

ORDINANCE NO.: 2012-10

1
2
3 **AN ORDINANCE AMENDING THE HERNANDO COUNTY**
4 **COMPREHENSIVE PLAN BY AMENDING SECTION E RELATING TO**
5 **THE FUTURE LAND USE MAP; APPROVING AND ADOPTING CPAM-**
6 **12-01; PROVIDING FOR TRANSMITTAL TO THE STATE REVIEW**
7 **AGENCIES; PROVIDING FOR APPLICABILITY; PROVIDING FOR**
8 **SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS;**
9 **PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE AND**
10 **PROVIDING FOR AN EFFECTIVE DATE.**

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

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

19
20 **WHEREAS**, the Hernando County Board of County Commissioners ("BOCC"),
21 following public hearing on July 10, 2012, approved amending Section E of the County's
22 adopted Comprehensive Plan relating to Future Land Use Map (a complete copy of the
23 amendment is attached as **Exhibit "A"** hereto and made a part hereof) and referred to as CPAM-
24 12-01; and,

25
26 **WHEREAS**, the County subsequently transmitted CPAM-12-01 to the State Land
27 Planning Agency for review pursuant to the Act, and was assigned Hernando County 12-1ESR;
28 and,

29
30 **WHEREAS**, the State Land Planning Agency and the Review Agencies reviewed
31 CPAM-12-01 and, thereafter, comments concerning same were submitted to the County; and,

32
33 **WHEREAS**, the BOCC finds and determines that CPAM 12-01 is internally consistent
34 with other Elements and Policies of the Hernando County Comprehensive Plan, and is now ready
35 for final adoption by the BOCC; and,

36
37 **WHEREAS**, the BOCC conducted a second public hearing on October 9, 2012 in
38 connection with final adoption of the CPAM-12-01 as an amendment to the County's adopted
39 Comprehensive Plan.

40
41 **WHEREAS**, CPAM-12-01 will be transmitted to State Land Planning Agency and
42 Review Agencies.

2012 OCT 17 PM 2:58
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

FILED

1 **NOW THEREFORE:**

2
3 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
4 **HERNANDO COUNTY, FLORIDA:**

5
6
7 **SECTION I. Recitals.** The recitals set forth above are true and correct and
8 incorporated herein by this reference; and

9 **SECTION II. Adopting CPAM-12-01 (Hernando County 12-1ESR).** CPAM-12-01
10 (Hernando County 12-1ESR), attached as **Exhibit "A"** hereto and incorporated herein by this
11 reference, is hereby approved and adopted and the Hernando County Comprehensive Plan is
12 amended accordingly, subject to the Effective Date provision (Section X) below.

13
14 **SECTION III. Execution.** The Chairman of the Hernando County Board of County
15 Commissioners is hereby authorized to execute this ordinance, and all related documents.

16
17 **SECTION IV. Transmittal to State Land Planning Agency and Review Agencies.**
18 County staff shall transmit an executed copy of this ordinance to the State Land Planning Agency
19 and Review Agencies within ten (10) days of adoption hereof pursuant to § 163.3184, Fla. Stat.

20
21 **SECTION V. Publication.** This ordinance shall be published as required by law.

22
23 **SECTION VI. Applicability.** This Ordinance shall be applicable throughout the
24 unincorporated area of Hernando County.

25
26 **SECTION VII. Severability.** It is declared to be the intent of the Board of County
27 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
28 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect
29 the validity of the remaining portions of this ordinance.

30
31 **SECTION VIII. Conflicting Provisions.** Special acts of the Florida Legislature
32 applicable only to unincorporated areas of Hernando County, Hernando County ordinances,
33 County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this
34 ordinance to the extent of such conflict except for ordinances concerning either adoption or
35 amendment of the Comprehensive Plan, pursuant to Chapter 163, part II, Florida Statutes.

36
37 **SECTION IX. Filing with the Department of State.** The clerk shall be and is hereby
38 directed forthwith to send a certified copy of this ordinance to the Bureau of Administrative Code,
39 Department of State, R.A. Gray Bldg., Room 101, 500 S. Bronough Street, Tallahassee, FL
40 32399-0250.

1 **SECTION X. Effective date.** This Ordinance shall take effect upon filing with the
2 Florida Secretary of State; however, the adopted amendment (CPAM-12-01) shall take effect, and
3 be considered an amendment to the Hernando County Comprehensive Plan, if the amendment is
4 not timely challenged, 31 days after the State Land Planning Agency notifies the local government
5 that the plan amendment package is complete or as otherwise provided in § 163.3184, Fla. Stat. If
6 timely challenged, this amendment shall become effective on the date the State Land Planning
7 Agency or the Administration Commission enters a final order determining this adopted
8 amendment to be in compliance. No development orders, development permits, or land uses
9 dependent on this Amendment may be issued or commence before it has become effective. If a
10 final order of noncompliance is issued by the Administrative Commission, this amendment may
11 nevertheless be made effective by adoption of a resolution affirming tits effective status, a copy of
12 which resolution shall be sent to the state land planning agency.

13
14 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
15 **HERNANDO COUNTY** in Regular Session this 9th day of October, 2012.

16
17 **BOARD OF COUNTY COMMISSIONERS**
18 **HERNANDO COUNTY, FLORIDA**

19
20
21 Attest: *Karen Nicolai*
22 KAREN NICOLAI
23 CLERK

24 By: *Wayne Dukes*
25 WAYNE DUKES
26 CHAIRMAN



27 **Approved as to Form and**
28 **Legal Sufficiency**

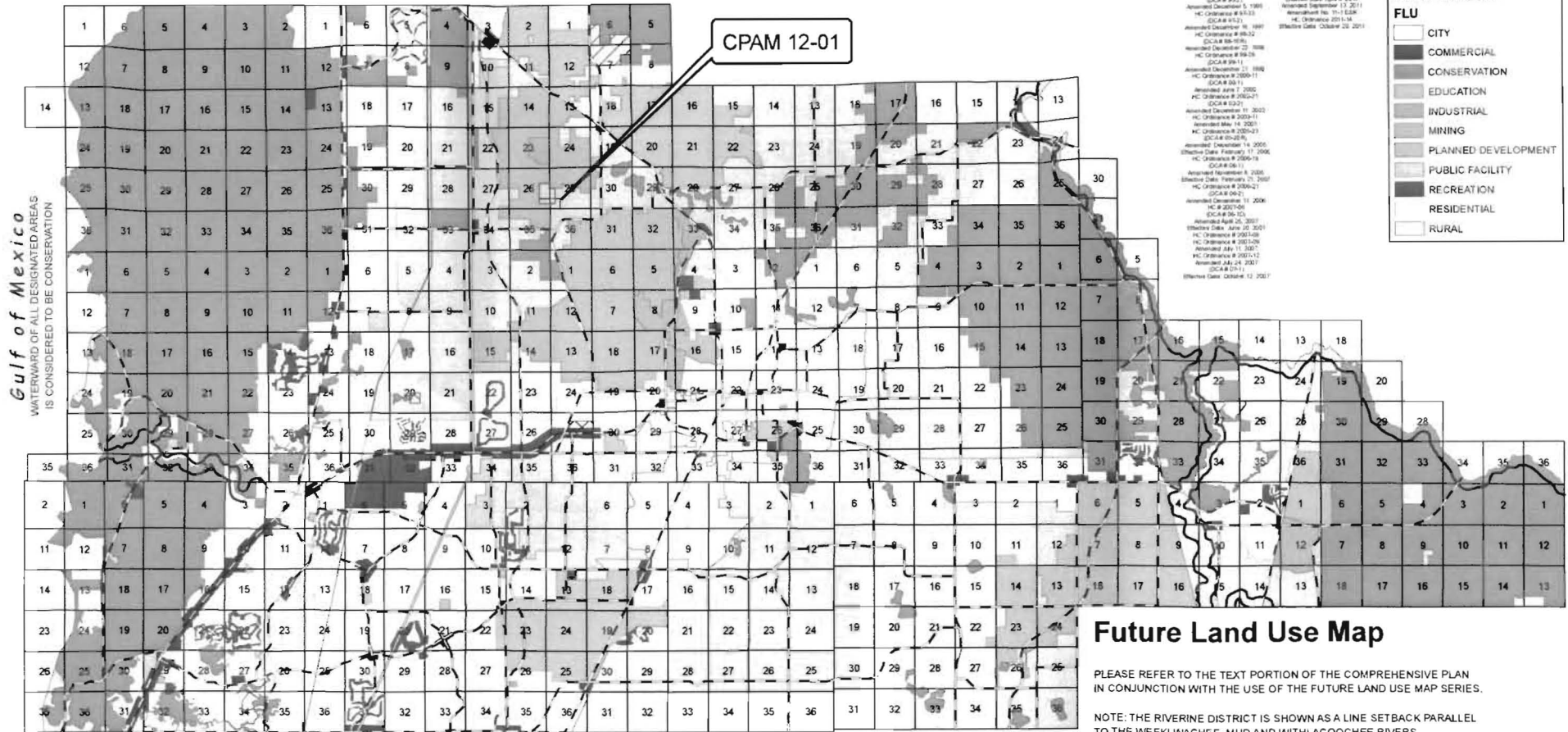
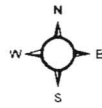
29
30 By: *Richard Appello*
31 Richard Appello
32 Assistant County Attorney

EXHIBIT A

CPAM-12-01

Hernando County Comprehensive Plan Map

Proposed CPAM 12-01
Version date: May 10, 2012



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

- Future Land Use**
- HC Ordinance # 8584
Adopted June 7, 1989
HC Ordinance # 8941
SCAR # 90-2
Revised November 14, 1990
HC Ordinance # 91-32
SCAR # 91-1
Amended October 23, 1991
HC Ordinance # 93-26
SCAR # 93-2
Amended December 16, 1993
HC Ordinance # 93-28
SCAR # 93-11
Amended July 9, 1992
HC Ordinance # 93-25
SCAR # 93-11
Amended December 16, 1993
HC Ordinance # 95-1
SCAR # 95-1
Amended May 16, 1995
HC Ordinance # 95-25
SCAR # 95-1
Amended December 5, 1995
HC Ordinance # 95-33
SCAR # 95-2
Amended December 16, 1995
HC Ordinance # 98-32
SCAR # 98-9
Amended December 22, 1998
HC Ordinance # 98-35
SCAR # 98-1
Amended December 22, 1998
HC Ordinance # 1000-11
SCAR # 03-1
Amended June 1, 2000
HC Ordinance # 1000-11
SCAR # 03-1
Amended June 1, 2000
HC Ordinance # 1000-11
SCAR # 03-1
Amended December 11, 2002
HC Ordinance # 2000-11
SCAR # 03-1
Amended December 11, 2002
HC Ordinance # 2000-11
SCAR # 03-1
Amended December 14, 2005
HC Ordinance # 2006-19
SCAR # 06-1
Amended November 8, 2006
Effective Date: February 21, 2007
HC Ordinance # 2006-21
SCAR # 06-2
Amended December 13, 2006
HC # 2007-06
SCAR # 06-10
Amended April 25, 2007
Effective Date: April 25, 2007
HC Ordinance # 2007-06
Amended July 11, 2007
HC Ordinance # 2007-12
Amended July 24, 2007
SCAR # 07-1
Effective Date: October 12, 2007
 - HC Ordinance # 2007-02
Amended December 12, 2007
SCAR # 07-02
Effective Date: February 29, 2008
HC Ordinance 2008-01
Effective Date: August 13, 2008
HC Ordinance 2008-02
Effective Date: August 13, 2008
HC Ordinance 2008-03
Effective Date: August 13, 2008
HC Ordinance 2008-04
Effective Date: August 13, 2008
HC Ordinance 2008-05
Effective Date: August 13, 2008
HC Ordinance 2008-06
Effective Date: August 13, 2008
HC Ordinance 2008-07
Effective Date: August 13, 2008
HC Ordinance 2008-08
Effective Date: August 13, 2008
HC Ordinance 2008-09
Effective Date: August 13, 2008
HC Ordinance 2008-10
Effective Date: August 13, 2008
HC Ordinance 2008-11
Effective Date: August 13, 2008
HC Ordinance 2008-12
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HC Ordinance 2008-13
Effective Date: August 13, 2008
HC Ordinance 2008-14
Effective Date: August 13, 2008
HC Ordinance 2008-15
Effective Date: August 13, 2008
HC Ordinance 2008-16
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HC Ordinance 2008-17
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HC Ordinance 2008-18
Effective Date: August 13, 2008
HC Ordinance 2008-19
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HC Ordinance 2008-20
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HC Ordinance 2008-21
Effective Date: August 13, 2008
HC Ordinance 2008-22
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HC Ordinance 2008-31
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HC Ordinance 2008-32
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HC Ordinance 2008-33
Effective Date: August 13, 2008
HC Ordinance 2008-34
Effective Date: August 13, 2008
HC Ordinance 2008-35
Effective Date: August 13, 2008
HC Ordinance 2008-36
Effective Date: August 13, 2008

Legend

- FLU Road
- FLU Riverine District
- GIS.Pt.S_Sections
- Regional Commercial
- Rural Infill Overlay
- Rural Cluster Overlay

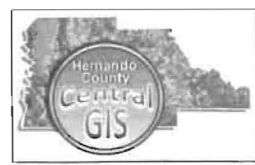
Future Land Use

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

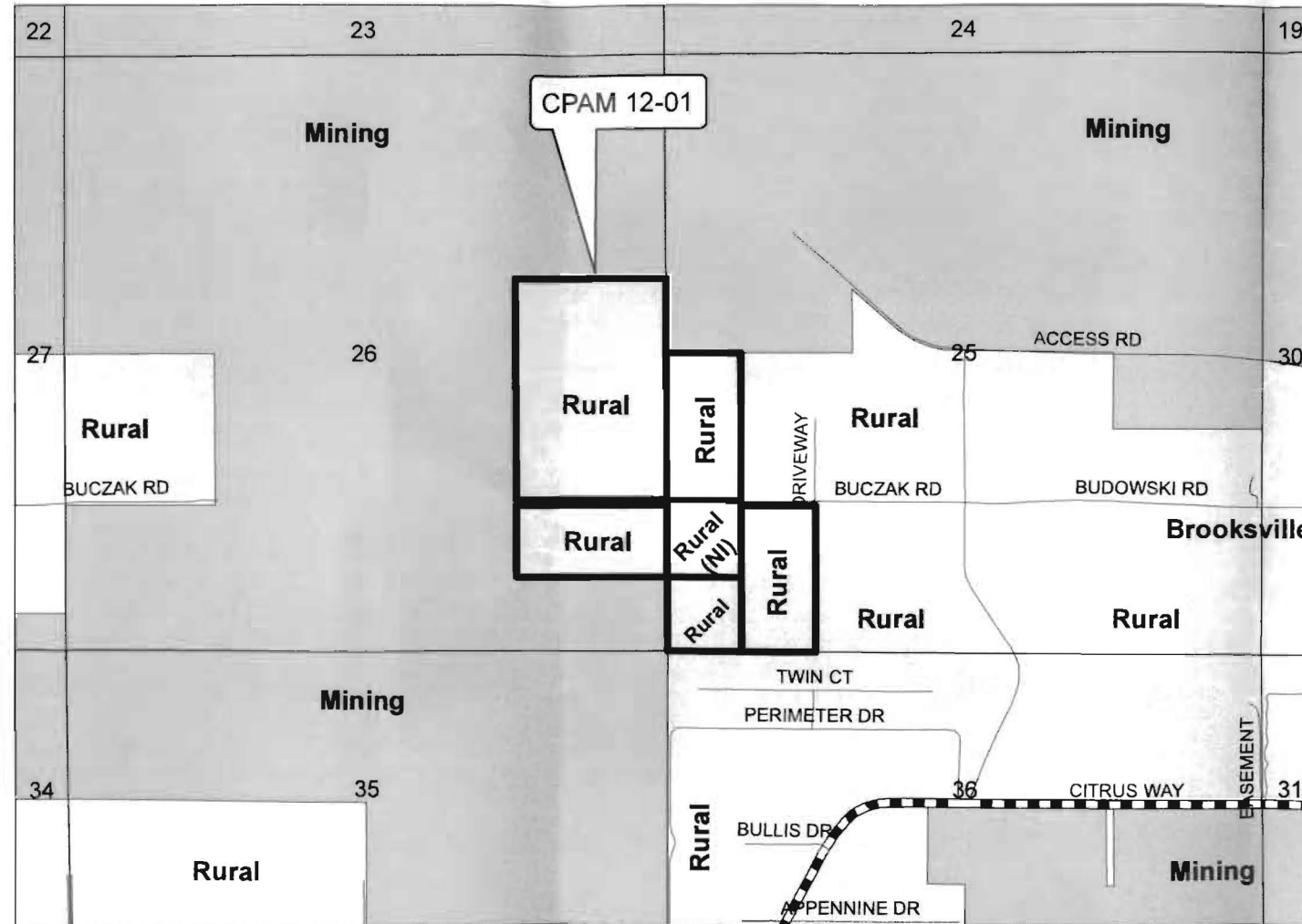
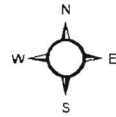
NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.



Source: S:\Share\Planning\NewFLU\CPAM1201_Proposed_8x11.pdf
Project: D:\WorkSpace\ARC\DATA\KES\NewFLU\CPAM1201_Proposed_8x11.mxd
Date of mapping: 5/10/2012

Hernando County Comprehensive Plan Map

Proposed CPAM 12-01
Version Date: 5/10/2012



Legend

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- Rural Cluster Overlay
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Future Land Use

FLU

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NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.



Source: S:\Share\Planning\NewFLU\CPAM1201b_Detail_8x11.pdf
Project: D:\WorkSpace\ARCDATA\KES\NewFLU\CPAM1201b_Detail_8x11.mxd
Date of mapping: 5/10/2012





FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 18, 2012

Honorable Karen Nicolai
Clerk of the Circuit Court
Hernando County
Room 131, 20 North Main Street
Brooksville, Florida 34601-2800

Attention: Ms. Samantha Haun, Deputy Clerk

Dear Ms. Nicolai:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated October 11, 2012 and certified copy of Hernando County Ordinance No. 2012-10, which was filed in this office on October 17, 2012.

As requested, the date stamped originals are being return for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/elr

Enclosure