



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

October 24, 2013

Honorable Don Barbee Jr.  
Clerk of the Circuit Court  
Hernando County  
Room 131, 20 North Main Street  
Brooksville, Florida 34601-2800

Attention: Ms. Ashley Hofecker, Deputy Clerk

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2013-30, which was filed in this office on October 24, 2013.

Sincerely,

Liz Cloud  
Program Administrator

LC/elr

Enclosure

## Sherry Crum

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**From:** County Ordinances <CountyOrdinances@dos.myflorida.com>  
**Sent:** Thursday, October 24, 2013 2:05 PM  
**To:** Sherry Crum  
**Cc:** County Ordinances  
**Subject:** RE: Hernando County Ordinances  
**Attachments:** Hernando 2013-30 - Ack.pdf

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**From:** Sherry Crum [mailto:scrum@co.hernando.fl.us]  
**Sent:** Thursday, October 24, 2013 12:54 PM  
**To:** County Ordinances  
**Subject:** Hernando County Ordinances

Sender Full Name:	Sherry Crum
Sender Phone number:	352-754-4970
County Name:	Hernando
Ordinance Number:	2013-30

*Sherry L. Crum*

Deputy Clerk

Hernando County Clerk of Circuit Court & Comptroller  
20 N. Main Street, Room 131  
Brooksville, FL 34601  
Phone: (352) 540-6209  
Fax: (352) 754-4239  
[scrum@hernandocounty.us](mailto:scrum@hernandocounty.us)

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- 1 (1) Preliminary layout. The project engineer shall prepare a complete layout  
2 of the streets and lot configurations including all parcels of land which the  
3 developer reasonably expects to include in the project. The layout shall be  
4 ~~made on a topographic map~~ drawn to a scale of ~~one inch equals four~~  
5 ~~hundred (or less) feet (1" = 400')~~, with a contour interval of ~~two (2) feet on~~  
6 ~~drawings no larger than 24" x 36"~~ with one copy drawn to scale on 11" x  
7 17". The layout shall include ~~at least~~ the following minimum information:  
8 a. Easements and drainage rights-of-way, including location, type  
9 and width.  
10 b. North arrow and scale.  
11 c. Location ~~and type~~ of proposed ~~improvement facilities and~~ improvements.  
12 improvements.  
13 d. Site data including number of lots by land use type or category,  
14 typical residential lot sizes, and density for residential lots  
15 ~~minimum areas on special use lots. (Multifamily, commercial,~~  
16 ~~community facilities, etc.)~~ The number and size of parks with total  
17 of park area.  
18 e. The layout shall ~~indicate~~ include all adjacent parcels and the  
19 surrounding transportation grid.  
20 f. The amount of open space, including the number, amenities and  
21 size of proposed park areas.
- 22 (2) ~~Draft~~ Narrative description of preliminary protective covenants and  
23 association documents.
- 24 (3) Preliminary engineering ~~report analysis~~. The project engineer shall ~~prepare~~  
25 ~~and submit a report indicating the results of his~~ provide a preliminary  
26 engineering analysis of the lands to be developed. ~~Particular attention~~  
27 ~~should be given to~~ The analysis shall include at a minimum the soil  
28 conditions, which will influence drainage design assumptions and a  
29 preliminary stormwater analysis, the location of all floodplains, the  
30 location of significant vegetative communities including wetlands, a  
31 preliminary wildlife analysis that identifies the potential for listed species  
32 on the property, pavement design considerations, potable water and  
33 sewage disposal method determinations, and fire protection.
- 34 (4) List of all planned improvements and facilities indicating those that will  
35 remain private and those facilities/improvements that will be dedicated to  
36 the county.
- 37 (5) Statement of developer's intent with respect to construction of  
38 improvements prior to recording of subdivision plat or bonding  
39 improvements.
- 40 (6) Proposed development schedule. If the development is of such size that  
41 the developer desires to develop in units or phases, ~~a map shall be~~

1                    ~~submitted which indicates~~ the plan shall indicate the sequence of  
2                    development.

3                    (7) Adequate access and transportation analysis. The project engineer shall  
4                    submit an analysis of the existing and proposed ~~vicinity~~ transportation  
5                    network indicating the collector street system which will adequately  
6                    service the pedestrian and vehicular traffic generated by the proposed  
7                    development. The analysis shall be prepared in accordance with the  
8                    County's adopted facilities design guidelines or as required by the County  
9                    Engineer. The analysis shall also include the need for cross connections  
10                   between the proposed site and adjacent parcels as a means of providing for  
11                   adequate traffic circulation. The planning and zoning commission will  
12                   consider the analysis and, with recommendations from the planning  
13                   department and county engineer, ~~define~~ stipulate any specific  
14                   transportation improvements which the developer must accomplish as a  
15                   condition of his application.

16                   (8) Development of regional impact statement if required by the provisions set  
17                   forth in Florida Statutes, chapter 380.

18                   (9) Water supply and sewage disposal plans. The developer or project  
19                   engineer shall ~~obtain from the county health department a written opinion~~  
20                   ~~indicating that the developer's~~ provide the planned methods of water  
21                   supply and sewage disposal are satisfactory in accordance with all  
22                   required codes and regulations.

23                   (10) Adequate public facility analysis. The project engineer shall provide an  
24                   adequate public facilities analysis in accordance with the requirements of  
25                   the county comprehensive plan and associated adequate public facility  
26                   requirements.

27                   (b) Copies of the conditional plat shall be submitted to the county based upon a  
28                   schedule established by the planning development department ~~and no less than~~  
29                   ~~thirty (30) days prior to the planning and zoning commission meeting at which the~~  
30                   ~~developer wishes conditional approval to be granted.~~ The county will review all  
31                   data submitted for conformity with the county subdivision regulations, the  
32                   county's adopted facility design guidelines and the county land use regulations  
33                   and will solicit the review of other appropriate agencies. All pertinent review  
34                   comments and suggestions requirements for approval will be ~~compiled by the~~  
35                   ~~county and delivered~~ provided to the members of the planning and zoning  
36                   commission ~~at least seven (7) days prior to the commission meeting at which~~  
37                   ~~action is requested~~ in conjunction with the application review.

38                   (c) The planning and zoning commission shall consider the data compiled by the  
39                   county and the conditional plat of the developer and, with due deliberation, either  
40                   confer conditional approval on the plat with any provisions it deems necessary or  
41                   deny approval citing the reasons therefor. If approval is denied, the developer may

1           ~~accomplish~~ make those corrections required and the project may be reconsidered  
2           at a subsequent planning and zoning commission meeting, provided all  
3           corrections are satisfactorily completed and submitted to the county at least ~~two~~  
4           ~~(2)~~ four (4) weeks prior to the meeting at which reconsideration is requested.  
5           Should the planning and zoning commission impose any conditions which the  
6           developer feels cause an undue hardship or deny approval for reasons which the  
7           developer feels are unjust, the developer may ~~appeal to~~ request a review of the  
8           conditional plat by the board of county commissioners for ~~relief therefrom~~ final  
9           disposition of the conditional plat. Upon final approval of the conditional plat, the  
10          developer shall have two (2) years to be granted construction plan approval ~~or the~~  
11          ~~conditional plat shall become null and void~~. In no case shall the conditional plat  
12          be valid for more than five (5) years from the original date of approval.

- 13          (d) Upon receipt of conditional approval, the developer shall have the project  
14          engineer prepare construction plans and specifications for all improvements  
15          indicated on the approved list of planned improvements. Copies of the plans and  
16          specifications shall be submitted to the county, properly sealed by a professional  
17          engineer. The county shall submit the plans to the ~~development review committee~~  
18          affected county departments to review the plans and specifications for compliance  
19          with this article and other federal, state or county requirements, and county staff  
20          shall present the plans for approval to the board of county commissioners at a  
21          regularly scheduled board meeting. If the plans and specifications are approved by  
22          the board of county commissioners, the county shall so indicate by letter to the  
23          developer or project engineer detailing any ~~special considerations~~ performance  
24          conditions which the board finds to be in the best interest of the county. Upon  
25          receipt of this conditional approval of construction plans, the project engineer  
26          shall make those corrections and/or revisions which are required, and shall  
27          prepare and submit a final set of construction plans and specifications to the  
28          county for final approval and use in construction inspections. Upon final approval  
29          of the construction plans and transmittal of the official notification letter of such  
30          approval, the developer shall have one year to begin construction according to the  
31          approved plans. During the one-year time period, the developer shall:
- 32                (1) Begin the construction of improvements to be accomplished within a  
33                maximum period of eighteen (18) months of the official notification letter;  
34                or
  - 35                (2) Enter in a security agreement with the county, whereby all improvements  
36                are satisfactorily secured such that in the event the developer, for any  
37                reason, does not complete the required improvements within eighteen-  
38                month time limit, the county shall have access to adequate funds to have  
39                the construction of such improvements accomplished.

40          If the developer has neither begun construction nor entered into an acceptable security  
41          agreement within one year from the date of final approval of the construction plans,

1 approved construction plans shall become void unless the developer submits a request for  
2 a timely extension of the construction plan approval. One (1) extension of the  
3 construction plan approval for construction to begin may be issued for a period not to  
4 exceed eighteen (18) months by the board of county commissioners provided the effect of  
5 new or current regulations is evaluated, and the applicant agrees to comply with any new  
6 requirements as a condition of the extension. In no event shall construction plans be  
7 extended after the five (5) year time frame has lapsed from the date of approval of the  
8 original conditional plat.

9 (e) Upon receipt of specific approval from the board of county commissioners, the  
10 developer may be permitted to satisfy the requirements of subsection (d) of this  
11 section within one year following the date of recordation per section 26-22 of this  
12 article of the subdivision record plat.

13  
14 **SECTION II. APPLICABILITY.** This Ordinance shall be applicable throughout the  
15 unincorporated area of Hernando County.

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

21  
22 **SECTION IV. CONFLICTING PROVISIONS.** Special acts of the Florida Legislature  
23 applicable only to unincorporated areas of Hernando County, Hernando County ordinances,  
24 County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this  
25 ordinance to the extent of such conflict except for ordinances concerning either adoption or  
26 amendment of the Comprehensive Plan, pursuant to Chapter 163, part II, Florida Statutes.

27  
28 **SECTION V. FILING WITH THE DEPARTMENT OF STATE.** The clerk shall be and is  
29 hereby directed forthwith to send a certified copy of this ordinance to the Bureau of  
30 Administrative Code, Department of State, R.A. Gray Bldg., Room 101, 500 S. Bronough Street,  
31 Tallahassee, FL 32399-0250.

32  
33 **SECTION VI. INCLUSION IN CODE.** It is the intention of the Board of County  
34 Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of  
35 this Ordinance shall become and be made a part of the Code of Ordinances of Hernando County,  
36 Florida. To this end, any section or subsection of this Ordinance may be renumbered or re-  
37 lettered to accomplish such intention, and the word "ordinance" may be changed to "section,  
38 "article," or other appropriate designation. Whereas Clauses, and Sections II through Section VII  
39 need not be codified.

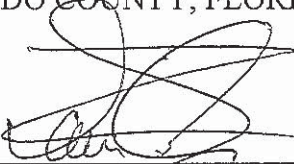
40  
41 **SECTION VII. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing  
42 with the Department of State.



1 DULY PASSED AND ADOPTED IN REGULAR SESSION THIS 22nd DAY OF  
2 October, 2013.  
3  
4

5 BOARD OF COUNTY COMMISSIONERS  
6 HERNANDO COUNTY, FLORIDA  
7

8  
9  
10 Attest:   
11 DONALD C. BARBEE JR., CLERK

By:   
DAVID D. RUSSELL, JR., CHAIRMAN



12  
13  
14  
15  
16 Approved as to Form and  
17 Legal Sufficiency

18  
19 By: 