its comprehensive plan are necessary to reflect changes in state requirements, the local government must prepare and transmit within 1 year such plan amendment or amendments for review pursuant to s. [163.3184](#).

(3) Local governments shall comprehensively evaluate and, as necessary, update comprehensive plans to reflect changes in local conditions. Plan amendments transmitted pursuant to this section must be reviewed pursuant to s. [163.3184\(4\)](#). Updates to the required elements and optional elements of the comprehensive plan must be processed in the same plan amendment cycle.

(4) If a local government fails to submit the letter and affidavit prescribed by subsection (1) or to transmit the update to its plan pursuant to subsection (3) within 1 year after the date the letter was transmitted to the state land planning agency, it may not initiate or adopt any publicly initiated plan amendments to its comprehensive plan until such time as it complies with this section, unless otherwise required by general law. This prohibition on plan amendments does not apply to privately initiated plan amendments. The failure of the local government to timely update its plan may not be the basis for the denial of privately initiated comprehensive plan amendments.

(5) If it is determined that a local government has failed to update its comprehensive plan pursuant to this section, the state land planning agency must provide the required population projections that must be used by the local government to update the comprehensive plan. The local government shall initiate an update to its comprehensive plan within 3 months following the receipt of the population projections and must transmit the update within 12 months. If the state land planning agency finds the update is not in compliance, it must establish the timeline to address the deficiencies, not to exceed an additional 12-month period. If the update is challenged by a third party, the local government may seek approval from the state land planning agency to process publicly initiated plan amendments that are necessary to accommodate population growth during the pendency of the litigation. During the update process, the local government may provide alternative population projections based on professionally accepted methodologies, but only if those population projections exceed the population projections provided by the state land planning agency and only if the update is completed within the timeframe set forth in this subsection.

(6) The state land planning agency may not adopt rules to implement this section, other than procedural rules or a schedule indicating when local governments must comply with the requirements of this section.

History.—s. 11, ch. 75-257; s. 10, ch. 85-55; s. 11, ch. 86-191; s. 10, ch. 92-129; s. 13, ch. 93-206; s. 6, ch. 95-322; s. 29, ch. 96-410; s. 5, ch. 96-416; s. 4, ch. 98-146; ss. 6, 14, ch. 98-176; s. 5, ch. 98-258; s. 17, ch. 2000-158; s. 9, ch. 2002-296; s. 905, ch. 2002-387; s. 4, ch. 2004-230; s. 8, ch. 2005-290; s. 12, ch. 2005-291; s. 13, ch. 2007-196; s. 5, ch. 2007-198; s. 4, ch. 2007-204; s. 5, ch. 2010-205; s. 20, ch. 2011-139; s. 8, ch. 2012-96; s. 9, ch. 2012-99; s. 2, ch. 2023-31.

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