



# DEPARTMENT OF PLANNING AND ZONING

PLANNING DIVISION

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July 27, 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: 22-02ESR; Large-Scale Comprehensive Plan Text Amendment to Revise Future  
Land Use Element, Land Use Compatibility and Urban Sprawl Prevention Sections, to  
Address Lot Size Compatibility

Dear Mr. Eubanks:

Please find enclosed the transmittal package of the adopted Hernando County Comprehensive Plan Amendment **22-02ESR** (CPAM-22-02). 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 April 12, 2022. The plan amendment was transmitted to the State Land Planning Agency and review agencies on April 14, 2022, as a proposed amendment. A review letter was issued by the State Land Planning Agency on May 13, 2022, having no comments related to the proposed amendment.

The advertised public hearing to adopt the Comprehensive Plan Amendment was held on July 12, 2022. The proposed amendment was adopted by Ordinance 2022-18 on this date.

The adoption package includes:

**Attachment A:** The executed adoption Ordinance 2022-18 and Exhibit A

**Attachment B:** The staff report with final BOCC action.

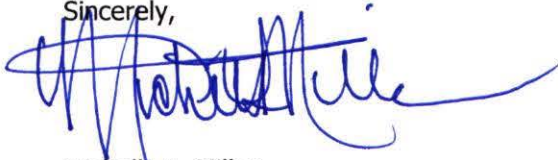
This letter hereby certifies that Hernando County has sent a complete copy of the proposed Comprehensive Plan Amendment and supporting materials to all the review agencies listed in Chapter 163 that provided comments at the transmittal stage.

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

Michelle L. Miller | Acting Planning Administrator  
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](mailto:mlmiller@hernandocounty.us)

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

Sincerely,



Michelle L. Miller  
Acting Planning Administrator  
Hernando County Development Services Department

Enclosure

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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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: [FWCCConservationPlanningServices@myfwc.com](mailto:FWCCConservationPlanningServices@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](mailto:compplans@freshfromflorida.com)

Department of Education, Office of Educational Facilities, 325 West Gaines St, Ste. 1014, Tallahassee, FL 32399-0400, email to: [CompPlans@fldoe.org](mailto:CompPlans@fldoe.org)

Steve Gouldman, City Planner, City of Brooksville, 201 Howell Avenue, Brooksville FL 34601, email to:  
[sgouldman@cityofbrooksville.us](mailto: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](mailto: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](mailto: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](mailto: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](mailto:lipsey_j@hcsb.k12.fl.us)

Attachment A: Ordinance 2022-18 and Exhibit A

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ORDINANCE NO. 2022- 18

**AN ORDINANCE AMENDING THE 2040 HERNANDO COUNTY COMPREHENSIVE PLAN BY REVISING THE FUTURE LAND USE ELEMENT, LAND USE COMPATIBILITY AND URBAN SPRAWL PREVENTION SECTIONS, TO ADDRESS LOT SIZE COMPATIBILITY; APPROVING AND ADOPTING CPAM2202; PROVIDING FOR TRANSMITTAL OF ADOPTED CPAM2202 TO THE STATE LAND PLANNING AGENCY AND REVIEW AGENCIES; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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

**WHEREAS**, the BOCC, following a public hearing on April 12, 2022, approved the Large-Scale Comprehensive Plan Text Amendment to Revise Future Land Use Element, Land Use Compatibility and Urban Sprawl Prevention Sections, to Address Lot Size Compatibility (a complete copy of the amendment is attached as **Exhibit “A”** hereto and made a part hereof and referred to as CPAM2202 and,

**WHEREAS**, the County subsequently transmitted CPAM2202 to the State Land Planning Agency for review pursuant to the Act, and it was assigned tracking number “22-02ESR” by the State Land Planning Agency; and,

**WHEREAS**, the State Land Planning Agency and the other Review Agencies reviewed CPAM2202 and, thereafter, comments concerning same were submitted to the County; and,

**WHEREAS**, the BOCC finds and determines that CPAM2202 is internally consistent with other Elements and Strategies of the 2040 Hernando County Comprehensive Plan, and is now ready for final adoption by the BOCC; and,

**WHEREAS**, the BOCC conducted a second public hearing on July 12, 2022, in connection with the final adoption of CPAM2202 as an amendment to the 2040 Hernando County Comprehensive Plan; and,

**WHEREAS**, upon enactment of this Ordinance, CPAM2202 will be transmitted as an adopted comprehensive plan amendment to the State Land Planning Agency and the other Review Agencies.

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

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

7  
8 **SECTION II. Adopting CPAM2202 (22-02ESR).** CPAM2202 (22-02ESR) attached as  
9 **Exhibit “A”** hereto and incorporated herein by this reference), is hereby approved and adopted  
10 and the 2040 Hernando County Comprehensive Plan is amended accordingly, subject to the  
11 Effective Date provision (Section X) below.

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

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16 **SECTION IV. Transmittal of Adopted CPAM2202 to State Land Planning Agency**  
17 **and Review Agencies.** County staff shall transmit an executed copy of this Ordinance adopting  
18 CPAM2202 to the State Land Planning Agency and the other Review Agencies within ten (10)  
19 days of adoption hereof pursuant to Section 163.3184, Florida Statutes.

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

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

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

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

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

41  
42 **SECTION X. Effective Date.** This Ordinance shall take effect upon filing with the  
43 Florida Secretary of State; however, the adopted amendment (CPAM2202) shall take effect, and  
44 be considered an amendment to the 2040 Hernando County Comprehensive Plan, if the  
45 amendment is not timely challenged, 31 days after the State Land Planning Agency notifies the  
46 local government that the plan amendment package is complete or as otherwise provided in Section

1 163.3184, Florida Statutes. If timely challenged, this amendment shall become effective on the  
2 date the State Land Planning Agency or the Administration Commission enters a final order  
3 determining this adopted amendment to be in compliance. No development orders, development  
4 permits, or land uses dependent on this amendment may be issued or commence before it has  
5 become effective. If a final order of noncompliance is issued by the Administration Commission,  
6 this amendment may nevertheless be made effective by adoption of a resolution affirming its  
7 effective status, a copy of which resolution shall be sent to the State Land Planning Agency.  
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9 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**  
10 **HERNANDO COUNTY** in Regular Session this 12th day of JULY 2022.

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12 **BOARD OF COUNTY COMMISSIONERS**  
13 **HERNANDO COUNTY, FLORIDA**

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17 Attest: Nadi Kuppe, D.C.  
18 DOUGLAS A. CHORVAT, JR.  
19 *for* CLERK OF CIRCUIT COURT  
20 AND COMPTROLLER

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By:   
STEVE CHAMPION  
CHAIRMAN



30 **Approved as to Form and**  
31 **Legal Sufficiency**

32  
33 By:   
34 Assistant County Attorney

## Exhibit A: CPAM2202 - Revisions to the Future Land Use Element

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### Land Use Compatibility

Strategy 1.10 B (4): Review all land use applications for compatibility to include:

- a. Evaluation of existing uses of land, zonings, and Future Land Uses, including the existing and potential densities and intensities;
- b. Consideration of existing development patterns and approved development in the area;
- c. Evaluation of existing proposed and anticipated transitions between land uses;
- d. Consideration of environmental and cultural features and community characters;
- e. Appropriate timing based on the availability of adequate public facilities/services;
- f. Consistency with applicable specific area plans, corridor plans and redevelopment plans;
- g. Limitations on building height and/or use of increased setbacks; and
- h. Transition of density and intensity.

Strategy 1.10B (5): To promote compatible lot size and design and to mitigate potential incompatibilities, residential Master Plan applications will be reviewed for the following:

- a. Use of undisturbed native vegetation as a suitable buffer;
- b. Use of enhanced buffers to include supplemental trees and shrubs and/or perimeter fencing/walls;
- c. Requirements for increased opacity of screening on the site perimeter;
- d. Increased setbacks on the site perimeter;
- e. The placement of smaller lots internal to the site;
- f. The placement of larger lots, similar in size to adjoining lots, on the site perimeter;
- g. Increased width of buffers on the site perimeter;
- h. Limitations on density consistent with adjoining land uses;
- i. Gradual transition of density and lot size; and
- j. Proposed residential developments adjacent to residential uses shall demonstrate compatibility through the creation of a similar lot pattern, enhanced screening/buffering or other means. Maintenance and enhancement of rural, scenic, or natural view corridors shall also be a consideration in evaluating compatibility in this area.

### Urban Sprawl Prevention

Strategy 1.11 B (4): The following information shall be required when considering rezoning requests in Rural neighborhoods:

- a. A narrative describing how the proposed development will maintain and/or protect the existing rural neighborhood, to include:
  1. An analysis of adjacent conditions and proposed development which illustrates protection of the rural character;
  2. An analysis of the existing roadway network and other infrastructure which demonstrates minimal impact;
  3. The applicant shall conduct one (1) neighborhood meeting prior to the Planning and Zoning Commission hearing for citizen input on the proposed petition.



4. A description of the methods proposed protecting rural neighborhoods from the impacts upon adjacent uses that may affect the long-term viability of those neighborhoods. The impacts to be analyzed include unwanted light, noise, physical access, odor, and other disruptions;
5. An analysis of the impact upon, and compatibility with adjoining agricultural uses.; and
6. The need to include a homeowners or deed restriction for lots in the development that the development is adjacent to agricultural uses

Attachment B: Staff Report

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## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 14, 2022  
Local Planning Agency: April 12, 2022  
Board of County Commissioners: July 12, 2022

**APPLICANT:** Hernando County Board of County Commissioners

**FILE NUMBER:** CPAM-22-02

**REQUEST:** Large-Scale Comprehensive Plan Text Amendment to Revise Future Land Use Element, Land Use Compatibility and Urban Sprawl Prevention Sections, to Address Lot Size Compatibility

**GENERAL LOCATION:** Countywide

**PARCEL ID:** Countywide

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### DESCRIPTION OF THE PROPOSED AMENDMENT

Hernando County has seen a significant increase in the number of residential rezoning and Comprehensive Plan Amendments for new subdivisions throughout the County. Many of these requests for new subdivisions include master plan requests with lot sizes smaller than existing lots that have been historically developed in the County.

The proposed amendment proposes Strategy revisions to the Future Land Use Element, specifically the Land Use Compatibility and Urban Sprawl sections, to address lot size compatibility issues and propose mechanisms for review of land use and rezoning applications. Placing Strategies in the Comprehensive Plan provides the legal foundation and policy guidance for the review of lot sizes for compatibility in proposed residential master plans.

### FINDINGS

The proposed revisions complement the existing Goals, Objectives and Strategies in the Comprehensive Plan and provide guidance for determining compatible lot size and design, both in infill development and rural neighborhoods.

### STAFF RECOMMENDATION

It is recommended that the Planning & Zoning Commission (P&Z) review proposed revisions to the Future Land Use Element of the 2040 Comprehensive Plan and recommend to the Local Planning Agency (LPA) / Board of County Commissioners (BOCC) that CPAM-22-02 be transmitted to the designated State and local agencies for review and comment.

**P&Z RECOMMENDATION:**

On March 14, 2022, the Planning and Zoning Commission voted 5-0 to recommend that the Local Planning Agency (LPA)/Board of County Commissioners (BOCC) transmit CPAM-22-02 to the designated State and Local agencies for review and comment.

**BCC/LPA ACTION:**

On April 12, 2022, the Board of County Commissioners/Local Planning Agency voted 5-0 to transmit CPAM-22-01 to the designated State and Local agencies for review and comment.

**STATE AGENCY RESPONSES:**

On May 13, 2022, the County received a letter of no objection from the Florida Department of Economic Opportunity.

**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.

**BOCC ACTION:**

On July 12, 2022, the Board of County Commissioners voted 5-0 to adopt Ordinance 2022-18, adopting CPAM-22-02.