

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. 23-01) 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:

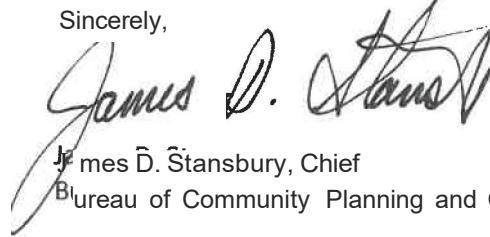
- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, 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plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section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 1107 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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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 that reads "James D. Stansbury". The signature is written in a cursive style with a large, sweeping initial "J".

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/>)** Q! 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

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**From:** Plan\_Review <Plan.Review@dep.state.fl.us>  
**Sent:** Thursday, March 16, 2023 4:26 PM  
**To:** Kevin Freeman; DCPexternalagencycomments  
**Cc:** Plan\_Review  
**Subject:** Fort Pierce 23-01ESR Proposed

### City of Fort Pierce

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To: Kev Freeman, Planning Director

Re: Fort Pierce 23-01ESR – 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 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.

Lirly Dean



## Kevin Freeman

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**From:** Hymowitz, Larry <Larry.Hymowitz@dot.state.fl.us>  
**Sent:** Friday, March 17, 2023 8:32 AM  
**To:** DCPexternalagencycomments; Kevin Freeman  
**Cc:** Fasiska, Christine; Krane, John; Bush, Lois; Stroh, Justin; buchwaldp@stlucieco.org; MPA Kori Benton; haysd@stlucieco.org; Stephanie Heidt; Naselius, Ben; Shanmugam, Raj  
**Subject:** City of Fort Pierce 23-1ESR - 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 23-01 comprehensive plan amendment relating to the 81-acre Millcreek future land use amendment. This amendment includes changing future land uses from St. Lucie County designations of RH (Residential High), RM (Residential Medium), and CG (General Commercial), to City designations of RM (Medium Density Residential) on approximately 59 acres and MXD (Mixed-Use Development) on approximately 22 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.

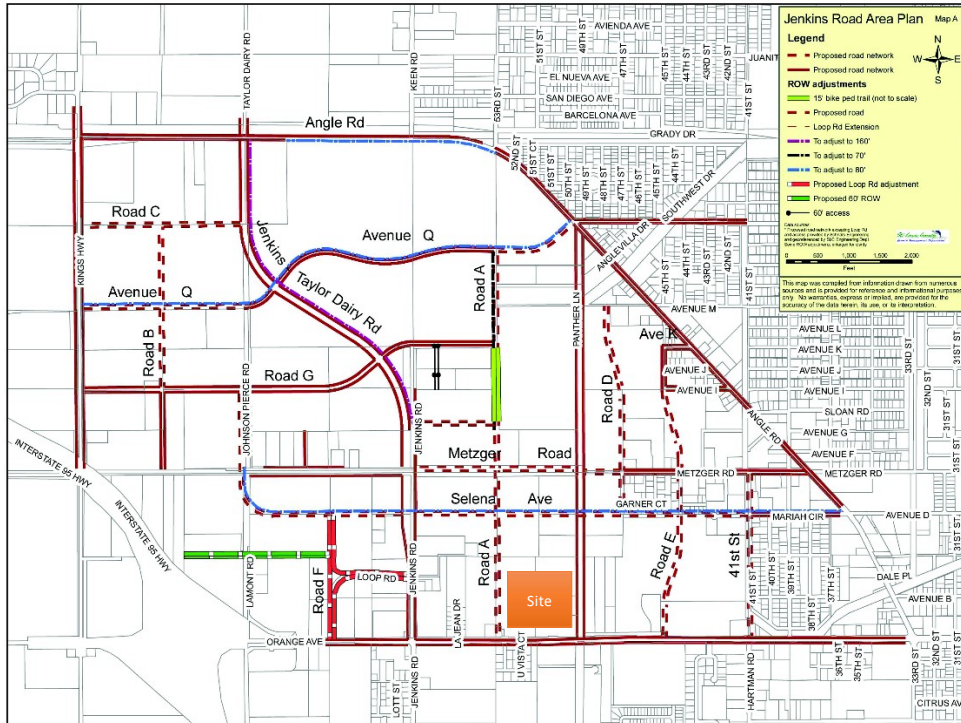


Figure 1: Jenkins Road Area Plan, St. Lucie County

**Technical Assistance Comment #2**

As a Mixed-use Development land use category, other allowable uses can be utilized in combination with retail. It is unclear if the development will be limited to a minimum of 40 percent of the total floor area for Residential use as part of this amendment, as stated in the traffic study. The currently adopted 2020 Future Land Use Element appears to have omitted the minimum residential use requirement stated in the February 2011 version of the Future Land Use Element. Without the minimum requirement for residential use, the trip generation could be significantly higher and adversely impact the system roadway network. The land use mix in the Mixed-use designation portion of the development could change following the adoption of the amendment, creating previously unreviewed traffic impacts by review agencies.

**Recommendations for Comment #2**

The Department recommends including confirmation that 40 percent residential use is required for the Mixed-use Development land use. Additionally, we recommend the City establish a maximum trip generation threshold for the development as part of the amendment, which considers the impact of traffic on the surrounding roadway network. This should ensure that future changes in the proposed development’s land use proportion/ratio in the Mixed-use designation will require reevaluation to assess any unforeseen significant impacts to 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

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e: [larry.hymowitz@dot.state.fl.us](mailto:larry.hymowitz@dot.state.fl.us) w: [www.dot.state.fl.us](http://www.dot.state.fl.us)



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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](mailto: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](mailto: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](mailto:tmanning@sfwmd.gov)