

**Rick Scott**  
GOVERNOR



**Cissy Proctor**  
EXECUTIVE DIRECTOR

May 21, 2018

The Honorable Steve Champion  
Chairman, Hernando County Board of  
County Commissioners  
20 N. Main Street, Room 263  
Brooksville, Florida 34601

Dear Chairman Champion:

The Department of Economic Opportunity (“Department”) has completed its review of the proposed comprehensive plan amendment for Hernando County (Amendment No. 18-2ER), which was received and determined complete on March 23, 2018. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S.

The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. We have identified four objections related to policies on coastal flood risks required by Section 163.3178(2)(f), F.S., and have included recommendations regarding measures that can be taken to address the objections. We look forward to working together with the County to address the objections. We are also enclosing comments from other reviewing agencies.

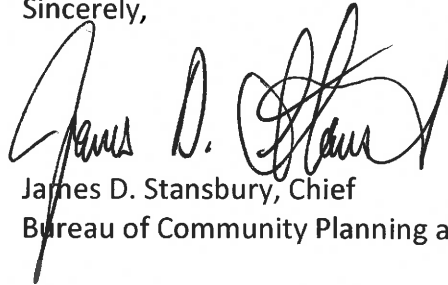
The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment. Also, please note that Section 163.3184(4)(e)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of the Department’s Report, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment.

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

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If you have any questions related to this review, please contact Robin Branda, Planning Analyst, by telephone at (850) 717-8495 or by email at [Robin.branda@deo.myflorida.com](mailto:Robin.branda@deo.myflorida.com).

Sincerely,

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

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

JDS/rb

Enclosures: Procedures for Adoption  
Agency Comments

cc: Ronald Pianta, AICP, Director, Planning and Zoning Department  
Cayce Dagenhart, AICP, Planner II, Hernando County  
Brady Smith Jr., AICP, Principal Planner, Tampa Bay Regional Planning Council

**OBJECTIONS, RECOMMENDATIONS, AND COMMENTS REPORT  
PROPOSED COMPREHENSIVE PLAN AMENDMENTS  
HERNANDO COUNTY (DEO Amendment No. 18-2ER)**

The Department of Economic Opportunity (“Department”) has identified the following four objections and no comments related to Hernando County’s proposed evaluation and appraisal based comprehensive plan amendments. The objections relate to statutory requirements for the Coastal Management Element. If the County adopts the amendments without addressing the objections, the Department may find the amendments not in compliance pursuant to Section 163.3184(4)(e)4., Florida Statutes (F.S.). The Department is available to assist the County in addressing the objections by identifying resources and providing examples of policy language that has been deemed to be in compliance with the statutory authorities cited below.

**Objections: Coastal Management Element/Peril of Flood.**

Sections 163.3178(2)(f)1-6, Florida Statutes, generally referred to as “peril of flood,” require that the Coastal Management Element include specific goals, objectives and policies related to reducing flood risks in coastal areas, removing coastal real property from Federal Emergency Management Agency flood designations, reducing losses and insurance claims due to coastal flooding, require consistency with the Florida Building Code and including the effects of sea level rise. While the County’s comprehensive plan identifies areas that currently experience and historically have experienced flooding and limits exposure in the Coastal High Hazard Area, the County’s proposed amendments do not adequately address the statutory peril of flood requirements, as more fully described below.

**Objection 1: Flood Risk in Coastal Areas.**

Proposed Strategy 11.02B(1), (4) and (5) and Strategy 11.02D(5) and (7) in the Coastal Management Element do not identify development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which result from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise, and lacks supporting data and analysis.

**Statutory Authority:** Sections 163.3178(2)(f)1. and 163.3177(1)(f), F.S.

**Recommendations:**

- (a) The County should collect and analyze data that identifies coastal areas that will be at risk in the future and, within these areas, the public and private resources at risk of flood hazards. These impacts should be considered at 10, 20 and 30 year intervals and can be projected at low, medium, or high calculations, but at a minimum should be identified to properly

calculate potential future flooding. Some resources available to assist the County include the mapping tools provided by the National Oceanic and Atmospheric Administration and the University of Florida's GeoPlan Center to identify at-risk coastal areas, development, and infrastructure, available at these links:

- <https://coast.noaa.gov/digitalcoast/tools/flood-exposure>,
- <http://coast.noaa.gov/digitalcoast/tools/slr>,
- <https://coast.noaa.gov/slrdata/> and
- <https://sls.geoplan.ufl.edu>.

(b) Based on the above data and analysis, the County should amend proposed Coastal Management Element Strategy 11.02B(1), (4) and (5) and Strategy 11.02D(5) and (7) based on the community's values and capacity, including projected fiscal capacity, to identify the specific development and redevelopment principles, strategies, and engineering solutions that will be used in the County in order to comply with statutory requirements and guide the development of implementing land development regulations.

## **Objection 2. Best Practices Development and Redevelopment Principles, Strategies, and Engineering Solutions.**

The proposed plan amendments do not include policy language to encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency or identify what those principles, strategies and engineering solutions will include.

**Statutory Authority:** Section 163.3178(2)(f)2., F.S.

### **Recommendation:**

The County should modify proposed Strategy 11.02A(7) of the Coastal Management Element of its Comprehensive Plan to state that the County encourages the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency and identify what those best practices principles, strategies, and engineering solutions will include.

### **Objection 3. Reduce Flood Losses and Flood Insurance Claims.**

The proposed Strategy 11.02D(2) and (5) does not identify specific site development techniques and best practices that may reduce the losses due to flooding and claims made under flood insurance policies issued in Florida, and lacks supporting data and analysis.

**Statutory Authority:** Sections 163.3177(1)(f) and 163.3178(2)(f)3., F.S.

#### **Recommendations:**

- (a) The County should amend proposed Strategy 11.02D(5) to identify specific site development techniques and best practices that will be used in the County to reduce losses due to flooding and claims made under flood insurance policies issued in this state, and provide appropriate data and analysis to support the amended policy.
- (b) Strategies related to stormwater management are important steps the County can take to reduce flood risk. Within the County's stormwater management system, the County should consider identifying vulnerabilities to sea level rise and changes in floodplains that may place structures at risk and include policies in the plan amendment to reduce or minimize any risks to these structures and resources.

### **Objection 4. Florida Building Code and Community Rating System.**

Proposed Strategy 11.02A(2) requires that the County take into account the Florida Building Code. The statute cited below requires that the County comprehensive plan "be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60." The statute also requires that the Coastal Management Element "encourage local governments to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for their residents." The proposed amendments do not address the Community Rating System.

**Statutory Authority:** Sections 163.3178(2)(f)4. and 6., F.S.

#### **Recommendation:**

The County should amend proposed Coastal Management Element Strategy 11.02A(2) to require that the County comprehensive plan and regulations shall be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60, and to encourage the County's participation, or continued participation, in the National Flood Insurance Program Community Rating System.

## SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

### FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

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

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

\_\_\_\_\_ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity in response to the comment letter from the Department of Economic Opportunity.



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# Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899  
(352) 796-7211 or 1-800-423-1476 (FL only)  
WaterMatters.org

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

**Sarasota Office**  
6750 Fruitville Road  
Sarasota, Florida 34240-9711  
(941) 377-3722 or  
1-800-320-3503 (FL only)

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

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**Rebecca Smith**  
Hillsborough, Pinellas

**Mark Taylor**  
Hernando, Marion

**Michelle Williamson**  
Hillsborough

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

April 20, 2018

Mr. Ronald F. Pianta, AICP  
Hernando County  
20 North Main Street, Room 263  
Brooksville, FL 34601

Subject: **Hernando 18-2ESR**

Dear Mr. Pianta:

The Southwest Florida Water Management District (District) has reviewed the referenced amendment package for the proposed 2040 Comprehensive Plan. We offer the following comments for consideration.

### Regional Water Supply

1) Strategy 6.03B(2) states "public facility zoning shall be required for any proposed potable water wellfields to review the impacts on surrounding and proposed land uses and the aquifer. The zoning process may be used to require mitigation of significant negative impacts." This language should be revised or removed from the proposed plan, as it is contrary to Florida law. The Florida Legislature vested the water management districts with the sole responsibility of regulating consumptive uses of water. Additional information on this subject will be provided from the District's General Counsel in the next week or so.

The County is also encouraged to follow up with District staff on any water use permitting concerns. The contact for this is Mary Kassabaum, government affairs regional manager, who can be reached at (352)796-7211, ext. 4759.

### Wetlands and Other Surface Waters

2) The plan should recognize and commit to the implementation of the recently approved Weeki Wachee River SWIM Plan. This SWIM plan lays out a restoration and management strategy for the river system. The District and stakeholders, including Hernando County, partnered for its development. See [www.swfwmd.state.fl.us/springs/weeki-wachee/](http://www.swfwmd.state.fl.us/springs/weeki-wachee/) for a copy of the plan.

### Floodplains and Floodprone Areas

3) No comments.



Mr. Ronald F. Pianta, AICP  
April 20, 2018  
Page 2

Thank you for this opportunity to participate in the review process. Please provide the District with a copy of the adopted amendment, including any supporting data and analysis. If you have any questions or require further assistance, please do not hesitate to contact me at (352) 796-7211, extension 4407 or at [trisha.neasman@watermatters.org](mailto:trisha.neasman@watermatters.org).

Sincerely,



Trisha Neasman, AICP  
Planning Lead  
TN

cc: Ray Eubanks, DEO  
Suzanne Ray, DEP  
Karen West, SWFWMD  
Mary Kassabaum, SWFWMD

## Eubanks, Ray

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**From:** Plan\_Review <Plan.Review@dep.state.fl.us>  
**Sent:** Friday, April 20, 2018 2:34 PM  
**To:** Eubanks, Ray; DCPexternalagencycomments  
**Cc:** Plan\_Review  
**Subject:** Hernando County 18-2ER Proposed

To: Ray Eubanks, DEO Plan Review Administrator

Re: Hernando County 18-2ER – State Coordinated Review of Proposed Comprehensive Plan Amendment

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

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

Please submit all future amendments by email to [plan.review@dep.state.fl.us](mailto:plan.review@dep.state.fl.us). If your submittal is too large to send via email or if you need other assistance, contact Suzanne Ray at (850) 717-9037.





FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES  
COMMISSIONER ADAM H. PUTNAM

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April 16, 2018

VIA EMAIL (rpianta@hernandocounty.us)

Hernando County Planning Department  
Mr. Ronald F. Pianta  
20 North Main Street, Room 262  
Brooksville, Florida 34601

Re: DACS Docket # -- 20180316-1077  
Hernando County 2040 CP  
Submission dated March 16, 2018

Dear Mr. Pianta:

The Florida Department of Agriculture and Consumer Services received the above-referenced proposed comprehensive plan amendment on March 16, 2018 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendments are adopted. The Florida Forest Service manages the Withlacoochee State Forest, which is comprised of more than 160,000 acres, including portions located in Hernando County. Please see our comments below regarding the Proposed 2040 Comprehensive Plan, which will assist the Florida Forest Service in continued management of the Withlacoochee State Forest:

**World Woods Development District Strategies**

**Strategy 1.05C(2) (page 35):** Locate residential units, resort hotel, clubhouse, paved parking, interim sewage treatment plants and other buildings toward the interior of the district, no closer than 100 feet from abutting privately owned parcels or from U.S. 98 or C.R. 491.

Much of the adjoining property is publicly-owned land managed by the Florida Forest Service. Please consider modifying the last sentence to include both privately and publicly owned parcels.

**Strategy 1.05C(6) (page 35):** A 100' natural vegetative buffer shall be maintained around the perimeter of the PDD where it abuts privately-owned parcels. Where a natural vegetative buffer does not exist, the developer shall plant a vegetative buffer of natural species to meet the 100' standard.

Natural buffers are susceptible to invasive and exotic plant species, including old world climbing fern, coral ardisia, and sword fern. If untreated, these species will quickly spread to adjoining land parcels, including the Withlacoochee State Forest. Please consider the inclusion of language requiring the treatment of any Florida Exotic Pest Plant Council Category I invasive exotic plants within this buffer.

**Hickory Hill Planned Development District Strategies**

**Strategy 1.05D(6) (pages 39-40):** Hickory Hill PDD will protect natural resources with the following as minimum requirements:

a. Open Space will cover a minimum of 1110 acres of the development and shall include the buffer on the west, north, and south sides of the project. ... Additionally, the open space will be designed to provide for the preservation of areas with the highest and most diverse concentration of listed wildlife species and hardwood/mixed forest.

Open space should also be protected from invasive exotic plant species, such as those mentioned above. Please consider the inclusion of language requiring the treatment of any Florida Exotic Pest Plant Council Category I invasive exotic plants within this open space.

**Quarry Preserve Planned Development District Strategies**

**Strategy 1.05F(2) (pages 47-48):** The Quarry Preserve PDD shall be developed as a new town, as defined in Chapter 163, Florida Statutes as may be amended or renumbered from time to time, and will incorporate the following features:

r. The protection of a wildlife corridor, unique features of the site and natural areas.

Please consider the inclusion of language regarding protection of wildlife corridors, unique features and natural areas against Florida Exotic Pest Plant Council Category I invasive plant species.

If you have any questions, please contact Keith Mousel, Manager, Withlacoochee Forestry Center at 352-797-4101.

Sincerely,



Derek Buchanan  
Budget Director  
Office of Policy and Budget

cc: Florida Department of Economic Opportunity  
(SLPA #: Hernando County 18-2 ESR)



*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

MIKE DEW  
SECRETARY

April 13, 2018

Ronald F. Pianta, AICP, Director  
Hernando County Planning Department  
Hernando County Government Center  
20 North Main Street, Room 263  
Brooksville, FL 34601-2828

Re: Hernando County 2040 Comprehensive Plan – 18-2ER

Dear Mr. Pianta:

We have reviewed the Hernando County's Comprehensive Plan amendment for 18-2ER according to Chapter 163, Florida Statutes, and our review guidelines. The Department is providing the following assessment.

**Background:** With an estimated 2017 population of 181,878, Hernando County (506 square miles) is part of the Nature Coast. A combination of conservation, residential, mining and rural land uses predominate. Major roadway facilities serving the county include I-75, US 19, US 41, US 98, US 301, the Suncoast Parkway, and SR 50.

**Proposal:** The amendment is revising the entire comprehensive plan by: reformatting the Plan as a strategy document; organizing and updating it to make it user-friendly; resetting the planning horizon to 2040; consolidating it to 11 elements of text; retaining current foundation and framework; and keeps the future land use map pattern intact. A few key purposes of the comprehensive plan are to; identify strategies to accommodate future growth; reconcile land use with infrastructure and service delivery; identify land use limitations and provide flexible growth strategies; and coordinate land use decision with infrastructure and resources (i.e. schools, natural resources, water, roads, utilities etc.).

**Comments;** The department notes and endorses the refinement and consistency in the revised transportation element with emphasis on integrating MPO 2040 Long Range Plan; coordinating utilities planning with land use; addressing future right-of-way needs; implementing Complete Streets; and addressing both disconnects in the frontage road network and cross access easements.

Mr. Ronald F. Pianta, ACIP  
April 13, 2018  
Page 2

Technical assistance: Transportation Strategy 5.01.C (2) and 5.01.E (6) have common themes the department has been working with in the form of context sensitive solutions. You may be aware, the department embarked on a new direction - one that fosters community building by creating a context sensitive system of Complete Streets. Complete Streets will promote safety, quality of life, and economic development by serving the transportation needs of transportation system users of all ages and abilities. This can help local governments to maintain their existing or proposed land use contexts of areas served consistent with their transportation projects (e.g. US 19, US 41, US 98 and SR 50). A hyperlink to the guidelines is attached to provide technical assistance - <http://www.fdot.gov/roadway/CSI/files/FDOT-context-classification.pdf>. The department's contact for this endeavor is Ms. Jennifer Bartlett, AICP at (813) 975-6233 or [Jennifer.Bartlett@dot.state.fl.us](mailto:Jennifer.Bartlett@dot.state.fl.us).

Thank you for the opportunity to review this amendment. Please ensure that we receive a copy of the adopted amendment. Should you have any questions please do not hesitate to contact me at 813-975-6429 or at [Daniel.santos@dot.state.fl.us](mailto:Daniel.santos@dot.state.fl.us).

Sincerely,



Daniel C. Santos, AICP  
Growth Management Supervisor

cc: Ray Eubanks, Plan Processing Administrator, DEO  
Waddah Farah, PDA Administrator, FDOT District 7  
Lindsey Mineer, LGCP Coordinator, FDOT District 7