

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

ORDINANCE NO.: 2007-12

AN ORDINANCE AMENDING SECTION D (FUTURE LAND USE MAP MAPPING CRITERIA & LAND USES ALLOWED) OF THE HERNANDO COUNTY COMPREHENSIVE PLAN RELATING TO THE RURAL INFILL OVERLAY DESIGNATION, AND AMENDING SECTION E (FUTURE LAND USE MAP) BY APPLYING THE RURAL INFILL OVERLAY DESIGNATION TO CERTAIN LAND CLASSIFIED AS RURAL; ADOPTING CPAM-07-05; 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 Infill Overlay Designation, and amending Section E (Future Land Use Map) by applying the Rural Infill Overlay Designation to certain land classified as Rural (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-07-05; and,

WHEREAS, the County subsequently transmitted CPAM-07-05 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-07-05 and, thereafter, issued its Objections, Recommendations and Comments (ORC) Report concerning same; and,

WHEREAS, CPAM-07-05 is now ready for final adoption by the BOCC; and,

WHEREAS, the BOCC conducted a second public hearing on July 11, 2007 and continued on July 24, 2007 in connection with final adoption of the CPAM-07-05 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:

2007 AUG - 21 2:25 PM
CLERK OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA
FILED

1 **SECTION 1. Adopting CPAM-07-05 (DCA No. 07-1).** CPAM-07-05 (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-07-05 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 24th day of July, 2007.
24


BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

25
26
27
28
29 Attest:


KAREN NICOLAI
CLERK

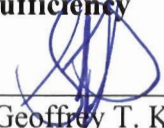


By:


JEFF STABINS
CHAIRMAN

30
31
32
33
34 **Approved as to Form and**
35 **Legal Sufficiency**

36
37 By:

 7/16/07
Geoffrey T. Kirk
Assistant County Attorney

38
39
40
41 R:\RESOLUTIONS\Ordinances\CPAM07-05-REV-071607.wpd

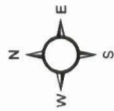
CPAM 07-05

EXHIBIT A

Hernando County Comprehensive Plan Map

BOCC Adoption Hearing: 7/24/2007

CPAM-07-05 (DCA # 07-1)



Legend

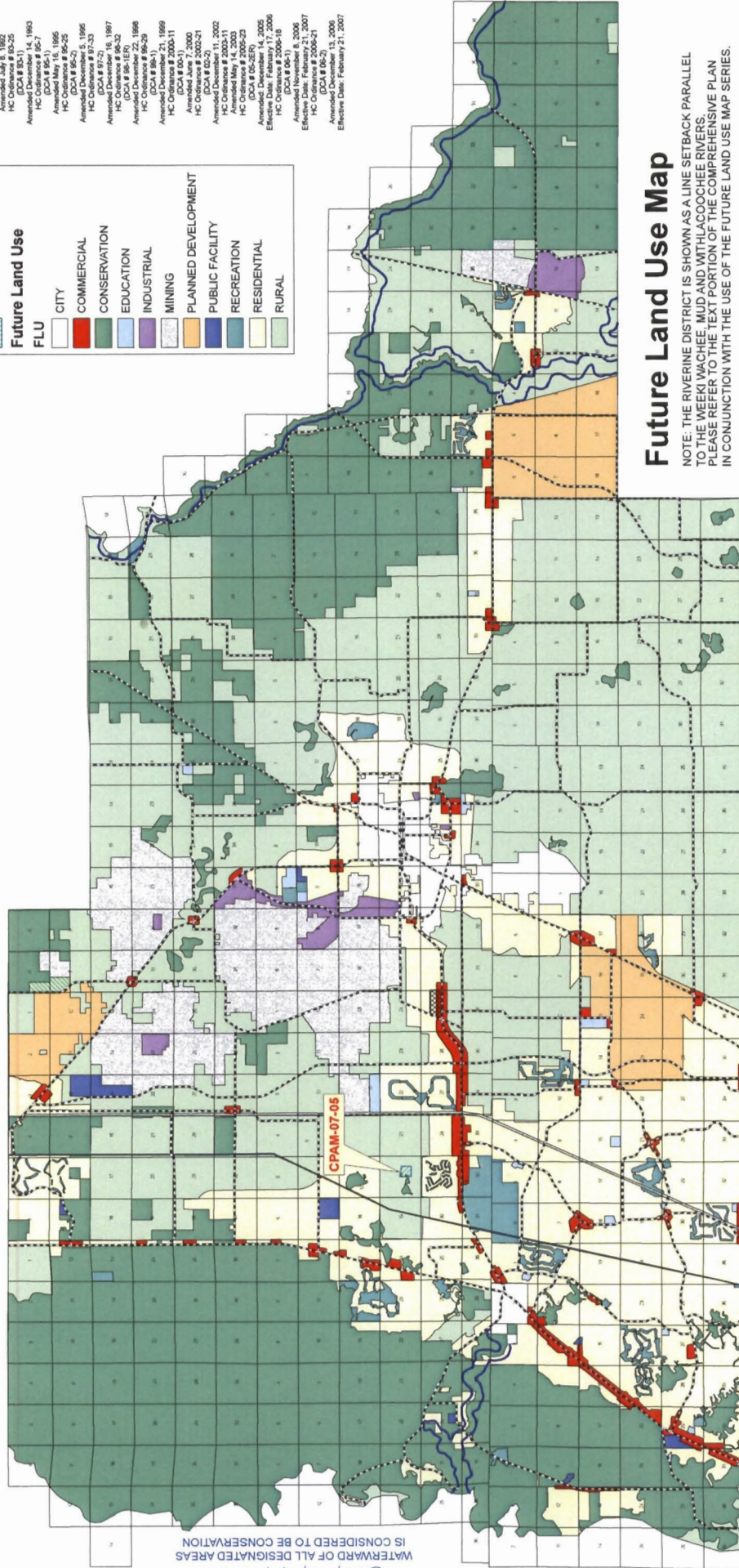
- FLU Road
- FLU Riverine District
- Regional Commercial
- Rural Cluster Overlay
- CPAM-07-05

Future Land Use

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

Future Land Use Adoption / Amendment History:

- Adopted June 7, 1988
- HC Ordinance # 80-21
- Adopted June 7, 1988
- HC Ordinance # 80-21
- Amended November 14, 1990
- HC Ordinance # 91-32
- Amended October 23, 1991
- HC Ordinance # 91-39
- Amended December 18, 1991
- HC Ordinance # 92-9
- Amended July 8, 1992
- HC Ordinance # 93-25
- Amended October 14, 1993
- HC Ordinance # 95-7
- Amended May 15, 1995
- HC Ordinance # 95-25
- Amended May 15, 1995
- HC Ordinance # 97-33
- Amended May 15, 1997
- HC Ordinance # 98-32
- Amended May 15, 1998
- HC Ordinance # 98-29
- Amended May 15, 1998
- HC Ordinance # 2000-11
- Amended May 15, 2000
- HC Ordinance # 2002-21
- Amended May 15, 2002
- HC Ordinance # 2003-11
- Amended May 14, 2003
- HC Ordinance # 2005-23
- Amended May 14, 2005
- HC Ordinance # 2006-27
- Effective Date: February 17, 2006
- HC Ordinance # 2006-18
- Amended November 8, 2006
- HC Ordinance # 2006-21
- Amended November 8, 2006
- HC Ordinance # 2006-27
- Amended 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 WEEKI WACHEE, MUD AND WILACOCOCHEE 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\CPAM0705_BOCC.pdf
Date of mapping: 7/16/07

CPAM 07-05

EXHIBIT B

Proposed Addition to Section D - Future Land Use Map Mapping
Criteria and Land Uses Allowed
Rural Infill Overlay
Florida Fine Homes, LLC (CPAM 07-05)

RURAL INFILL 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 SPECIFIC CRITERIA AS CONTAINED IN POLICIES 1.01B(16) - 1.01B(18) IN THE FUTURE LAND USE ELEMENT. THE OVERLAY DESIGNATION ALLOWS FOR INFILL DEVELOPMENT AND PROMOTES THE EFFICIENT USE OF EXISTING INFRASTRUCTURE AND LAND USE COMPATIBILITY WITHIN THE RURAL AREAS OF THE COUNTY.

PURPOSE - TO ALLOW FOR THE MORE EFFICIENT USE OF EXISTING INFRASTRUCTURE BY CREATING A METHOD TO INCREASE RESIDENTIAL DENSITY COMPATIBLE WITH SURROUNDING EXISTING RESIDENTIAL USES.

LAND USES ALLOWED-

FLORIDA FINE HOMES, LLC (CPAM 07-05) - THIS OVERLAY WILL ALLOW A RESIDENTIAL DENSITY NOT TO EXCEED 1.5 DWELLING UNITS PER ACRE, WITH A MINIMUM LOT SIZE OF 21,500 SQUARE FEET.

IN ORDER TO CREATE AN APPROPRIATE TRANSITION TO ADDRESS THE ISSUE OF COMPATIBILITY WITH THE EXISTING LOT SIZES TO THE NORTH OF THE SUBJECT PARCEL, LOTS ALONG THE PERIMETER OF THE SUBJECT DEVELOPMENT SHALL BE PROPORTIONALLY LARGER TO APPROXIMATE THE ADJOINING LOTS SIZES.

AT LEAST TWO ACCESS POINTS WILL BE PROVIDED TO THE EXISTING ROADWAY NETWORK ADJACENT TO THE PARCEL.