

## **State and Agency Review Comments**

**CP-23-01 and FLU-23-04**

September 6, 2023

The Honorable Janet C. Long  
Chairman, Pinellas County  
Board of County Commissioners  
315 Court Street, 5th Floor  
Clearwater, Florida 33756

Dear Chairman Long:

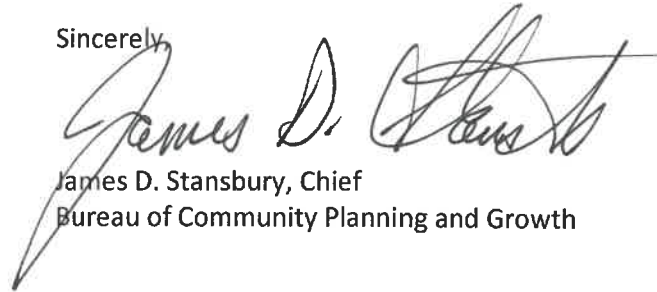
The Florida Department of Commerce (FloridaCommerce) has reviewed the proposed comprehensive plan amendment for Pinellas County (Amendment No. 23-01ESR) received on August 7, 2023. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The County 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 County is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County 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plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to FloridaCommerce and any affected party that provided comment on the amendment pursuant to Section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 transmitted to FloridaCommerce within ten working days after the second public hearing pursuant to 163.3184(3)(c)2., F.S.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after FloridaCommerce notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by FloridaCommerce or the Administration Commission.

If you have any questions concerning this review, please contact Christina Nazaire, Planning Analyst, by telephone at (850)-717-8532 or by email at [christina.nazaire@commerce.fl.gov](mailto:christina.nazaire@commerce.fl.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a large initial "J" and "S".

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

JDS /cn

Enclosure(s): Procedures for Adoption

cc: Scott Swearingen, AICP, Pinellas County Long Range Planning Manager  
Sean Sullivan, Executive Director Tampa Bay RPC

**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 FloridaCommerce’s electronic amendment submittal portal “**Comprehensive Plan and Amendment Upload**” (<https://fldco.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.

**From:** [Irving, Robert](#)  
**To:** [Swearengen, Scott M](#)  
**Cc:** [Conservation Planning Services](#); [DCPexternalagencycomments@deo.myflorida.com](mailto:DCPexternalagencycomments@deo.myflorida.com); [Missavage, Amelia](#)  
**Subject:** FWC's Comments on Pinellas County 23-01ESR (CP-23-01 & FLU-23-04)  
**Date:** Tuesday, September 5, 2023 4:40:08 PM

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**CAUTION:** *This message has originated from outside of the organization. **Do not** click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe.*

Dear Mr. Swearengen,

Florida Fish and Wildlife Conservation Commission (FWC) staff received your request for review of the proposed comprehensive plan amendment. We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment. While there are no objections to the amendment, the following general technical assistance information is provided to assist the applicant and the county when considering the potential for impacts to state-listed species. FWC staff strongly recommends early planning coordination meetings if impacts to state-listed species and their habitat are expected. To schedule a coordination meeting, please contact our office by email at [ConservationPlanningServices@MyFWC.com](mailto:ConservationPlanningServices@MyFWC.com) and staff will be happy to meet with the applicant, county, or Department of Economic Opportunity staff.

If on-site wildlife surveys have not yet been conducted, they are considered as the most reliable method for determining the presence of listed species or potential habitat. Species-specific surveys are time sensitive and are best conducted by trained wildlife biologists with recent documented experience. Species-specific survey protocols approved by the U.S. Fish and Wildlife Service (USFWS) and the FWC are provided in the Florida Wildlife Conservation Guide at <https://myfwc.com/conservation/value/fwcg/> or in the FWC Species Conservation Measures and Permitting Guidelines available at <https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/>.

There are several public data sources and online tools available that may be useful during preliminary reviews before conducting field surveys. For example, the Florida Natural Areas Inventory (FNAI) Biodiversity Matrix Map Server (<https://www.fnai.org/biointro.cfm>) which provides access to rare species occurrence information statewide, FWC Gopher Tortoise Permit Map (<https://public.myfwc.com/maps/gtmapping/gtpermitmap.html>), and the USFWS's Information for Planning and Consultation (IPaC) system (<https://ecos.fws.gov/ipac/>). Natural resource mapping data downloads, including listed species data, are available at <https://geodata.myfwc.com/pages/upland> and the Florida Geographic Data Library at <https://www.fgdl.org/metadataexplorer/explorer.jsp>.

The liability to not impact or cause "take" of listed species, migratory wildlife, and other regulated species of wildlife is the responsibility of the applicant or developer associated with this site. Any interested party can refer to the Florida Administrative Code, 68A-27 for definitions of "take" and a list of species. If state-listed species are observed on-site, FWC staff are available to provide decision support information or assist in obtaining the appropriate permits. If federally-designated Critical Habitat or federally listed species are

present, please contact the appropriate regional USFWS Ecological Service Office (<https://www.fws.gov/offices/Directory/ListOffices.cfm?statecode=12>).

FWC staff appreciate the opportunity to review this project. Please send any requests for further information to [ConservationPlanningServices@MyFWC.com](mailto:ConservationPlanningServices@MyFWC.com).

Sincerely,

Robert Irving  
Land Use Planning Program Supervisor  
Florida Fish and Wildlife Conservation Commission  
Phone: (850) 354-3578

Pinellas County 23-01ESR\_56676

**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.

**From:** [Plan Review](#)  
**To:** [Swearengen, Scott M](#); [DCPexternalagencycomments](#)  
**Cc:** [Plan Review](#)  
**Subject:** Pinellas County 23-01ESR Proposed  
**Date:** Thursday, September 7, 2023 6:27:33 PM  
**Attachments:** [image001.png](#)

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To: Scott Swearengen, AICP, Long Range Planning Manager

Re: Pinellas County 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.







## *Florida Department of Transportation*

RON DESANTIS  
GOVERNOR

11201 N. McKinley Drive  
Tampa, Florida 33612

JARED W. PERDUE P.E.  
SECRETARY

August 10, 2023

Mr. Scott Swearingen, AICP  
Long Range Planning Manager  
440 Court Street, 4<sup>th</sup> Floor  
Clearwater, FL 33756

Re: Pinellas County Comprehensive Plan Amendment 23-01ESR

Dear Mr. Swearingen:

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 amendment 23-01ESR (CP-23-01).

Background: Unincorporated Pinellas County had a 2020 estimated population of 271,044 and is composed of roughly 97 square miles. Residential, Conservation/Preservation, Recreation/Open Space and Public/Semi-public land uses predominate. Twenty-four other incorporated local governments collectively make Pinellas County the most densely populated county in Florida. A plethora of federal and state roads traverse the county, including I-175, I-275, I-375, US 19, US 19A, US 92, SR 60, SR 580, SR 582, SR 586, SR 590, SR 666, SR 679, SR 682, SR 686, SR 688, SR 693, SR 694, and SR 699.

Proposal: This is a map amendment to the Pinellas County Comprehensive Plan Future Land Use Map Categories and Rules to establish **three** new Mixed Use Corridor (MUC) land use designations under their existing MUC Future Land Use Map (FLUM) Category. The amendment follows the requirements of the Pinellas County Countywide Plan Rules for establishing such designations and facilitates implementation of the Lealman Form Based Code and associated Zoning Atlas classifications, currently progressing through the County's adoption process.

The land use designations to be added to the FLUM under Case No. 23-04 as described below are the same designations established in the Comprehensive Plan per Case No. 23-01.

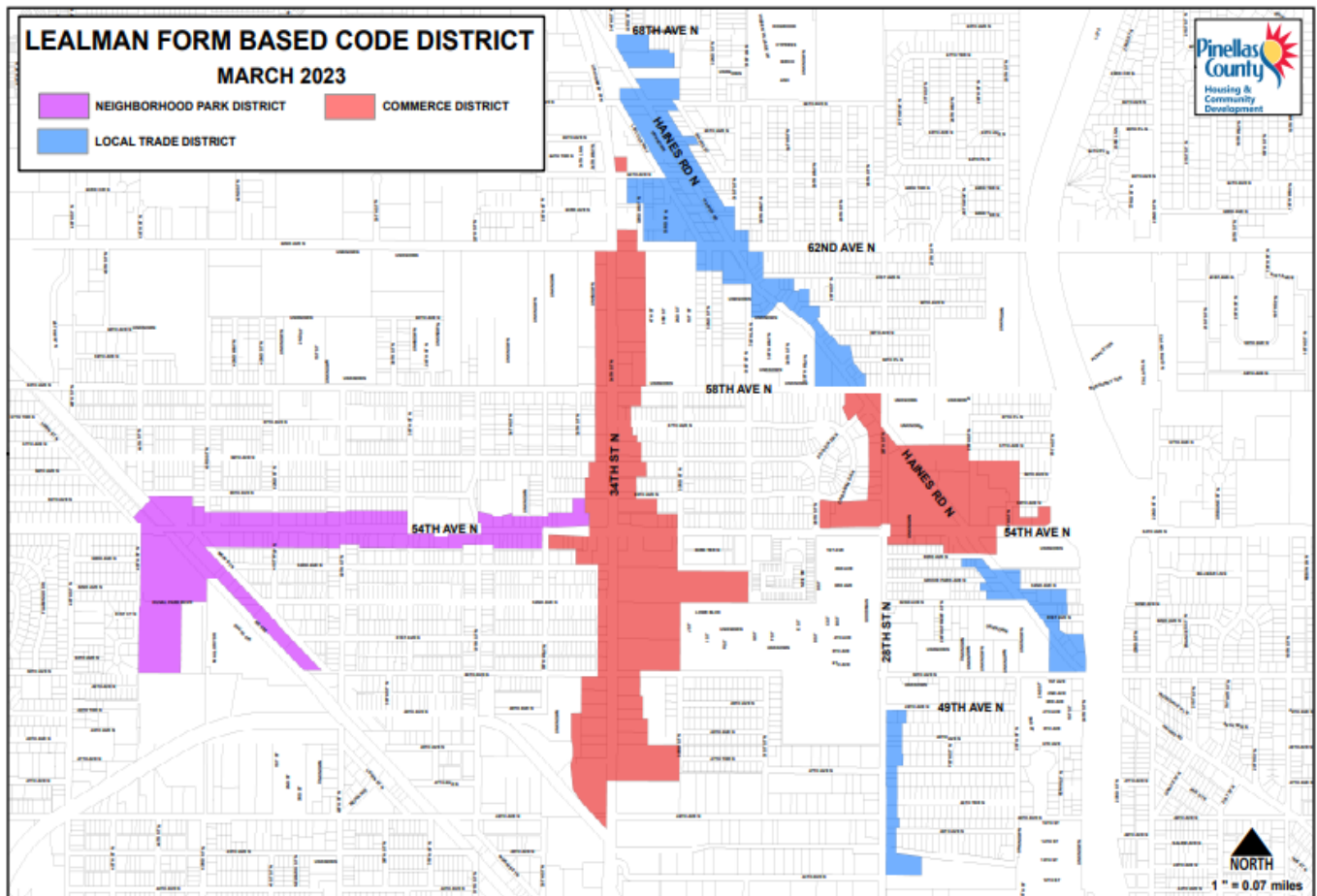
Case No. FLU-23-04: This is a proposed Ordinance amending the Pinellas County FLUM by changing the land use designations on approximately 168.63 total acres comprising various parcels within the Lealman Community Redevelopment Area (CRA). The acreage and land use categories are further broken down as follows:

Approximately 36.5 acres, **from** CG, Commercial General, E, Employment, RU, Residential Urban, RM, Residential Medium, R/OL, Residential/Office Limited, R/OG, Residential/Office General, I, Institutional, & T/U, Transportation/Utility changed **to** MUC-SU-NP, Mixed Use Corridor-Supporting-Neighborhood Park District.

Approximately 38.71 acres, **from** CG, Commercial General, RL, Residential Low, RU, Residential Urban, RLM, Residential Low Medium, RM, Residential Medium, R/OG, Residential/Office General **to** MUC-SU-LT, Mixed Use Corridor-Supporting-Local Trade District; and

Approximately 93.42 acres, **from** CG, Commercial General, E, Employment, RL, Residential Low, RU, Residential Urban, RLM, Residential Low Medium, RM, Residential Medium, R/OG, Residential/Office General **to** MUC-P-C, Mixed Use Corridor-Primary-Commerce District.

FDOT determined amendment 23-01ESR (CP-23-01) has no impact on important state transportation resources or facilities within its jurisdiction, at this time. For reference, the proposed a MUC-SU-NP, Mixed Use Corridor-Supporting-Neighborhood Park District is highlighted **violet**; the MUC-SU-LT, Mixed Use Corridor-Supporting-Local Trade District is highlighted in **blue**; and the MUC-P-C, Mixed Use Corridor-Primary-Commerce District is highlighted in **red**.



Also, for your information, FDOT has incorporated a hyperlink to provide technical assistance so local governments (e.g., Pinellas County) can find FDOT projects quickly by selecting a road, city, or county, or by clicking onto a county on the Tampa Bay Service Area Map identified on the header page of the hyperlink. The site also contains current news about detours and lane closures as well as an interactive email sign-up to receive news email alerts. FDOT projects hyperlink follows: <https://www.fdotampabay.com/>.

Mr. Scott Swearingen, AICP

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August 10, 2023

Thank you for coordinating on the review of the amendment with FDOT. If you have any questions, please do not hesitate to contact me at 813-975-6429 or at [Daniel.santos@dot.state.fl.us](mailto:Daniel.santos@dot.state.fl.us).

Sincerely,

A handwritten signature in black ink, appearing to read "D. Santos", written over a light blue horizontal line.

Daniel C. Santos, AICP  
Growth Management Supervisor

cc: Ray Eubanks, Plan Processing Administrator, DEO  
Waddah Farah, PDA Administrator, FDOT District 7  
Luis Mejia, Planning Analyst, FDOT District 7  
Lindsey Mineer, Growth Management, FDOT District 7



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# Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

WaterMatters.org

**Bartow Office**

170 Century Boulevard  
Bartow, Florida 33830-7700  
(863) 534-1448 or  
1-800-492-7862 (FL only)

**Sarasota Office**

78 Sarasota Center Boulevard  
Sarasota, Florida 34240-9770  
(941) 377-3722 or  
1-800-320-3503 (FL only)

**Tampa Office**

7601 U.S. 301 North  
Tampa, Florida 33637-6759  
(813) 985-7481 or  
1-800-836-0797 (FL only)

**Ed Armstrong**  
Chair, Pinellas

**Michelle Williamson**  
Vice Chair, Hillsborough

**John Mitten**  
Secretary, Hernando, Marion

**Jack Bispham**  
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Polk

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**Dustin Rowland**  
Pasco

**Robert Stern**  
Hillsborough

**Nancy Watkins**  
Hillsborough, Pinellas

**Brian J. Armstrong, P.G.**  
Executive Director

September 6, 2023

Mr. Scott Swearengen, AICP  
Long Range Planning Manager  
Pinellas County  
310 Court Street  
Clearwater, FL 33756

Subject: **Pinellas 23-1ESR**

Dear Mr. Swearengen:

The Southwest Florida Water Management District (District) has reviewed the proposed amendment and it does not appear that it will result in any adverse regional water resource-related impacts. Therefore, we are not forwarding any comments for consideration.

We appreciate this opportunity to participate in the review process. If you have any questions or require further assistance, please do not hesitate to contact me at (352) 269-6937 or [james.golden@watermatters.org](mailto:james.golden@watermatters.org).

Sincerely,

James J. Golden, AICP  
Senior Planner

JG  
cc: Barbara Powell, FC