From: Kerce, Whitley L. <Whitley.Kerce@dos.myflorida.com>

Sent: Wednesday, August 14, 2019 1:09 PM

To: Ordinances

Cc: County Ordinances

Subject: [EXT.] - Hernando20190814_Ordinance2019_1_Ack_Corrected.pdf

Attachments: Hernando20190814_Ordinance2019_1_Ack_Corrected.pdf



RON DESANTIS
Governor

LAUREL M. LEESecretary of State

August 14, 2019

Honorable Doug Chorvat, Jr. Hernando County Clerk's Office 20 North Main Street, Rm. 362 Brooksville, Florida 34601

Attention: Darlene Christensen

Dear Mr. Chorvat:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2019-1, which was filed in this office on August 13, 2019.

Sincerely,

Ernest L. Reddick Program Administrator

ELR/lb

1	ORDINANCE NO.: 2019- 1
2	
3	AN ORDINANCE AMENDING THE HERNANDO COUNTY
4	COMPREHENSIVE PLAN BY AMENDING STRATEGY 1.04D(3) IN THE
5	FUTURE LAND USE ELEMENT; APPROVING AND ADOPTING
6	CPAM1901; PROVIDING FOR TRANSMITTAL TO THE STATE LAND
7	PLANNING AGENCY AND REVIEW AGENCIES; PROVIDING FOR
8	APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR
9	CONFLICTING PROVISIONS; PROVIDING FOR FILING WITH THE
10	DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE
11	DATE.
12	
13	WHEREAS, in 1985, the Florida Legislature adopted the Local Government
14	Comprehensive Planning and Land Development Regulation Act as set forth in §§ 163.3161
15	through 163.3215 Florida Statutes (the "Act"); and,
16	
17	WHEREAS, on September 25, 2018, the Board of County Commissioners adopted the
18	2040 Hernando County Comprehensive Plan (Ordinance 2018-16) within which are included
19	goals, objectives, and strategies used to guide future growth; and,
20	WWWDDT AS A MARK TO THE TOTAL OF THE WYDOGGW
21	WHEREAS, the Hernando County Board of County Commissioners ("BOCC"),
22	following public hearing on May 14, 2019, approved amending Strategy 1.04D(3) in the Future
23	Land Use Element of the County's adopted Comprehensive Plan (a complete copy of the
24	amendment is attached as Exhibit "A" hereto and made a part hereof) and referred to as
25	CPAM1901; and,
26	WHERE AC the County subsequently transmitted CDAM1001 to the State Land
27	WHEREAS, the County subsequently transmitted CPAM1901 to the State Land Planning Agency for review pursuant to the Act, and was assigned Hernando County
28 29	HC19-1ESR; and,
30	TIC19-TESK, and,
31	WHEREAS, the State Land Planning Agency and the Review Agencies reviewed
32	CPAM1901 and, thereafter, comments concerning same were submitted to the County; and,
33	CI AWI1701 and, increased, comments concerning same were submitted to the County, and,
34	WHEREAS, the BOCC finds and determines that CPAM1901 is internally consistent
35	with other Elements and Strategies of the Hernando County Comprehensive Plan, and is now
36	ready for final adoption by the BOCC; and,
	,

WHEREAS, the BOCC conducted a second public hearing on August 13, 2019, in connection with final adoption of the CPAM1901 as an amendment to the County's adopted Comprehensive Plan.

WHEREAS, CPAM1901 will be transmitted to State Land Planning Agency and Review Agencies.

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
5	incorporated herein by this reference; and
6	
7	SECTION II. Adopting CPAM1901 (Hernando County 19-1ESR) CPAM1901
8	(Hernando County 19-1ESR), attached as Exhibit "A" hereto and incorporated herein by this
9	reference, is hereby approved and adopted and the Hernando County Comprehensive Plan is
10	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 to State Land Planning Agency and Review Agencies.
16	County staff shall transmit an executed copy of this Ordinance to the State Land Planning
17	Agency and Review Agencies within ten (10) days of adoption hereof pursuant to § 163.3184,
18	Fla. Stat.
19	
20	SECTION V. Publication . This Ordinance shall be published as required by law.
21	SECTION VI A PROPERTY OF THE OFFICE AND THE SECTION VI
22	SECTION VI. Applicability. This Ordinance shall be applicable throughout the
23	unincorporated area of Hernando County.
24	SECTION VII. Severability. It is declared to be the intent of the Decad of Country
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 28	Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this Ordinance.
29	the varianty of the remaining portions of this Ordinance.
30	SECTION VIII. Conflicting Provisions. Special acts of the Florida Legislature
31	applicable only to unincorporated areas of Hernando County, Hernando County ordinances,
32	County 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	amenament of the comprehensive Frank, pursuant to chapter 103, part 11, 1 fortua statutes.
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 the
38	ordinance by email to the Bureau of Administrative Code, Department of State, R.A. Gray Bldg.,
39	Room 101, 500 S. Bronough Street, Tallahassee, FL 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 (CPAM1901) shall take effect, and
43	be considered an amendment to the Hernando County Comprehensive Plan, if the amendment is

not timely challenged, 31 days after the State Land Planning Agency notifies the local

government that the plan amendment package is complete or as otherwise provided in

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§ 163.3184, Fla. Stat. If 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. No development orders, development permits, or land uses dependent on this Amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency. BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF **HERNANDO COUNTY** in Regular Session this 13th day of August 2019. **BOARD OF COUNTY COMMISSIONERS** HERNANDO COUNTY, FLORIDA JEFF HOLCOMB DOUGLAS A. CHORVAT, JŔ CLERK OF CIRCUIT COURT **CHAIRMAN** AND COMPTROLLER Approved as to Form and **Legal Sufficiency**

EXHIBIT A

FUTURE LAND USE ELEMENT

The Countryside Community

Strategy 1.04D(3):

The 184 Stardust project (CPAM 06-04) and the Stardust Ranches, LLC project (CPAM 06-07) is an existing Countryside Community that allows development of up to 0.425 dwelling units per acre clustered on a maximum of 217.5 92.8 acres of a 435 185.6 acre site, and includes the following criteria:

- a. a minimum of 50% of the naturally forested northern 80-acre parcel will be maintained in permanent preservation/conservation and be configured to provide a contiguous wildlife corridor between the existing conservation lands to the west, north, and east; a portion of the residential lots adjacent to the preservation tract on the parcel or adjacent to other publicly held lands may be included in the 50% calculation, provided that a conservation easement is established on the portion of the lot to be preserved. Any lands preserved on individual residential lots will not count toward the minimum 50% preservation area requirement for the overlay parcel;
- b. two access points will be provided to serve the parcel;
- c. there shall be a "rural vista" corridor along CR 491 and Parsons Road that is located within the 50% preservation area requirement for the overlay parcel.