

**HERNANDO COUNTY COMPREHENSIVE
PLAN AMENDMENT PETITION (CPAM)**



Application request (check one):

- Small Scale – Map Only (10 acres or less)**
- Large Scale Text Amendment (More than 10 acres)**
- Large Scale Map Amendment (More than 10 acres)**

PRINT OR TYPE ALL INFORMATION

File No. _____ Official Date Stamp:

Received
NOV 1 2023

Planning Department
Hernando County, Florida

Date: 10/30/23

APPLICANT NAME: NVR, Inc.

Address: 1409 Tech Boulevard; Suite 202
 City: Tampa State: FL Zip: 33619
 Phone: 813-997-3788 Email: molson@nvrinc.com
Property owner's name: (if not the applicant) Brooksville Commons, LLC

REPRESENTATIVE/CONTACT NAME: Don Lacey (Coastal Engineering Associates, Inc.)

Company Name: Coastal Engineering Associates, Inc.
 Address: 966 Candlelight Blvd
 City: Brooksville State: FL Zip: 34601
 Phone: (352) 848-3661 Email: DLacey@coastal-engineering.com

HOME OWNERS ASSOCIATION: Yes No (if applicable provide name) _____

Contact Name: _____
 Address: _____ City: _____ State: _____ Zip: _____

PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): 656579
2. SECTION 16, TOWNSHIP 22, RANGE 19
3. Size of area covered by application: 18 Acres
4. Future Land Use Map Classification (if applicable): Residential/Commercial
5. Desired Map Classification: Residential
6. Desired Text Amendment: _____
7. Has a public hearing been held on this property within the past twelve months? Yes No
8. Will expert witness(es) be utilized during the public hearings? Yes No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? Yes No (Time needed: _____)

PROPERTY OWNER AFFIDIVAT

Robert Burke Brooksville Commons, LLC, a Florida Limited Liability Corporation, successor by merger to Skemp Brooksville, LLC, a Florida Limited Liability Corporation.

I, Scott Weiss, Brooksville Commons, LLC, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

- I am the owner of the property and am making this application OR
- I am the owner of the property and am authorizing (applicant): NVR, Inc.
 and (representative, if applicable): Don Lacey (Coastal Engineering Associates, Inc.)
 to submit an application for the described property.

[Signature]
 Signature of Property Owner

~~STATE OF FLORIDA~~ Georgia
~~COUNTY OF HERNANDO~~ Town

The foregoing instrument was acknowledged before me this 1st day of November, 20 23, by NVR, Inc. Robert Burke who is personally known to me or produced DL as identification.

[Signature]
 Signature of Notary Public



Effective Date: 11/8/16 Last Revision: 6/2/17
 CPAM Application Form_06-02-17.Docx

Notary Seal/Stamp
 Page 1 of 1

ORIGINAL

Received

NOV 1 2023

Planning Department
Hernando County, Florida

Narrative-NVR, Inc./Ryan Homes

Application for a Small-Scale Comprehensive Plan Amendment to the Future Land
Use Map

The proposal is to amend the Future Land Use Map designation on Parcel Key 656579. The property is currently designated Commercial, and the request is to change the Map to a Future Land Use designation of Residential. There is a companion application for a Rezoning and Master Plan approval on the property. The Rezoning and Master Plan application also includes Parcel Keys 352013, 1198643, and 1056617. The total site area for all related Parcel Keys is just over 27 acres, and the area subject to the mapping change is only a portion of Parcel Key 656579. Therefore, the proposed mapping change qualifies a Small-Scale Amendment, and can be reviewed concurrently with the proposed Rezoning and Master Plan application.

The current Future Land Use designation of Commercial is approximately 2/3rds of Parcel Key 656579 with the balance of the property designated Residential on the Future Land Use Map. The adjoining Parcel Keys which are included in the Rezoning and Master Plan application are also designated Residential by the Future Land Use Map. A request is made to designate the entire site as Residential to allow for unified development of the site with townhomes.

A portion of the site is currently part of the larger designation of Commercial for a node at the intersection of Ponce De Leon Boulevard and Yontz Road. The commercially designated property within the larger node is currently undeveloped. Adjoining land use designations are Residential except for the node and a designation of Mining to the south. Generally, the Commercial Category allows and supports residential uses (Objective 1.04 G and Strategy 1.04B.6). In this instance, a majority of the development site is in the Residential Land Use Category and a unified designation of Residential on the entire site is appropriate. In addition, development of the site with townhomes provides for a use that is compatible with and will support the larger node designation of Commercial at the remaining intersection quadrants.

Received

NOV 1 2023

Planning Department
Hernando County, Florida

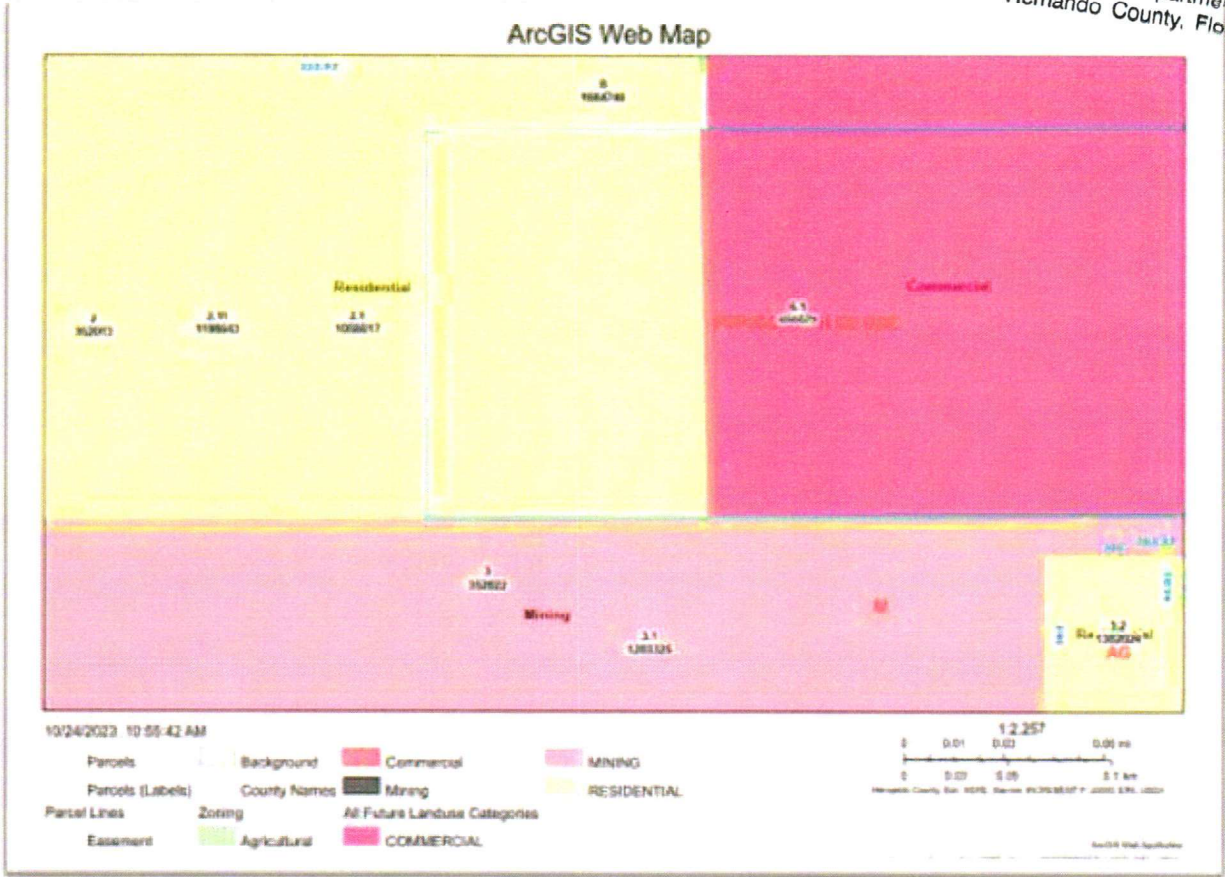


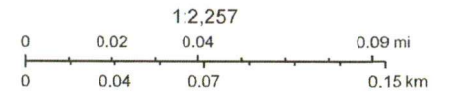
FIGURE 1-EXISTING FUTURE LAND USE MAP

ArcGIS Web Map



6/15/2023, 1:34:12 PM

- Parcels
- Building Footprint
- Parcel Lines
- Hernando
- Streets 3K
- Parcels (Labels)
- Parcels XY
- Addresses
- Addresses



State of Florida, Maxar, Microsoft

Received

NOV 16 2023

Narrative-NVR, Inc./Ryan Homes

Planning Department
Hernando County, Florida

Application for a Small-Scale Comprehensive Plan Amendment to the Future Land Use Map

The proposal is to amend the Future Land Use Map designation on Parcel Key 656579. The property is currently designated Commercial, and the request is to change the Map to a Future Land Use designation of Residential. There is a companion application for a Rezoning to Planned Development Project/Multifamily (PDP/MF) and Master Plan approval on the property. The Rezoning and Master Plan application also includes Parcel Keys 352013, 1198643, and 1056617. The total site area for all related Parcel Keys is just over 27 acres, and the area subject to the mapping change is only a portion of Parcel Key 656579. Therefore, the proposed mapping change qualifies a Small-Scale Amendment, and can be reviewed concurrently with the proposed Rezoning and Master Plan application.

The current Future Land Use designation of Commercial is approximately 2/3rds of Parcel Key 656579 with the balance of the property designated Residential on the Future Land Use Map. The adjoining Parcel Keys which are included in the Rezoning and Master Plan application are also designated Residential by the Future Land Use Map. A request is made to designate the entire site as Residential to allow for unified development of the site with townhomes.

Consistency with the 2040 Comprehensive Plan

A portion of the site is currently part of the larger designation of Commercial for a node at the intersection of Ponce De Leon Boulevard and Yontz Road. The commercially designated property within the larger node is currently undeveloped. Adjoining land use designations are Residential except for the node and a designation of Mining to the south. The change in land use from Commercial to Residential will allow the property to be developed with 200 townhomes under the requested zoning of Planned Development Project/Multifamily (PDP/MF). See companion application.

Generally, the Commercial Category allows and supports residential uses as outlined by the following Objective and Strategy from the 2040 Plan, which would not necessitate a change to the Future Land Use Map.

Objective 1.04G: The **Commercial Category** allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited industrial, recreational and institutional uses. **Residential and mixed uses may be allowed** subject to locational criteria and performance standards.

NOV 16 2023

Planning Department
Hernando County, Florida

Strategy 1.04B(6): Multi-family development may be allowed in the Commercial Category pursuant to a Planned Development Project (PDP) Master Plan and related strategies to accommodate infill and/or mixed-use development.

In this instance, the County has requested a small-scale amendment to the Future Land Use Map to Residential since a majority of the development site is in the Residential Land Use Category and a unified designation of Residential on the entire site is appropriate.

In addition, development of the site with townhomes provides for a use that is compatible with and will support the larger node designation of Commercial at the remaining intersection quadrants as indicated by the following locational Strategy from the 2040 Plan for Multifamily Zoning and development:

Strategy 1.04B(5): High density zonings are intended for locations in the more intensely developed sections of the County. New residential development of high density housing shall utilize the Planned Development Project (PDP) process. Regulatory criteria shall include standards that evaluate and address suitability of the location including:

- a. **proximity to existing or designated commercial areas**, corridors, or employment centers;
- b. direct or limited local access to arterial or collector roadways;
- c. availability of appropriate infrastructure and services capacity at the site including police, fire, emergency medical services, potable water utility supply, sewer utility supply, and primary and secondary school facilities;
- d. protection of high quality environmentally sensitive resources or historic and archaeological resources;
- e. the character and density of existing and approved residential development in the surrounding area.

The request is consistent with the Goals, Objectives, and Strategies of all other elements of the 2040 Plan. Consistency will also be demonstrated by the companion application for a zoning of Planned Development Project/Multifamily (PDP/MF).

Land Use Compatibility

Except for the designated Commercial Node at the intersection of Yontz Road and Ponce De Leon Boulevard, and a contained Mining Designation to the south the majority of the surrounding area is designated under the Residential Category by the 2040 Plan. Therefore, the proposed designation of Residential is consistent with the immediately adjacent and surrounding Future Land Use Map designations and furthers the following Land Use Compatibility Strategies from the 2040 Plan.

NOV 16 2023

Strategy 1.10B(1): FutureLand Use Map amendments should be compatible with surrounding development and minimize impact to natural resources without the need for mitigation measures that are extraordinary in scope or difficult to enforce.

Strategy 1.10B(3): Protect existing and future residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the surrounding residential area.

Impact to Public Facilities

The property is within the City of Brookville Utilities service area. Both potable water and sewer are available along adjacent roadways. Discussions will be held with the City of Brookville regarding points of connection.

With the extension of the public water system, adequate fire protection will be provided through utility design and the provision of fire hydrants. A Utility/Fire Service analysis will be prepared at the time of conditional plat.

The site has access from, and is bounded by, Yountz Road and Ponce De Leon Boulevard designated as thoroughfare roadways by the 2040 Roadway Plan Map of the Hernando County Comprehensive Plan. These roadways are currently operating at an acceptable level of service.

Development of the site as residential will require the issuance of a Certificate of Concurrence by the Hernando County School District for adequate school capacity at the time of conditional plat.

Development of the site as residential will require the provision of a neighborhood park site in the development at the time of conditional plat. The neighborhood park site will include appropriate facilities at the time of development.

The Hernando County Landfill is currently operating at an acceptable level of service.

The site will be serviced for police protection by the Hernando County Sheriff's Office.

The property topography ranges from a high of approximately 234' m.s.l. in the center of the property to a low of 204' m.s.l. along the western boundary. A drainage retention system will be designed to accommodate onsite and any existing offsite stormwater.

11/16/23

NOV 16 2023

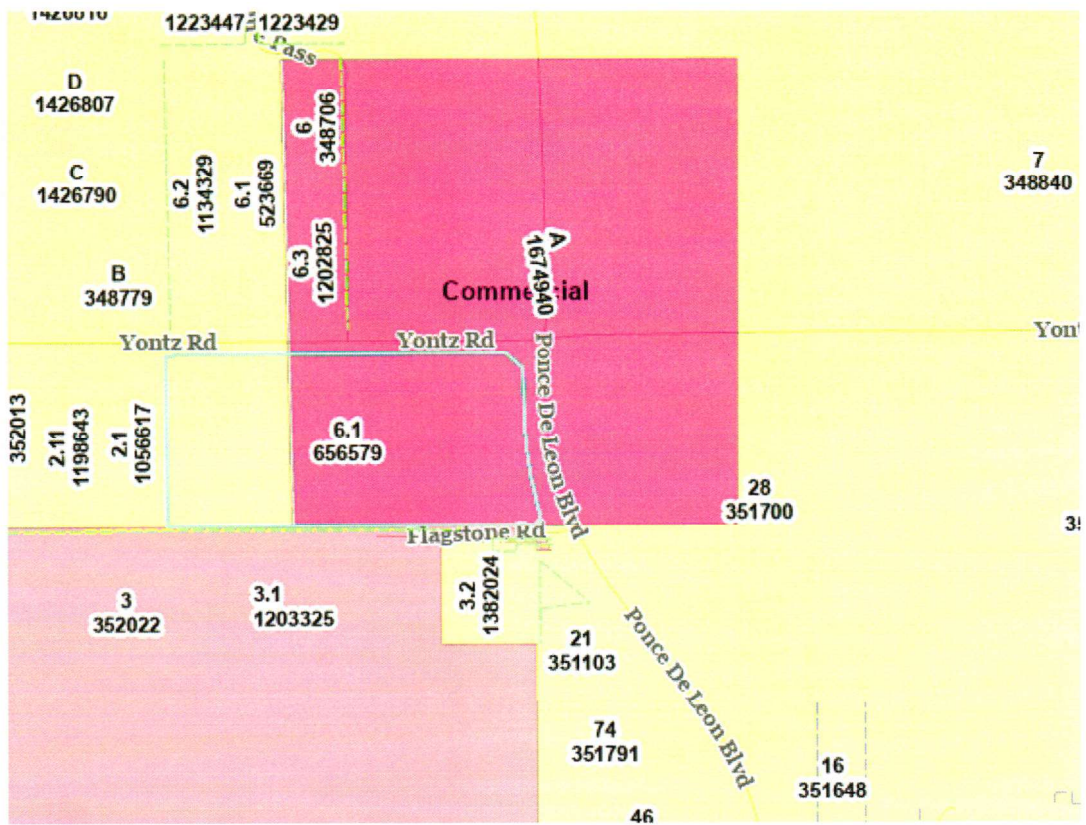
Planning Department
Hernando County, Florida

FIGURE 1 LOCATION MAP



n/16/23

FIGURE 2-EXISTING FUTURE LAND USE MAP



- All Future Landuse Categories
- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITY
- RECREATION
- RESIDENTIAL
- RURAL

11/16/23

December 27, 2023

Cayce Dagenhart
Hernando County Planning and Zoning Department
1653 Blaise Drive, Brooksville, FL 34601

Project Name: BROOKSVILLE COMMONS CPAM Application

Cayce,

This letter is in response to the sufficiency letter dated December 18th, 2023.

Please note that County comments have been restated below and an explanation of our response has been provided in italics.

1. Narrative is confusing on describing the parcel; clarify size of parcel to be changed.

RESPONSE: The companion zoning application includes key numbers 352013, 1198643, 1056617 and 656579. The total site area for all parcels is just over 27 acres. The CPAM application only applies to parcel key 656579. According to the Property Appraiser, parcel key 656579 totals 18 acres. Parcel key 656579 is designated by two separate Future Land Use Categories, Residential and Commercial. The application is to change that part of the key currently designated Commercial to a Residential designation. Since the Future Land Use Map is digital, and not parcel based, the exact size of that portion of the overall key can only be estimated. The Commercial designation covers approximately 2/3rds of the parcel key, or approximately 12 acres.

2. Please delete the information about the Commercial future land use being compatible with your rezoning proposal. Your project is neither infill nor mixed-use development, therefore Objective 1.04(G) and Strategy 1.04B(6) are not applicable.

RESPONSE: The citing of the Objective and Strategy in the Narrative points to the fact that the site is part of a larger commercial node and adjoining Residential Category that will eventually be developed with a mix of residential product types and complementary commercial uses that will serve each other in a mixed-use fashion. Both the companion zoning application and land use application are consistent with this overall vision anticipated by the 2040 Plan. Staff may choose to ignore this part of the Narrative if they believe that the citations are not relevant.

- 3. There are two strategies that are listed in the narrative with no information about how they relate to the request. I don't see the connection between your proposal and Strategy 1.10B(3).**

RESPONSE: Strategy 1.10B(3) is not cited in the Narrative. This strategy states the following:

Strategy 1.10B(3): Protect existing and future residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the surrounding residential area.

Please see the response to the above comment. This general area is designated as a commercial node with adjoining Residential land uses by the 2040 Plan. Thus, the Plan envisions that this general area is envisioned to be developed in a mixed-use fashion with a mix of uses that serve, and are complimentary to, each other. The request is consistent with this vision. In sum, the proposal is not destructive to the integrity of the surrounding area.

- 4. There has been no data provided to demonstrate how and why the requested amendment is consistent with the adopted Comp Plan and how it will further the goals and objectives. Several strategies were cited to support your request:**

Strategy 1.04B(5) which states higher density zonings are intended for more intensely developed areas of the County. This area is currently undeveloped, so higher density here might qualify as "Sprawl". Please include the criteria for sprawl included in the Comp Plan and explain how this amendment and accompanying rezoning does not qualify as sprawl.

Strategy 1.10B(1). There is no information provided that will show how this request will accomplish this strategy.

Strategy 1.10B(3) There is no information provided that will show how this request will accomplish this strategy.

RESPONSE: Please see the Strategies and responses below.

Strategy 1.04B(5): High density zonings are intended for locations in the more intensely developed sections of the County. New residential development of high-density housing shall utilize the Planned Development Project (PDP) process. Regulatory criteria shall include standards that evaluate and address suitability of the location including: **a.** proximity to existing or designated commercial areas, corridors, or employment centers; **b.** direct or limited local access to arterial or collector roadways; **c.** availability of appropriate infrastructure and services capacity at the site including police, fire, emergency medical services, potable water utility supply, sewer utility supply, and primary and secondary school facilities; **d.** protection of high quality environmentally sensitive resources or historic and archaeological resources; **e.** the character and density of existing and approved residential development in the surrounding area.

This particular Strategy is to be reviewed in the context of a zoning application and is not relevant to the request for a small-scale map amendment. This request should be viewed in context to the surrounding Future Land Use designations on the Future Land Use Map which in this case already includes a large area designated Residential. The request is consistent with the existing adjacent and surrounding Future Land Use designations.

Relative to the companion zoning application, it cannot be considered until the land use has been determined appropriate. In addition, the proposed density of roughly 7 du/ac is not considered "high", since multifamily can be developed up to 22 du/ac. (see Strategy 1.04B(2))

Strategy 1.10B(1): Future Land Use Map amendments should be compatible with surrounding development and minimize impact to natural resources without the need for mitigation measures that are extraordinary in scope or difficult to enforce.

The site contains no significant natural resources or environmental features. We have already established that the request is compatible with and consistent with surrounding Future Land Use Categories.

Strategy 1.10B(3): Protect existing and future residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the surrounding residential area.

See previous response. We have already established that the request for a small-scale Future land Use Map amendment to Residential is consistent with the existing Future Land Use Map designations in the surrounding area and is not destructive to the character of the area as envisioned by the 2040 Plan.

5. Please provide information as to how changing the Future land use from Commercial to Residential will impact the public facilities.

RESPONSE: The impact to public facilities from the change to Residential is negligible except for the impacts to Public Schools. At the time of development, the applicant will need to obtain a Certificate of Concurrency which includes a determination from the School District that adequate capacity exists.

6. No information is provided regarding establishing consistency with Chapter 163, Part II, the State Comprehensive Plan

RESPONSE: Chapter 163, Florida Statutes, Part II outlines the process for the adoption of a Small-Scale Future Land Use Amendment. 163.3187 specifically states that the amendment must be less than 50 acres, the amendment does not involve a text change, and is not located in an area of critical state concern. This criterion is met. Further, the review by the State is abbreviated and the

amendment may be adopted by the local government prior to the State review (the effective date is tolled by 30 days), and the only requirement is that the amendment be consistent with the local plan. This determination is made by the governing body, and it has already been demonstrated that the request is consistent with the 2040 Plan.

7. No information is provided regarding consistency with the Tampa Bay Regional Planning Council's Strategic Regional Policy Plan.

RESPONSE: The TBRPC Strategic Regional Policy Plan was last updated on April 20, 2005. This Plan does not cover Hernando County since Hernando was previously part of the Withlacoochee RPC.

[TBRPC Document Library: Comprehensive Studies & Resources Archive](#)

Regardless, the SRPP is only intended to be direction setting, and does not create regulatory authority. The SRPP is intended to identify Regional issues, resources, and facilities of importance to the Region. It has already been established that the application for an amendment to the County Future Land Use Map is Small Scale and does not have a wide-ranging impact on regional resources or facilities.

We trust that the information provided will adequately address the County comments and allow for scheduling of the associated application for the required public hearings on the next available hearing cycle. Please contact Coastal at your convenience if you have any questions concerning the supplemental information provided for this project.

Sincerely,

Elizabeth Rodriquez

Assistant Planner

Coastal Engineering Associates, Inc.

December 27, 2023

Cayce Dagenhart
Hernando County Planning and Zoning Department
1653 Blaise Drive, Brooksville, FL 34601

Project Name: BROOKSVILLE COMMONS CPAM Application

Cayce,

This letter is in response to the sufficiency letter dated December 18th, 2023.

Please note that County comments have been restated below and an explanation of our response has been provided in italics.

1. Narrative is confusing on describing the parcel; clarify size of parcel to be changed.

RESPONSE: The companion zoning application includes key numbers 352013, 1198643, 1056617 and 656579. The total site area for all parcels is just over 27 acres. The CPAM application only applies to parcel key 656579. According to the Property Appraiser, parcel key 656579 totals 18 acres. Parcel key 656579 is designated by two separate Future Land Use Categories, Residential and Commercial. The application is to change that part of the key currently designated Commercial to a Residential designation. Since the Future Land Use Map is digital, and not parcel based, the exact size of that portion of the overall key can only be estimated. The Commercial designation covers approximately 2/3rds of the parcel key, or approximately 12 acres.

2. Please delete the information about the Commercial future land use being compatible with your rezoning proposal. Your project is neither infill nor mixed-use development, therefore Objective 1.04(G) and Strategy 1.04B(6) are not applicable.

RESPONSE: The citing of the Objective and Strategy in the Narrative points to the fact that the site is part of a larger commercial node and adjoining Residential Category that will eventually be developed with a mix of residential product types and complementary commercial uses that will serve each other in a mixed-use fashion. Both the companion zoning application and land use application are consistent with this overall vision anticipated by the 2040 Plan. Staff may choose to ignore this part of the Narrative if they believe that the citations are not relevant.

- 3. There are two strategies that are listed in the narrative with no information about how they relate to the request. I don't see the connection between your proposal and Strategy 1.10B(3).**

RESPONSE: Strategy 1.10B(3) is not cited in the Narrative. This strategy states the following:

Strategy 1.10B(3): Protect existing and future residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the surrounding residential area.

Please see the response to the above comment. This general area is designated as a commercial node with adjoining Residential land uses by the 2040 Plan. Thus, the Plan envisions that this general area is envisioned to be developed in a mixed-use fashion with a mix of uses that serve, and are complimentary to, each other. The request is consistent with this vision. In sum, the proposal is not destructive to the integrity of the surrounding area.

- 4. There has been no data provided to demonstrate how and why the requested amendment is consistent with the adopted Comp Plan and how it will further the goals and objectives. Several strategies were cited to support your request:**

Strategy 1.04B(5) which states higher density zonings are intended for more intensely developed areas of the County. This area is currently undeveloped, so higher density here might qualify as "Sprawl". Please include the criteria for sprawl included in the Comp Plan and explain how this amendment and accompanying rezoning does not qualify as sprawl.

Strategy 1.10B(1). There is no information provided that will show how this request will accomplish this strategy.

Strategy 1.10B(3) There is no information provided that will show how this request will accomplish this strategy.

RESPONSE: Please see the Strategies and responses below.

Strategy 1.04B(5): High density zonings are intended for locations in the more intensely developed sections of the County. New residential development of high-density housing shall utilize the Planned Development Project (PDP) process. Regulatory criteria shall include standards that evaluate and address suitability of the location including: **a.** proximity to existing or designated commercial areas, corridors, or employment centers; **b.** direct or limited local access to arterial or collector roadways; **c.** availability of appropriate infrastructure and services capacity at the site including police, fire, emergency medical services, potable water utility supply, sewer utility supply, and primary and secondary school facilities; **d.** protection of high quality environmentally sensitive resources or historic and archaeological resources; **e.** the character and density of existing and approved residential development in the surrounding area.

This particular Strategy is to be reviewed in the context of a zoning application and is not relevant to the request for a small-scale map amendment. This request should be viewed in context to the surrounding Future Land Use designations on the Future Land Use Map which in this case already includes a large area designated Residential. The request is consistent with the existing adjacent and surrounding Future Land Use designations.

Relative to the companion zoning application, it cannot be considered until the land use has been determined appropriate. In addition, the proposed density of roughly 7 du/ac is not considered "high", since multifamily can be developed up to 22 du/ac. (see Strategy 1.04B(2))

Strategy 1.10B(1): Future Land Use Map amendments should be compatible with surrounding development and minimize impact to natural resources without the need for mitigation measures that are extraordinary in scope or difficult to enforce.

The site contains no significant natural resources or environmental features. We have already established that the request is compatible with and consistent with surrounding Future Land Use Categories.

Strategy 1.10B(3): Protect existing and future residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the surrounding residential area.

See previous response. We have already established that the request for a small-scale Future land Use Map amendment to Residential is consistent with the existing Future Land Use Map designations in the surrounding area and is not destructive to the character of the area as envisioned by the 2040 Plan.

5. Please provide information as to how changing the Future land use from Commercial to Residential will impact the public facilities.

RESPONSE: The impact to public facilities from the change to Residential is negligible except for the impacts to Public Schools. At the time of development, the applicant will need to obtain a Certificate of Concurrency which includes a determination from the School District that adequate capacity exists.

6. No information is provided regarding establishing consistency with Chapter 163, Part II, the State Comprehensive Plan

RESPONSE: Chapter 163, Florida Statutes, Part II outlines the process for the adoption of a Small-Scale Future Land Use Amendment. 163.3187 specifically states that the amendment must be less than 50 acres, the amendment does not involve a text change, and is not located in an area of critical state concern. This criterion is met. Further, the review by the State is abbreviated and the

amendment may be adopted by the local government prior to the State review (the effective date is tolled by 30 days), and the only requirement is that the amendment be consistent with the local plan. This determination is made by the governing body, and it has already been demonstrated that the request is consistent with the 2040 Plan.

7. No information is provided regarding consistency with the Tampa Bay Regional Planning Council's Strategic Regional Policy Plan.

RESPONSE: The TBRPC Strategic Regional Policy Plan was last updated on April 20, 2005. This Plan does not cover Hernando County since Hernando was previously part of the Withlacoochee RPC.

[TBRPC Document Library: Comprehensive Studies & Resources Archive](#)

Regardless, the SRPP is only intended to be direction setting, and does not create regulatory authority. The SRPP is intended to identify Regional issues, resources, and facilities of importance to the Region. It has already been established that the application for an amendment to the County Future Land Use Map is Small Scale and does not have a wide-ranging impact on regional resources or facilities.

We trust that the information provided will adequately address the County comments and allow for scheduling of the associated application for the required public hearings on the next available hearing cycle. Please contact Coastal at your convenience if you have any questions concerning the supplemental information provided for this project.

Sincerely,

Elizabeth Rodriquez

Assistant Planner

Coastal Engineering Associates, Inc.