

ORDINANCE #96-06

AN ORDINANCE ADOPTING THE EVALUATION AND APPRAISAL REPORT FOR THE HERNANDO COUNTY COMPREHENSIVE PLAN PURSUANT TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT ACT, CHAPTER 163, PART II, FLORIDA STATUTES, MINIMUM CRITERIA FOR REVIEW OF LOCAL GOVERNMENT COMPREHENSIVE PLANS AND DETERMINATIONS OF COMPLIANCE, CHAPTER 9J-5, FLORIDA ADMINISTRATIVE CODE, SCHEDULE FOR TRANSMISSION AND SUBMISSION OF LOCAL GOVERNMENT EVALUATION AND APPRAISAL REPORT, CHAPTER 9J-33, FLORIDA ADMINISTRATIVE CODE; PROVIDING THAT THE ORDINANCE SHALL BE CALLED THE EVALUATION AND APPRAISAL REPORT FOR HERNANDO COUNTY COMPREHENSIVE PLAN; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATE.

MAR 23 3 09 PM '96
FILED

WHEREAS, Chapter 163, Part II, Florida Statutes, also known as the Local Government Comprehensive Planning and Land Development Regulation Act, and Chapter 9J-5, Florida Administrative Code, also known as Minimum Criteria for Review of Local Government Comprehensive Plans and Determinations of Compliance, require that Hernando County prepare and adopt an Evaluation and Appraisal Report (EAR) for the Hernando County Comprehensive Plan; and

WHEREAS, Chapter 9J-33, Florida Administrative Code, also known as Schedule for the Transmission and Submission of Local Government Evaluation and Appraisal Reports, requires that Hernando County transmit the adopted Evaluation and Appraisal Report to the Florida Department of Community Affairs (DCA) for sufficiency review by April 1, 1996; and

WHEREAS, Hernando County adopted the Hernando County Comprehensive Plan, Ordinance #89-9, on June 7, 1989, consisting of the following elements: Future Land Use Element, Mining Sub-element, Traffic Circulation Element, Mass Transit, Ports and Related Sub-element, Aviation Sub-element, Housing Element, General Sanitary Sewer Sub-element, Solid Waste Sub-element, Drainage and Natural Groundwater Aquifer Recharge Sub-elements, Potable Water Sub-element, Coastal Management Element, Conservation Element, Recreation and Open Space Element, Intergovernmental Element, and Capital Improvements Element, and subsequent amendments; and

WHEREAS, Hernando County has prepared an Evaluation and Appraisal Report for the elements of the Comprehensive Plan; and

WHEREAS, Hernando County has held public workshops, meetings, and hearings to provide for and encourage public participation through-out EAR process; and

WHEREAS, Hernando County has adopted and implemented procedures designed to ensure and provide substantial and effective public participation in the comprehensive planning process; and

WHEREAS, the Local Planning Agency held public hearings on December 11, 1995 and January 8, 1996 to review the proposed EAR and make recommendations to the Board of County Commissioners; and

WHEREAS, Hernando County did submit a draft Evaluation and Appraisal Report on January 19, 1996 to DCA for preliminary review; and

WHEREAS, the Board of County Commissioners held a public hearing on March 20, 1996 to review the proposed EAR and consider the Local planning Agency's recommendations; and

WHEREAS, all applicable substantive and procedural requirements of law have been met;

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

SECTION ONE. This Ordinance shall be known and cited as the Evaluation and Appraisal Report for the Hernando County Comprehensive Plan for Hernando County, Florida.

SECTION TWO. The Board of County Commissioners does hereby adopt the Evaluation and Appraisal Report, attached hereto as Exhibit A, and incorporated herein by reference, which shall supersede any and all previous evaluation and appraisal reports applicable to the unincorporated areas of Hernando County.

SECTION THREE. The Board of County Commissioners does by these presents announce its intentions to amend the Hernando County Comprehensive Plan in accordance with the recommendations in the Evaluation and Appraisal Report; and

SECTION FOUR. The Board of County Commissioners does hereby approve transmittal of the Evaluation and Appraisal Report to the Florida Department of Community Affairs for sufficiency review in accordance with the applicable requirements of Section 163.3191, Florida Statutes, and Section 9J-5.0053, Florida Administrative Code; and

SECTION FIVE. If any section, subsection, sentence, clause, or phrase of the ordinance, for any reason, is held to be unconstitutional, void or invalid, the validity of the remaining portions of said ordinance shall not be affected thereby.

SECTION SIX. The provision of this ordinance shall be included and incorporated in the Code of Ordinances of Hernando County, as an addition thereto, and shall be approximately renumbered to conform to the numbering system of the Code.

SECTION SEVEN. This ordinance shall become effective upon receipt of notice from the Secretary of State that the Ordinance has been filed with the Secretary of State.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS IN SPECIAL SESSION THIS 20th
DAY OF MARCH, 1996



BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

BY *Hannah M. Robinson*
HANNAH M. ROBINSON, CHAIRWOMAN

ATTEST *Karen Nicolai*
KAREN NICOLAI, CLERK

APPROVED AS TO FORM ONLY

William Buztrey
WILLIAM BUZTREY
ASSISTANT COUNTY ATTORNEY

NOTE:

The Evaluation & Appraisal Report relative to Ordinance No. 96-06 is available for review in the Clerk of Circuit Court's Office, at the Hernando County Government Center, Room 131.