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3 **ORDINANCE NO.: 2008-14**

4 **AN ORDINANCE AMENDING THE HERNANDO COUNTY**
5 **COMPREHENSIVE PLAN BY AMENDING SECTION A, CHAPTER 9**
6 **RELATING TO THE COASTAL MANAGEMENT ELEMENT AND**
7 **SECTION E RELATING TO THE COASTAL HIGH HAZARD AREA MAP;**
8 **ADOPTING CPAM-07-10; PROVIDING FOR SEVERABILITY; AND**
9 **PROVIDING FOR AN EFFECTIVE DATE.**

10 **WHEREAS**, in 1985, the Florida Legislature adopted the Local Government Comprehensive
11 Planning and Land Development Regulation Act as set forth in §§ 163.3161 through 163.3215
12 Florida Statutes (the “Act”); and,
13

14 **WHEREAS**, on June 7, 1989, the Board of County Commissioners adopted Ordinance 89-9
15 which adopted the Hernando County Comprehensive Plan, as such Plan or portions thereof have
16 been subsequently amended (“Comprehensive Plan”); and,
17

18 **WHEREAS**, the Hernando County Board of County Commissioners (“BOCC”), following
19 public hearing, approved amending the County’s adopted Comprehensive Plan by amending Section
20 A, Chapter 9 relating to the Coastal Management Element and Section E relating to the Coastal High
21 Hazard Area Map (a complete copy of the amendment is collectively attached as **Exhibit “A”** hereto
22 and made a part hereof) and referred to as CPAM-07-10; and,
23

24 **WHEREAS**, the County subsequently transmitted CPAM-07-10 to the Florida Department
25 of Community Affairs (“DCA”) for review pursuant to the Act, and was assigned DCA No. 08-1;
26 and,
27

28 **WHEREAS**, the DCA reviewed CPAM-07-10 and, thereafter, issued its Objections,
29 Recommendations and Comments (ORC) Report concerning same; and,
30

31 **WHEREAS**, CPAM-07-10 is now ready for final adoption by the BOCC; and,
32

33 **WHEREAS**, the BOCC conducted a second public hearing on June 11, 2008 in connection
34 with final adoption of the CPAM-07-10 as an amendment to the County’s adopted Comprehensive
35 Plan.
36

37 **NOW THEREFORE:**
38

39 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
40 **HERNANDO COUNTY, FLORIDA:**
41

FILED
JUN 20 AM 10:50
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

1 **SECTION 1. Adopting CPAM-07-10 (DCA No. 08-1).** CPAM-07-10 (DCA No. 08-1),
2 collectively attached as **Exhibit "A"** hereto, is hereby approved and adopted and the Hernando
3 County Comprehensive Plan is amended accordingly subject to Section 6 below.
4

5 **SECTION 2. Execution.** The Chairman 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.** The County
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. Publication.** This ordinance shall be published in accordance with law.
13

14 **SECTION 5. Severability.** It is declared to be the intent of the Board of County
15 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
16 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
17 validity of the remaining portions of this ordinance.
18

19 **SECTION 6. Effective date.** This Ordinance shall take effect upon filing with the Florida
20 Secretary of State; however, the adopted amendment (CPAM-07-10) shall take effect, and be
21 considered an amendment to the Hernando County Comprehensive Plan, upon DCA issuing a final
22 order finding same to be in compliance pursuant to § 163.3189(2), Florida Statutes.
23

24 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
25 **HERNANDO COUNTY** in Regular Session this 11th day of June, 2008.
26



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31 Attest: Karen Nicolai
32 KAREN NICOLAI
33 CLERK

34
35
36 **BOARD OF COUNTY COMMISSIONERS**
37 **HERNANDO COUNTY, FLORIDA**

38
39 By: Christopher A. Kingsley
40 CHRISTOPHER A. KINGSLEY
41 CHAIRMAN

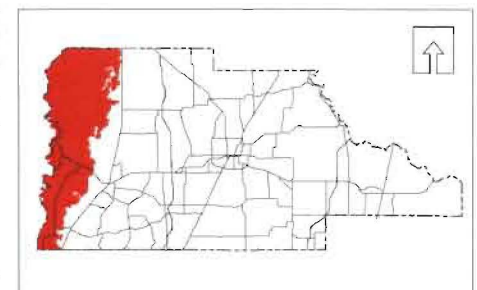
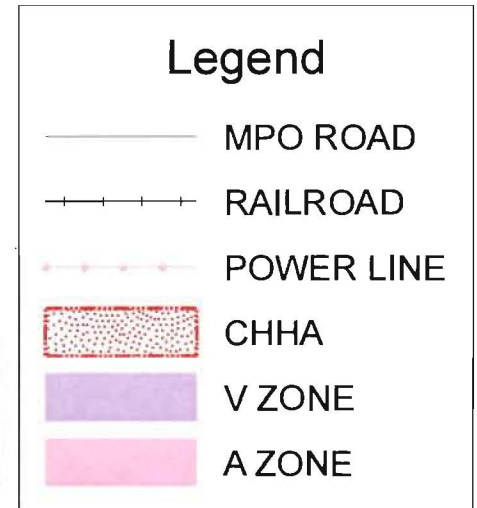
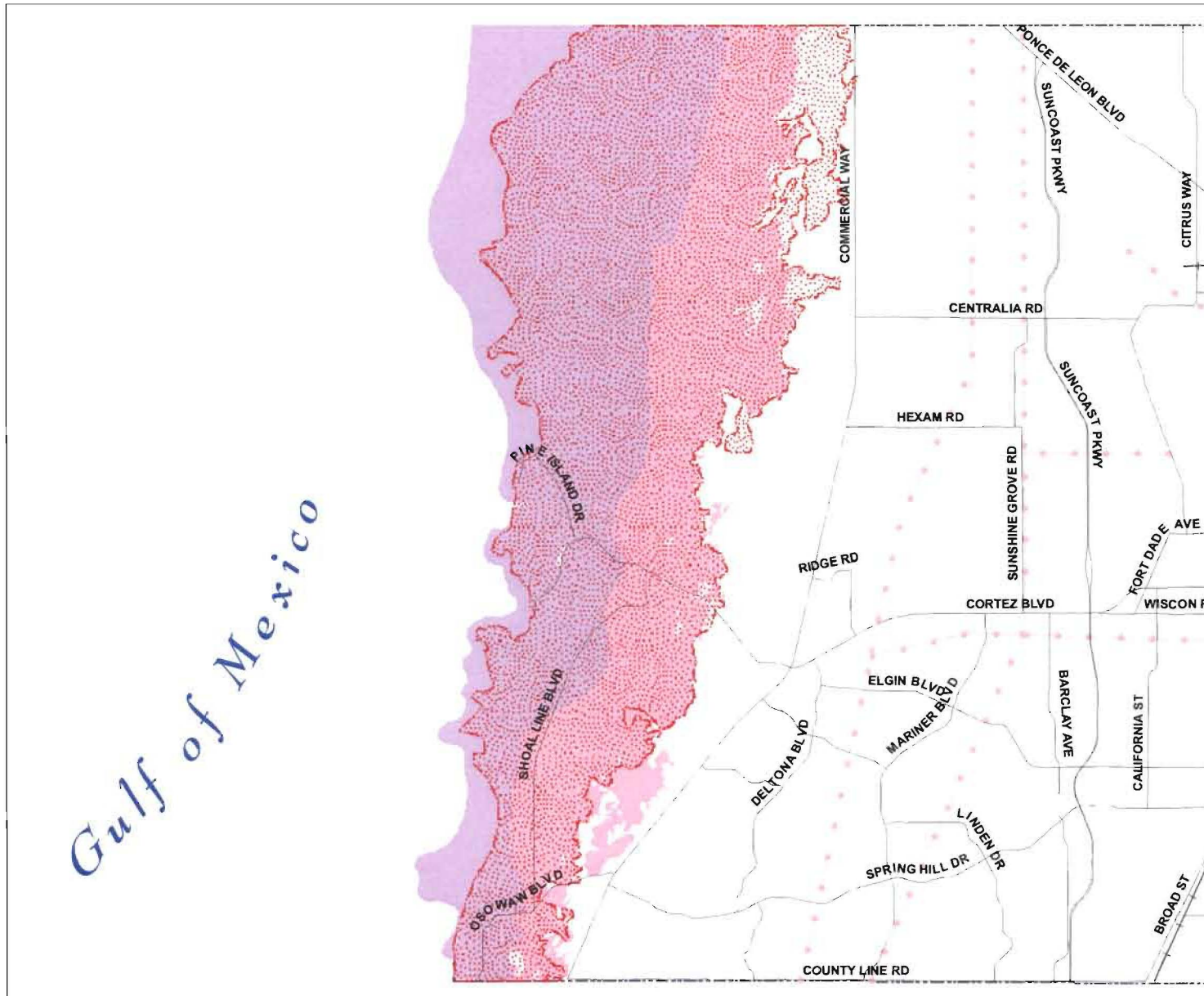
42 **Approved as to Form and**
43 **Legal Sufficiency**

44 By: Geoffrey T. Kirk 6/11/08
45 Geoffrey T. Kirk
46 Assistant County Attorney

CPAM 07-10

EXHIBIT A

Hernando County COASTAL HIGH HAZARD AREA (CHHA) with FEMA FLOOD ZONES (V and A)



Proposed Amendment to Coastal Management Element
Hernando County Comprehensive Plan
CPAM-07-10

Policy 5.02B(1): Hernando County will establish a coastal high hazard area within which the transfer of development rights is permitted and density is limited to one (1) unit per acre unless the parcel is an existing lot of record or part of a vested development. As defined herein, the coastal high hazard area is the ~~evacuation zone for a Category 1 Hurricane~~ area below the elevation of the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.