



DEPARTMENT OF PLANNING AND ZONING

PLANNING DIVISION

20 NORTH MAIN STREET ♦ ROOM 262 ♦ BROOKSVILLE, FLORIDA 34601
P 352.754.4057 ♦ F 352.754.4420 ♦ W www.HernandoCounty.us

February 16, 2022

Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity
Bureau of Comprehensive Planning
Caldwell Building
107 East Madison Street, MSC 160
Tallahassee, Florida 32399-4140

Re: **Hernando County Comprehensive Plan Amendment Adoption (Expedited Review)**
DEO ID: Hernando County 21-04ESR; CPAM2107 - Comprehensive Plan Text Amendment
Revising Section B, Future Land Use Map Series, Conservation Map Interpretation Guidance
and Future Land Use Element Strategy 1.04A(6) to Address Publicly Owned Conservation
Lands Along Designated Commercial Corridors

Dear Mr. Eubanks:

Please find enclosed the transmittal package of the adopted Hernando County Comprehensive Plan Amendment **HC21-04ESR** (CPAM2107). The adopted amendment is being submitted pursuant to the expedited review process as described in Section 163.3184(3), F.S. and shall be submitted to the Florida Department of Economic Opportunity through its Online Comprehensive Plan Amendment portal.

The Board of County Commissioners (BCC) acting as the Local Planning Agency (LPA) and the governing body held an advertised transmittal public hearing on November 16, 2021. The plan amendment was transmitted to the State Land Planning Agency and review agencies on November 22, 2021, as a proposed amendment. A review letter was issued by the State Land Planning Agency on December 17, 2021, providing Technical Assistance comments related to the proposed amendment.

The advertised public hearing to adopt the Comprehensive Plan Amendment was held on February 8, 2022. The proposed amendment was adopted by Ordinance 2022-03 on this date.

As a result of the technical assistance comments received from the Florida Department of Economic Opportunity, Hernando County made modifications to Section B, Future Land Use Map Series, Conservation Category, Map Interpretation Guidance and the Future Land Use Element to require any state agency to go through the Comprehensive Plan Amendment process to designate any property made available for surplus as commercial. These revisions to the adopted amendment are detailed in the Staff Report attached hereto as Attachment C.

The adoption package includes:

- Attachment A:** The executed adoption Ordinance 2022-03 and Exhibit A
- Attachment B:** Agency Responses to Proposed Amendment
- Attachment C:** The staff report which details additional changes made in the adopted amendment that were not previously reviewed by the State Land Planning Agency.

Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity
Hernando County 20-1ESR (CPAM2004)

March 26, 2021
Page 2

This letter hereby certifies that Hernando County has sent a complete copy of the proposed Comprehensive Plan Amendment and supporting materials to all the review agencies listed in Chapter 163 that provided comments at the transmittal stage.

The name of the person(s) for Hernando County who is familiar with the proposed plan amendment package is:

Michelle Miller, Senior Planner
Hernando County Planning Department
20 N. Main Street, Room 262 | Brooksville, Florida 34601
Phone: (352) 754-4057 ext. 28027 | Fax: (352) 754-4420
Email: mllmiller@hernandocounty.us

If you have any further questions or require additional information, please contact Mrs. Miller.

Sincerely,



Ronald F. Pianta, AICP
Planning and Zoning Director
Hernando County Planning Department

Enclosure: CPAM2107 Comprehensive Plan Amendment Package

cc: VIA – Email:

Cara W. Serra, Comprehensive Resiliency Planner, Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd, Ste. 100, Pinellas Park, FL 33782, email to: cara@tbprc.org

Trisha Neasman, AICP, Planning Supervisor, Southwest Florida Water Management District
2379 Broad Street, Brooksville FL 34604-6899, email to: trisha.neasman@watermatters.org

Daniel C. Santos, AICP, Growth Management Supervisor, Florida Department of Transportation, District Seven, 11201 North McKinley Dr., MS 7-500, Tampa, FL 33612-6456, email to: Daniel.Santos@dot.state.fl.us

Department of Environmental Protection, Attn: Plan Review, Office of Intergovernmental Programs
3900 Commonwealth Boulevard, MS 47, Tallahassee, FL, 32399, email to: Plan.Review@dep.state.fl.us

Department of State, Bureau of Historic Preservation, 500 South Bronough St, Tallahassee, FL 32399-0250,
email to: compliancepermits@dos.myflorida.com

Scott Sanders, Florida Fish and Wildlife Conservation Commission, Conservation Planning Services
620 South Meridian St, MB 5B5, Tallahassee FL 32399-1600,
email to: FWCConservationPlanningServices@myfwc.com

Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity
Hernando County 20-1ESR (CPAM2004)

March 26, 2021
Page 3

Department of Agriculture and Consumer Services, Attn: Comprehensive Plan Review, Office of Policy and Budget, The Capital, Plaza Level 8, Tallahassee, FL 32399-0800, email to: compplans@freshfromflorida.com

Mark Weigly, Director, Department of Education, Office of Educational Facilities, 325 West Gaines St, Ste. 1014, Tallahassee, FL 32399-0400, email to: Mark.weigly@fldoe.org

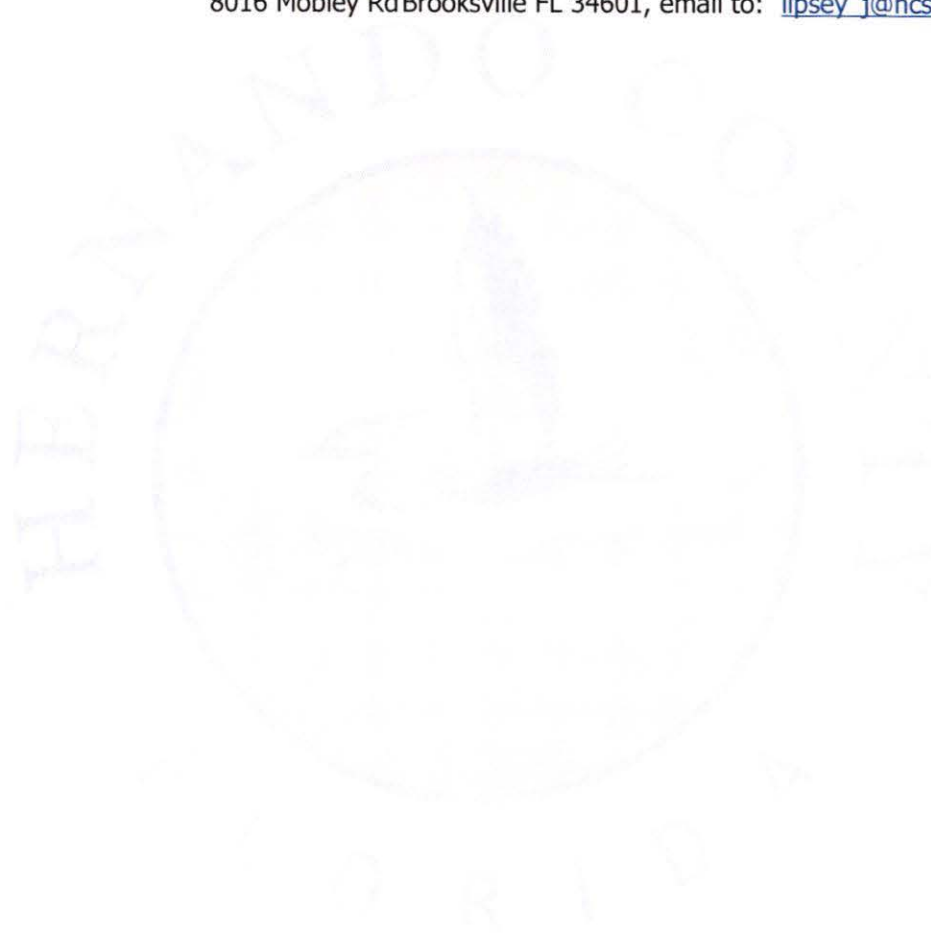
Steve Gouldman, City Planner, City of Brooksville, 201 Howell Avenue, Brooksville FL 34601, email to: sgouldman@cityofbrooksville.us

Joanna L. Coutu, AICP, Director, Citrus County Land Development Division, 3600 W. Sovereign Path, Ste. 140, Lecanto, FL 34461, email to: Joanna.coutu@citrusbocc.com

Jeff Jenkins, Executive Planner, Long Range Planning Division. Pasco County Planning and Development 8731 Citizens Drive, Ste. 320, New Port Richey, FL 34654, email to: jjenkins@pascocountyfl.net

Karl E. Holley, AICP, CFM, Director of Development Services, Sumter County Board of Commissioners 7375 Powell Road, Ste. 115, Wildwood, FL 34785, email to: karl.holley@sumtercountyfl.gov

Jim Lipsey, Manager of Planning, Design and Construction, Hernando County School District 8016 Mobley Rd Brooksville FL 34601, email to: lipsey_j@hcsb.k12.fl.us



Attachment A: Ordinance 2022-03 and Exhibit A

ORDINANCE NO. 2022 - 03

1
2
3 **AN ORDINANCE AMENDING THE 2040 HERNANDO COUNTY**
4 **COMPREHENSIVE PLAN BY REVISING SECTION B, FUTURE LAND**
5 **USE MAP SERIES, CONSERVATION CATEGORY, MAP**
6 **INTERPRETATION GUIDANCE, AND REVISING FUTURE LAND USE**
7 **ELEMENT STRATEGY 1.04A(6) TO ADDRESS PUBLICLY OWNED**
8 **CONSERVATION LANDS ALONG DESIGNATED COMMERCIAL**
9 **CORRIDORS; APPROVING AND ADOPTING CPAM-21-07; PROVIDING**
10 **FOR TRANSMITTAL OF ADOPTED CPAM-21-07 TO THE STATE LAND**
11 **PLANNING AGENCY AND REVIEW AGENCIES; PROVIDING FOR**
12 **APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR**
13 **CONFLICTING PROVISIONS; PROVIDING FOR FILING WITH THE**
14 **DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.**

15
16 **WHEREAS**, in 1985, the Florida Legislature adopted the Local Government Comprehensive
17 Planning and Land Development Regulation Act (now known as the Community Planning Act),
18 as set forth in Sections 163.3161 through 163.3215, *Florida Statutes* (Act); and

19
20 **WHEREAS**, on September 25, 2018, the Hernando County Board of County Commissioners
21 (BOCC) adopted the 2040 Hernando County Comprehensive Plan (Ordinance 2018-16), within
22 which, are goals, objectives, and strategies used to guide future growth; and

23
24 **WHEREAS**, the BOCC, following a public hearing, approved revising Section B, Future
25 Land Use Map Series, Conservation Category, Map Interpretation Guidance, and revising Future
26 Land Use Element Strategy 1.04A(6), to address publicly owned conservation lands along
27 designated commercial corridors, as stated in **EXHIBIT A**, attached hereto and incorporated
28 herein by reference, and hereinafter referred to as CPAM-21-07; and

29
30 **WHEREAS**, the County transmitted CPAM-21-07 to the State Land Planning Agency for
31 review pursuant to the Act, and it was assigned tracking number “Hernando County 21-04ESR”
32 by the State Land Planning Agency; and

33
34 **WHEREAS**, the State Land Planning Agency and the other required Review Agencies
35 reviewed CPAM-21-07, and any comments concerning CPAM-21-07 were submitted to the
36 County; and

37
38 **WHEREAS**, the BOCC finds and determines that CPAM-21-07 is internally consistent with
39 the 2040 Hernando County Comprehensive Plan, and finds that CPAM-21-07 is ready for final
40 adoption by the BOCC; and

41
42 **WHEREAS**, the BOCC has conducted a second public hearing for the final adoption of
43 CPAM-21-07 as an amendment to the 2040 Hernando County Comprehensive Plan; and

44
45 **WHEREAS**, upon enactment of this Ordinance, CPAM-21-07 shall be transmitted as an
46 adopted comprehensive plan amendment to the State Land Planning Agency and the other Review
47 Agencies, as required by the Act;

1 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
2 **COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:**

3
4 **SECTION I. Recitals.** The recitals set forth above are true and correct and incorporated
5 herein by this reference.

6
7 **SECTION II. Adopting CPAM-21-07 (Hernando County 21-04ESR).** CPAM-21-07
8 (Hernando County 21-04ESR), attached hereto as **EXHIBIT A** and incorporated herein by this
9 reference, is hereby approved and adopted, and the 2040 Hernando County Comprehensive Plan
10 is amended accordingly, subject to the Effective Date provision (Section X) below.

11
12 **SECTION III. Execution.** The Chairman of the Hernando County Board of County
13 Commissioners is hereby authorized to execute this Ordinance, and all related documents.

14
15 **SECTION IV. Transmittal of Adopted CPAM-21-07 to State Land Planning Agency**
16 **and Review Agencies.** County staff shall transmit an executed copy of this Ordinance adopting
17 CPAM-21-07 to the State Land Planning Agency and the other Review Agencies within ten (10)
18 days of adoption hereof, pursuant to Section 163.3184, *Florida Statutes*.

19
20 **SECTION V. Publication.** This Ordinance shall be published as required by law.

21
22 **SECTION VI. Applicability.** This Ordinance shall be applicable throughout the
23 unincorporated area of Hernando County.

24
25 **SECTION VII. Severability.** It is declared to be the intent of the Board of County
26 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
27 Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect
28 the validity of the remaining portions of this Ordinance.

29
30 **SECTION VIII. Conflicting Provisions.** Special acts of the Florida Legislature applicable
31 only to unincorporated areas of Hernando County, Hernando County ordinances, County
32 resolutions, or parts thereof, in conflict with this Ordinance are hereby superseded by this
33 Ordinance to the extent of such conflict except for ordinances concerning either adoption or
34 amendment of the Comprehensive Plan, pursuant to Chapter 163, Part II, *Florida Statutes*.

35
36 **SECTION IX. Filing with the Department of State.** The clerk shall be, and is hereby
37 directed forthwith, to send a certified copy of this Ordinance, or electronically transmit this
38 Ordinance by email, to the Bureau of Administrative Code, Department of State, R.A. Gray
39 Building, Room 101, 500 South Bronough Street, Tallahassee, Florida 32399-0250.

40
41 **SECTION X. Effective Date.** This Ordinance shall take effect upon filing with the
42 Florida Secretary of State; however, the adopted amendment (CPAM-21-07) shall take effect, and
43 be considered an amendment to the 2040 Hernando County Comprehensive Plan, if the
44 amendment is not timely challenged, 31 days after the State Land Planning Agency notifies the
45 local government that the plan amendment package is complete or as otherwise provided in Section
46 163.3184, *Florida Statutes*. If timely challenged, this amendment shall become effective on the
47 date the State Land Planning Agency or the Administration Commission enters a final order

1 determining this adopted amendment to be in compliance. No development orders, development
2 permits, or land uses dependent on this amendment may be issued or commence before it has
3 become effective. If a final order of noncompliance is issued by the Administration Commission,
4 this amendment may nevertheless be made effective by adoption of a resolution affirming its
5 effective status, a copy of which resolution shall be sent to the State Land Planning Agency.
6

7 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
8 **HERNANDO COUNTY, FLORIDA, IN REGULAR SESSION THIS 8TH DAY OF**
9 **FEBRUARY 2022.**

10
11 **BOARD OF COUNTY COMMISSIONERS**
12 **HERNANDO COUNTY, FLORIDA**

13
14 Attest: Heidi Kuppel, D.C.
15 *for* DOUGLAS A. CHORVAT, JR.
16 CLERK OF CIRCUIT COURT
17 AND COMPTROLLER



18 By: [Signature]
19 STEVE CHAMPION
20 CHAIRMAN
21
22
23

24
25 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
26 By: Shannon Eller
27 County Attorney's Office
28
29

Exhibit A: CPAM2107

CPAM2107: Proposed Revisions to Section B, Future Land Use Map Series

The following mapping criteria is proposed to be revised to address Conservation properties owned by public entities along Commercial corridors.

Conservation Category

Mapping Criteria: The Conservation Category includes public and private natural areas designated for conservation due to sensitive or unique geologic, historic, hydrologic or environmental characteristics; or held by federal, state or local government agencies for conservation purposes. Weeki Wachee Springs State Park is included in the Conservation Category as it is designated as an area of historical and environmental emphasis and is governed by a specific set of strategies in the Future Land Use Element.

Map Interpretation Guidance:

- (1) Due to general application of a 20-acre mapping threshold for the Future Land Use Map, small or isolated natural features such as wetlands may not be shown on the Future Land Use Map;
- (2) Wetlands and privately-owned uplands in the Coastal Zone that are completely surrounded by Conservation Category lands and do not have direct access to the County roadway network are included in the Conservation Category. These lands are considered to have a Rural Category designation for purposes of allowable uses, subject to the densities assigned in the Coastal Management Element of this Plan;
- (3) Privately-owned uplands within the Coastal Zone having direct access to the County roadway network may be considered to have a Residential Future Land Use Category designation for purposes of allowable uses only, subject to the densities assigned in the Coastal Management Element of this Plan;
- (4) Class I wetlands of forty acres or more shall be included in the Conservation Category pursuant to the Conservation Element of this Plan;
- (5) The boundaries of the Conservation FLUM Category containing wetlands are interpreted to correspond with the wetland boundary as determined by the applicable agencies;
- (6) Privately-owned lands that are not designated for conservation purposes outside the Coastal Zone shall be considered to have a Rural Future Land Use Category designation.
- (7) Publicly-owned lands located along commercial use corridors along U.S. Highway 19 and State Route 50 that are determined to no longer be necessary for conservation purposes and are made available for surplus by the designated agency may be considered to have a Commercial Future Land Use designation pursuant to Strategy 1.04.A(6) of the Future Land Use Element of this Plan. To receive this designation, the agency must proceed through the Comprehensive Plan Amendment process to amend the future land use map, in accordance with Section 163.3184, F.S.

CPAM2107: Proposed Revisions to the Future Land Use Element

The following strategy is proposed to be revised in the Future Land Use Element to address conservation lands owned by public entities.

Future Land Use Map

Strategy 1.04A(6): The *Commercial Category* provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties. Publicly owned lands along the commercial use corridors that are made available for surplus may be considered to have a Commercial designation, if the agency proceeds through the Comprehensive Plan Amendment process to amend the future land use map, in accordance with Section 163.3184, F.S.

Attachment B: Agency Responses to Proposed Amendment

From: [Trisha Neasman](#)
To: [Planning Resource Object](#)
Cc: DCPexternalagencycomments@deo.myflorida.com
Subject: Hernando 21-4ESR
Date: Friday, December 17, 2021 5:52:44 PM

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The Southwest Florida Water Management District reviewed the referenced plan amendments and concluded that comments are not necessary. Thank you for the opportunity to participate in these reviews. Should you have any questions or require further assistance, please do not hesitate to contact us.

Sincerely,



Trisha Neasman, AICP
Planning Lead, Government and Community Affairs Office
Southwest Florida Water Management District
2379 Broad Street; Brooksville, Florida 34604
(352)796-7211, ext. 4407, fax: (352)754-6749
trisha.neasman@watermatters.org

Ron DeSantis
GOVERNOR



Dane Eagle
SECRETARY

December 1, 2021

The Honorable John Allocco
Chairman, Hernando County
Board of County Commissioners
20 North Main Street, Room 263
Brooksville, Florida 34601

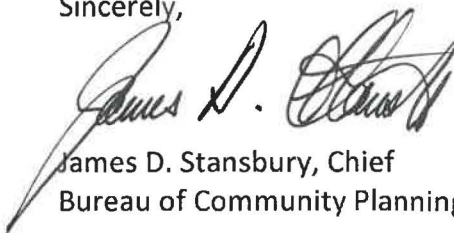
Dear Chairman Allocco:

The Department of Economic Opportunity ("Department") has completed its review of the comprehensive plan amendment adopted by Hernando County (Amendment No. 21-03ESR) by Ordinance No. 2021-22 on October 26, 2021. We have reviewed the amendment in accordance with the expedited state review process set forth in Section 163.3184(2) and (3), Florida Statutes, and identified no provision that necessitates a challenge of the Ordinance adopting the amendment.

If the plan amendment is not challenged by an affected person, the amendment will become effective 31 days after the Department notified the local government that the plan amendment package was complete. If the plan amendment is challenged by an affected person, the amendment will not become effective until the Department or the Administration Commission enters a final order determining the amendment to be "In Compliance."

If you have any questions concerning this review, please contact Beau Scott, Planning Analyst, by telephone at (850) 717-8515 or by email at beau.scott@deo.myflorida.com.

Sincerely,



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

JDS/bs

cc: Ronald F. Pianta, AICP, Director, Planning and Zoning Services, Hernando County
Sean T. Sullivan, Executive Director, Tampa Bay Regional Planning Council

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Ron DeSantis
GOVERNOR



Dane Eagle
SECRETARY

December 17, 2021

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

Dear Chairman Champion:

The Department of Economic Opportunity ("Department") has reviewed Hernando County's proposed comprehensive plan amendment (Amendment No. 21-04ESR), received on November 19, 2021, pursuant to the expedited state review process in Section 163.3184(2)-(3), Florida Statutes (F.S.). We have not identified any comments related to adverse impacts to important state resources and facilities within the Department's authorized scope of review.

We are, however, providing a technical assistance comment consistent with Section 163.3168(3), F.S. The technical assistance comment will not form the basis of a challenge. It is offered either as a suggestion which can strengthen the County's comprehensive plan in order to foster a vibrant, healthy community or is technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. The technical assistance comment is:

The Department raises a technical assistance comment, noting the proposed text amendment to the Mapping Criteria; Map Interpretation Guidance subsection (7), is not consistent with Sections 163.3177(6)(a)1, 163.3177(1) and 163.3184, Florida Statutes (F.S.). The proposed text amendment allows the County to amend the future land use map based on a change of ownership which is not meaningful and predictable. In addition, the proposed text amendment would allow the County to circumvent the comprehensive plan amendment process as required in Section 163.3184 F.S.

Further, the proposed amendment is not consistent with Section 163.3177(6)(a)(1), F.S., as all future land use plan elements must designate proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land.

The Department recommends the County revise its proposed text amendment Map Interpretation Guidance subsection (7) to be consistent with Sections 163.3177(1), 163.3177(6)(a)(1), and 163.3184, F.S. Specifically, any property designated as Conservation land use category that is considered to have a Commercial land use designation, shall be proceed through the comprehensive plan

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amendment process to amend the future land use map designation for the property pursuant to Section 163.3184, F.S.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

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

If you have any questions concerning this review, please contact Beau Scott, Planning Analyst, by telephone at Choose or enter phone number or by email at beau.scott@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief

Bureau of Community Planning and Growth

JDS/bs

Enclosure(s): Procedures for Adoption

cc: Ronald F. Pianta, AICP, Director, Planning and Zoning Services, Hernando County
Sean T. Sullivan, Executive Director, Tampa Bay Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using the Department’s electronic amendment submittal portal “**Comprehensive Plan and Amendment Upload**” (<https://floridajobs.secure.force.com/cp/>) **or** submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

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

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

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

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

_____ Ordinance number and adoption date;

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

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

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

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

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

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

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

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

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

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

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

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

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

From: [Wagman, Jason](#)
To: [Michelle Miller](#)
Cc: DCPexternalagencycomments@deo.myflorida.com; [Cucinella, Josh](#); [DiGruttolo, Laura](#); [Conservation Planning Services](#)
Subject: Hernando County 21-04ESR (Hernando County CPAM2107)
Date: Thursday, December 16, 2021 11:09:56 AM

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Miller:

Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes.

We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment. If you have specific technical questions, please contact me at (863) 209-2688 or by email at Jason.Wagman@MyFWC.com. For all other inquiries, please contact our office by email at ConservationPlanningServices@MyFWC.com.

Sincerely,

Jason D. Wagman, M.S.
Biological Scientist IV
Office of Conservation Planning Services
Florida Fish & Wildlife Conservation Commission
78 Sarasota Center Boulevard
Sarasota, Florida 34240
Mobile: (863) 209-2688

Hernando County 21-04ESR_46182

Ron DeSantis
GOVERNOR



Dane Eagle
SECRETARY

November 22, 2021

RESPONSE VIA E-MAIL ONLY

Ms. Michelle Miller, M.S.
Senior Planner
Hernando County
Planning Department
1653 Blaise Drive
Brooksville, Florida 34601

RE: CPAM 2107

Dear Ms. Miller:

Thank you for submitting Hernando County's proposed comprehensive plan amendment for our review pursuant to the Expedited State Review process. The reference number for this amendment package is 21-04ESR.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than December 19, 2021.

If you have any questions please contact Donna Harris, Plan Processor at (850) 717-8491 or James Stansbury, Bureau Chief, whom will be overseeing the review of the amendments, at (850)717-8504.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/dh

cc: External Agencies

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DEPARTMENT OF PLANNING AND ZONING

PLANNING DIVISION

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November 19, 2021

Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity
Bureau of Comprehensive Planning
Caldwell Building
107 East Madison Street, MSC 160
Tallahassee, Florida 32399-4140

Re: **Hernando County Proposed Comprehensive Plan Amendment Transmittal**
CPAM2107 - Comprehensive Plan Text Amendment Revising Section B, Future Land Use Map Series, Conservation Map Interpretation Guidance and Future Land Use Element Strategy 1.04A(6) to Address Publicly Owned Conservation Lands Along Designated Commercial Corridors

Dear Mr. Eubanks:

Pursuant to Section 163.3184(3), Florida Statutes (F.S.), please find the enclosed material relating to a proposed plan amendment (CPAM2107) to revise Section B, Future Land Use Map Series, Conservation Map Interpretation Guidance and Future Land Use Element Strategy 1.04A(6) to Address Publicly Owned Conservation Lands Along Designated Commercial Corridors.

Hernando County is submitting the proposed amendment (CPAM2107) to the Department of Economic Opportunity, Bureau of Comprehensive Planning and the review agencies to be processed under the expedited review process as described in Section 163.3184(3), F.S.

The proposed amendment and related background data and analysis have been made available for public review at the Hernando County Planning Department. Review materials have also been posted on the Hernando County webpage: <https://www.hernandocounty.us/departments/departments-n-z/planning/comprehensive-plan/pending-amendments>

The following information is provided to fulfill the requirements of Section 163.3184(3), F.S:

1. The Board of County Commissioners (BCC) acting as the Local Planning Agency (LPA) and the Governing Body held an advertised public hearing on November 16, 2021 and voted to authorize transmittal of the enclosed proposed comprehensive plan amendment (CPAM2107) to the Department of Economic Opportunity and the other review agencies for comment.
2. The Comprehensive Plan Amendment proposes to revise Section B, Future Land Use Map Series, Conservation Map Interpretation Guidance and Future Land Use Element Strategy 1.04A(6) to Address Publicly Owned Conservation Lands Along Designated Commercial Corridors.
3. The proposed month of adoption of the proposed comprehensive plan amendment (CPAM2107) is January 2022.
4. The proposed Comprehensive Plan Amendment (CPAM2107) is not located in an area of Critical State Concern.
5. This letter hereby certifies that Hernando County had previously sent a digital link to its recently

Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity
November 19, 2021

adopted 2040 Comprehensive Plan to all the review agencies listed in Chapter 163 and further, that links of all subsequent amendments with supporting data and analyses will be updated as adopted amendments occur.

6. The name of the person(s) for Hernando County who is familiar with the proposed plan amendment package is:

Michelle Miller, Senior Planner
Hernando County Planning Department
20 N. Main Street, Room 262
Brooksville, Florida 34601
Phone: (352) 754-4057 ext. 28027
Fax: (352) 754-4420
Email: mlmiller@hernandocounty.us

7. In accordance with instruction from the Bureau of Comprehensive Planning, this package is being submitted via the Comprehensive Plan Electronic Portal. The proposed amendment package consists of:

Attachment A: Staff report for the amendment, including the LPA/BCC recommendations and actions.

Attachment B: Proposed Revisions to Future Land Use Element and Section B: Future Land Use Map Series (Mapping Criteria) in Strikethrough/Underline Format

If you have any further questions or require additional information, please contact Mrs. Miller.

Sincerely,



Ronald F. Pianta, AICP
Director of Planning and Zoning Services
Hernando County Planning Department

cc: VIA – Email:

John Meyer, LEPC and DRI Coordinator, Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd, Ste. 100, Pinellas Park, FL 33782, email to: johnm@tbrpc.org

Trisha Neasman, AICP, Planning Supervisor, Southwest Florida Water Management District
2379 Broad Street, Brooksville FL 34604-6899, email to: trisha.neasman@watermatters.org

Daniel C. Santos, AICP, Growth Management Supervisor, Florida Department of Transportation, District Seven, 11201 North McKinley Dr., MS 7-500, Tampa, FL 33612-6456, email to: Daniel.Santos@dot.state.fl.us

Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity
November 19, 2021

Department of Environmental Protection, Attn: Plan Review, Office of Intergovernmental Programs
3900 Commonwealth Boulevard, MS 47, Tallahassee, FL, 32399, email to:
Plan.Review@dep.state.fl.us

Robin Jackson, Historic Preservation Planner, Department of State, Bureau of Historic Preservation
500 South Bronough St, Tallahassee, FL 32399-0250, email to Robin.Jackson@dos.myflorida.com

Scott Sanders, Florida Fish and Wildlife Conservation Commission, Conservation Planning Services
620 South Meridian St, MB 5B5, Tallahassee FL 32399-1600,
email to: FWCConservationPlanningServices@myfwc.com

Department of Agriculture and Consumer Services, Attn: Comprehensive Plan Review, Office of Policy and
Budget, The Capital, Plaza Level 8, Tallahassee, FL 32399-0800, email to:
compplans@freshfromflorida.com

Mark Weigly, Director, Department of Education, Office of Educational Facilities, 325 West Gaines St, Ste.
1014, Tallahassee, FL 32399-0400, email to: Mark.weigly@fldoe.org

Chris Anderson, Community Development Director, City of Brooksville
201 Howell Avenue, Brooksville FL 34601, email to: canderson@cityofbrooksville.us

Joanna L. Coutu, AICP, Director, Citrus County Land Development Division
3600 W. Sovereign Path, Ste. 140, Lecanto, FL 34461, email to: Joanna.coutu@citrusbocc.com

Jeff Jenkins, Executive Planner, Long Range Planning Division. Pasco County Planning and Development
8731 Citizens Drive, Ste. 320, New Port Richey, FL 34654, email to:
jjenkins@pascocountyfl.net

Karl E. Holley, AICP, CFM, Director of Development Services, Sumter County Board of Commissioners
7375 Powell Road, Ste. 115, Wildwood, FL 34785, email to: karl.holley@sumtercountyfl.gov

Jim Lipsey, Manager of Planning, Design and Construction, Hernando County School District
8016 Mobley Rd Brooksville FL 34601, email to: lipsey_j@hcsb.k12.fl.us

From: [Plan Review](#)
To: [Michelle Miller; dpexternalagencycmts@deq.mylorida.com](mailto:dpexternalagencycmts@deq.mylorida.com)
Cc: [Plan Review](#)
Subject: Hernando County 21-04ESR Proposed
Date: Monday, December 13, 2021 11:58:42 AM
Attachments: [image001.png](#)

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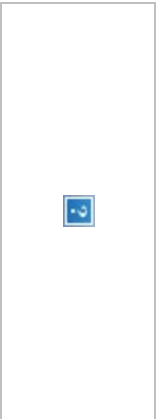
To: Michelle Miller, Senior Planner

Re: Hernando County 21-04ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

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

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

Please submit all future amendments by email to Plan.Review@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.





Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

KEVIN J. THIBAUT P.E.
SECRETARY

November 23, 2021

Michelle Miller, M.S.
Senior Planner
Hernando County Planning Department
1653 Blaise Drive
Brooksville, FL 34601-2828

Re: Hernando County Comprehensive Plan Amendment 21-04ESR

Dear Ms. Miller:

Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT) reviewed proposed amendment 21-04ESR (CPAM2107).

Background: With an estimated 2020 population of 192,186, 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 County initiated a Comprehensive Plan text amendment to revise Section B, Future Land Use Map (FLUM) series to address publicly owned conservation lands along designated commercial corridors. The proposal will allow properties in public ownership along the S.R. 50 and U.S. Highway 19 commercial corridors to no longer be deemed as having a public purpose. Therefore, such parcels could be made available for future commercial development without the need for future amendment(s) to FLUM for any/all of the respective parcel(s).

Comments: Technical Comments: FDOT is providing a technical assistance comment consistent with Section 163.3168(3), Florida Statutes. The technical assistance comment(s) will not form the basis of a challenge. The technical assistance comment can strengthen the local government's comprehensive plan policies and is technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. as follows:

- Both SR 50 and US Highway 19 are facilities of state importance which are owned and maintained by the FDOT. The department is interested in knowing

Ms. Michelle Miller M.S.

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whether the County has prepared a mapping overlay that identifies those properties affected by the potential change in future land uses along state facilities. If such map exists, then kindly forward accordingly.

- Regarding driveway access along state facilities (e.g., SR 50 and US Highway 19) and at time of site development, please remind the applicant/owner to consult with the department for a pre-application meeting to address future project driveway access. The contact person at District 7 Operations and Permitting section in Brooksville is Mr. James Meyer and he can be reached at (352) 848-2610 or James.meyer@dot.state.fl.us.

As there are no apparent transportation issues involved with the amendment, FDOT determined proposed amendment 21-04ESR (CPAM2107) has no impact on important state transportation resources or facilities within its jurisdiction.

Thank you for the opportunity to review this 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.

Sincerely,



Daniel C. Santos, AICP
Transportation Planning Supervisor

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

Attachment C: Staff Report with Details of Additional Changes Made in
Adopted Amendment

STAFF REPORT

HEARINGS: Planning & Zoning Commission: September 13, 2021
Local Planning Agency: November 16, 2021
Board of County Commissioners: November 16, 2021
Board of County Commissioners: February 8, 2022

APPLICANT: Hernando County Board of County Commissioners

FILE NUMBER: CPAM2107

REQUEST: Comprehensive Plan Text Amendment Revising Section B, Future Land Use Map Series, Conservation Map Interpretation Guidance and Future Land Use Element Strategy 1.04A(6) to Address Publicly Owned Conservation Lands Along Designated Commercial Corridors

DESCRIPTION OF THE PROPOSED AMENDMENT

Multiple state and local governmental entities own property designated as Conservation along designated commercial corridors on the Future Land Use Map. The proposed amendment allows for properties in public ownership along designated the S.R. 50 and U.S. Highway 19 commercial corridors no longer deemed to have a public purpose and made available for surplus to have a Commercial Future Land Use designation. This designation would allow these properties to be developed commercially without an amendment to the Future Land Use Map.

FINDINGS

The Comprehensive Plan Text Amendment Revising Section B, Future Land Use Map Series, Conservation Map Interpretation Guidance and Future Land Use Element Strategy 1.04A(6) to address publicly owned conservation lands along major commercial corridors as consistent with the Comprehensive Plan Strategies for commercial development.

STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission review and determine whether to recommend approval of the Comprehensive Plan Amendment to the Local Planning Agency and the Board of County Commissioners.

P&Z RECOMMENDATION

On September 13, 2021, the Planning and Zoning Commission recommended approval to transmit the Comprehensive Plan Amendment to the Local Planning Agency and the Board of County Commissioners.

LPA RECOMMENDATION

On November 16, 2021, the Local Planning Agency voted 5-0 to approve the transmittal of the Comprehensive Plan Amendment to the Florida Department of Economic Opportunity and the associated reviewing agencies.

STATE AGENCY RESPONSES

On December 17, 2021, the County received a letter of no objection, but with technical assistance comments, from the Florida Department of Economic Opportunity. The technical comment was as follows:

The Department raises a technical assistance comment, noting the proposed text amendment to the Mapping Criteria; Map Interpretation Guidance subsection (7), is not consistent with Sections 163.3177(6)(a), 163.3177(1) and 163.3184, Florida Statutes (F.S.). The proposed text amendment allows the County to amend the future land use map based on a change of ownership which is not meaningful and predictable. In addition, the proposed text amendment would allow the County to circumvent the comprehensive plan amendment process as required in Section 163.3184 F.S.

Further, the proposed amendment is not consistent with Section 163.3177(6)(a)(1), F.S, as all future land use plan elements must designate proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land.

The Department recommends the County revise its proposed text amendment Map Interpretation Guidance subsection (7) to be consistent with Sections 163.3177(1), 163.3177(6)(a)(1), and 163.3184, F.S. Specifically, any property designated as Conservation land use category that is considered to have a Commercial land use designation, shall be proceed through the comprehensive plan amendment process to amend the future land use map designation for the property pursuant to Section 163.3184, F.S.

Based on the feedback received from FDEO, the following modifications are proposed for the amendment (shown in double strikethrough and underline).

Section B, Future Land Use Map Series, Conservation Category, Map Interpretation Guidance:

- (1) Due to general application of a 20-acre mapping threshold for the Future Land Use Map, small or isolated natural features such as wetlands may not be shown on the Future Land Use Map;
- (2) Wetlands and privately-owned uplands in the Coastal Zone that are completely surrounded by Conservation Category lands and do not have direct access to the County roadway network are included in the Conservation Category. These lands are considered to have a

- Rural Category designation for purposes of allowable uses, subject to the densities assigned in the Coastal Management Element of this Plan;
- (3) Privately-owned uplands within the Coastal Zone having direct access to the County roadway network may be considered to have a Residential Future Land Use Category designation for purposes of allowable uses only, subject to the densities assigned in the Coastal Management Element of this Plan;
 - (4) Class I wetlands of forty acres or more shall be included in the Conservation Category pursuant to the Conservation Element of this Plan;
 - (5) The boundaries of the Conservation FLUM Category containing wetlands are interpreted to correspond with the wetland boundary as determined by the applicable agencies;
 - (6) Privately-owned lands that are not designated for conservation purposes outside the Coastal Zone shall be considered to have a Rural Future Land Use Category designation.
 - (7) Publicly-owned lands located along commercial use corridors along U.S. Highway 19 and State Route 50 that are determined to no longer be necessary for conservation purposes and are made available for surplus by the designated agency may be considered to have a Commercial Future Land Use designation pursuant to Strategy 1.04.A(6) of the Future Land Use Element of this Plan. To receive this designation, the agency must proceed through the Comprehensive Plan Amendment process to amend the future land use map, in accordance with Section 163.3184, F.S.

Future Land Use Element:

Strategy 1.04A(6): The *Commercial Category* provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties. Publicly owned lands along the commercial use corridors that are made available for surplus may be considered to have a Commercial designation, if the agency proceeds through the Comprehensive Plan Amendment process to amend the future land use map, in accordance with Section 163.3184, F.S.

STAFF RECOMMENDATION

It is recommended that the Board review the proposed amendment, consider the attached staff report and backup information, adopt the amendment package, and authorize the final transmittal to the Florida Department of Economic Opportunity.

BCC ACTION

On February 8, 2022, the Board of County Commissioners voted 5-0 to adopt Ordinance 2022-03 and transmit the adopted amendment to the Florida Department of Economic Opportunity and associated reviewing agencies.