

**Ron DeSantis**  
GOVERNOR



**Ken Lawson**  
EXECUTIVE DIRECTOR

October 21, 2019

The Honorable Linda Hudson  
Mayor, City of Fort Pierce  
100 N. US. Highway 1  
P.O. Box 1480  
Fort Pierce, Florida 34954

Dear Mayor Hudson:

The Department of Economic Opportunity (“Department”) has completed its review of the proposed comprehensive plan amendment for the City of Fort Pierce (Amendment No. 19-02ER), which was received and determined complete on August 22, 2019. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S.

The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. We have identified an objection and have included recommendations regarding measures that can be taken to address the objection. We are also providing seven comments. The comments are offered to assist the local government but will not form the basis for a determination of whether the amendment, if adopted, is “In Compliance” as defined in Section 163.3184(1)(b), F.S. Copies of comments received by the Department from reviewing agencies, if any, are also enclosed.

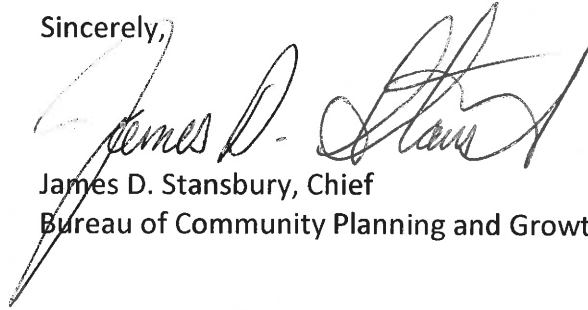
The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment. **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of the Department’s attached report, or the amendment will be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(4)(e)1., F.S.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.FloridaJobs.org](http://www.FloridaJobs.org)  
[www.twitter.com/FLDEO](https://www.twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

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Department staff is available to assist the City to address the objection and comments. If you have any questions related to this review, please contact Ed Zeno, Planning Analyst, by telephone at (850) 717-8511 or by email at [ed.zeno-gonzalez@deo.myflorida.com](mailto:ed.zeno-gonzalez@deo.myflorida.com).

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is written in a cursive style and is positioned above the printed name and title.

James D. Stansbury, Chief

Bureau of Community Planning and Growth

JDS/ez

Enclosures: Objections, Recommendations, and Comments Report  
Procedures for Adoption  
Reviewing Agency Comments

cc: Jennifer Hofmeister, Planning Director, City of Fort Pierce  
Brandon Creagan, LEED Green Associate, Planner, City of Fort Pierce  
Thomas Lanahan, Executive Director, Treasure Coast Regional Planning Council

**Objections, Recommendations and Comments Report  
Proposed Comprehensive Plan Amendment  
Fort Pierce 19-02ER**

The Department of Economic Opportunity has identified an objection and seven comments regarding Fort Pierce's proposed comprehensive plan amendment. The objection and comments are provided below, along with recommended actions the City could take to resolve issues of concern. If the City adopts the plan amendment without adequately addressing the objection, the Department may find the amendment not in compliance with Chapter 163, Part II, Florida Statutes (F.S.), pursuant to section 163.3184(4)(e)4., F.S. Comments are offered to assist the local government and will not form the basis for a compliance determination.

Department staff has discussed the basis of the report with local government staff and is available to assist the City to address the objection and comments.

**Objection 1) Coastal Management Element -Peril of Flood:**

Section 163.3178(2)(f)1-6., F.S., requires that the Coastal Management Element include the following:

*(f) A redevelopment component that outlines the principles that must be used to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise. The component must:*

- 1. Include 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. Encourage the use of 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. Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.*
- 4. Be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.*
- 5. Require that any construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 be consistent with Chapter 161.*
- 6. Encourage local governments to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for their residents.*

The proposed evaluation and appraisal review-based comprehensive plan amendment adequately addresses the requirements of Sections 163.3178(2)(f)1 and (f)5-6., F.S. However, the amendment lacks policy language that meets the requirements of Sections 163.3178(2)(f)2-4., F.S.

**Statutory Authority:** Sections 163.3178(2)(f)2-4., Florida Statutes.

**Recommendations:** To comply with Section 163.3178(2)(f)4., F.S., the proposed Coastal Management Element policies should be revised prior to adoption to state that redevelopment shall “be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.”

The Fort Pierce adopted Comprehensive Plan and the proposed amendments provide policies related to coastal development and redevelopment. However, neither the currently adopted plan, nor the proposed policies, comply with Section 163.3178(2)(f)2-3., F.S. In response, the Coastal Management Element should be revised prior to adoption to include policy language that sets out specific principles, strategies, or engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency. Similarly, policy language should be incorporated with site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.

To facilitate effective outcomes, the corresponding amendment should include mandatory provisions. The Department’s staff are available to provide further assistance with these planning efforts, including providing examples of policies adopted by other communities to address the peril of flood requirements.

**Comment 1) Coastal High Hazard Area map (CHHA map):**

As required by Section 163.3178(2)(h), Florida Statutes, the amendment seeks to update the current Coastal “Hurricane Surge Zone & Evacuation Routes” (equivalent to CHHA Map), by using updated data (2016-17) that was provided by the Florida Division of Emergency Management to the County Emergency Management. However, for clarity purposes DEO staff recommend that the CHHA map could be referenced in Coastal Management Element Policy 5.6.1. Additionally, for consistency with current and new policy language the “Hurricane Surge Zone & Evacuation Routes” map title and the legend should add the term “Coastal High Hazard Area” instead of only “Category 1” and/or “Hurricane Surge Zone.” The subject map might keep using the terms “Hurricane Surge Zone” and “Category 1” but could be enhanced by also referencing “CHHA” since it is the term used within the Coastal Management Element and the Florida Statutes.

**Comment 2) Coastal Area, Coastal Planning Area and Coastal Construction Line**

The proposed amendment, as drafted, does not define Coastal Area, Coastal Planning Area and Coastal Construction Control Line (CCCL). Additionally, the map series does not identify the

Coastal Planning Area and the CCCL. In response, the City should define the subject terms, identify the areas on the FLUM and/or any related map and could reference the appropriate maps in Policies 5.1.17 (CCCL); 5.11.2 (Coastal Area); 5.11.1 and 5.11.3 (Coastal Planning Area).

**Comment 3) Worst Case Scenario Sea Level Rise (2050) map**

The Comprehensive Plan amendment includes a revised *Worst-Case Sea Level Rise (2050)* map. DEO staff suggest that to effectively monitor the sea level rise forecasts and prediction, as also required by Policy 5.8.11, the amendment should be revised to include, not only a medium-term scenario (2050), but also a short-term and long-term scenario that could be accomplished by incorporating a 2040, 2060 and 2100 sea level scenario maps. Additionally, the *Worst Case Scenario Sea Level Rise (2050)* map could be revised by incorporating the date and the source of the data. The title of the map could be modified by eliminating the term “Worst Case.”

**Comment 4) Water Supply Facilities Sub-Element and the Work Plan Update**

The Fort Pierce Water Supply Facilities Work Plan (Work Plan) was required to be updated by September 10, 2017. The City was reminded by the South Florida Water Management District of this requirement in August 2016 and July 2018. In response, the Infrastructure Element and the Potable Water Sub-Element, and associated analysis should be revised to reference and be coordinated with the 2016 Upper East Coast Water Supply Plan Update (2016 UEC Plan) which was approved on March 2016.

The City is encouraged to seek technical assistance and coordinate the review of the City’s Work Plan with the South Florida Water Management District to meet the City’s future water supply needs and to protect the region’s water resources. Coordination with the South Florida Water Management District is encouraged even if the City’s data and analysis show that development has been slower than anticipated.

**Comment 5) Capital Improvements Plan**

The City’s comprehensive plan does not incorporate the City’s *Capital Improvement Plan* into the City’s comprehensive plan pursuant to Sections 163.3177(3)(a)4, F.S. and (3)(b), F.S. The Five-Year Schedule of Capital Improvements is a required component of the Capital Improvements Element. The City should consider revising the amendment to adopt into the Capital Improvements Element the Five-Year Schedule of Capital Improvements, which identifies capital improvement projects to be implemented in the first five (5) years following adoption of the Capital Improvements Plan and include the entity responsible for the projects. If the timing for the adoption of this amendment cannot accommodate the adoption of this schedule, then it should be adopted in an expeditious manner pursuant to Section 163.3177(3), F.S.

**Comment 6) Future Land Use Map (FLUM)**

The FLUM does not contain a planning horizon, nor is a planning horizon referenced elsewhere in the text of the Comprehensive Plan. Chapter 163.3177(5)(a), F.S. provides guidance for comprehensive plans to establish at least two (2) planning periods, one covering the first 5-year

period occurring after the plan's adoption and one covering at least a 10-year period. The City should make its Comprehensive Plan more meaningful and predictable by revising the amendment, prior to adoption, to incorporate in the City's Future Land Use Element policies and Future Land Use Map a new planning horizon(s) that is at least 10 years in the future.

**Comment 7) Amendments enacted since the 2011 Comprehensive Plan adoption**

The St. Lucie County Planning and Development Services Department identified that the current FLUM does not reflect Future Land Use Map amendments and text amendments enacted since the 2011 Comprehensive Plan adoption. Prior to adoption, the amendment should be revised to ensure that the FLUM reflects any FLUM and text amendments, including annexations completed since the 2011 comprehensive plan adoption. The City should strongly consider incorporating into the proposed amendment the comments provided by the St. Lucie County Planning and Development Services Department and coordinate with them to ensure accuracy and reflection of any FLUM amendments enacted since the 2011 Comprehensive Plan adoption. Additionally, the City of Fort Pierce is encouraged to examine if updates are needed to any Data, Inventory and Analysis to reflect changes over the past 8 years, as also suggested by the St. Lucie County Planning and Development Services Department.

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS**

**FOR STATE COORDINATED REVIEW**

**Section 163.3184(4), Florida Statutes**

**NUMBER OF COPIES TO BE SUBMITTED:** Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

**SUBMITTAL LETTER:** Please include the following information in the cover letter transmitting the adopted amendment:

\_\_\_\_\_ Department of Economic Opportunity identification number for adopted amendment package;

\_\_\_\_\_ Summary description of the adoption package, including any amendments proposed but not adopted;

\_\_\_\_\_ Ordinance number and adoption date;

\_\_\_\_\_ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

\_\_\_\_\_ Name, title, address, telephone, FAX number and e-mail address of local government contact;

\_\_\_\_\_ Letter signed by the chief elected official or the person designated by the local government.

**ADOPTION AMENDMENT PACKAGE:** Please include the following information in the amendment package:

\_\_\_\_\_ In the case of text amendments, changes should be shown in strike-through/underline format;

\_\_\_\_\_ In the case of future land use map amendment, an adopted future land use map, in **color format**, clearly depicting the parcel, its existing future land use designation, and its adopted designation;

\_\_\_\_\_ A copy of any data and analyses the local government deems appropriate.

**Note:** If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

\_\_\_\_\_ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

\_\_\_\_\_ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

\_\_\_\_\_ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

\_\_\_\_\_ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity to the ORC report from the Department of Economic Opportunity.

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS**

**FOR STATE COORDINATED REVIEW**

**Section 163.3184(4), Florida Statutes**

**NUMBER OF COPIES TO BE SUBMITTED:** Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

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\_\_\_\_\_ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

\_\_\_\_\_ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

\_\_\_\_\_ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity to the ORC report from the Department of Economic Opportunity.

**From:** [Hymowitz, Larry](#)  
**To:** [DCPexternalagencycomments; "bcreagan@city-ftpierce.com"](#)  
**Cc:** [Bush, Lois](#); [Fasiska, Christine](#); [Zeno-Gonzalez, Ed](#)  
**Subject:** City of Fort Pierce 19-2ESR - FDOT District Four Review  
**Date:** Tuesday, August 27, 2019 10:54:12 AM

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I am writing to advise you that the Department will not be issuing formal comments for the proposed City of Fort Pierce comprehensive plan amendment with DEO reference number 19-2ESR.

The Department requests an electronic copy of all adopted comprehensive plan amendment materials, including graphic and textual materials and support documents.

Thank you.

Larry Hymowitz  
Planning Specialist – Policy Planning & Growth Management  
Planning & Environmental Management - FDOT District Four  
3400 West Commercial Boulevard  
Fort Lauderdale, Florida 33309-3421  
Phone: (954) 777-4663; Fax: (954) 677-7892  
[larry.hymowitz@dot.state.fl.us](mailto:larry.hymowitz@dot.state.fl.us)



**From:** [Plan\\_Review](#)  
**To:** [Eubanks, Ray; DCPexternalagencycomments](#)  
**Cc:** [Plan\\_Review](#)  
**Subject:** Fort Pierce 19-2ER Proposed  
**Date:** Friday, September 20, 2019 3:33:59 PM  
**Attachments:** [image002.png](#)

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To: Ray Eubanks, DEO Plan Review Administrator

Re: Fort Pierce 19-2ER – State Coordinated Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to [plan.review@floridadep.gov](mailto:plan.review@floridadep.gov). If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.



TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 4B5  
From: Staff  
Date: September 13, 2019  
Subject: Local Government Comprehensive Plan Review  
Draft Amendment to the City of Fort Pierce Comprehensive Plan  
Amendment No. 19-02ER

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from the City of Fort Pierce was received on August 26, 2019 and contains text changes to the Introduction, Future Land Use, Transportation, Infrastructure, Conservation, Coastal Management, Housing, Recreation and Open Space, Intergovernmental Coordination, Capital Improvements, Facilities Management, and Public School Facilities elements of the comprehensive plan. The proposed changes are based on the City's Evaluation and Appraisal Review (EAR). This report includes a summary of the proposed amendment and Council comments.

Summary of Proposed Amendments

The purpose of the EAR is to 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 and to address issues of local concern. On January 31, 2018, the City sent a letter to the Florida Department of Economic Opportunity (FDEO) indicating that amendments to their comprehensive plan were necessary. Once a letter of intent is sent to FDEO, a local government must complete the EAR process, prepare their plan amendments, and transmit them to FDEO within one year. The staff report indicates the City missed the January 31, 2019 deadline. On January 31, 2019, FDEO sent notification to the City that they could not amend their comprehensive plan until the EAR process was completed.

Overall, the proposed amendments: reflect changes in state requirements and legislation; renumber existing policies where new policies have been added or policies have been deleted or incorrectly numbered; clarify language of the current comprehensive plan; update information to reflect current practices, processes or conditions; remove outdated references or definitions; correct scrivener's errors; and correct any references to the state land planning agency. A summary of the amendments by element follows:

### ***Introduction Element***

- Add language to include the City's adoption in 2011 of St. Lucie County's Local Mitigation Strategy.

### ***Future Land Use Element***

- Add Policy 1.1.4 stating the City will ensure consistency between the updated comprehensive plan and the Land Development Regulations (LDRs).
- Add Policy 1.1.5 stating the City will plan appropriately for fuel terminal infrastructure to ensure efficient and reliable multimodal transportation.
- Revise Policy 1.9.4 to update the list of special area plans for neighborhoods to include Peacock Arts and Lincoln Park districts.
- Revise and renumber Objective 1.15 (proposed 1.14) to indicate the City shall maintain hazard mitigation, disaster preparedness, and post-disaster redevelopment plans to effectively bring public services back on-line, coordinate cleanup efforts, and rebuild damaged or destroyed public and private property.

### ***Transportation***

- Revise Objective 2.1 to remove language designating the City as a transportation concurrency area. The amendment also adds language to indicate that although transportation concurrency is no longer required, the City will continue to administer a roadway level of service based management system to review development impacts and that land use and transportation strategies to support and fund mobility shall be implemented to comply with Section 163.3180(5) of the Florida Statutes.
- Revise Policy 2.1.3 to indicate additional land use and transportation strategies will be incorporated into the comprehensive plan consistent with the Joint Report on the Mobility Fee Methodology Study prepared on December 1, 2009 by the Florida Department of Community Affairs and the Florida Department of Transportation.
- Revise Policy 2.9.2 to state the Capital Improvement Program (CIP), when addressing transportation facilities, will include, but not be limited to, roads, trails, bike paths, signage, sidewalks, etc.

### ***Infrastructure Element***

- Revise Policy 3.9.3 to indicate the Water and Wastewater Master Plan is scheduled to be updated in 2021, rather than in 2011 due to lower than expected growth rates between 2006 and 2015.
- Revise Policy 3.10.3 to indicate that the Water Treatment Plant was rerated in May of 2018 from 18.99 million gallons per day (MGD) to 23.32 MGD and state there is adequate capacity to meet projected growth demands through 2030.
- Revise Policy 3.14.3 to indicate the City shall assist the Fort Pierce Utilities Authority (FPUA) in identifying possible sources of financing for water system improvement in current and future Water and Sewer Master Plans.
- Revise Policy 3.15.2 to state the City shall coordinate with FPUA to establish potable water level of service standards for non-residential land uses such as office, industrial, and commercial.

### ***Conservation Element***

- Delete Policy 4.2.7 that requires open space be consistent with promotion of shallow water aquifer recharge and stormwater filtration and meet the criteria established in the LDRs by 2010.
- Remove deadlines for policies requiring tree inventories; open space requirements for residential developments; identification of natural habitats; discouraging onsite septic treatment; and development of non-potable sources for irrigation.

### ***Coastal Management Element***

- Revise Policy 5.1.17 to state the City shall continue enforcing the provision in the LDRs that limits development east of the Coastal Construction Control Line (CCCL).
- Revise Policy 5.2.11 to state the City shall include water quality monitoring to identify areas within the Indian River Lagoon in the Master Stormwater Management Plan.
- Revise Policy 5.3.3 to state the City shall coordinate with St. Lucie County for implementation of the 2017 update to the Port of Fort Pierce Master Plan.
- Revise Policy 5.6.6 to state that construction seaward of the CCCL shall be consistent with Chapter 161 of the Florida Statutes.
- Add Policy 5.6.7 to indicate that when applications for redevelopment are processed, the City shall require that measures are included to reduce the flood risks in coastal areas that result from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise.

- Revise Policy 5.8.13 to indicate the City will consider amendments to the comprehensive plan and LDRs based upon new and revised recommendations in the St. Lucie County Local Mitigation Strategy.
- Add Policy 5.8.18 to indicate the City will continue to participate in the National Flood Insurance Program Community Rating System.
- Add Policy 5.8.19 to state that, when feasible, the City will encourage the removal of coastal real property from FEMA flood zone designations within the coastal area.
- Add Policy 5.8.20 to indicate the City shall seek grant opportunities from federal, state, and local agencies to develop a coastal resiliency adaptation area action plan.
- Remove deadlines for policies requiring guidelines for water-related and water-enhanced facilities; preparation and review of a Beach Management Plan; enforcement of the LDRs restricting development in the Coastal High Hazard Area; standards for safe evacuation of the coastal area; adoption of a post-disaster redevelopment plan; incentive for dedicated easements for new development along shorelines; design standards for beach access facilities; development of historic resources; and development of a coastal planning area.

### ***Housing Element***

- Revise Policy 6.2.2 to indicate the City will use the latest Census data, City records, and field visits when doing inventories and developing a database of existing housing conditions and stock.
- Delete Policy 6.2.9 requiring the City to create a task force to address the overcrowding issue in the City by 2012.
- Revise Policy 6.3.2 to remove the requirement for financial feasibility when the Future Land Use Map is amended to include land use designations that provide sufficient densities to allow for affordable housing development to occur.
- Remove deadlines for policies requiring development of an incentive program to encourage development of various types of rental housing; conducting an affordable housing need study; conducting a survey to evaluate external housing conditions; requiring the City to review its conservation and preservation measures; adopting a Green Ordinance; and establishing standards for the appropriate placement of photovoltaic panels.

### ***Recreation and Open Space Element***

- Revise Policy 7.1.1 to remove references to 2010 and 2015 level of service standards for public recreation and open space facilities.

- Delete Policy 7.3.1 that requires the City to consider and evaluate the creation of a Parks and Recreation Plan by 2015.
- Remove deadlines for policies requiring implementation of regulatory mechanisms to facilitate accrual of financial and land resources for the provision of park services; establishing incentives for providing off-site publicly accessible recreation and open space areas as part of private development applications; developing a Parks and Recreation Master Plan; and updating the LDRs to discourage development proposals that would create incompatibilities with public recreation facilities and open space resources.

#### ***Intergovernmental Coordination Element***

- Revise Policy 8.1.2 to remove the requirement of the City's comprehensive plan to be consistent with campus master plans due to legislative changes.
- Revise Policy 8.1.17 to state that each December the City shall update Table 8-A to verify the nature of relationships, update coordination mechanisms and identify improvements in the City's coordination efforts.
- Revise Policy 8.3.5 to remove the deadline of December 2011 that requires the City to review the effectiveness of its development review process and implement new policies and procedures that streamline the process and improve the coordination required between external permitting and regulatory agencies and the City.

#### ***Capital Improvements Element***

- Revise Policy 9.1.8 to remove financial feasibility as a requirement when updating the assumptions, projections, needs and consideration for appropriate and timely renewal of existing facilities.
- Revise Policy 9.2.7 to remove financial feasibility as a prioritization guideline for proposed capital improvement projects listed in the Five-Year Schedule of Capital Improvements.
- Revise Policy 9.4.4 to indicate the City will incorporate by reference the most current Five-Year Work Plan for the St. Lucie County School Board.
- Revise language to indicate the Five-Year Schedule of Improvements and Annual Budget Report that are used to document capital projects is attached to the element as a standalone document.

### ***Public Facilities Management Element***

- Revise Table 10-1: Adopted Level of Service (LOS) Standards for the City of Fort Pierce Public Facilities to remove references to 2010 and 2015 level of service standards for public recreation and open space facilities.
- Revise Policies 10.5.1 and 10.5.3 to include references to Sections 163.3220-163.3243, Florida Statutes, related to provision of necessary facilities and services guaranteed in an enforceable development agreement.

### ***Public School Facilities Element***

- Revise Policies to delete references to developments of regional impact for required notification by the City to the School Board, and for approving comprehensive plan amendments.
- Revise goals, objectives, and policies throughout the element to remove the requirement of the Five-Year District Facilities Work Plan and work program to be financially feasible.

### **Regional Impacts**

No adverse effects on regional resources or facilities have been identified.

### **Extrajurisdictional Impacts**

Council requested comments from local governments and organizations expressing an interest in reviewing the proposed amendment on August 28, 2019. No extrajurisdictional impacts have been identified. On September 19, 2019, St. Lucie County provided correspondence related to the proposed amendments (see Exhibit 2).

### **Conclusion**

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified. In 2015, under Chapter 163, Florida States (F.S.), the legislature passed requirements under the Peril of Flood Act for jurisdictions with Coastal Management Elements contained in their comprehensive plan to develop a redevelopment component with principles to use to eliminate inappropriate and unsafe development in coastal areas. The Act defines components that must be included in the comprehensive plan. Although the City does address Peril of Flood Principles in the comprehensive plan through various policies and references to the City's LDRs, Council recommends enhancing it by adding policy language to the comprehensive plan to ensure the City is meeting the requirements of the Peril of Flood Act. That language should:

- Include a policy to require the City to review all plans for construction within the floodplain area and that the requirements be consistent with, or more stringent than, the minimum requirements of the Florida Building Code for such construction.

- Include development and redevelopment best practice principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zones designations established by the Federal Emergency Management Agency.
- Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.

#### Recommendation

Council should approve this report and authorize its transmittal to the City of Fort Pierce and the Florida Department of Economic Opportunity.

#### Council Action – September 20, 2019

Commissioner Smith from Martin County moved approval of the staff recommendation. Commissioner O'Bryan from Indian River County seconded the motion, which carried unanimously.

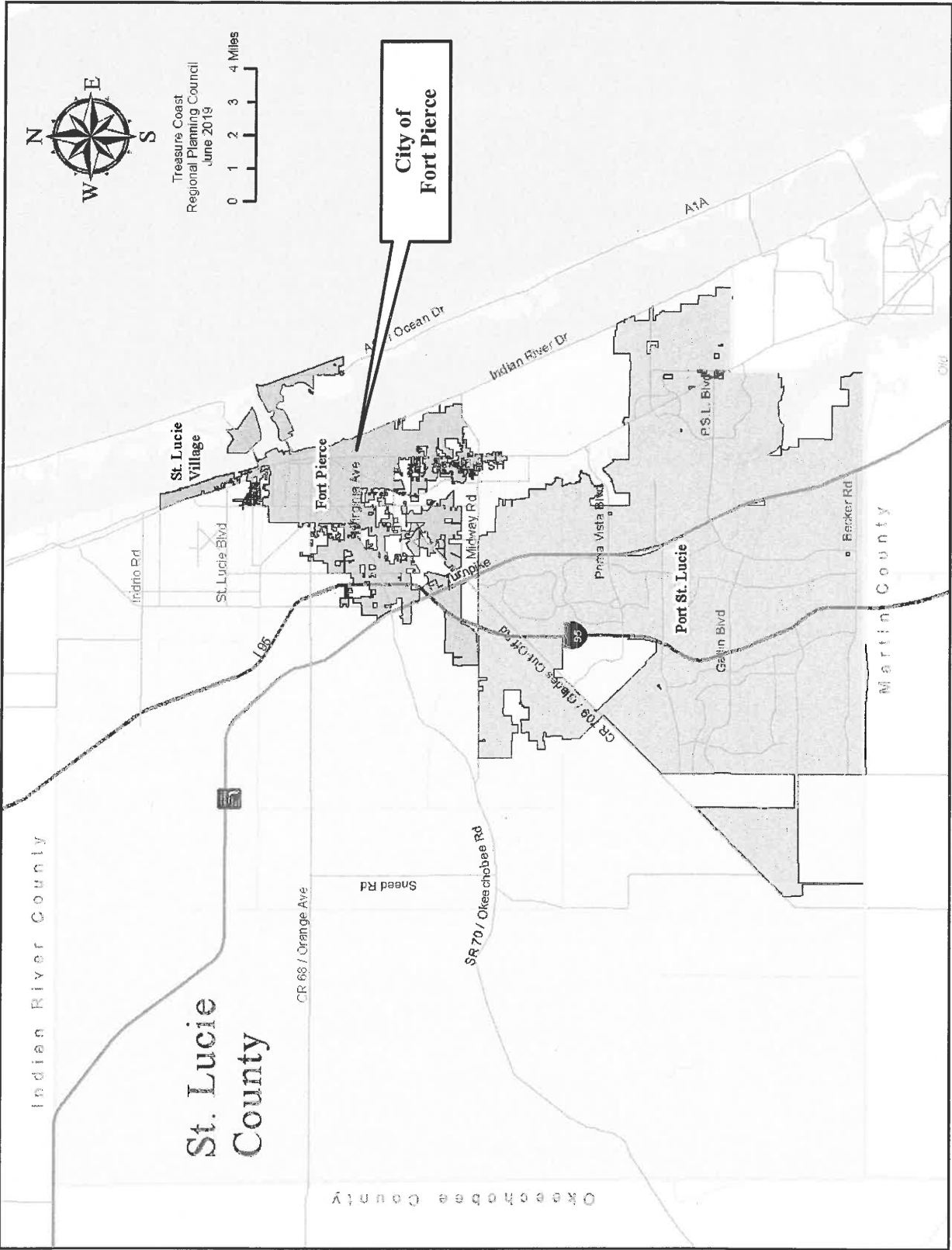
Attachments

## List of Exhibits

### Exhibit

- 1 General Location Map
- 2 Correspondence Dated August 13, 2019 and September 5, 2019 from St. Lucie County

# Exhibit 1 General Location Map



**Exhibit 2**  
**Correspondence Dated August 13, 2019 and**  
**September 5, 2019 from St. Lucie County**



ST. LUCIE COUNTY  
PLANNING & DEVELOPMENT SERVICES  
TECHNICAL REVIEW LETTER

---

**TO:** Rebeca Guerra, AICP, LBED-AP, CPD, Interim Planning Director

**THROUGH:** Leslie Olson, AICP, Director of Planning & Development Services

**FROM:** Kori Benton, AICP, Senior Planner

**DATE:** August 13, 2019

**SUBJECT:** **Comprehensive Plan - 2019 Evaluation and Appraisal Review (EAR) Amendment**  
**TRC Project #19-01400002**

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The St. Lucie County Planning & Development Services Department has completed further review of the revised City of Fort Pierce EAR packet, TRC Project #19-01400002. The packet was revised subsequent to review by the City's TRC, however the revised copy was not supplied for further review. The updated review comments were compiled through evaluation of the packet prepared for the Fort Pierce Planning Board.

**Background**

In 2018, the City of Fort Pierce was tasked with performing an EAR Report to the State by February 1, 2018, per Rule Chapter 73C-49, Florida Administrative Code. In 2018, Staff reported to the State that indeed the City needed to amend its Comprehensive Plan. The City has contracted with a Planning consultant, S&ME, to draft the needed EAR amendment. The City of Fort Pierce's Local Planning Agency is holding a hearing on the proposed EAR on August 13, 2019.

**Review Comments**

In review of the proposed Comprehensive Plan amendments, within the *revised* EAR packet, the following comments were prepared for review and resolution:

- 1) The City of Fort Pierce should audit the Future Land Use Map Exhibit contained with the EAR, to ensure accuracy and reflection of the following:
  - a) Future Land Use Map Amendments (FLUMA) enacted since the 2011 Comprehensive Plan adoption;
    - An example identified is the County's holdings at 4650 Oleander Avenue, known as Ancient Oaks Park. City of Fort Pierce Ordinance L-250 authorized a FLUMA for the 42.66 +/- acre park site, resulting in a COS, Conservation and Open Space Land Use designation. The FLU map with the revised EAR packet displays an RM land use.
  - b) Resolution of active/past mapping discrepancies:
    - An example recently brought to the City's attention is the Future Land Use of the County's proposed at 7th & Avenue D. The FLU designation is accurate in the enclosed 2010 exhibit, however not within other published maps (City's Website - FLU Map).
    - In review of the revised FLU Map, it appears the former Pleasure Cove mobile home park site has been assigned a COS, Conservation and Open Space Land Use designation in error.

*Attached exhibits are background information to the identified discrepancies.*

c) Annexations. The FLU Map, Comprehensive Plan EAR, and Data Inventory and Analysis (DIAs) utilized for the EAR should reflect annexations completed since the 2011 comprehensive plan adoption.

2) The City of Fort Pierce should ensure the Comprehensive Plan Text Amendments adopted via ordinance since 2011 are integrated, or appropriately amended (if intending to revert), within the EAR. These were not reflected in the initial draft presented, however may have been addressed in the revised EAR packet.

3) The City of Fort Pierce is encouraged to update the DIAs to reflect changes over the past 8 years (i.e. Population, Parks, Solid Waste Projections, Transportation Facilities, LOS, Schools, etc.).

Please contact me at 772-462-2518 if you have any questions or would like to discuss the presented comments.

---

**TO:** Leslie Olson, AICP, Director of Planning & Development Services

**THROUGH:** Linda Pendarvis, Planning Manager *LP*

**FROM:** Kori Benton, AICP, Senior Planner *KB*

**DATE:** September 5, 2019

**SUBJECT:** Transmittal of Proposed City of Fort Pierce Comprehensive Plan Evaluation and Appraisal Review - State Coordinated Review Process  
TRC Project #19-01400002

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The St. Lucie County Planning & Development Services Department was provided an opportunity to review the the City of Fort Pierce's Transmittal of Proposed Comprehensive Plan Evaluation and Appraisal Review (EAR) packet, known as TRC Project #19-01400002. The Fort Pierce Planning Board, acting as the City's Local Planning Agency, held a public hearing on August 13, 2019, and voted unanimously to recommend approval of the Evaluation and Appraisal Review document, along with associated Ordinance 19-033. The City Commission then held a public hearing on August 19, 2019, and voted unanimously to transmit the Evaluation and Appraisal Review through Ordinance 19-033 for a State Coordinated Review.

#### Background

In 2018, the City of Fort Pierce was tasked with performing an EAR Report to the State by February 1, 2018, per Rule Chapter 73C-49, Florida Administrative Code. In 2018, Staff reported to the State that indeed the City needed to amend its Comprehensive Plan. The City has contracted with a Planning consultant, S&ME, to draft the needed EAR amendment. The City of Fort Pierce's Local Planning Agency is holding a hearing on the proposed EAR on August 13, 2019. St. Lucie County Planning Staff provided technical review comments on June 20, 2019 and August 13, 2019, without response from City staff.

#### Review Comments

In review of the proposed Comprehensive Plan amendments, within the transmitted EAR packet, the following comments were prepared for review and resolution:

- 1) The City of Fort Pierce should audit the Future Land Use Map Exhibit contained with the EAR, to ensure accuracy and reflection of the following:
  - a) Future Land Use Map Amendments (FLUMA) enacted since the 2011 Comprehensive Plan adoption;
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the enclosed 2010 exhibit, however not within other published maps (City's Website - FLU Map).

- In review of the revised FLU Map, it appears the former Pleasure Cove mobile home park site has been assigned a COS, Conservation and Open Space Land Use designation in error.

*Attached exhibits are background information to the identified discrepancies.*

c) Annexations. The FLU Map, Comprehensive Plan EAR, and Data Inventory and Analysis (DIAs) utilized for the EAR should reflect annexations completed since the 2011 comprehensive plan adoption.

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3) The City of Fort Pierce is encouraged to update the DIAs to reflect changes over the past 8 years (i.e. Population, Parks, Solid Waste Projections, Transportation Facilities, LOS, Schools, etc.).

4) The City of Fort Pierce, since adoption of the 2011 Comprehensive Plan, has granted development approval and/or annexed properties abutting aquatic and coastal areas, river/lagoon shorelines, and the Atlantic Ocean. The City is encouraged to evaluate development impacts on these environmentally sensitive areas while considering policies related to shoreline protection, wetland buffering, dune preservation, beach re-nourishment, etc.

Please contact me at 772-462-2518 if you have any questions or would like to discuss the presented comments.

## Attachments & Coordinated Notes

### ***Coastal Management, Conservation & Interlocal Coordination***

The City is encouraged to prioritize Comprehensive Plan objectives and policies for coastal beaches and dunes, ensuring implementation through the Land Development Code (LDC) with oversight and enforcement.

- 1) **Conservation Element, Policy 4.6.7** – Has, or will, the City established a program to restore City owned beaches and beach berms including monitoring and revegetation initiatives?
- 2) **Coastal Management Element:**
  - Policy 5.1.10 – What protective measures does the City have for items (1) natural shoreline vegetation and coastal beach berm and (5) beaches and shorelines from erosion?
  - Policy 5.1.13 – Does the City's Urban Forester, or designee, administer a program for the restoration of City owned beaches and beach berm areas as well as plans for revegetation?
  - Policy 5.1.14 - Does the City have a Natural Resource Division, or assigned Department (i.e. Engineering), tasked with better protecting the City's coastal dune system?
- 3) **Objective 5.4 (Policy 5.4.1. to 5.4.10)** – *The City shall protect beach and dunes and where feasible restore altered beaches or dunes. The City shall minimize the impacts of manmade structures on beach or dune system.*
  - What programs, policies (LDC), plans, etc. does the City have in place to protect and restore beaches & dunes?
  - The City is encouraged to consider the addition of a Policy (i.e. 5.4.7a) such as "Any and all manmade structures proposed within the dune system, adjacent to Fort Pierce Beach, should include Pre-application action (notification, consultation and review) with St. Lucie County, prior to City application.
- 4) **Objective 5.9 (Policy 5.9.1 to 5.9.7)** – *The City shall increase the amount of public access to the beach or shoreline consistent with estimated public needs.*
  - Certainly a good objective. Has the City updated the Data, Inventory & Analysis to evaluate increases in public accesses, associated with population grow/projections? Will the City maintain efforts to obtain access easements, land swaps, development incentives, etc. to support this objective?
- 5) **Intergovernmental Coordination Element (Policy 8.1.7)** – *Does the City have active, or proposed, interlocal agreements to address (f) beach nourishment programs related to critically eroded areas of Ft. Pierce's coastline?*

*Environmental Lands, Greenways & Interlocal Coordination*

The City is encouraged to:

- Review, coordinate and assign appropriate Future Land Use designations for George LeStrange Preserve on Ralls Rd, Platts Creek Mitigation Area on Sunrise Blvd and SFWMD's portion of Platts Creek.
- GOPs supporting joint efforts in the County's Greenways and Trails Master Plan and the TPOs St. Lucie WalkBike Plan





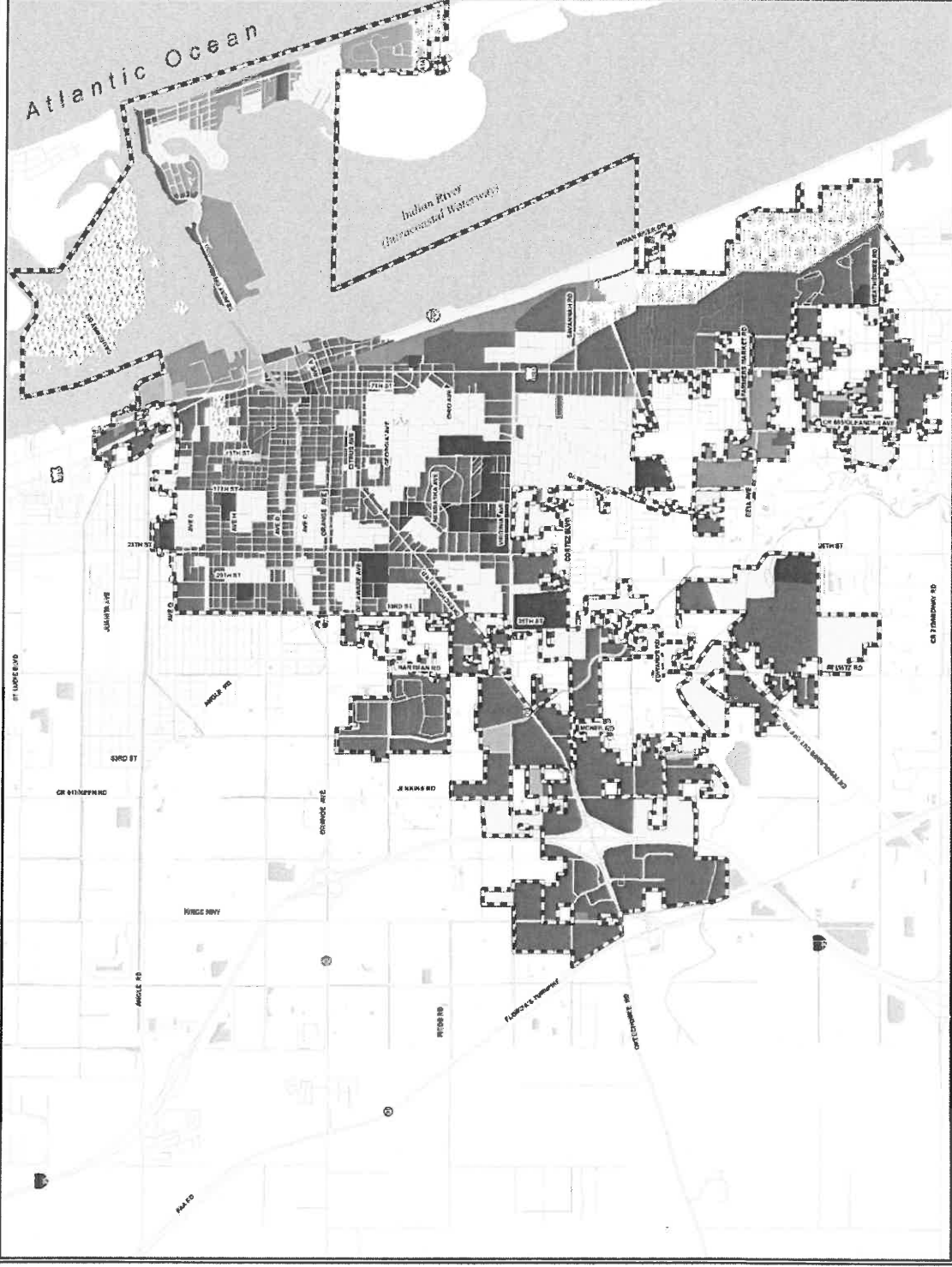
**City of  
Fort Pierce  
Future Land Use  
Map 4-10**

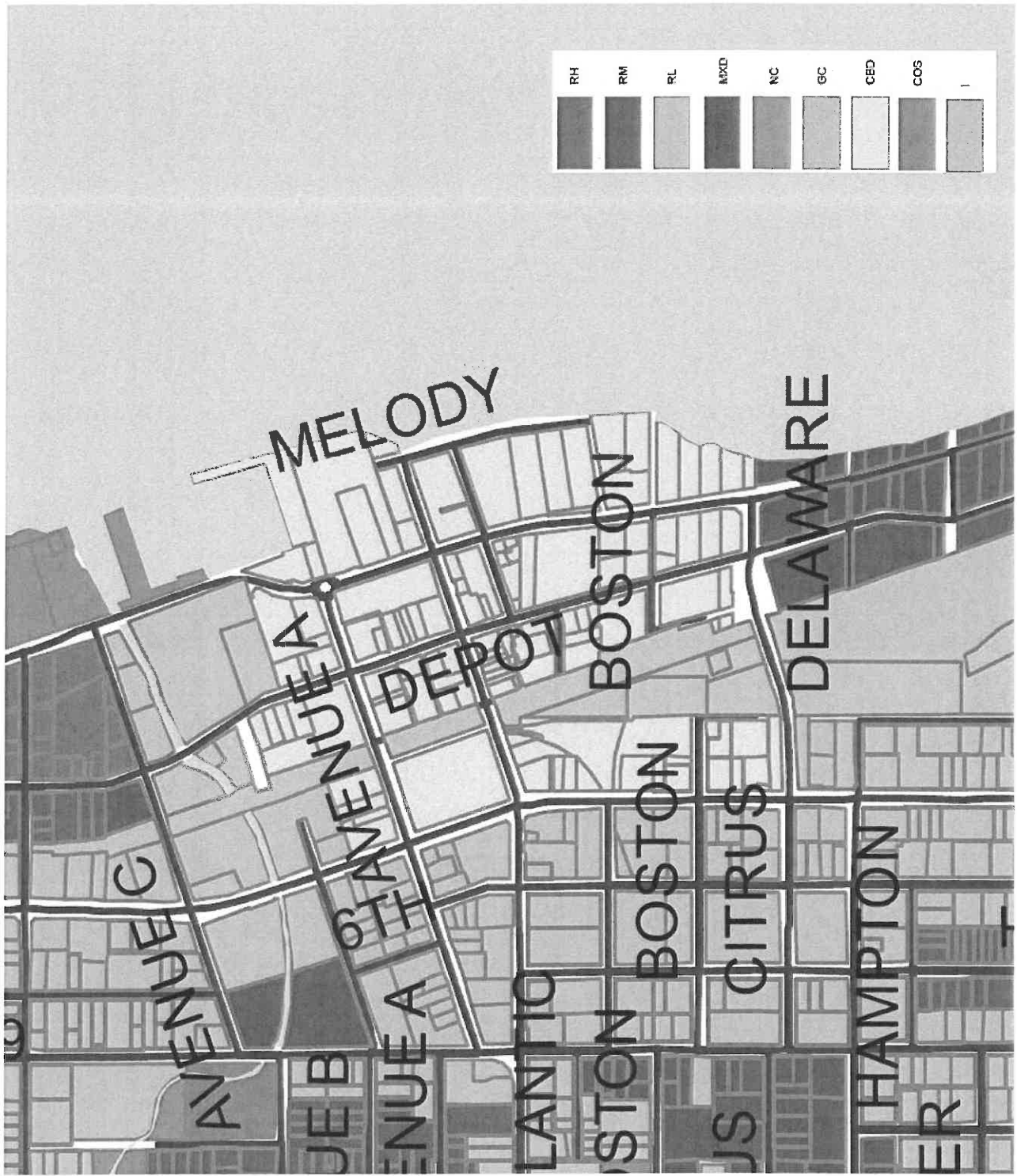
**Future Land Use**

- Medium Density Residential
- Low Density Residential
- High Density Residential
- Office, Professional & Business Services
- Neighborhood Commercial
- General Commercial
- Commercial Medium Density
- Local Roads
- Fort Pierce City Boundary
- Outside City Boundary
- Water



PH: 888-464-6622  
 10/10/2007 10:00 AM  
 10/10/2007 10:00 AM





**From:** [Oblaczynski, Deborah](#)  
**To:** [Eubanks, Ray](#)  
**Cc:** [Corvin, Kelly D.](#); [Brandon Creagan \(Bcreagan@city-ftpierce.com\)](#); [Stephanie Heidt \(sheidt@tcrpc.org\)](#); [tlanahan@tcrpc.org](#); [DCPexternalagencycomments](#)  
**Subject:** City of Ft. Pierce, DEO #19-2ER Comments on Proposed Comprehensive Plan Amendment Package  
**Date:** Tuesday, September 17, 2019 3:49:37 PM

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Dear Mr. Eubanks:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from the City of Fort Pierce (City). The package includes the City's Evaluation and Appraisal Review based amendments. The proposed changes do not appear to adversely impact the water resources within the District; However, the District has the following comment on Regional Water Supply Planning:

- The City is located within the boundaries of the Upper East Coast (UEC) Planning Area. On March 2016, the Governing Board of the South Florida Water Management District (District) approved the 2016 [Region] Upper East Coast Water Supply Plan Update (UEC Plan). Pursuant to Section 163.3177(6)(c)3, Florida Statutes the City was required to update their Water Supply Facilities Work Plan (Work Plan) **by September 10, 2017** (within 18 months after approval of the updated supply plan). The City was reminded by the South Florida Water Management District of this requirement to update the Work Plan in August 2016 and July 2018. The District has not yet received it for review.

The City's update of the Work Plan will need to include updated water demand projections for the identified planning period. The Work Plan must cover at least a 10-year planning period and identify alternative and traditional water supply projects, and conservation and reuse activities needed to meet the projected future demands. Planning tools are available on the District's website for your use and District Staff are available to provide technical assistance to update the Work Plan, including reviewing draft Work Plans prior to formal plan amendment submittal. The planning tools are located at this link: <https://www.sfwmd.gov/doing-business-with-us/work-plans>

The District offers its technical assistance to the City in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. Please contact me if you need assistance or additional information.

Sincerely,

Deb Oblaczynski  
Policy & Planning Analyst  
Water Supply Implementation Unit  
South Florida Water Management District

**From:** [Kori Benton](#)  
**To:** [Rebecca Guerra \(rguerra@city-ftpierce.com\)](#); [Brandon Creagan](#); [ihofmeister@city-ftpierce.com](#)  
**Cc:** [sheidt@tcrpc.org](#); [lgulick@tcrpc.org](#); [Linda Pendarvis](#); [Benjamin Balcer](#); [Mike Middlebrook](#); [Joshua J. Revord](#); [Richard Bouchard](#); [Plan.Review@dep.state.fl.us](#); [Eubanks, Ray](#)  
**Subject:** City of Fort Pierce Transmittal of EAR Amendment Package  
**Date:** Thursday, September 19, 2019 8:30:27 AM  
**Attachments:** [COFP Ear Transmittal Review Memo & Attachments.pdf](#)  
[9360 Draft EAR v2 - Page 12 Marked.pdf](#)  
[Future Land Use Element - Map Compilation - 7th Street & Avenue D.pdf](#)  
[Ordinance L-250 & L-251- Ancient Oaks Park - Comprehensive Plan and Zoning.pdf](#)  
[EAR - TRC Comments v2.pdf](#)  
[Pages from 9360 Draft EAR v2 - Page 12 Marked \(003\).pdf](#)

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Good morning City of Fort Pierce Team,

In accordance with the State's coordinated review process for EAR amendments, the St. Lucie County Planning Division compiled the attached comments (*COFP EAR Transmittal Review Memo & Attachments*) and documents (Misc. exhibits & background) for issuance directly to the transmitting local government and the State Land Planning Agency.

The enclosed comments and documents are similar to those provided during the Technical Review Committee's evaluation of the proposed amendments. These comments are provided within 30 days of our receipt of the proposed plan amendment package, in accordance with 163.3184(3)(b)2, Florida Statutes.

Thank you for the opportunity to review and provide comments. If the team has any inquiries, please do not hesitate. Have a great day.

Kind regards,

Kori Benton, AICP  
Assistant Planning Manager  
Planning & Development Services, Planning Division  
2300 Virginia Avenue, Fort Pierce, FL 34982  
Direct: (772) 462-2518  
[bentonk@stlucieco.org](mailto:bentonk@stlucieco.org)




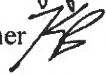
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Please Note: Florida has very broad public records laws. Most written communications to or from County officials regarding County business are public records available to the public and media upon request. It is the policy of St. Lucie County that all County records shall be open for personal inspection, examination and / or copying. Your e-mail communications will be subject to public disclosure unless an exemption applies to the communication. If you received this email in error, please notify the sender by reply e-mail and delete all materials from all computers.

---

**TO:** Leslie Olson, AICP, Director of Planning & Development Services

**THROUGH:** Linda Pendarvis, Planning Manager 

**FROM:** Kori Benton, AICP, Senior Planner 

**DATE:** September 5, 2019

**SUBJECT:** **Transmittal of Proposed City of Fort Pierce Comprehensive Plan Evaluation and Appraisal Review - State Coordinated Review Process**  
**TRC Project #19-01400002**

---

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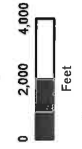
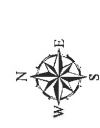


# City of Fort Pierce Future Land Use Map 4-10

Future Land Use	
	Medium Residential Hutchinson Island Commercial General
	Medium Density Residential Hutchinson Island
	Medium Density Residential
	Low Density Residential
	High Density Residential
	Recreation Open Space
	Conservation Open Space
	Open Space
	Institutional
	Heavy Industrial
	Industrial
	Offices-Professional & Business Services
	Neighborhood Commercial
	Marine Commercial
	General Commercial
	Commercial Business District

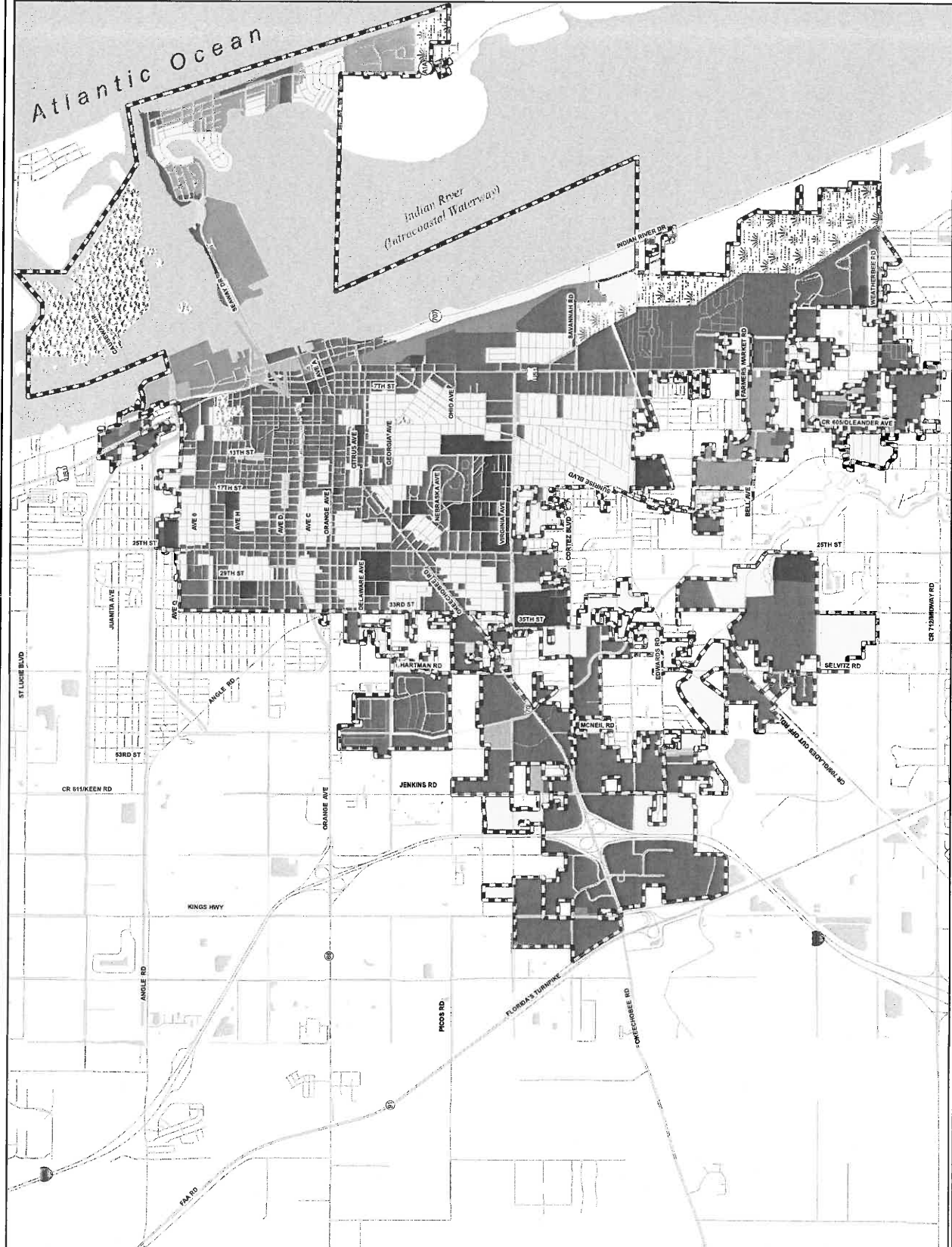
  

	Local Roads
	Fort Pierce City Boundary
	Outside City Boundary
	Water

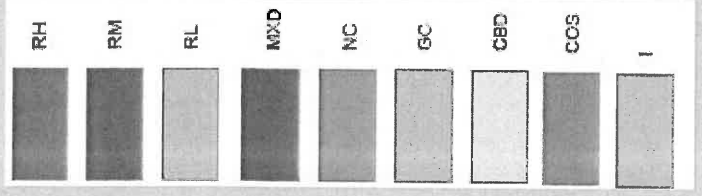


Print Date: 05-05-2007

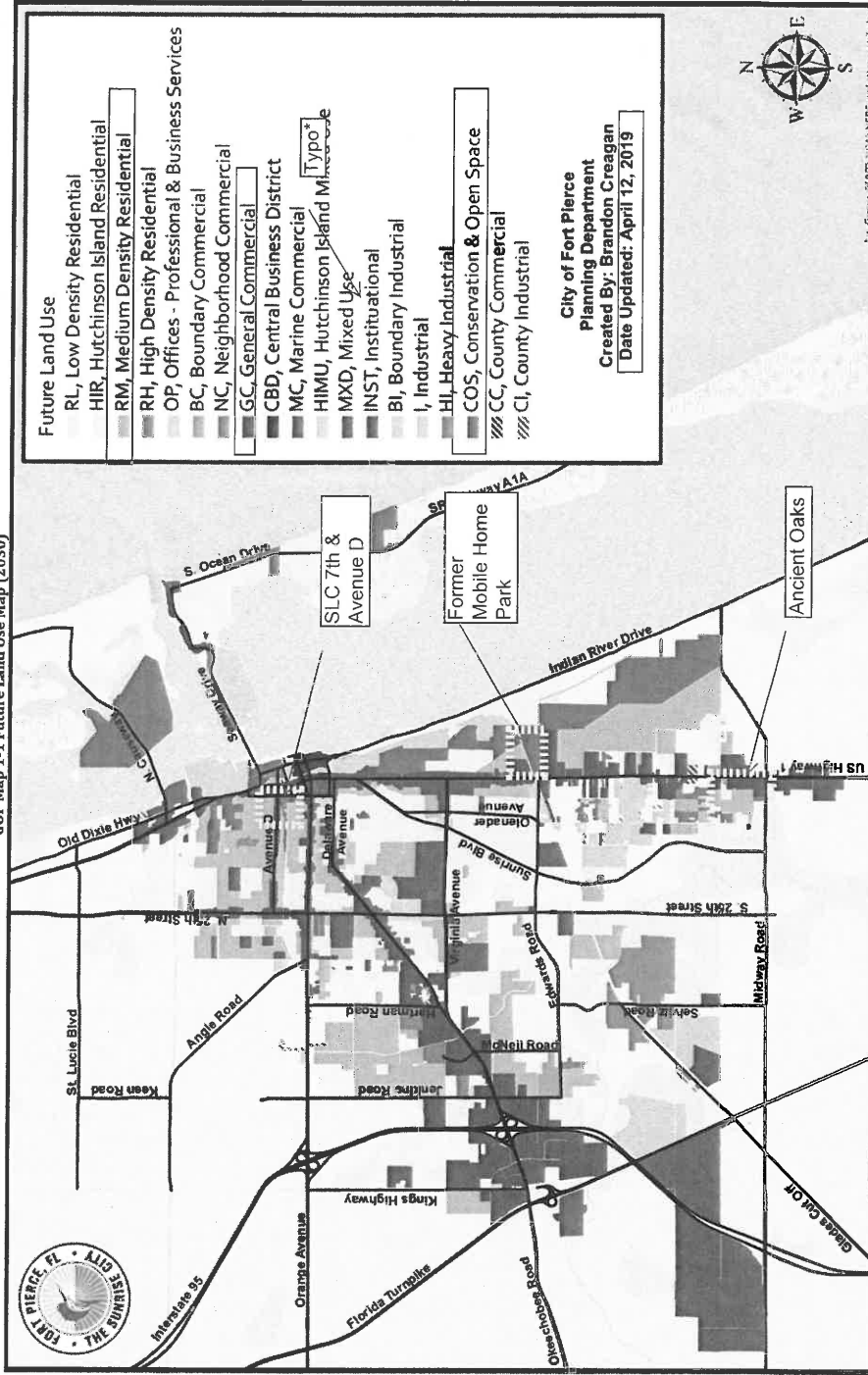
Information on this map is derived from the City of Fort Pierce's GIS database. The City of Fort Pierce is not responsible for any errors or omissions on this map. For more information, please contact the City of Fort Pierce GIS Department at 888-888-8888.



FLU Map from 2013



GOP Map 1-1-1 Future Land Use Map (2030)



- Future Land Use**
- RL, Low Density Residential
  - HIR, Hutchinson Island Residential
  - RM, Medium Density Residential
  - RH, High Density Residential
  - OP, Offices - Professional & Business Services
  - BC, Boundary Commercial
  - NC, Neighborhood Commercial
  - GC, General Commercial
  - CBD, Central Business District
  - MC, Marine Commercial
  - HIMU, Hutchinson Island Mixed Use
  - MXD, Mixed Use
  - INST, Institutional
  - BI, Boundary Industrial
  - I, Industrial
  - HI, Heavy Industrial
  - COS, Conservation & Open Space
  - CC, County Commercial
  - CI, County Industrial
- City of Fort Pierce  
Planning Department  
Created By: Brandon Creagan  
Date Updated: April 12, 2019**