

ORDINANCE NO.: 2007-08

AN ORDINANCE AMENDING SECTION D (FUTURE LAND USE MAP MAPPING CRITERIA & LAND USES ALLOWED) OF THE HERNANDO COUNTY COMPREHENSIVE PLAN RELATING TO THE RURAL CLUSTER OVERLAY DESIGNATION, AND AMENDING SECTION E (FUTURE LAND USE MAP) BY RECLASSIFYING CERTAIN LAND FROM MINING TO RURAL WITH A RURAL CLUSTER OVERLAY DESIGNATION; ADOPTING CPAM-06-07; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 1985, the Florida Legislature adopted the Local Government Comprehensive Planning and Land Development Regulation Act as set forth in §§ 163.3161 through 163.3215 Florida Statutes (the "Act"); and,

WHEREAS, on June 7, 1989, the Board of County Commissioners adopted Ordinance 89-9 which adopted the Hernando County Comprehensive Plan, as such Plan or portions thereof have been subsequently amended ("Comprehensive Plan"); and,

WHEREAS, the Hernando County Board of County Commissioners ("BOCC"), following public hearing, approved amending Section D (Future Land Use Mapping Criteria & Land Uses Allowed) of the County's adopted Comprehensive Plan relating to the Rural Cluster Overlay Designation, and amending Section E (Future Land Use Map) by reclassifying certain land from Mining to Rural with a Rural Cluster Overlay Designation (a complete copy of the amendment is collectively attached as Exhibit "A" and Exhibit "B" hereto and made a part hereof) and referred to as CPAM-06-07; and,

WHEREAS, the County subsequently transmitted CPAM-06-07 to the Florida Department of Community Affairs ("DCA") for review pursuant to the Act and was assigned DCA No.07-1; and,

WHEREAS, the DCA reviewed CPAM-06-07 and, thereafter, issued its Objections, Recommendations and Comments (ORC) Report concerning same; and,

WHEREAS, CPAM-06-07 is now ready for final adoption by the BOCC; and,

WHEREAS, the BOCC conducted a second public hearing on July 11, 2007 in connection with final adoption of the CPAM-06-07 as an amendment to the County's adopted Comprehensive Plan.

NOW THEREFORE:

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

1 **SECTION 1. Adopting CPAM-06-07 (DCA No. 07-1).** CPAM-06-07 (DCA No. 07-1),
2 collectively attached as **Exhibit "A"** and **Exhibit "B"** hereto, is hereby approved and adopted and
3 the Hernando County Comprehensive Plan is amended accordingly subject to Section 5 below.
4

5 **SECTION 2. Execution.** The Chairperson of the Hernando County Board of County
6 Commissioners is hereby authorized to execute this ordinance.
7

8 **SECTION 3. Transmittal to Florida Department of Community Affairs.** County staff
9 shall transmit an executed copy of this ordinance to the Florida Department of Community Affairs
10 within ten (10) working days of adoption hereof.
11

12 **SECTION 4. Severability.** It is declared to be the intent of the Board of County
13 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
14 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
15 validity of the remaining portions of this ordinance.
16

17 **SECTION 5. Effective date.** This Ordinance shall take effect upon filing with the Florida
18 Secretary of State; however, the adopted amendments CPAM-06-07 shall take effect, and be
19 considered amendments to the Hernando County Comprehensive Plan, upon DCA issuing a final
20 order finding same to be in compliance pursuant to § 163.3189(2), Florida Statutes.
21

22 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO**
23 **COUNTY** in Regular Session this 11th day of July, 2007.
24



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27
28
29 Attest: *Karen Nicolai*, Deputy
30 KAREN NICOLAI
31 CLERK
32

33
34 **BOARD OF COUNTY COMMISSIONERS**
35 **HERNANDO COUNTY, FLORIDA**

36
37 By: *Christopher Kingsley*
38 CHRISTOPHER KINGSLEY
39 VICE CHAIRMAN
40

41
42 **Approved as to Form and**
43 **Legal Sufficiency**

44 By: *Geoffrey T. Kirk*
45 Geoffrey T. Kirk
46 Assistant County Attorney

CPAM 06-07

EXHIBIT A

**SECTION D: FUTURE LAND USE MAP - MAPPING CRITERIA AND LAND USES
ALLOWED
CPAM 06-07 STARDUST 184 AND STARDUST RANCHES
July 2, 2007**

Rural Cluster Overlay

Mapping Criteria: This designation is applied as an overlay within the Rural land use areas of the County and provides for increased development density for sites that meet selected criteria. Density credit is based on a sliding scale that includes, but is not limited to, such factors as development clustering, open space preservation, habitat protection, greenways connectivity, etc. The overlay designation affords greater opportunity for open space provision on developing lands within the rural areas of the County.

Purpose: To provide for increased habitat and open space preservation on Rural designated properties through increased density clustering on the remaining developable portions of the site.

Land Uses Allowed:

184 Stardust (CPAM-06-04) and Stardust Ranches, LLC (CPAM 06-07)- This overlay provides for the development of up to 0.425 dwelling units per acre clustered on a maximum of 217.5 acres of a 435 acre site, and includes the following criteria:

- 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 publically 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.
- two access points will be provided to serve the parcel;
- 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.

CPAM 06-07

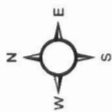
EXHIBIT B

Hernando County Comprehensive Plan Map

BOCC Adoption Hearing: 7/11/2007

CPAM-06-07 (DCA # 07-1)

CPAM-06-07



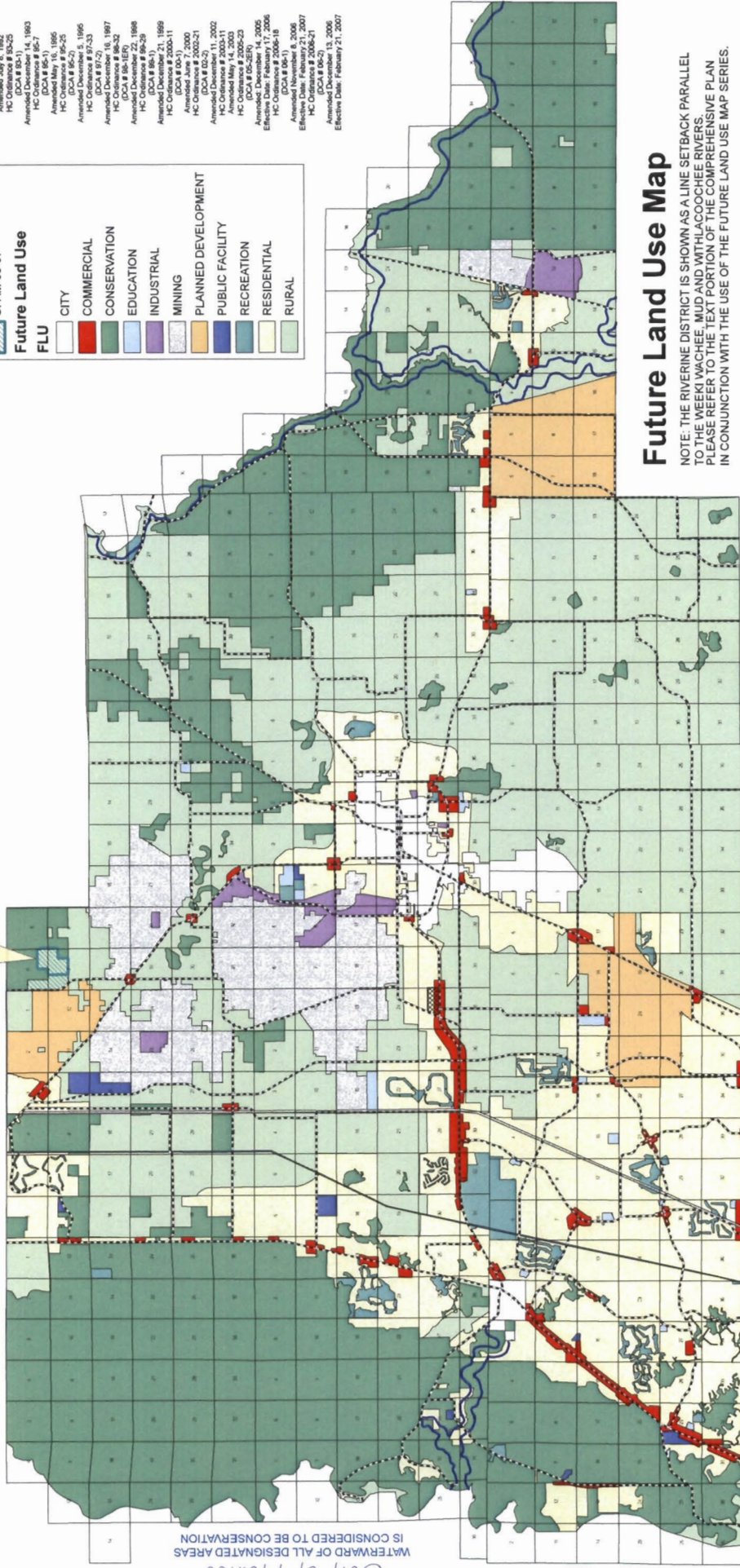
Legend

- FLU Road
- FLU Riverine District
- Regional Commercial
- Rural Cluster Overlay
- CPAM-06-07

Future Land Use

FLU	CITY	COMMERCIAL
	CONSERVATION	EDUCATION
	INDUSTRIAL	MINING
	PLANNED DEVELOPMENT	PUBLIC FACILITY
	RECREATION	RESIDENTIAL
	RURAL	

Future Land Use
 Adopted: February 21, 2007
 HC Ordinance # 83-4
 Adopted June 7, 1989
 HC Ordinance # 85-1
 HC Ordinance # 85-2
 DCA # 85-2
 Amended November 14, 1990
 HC Ordinance # 87-1
 HC Ordinance # 87-2
 DCA # 87-1
 Amended October 23, 1991
 HC Ordinance # 89-1
 HC Ordinance # 89-2
 DCA # 89-1
 Amended December 16, 1991
 HC Ordinance # 91-1
 HC Ordinance # 91-2
 DCA # 91-1
 Amended July 6, 1992
 HC Ordinance # 93-1
 HC Ordinance # 93-2
 DCA # 93-1
 Amended December 14, 1993
 HC Ordinance # 95-1
 HC Ordinance # 95-2
 DCA # 95-1
 Amended May 16, 1995
 HC Ordinance # 97-1
 HC Ordinance # 97-2
 DCA # 97-1
 Amended December 5, 1996
 HC Ordinance # 99-1
 HC Ordinance # 99-2
 DCA # 99-1
 Amended May 16, 1997
 HC Ordinance # 98-1
 HC Ordinance # 98-2
 DCA # 98-1
 Amended December 22, 1998
 HC Ordinance # 99-1
 HC Ordinance # 99-2
 DCA # 99-1
 Amended December 21, 1999
 HC Ordinance # 2000-1
 HC Ordinance # 2000-2
 DCA # 2000-1
 Amended June 7, 2000
 HC Ordinance # 2002-1
 HC Ordinance # 2002-2
 DCA # 2002-1
 Amended December 11, 2002
 HC Ordinance # 2003-1
 HC Ordinance # 2003-2
 DCA # 2003-1
 Amended December 11, 2003
 HC Ordinance # 2005-1
 HC Ordinance # 2005-2
 DCA # 2005-1
 Amended December 17, 2006
 HC Ordinance # 2006-1
 HC Ordinance # 2006-2
 DCA # 2006-1
 Amended December 13, 2006
 HC Ordinance # 2006-1
 HC Ordinance # 2006-2
 DCA # 2006-1
 Amended December 13, 2006
 HC Ordinance # 2006-1
 HC Ordinance # 2006-2
 DCA # 2006-1
 Effective Date: February 21, 2007
 Effective Date: February 21, 2007
 Effective Date: February 21, 2007



Gulf of Mexico
 WATERWARD OF ALL DESIGNATED AREAS
 IS CONSIDERED TO BE CONSERVATION

Future Land Use Map

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE MEEKI WACHEE, MUD AND WITHLACOCHEE RIVERS. PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.



Source: f:\arcdata\NewFlu\CPAM0607_BOCC.pdf
 Date of mapping: 7/2/07