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ORDINANCE NO.: 2010- 20

AN ORDINANCE AMENDING THE HERNANDO COUNTY COMPREHENSIVE PLAN BY AMENDING SECTION E RELATING TO THE FUTURE LAND USE MAP AS AFFECTING LESS THAN 10 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHWEST SIDE OF US HWY 98 AND APPROXIMATELY 1,200 FEET NORTH OF LANDFILL ROAD; APPROVING AND ADOPTING CPAM-10-05; 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 instant request is for the Hernando County Board of County Commissioners ("BOCC") to amend Section E of the County's adopted Comprehensive Plan relating to the Future Land Use Map (a complete copy of the amendment is collectively attached as **Exhibit "A"** hereto and made a part hereof) and hereinafter referred to as CPAM-10-05; and,

WHEREAS, CPAM-10-05 is an amendment to the County's Future Land Use Map involving land that is ten (10) acres or less in size (as generally located on the southwest side of US Hwy 98 and approximately 1,200 feet north of Landfill Road) and which has been determined by the Hernando County Planning Department to constitute a "small scale development amendment" based upon the criteria set forth in § 163.3187(1)(c), Florida Statutes; and,

WHEREAS, small scale development amendments are exempt from state and regional review pursuant to § 163.3187, Florida Statutes; and,

WHEREAS, the BOCC conducted a public hearing on October 12, 2010, in connection with the adoption of CPAM-10-05 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:

SECTION 1. Recitals. The above recitals are incorporated herein by reference.

SECTION 2. Adopting CPAM-10-05. CPAM-10-05, attached as **Exhibit "A"** hereto, is hereby approved and adopted and the Hernando County Comprehensive Plan Future Land Use Map is amended accordingly, subject to Section 6 below.

1 **SECTION 3. Execution.** The Chairman of the Hernando County Board of County
2 Commissioners is hereby authorized to execute this ordinance.

3
4 **SECTION 4. Transmittal to Florida Department of Community Affairs.** The County
5 shall transmit an executed copy of this ordinance to the Florida Department of Community Affairs
6 (“DCA”), the regional planning council, and such other person required by Rule Chapter 9J-11,
7 Florida Administrative Code.

8
9 **SECTION 5. Severability.** It is declared to be the intent of the Board of County
10 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
11 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
12 validity of the remaining portions of this ordinance.

13
14 **SECTION 6. Effective date.** This Ordinance shall take effect upon filing with the Florida
15 Secretary of State; however, pursuant to 163.3187(3)(c), Florida Statutes, CPAM-10-05 shall not
16 become effective until 31 days after adoption by the BOCC (the date below), unless challenged
17 within 30 days from the date hereof. In the event of any timely challenge, CPAM-10-05 shall not
18 become effective until the state land planning agency (DCA) or the Administration Commission,
19 respectively, issues a final order determining that this adopted small scale development amendment
20 is in compliance.

21
22 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
23 **HERNANDO COUNTY** in Regular Session this 12th day of October, 2010.



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29 Attest:

Karen Nicolai
KAREN NICOLAI
CLERK

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

By: *John Druzbeck*
JOHN DRUZZBICK
CHAIRMAN

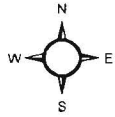
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33
34 **Approved as to Form and**
35 **Legal Sufficiency**

36
37 By: *G. T. Kirk 9/17/10*
38 Geoffrey T. Kirk
39 Assistant County Attorney

Hernando County Comprehensive Plan Map

Effective date: July 29, 2010
 HC Ordinance # 2010-11

CPAM 10-05



Legend

- FLU Road
- FLU Riverine District
- ▣ Regional Commercial
- ▨ Rural Infill Overlay
- ▧ Rural Cluster Overlay

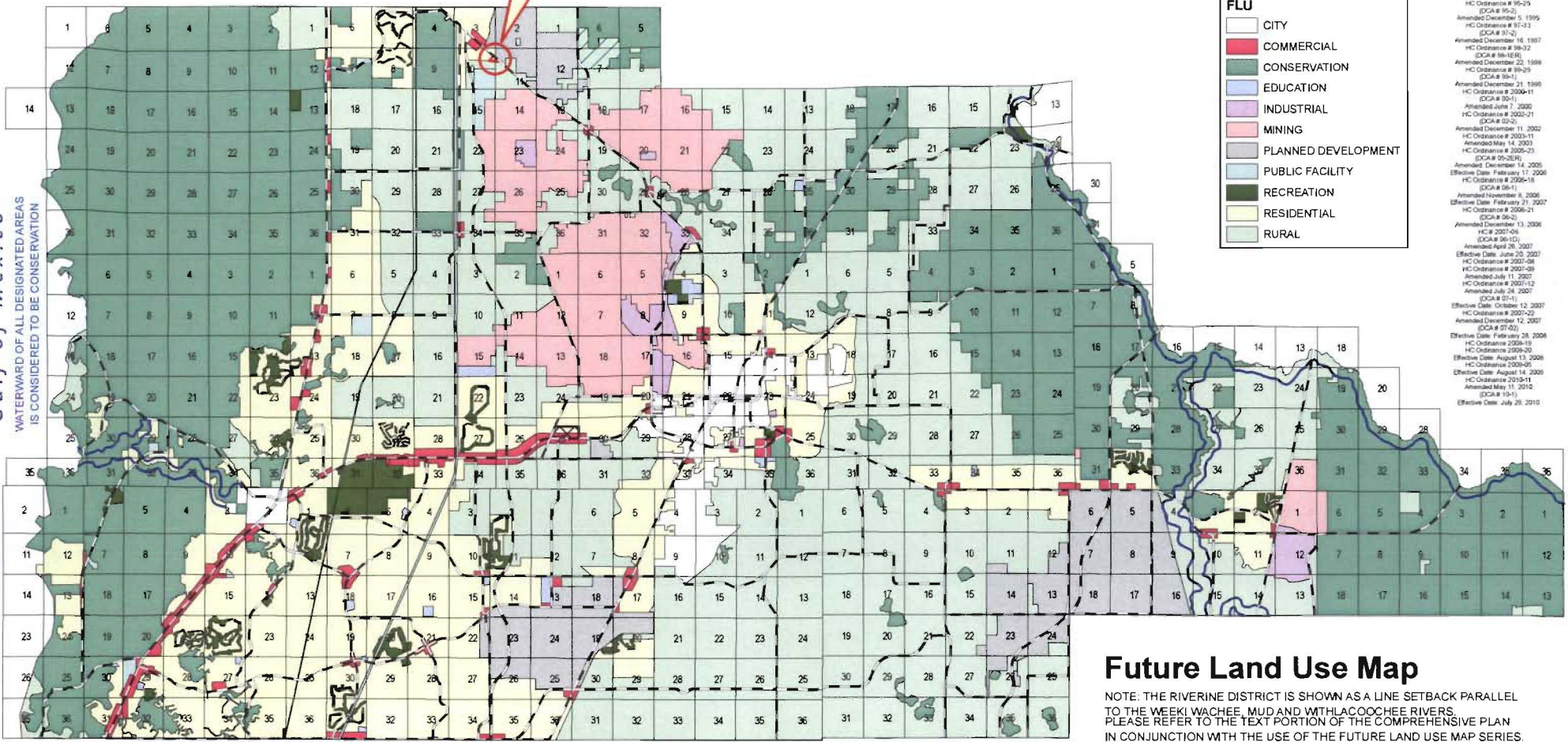
Future Land Use

FLU

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

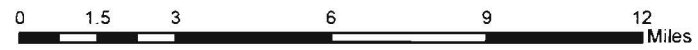
Future Land Use Adoption / Amendment History
 HC Ordinance # 89-01
 Adopted June 7, 1989
 HC Ordinance # 90-21
 (OCA # 90-2)
 Amended November 14, 1990
 HC Ordinance # 91-02
 (OCA # 91-1)
 Amended October 23, 1991
 HC Ordinance # 91-09
 (OCA # 91-2)
 Amended December 18, 1991
 HC Ordinance # 92-9
 (OCA # 92-1)
 Amended July 8, 1992
 HC Ordinance # 93-29
 (OCA # 93-1)
 Amended December 14, 1993
 HC Ordinance # 95-7
 (OCA # 95-1)
 Amended May 11, 1995
 HC Ordinance # 95-25
 (OCA # 95-2)
 Amended December 5, 1995
 HC Ordinance # 97-33
 (OCA # 97-2)
 Amended December 16, 1997
 HC Ordinance # 98-32
 (OCA # 98-1ER)
 Amended December 22, 1998
 HC Ordinance # 99-29
 (OCA # 99-1)
 Amended December 21, 1999
 HC Ordinance # 2000-11
 (OCA # 00-1)
 Amended June 7, 2000
 HC Ordinance # 2002-21
 (OCA # 02-2)
 Amended December 11, 2002
 HC Ordinance # 2003-19
 (OCA # 03-24)
 Amended May 14, 2003
 HC Ordinance # 2005-25
 (OCA # 05-24)
 Amended December 14, 2005
 Effective Date: February 17, 2006
 HC Ordinance # 2006-18
 (OCA # 06-1)
 Amended November 8, 2006
 Effective Date: February 27, 2007
 HC Ordinance # 2006-21
 (OCA # 06-2)
 Amended December 13, 2006
 HC # 2007-06
 (OCA # 06-1D)
 Amended April 26, 2007
 Effective Date: June 20, 2007
 HC Ordinance # 2007-08
 HC Ordinance # 2007-09
 Amended July 11, 2007
 HC Ordinance # 2007-12
 Amended July 24, 2007
 (OCA # 07-1)
 Effective Date: October 12, 2007
 HC Ordinance # 2007-22
 Amended December 12, 2007
 (OCA # 07-02)
 Effective Date: February 28, 2008
 HC Ordinance 2008-18
 HC Ordinance 2008-20
 Effective Date: August 13, 2009
 HC Ordinance 2009-05
 Effective Date: August 14, 2009
 HC Ordinance 2010-11
 Amended May 11, 2010
 (OCA # 10-1)
 Effective Date: July 29, 2010

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 WITHLACOCHEE RIVERS. PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.



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 Date of mapping: 9/24/10

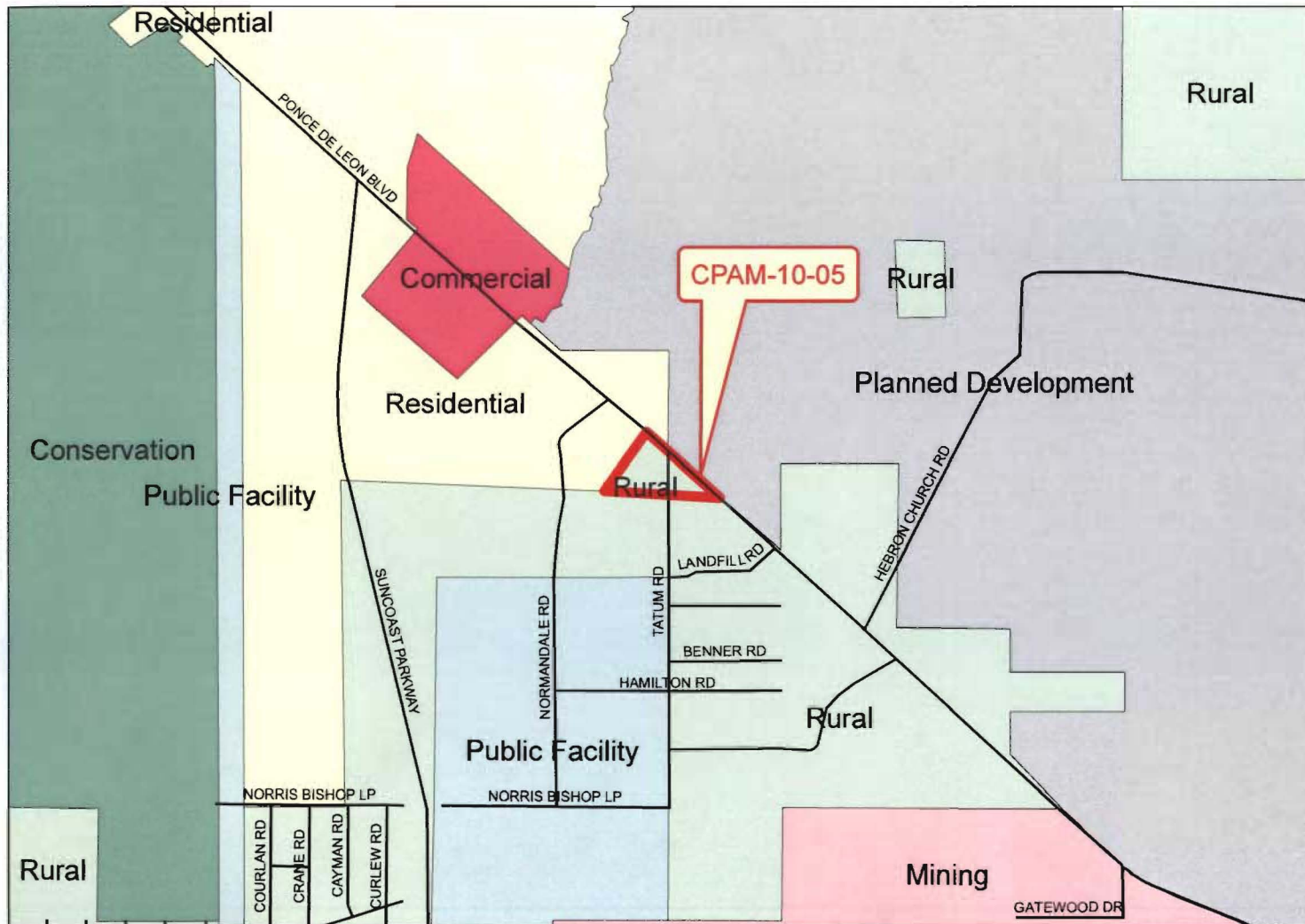
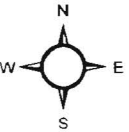




Hernando County Comprehensive Plan Map

Present / Current CPAM-10-05

Version Date: 9/24/10



Legend

- FLU Riverine District
- Rural Cluster Overlay
- Rural Infill Overlay
- Regional Commercial

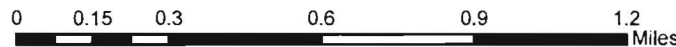
Future Land Use

FLU

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

Future Land Use Map

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



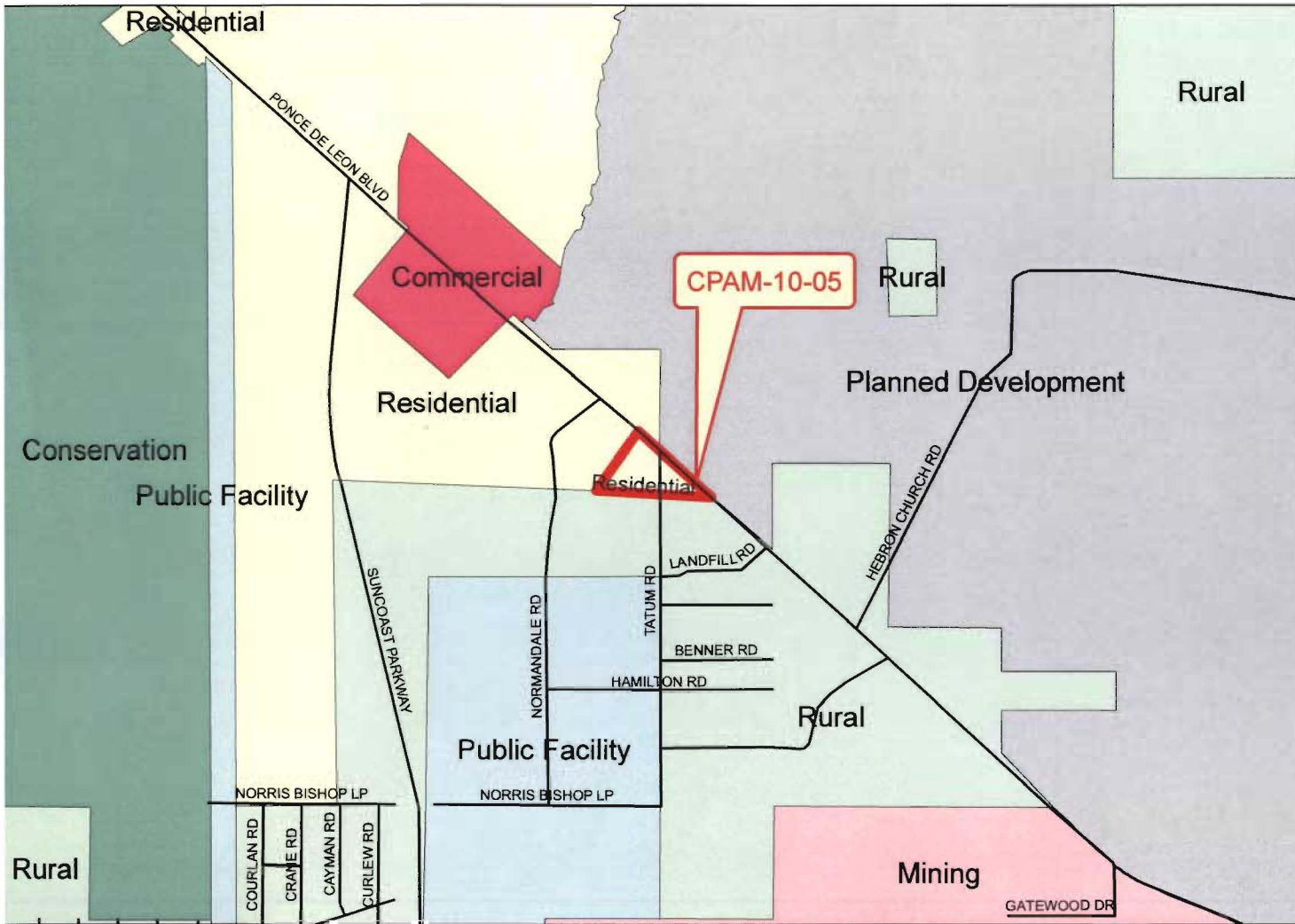
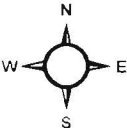
Source: S:\Share\Planning\NewFLU\CPAM1005a_Detail.pdf
Date of mapping: 9/24/10



Hernando County Comprehensive Plan Map

Proposed CPAM-10-05

Version Date: 9/24/10



Legend

- FLU Riverine District
- Rural Cluster Overlay
- Rural Infill Overlay
- Regional Commercial

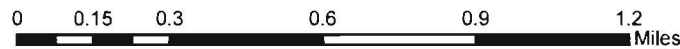
Future Land Use

FLU

- CITY
- COMMERCIAL
- CONSERVATION
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Future Land Use Map

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



Source: S:\Share\Planning\NewFLU\CPAM1005b_Detail.pdf
 Date of mapping: 9/24/10