## **Marguerite Linke**

From: Reddick, Ernest L. < Ernest.Reddick@DOS.MyFlorida.com>

**Sent:** Thursday, May 11, 2017 4:21 PM

**To:** Marguerite Linke

**Subject:** Emailing - Hernando20170511\_Ordinance2017\_22\_Ack.pdf

**Attachments:** Hernando20170511\_Ordinance2017\_22\_Ack.pdf

The Department of State is committed to excellence. Please take our <u>Customer Satisfaction Survey</u>.



RICK SCOTT Governor **KEN DETZNER**Secretary of State

May 11 2017

Honorable Don Barbee Jr. Hernando County Clerk's Office 20 North Main Street, Rm. 3621 Brooksville, Florida 34601

Attention: Marguerite Linke, Administrative Services

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2017-22, which was filed in this office on May 11, 2017.

Sincerely,

Ernest L. Reddick Program Administrator

ELR/lb

ORDINANCE NO.: 2017-<u>み</u>え 1 AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE OF 2 3 ORDINANCES RELATING TO COMPREHENSIVE PLANNING; PROVIDING FOR A REQUIREMENT OF THREE AFFIRMATIVE VOTES FOR THE 4 ADOPTION OF COMPREHENSIVE PLAN AMENDMENT ORDINANCES; 5 PROVIDING FOR A GRANDFATHER PROVISION; PROVIDING FOR 6 7 SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR 8 AN EFFECTIVE DATE. 9 NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY 10 11 COMMISSIONERS OF HERNANDO COUNTY, FLORIDA: Requirement of Three Affirmative Votes for the Adoption of 12 Section 1. 13 Comprehensive Plan Amendment Ordinances. 14 Hernando County Code § 23-3(c) is amended to read as follows, with underlined matter 15 added and struck-through matter deleted: 16 (c) Amendments to Comprehensive Plan. The Comprehensive Plan shall be amended by 17 ordinance in accordance with the Act. No amendment to the Comprehensive Plan 18 may be transmitted to the Florida Department of Community Affairs Economic 19 Opportunity pursuant to s. 163.3184(3), Fla. Stat., except upon an affirmative vote of three members of the Board of County Commissioners. No amendment to the 20

Comprehensive Plan may be adopted by ordinance <del>pursuant to s. 163.3184(7), Fla. Stat.,</del> except upon an affirmative vote of <del>four three</del> members of the Board of County Commissioners. All amendments upon adoption and taking effect shall be deemed cumulative (unless otherwise noted) and shall become part of the Comprehensive Plan. All later adopted amendments shall control over and supersede all earlier adopted provisions of the Comprehensive Plan in conflict therewith.

## Section 2. Grandfather Provision.

This Ordinance shall not affect any application for a comprehensive plan amendment received by the Hernando County Planning Department, with all fees paid and received in full, prior to the Effective Date of this Ordinance (collectively referred to as the "Pending Applications"). All Pending Applications shall be subject to an affirmative vote of four County Commissioners in order to approve transmittal or adoption of such application. Any Pending Application that has been duly denied by the Board of County Commissioners following the adoption of this Ordinance and which is then re-filed or resubmitted at any time in the future shall be governed by Section 1 of this Ordinance.

## Section 3. Severability.

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

DRAFT DOCUMENT: F:\1 COUNTY ATTORNEY'S OFFICE\JAJ\Ordinances\Repeal of Supermajority Requirement for CPAM\Proposed Ordinance - Draft 1.wpd, January 25, 2017 (4:24pm) NOTE:  $\underline{additions}/\underline{deletions} = language proposed for addition/deletion to existing Code provisions.$ 

Inclusion in the Code.

1

Section 4.

The provisions of this Ordinance shall be incorporated into the Hernando County Code. To
this end, the sections of this Ordinance may be renumbered or relettered, and the word "ordinance"
may be changed to "section," "article," or an other appropriate designation.
Section 5. Conflicting Provisions Repealed.
All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are
hereby repealed.
Section 6. Effective Date.
This Ordinance shall take effect immediately upon receipt of official acknowledgment from
the office of the Secretary of State of Florida that this Ordinance has been filed with said office.
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
HERNANDO COUNTY in Regular Session this 9th day of 700 y, 2017.
Attest:  DONALD C. BARBEE, JR. Clerk  Approved for Form and Legal Sufficiency  BOARD OF COUNTY COMMISSIONERS HERNANDO COUNTY, FLORIDA  WAYNE DUKES Chairman
Deputy County Attorney