

Darlene Christensen

From: Reddick, Ernest L. <Ernest.Reddick@DOS.MyFlorida.com>
Sent: Thursday, April 13, 2017 1:14 PM
To: Darlene Christensen
Cc: County Ordinances
Subject: Emailing - Hernando20170413_Ordinance2017_12_Ack.pdf
Attachments: Hernando20170413_Ordinance2017_12_Ack.pdf

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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 13, 2017

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

Attention: Darlene Christensen, Administrative Services

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. 2017-12, which was filed in this office on April 13, 2017.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

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ORDINANCE NO.: 2017-12

AN ORDINANCE AMENDING THE HERNANDO COUNTY COMPREHENSIVE PLAN BY AMENDING SECTION E RELATING TO THE FUTURE LAND USE MAP; APPROVING AND ADOPTING CPAM1604; 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 January 24, 2017, approved amending Section E of the County's adopted Comprehensive Plan relating to the 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 CPAM1604; and,

WHEREAS, the County subsequently transmitted CPAM1604 to the State Land Planning Agency for review pursuant to the Act, and was assigned Hernando County 17-1ESR; and,

WHEREAS, the State Land Planning Agency and the Review Agencies reviewed CPAM1604 and, thereafter, comments concerning same were submitted to the County; and,

WHEREAS, the BOCC finds and determines that CPAM1604 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 April 11, 2017, in connection with final adoption of the CPAM1604, as an amendment to the County's adopted Comprehensive Plan.

WHEREAS, CPAM1604 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:

SECTION I. Recitals. The recitals set forth above are true and correct and incorporated herein by this reference; and

1 **SECTION II. Adopting CPAM1604 (Hernando County 17-1ESR).** CPAM1604
2 (Hernando County 17-1ESR), attached as **Exhibit "A"** hereto and incorporated herein by this
3 reference, is hereby approved and adopted and the Hernando County Comprehensive Plan is
4 amended accordingly, subject to the Effective Date provision (Section X) below.
5

6 **SECTION III. Execution.** The Chairman of the Hernando County Board of County
7 Commissioners is hereby authorized to execute this ordinance, and all related documents.
8

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

14 **SECTION V. Publication.** This ordinance shall be published as required by law.
15

16 **SECTION VI. Applicability.** This Ordinance shall be applicable throughout the
17 unincorporated area of Hernando County.
18

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

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

30 **SECTION IX. Filing with the Department of State.** The clerk shall be and is hereby
31 directed forthwith to send a certified copy of this ordinance or electronically transmit the ordinance
32 by email to the Bureau of Administrative Code, Department of State, R.A. Gray Bldg., Room 101,
33 500 S. Bronough Street, Tallahassee, FL 32399-0250.
34

35 **SECTION X. Effective Date.** This Ordinance shall take effect upon filing with the
36 Florida Secretary of State; however, the adopted amendment (CPAM1604) shall take effect, and
37 be considered an amendment to the Hernando County Comprehensive Plan, if the amendment is
38 not timely challenged, 31 days after the State Land Planning Agency notifies the local government
39 that the plan amendment package is complete or as otherwise provided in § 163.3184, Fla. Stat.
40 If timely challenged, this amendment shall become effective on the date the State Land Planning
41 Agency or the Administration Commission enters a final order determining this adopted
42 amendment to be in compliance. No development orders, development permits, or land uses
43 dependent on this Amendment may be issued or commence before it has become effective. If a
44 final order of noncompliance is issued by the Administrative Commission, this amendment may
45 nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of
46 which resolution shall be sent to the state land planning agency.
47

1 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
2 HERNANDO COUNTY in Regular Session this 11th day of April, 2017.

3
4 BOARD OF COUNTY COMMISSIONERS
5 HERNANDO COUNTY, FLORIDA

6 By: Darlene M. Christensen
7 DARLENE M. CHRISTENSEN
8 Attest: DEPUTY CLERK By: Wayne Dukes
9 DONALD C. BARBEE, JR., CLERK WAYNE DUKES, CHAIRMAN

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13 (SEAL)



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16 Approved as to Form and
17 Legal Sufficiency

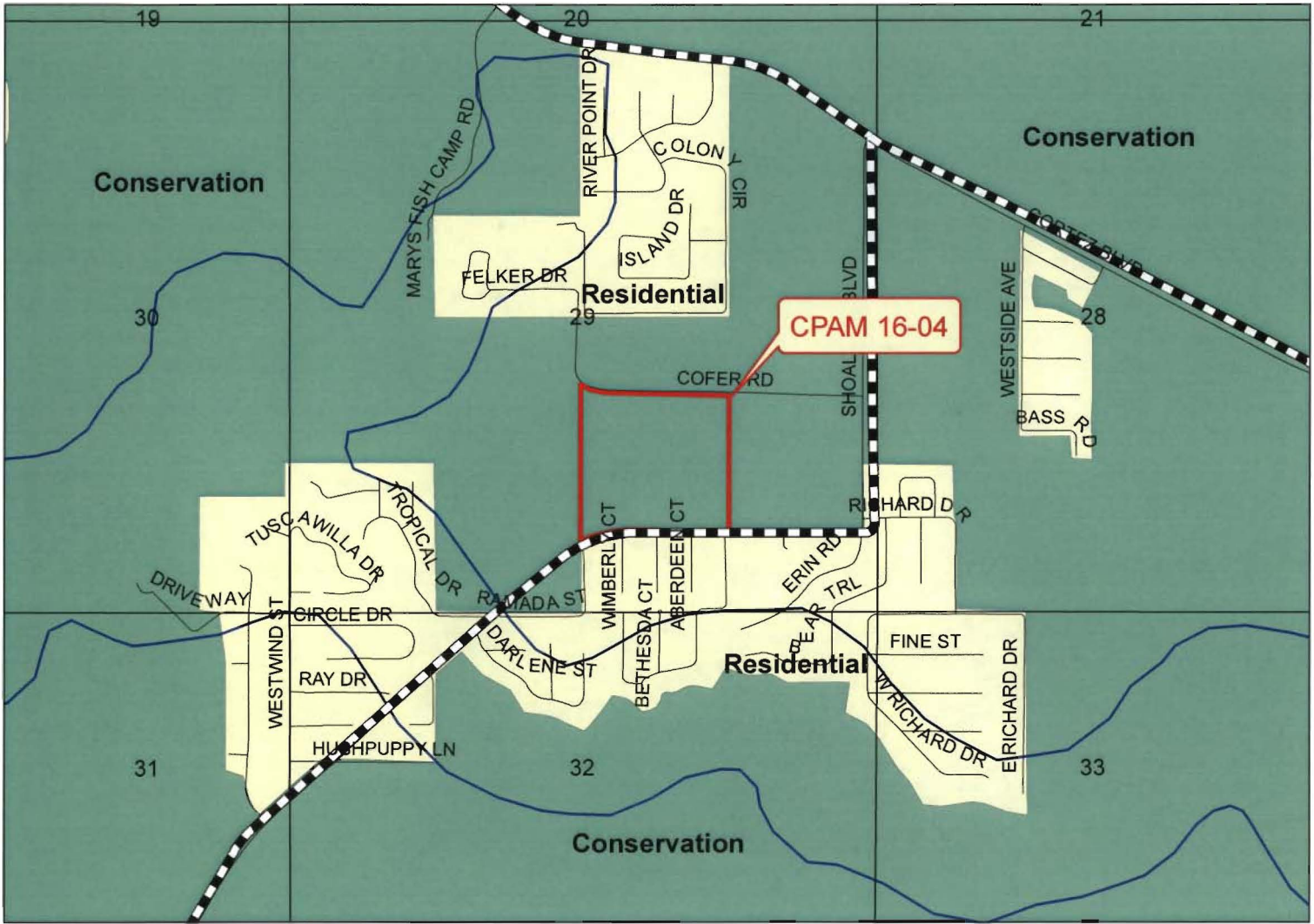
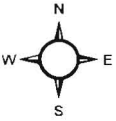
18
19 By: [Signature]
20 Assistant County Attorney

EXHIBIT A

CPAM1604

Hernando County Comprehensive Plan Map

Proposed CPAM 16-04
Version Date: March 8, 2017



Legend

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

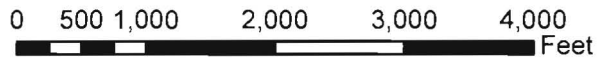
Future Land Use

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\CPAM1604b_Detail_8x11.pdf
Project: S:\Share\Planning\Zoning\ErikL_Workspace_S\CPAM Project\CPAM1604-CPAM1608b_8x11_Detail.mxd
Date of mapping: 03/08/2017

