

Ron DeSantis
GOVERNOR



Meredith Ivey
ACTING SECRETARY

March 17, 2023

The Honorable Linda Hudson
Mayor, City of Fort Pierce
100 N U.S. Highway 1
Fort Pierce, Florida 34950

Dear Mayor Hudson:

The Department of Economic Opportunity (“Department”) has reviewed the proposed comprehensive plan amendment for the City of Fort Pierce (Amendment No. 23-02) received on February 15, 2023. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

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 adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

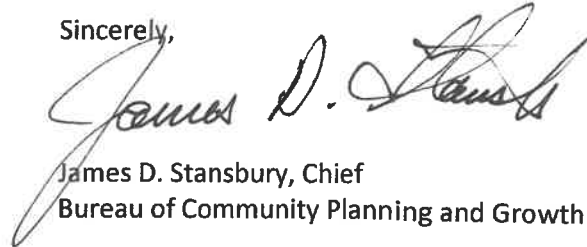
- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, 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plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section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(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
(850) 245.7105 | www.FloridaJobs.org | www.Twitter.com/FLDEO | www.Facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

If you have any questions concerning this review, please contact Yazmin Valdez, Planning Analyst, by telephone at (850) 717-8524 or by email at Yazmin.Valdez@DEO.MyFlorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with the first name "James" being the most prominent.

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/yv

Enclosure(s): Procedures for Adoption

cc: Kev Freeman, Planning Director, City of Fort Pierce
Thomas Lanahan, Executive Director, Treasure Coast Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using the Department’s electronic amendment submittal portal “**Comprehensive Plan and Amendment Upload**”

(<https://fldeo.my.salesforce-sites.com/cp/>) or 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 State Land Planning Agency 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:

_____ State Land Planning Agency identification number for adopted amendment package;

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

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ 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 amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its 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 the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, 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 State Land Planning Agency 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 State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

Kevin Freeman

From: Plan_Review <Plan.Review@dep.state.fl.us>
Sent: Thursday, March 16, 2023 5:08 PM
To: Kevin Freeman; DCPexternalagencycomments
Cc: Plan_Review
Subject: Fort Pierce 23-02ESR Proposed

City of Fort Pierce

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To: Kev Freeman, Planning Director

Re: Fort Pierce 23-02ESR – Expedited State 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 offers the following technical assistance:

The St. Lucie River and Estuary Basin Management Action Plan (BMAP) outlined by 403.067, (7), F.S. and adopted by secretarial order, identifies and frames actions to address and restore impaired state waters. The Clean Waterways Act (Chapter 2020-150, Laws of Florida) further refines actions taken by the BMAPs. The location of this project is within the St. Lucie River and Estuary BMAP, and activities associated with these land use changes have the potential to impact water quality. Appropriate measures should be taken to minimize any potential additional nutrient loadings to the St. Lucie River Watershed. These measures include the proper treatment and disposal of wastewater in accordance with BMAP requirements, implementation of current and future onsite sewage treatment and disposal system (OSTDS) prohibitions, stormwater controls, and the implementation of adequate sediment and erosion control practices to mitigate any groundwater or surface

water impacts. Any additional nutrient loading to the basin will be evaluated and may require additional restoration actions by the City.

Please submit all future amendments by email to 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.



Kevin Freeman

From: Hymowitz, Larry <Larry.Hymowitz@dot.state.fl.us>
Sent: Friday, March 17, 2023 8:55 AM
To: DCPexternalagencycomments; Kevin Freeman
Cc: Krane, John; Fasiska, Christine; Bush, Lois; Stroh, Justin; Shanmugam, Raj; Naselius, Ben; buchwaldp@stlucieco.org; MPA Kori Benton; Stephanie Heidt; haysd@stlucieco.org
Subject: City of Fort Pierce 23-2ESR - FDOT District Four Review Comments

You don't often get email from larry.hymowitz@dot.state.fl.us. [Learn why this is important](#)

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Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT) reviewed the proposed City of Fort Pierce 23-2 comprehensive plan amendment relating to the 85-acre West Orange future land use amendments. This amendment includes changing future land uses from St. Lucie County designations of RU (Residential Urban) and COM (Commercial) to City designations of RH (High Density Residential) on approximately 80 acres and to CG (General Commercial) on approximately 5 acres.

FDOT is providing the following technical assistance comments and recommendations consistent with Section 163.3168(3), Florida Statutes. These technical assistance comments will not form the basis of a challenge. These comments are intended to strengthen the City's comprehensive plan to foster a vibrant, healthy community and are designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S.

FDOT appreciates the early and continuing consultation and coordination proffered by the City.

Technical Assistance Comment #1

The City's amendment package for the annexed area does not contain companion amendments to the Transportation and Capital Improvements Elements for the Comprehensive Plan to be internally consistent and reflect the Jenkins Road Area Plan and other relevant long-term transportation facilities and services (funded and unfunded) needed to accommodate the demands generated by the recommended future land uses at the City adopted level of service standards.

The Jenkins Road Area Plan created by St. Lucie County can provide the City a highly connected network of streets to support growth without overburdening important state and regional roadways.

Recommendations for Comment #1

The Department recommends the City amend the Transportation and Capital Improvements Elements prior to adoption of the amendment to incorporate the Jenkins Road Area Plan network and other relevant long-term transportation facilities and services (funded and unfunded).

This recommendation aligns with City of Fort Pierce Comprehensive Plan, Transportation Element, Objective 2.6, which states, “The City shall coordinate its transportation system with the plans and programs of St. Lucie County, St. Lucie County TPO and FDOT to maintain and enhance regional mobility.”

Furthermore, the Department recommends the City work with the property owner and developer to ensure compatibility of the proposed development with the Jenkins Road Area Network Plan.

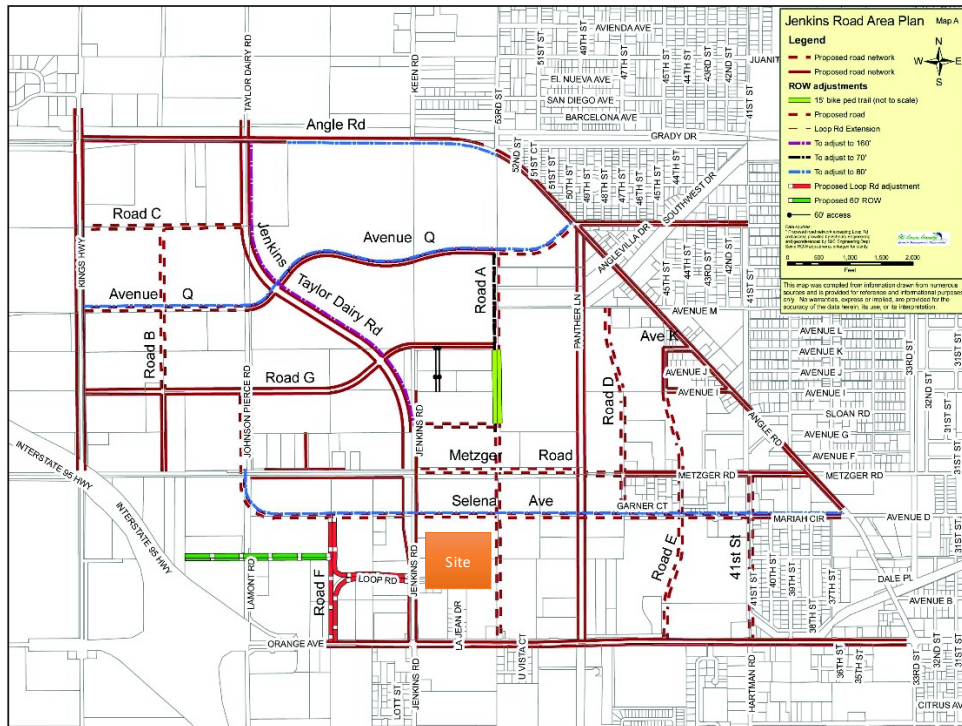


Figure 1: Jenkins Road Area Plan, St. Lucie County

Technical Assistance Comment #2

The maximum density is unclear for the development, with a discrepancy between Medium Density and High-Density Residential calculations for traffic statement. The maximum allowable floor area ratio (FAR) for 4.53 acres of General Commercial could result in 197,326 sq. ft., which should be utilized in the trip generation calculation. Also, the maximum allowable intensity for High-Density Residential would result in 1,443 du, which should be utilized in the trip generation calculation. Future changes to the development mix that increase intensities could lead to significant unreviewed impacts, by the review agencies, to the transportation system.

Recommendations for Comment #2

In the traffic statement, the Department recommends the City consider revising trip generation with the maximum intensities allowable for the High-Density Residential land use. The revised traffic analysis should consider the cumulative impact of traffic from nearby proposed amendments on the surrounding roadway network. This should ensure that any changes in the proposed development’s land use mix intensities does not result in unreviewed and unforeseen impacts on the transportation system.

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

Please don't hesitate to contact me if you have any questions or need assistance with any of the recommendations. We appreciate hearing from the City prior to adoption.

Thank you.



Larry Hymowitz

Planning Specialist, Policy and Mobility Planning Section

Planning & Environmental Management - FDOT District Four

p: (954) 777-4663 f: (954) 677-7892

a: 3400 W. Commercial Boulevard, Ft. Lauderdale, FL 33309

e: larry.hymowitz@dot.state.fl.us w: www.dot.state.fl.us



Together our actions have the power to save lives!



Kevin Freeman

From: Manning, Terese <tmanning@sfwmd.gov>
Sent: Friday, March 17, 2023 9:12 AM
To: Kevin Freeman
Cc: barbara.powell@deo.myflorida.com; James Stansbury (james.stansbury@deo.myflorida.com); Stephanie Heidt (sheidt@tcrpc.org)
Subject: City of Fort Pierce, DEO #23-1ESR and #23-2ESR Comments on Proposed Comprehensive Plan Amendment Package

City of Fort Pierce

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Dear Mr. Freeman:

The South Florida Water Management District (District) has completed its review of the two proposed Future Land Use Map amendment packages submitted by the City of Fort Pierce (City). The packages include amending the City's Comprehensive Plan Future Land Use Map for a total of 9 parcels. There appears to be no regionally significant water resource issues; however, the District offers the following technical guidance regarding Regional Water Supply Planning:

- The Town is required to revise its Water Supply Facilities Work Plan (Work Plan) within 18 months after approval of the Upper East Coast (UEC) Water Supply Plan Update by the District's Governing Board. The District's Governing Board approved the UEC Water Supply Plan Update on November 10, 2021. Therefore, the Town's Work Plan needs to be updated and adopted **by May 2023**. The Work Plan must cover at least a 10-year planning period, include updated water demand projections, identify alternative and traditional water supply projects, and describe 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 requests that the City forward a copy of the adopted amendments to the District at the following email mailbox address: SFLOCALGOVPLAN@sfwmd.gov. Please contact me if you have any questions or need additional information. For assistance after March 31, 2023, please contact Jim Harmon at jharmon@sfwmd.gov or 561-682-6777.

Sincerely,

Ms. Terry Manning, Senior Policy and Planning Analyst

South Florida Water Management District

Water Supply Implementation Unit

3301 Gun Club Road

West Palm Beach, FL 33406

Phone: 561-682-6779

Fax: 561-681-6264

E-Mail: tmanning@sfwmd.gov