MEMORANDUM

To: Council Members

From: Staff

Date: October 17, 2014 Council Meeting

Subject: Sugar Hill Sector Plan
Draft Amendment to the Hendry County Comprehensive Plan
Amendment No. 14-3SP

Introduction

At the September 19, 2014 Council meeting, Chairman O’Bryan requested that staff review the Sugar Hill Sector Plan to determine the potential for impacts to ongoing efforts to restore the Everglades. The Sugar Hill Sector Plan is the subject of a comprehensive plan amendment transmitted under the state coordinated review process by the Hendry County Board of County Commissioners on August 27, 2014. The Florida Department of Economic Opportunity (DEO) is coordinating the review of this amendment and is planning to issue an Objections, Recommendations, and Comments Report by November 2, 2014. Treasure Coast Regional Planning Council does not have a formal role in the review of the Sugar Hill Sector Plan, because it is located outside the region. However, Council may submit comments to DEO to be considered in the state coordinated review process.

Section 163.3245, Florida Statutes, specifies that local governments may adopt into their comprehensive plans a sector plan for long-term planning. Sector plans are intended for substantial geographic areas that include at least 15,000 acres. Sector planning is a two-step process. The first step encompasses adoption of a long-term master plan for the entire planning area as part of the local comprehensive plan, which establishes a general framework for future land use. The second step calls for adoption by local development order of two or more detailed specific area plans that implement the long-term master plan. The Sugar Hill Sector Plan comprehensive plan amendment submitted by Hendry County is requesting approval of sector plan goal, objectives, and policies and a long-term master plan that establishes a general framework for the future detailed specific area plans. This report includes a summary of the Sugar Hill Sector Plan and Council comments on the proposed amendment.

Summary of Proposed Amendment

The Sugar Hill Sector Plan proposes to change the land use on 43,313 acres located south of Lake Okeechobee near the City of Clewiston in northeastern Hendry County. The planning area
is bounded by the City of Clewiston and CR 835 to the east; the Glades County line to the north; west of CR 833 to the west; and generally north of the community of Montura Ranch Estates to the south.

Most of the property is currently designated as Agriculture and is owned by U.S. Sugar and Hilliard Brothers. The Long Term Master Framework Map in the local comprehensive plan amendment package designates six land use categories: Employment Center, Mixed-Use Urban, Mixed-Use Suburban, Rural Estates, Long-Term Agriculture, and Natural Resource Management. The sector plan proposes the development of 18,000 residential dwelling units and 25,000,000 square feet of non-residential development distributed among all of the proposed land use categories except the Long-Term Agriculture and Natural Resource Management areas. The Long-Term Agriculture designation allows agricultural uses, including silviculture, conservation, mitigation banks, and residential uses limited to owner/property manager and farm-worker housing. Agricultural uses are anticipated on the sector planning areas until the land is developed. The proposed Sugar Hill Sector Plan has a 46-year planning horizon from 2014 to 2060. Full buildout of the 18,000 residential units is expected to accommodate approximately 58,000 residents.

Extrajurisdictional Impacts

The Sugar Hill Sector Plan is located in the region of the Southwest Florida Regional Planning Council (SWFRPC). The draft report prepared by the SWFRPC is included as Supplemental Material on Council’s website. The SWFRPC report on the sector plan indicates the proposed amendments will produce extra-jurisdictional impacts that would be inconsistent with the comprehensive plans of adjacent governmental entities if the proposed changes to the Hendry County Comprehensive Plan are approved as currently submitted. The sector plan is expected to have significant impact to transportation facilities in Glades County and the cities of Moore Haven and Clewiston in the Southwest Florida Region. The sector plan is also expected to impact transportation facilities in Palm Beach County and the cities of Belle Glade, Pahokee, and South Bay in the Treasure Coast Region. Major transportation facilities potentially impacted in the Treasure Coast Region include SR 80, US 27, and US 98. The attached letter from the Florida Department of Transportation indicates that the traffic analysis submitted with the comprehensive plan amendment must be revised in order to accurately assess the transportation impacts of the Sugar Hill Sector Plan.

Regional Impacts

In addition to impacts to the regional roadway network described above, the proposed sector plan has the potential to impact ongoing efforts to protect and restore the Everglades, which is identified as a natural resource of regional significance in Council’s Strategic Regional Policy Plan (SRPP). The Comprehensive Everglades Restoration Plan (CERP) was authorized as a framework for restoring the south Florida ecosystem while providing for other water-related needs of the region in the 2000 Water Resources Development Act. This plan is being implemented by the South Florida Water Management District (SFWMD) and the U.S. Army Corps of Engineers. The Central Everglades Planning Project component of the CERP is expected to utilize property south of Lake Okeechobee for the storage, treatment, and flow of
water from Lake Okeechobee south to Everglades National Park. This feature of the restoration plan is critically important for the Treasure Coast Region, because implementation of the CERP will assist in reducing harmful discharges of freshwater from Lake Okeechobee. The CERP will have a beneficial effect on major water bodies in the region, including the St. Lucie River Estuary, Indian River Lagoon, and Lake Worth Lagoon, which also is impacted by discharges from Lake Okeechobee.

The attached letter from SFWMD recommends against approving the proposed sector plan, because it does not provide sufficient information to show that future Everglades restoration efforts will not be harmed. The District correspondence expresses concerns related to flood protection; pollutant loading differences from changes in land uses; irrigation sources; and ecosystem restoration. Furthermore, the SFWMD has two land purchase options, which include a portion of the lands identified within the Sugar Hill Sector Plan (Exhibit 7). The SFWMD letter concludes that the District has several objections to the proposed sector plan, including potential impact to Everglades restoration efforts. The attached letter from the Florida Department of Environmental Protection also indicates that the proposed amendment does not adequately protect against impacts to the Everglades ecosystem. Additionally, the attached letter from the Florida Fish and Wildlife Conservation Commission indicates the proposed sector plan does not adequately address potential impacts to important state fish and wildlife, including the Florida Panther.

Conclusion

The Sugar Hill Sector Plan comprehensive plan amendment is inconsistent with SRPP Regional Goal 6.9, Protection and sustainability of the Everglades Ecosystem. Restoration of the Everglades is critically important for the Treasure Coast Region. Implementation of the CERP will assist in reducing harmful discharges of freshwater from Lake Okeechobee, which will benefit the major estuaries, lagoons, and rivers in the region. If adopted, the Sugar Hill Sector Plan would reduce the options for restoring the Everglades, and make the task of protecting and restoring the Everglades even more difficult than the current situation. The Sugar Hill Sector Plan would place a greater population at risk in the event of a catastrophic flood in an area that was historically part of the Everglades system. This is inconsistent with SRPP Regional Goals 5.1 and 5.2, which are to reduce the vulnerability of lives and property to disasters, and Strategy 5.1.1, which is to direct development away from areas most vulnerable to the effects of natural and manmade disasters.

Recommendation

Council should approve this report and authorize its transmittal to the Florida Department of Economic Opportunity and Hendry County.

Attachments
List of Exhibits

Exhibit

1 General Location Map
2 Aerial Map
3 Existing Future Land Use Map
4 Proposed Future Land Use Map
5 Regional Context Map
6 Framework Map
7 Lands Under Consideration for State Purchase
8 Proposed Goal, Objectives, and Policies
9 Correspondence from the Florida Department Environmental Protection
10 Correspondence from the Florida Department of Transportation
11 Correspondence from the Florida Fish and Wildlife Conservation Commission
12 Correspondence from the South Florida Water Management District
Exhibit 1
General Location Map
Exhibit 3
Existing Future Land Use Map
Exhibit 4
Proposed Future Land Use Map
Exhibit 5
Regional Context Map
Exhibit 7
Lands Under Consideration for State Purchase
GOAL 3: SUGAR HILL SECTOR PLAN

The intent of the Sugar Hill Sector Plan (SHSP) is to create a long-term master plan that enhances prospects for job creation and economic development in northeast Hendry County, while also encouraging fiscally efficient and well-balanced development patterns that minimize environmental impacts.

OBJECTIVE 3.1: ECONOMIC DEVELOPMENT

Hendry County will utilize the Sugar Hill Sector Plan as a mechanism to create economic development opportunities that will benefit Hendry County’s citizens. The Sugar Hill Sector Plan is intended to stimulate new and existing business investment, diversify the public revenue base, and complement the economic growth anticipated by the future expansion of the Airglades International Airport (AIA).

Policy 3.1.1: Target Industries

DSAP applicants will work with the Hendry County Economic Development Council, Enterprise Florida, the Heartland Regional Economic Development Initiative, and similar groups to promote the development of state, regional, and local targeted industries and related supporting uses within the Sugar Hill Sector Plan.

Policy 3.1.2: Supporting Uses

Hendry County will allow for and encourage the development of uses within the Sugar Hill Sector Plan that support economic development, job creation, and targeted industries. These may include retail trade, professional office, utilities, civic and recreational uses, and a broad array of housing options.

Policy 3.1.3: Economic Development Incentives

DSAP applicants within the Sugar Hill Sector Plan area will work with Hendry County to attract and retain industries within the Sugar Hill Sector Plan area. This effort may include recommendations for financial incentives, expedited permitting and review processes, flexibility in development standards, workforce development programs, and marketing/branding initiatives.

OBJECTIVE 3.2: LAND USE AND URBAN FORM

Create a fiscally efficient development pattern through a diversity of land uses and compact and cohesive urban form.

Policy 3.2.1: Development Program

To ensure adequate economic development opportunities and provide for necessary supporting uses, the Sugar Hill Sector Plan development program will be initially set at 25,000,000 square feet of non-residential uses and 18,000 residential units.

To maintain the ability in the future to provide diverse housing opportunities within reasonable commuting distance of employment opportunities within the SHSP, the County may grant a request for a comprehensive plan amendment to increase the development program for residential uses upon a determination by the County that:

- Building permits have been issued for at least 80% of the number of units in the residential baseline for the SHSP, and
• Residential vacancy rates within 10 miles of the Airglades International Airport are less than or equal to 10%.

To respond to changing market conditions and economic development opportunities, the County may grant a request for a comprehensive plan amendment to increase the development program for nonresidential uses upon a determination by the County that:

• Building permits have been issued for at least 70% of the square footage in the nonresidential baseline for the SHSP, and
• Nonresidential vacancy rates within the SHSP are less than or equal to 20%.

Any impacts resulting from an increase in the adopted development program will be appropriately mitigated.

Nothing herein shall limit the ability of an Applicant to request a Comprehensive Plan Amendment under circumstances not described above.

Policy 3.2.2: Future Land Use Categories

The following land use categories, as depicted on the Framework Map, are unique to the Sugar Hill Sector Plan and will provide for a broad range of compatible and complementary uses, including employment, urban, rural, natural resource management, and agriculture.

Employment Center

The Employment Center (EC) Future Land Use Category is intended to form the focal point of the Sugar Hill Sector Plan and provide for and promote significant economic development opportunities. The EC uses will also complement the economic growth anticipated by the future expansion of the Airglades International Airport (AIA). The EC designation identifies areas suitable for a broad mixture of employment-generating uses, including but not limited to, manufacturing, warehousing and distribution, transportation services, professional and business services, corporate headquarters, institutional facilities, utilities, and transportation facilities, including aviation. Development within areas designated EC will be connected to the regional transportation system, provide for the efficient use of public infrastructure, and include supporting uses, such as retail and lodging, which reduce the number and length of automobile trips within the area.

To allow for flexibility in design and use, the Floor Area Ratio (FAR) for non-residential development within the EC category will be between .10 and 1.0.

Residential development within the EC category is limited to multi-family units, the primary intent of which is to provide housing for employees of the businesses and industries in and around the Employment Center areas. The density of the EC multi-family housing ranges from a minimum of six (6) units per acre to a maximum of twenty-one (21) units per acre.

To ensure an adequate mixture of employment generating uses, development within areas designated EC will be subject to the following land use mix:
Anticipated Employment Center Land Use Allocation
(Percentages are Land Use Totals)

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Acreage</th>
<th>Maximum Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial</td>
<td>30%</td>
<td>80%</td>
</tr>
<tr>
<td>Office</td>
<td>10%</td>
<td>80%</td>
</tr>
<tr>
<td>Commercial</td>
<td>5%</td>
<td>10%</td>
</tr>
<tr>
<td>Recreation/Open Space</td>
<td>5%</td>
<td>No Maximum</td>
</tr>
<tr>
<td>Public/Institutional</td>
<td>5%</td>
<td>80%</td>
</tr>
<tr>
<td>Multi-Family Residential*</td>
<td>0%</td>
<td>10%</td>
</tr>
</tbody>
</table>

*Caretaker and/or public safety housing are permitted as an accessory use, and do not count against sector plan residential entitlements.

For the purpose of determining consistency with the above table, calculation of land use allocations will use gross acreage and be applied to the total area designated Employment Center (EC) within the Sugar Hill Sector Plan, and not to individual DSAPs or parcels.

The following will be considered typical uses consistent with the land uses listed in the Anticipated Employment Center Land Use Allocation table.

**Employment Center Typical Uses**

<table>
<thead>
<tr>
<th>Industrial</th>
<th>Office</th>
<th>Commercial</th>
<th>Rec/Open Space</th>
<th>Public/Inst</th>
<th>Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturing Warehousing/Distribution</td>
<td>General Office</td>
<td>Retail</td>
<td>Active/Passive Recreation Conservation</td>
<td>Civic</td>
<td>Multi-Family</td>
</tr>
<tr>
<td>Wholesale Trade</td>
<td>Medical/Dental Office</td>
<td>Banking</td>
<td>Trails</td>
<td>Public Safety</td>
<td></td>
</tr>
<tr>
<td>Transportation Services &amp; Facilities</td>
<td>Corporate Headquarters</td>
<td>Restaurants</td>
<td>Ecotourism/Agritourism</td>
<td>Healthcare Facilities</td>
<td></td>
</tr>
<tr>
<td>Communication Services</td>
<td>Government Offices</td>
<td>Convenience</td>
<td></td>
<td>Educational Facilities</td>
<td></td>
</tr>
<tr>
<td>Flex Space</td>
<td>Research and Development</td>
<td>Lodging</td>
<td></td>
<td>Transportation Facilities</td>
<td></td>
</tr>
<tr>
<td>Aviation Services &amp; Facilities</td>
<td>Data Centers</td>
<td>Gas/Service Station</td>
<td></td>
<td>Aviation Facilities</td>
<td></td>
</tr>
<tr>
<td>Utilities</td>
<td>Call Centers</td>
<td>Day Care</td>
<td></td>
<td>Utilities</td>
<td></td>
</tr>
<tr>
<td>Energy Production &amp; Distribution</td>
<td></td>
<td>Entertainment &amp; Attraction Facilities</td>
<td></td>
<td>Religious Facilities</td>
<td></td>
</tr>
</tbody>
</table>
**Mixed-Use Urban**

The Mixed-Use Urban (MU) Future Land Use Category identifies areas suitable for a mix of residential and non-residential uses within the Sugar Hill Sector Plan area. To ensure the efficient use of land and infrastructure, development within areas designated MU will include, where appropriate and fiscally efficient, an interconnected and multi-modal street system, compact urban design, and a broad mixture of uses.

To allow for flexibility in design and use, the Floor Area Ratio (FAR) for non-residential development within the MU category will be between .10 and .50.

Residential development within the MU category will primarily be compact in design and may be integrated vertically or horizontally with other compatible uses. Housing types which provide an efficient use of space, such as lofts, live-work units and accessory dwellings will be permitted.

To allow for a broad array of urban housing types and ensure a fiscally efficient use of land and infrastructure, residential development within the MU category will occur within a density range of four (4) dwellings units per acre to twenty-five (25) dwelling units per acre.

To ensure an adequate mixture of compatible uses, development within areas designated MU will be subject to the following land use mix:

**Anticipated Mixed-Use Urban Land Use Allocation**  
(Percentages are Land Use Totals)

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Acreage</th>
<th>Maximum Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial</td>
<td>0%</td>
<td>10%</td>
</tr>
<tr>
<td>Office</td>
<td>10%</td>
<td>30%</td>
</tr>
<tr>
<td>Commercial</td>
<td>20%</td>
<td>40%</td>
</tr>
<tr>
<td>Recreation/Open Space</td>
<td>10%</td>
<td>No Maximum</td>
</tr>
<tr>
<td>Public/Institutional</td>
<td>10%</td>
<td>20%</td>
</tr>
<tr>
<td>Residential</td>
<td>20%</td>
<td>70%</td>
</tr>
</tbody>
</table>

For the purpose of determining consistency with the above table, calculations will use gross acreage and be applied to the total area designated Mixed-Use Urban (MU) within the Sugar Hill Sector Plan and not to DSAPs or individual parcels.
The following will be considered typical uses consistent with the land uses listed in the Anticipated Mixed-Use Urban Land Use Allocation table:

### Mixed-Use Urban Typical Uses

<table>
<thead>
<tr>
<th>Industrial</th>
<th>Office</th>
<th>Commercial</th>
<th>Rec/Open Space</th>
<th>Public/Inst</th>
<th>Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wholesale Trade</td>
<td>General Office</td>
<td>Retail</td>
<td>Active/Passive Recreation</td>
<td>Civic</td>
<td>Attached Multi-family</td>
</tr>
<tr>
<td>Transportation Services &amp; Facilities</td>
<td>Medical/ Dental Office</td>
<td>Banking</td>
<td>Conservation</td>
<td>Public Safety</td>
<td>Attached Single Family</td>
</tr>
<tr>
<td>Communication Services</td>
<td>Corporate Headquarters</td>
<td>Restaurants</td>
<td>Trails</td>
<td>Healthcare Facilities</td>
<td>Detached Single Family</td>
</tr>
<tr>
<td>Flex Space</td>
<td>Government Offices</td>
<td>Convenience</td>
<td>Ecotourism/ Agritourism</td>
<td>Educational Facilities</td>
<td></td>
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<tr>
<td>Utilities</td>
<td>Research and Development</td>
<td>Lodging</td>
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<td>Transportation Facilities</td>
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<tr>
<td></td>
<td>Data Centers</td>
<td>Gas/Service Station</td>
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<td>Aviation Facilities</td>
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<td></td>
<td>Call Centers</td>
<td>Day Care</td>
<td></td>
<td>Utilities</td>
<td></td>
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<td></td>
<td></td>
<td>Entertainment &amp; Attraction Facilities</td>
<td></td>
<td>Religious Facilities</td>
<td></td>
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</tbody>
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### Mixed-Use Suburban

The Mixed-Use Suburban (MS) Future Land Use Category identifies areas suitable for a transitional mixture of residential and non-residential uses within the Sugar Hill Sector Plan area. As with the Mixed-Use Urban (MU) designation, development within areas designated MS will include, where appropriate and fiscally efficient, an interconnected and multi-modal street system, compact urban design, and a broad mixture of uses.

To allow for flexibility in design and use, the Floor Area Ratio (FAR) for non-residential development within the MS category will be between .10 and .25.

Residential development within the MS category will include compact, interconnected neighborhoods and dwelling units may be integrated vertically or horizontally with other compatible uses. To allow for a broad array of suburban housing types and ensure the fiscally efficient use of land and infrastructure, residential development within the MS category will occur within a density range of two (2) dwellings units per acre to six (6) dwelling units per acre.
To ensure an adequate mixture of compatible uses, development within areas designated MS will be subject to the following land use mix:

**Anticipated Mixed-Use Suburban Land Use Allocation**  
(Percentages are Land Use Totals)

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Acreage</th>
<th>Maximum Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial</td>
<td>0%</td>
<td>5%</td>
</tr>
<tr>
<td>Office</td>
<td>0%</td>
<td>20%</td>
</tr>
<tr>
<td>Commercial</td>
<td>10%</td>
<td>30%</td>
</tr>
<tr>
<td>Recreation/Open Space</td>
<td>20%</td>
<td>No Maximum</td>
</tr>
<tr>
<td>Public/Institutional</td>
<td>0%</td>
<td>20%</td>
</tr>
<tr>
<td>Residential</td>
<td>30%</td>
<td>80%</td>
</tr>
</tbody>
</table>

For the purpose of determining consistency with the above table, calculations will use gross acreage and be applied to the total area designated Mixed-Use Suburban (MS) within the Sugar Hill Sector Plan and not to DSAPs or individual parcels.

The following will be considered typical uses consistent with the land uses listed in the Anticipated Mixed-Use Suburban Land Use Allocation table:

**Mixed-Use Suburban Typical Uses**

<table>
<thead>
<tr>
<th>Industrial</th>
<th>Office</th>
<th>Commercial</th>
<th>Rec/Open Space</th>
<th>Public/Inst</th>
<th>Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wholesale Trade</td>
<td>General Office</td>
<td>Retail</td>
<td>Active/Passive Recreation</td>
<td>Civic</td>
<td>Attached Multi-Family</td>
</tr>
<tr>
<td>Transportation Services &amp; Facilities</td>
<td>Medical/Dental Office</td>
<td>Banking</td>
<td>Conservation</td>
<td>Public Safety</td>
<td>Attached Single Family</td>
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<tr>
<td>Communication Services</td>
<td>Corporate Headquarters</td>
<td>Restaurants</td>
<td>Trails</td>
<td>Healthcare Facilities</td>
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<td>Flex Space</td>
<td>Government Offices</td>
<td>Convenience</td>
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<td>Research and Development</td>
<td>Lodging</td>
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<td>Transportation Facilities</td>
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<td></td>
<td>Data Centers</td>
<td>Gas/Service Station</td>
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<td>Call Centers</td>
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<td></td>
<td></td>
<td>Entertainment &amp; Attraction</td>
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<td>Religious Facilities</td>
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<td>Facilities</td>
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</table>
Rural Estates

The Rural Estates (RE) Future Land Use Category identifies areas suitable for agriculture and rural residential uses within the Sugar Hill Sector Plan area. The RE category provides an alternative to the higher intensity residential uses permitted within the MU and MS categories, while also encouraging the set aside of significant areas of open space.

The RE category allows for residential development at densities equal to or less than one (1) dwelling unit per five (5) acres. Alternatively, residential development, not to exceed a maximum density of one (1) dwelling unit per one (1) acre, may be permitted provided the proposed subdivision is developed as a clustered subdivision consisting of at least fifteen (15) acres. Within the clustered subdivision, residential lots are to be grouped in an efficient and well-defined manner and at least 50% of the area of the entire site will be conserved as open space in a manner consistent with Policy 3.4.3.

Typical uses within the RE category will include:
- Agriculture and Silviculture;
- Conservation and management of natural resources, including mitigation banking;
- Public facilities that support the conservation of natural resources and serve the Rural Estates;
- Single family, detached residential;
- Farm worker housing;
- Active and passive recreation;
- Utilities;
- K-12 schools; and
- Religious facilities.

Long-Term Agriculture

The Long-Term Agriculture (LA) Future Land Use Category identifies areas suitable for new and continued long-term agricultural and/or silvicultural activities, mitigation banking for water, wetlands and species, and related supporting uses regardless of intensity. Development within areas designated LA will be limited to agricultural, silviculture, and support uses and will occur in a manner that maintains the subject site’s viability for agricultural use.

Residential uses within areas designated LA will be limited to property owner/manager and farm worker housing. Property owner or manager housing may occur at a maximum density of one (1) dwelling unit per 50 acres. Farm worker housing may occur at a maximum density of six (6) units per acre for single-family attached and detached homes/mobile homes/duplexes and ten (10) units per acre for multi-family projects where central potable water and wastewater systems are available.

Typical uses within the LA category will include:
- Agriculture and Silviculture;
- Processing and storage facilities directly related to agricultural uses;
- Research and development facilities directly related to agricultural uses;
- Multi-modal (rail and road facilities)
- Mining/mineral extraction;
- Utilities;
- Property owner and manager housing;
- Farm worker housing;
- Mitigation banks for wetlands, water, and species;
- Conservation and management of natural resources; and
- Solar and Wind Energy facilities

Natural Resource Management

The Natural Resource Management (NRM) Future Land Use Category identifies areas suitable for natural resource management and conservation of:

- the larger (50 acres plus) isolated (surrounded by agricultural activities) wetland areas that are currently acting as water management areas for the agricultural operations; and
- some larger (50 acres plus) isolated (surrounded by agriculture activities) mixed upland with wetland areas that typically have not been converted to agricultural production.

The Natural Resource Management (NRM) area provides for maintenance and management of areas suitable for natural resource management and conservation and are intended to continue to enhance the natural systems of these wetland areas and, where feasible, connect these NRM areas with future water management areas, pedestrian trails, blueways and landscaped open space elements.

The NRM areas are suitable for habitat enhancement, appropriate water management (as determined through the SFWMD ERP permitting process) and passive recreational uses. Additional suitable activities are wetland and other species habitat mitigation banking, water banking (storage and treatment), and related supporting uses. Development within areas designated NRM will occur in a manner that maintains the subject site’s viability as a natural resource management area while maintaining the surrounding land uses in a manner that is compatible with the NRM use.

Typical uses within the NRM category will include:

- Silviculture as part of enhancement and management of the forested wetland and upland areas;
- Utilities that may need to pass through or over;
- Passive Recreation such as pedestrian walk ways, elevated board walks, gazebos, pavilions, kayaking and canoeing and platforms for fishing and wildlife observation;
- Water management;
- Mitigation banks for wetlands, water, and species; and
- Conservation and management of natural resources.

Policy 3.2.3: Land Use Allocation Tracking

To ensure continued compliance with the land use allocation standards contained in Policy 3.2.2, each DSAP will include a land use allocation tracking log. Upon approval of a DSAP, the land uses allocated to each of the respective future land use categories (EC, MU, MS) will be adjusted to include the respective DSAP’s development program.
Policy 3.2.4: Compatibility of Adjacent Land Uses

DSAP applications will identify and specify appropriate buffering and screening requirements between non-compatible uses and activities.

Policy 3.2.5: Urban Form

DSAPs within the Sugar Hill Sector Plan area will be designed to include, where appropriate and fiscally efficient, the following:

- A hierarchy of places intended to create compact nodes of activity at appropriate locations, with adequate infrastructure to serve the development, while directing higher intensity development away from environmentally sensitive areas;
- An efficient land use pattern that encourages internal capture and travel by multiple transportation modes, thereby reducing vehicle miles travelled and net external trips produced;
- Residential neighborhoods that provide a broad range of housing options varying in size, style, cost and type of ownership;
- Parks, schools and other public services located within easy access to housing;
- Development of balanced communities that provide opportunities for residents to work in the community they live in, thereby reducing automobile dependence; and
- Opportunities for a range of educational facilities that will allow for lifelong learning.

OBJECTIVE 3.3: MOBILITY

Development within the Sugar Hill Sector Plan area will be designed, where appropriate and fiscally efficient, to enhance internal capture of vehicle trips, minimize vehicle trip lengths, and reduce vehicle miles traveled through the creation of mixed-use neighborhoods and the development of an interconnected, multi-modal transportation network.

Policy 3.3.1: Primary Roadway Network

Sector Plan transportation capacity will be achieved, in part, through the design and development of an interconnected, multi-modal roadway network that incorporates appropriately spaced and properly sized roadway, pedestrian, bicycle, transit and alternative vehicular components.

Policy 3.3.2: Pedestrian Facilities

DSAPs that include the MU, MS, or EC Future Land Use Categories will provide opportunities to walk as an important part of travel through the establishment of pedestrian facilities, where appropriate. Within the EC Future Land Use Category the intent of providing pedestrian facilities is to accommodate workers that live within a walking distance of employment. Design and construction of transportation facilities and land uses within the MU, MS, and EC areas will include the following components where appropriate and fiscally efficient:

- Appropriately sized pathways connecting residential neighborhoods to employment districts, retail areas, parks and schools;
- Crosswalks which ensure pedestrian safety in areas where conflicts with vehicular traffic may occur,
• The use of streetscapes that offer a safe and inviting environment for pedestrians especially by providing shade, amenities and buffering from vehicular traffic; and

• Pedestrian oriented design of buildings adjacent to pathways, which may include minimal front setbacks and main entrances that directly access the pathway, maximum first floor opacity standards, and the placement of vehicular use areas to the back or side of buildings.

Policy 3.3.3: Bicycle Facilities

DSAPs that include the MU, MS, or EC Future Land Use Categories will include a safe and continuous bicycle network that accommodates cycling as a means of transportation and recreational activity, where appropriate. Within the EC Future Land Use Category the intent of providing bicycle facilities is to accommodate workers that live within a cycling distance of their place of employment. Bicycle networks in the MU, MS, and EC areas will, where appropriate and fiscally efficient, connect residential neighborhoods with employment districts, retail centers, public/institutional uses, parks and schools, and may include:

• Shared lane markings;
• Designated bike lanes;
• Separated bike facilities; and
• Multi-use pathways and trails.

Policy 3.3.4: Transit

At such time as Hendry County’s population becomes suitable to support a fiscally efficient public transportation system, DSAPs will include facilities that support the plans and programs of the public or private transit provider(s) serving the DSAP area. Each DSAP shall address and accommodate future transits facilities through the design of the development plans, where appropriate. Those facilities will be focused on linking job centers with employees, by providing connectivity to regional public transportation (where available) and localized circulator systems. Employment districts, retail centers and residential neighborhoods will be designed to accommodate multi-modal transportation systems.

Policy 3.3.5: External Trip Reduction

DSAPs within the Sugar Hill Sector Plan will consider a variety of options to satisfy Objective 3.3. Options include, but are not limited to, transportation demand management techniques, roadway design that supports a public transportation system, and rideshare programs.

Policy 3.3.6: Connectivity

To promote communities that are physically connected to each other and to foster community connectedness beyond the development, all DSAPs will include sub-arterial streets stubbed to the boundary of the DSAP area unless constrained by natural or constructed obstacles, permitting restrictions, or other limitations. Where appropriate and fiscally efficient, DSAP development plans will include street connections to all streets previously stubbed to the external boundary of the DSAP area.

Policy 3.3.7: Generalized Transportation Analysis Updates

Any DSAP that seeks approval for development in excess of a cumulative total of 30% of the total Sector Plan development program, or a cumulative total of 30% of the total number of projected external peak hour trips, whichever is less, or that is filed later than 2035, will not be processed until an updated generalized transportation analysis has been reviewed by Hendry County. The updated analysis will, at a
minimum, address projected impacts of the development proposed in the DSAP application through the then-current County planning horizon.

Policy 3.3.8: DSAP Transportation Analyses

Each DSAP shall identify the transportation facilities needed to serve the future land uses in the DSAP as required by Section 163.3245(3)(b)4. F.S. The analysis will identify the timing of the needed transportation facilities, funding sources, and the development's proportionate fair share mitigation pursuant to Section 163.3180 F.S. Where consistent with 163.3180 F.S., the Transportation Analysis may recognize tools and techniques that include, but are not limited to, exempting or discounting impacts of locally desired development, and facilitating development patterns that support appropriate land use mixes, job creation, and affordable housing.

The DSAP shall identify the required long term strategies to facilitate development patterns that support multi-modal solutions, any discounting of impacts for locally desired development, as encouraged in Section 163.3180(5)(f) F.S., and the application shall demonstrate how the local concurrency requirements will be addressed, which can include development agreements. The development agreement can address the proportionate share contribution or construction consistent with Section 163.3180 F.S. The construction, land dedication or improvements may be required in addition to any Impact Fees or other funding mechanisms (e.g., mobility fee) in place in Hendry County at the time. The DSAP may require the applicant to enter into a development agreement with Hendry County following the approval of a DSAP and prior to construction of any public infrastructure required to support the development. The DSAP may include conditions that require a developer or a property owner to contribute land for a transportation facility or require the construction or expansion of a transportation facility, or require the payment for land acquisition or construction or expansion of a transportation facility or a portion thereof. The obligation to provide funds, land or roadways must be reasonably attributable to the development within the DSAP and the contribution must be comparable to the amount of funds, land or transportation improvements that the state or local government would reasonably expect to expend or provide based on projected costs of comparable projects to mitigate the impacts reasonably attributable to the proposed development. Any funds or land provided must be used to mitigate the impacts of the DSAP development. The required mitigation contributions do not have to be expended within the DSAP area, however, they must be used for facilities that are impacted by the DSAP. The property owner or developer within the DSAP, consistent with Section 163.3180(5)(h)2. F.S., shall not be held responsible for the additional cost of reducing or eliminating deficiencies, and the property owner or developer cannot be required to pay a proportionate share that exceeds the development's proportionate share of the improvements necessary to mitigate the development's impacts.

Policy 3.3.9: Potential Transportation Improvements

The generalized Transportation Study submitted as part of the SHSP application data and analyses identified the potential Transportation Improvements needed to support the build-out of the 2035 SHSP development program (Map F – Long-Term Transportation Map). Subsequent required DSAP transportation studies will review the potential improvements to determine whether they are required to support the DSAP development program. Specific requirements for the identification and funding of transportation and other public infrastructure requirements for DSAPs are provided in Objectives 3.5 and 3.6.

Policy 3.3.10: Gateway Overlay Corridor

To ensure that enhanced design standards for new development and redevelopment within the Hendry County Gateway Overlay Corridor do not conflict with the Sugar Hill Sector Plan's economic development objective, development within the Sugar Hill Sector Plan will be exempt from the Gateway
Overlay Corridor requirements and restrictions contained in the Hendry County Code of Ordinances. Instead, any DSAP containing property within the Gateway Overlay Corridor will be required to include design standards that do not adversely impact economic development of the area, but are substantially similar to the Gateway Overlay Corridor standards contained in the Hendry County Comprehensive Plan and Land Development Code and advance the goal of enhancing the appearance of the corridor.

Policy 3.3.11: Airglades International Airport

Each DSAP must address and accommodate the requirements of the Airglades Master Plan, Hendry County Aviation Sub-Element in the Comprehensive Plan, Hendry County Land Development Code, and any applicable FAA Studies, where appropriate.

OBJECTIVE 3.4: ENVIRONMENTAL RESOURCES AND OPEN SPACE

Identify and protect regionally significant natural resources through the creation of an interconnected open space network within the Sugar Hill Sector Plan area where appropriate and fiscally efficient.

Policy 3.4.1: Conservation of Wetlands and Regionally Significant Natural Resources

DSAP applications will include a delineation of wetlands and natural water bodies within the respective DSAP area. The Florida Natural Areas Inventory (FNAI) and Florida Fish and Wildlife Conservation Commission (FWC) databases will be consulted for known locations of listed species and listed species habitat during the preparation of the DSAP application. Field surveys to verify presence or absence of listed species and listed species habitat may be provided at time of the DSAP application to further refine FNAI and FWC data. Protection of wetlands, natural water bodies and listed species habitat will generally occur in the NRM areas and in a manner consistent with the Hendry County Comprehensive Plan Conservation Element and federal, regional, and state regulations.

Policy 3.4.2: Creation of Master Open Space Network

To promote communities that are physically connected to one another and to foster community connectedness beyond the development, DSAPs will, where appropriate and fiscally efficient, include an interconnected open space system which may be comprised of NRM areas, water bodies, wetlands, agriculture, and active/passive recreation areas. These systems will serve to conserve NRM areas and other environmentally sensitive lands, and provide for significant recreation opportunities for the residents, employees and visitors in the Sugar Hill Sector Plan.

Policy 3.4.3: Minimum Open Space Requirements

To ensure the provision of adequate open space within the Sugar Hill Sector Plan, the following minimum open space standards are to be applied to the future land use categories identified in Policy 3.2.2:

Minimum Open Space by Future Land Use

<table>
<thead>
<tr>
<th>Future Land Use</th>
<th>Minimum Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment Center</td>
<td>5%</td>
</tr>
<tr>
<td>Mixed-Use Urban</td>
<td>10%</td>
</tr>
<tr>
<td>Mixed-Use Suburban</td>
<td>20%</td>
</tr>
<tr>
<td>Rural Estates</td>
<td>50%</td>
</tr>
<tr>
<td>Long-Term Agriculture</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>-----------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Natural Resource Management</td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

For the purpose of meeting the minimum requirements for each of the future land use categories, open space areas will be comprised of one or more of the following:

- Natural Resource Management areas;
- Water bodies;
- Wetlands;
- Conserved habitat;
- Buffer areas;
- Public and private active and passive recreational areas;
- Community gardens;
- Neighborhood pocket parks;
- Urban and suburban plazas and hardscape public areas;
- Archeological or cultural sites;
- Floodways and 100-year floodplains;
- Stormwater management areas that are designed as a community amenity and are unfenced; and
- Other areas set aside for conservation of natural resources.

Open space that is not publically owned will be designated to remain undeveloped and protected in perpetuity through the use of conservation easements, plat or deed restrictions, or similar legally recorded and binding instruments that run with the land and establish the conditions and restrictions on the use of the open space area. When required, open space conservation easements will be dedicated to a public or private entity with responsibility for the long-term maintenance of the easement area. Such entities will be designated prior to development, and include but are not limited to:

- Conservation agencies such as the Florida Department of Environmental Protection or South Florida Water Management District;
- Non-profit conservation organization or land trust;
- Property owners’ association;
- Community Development District; and
- Hendry County, subject to County approval.

Each DSAP will be reviewed for consistency with this policy during the review and approval process.

Policy 3.4.4: Reduced Landscape Irrigation Demands

DSAPs within the Sugar Hill Sector Plan will include design requirements that minimize the demand for irrigation through the use of “Florida Friendly” landscaping practices or reasonably similar principles regarding plant selection, irrigation and maintenance. Non-potable water will be used for irrigation purposes, if available and fiscally efficient.
OBJECTIVE 3.5: PUBLIC FACILITIES

Ensure the provision of adequate public facilities to address the needs and impacts of DSAPs within the SHSP.

Policy 3.5.1: Required Public Facilities Analyses for each DSAP

DSAPs, other than those meeting the waiver requirements of Policy 3.5.1, will analyze specific public facilities improvements, including transportation, that are required to adequately serve the development proposed in the respective DSAP, and will, if necessary, include amendments to the Traffic Circulation Element, the Infrastructure Element, and the Capital Improvements Element of the Hendry County Comprehensive Plan to include facilities required to mitigate impacts associated with the DSAP. The DSAP will not be required to mitigate any existing public facilities deficiencies, and will be eligible for any and all reimbursement programs (e.g., Impact Fee Credits) available through Hendry County, the state of Florida, or the Federal government for contributions to infrastructure improvements required to serve the DSAP. All amendments to the Capital Improvements Element will specify the funding source anticipated for each required improvement.

Policy 3.5.2: Identification of Water Supplies

Future potable water supply within the Sugar Hill Sector Plan will be provided in a manner consistent with the requirements of the state, regional, and/or local governmental agencies tasked with permitting authority in the SHSP area.

Policy 3.5.3: Potable, Non-potable, and Re-Use Water Facilities

DSAPs within the Sugar Hill Sector Plan will include an analysis for appropriate and fiscally efficient delivery of potable, non-potable, and re-use water facilities, including sources, treatment plants, and delivery infrastructure required to accommodate projected impacts and maintain the governing agencies’ adopted level of service (LOS) for such facilities. Non-potable water demand will utilize Alternative Water Supplies, as appropriate and fiscally efficient under the rules of the governing agencies.

Policy 3.5.4: Sanitary Sewer Facilities

DSAPs within the Sugar Hill Sector Plan will include an analysis for appropriate and fiscally efficient delivery of sanitary sewer facilities, including treatment plants and delivery infrastructure, required to accommodate projected impacts and maintain the governing agencies’ adopted level of service (LOS) for such facilities.

Policy 3.5.5: Solid Waste Facilities

DSAPs within the Sugar Hill Sector Plan will include an analysis of solid waste demand for the proposed development program, and, when necessary and fiscally efficient, contribute to an adopted mitigation program that ensures adequate capacity will be in place to accommodate the proposed demand and meet the County’s adopted level of service (LOS) standards.

Policy 3.5.6: Parks and Pathway Facilities

DSAPs will include an analysis of parks and pathways required to accommodate projected impacts and meet the County’s adopted level of service (LOS). If it is determined that one or more park sites within the proposed DSAP are needed to accommodate projected impacts, those sites will be identified during the respective phase of development within the DSAP. Parks and pathway facilities dedicated to public
use will be eligible for reimbursement (e.g., Impact Fee Credits or grants) if available through Hendry County, the State of Florida, or the Federal government for land and/or construction contributions donated by the developer.

Pathways within a proposed DSAP that serve as a component of the Sugar Hill Sector Plan’s multi-modal mobility system will be identified as part of the DSAP process. The right-of-way required for such pathways will be set aside during the respective phase of development within the DSAP, and the developer will be eligible for any and all reimbursement (e.g., Impact Fee Credits or grants) if available through Hendry County, the State of Florida, or the Federal government for land and/or construction contributions to the multi-modal mobility system.

Policy 3.5.7: Provision of Educational Facilities

DSAPs within the Sugar Hill Sector Plan will include an analysis of public school impacts and, as required by county ordinance or state statute, contribute to an adopted mitigation program that ensures adequate student capacity will be in place to accommodate the proposed demand of the DSAP development program. If it is determined that one or more school sites within the proposed DSAP is needed to accommodate projected impacts, those sites will be designated in a manner consistent with county ordinance or state statute. A DSAP developer’s contribution of land for public schools sites and/or facilities, and any other form of financial contribution toward the construction of a public school facility, will be eligible for reimbursement (e.g. Impact Fee Credits or grants) if available through Hendry County, the State of Florida, or the Federal government.

Policy 3.5.8: Provision of Law Enforcement, Fire Protection and Emergency Services

DSAPs within the Sugar Hill Sector Plan will include an analysis of law enforcement, fire protection and emergency services impacts and will include coordination with the agencies providing these services to determine if facility sites are needed within the DSAP to ensure the appropriate and fiscally efficient provision of adequate public facilities and services. If it is determined that land is needed to accommodate the siting of facilities required to address the impacts of the proposed DSAP, adequate lands for this purpose will be identified during the respective phase of development within the DSAP. A DSAP developer’s contribution of land for law enforcement and emergency services facilities, and any other form of financial contribution toward the construction of a law enforcement and/or emergency services facility, will be eligible for reimbursement (e.g. Impact Fee Credits or grants) if available through Hendry County, the State of Florida, or the Federal government.

OBJECTIVE 3.6: FINANCING

Through the review of DSAPs, financing mechanisms will be determined that support the Sugar Hill Sector Plan’s economic development goals while ensuring the equitable distribution of infrastructure costs.

Policy 3.6.1: Potential Funding Mechanisms for Required Infrastructure

DSAP applications will include a financially feasible funding plan required to service the proposed development program. Each DSAP will assess and analyze the public needs associated with the proposed land uses as well as how those identified needs will be met, including an evaluation of the financing of infrastructure. Potential funding sources for infrastructure needs within the SHSP include, but are not limited to:

- Community Development Districts or other dependent or independent financing districts
• County Impact Fees
• Developer Contributions
• Municipal Service Taxing Unit/Municipal Service Benefit Unit
• State or Federal Highway or Transit Funds
• Tax Increment Financing
• Grants

Policy 3.6.2: Infrastructure Funding Agreements

For each DSAP, the applicant’s share of the transportation related infrastructure and other infrastructure necessary to accommodate development will be documented through a Developer’s Agreement, or similar mechanism. Such agreements may be required for individual phases or areas of development, rather than the DSAP area as a whole, depending on the timing and phasing of development within the DSAP.

Policy 3.6.3: Phasing of Regional Infrastructure

To the maximum extent possible, regional infrastructure required based on the impacts of the Sugar Hill Sector Plan will be phased as necessary to support development within each DSAP. Such site development infrastructure will be, to the maximum extent practicable, integrated with adjacent infrastructure and incorporated into the Capital Improvements Element of the Hendry County Comprehensive Plans, the Florida Department of Transportation work plan, and the capital improvement plans of utility providers and other local governments.

Policy 3.6.4: Fiscal Impact Study

DSAPs within the Sugar Hill Sector Plan will provide a fiscal impact analysis, such as the State of Florida FIAM, for the proposed development plan. The developer will provide appropriate and fiscally efficient measures to ensure that the development program is fiscally neutral.

OBJECTIVE 3.7: INTERGOVERNMENTAL COORDINATION

Hendry County will coordinate with local, state, and regional governments as required by the appropriate goals, objectives, and policies of the Hendry County Comprehensive Plan. The goal, objectives, and policies will facilitate intergovernmental coordination on the issue of extra-jurisdictional impacts.

OBJECTIVE 3.8: SECTOR PLAN IMPLEMENTATION

Prior to the submittal of a DSAP in the Sugar Hill Sector Plan, a clear and efficient process for the preparation, review and approval of Detailed Specific Area Plans (DSAPs) will be provided for the County to consider and adopt into the Land Development Code.

Policy 3.8.1: Detailed Specific Area Plan Process

DSAPs, and subsequent DSAP amendments, within the Sugar Hill Sector Plan will be processed in a manner consistent with the requirements for DSAP approval in the Sector Plan, Hendry County Comprehensive Plan, Hendry County Land Development Code, and Florida Statutes.

Policy 3.8.2: DSAPs Less Than 1,000 Acres
Any DSAP less than 1,000 acres must meet the requirements of the Florida Statutes for the processing of a DSAP. For DSAPs less than 1,000 gross acres, the County Administrator or designee may agree to eliminate the requirement to submit reports or studies that are deemed unnecessary to an adequate consideration of the DSAP proposal.

Policy 3.8.3: DSAP Conditions of Approval

The County Commission may authorize alternative conditions to ensure consistency with the SHSP Goals, Objectives, and Policies, as determined to be appropriate based on the size and character of the proposed DSAP development program.

Policy 3.8.4: Development Approvals within a DSAP

Applications for development approval (i.e., subdivision plans, site plans, lot splits, special exceptions, variances) within a DSAP will follow the permitting requirements of the Hendry County Land Development Code.

Policy 3.8.5: Continued Agriculture or Other Natural Resource-Based Operations

No part of the Sugar Hill Sector Plan limits the right to continue existing agricultural or silvicultural uses or other natural resource-based operations, or diminishes or limits the right to establish other agricultural or natural resource-based uses. This policy is consistent with Section 163.3245(9) F.S.: “The adoption of a long-term master plan or a detailed specific area plan pursuant to this section does not limit the right to continue existing agricultural or silvicultural uses or other natural resource-based operations or to establish similar new uses that are consistent with the plans approved pursuant to the section.” New or expanded uses authorized in the Agriculture land use category in the Future Land Use Element shall not be exempt from required reviews by the County, including but not limited to, special exception and PUD procedures to the extent those reviews are applicable to the new or expanded use. All new and expanded uses must be consistent with the Sector Plan, the Hendry County Comprehensive Plan, the Hendry County Land Development Code, and Florida Statutes.

Policy 3.8.6: Sector Plan Build-out Date

The planning horizon for the Sugar Hill Sector Plan is 2060.
October 3, 2014

Mr. Ray Eubanks, Plans Processing Administrator
Division of Community Development
Department of Economic Opportunity
107 East Madison Street, MSC 160
Tallahassee, FL 32399

Re: Hendry County 14-3SP Proposed Comprehensive Plan Amendment State Coordinated Review

Dear Mr. Eubanks:

The Department of Environmental Protection (Department) has reviewed the above-referenced proposed comprehensive plan amendment in accordance with the provisions of Chapter 163, Florida Statutes (F.S.). The proposed development sits squarely within the Everglades ecosystem, an internationally recognized environmental treasure and the focus of historic restoration efforts by this administration, including the Governor’s $880 million water quality plan. The Department, in partnership with the South Florida Water Management District (SFWMD) and local and federal stakeholders, is expeditiously moving forward with efforts to increase water storage to protect our estuaries and is seeking final approval and funding for the Central Everglades Planning Project to send more water south to Everglades National Park.

As such, the Department’s review of the proposed sector plan focused on potential impacts to Everglades restoration efforts, and also included the review of any potential impacts to: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interests in lands, including state parks, greenways and trails and conservation easements; solid waste; and water and wastewater treatment.

Based on this review, the proposed Hendry County 14-3SP comprehensive plan amendment does not adequately protect against adverse impacts to important state resources, including the Florida Everglades. The proposal does not include adequate information to analyze potential impacts to the surrounding environment. Additionally, the plan amendment, as drafted, impacts the state’s option to purchase certain United States Sugar Corporation, SBG Farms Inc. and Southern Gardens Groves Corporation properties. As such, the plan does not meet the requirements of Sections 163.3177 and 163.3245, F.S., and therefore should not be approved.

The Department submits the following, more detailed comments and recommendations to assist your agency in developing the state’s response to the proposed amendments.

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Mr. Ray Eubanks  
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**PROPOSED AMENDMENT**

The proposed Sugar Hill Sector Plan (SHSP) consists of 43,313 acres located in northeast Hendry County. The subject properties are adjacent to the Airglades International Airport and the City of Clewiston, and border on the Glades County line. The sector plan proposal includes the following six land use categories: Employment Center (10,522 acres); Mixed-Use Urban (1,688 acres); Mixed-Use Suburban (7,779 acres); Rural Estates (8,506 acres); Natural Resource Management (overlay amount not quantified); and Long-Term Agriculture (14,818 acres). The SHSP proposes a long-term (2060) planning horizon for the development of 18,000 residential units and 25 million square feet of non-residential uses. All of the goals, objectives and policies in the amendment package are provided to guide development within the sector plan.

**LACK OF GUIDANCE IN GOALS, OBJECTIVES AND POLICIES**

In conformance with Section 163.3245, F.S., the sector plan process must include (1) adoption of a long-term master plan for the entire subject area as part of the comprehensive plan, and (2) the subsequent adoption by local development order of two or more detailed specific area plans (DSAPs) that implement the long-term master plan. Additionally, data and analysis within the sector plan must identify regionally-significant natural resources within the planning area and set forth the procedures for their protection. The Department has reviewed the long-term master plan for the SHSP and determined that the goals, objectives and policies do not provide sufficient guidance or predictable standards for the development of future DSAPs. Therefore, the Department cannot determine whether implementation of the SHSP will result in adverse impacts to the Everglades ecosystem, an important regional and state resource. The Department provides comments on the following proposed SHSP policies (italicized).

*Policy 3.2.5 Urban Form*

DSAPs within the Sugar Hill Sector Plan Area will be designed to include, where appropriate and fiscally efficient, the following:

- A hierarchy of places intended to create compact nodes of activity at appropriate locations, with adequate infrastructure to serve the development, while directing higher intensity development away from environmentally sensitive areas;
- An efficient land use pattern that encourages internal capture and travel by multiple transportation nodes…;
- Residential neighborhoods that provide a broad range of housing options…;
- Parks, schools and other public services located within easy access to housing;
- Development of balanced communities…;
- Opportunities for a range of educational facilities...

Although the Framework Map depicts the general location of the six land uses, it does not meet the requirements of Subsection 163.3245(3)(a)(1), F.S., which requires the sector plan to include

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the general framework for development patterns within the different land uses, including graphic illustrations based on a hierarchy of places and functional place-making components. Instead, Policy 3.2.5 requires the development pattern and hierarchy of places to be located where appropriate and fiscally efficient within the DSAP. Neither the policy, nor the framework map, provides sufficient guidance to predict the form or location of urban development within the DSAPs. Undefined terminology within this policy includes “where appropriate and fiscally efficient,” “adequate infrastructure,” “broad range of housing options,” “range of facilities” and “balanced communities.”

**Objective 3.5 Public Facilities and associated Policies 3.5.2, 3.5.3 and 3.5.4.**

*Objective 3.5: Ensure the provision of adequate public facilities to address the needs and impacts of the DSAPs within the SHSP.*

The County’s associated policies require that DSAP analysis include an inventory of existing facilities to determine whether amendments will be needed in the Capital Improvements and other elements of the Hendry County comprehensive plan to serve development within the DSAP. The policies also require DSAPs to include analysis for appropriate and fiscally efficient delivery of sanitary facilities. The policies do not indicate which land uses, densities, intensities or development types within the sector plan or DSAPs will be required to connect to central sewer and/or central water. Due to the absence of this threshold guidance, the Department cannot analyze what constitutes “appropriate and fiscally efficient” delivery of these facilities.

**Policy 3.2.2 Future Land Use Categories**

*The Long-Term Agriculture (LA) Future Land Use Category identifies areas suitable for new and continued long-term agricultural and/or silvicultural activities, mitigation banking for water, wetlands and species, and related supporting uses regardless of intensity. Development within areas designated LA will be limited to agricultural, silviculture, and support uses and will occur in a manner that maintains the subject site’s viability for agricultural use. Residential uses within areas designated LA will be limited to property owner/manager and farm worker housing. Property owner or manager housing may occur at a maximum density of one (1) dwelling unit per 50 acres. Farm worker housing may occur at a maximum density of six (6) units per acre for single-family attached and detached homes/mobile homes/duplexes and ten (10) units per acre for multi-family projects where central potable water and wastewater systems are available...*

The policy does not provide sufficient guidance to predict the location and amount of farm worker housing or the intensity of other support uses to be allowed within the Long-Term Agriculture land use category.
Objective 3.8 Prior to the submittal of a DSAP in the SHSP, a clear and efficient process for the preparation, review and approval of DSAPs will be provided for the County to consider and adopt into the Land Development Code.

This sector plan’s policies should include basic criteria with meaningful and predictable standards for the preparation, review and approval of DSAPs. DSAPs should be designed to implement the general framework laid forth by the SHSP. Guidance for the inclusion of this process in the sector plan can be found in Section 163.3245, F.S. The County can also refer to sector plans it has previously submitted or those submitted by local governments in the region.

LACK OF ANALYSIS OF POTENTIAL IMPACTS TO EVERGLADES RESTORATION INITIATIVES

The Department is committed to successfully restoring Florida’s Everglades and maintaining the health and viability of the interconnected waterways and ecosystems that impact this national treasure. By working with federal, state and local partners, the Department has designed a series of projects aimed at reducing pollutants to improve water quality and restoring the hydrology and ecology of south Florida’s waterways which extend from the Kissimmee Chain of Lakes, to Lake Okeechobee, through the Everglades and on to the waters of the Florida Bay – covering 18,000 square miles. Restoration plans in the region are complex, balancing the immediate need to reestablish water quality throughout the ecosystem with the competing objectives of flood control as well as water supply critical to south Florida’s population centers.

The sector plan impacts Everglades restoration and does not analyze these impacts or provide for mitigation. In 2010, the SFWMD executed the Second Amended and Restated Agreement for Sale and Purchase (Agreement) with the United States Sugar Corporation, SBG Farms, Inc. and Southern Gardens Groves Corporation. The Agreement included options to purchase up to 153,209 acres to be used for Everglades ecosystem restoration. The Agreement provides SFWMD multiple options – including options to purchase various portions of the property – with the last option to purchase the property expiring in 2020. It appears that a substantial portion of this option acreage overlaps with the proposed development area. Questions, therefore, arise regarding the compatibility of the SHSP land uses with potential important conservation and restoration plans on this overlapping acreage. This omission alone, the failure to analyze clearly identified and potentially inconsistent conservation uses of the property, results in the SHSP not meeting the requirements of Subsection 163.3245(3)(a)(5), F.S. Accordingly, approval of the SHSP is premature, without the applicant and the County recognizing the potentially incompatible conservation use, analysis of how the proposal may be changed or altered should SFWMD choose to exercise its option and projected alternative plans given each of those scenarios.

In conclusion, based on the information and analysis submitted, the Department has determined that the proposed Hendry County 14-3SP comprehensive plan amendment does not adequately protect against adverse impacts to Everglades restoration and other important state resources, and

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therefore is inconsistent with the requirements of Sections 163.3177 and 163.3245, F.S. As such, based on the above analysis, the Department objects to the proposed Sugar Hill Sector Plan. If you have any questions or need additional information, please contact me at (850) 245-2172.

Sincerely,

Suzanne E. Ray, AICP, LEED AP
Office of Intergovernmental Programs

cc: Natalie Schneider, South Florida Water Management District
October 3, 2014

Mr. Ray Eubanks
Plan Processing Administrator
Department of Economic Opportunity
Caldwell Building
107 East Madison Street, MSC 160
Tallahassee, FL 32399

RE: Hendry County 14-3SP Sugar Hill Sector Plan (SHSP) Proposed Comprehensive Plan Amendment – FDOT Comments and Recommendations

Dear Mr. Eubanks:

Part of the Florida Department of Transportation’s mission is to provide a safe transportation system that preserves the quality of our environment and communities. FDOT recognizes the importance of developing transportation infrastructure that is consistent with our state’s Everglades restoration goals, enhances safety, and provides economic benefits to the state of Florida. With the environmental significance of the Everglades in mind, FDOT, District One, has reviewed the Hendry County 14-3SP Proposed Comprehensive Plan transmitted under the State Coordinated Review process (transmitted by the Board of County Commissioners on August 27, 2014) in accordance with the requirements of Florida Statutes (F.S.) Chapter 163.

Based on a detailed review of the proposed Sugar Hill Sector Plan (SHSP), FDOT has identified a number of errors and omissions, and other revisions that must be addressed before FDOT would be able to accurately assess the impacts of the proposed SHSP on the transportation infrastructure and natural resources of the region. Because of these errors and omissions, the plan amendment potentially results in adverse impacts to important state facilities identified in the comments below. For these reasons, FDOT recommends the Department of Economic Opportunity (DEO) object to the proposed SHSP based on the following comments provided for your consideration.

Location:

The site is generally located in northeast Hendry County, Florida. The planning area encompasses a total of 43,313 acres and is bounded by the Glades County line to the north and the City of Clewiston and CR 835 to the east. The southern boundary is generally north of the Montura Ranch Estates community and the western boundary extends west of CR 833. SHSP proposes a year 2060 planning horizon for the future land use framework of development of up to 18,000 residential units and 25,000,000 square feet of non-residential development.

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Assumptions:
The SHSP does not dictate a specific development program. However, for the purpose of the transportation analysis, it was assumed that approximately 30% of the plan would be developed by 2035. The SHSP 2035 conceptual land use plan includes:

- 4,500 single family residential dwelling units,
- 1,000 multi-family dwelling units,
- 750,000 square feet of retail uses,
- 750,000 square feet of office uses, and
- 7,000,000 square feet of warehousing/industrial uses.

As such, the SHSP 2035 conceptual land use plan is anticipated to generate 91,326 gross daily trips or 9,274 gross p.m. peak hour trips.

FDOT Comment #1 - Table 3 - Study Area Extents and Roadways:
As mentioned in the additional FDOT Comment #2 on the methodology (dated May 22, 2014), the Department recommends the transportation analysis be revised to include missing state roadway segments identified below:

- SR 29 from CR 846 to I-75
- SR 78 from SR 29 to US 27

Please revise Figure 2 and Table 3 provided in the transportation analysis to include these two segments.

FDOT Comment #2 - Table 4 - Existing Conditions Analysis:
The Department recommends the following revisions to Table 4:

a. Please revise the 2013 AADT along the roadway segment of US 27 from CR 720 (in Glades County) to SR 80 (in Hendry County) to 8,700 (not 19,200). Also, revise the D-factor to 54.5% based on the 2013 Florida Traffic Online (FTO) data provided for station number (070010).

b. Please revise the D-factor along the roadway segment of US 27 from SR 80 to Flagpole Road to 54.5% based on the 2013 FTO data provided for station number (070002).

c. Please revise the D-factor along the roadway segment of US 27 from Flagpole Road to CR 720 to 57.3% based on the 2013 FTO data provided for station number (079918).

d. Please revise the 2013 AADT along the roadway segment of US 27 from CR 720 (in Hendry County) to WC Owen Avenue to 15,600 (not 15,000) based on the 2013 FTO data provided for station number (070004).

e. Please revise the peak hour directional capacity along the roadway segment of SR 29 from SR 80 to Cowboy Way to 710 (not 830) since this roadway segment is currently a two-lane undivided Class I arterial, located in the transitioning area, and the adopted Level of Service (LOS) standard is C. Also, please revise the 2013 AADT along the
above mentioned segment to 8,400 (not 14,600) and revise the D-factor to 58.6% based on the 2013 FTO data provided for station number (070023).

f. Please revise the D-factor along the roadway segment of SR 29 from SR 82 to CR 846 to 59.9% based on the 2013 FTO data provided for station number (030143).

g. Please revise Table 4 and update all the associated analysis accordingly.

FDOT Comment #3 – Lee Collier Hendry Glades (LCHG) Model:

Based on the review of the model files, the 2035 number of lanes are incorrectly coded in the model and do not reflect the long range transportation needed improvements as documented and identified in the Hendry County Long Range Transportation Needs Assessment (LRTNA) and 2035 number of lanes included in Table 5 of the analysis.

As mentioned in the additional FDOT Comment #3 on the methodology (dated May 22, 2014), please ensure that the 2035 model used in the analysis reflects the number of lanes based on the Needs Plan from the respective counties. The number of lanes coded in the model for the roadway segment of SR 29 from Glades / Hendry County Line to Cowboy Way should be revised from two (2) lanes to four (4) lanes. Also, revise the number of lanes coded in the model for the roadway segment of SR 80 from Cowboy Way to Helms Road Extension from four (4) lanes to six (6) lanes to reflect the 2035 Needs Plan improvements as identified in the Hendry County LRTNA. Revise the model to ensure that Alternative 1 of LRTNA including Georgia Avenue / Sonora Avenue / Davidson Road Extension from CR 833 to US 27 is shown as four lanes, and US 27 from CR 720 to Palm Beach County Line is shown as four-lanes consistent with the Palm Beach County MPO Needs Plan and Glades County LRTNA.

In addition, the Department recommends that any new roadway segments included in the model beyond the adopted Needs Plan, including project related roadways, should be identified and coordinated with the appropriate jurisdictional agencies.

FDOT Comment #4 - LCHG Model:

As agreed by all parties, the Department provided the applicant (via email on May 7, 2014) with the recommended distribution of SHSP trips to counties external to the LCHG model shown below. These percentages, which are based on a statewide model distribution of SHSP trips, were to be assigned within the model to the associated LCHG external stations’ volumes.

However, for SR 80/US 27 at the Palm Beach County line, rather than modifying the model’s external station volumes as agreed, manual adjustments were made to the assigned model volumes only within the project area between the project site and the Palm Beach county line. This methodology resulted in about 12% of project trips originally assigned to the Clewiston area being manually reassigned into Palm Beach County via SR 80/US 27.
Recommended Distribution of SHSP Trips

<table>
<thead>
<tr>
<th>Route Description</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>SR 80/US 27 to Palm Beach County - District 4</td>
<td>6.0%</td>
</tr>
<tr>
<td>US 27 north to Highlands County - District 1</td>
<td>3.2%</td>
</tr>
<tr>
<td>SR 78 north to Okeechobee County - District 1</td>
<td>3.6%</td>
</tr>
</tbody>
</table>

1. Based on Florida Statewide Model assignment

Only 0.02% of SHSP trips were assigned to US 27 north to/from Highlands County while 0.61% were assigned to SR 78 north to/from Okeechobee County. This distribution does not reflect the recommended percentages shown above.

The Department recommends that the external SHSP trip percentages shown in the table above be assigned within the LCHG model framework at the associated external stations.

**FDOT Comment # 5 - LCHG Model:**

The Transportation Analysis (page 9) indicates that the LCHG 2035 model was updated to include the socio-economic data for the Rodina Sector Plan and the Southwest Hendry County Sector Plan (SWHCSP) in Hendry County and America’s Gateway Logistics Center (AGLC) in Glades County. The land use assumptions for these developments are shown in Table 6. However, none of these developments are reflected in the model socio-economic data.

**FDOT Comment # 6 - Table 6 - 2035 Development Assumptions by TAZ for Other Development:**

As mentioned in the original FDOT Comment # 5 on the methodology (dated March 20, 2014 and sent via email), please provide documentation to support the 2035 development assumptions used in the LCHG model for the Rodina Sector Plan, SWHCSP, and the America’s Gateway Logistics Center (AGLC).

**FDOT Comment # 7 - Table 8 - Projected Base Conditions Analysis:**

The Department recommends the following revisions to Table 8:

a. Please update Table 8 based on the above comments.

b. Please revise the peak hour directional capacity along the roadway segment of SR 80 from Collinswood Parkway to Cowboy Way to 3,240 (not 3,110) since this roadway segment is a four-lane divided uninterrupted flow highway located in the urbanized area (future area type) with an adopted LOS standard of “D”.

c. The 2035 Peak Season Average Daily Traffic (PSWADT) generated by the LCHG model is different from 2035 PSWADT used in the analysis and included in Table 8. For example, Table 8 shows 2035 PSWADT of 37,684 along SR 29 from SR 78 to SR 80 compared to model showing 2035 PSWADT of 46,587. The Department recommends www.dot.state.fl.us
the 2035 PSWADT used in Table 8 be revised using the maximum traffic volume within the roadway segment for all state roadway segments.

d. As mentioned in the original FDOT Comment # 5 on the methodology (dated March 20, 2014 and sent via email), please provide legible model plots showing the study area roadways for review. The plots were not provided in the transmittal package.

e. Please revise Table 8 and update all the associated analysis accordingly.

**FDOT Comment # 8 – Table 9 - Projected SHSP Conditions Analysis:**

Please revise Table 9 based on above comments and update all the associated analysis accordingly.

**FDOT Comment # 9 – Table 10 – 2035 SHSP Transportation Improvement Needs:**

Please provide an updated Table 10 based on the above comments.

**FDOT Comment # 10 – Study Conclusions:**

Please update the study conclusions based on the above comments. The conclusions should be consistent with the roadway needs identified in Table 10 and Figure 3. This includes SR 80 from SR 29 to Collingwood Parkway and SR 29 from CR 832 in Hendry County to CR 846 in Collier County requiring six (6) lanes compared to the adopted Hendry and Collier Needs Plans showing these roadway segments as four (4) lanes.

**FDOT Comments on Goals, Objectives and Policies**

**FDOT Comment # 11 – Policy 3.2.1: Development Program**

The Department recommends clarifying policy 3.2.1 such that increases to the development program will require an amendment to the SHSP in the Hendry County Comprehensive Plan based upon a “to be determined” development threshold.

**FDOT Comment # 12 - Objective 3.3 and Policies 3.3.1 to 3.3.6:**

Objective 3.3 and Policies 3.3.1 to 3.3.6 are very general and lack specificity. The Department recommends that Objective 3.3 and Policies 3.3.1 to 3.3.6 be revised to provide more specific guidelines and principles to establish various modal components, to optimize mobility, to increase connectivity, to reduce external trips, and to promote travel by a complimentary mix of transportation modes.

F.S. 163.3245(3)(a)3 states that a Long-Term Master Plan must provide "A general identification of the transportation facilities to serve the future land uses in the long-term master plan, including guidelines to be used to establish each modal component intended to optimize mobility". In addition, F.S. 163.3245(3)(a)6 specifies that a sector plan must establish general principles and guidelines, creating quality communities of a design that promotes travel by multiple transportation modes.
The Department understands that the overarching intent of the SHSP is for DSAPs to incorporate best practices in bicycle/pedestrian and transit friendly design, and for future residents of the communities be given options for travel choices within and between DSAPs within the SHSP that considers an interface with public systems outside the sector plan boundary. The Department recommends that Hendry County consider encouraging various multimodal travel opportunities by requiring a multimodal plan.

**FDOT Comment #13 - Policy 3.3.7:**

The Department recommends that a transportation analysis be prepared based on logical assumptions, to identify the improvements that are anticipated to be needed beyond the adopted needs network for Hendy and the adjoining counties. The transportation analysis should encompass the entire sector plan area, thereby conceiving a future year external and internal network to support the sector plan boundary. The future year network needed to support the sector plan, if different from the Transportation Element's future Traffic Circulation Map, should be submitted as an amendment to the Transportation Element.

The Department recommends that Policy 3.3.7 be revised to include the following:

a. Additional language which states, “The transportation methodology for the transportation analysis update as part of any DSAP should be agreed upon by the applicant, Hendry County and FDOT.”

b. Coordination with FDOT on extra jurisdictional impacts to the State Highway System (SHS) including the SIS.

**FDOT Comment #14 - Policies 3.3.8, 3.3.9, 3.5.1, and 3.6.1:**

Policies 3.3.8, 3.3.9, 3.5.1, and 3.6.1 are not clear and lack specificity. The Department offers the following recommendations in revising Policies 3.3.8, 3.3.9, 3.5.1, and 3.6.1 to require a detailed transportation analysis be provided as part of each DSAP that includes the following:

a. A transportation analysis, including a 5-year capital improvement schedule based upon the land use densities and intensities proposed in the DSAP and a methodology coordinated with Hendry, adjoining counties and FDOT. The updated transportation analysis should incorporate the best available data and analysis, including traffic data, land use data, an updated/sub-area validated travel demand model, current committed and planned roadway improvements, and updated roadway improvement cost estimates. Each DSAP should ensure that its long-term impacts to public transportation facilities within the sector plan and regionally significant facilities within Hendry and adjoining Counties are adequately addressed using the strategies provided for in Chapter 163 such that the adopted Level of Service standards of the respective county comprehensive plans are met.

b. All transportation impacts from an approved DSAP for which mitigation was required and has been provided should be deemed fully mitigated in subsequent DSAP transportation analyses and the associated trips may be considered as background

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trips for any subsequent DSAP traffic analyses. All trips from a previous approved DSAP that did not result in impacts for which mitigation was required, or has yet to be provided, should be cumulatively analyzed with trips from any subsequent DSAP to determine whether an impact requires mitigation for the subsequent DSAP.

c. A DSAP approved roadway network with a five year schedule of improvements indicating whether funded or unfunded at time of any DSAP approval within the SHSP.

d. Transportation concurrency review and approval should first occur in connection with, and at time of, DSAP review and approval. A DSAP may permit transportation concurrency review and approval for such DSAP, or for any development phase(s) of such DSAP, to occur after the date of initial DSAP approval and at time of issuance of subsequent local development orders required under the DSAP; provided such DSAP approval authorizes the construction of only that increment of development, if any, for which concurrency approval was granted along with initial DSAP approval.

e. Any transportation concurrency approval granted to authorize development within any DSAP may be issued by utilizing any mechanism acceptable under state law to ensure the adequacy and availability of transportation facilities governed by adopted levels of service. Mitigation of any DSAP transportation impacts should be permitted as allowed pursuant to Section 163.3180(5), F.S., as amended. Such mechanisms may include proportionate share mitigation, mobility fees, or other funding options.

**FDOT Comment #15 - Objective 3.8 and Policy 3.8.1:**

The Department recommends that Objective 3.8 and Policy 3.8.1 be expanded to provide specific requirements for implementing DSAPs as defined in Chapter 163.3245 F.S. Recommended requirements for DSAPs include:

a. A boundary map clearly identifying the area to be covered and its relationship to the Long-Term Build-out Plan.

b. Each land use shall be specifically identified as to the location, minimum and maximum amounts, densities, intensities, and each DSAP shall contain a projected schedule for build-out.

c. Identification of regionally and non-regionally significant public transportation facilities and anticipated impacts on the facilities caused by the DSAP.

d. A transportation analysis, including a 5-year capital improvement schedule based upon the land use densities and intensities proposed in the DSAP and a methodology coordinated with Hendry, adjoining counties and FDOT. The updated transportation analysis should incorporate the best available data and analysis, including traffic data, land use data, an updated/sub-area validated travel demand model, current committed and planned roadway improvements, and updated roadway improvement cost estimates. Each DSAP should ensure that its long-term impacts to public transportation facilities within

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Mr. Ray Eubanks  
Hendry County 14-3SP (Sugar Hill Sector Plan) – FDOT Comments and Recommendations  
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the sector plan and regionally significant facilities within Hendry and adjoining Counties are adequately addressed using the strategies provided for in Chapter 163 such that the adopted Level of Service standards of the respective county comprehensive plans are met.

e. Principles and guidelines that address the urban form proposed by the DSAP and its inter-relationship with other components/future DSAPs needed to implement the full Long-Term Buildout Plan.

f. Each DSAP shall include a description of the land uses, densities and intensities and maximum development amounts permitted for the DSAP and a comparison of those development amounts with the maximum development amounts authorized in Policy 3.2.2 and the cumulative development amounts remaining for future development within the SHSP.

**FDOT Comment #16 - Policy 3.8.2:**
The Department recommends that the Policy 3.8.2 be revised to include, “The transportation analysis methodology should be provided for all DSAPs, including those less than 1,000 acres, and should be agreed upon by the applicant, Hendry County and FDOT.”

**Conclusion:**
The above comments and recommendations detail the errors and omissions that must be corrected; and other revisions required before FDOT can accurately assess the transportation impacts of the SHSP and assure there will be no adverse impacts to important state facilities. Until these issues are addressed, FDOT recommends that the Department of Economic Opportunity (DEO) object to the proposed SHSP.

Thank you for providing FDOT with the opportunity to review and comment on the proposed amendment. If you have any questions please free to contact me at (239) 225-1981 or email sarah.catala@dot.state.fl.us.

Sincerely,

Sarah Catala  
SIS/Growth Management Coordinator  
FDOT District One

cc:  Mr. Scott Rogers, Florida Department of Economic Opportunity  
Ms. Brenda Winningham, Florida Department of Economic Opportunity

www.dot.state.fl.us
Mr. Shane Parker, P.E., Hendry County
Mr. Lawrence Massey, Florida Department of Transportation, District One
Mr. Lois Bush, Florida Department of Transportation, District Four
Exhibit 11
Correspondence from the Florida Fish and Wildlife Conservation Commission

October 3, 2014

Ray Eubanks
Plan Review and Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning
Caldwell Building
Tallahassee, FL 32399-4120
DCPexternalagenevcomments@deo.myflorida.com

Re: Hendry County 14-3 SP, Sugar Hill Sector Plan, Hendry County SEPL 14-0001

Dear Mr. Eubanks:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced proposed comprehensive plan amendment for consistency with applicable provisions of Chapter 163, Florida Statutes. The proposed development is within the area of the Everglades ecosystem southwest of Lake Okeechobee. The Everglades ecosystem is internationally recognized for its unique collection of flora and fauna. Some 67 species within the ecosystem are on the federal threatened or endangered species lists, including the Florida Panther that has become a symbol of this unique natural treasure. It is with this in mind that we reviewed the proposed plan and now raise objections to the proposal as submitted.

In summary, the proposed Sugar Hill Sector Plan does not adequately address potential impacts to important state fish and wildlife, including the Florida Panther. The plan does not identify lands for conservation with the specificity needed to analyze the impacts to wildlife or identify areas appropriate for mitigative measures such as wildlife crossings, signage, and speed control measures. Furthermore, the proposal does not include a plan to coordinate with FWC to ensure potential impacts to fish and wildlife resources are avoided, minimized, or mitigated. As such, we object to the approval of the proposed plan without these issues being adequately addressed.

We provide the following additional and more detailed comments for your consideration in accordance with section 163.3184(3)(b), Florida Statutes.

Project Description

The proposed comprehensive plan amendment identifies approximately 43,000 acres known as the Sugar Hill Sector Plan (SHSP) located immediately south of the Glades County line and immediately west of the City of Clewiston and C.R. 835. The western boundary is located along both sides of C.R. 833 and the SHSP is generally bound by the Montura Ranch Estates community on the south. The acreage included as part of the SHSP consists primarily of active agriculture, including approximately 30,000 acres of sugar cane fields and 7,850 acres of active citrus. The remaining acreage consists of other agricultural uses, canals, and isolated wetlands.
The current SHSP proposal includes 14,818 acres of designated as Long-term Agriculture, 10,522 acres designated as an Economic Center, 1,688 acres of Mixed-Use area, 7,779 acres of Mixed Suburban use, and 8,506 acres of Rural Estates. The area designated as an Economic Center is intended to serve the privatization and expansion of the existing Airglades Airport and to relieve cargo from the Miami International Airport. The remaining uses are intended to support the workforce associated with the Economic Center or to remain in some form of agricultural use, including the Rural Estates designation, which will include provisions for agriculture and conservation, and the Natural Resources Management areas, which allow silvicultural practices associated with enhancement.

Potentially Affect Resources

State and federally listed species or their habitats have been identified onsite, including the federally threatened Audubon’s crested caracara (Polyborus plancus audubonii) and Eastern indigo snake (Drymarchon corais couperi), and the federally endangered Florida panther (Pumas concolor coryi). The western one-third of the property is located within the secondary zone for the Florida panther and panther usage of the property is evident from radio-telemetry data collected from collared panthers. There have been two instances of panther roadway mortality within one mile of the project area, one on U.S. 27 and one on S.R. 80.

Comments

The SHSP outlines policies and objectives to guide planning and development during the Detailed Specific Area Plan (DSAP) process. Objective 3.4: Environmental Resources and Open Space states that the SHSP will "Identify and protect regionally significant natural resources through the creation of an interconnected open space network within the Sugar Hill Sector Plan area where appropriate and fiscally efficient." The subsequent policy provides a commitment to consult FWC databases during preparation of the DSAP application, conduct field surveys, and protect natural resources consistent with state regulations. As stated above, telemetry data and mortality data suggest that portions of the property have the potential to support movement of wildlife species, including the Florida panther. Areas proposed for Rural Estate and forested wetland systems associated with the Natural Resource Management likely support panther usage and movement. The Rural Estate designation includes provisions for some agricultural usage, such as the keeping of livestock, and the Natural Resource Management areas include use by residents for passive recreation, including pedestrian trails and wildlife viewing areas. The combination of the proposed land uses and existing wildlife usage may increase the possibility for negative human-wildlife interactions and property damage. The objective also identifies creation of an interconnected open space network. Because of panther roadkills along U.S. 27 and S.R. 80 and the potential for increased traffic along both S.R. 80 and C.R. 833, the areas identified for the open space network may be appropriate for supporting panther movement through the property.

Because of the above-identified wildlife usage of the property and the potential for human-wildlife interactions, we recommend Policies 3.4.1 and 3.4.2 be revised to account for potential impacts to important state fish and wildlife resources. The policy should include a commitment to coordinate with FWC staff through pre-
application meetings to address potential fish and wildlife resource issues prior to submittal of the DSAP application. The policy should also specify that prior to DSAP adoption, Hendry County will develop a policy outlining the process for coordination with FWC to ensure that potential impacts to fish and wildlife resources are avoided, minimized, or mitigated. Having the ability to identify important natural resource concerns during DSAP planning will allow both FWC and the applicant to develop mutually agreed upon solutions to fish and wildlife resource concerns that cannot be identified at the policy and objective level.

Coordination with FWC staff during DSAP development will be essential in identifying areas of highest wildlife usage, identifying areas appropriate for maintaining habitat and open space connections, ensuring wildlife using the property can continue to move through the property, and ensuring the appropriate mechanisms are in place for educating residents on living with panthers and black bears. Through participation in the DSAP application development, FWC staff can also examine the internal roadway network as well as the existing roadways to identify areas appropriate for mitigative measures such as wildlife crossings, signage, and speed control measures. Appropriate protective measures and appropriate locations for habitat connections and wildlife movement cannot be determined at this time. Including a policy to ensure FWC staff participation in DSAP development will be necessary to adequately protect fish and wildlife resources, to ensure continued wildlife movement through the property, and to reduce the possibility of negative human-wildlife interactions.

In conclusion, we appreciate the opportunity to review the Sugar Hill Sector Plan and participate in this planning process. Again, after thoughtful analysis of the proposal, we object to the approval of the proposed plan based on potential impacts to important state fish and wildlife and cannot fully analyze certain impacts with additional information. If you would like to coordinate further, please do not hesitate to contact Jane Chabre either by phone at (850) 410-3367 or at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions regarding the content of this letter, please contact Jennifer Goff at (850) 617-9380 or by email at Jennifer.Goff@MyFWC.com.

Sincerely,

Nick Wiley,
Executive Director

NWjdg

cc: Darrell Land, Florida Fish and Wildlife Conservation Commission, Darrell.Land@myfwc.com
Shane Parker, Hendry County Director of Public Works, SParker@hendryfla.net
Brenda Winningham, Florida Department of Economic Opportunity, Brenda.Winningham@deo.myflorida.com
Exhibit 12
Correspondence from the South Florida Water Management District

October 3, 2014

Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison, MSC-160
Tallahassee, Florida 32399

Subject: Hendry County, DEO #14-3SP Comments on Proposed Comprehensive Plan Amendment Package

Dear Mr. Eubanks:

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by Hendry County (County) that includes the proposed Sugar Hill Sector Plan (Sector Plan). The proposal is located near the southwestern border of Lake Okeechobee and within the general area of the Florida Everglades that is the focus of the State’s efforts to construct projects to improve water quality and flow for this unique ecosystem. In fact, a portion of the lands within the proposed Sector Plan have been identified as having potential for future Everglades restoration projects. The District has therefore carefully analyzed the proposal for impacts to Governor Rick Scott's historic efforts to restore the Everglades.

Based on this review, the District recommends against approving the proposed Sector Plan as it does not provide sufficient information to show that future Everglades restoration efforts will not be harmed. The following overarching policy issues outline some of the District’s areas of concern and additional comments are attached.

Flood Protection
The Sugar Hill Sector Plan anticipates urban development in a region where stormwater and drainage systems have been designed for agriculture. Policies and the associated data and analysis on how the transition in levels of flood protection and drainage is to occur should be included in the Sector Plan’s Long-term Master Plan.

The US Army Corps of Engineers is currently conducting a risk analysis of the Herbert Hoover Dike. The Sector Plan Long-term Master Plan should include a discussion of this effort. General policies setting forth procedures to be used to incorporate the outcome of this analysis into development efforts should be included in the Sector Plan Long-term Master Plan.

Pollutant Loading Differences from Changes in Land Uses
Patterns, profiles, and timing of pollutant loading will change as land uses anticipated in the Sector Plan evolve over time. The Sector Plan does not adequately address this and should provide general policies setting forth procedures to be used to mitigate impacts.

Irrigation Sources
Proposed sources of irrigation water for the Recreational/Open Space and Residential lands are reclaimed water supplemented by water from wells, canals, and lakes. The Sector Plan does not indicate expected irrigation needs associated with industrial, office, commercial, or public
Mr. Ray Eubanks, Plan Processing Administrator
October 3, 2014
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land uses so the impact of irrigating these areas is unknown. The Sector Plan Long-term Master Plan should include a discussion of the constraints on water supply in the Lake Okeechobee Service Area including potential reallocation of terminated base condition water use, if Lake Okeechobee is a proposed source. Please include policies setting forth procedures to be used to mitigate impacts in the Sector Plan’s Long-term Master Plan.

Ecosystem Restoration
The Environmental Analysis section (Supplement A7, pg. 1, August 26, 2014 Submittal Package) states both, “There are no proposed acquisition areas within this portion of Hendry County. This attests to the lack of environmental sensitivity and regional significance of these lands...” and last paragraph on page 5 of this section, “It should be noted that none of the acquisition areas include the portions of Hendry County that are the subject of the Sugar Hill Sector Plan.”

- These statements should be revised to reflect the District’s two purchase options which include a portion of the lands identified within the Sugar Hill Sector Plan. While no project is currently in the planning stage, it is possible a portion of these properties could be used for restoration. The portion of the Initial Non-Exclusive Option that falls within the boundaries of the Sector Plan is comprised of approximately 13,272 acres and expires October 2015; the portion of the Entire Option Property Non-Exclusive Option is comprised of approximately 19,494 acres and expires October 2020. The Sector Plan language should be revised to reflect these agreements.

In closing, the District has several objections to the proposed Sector Plan, including potential impacts to Everglades restoration efforts. Please find attached more detailed recommendations and technical guidance. The District offers its technical assistance to the County and the Department of Economic Opportunity 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 adopted amendments to the District. For assistance or additional information, please contact Natalie Schneider, Supervising Planner, at (561) 682-2545 or nschneid@sfwmd.gov.

Sincerely,

[Signature]

Dean Powell
Water Supply Bureau Chief

DP/ns

c: Blake Guillory, SFWMD
Terry Bates, SFWMD
Natalie Schneider, SFWMD
Charles Chapman, Hendry County
Kathy Hattaway Bengochea, HCI Planning
Shane Parker, Hendry County
Suzanne E. Ray, DEP
Brenda Winningham, DEO
Margaret Wuerstle, SWFRPC

Attachment: Recommendations and Technical Guidance for Hendry County, DEO #14-3SP
Attachment: Recommendations and Technical Guidance for Hendry County, DEO #14-3SP

Coordination with the District

- Objective 3.7, Intergovernmental Coordination, states Hendry County (County) will coordinate with local, state, and regional governments as required by the appropriate goals, objectives, and policies of the County's Comprehensive Plan for extrajurisdictional impacts. However, no policies have been included to address how intergovernmental coordination will be facilitated and no specific goals, objectives, and policies in the County's Comprehensive Plan have been identified to address extrajurisdictional impacts. A policy or policies should be included to identify specific actions or activities to address how intergovernmental coordination will be facilitated for extrajurisdictional impacts.

Flood Protection and Floodplain Management

- The Sugar Hill Sector Plan (Sector Plan) anticipates urban development in a region where stormwater and drainage systems have been designed for agriculture. Policies and the associated data and analysis on how the transition in levels of flood protection and drainage is to occur should be included in the Sector Plan's Long-term Master Plan.
- The US Army Corps of Engineers is currently conducting a risk analysis of the Herbert Hoover Dike. The Sector Plan Long-term Master Plan should include a discussion of this effort. General policies setting forth procedures to be used to incorporate the outcome of this analysis into development efforts should be included in the Sector Plan Long-term Master Plan.
- Much of the land identified in the Sector Plan Long-term Master Plan is in designated flood zones (A, AE, AH); this condition is not addressed in the text or policies. Definitions of these FEMA Flood Zones should be included with the Flood Hazard Map in the Long-term Master Plan and general policies setting forth procedures to be used to mitigate impacts should be included as well.
- Please include a drainage map showing the stormwater flow patterns and a discussion of anticipated changes in pollutants and pollutant loads that might be associated with stormwater runoff from developed lands versus agricultural lands. General policies setting forth procedures to be used to mitigate impacts should be included in the Sector Plan's Long-term Master Plan.

Wetlands and Other Surface Waters

- Patterns, profiles, and timing of pollutant loading will change as land uses anticipated in the Sector Plan evolve over time. The Sector Plan does not adequately address this and should provide general policies setting forth procedures to be used to mitigate impacts.
- Policy 3.4.1, Conservation of Wetlands and Regionally Significant Natural Resources, states Detailed Specific Area Plan (DSAP) applications will include a delineation of wetlands and natural water bodies within the DSAP area. However, the policy does not specifically state coordination with the District, only that protection of wetlands will generally occur in the Natural Resource Management (NRM) Areas and in a manner consistent with the County's Comprehensive Plan Conservation Element and federal, regional, and state regulations. The policy should be revised to specifically address how coordination activities will be undertaken with the South Florida Water Management District (District) and other applicable agencies.
- Pending amendments to Chapter 40E-61 F.A.C. pertaining to the implementation of BMPs in the Caloosahatchee River watershed, as established by the Northern
Mr. Ray Eubanks, Plan Processing Administrator  
October 3, 2014  
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Everglades and Estuaries Protection Program (NEEPP), render it critical that an 
evaluation of any and all proposed land use changes as they potentially affect pollutant 
loading in that watershed is included in the Sector Plan Long-term Master Plan.

- Lands currently permitted under Chapters 40E-61 and 40E-63 jurisdictions that lie within 
  the Sector Plan development area will require permit modifications under the Works of 
  the District permitting programs where land use changes will occur as a result of the 
  Sector Plan development.

- Future permit applications for DSAPs located within the jurisdictions of the 40E-61 and 
  40E-63 rules will require integrated review among the ERP, water use, and Works of the 
  District programs. Specifically, land use changes affecting drainage, hydrology, and 
  pollutant loading will have to be addressed by the Works of the District program. Future 
  scoping meetings with the District should include representatives of the Works of the 
  District permitting programs.

- The NEEPP (Section 373.4595, F.S.) mandates a Pollutant Control Program be 
  implemented that includes regulatory Best Management Programs such as the State’s 
  ERP Program. Future proposed DSAPs and/or projects within the Sector Plan should be 
  reviewed through the appropriate BMP Program.

Water Supply

General water supply comments:

- The District’s Governing Board approved the Lower West Coast (LWC) Regional Water 
  Supply Plan (RWSP) Update on November 15, 2012. Pursuant to Section 
  163.3177(6)(c)3. F.S., the County’s Water Supply Facilities (Work Plan) should have 
  been adopted and transmitted to the District by May 2014. The Work Plan needs to 
  include updated water demand and population projections for the identified planning 
  period and also identify any water supply projects needed to meet projected demands. 
  The Sector Plan Long-term Master Plan should use more up-to-date information 
  available and rely on the most recent LWC RWSP for population projections and water 
  demand projections. Further information on updating Work Plans is available at: 
  www.sfwmd.gov/work_plan_support.

- For the NRM Areas, revise Map C-2 - Proposed Future Land Use, to depict the areas to 
  be designated as this land use category. Include in the data and analysis for NRM Areas 
  the total acreage amount of the NRM Areas and water projections and needs.

- Under Objective 3.5, please include policies addressing water supply development 
  projects and water conservation measures needed to meet the projected demand of the 
  future land uses.

Potable Water

Potable water demands are being proposed to be met from the Upper Floridan aquifer. Within 
this region of the County, there are limited available freshwater sources. The water quality of the 
Upper Floridan aquifer in the Sector Plan area is expected to have chloride concentrations of 
1,000 mg/L or greater. As a result, a reverse osmosis treatment process will be required and 
proper disposal of the brine will be necessary. The Upper Floridan aquifer is the same 
withdrawal source as used by the Clewiston Water Treatment Plant (Water Use Permit 26-
00769-W). The potable water demands for the Sector Plan were estimated based on a 
population of 48,600 people at 125 gallons per person per day (6.08 MGD) and on non-
residential (commercial/industrial) square footage of 25,000,000 at 0.15 gallons per day (3.75 
MDG).
The potential for degradation of the Upper Floridan aquifer water quality will need to be considered and general policies setting forth procedures to be used to mitigate impacts should be included in the Sector Plan’s Long-term Master Plan.

The overlapping of drawdown contours of the Upper Floridan aquifer existing legal users may be expected and should be considered when designing the wellfield.

Irrigation
The use of reclaimed water is being proposed. It is stated that reclaimed water may provide the majority of irrigation water for the site with supplemental water from wells, canals and lakes. It was estimated that 5,285 acres in the land use categories may have irrigation requirements and a bulk estimate of 25% of this acreage was calculated to require irrigation (1,390 acres).

- Please clarify how the irrigation water demands were derived; the overall estimated irrigated acreage of 1,390 acres maybe a low estimate within the proposed 43,000 acre site.
- Proposed sources of irrigation water for the Recreational/Open Space and Residential lands are reclaimed water supplemented by water from wells, canals, and lakes. The Sector Plan does not indicate expected irrigation needs associated with industrial, office, commercial, or public land uses so the impact of irrigating these areas is unknown. The Sector Plan Long-term Master Plan should include a discussion of the constraints on water supply in the Lake Okeechobee Service Area including potential reallocation of terminated base condition water use, if Lake Okeechobee is a proposed source. Please include policies setting forth procedures to be used to mitigate impacts in the Sector Plan’s Long-term Master Plan.
- The District supports the use of reclaimed water to the maximum extent feasible.

In an effort to foster water supply planning coordination, the District suggests the inclusion of two policies into the proposed Sector Plan goals, objectives, and policies. These policies are intended to facilitate coordination among the District, the County, and DSAP applicants:

- Policy: Future DSAP applicants are informed that the South Florida Water Management District (SFWMD) is responsible for reviewing and issuing permits and/or approvals associated with water supply, the Water Supply Facilities Work Plan, and environmental resources. Early coordination between the applicant and the SFWMD will help identify potential issues, facilitate permit review, and may identify cost effective solutions early in the planning process. Hendry County shall encourage DSAP applicants to coordinate as early as possible with the SFWMD to identify issues potentially affecting permit review and the Water Supply Facilities Work Plan.

- Policy: To facilitate increased coordination, Hendry County will provide the South Florida Water Management District with a courtesy copy, or digital access to submitted DSAP applications, for informational purposes.

Permitting Technical Assistance
It appears the site is located within two Diversion and Impoundment Water Use Permits (D&I) [Sugarland Drainage District (WU Permit 26-00138-W) and the Flahole Drainage District (WU Permit 26-00139-W)]. The individual agricultural projects located within these two D&I permits do not have their own permits and the source of water is from the C-43 Canal which is a restricted source within a “Restricted Allocation Area”.

- Modification of these two D&I’s (currently serving agricultural drainage and irrigation) will be required in order to include the addition of the new use classes within the site.
• The D&I permits will need to be modified to terminate the agricultural water use demands as development occurs within the site and there will be a need to determine if this terminated water will be made available for the other use classes within the site.
• There are concerns related with how the systems will be operated and managed. Specifically, a determination of how water levels be maintained in the primary canals and within the internal wetlands currently receiving the benefit of existing surface water elevations.

Ecosystem Restoration
The Environmental Analysis section (Supplement A7, pg. 1, August 26, 2014 Submittal Package) states both, "There are no proposed acquisition areas within this portion of Hendry County. This attests to the lack of environmental sensitivity and regional significance of these lands..." and last paragraph on page 5 of this section, "It should be noted that none of the acquisition areas include the portions of Hendry County that are the subject of the Sugar Hill Sector Plan."

• These statements should be revised to reflect the District's two purchase options which include a portion of the lands identified within the Sugar Hill Sector Plan. While no project is currently in the planning stage, it is possible a portion of these properties could be used for restoration. The portion of the Initial Non-Exclusive Option that falls within the boundaries of the Sector Plan is comprised of approximately 13,272 acres and expires October 2015; the portion of the Entire Option Property Non-Exclusive Option is comprised of approximately 19,494 acres and expires October 2020. The Sector Plan language should be revised to reflect these agreements.