

Marguerite Linke

From: Bryant, Linda C. <Linda.Bryant@DOS.MyFlorida.com>
Sent: Thursday, December 17, 2015 11:00 AM
To: Marguerite Linke
Cc: County Ordinances
Attachments: Hernando20151217_Ordinance2015_24_Ack.pdf

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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 17, 2015

Honorable Don Barbee Jr.
Hernando County Clerk's Office
20 North Main Street, Rm. 3621
Brooksville, Florida 34601

Attention: Marguerite Linke

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. 2015-24, which was filed in this office on December 17, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

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ORDINANCE NO.: 2015-24

AN ORDINANCE AMENDING THE HERNANDO COUNTY COMPREHENSIVE PLAN BY AMENDING SECTION D RELATING TO FUTURE LAND USE MAP, MAPPING CRITERIA AND LAND USES ALLOWED AND SECTION E RELATING TO THE FUTURE LAND USE MAP; APPROVING AND ADOPTING CPAM-15-01; PROVIDING FOR TRANSMITTAL TO THE STATE REVIEW AGENCIES; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE 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 a public hearing on October 13, 2015, approved amending Sections D and E of the County's adopted Comprehensive Plan relating to the Mapping Criteria and Land Uses Allowed and Future Land Use Map (a complete copy of the amendment is attached as **Exhibit "A"** hereto and made a part hereof) and referred to as CPAM-15-01; and,

WHEREAS, the County subsequently transmitted CPAM-15-01 to the State Land Planning Agency for review pursuant to the Act, and was assigned Hernando County 15-2ESR; and,

WHEREAS, the State Land Planning Agency and the Review Agencies reviewed CPAM-15-01 and, thereafter, comments concerning same were submitted to the County; and,

WHEREAS, the BOCC finds and determines that CPAM 15-01 is internally consistent with other Elements and Policies of the Hernando County Comprehensive Plan, and is now ready for final adoption by the BOCC; and,

WHEREAS, the BOCC conducted a second public hearing on December 15, 2015, in connection with final adoption of the CPAM-15-01, as an amendment to the County's adopted Comprehensive Plan.

WHEREAS, CPAM-15-01 will be transmitted to State Land Planning Agency and Review Agencies.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

1
2 **SECTION I. Recitals.** The recitals set forth above are true and correct and
3 incorporated herein by this reference; and
4

5 **SECTION II. Adopting CPAM-15-01 (Hernando County 15-2ESR).** CPAM-15-01
6 (Hernando County 15-2ESR), attached as **Exhibit "A"** hereto and incorporated herein by this
7 reference, is hereby approved and adopted and the Hernando County Comprehensive Plan is
8 amended accordingly, subject to the Effective Date provision (Section X) below.
9

10 **SECTION III. Execution.** The Chairman of the Hernando County Board of County
11 Commissioners is hereby authorized to execute this ordinance, and all related documents.
12

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

18 **SECTION V. Publication.** This ordinance shall be published as required by law.
19

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

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

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

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

39 **SECTION X. Effective date.** This Ordinance shall take effect upon filing with the
40 Florida Secretary of State; however, the adopted amendment (CPAM-15-01) shall take effect, and
41 be considered an amendment to the Hernando County Comprehensive Plan, if the amendment is

1 not timely challenged, 31 days after the State Land Planning Agency notifies the local government
2 that the plan amendment package is complete or as otherwise provided in § 163.3184, Fla. Stat. If
3 timely challenged, this amendment shall become effective on the date the State Land Planning
4 Agency or the Administration Commission enters a final order determining this adopted
5 amendment to be in compliance. No development orders, development permits, or land uses
6 dependent on this Amendment may be issued or commence before it has become effective. If a
7 final order of noncompliance is issued by the Administrative Commission, this amendment may
8 nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of
9 which resolution shall be sent to the state land planning agency.

10
11 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
12 **HERNANDO COUNTY** in Regular Session this 15th day of December, 2015.



13
14 **BOARD OF COUNTY COMMISSIONERS**
15 **HERNANDO COUNTY, FLORIDA**

16
17
18 Attest:

19 
20 **DONALD C. BARBEE, JR.**
21 **CLERK**

By:

22 
23 **NICHOLAS W. NICHOLSON,**
24 **CHAIRMAN**

25
26 (SEAL)

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

29 By:

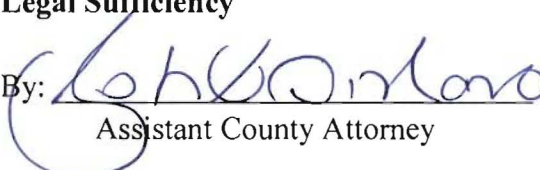
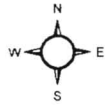
30 
Assistant County Attorney

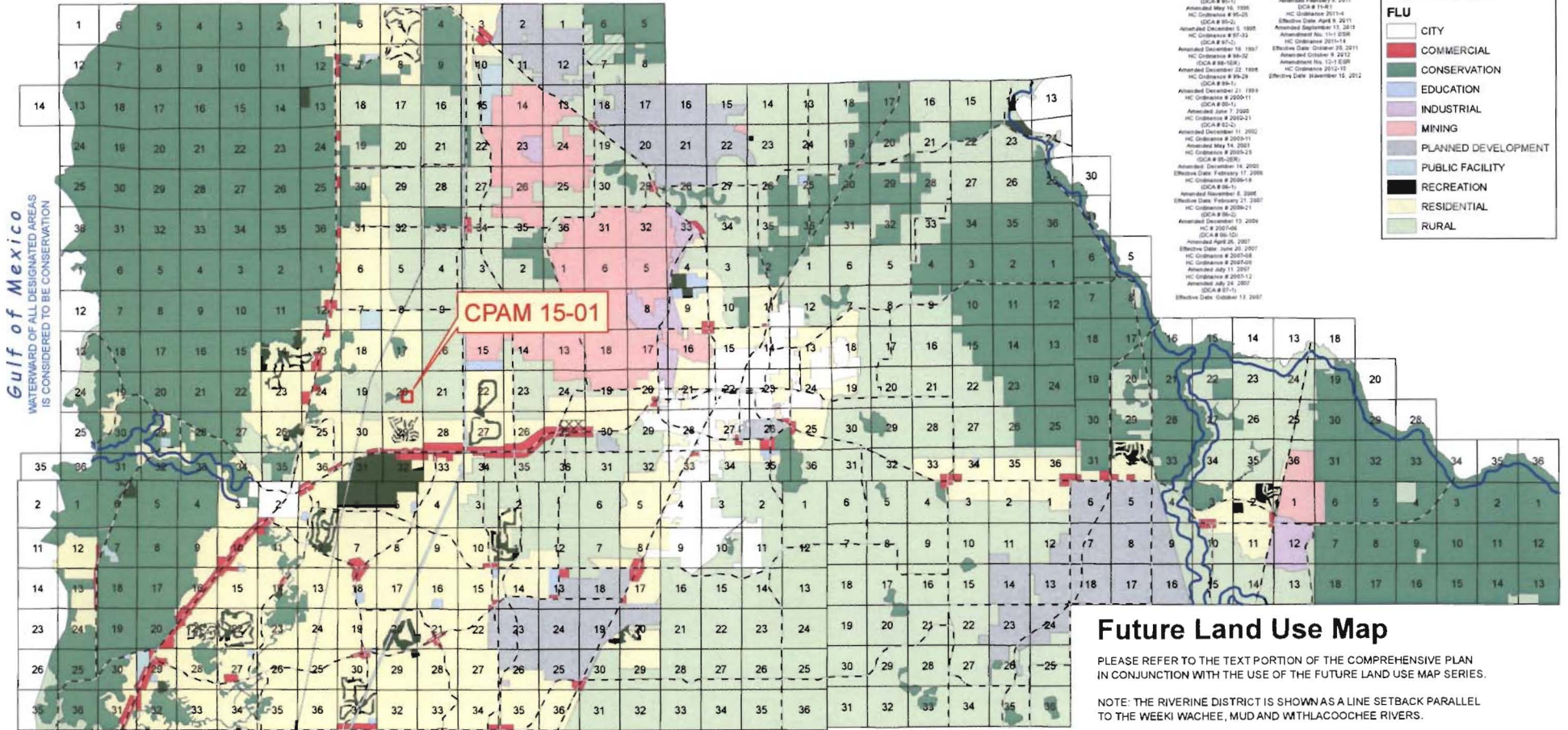
EXHIBIT A

CPAM-15-01



Hernando County Comprehensive Plan Map

Proposed CPAM 15-01
Version Date: August 31, 2015



Legend

- CPAM 15-01
- FLU Road
- FLU Riverine District
- CPAM1501_Present
- Regional Commercial
- Rural Cluster Overlay

Future Land Use

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

Future Land Use

Amended December 12, 2007
HC Ordinance # 2007-22
Effective Date: February 28, 2008
HC Ordinance # 2008-15
HC Ordinance # 2008-20
Effective Date: August 15, 2009
HC Ordinance # 2009-12
Effective Date: August 14, 2009
HC Ordinance # 2010-11
Amended May 11, 2010
HC Ordinance # 2010-11
Effective Date: July 29, 2010
HC Ordinance # 2010-20
Amended October 12, 2010
Effective Date: October 12, 2010
HC Ordinance # 2010-22
Amended October 26, 2010
HC Ordinance # 2010-22
Effective Date: January 6, 2011
Amended February 9, 2011
HC Ordinance # 2011-4
Effective Date: April 9, 2011
Amended September 17, 2011
HC Ordinance # 2011-13
Amendment No. 11-1 ESR
Effective Date: October 20, 2011
Amended October 20, 2011
Amendment No. 11-1 ESR
HC Ordinance # 2011-13
Effective Date: October 20, 2011
Amended October 20, 2011
Amendment No. 11-1 ESR
HC Ordinance # 2011-13
Effective Date: September 12, 2012

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

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 WTLACOOCHEE RIVERS.



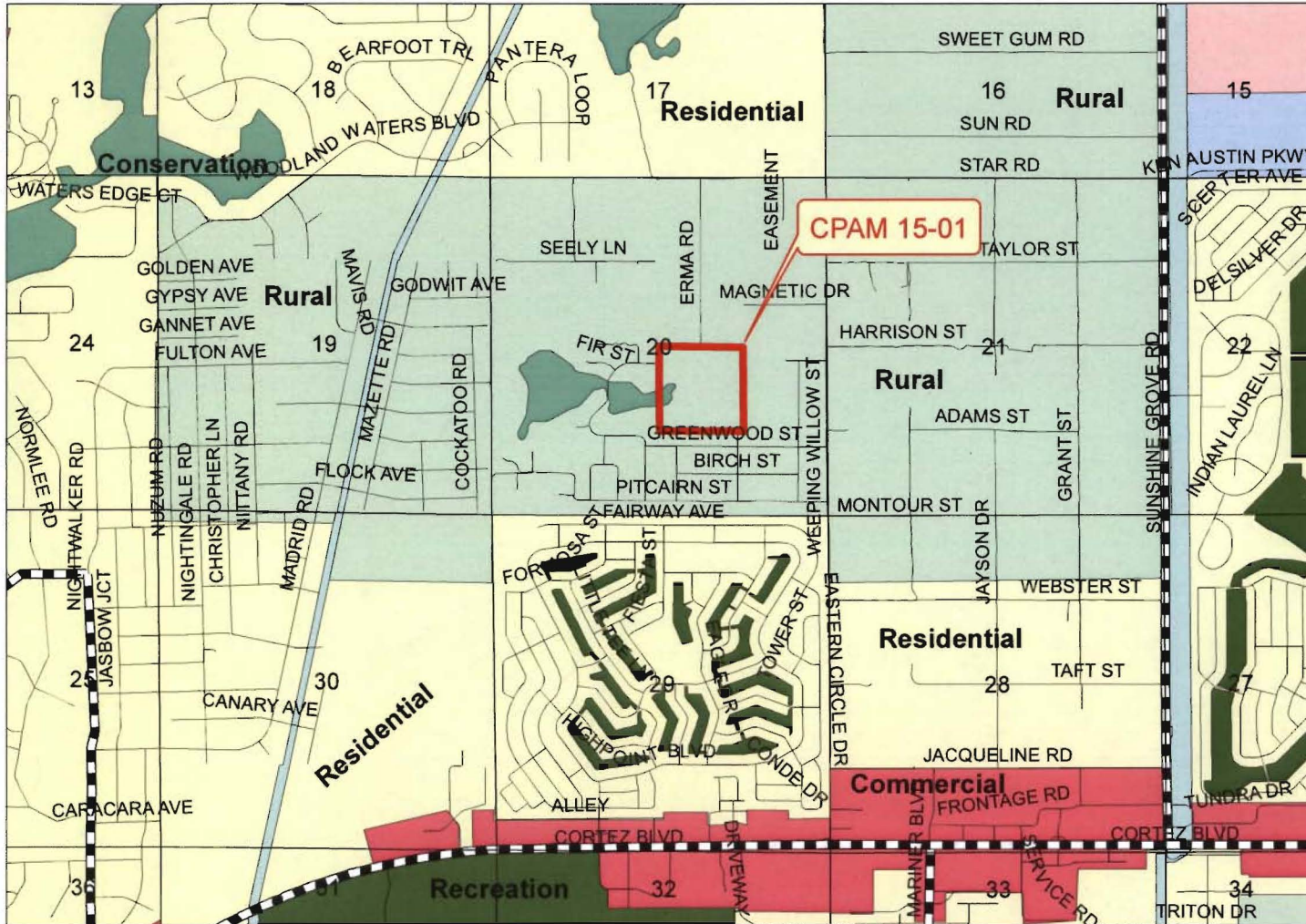
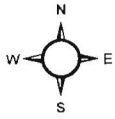
Source: S:\Share\Planning\NewFLU\CPAM1501_8x11_Proposed.pdf
Project: S:\Share\Planning\Zoning\ErikL_Workspace_S\CPAM Project\CPAM1501_8x11_Proposed.mxd
Date of mapping: 8/31/2015



Hernando County Comprehensive Plan Map

Proposed CPAM 15-01

Version Date: September 2, 2015



Legend

- CPAM 15-01
- FLU Road
- FLU Riverine District
- Rural Cluster Overlay
- Regional Commercial

Future Land Use

FLU

- 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\CPAM1501b_Detail_8x11.pdf
Project: S:\Share\Planning\Zoning\ErikL_Workspace_S\CPAM Project\CPAM1501b_8x11_Detail.mxd
Date of mapping: 9/2/2015



**PROPOSED MAPPING CRITERIA AMENDMENT
GLENN THOR
CPAM 15-01**

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.~~