

From: [Bryant, Linda C.](#)
To: [Ordinances](#)
Cc: [County Ordinances](#)
Date: Thursday, November 18, 2021 11:04:00 AM
Attachments: [Hernando20211117 Ordinance2021 23 Ack.pdf](#)



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

November 18, 2021

Honorable Doug Chorvat, Jr.
Hernando County Clerk's Office
20 North Main Street, Rm. 362
Brooksville, Florida 34601

Attention: Ms. Heidi Kurppe, Deputy Clerk

Dear Mr. Chorvat:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2021-23, which was filed in this office on November 17, 2021.

Sincerely,

Anya Owens
Program Administrator

AO/lb

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ORDINANCE NO. 2021-23

AN ORDINANCE AMENDING THE 2040 HERNANDO COUNTY COMPREHENSIVE PLAN BY AMENDING SECTION B RELATING TO THE FUTURE LAND USE MAP AS AFFECTING 1.3 ACRES OF LAND GENERALLY LOCATED ON THE NORTHWEST SIDE OF MIDDLESEX DRIVE, APPROXIMATELY 875' NORTHEAST OF WINDWARD BOULEVARD; PROVIDING FOR TRANSMITTAL OF ADOPTED CPAM-21-05 TO THE STATE LAND PLANNING AGENCY AND 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 (now known as the Community Planning Act), as set forth in Sections 163.3161 through 163.3215, Florida Statutes (the "Act"); and,

WHEREAS, on September 25, 2018, the Hernando County Board of County Commissioners ("BOCC") adopted the 2040 Hernando County Comprehensive Plan (Ordinance 2018-16), within which, are included goals, objectives, and strategies used to guide future growth; and,

WHEREAS, the instant request is for the BOCC to amend Section B of the 2040 Hernando County Comprehensive Plan relating to the Future Land Use Map (attached as **Exhibit "A"** hereto and incorporated herein by this reference) hereinafter referred to as CPAM-21-05; and,

WHEREAS, CPAM-21-05 is an amendment to the County's Future Land Use Map involving land that is 50 acres or less in size 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 Section 163.3187, Florida Statutes; and,

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

WHEREAS, the BOCC conducted a public hearing on November 16, 2021, in connection with the adoption of CPAM-21-05 as an amendment to the 2040 Hernando County Comprehensive Plan; and,

WHEREAS, upon enactment of this Ordinance, CPAM-21-05 will be transmitted as an adopted comprehensive plan amendment to the State Land Planning Agency and the other Review Agencies for filing.

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

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

3
4 **SECTION II. Adopting CPAM-21-05.** CPAM-21-05 (attached as **Exhibit “A”** hereto
5 and incorporated herein by this reference) is hereby approved and adopted and the 2040 Hernando
6 County Comprehensive Plan is amended accordingly, subject to the Effective Date provision
7 (Section X) below.

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

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12 **SECTION IV. Transmittal of Adopted CPAM-21-05 to State Land Planning Agency
13 and Review Agencies.** County staff shall transmit an executed copy of this Ordinance adopting
14 CPAM-21-05 to the State Land Planning Agency and the other Review Agencies within ten (10)
15 days of adoption hereof pursuant to Section 163.3184, Florida Statutes.

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17 **SECTION V. Publication.** This Ordinance shall be published as required by law.

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

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

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

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

37
38 **SECTION X. Effective Date.** This Ordinance shall take effect upon filing with the
39 Florida Secretary of State; however, the adopted amendment (CPAM-21-05) shall take effect and
40 be considered an amendment to the 2040 Hernando County Comprehensive Plan, if the
41 amendment is not timely challenged, 31 days after the State Land Planning Agency notifies the
42 local government that the plan amendment package is complete or as otherwise provided in
43 Sections 163.3184 and 163.3187, Florida Statutes. If timely challenged, this amendment shall
44 become effective on the date the State Land Planning Agency or the Administration Commission
45 enters a final order determining this adopted amendment to be in compliance. No development
46 orders, development permits, or land uses dependent on this amendment may be issued or

1 commence before it has become effective. If a final order of noncompliance is issued by the
2 Administration Commission, this amendment may nevertheless be made effective by adoption of
3 a resolution affirming its effective status, a copy of which resolution shall be sent to the State Land
4 Planning Agency.

5
6 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
7 **HERNANDO COUNTY** in Regular Session this 16th day of November 2021.

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

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14 Attest: Neidi Kuppe, D.C.
15 *for* DOUGLAS A. CHORVAT, JR.
16 CLERK OF CIRCUIT COURT
17 AND COMPTROLLER

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30 By: [Signature]
31 **Steve Champion, Chairman**

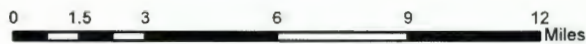
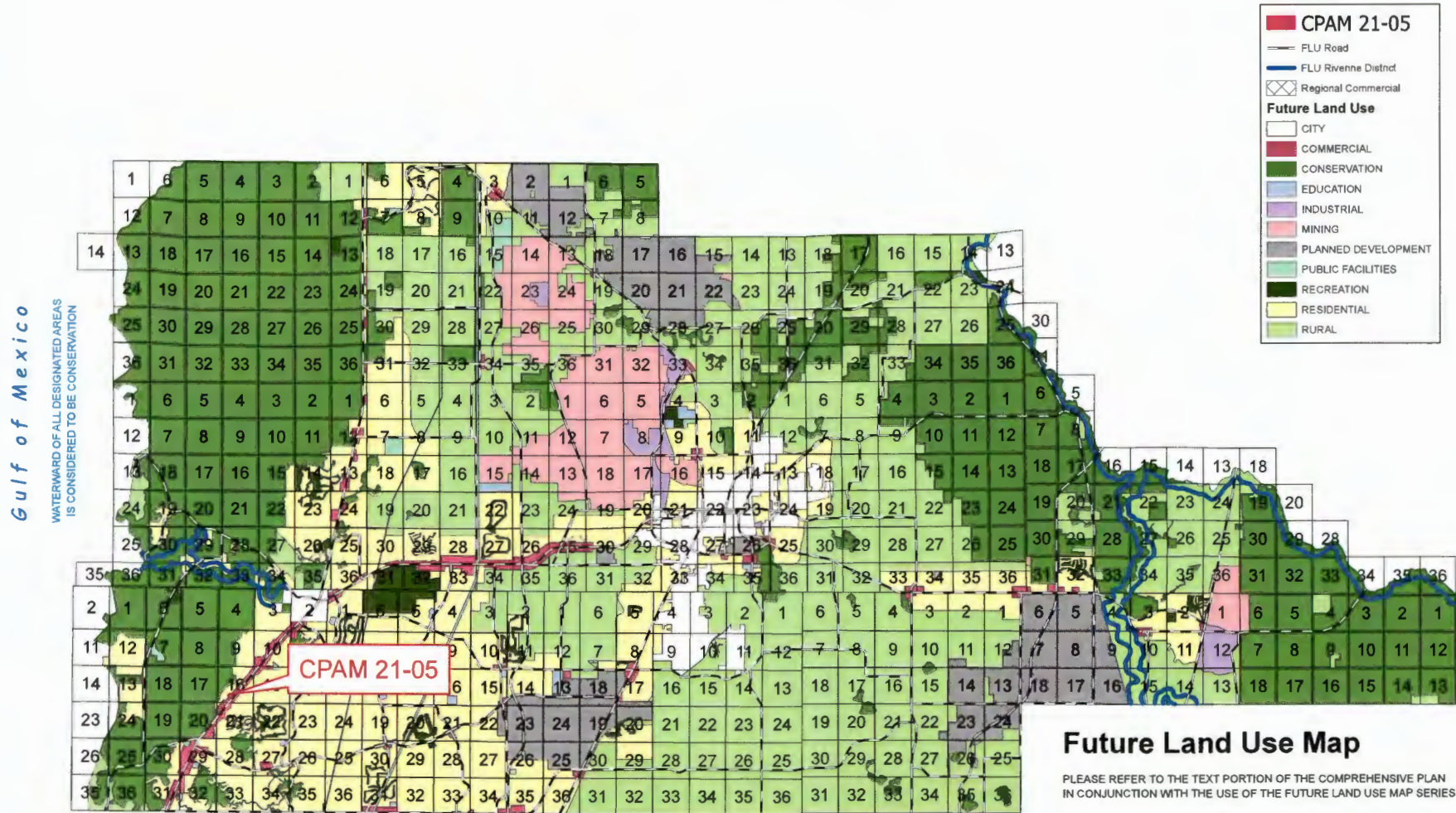


27 **Approved as to Form and**
28 **Legal Sufficiency**

29
30 By: [Signature]
31 Assistant County Attorney

Hernando County Comprehensive Plan Map

Proposed Future Land Use CPAM 21-05
Version Date 12/18/2020

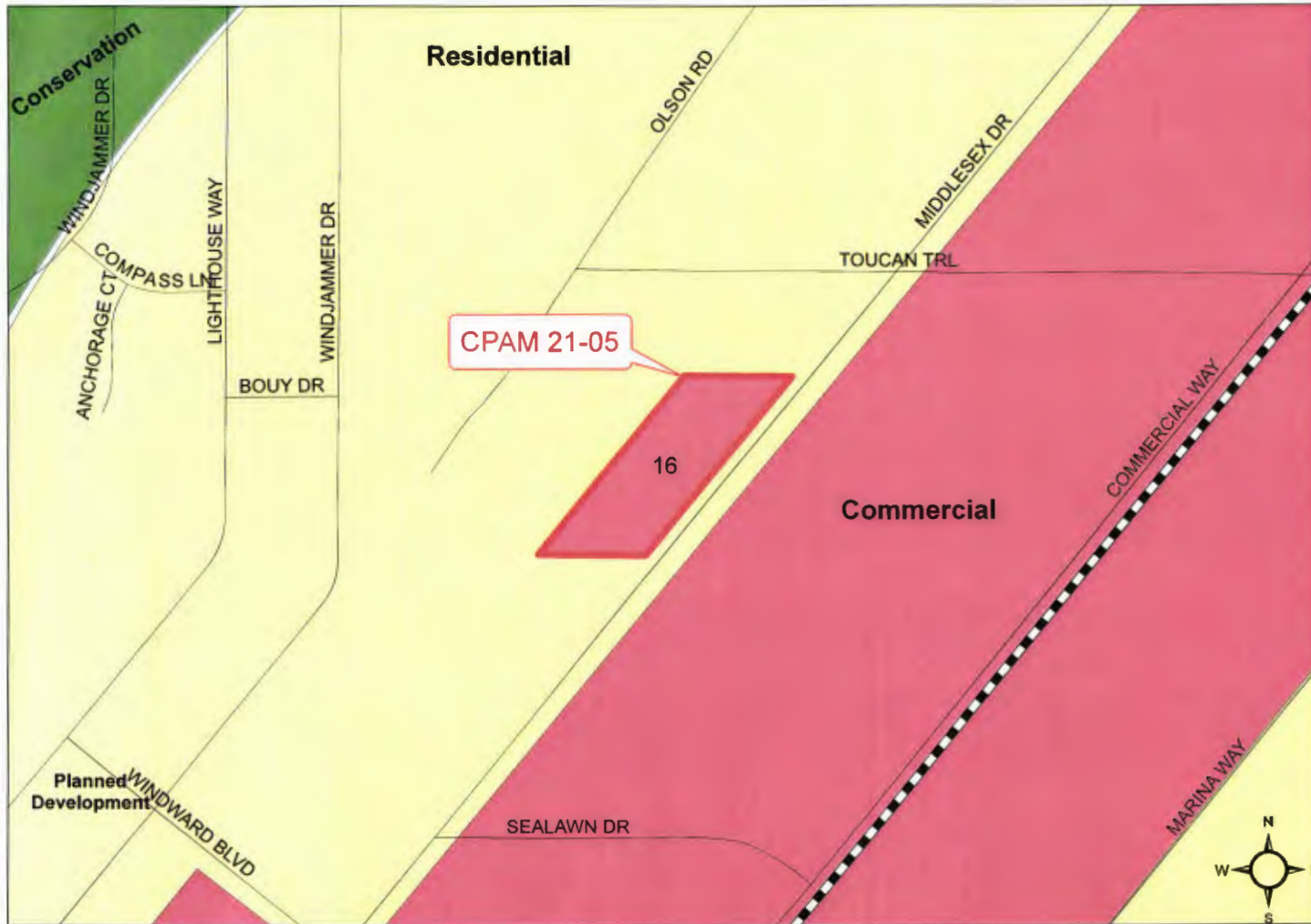


Source: S:\Share\Planning\NewFLU\CompPlan2040\CPAM 2105\CPAM2105_8x11_Proposed.pdf
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Date of mapping: 04/27/2021

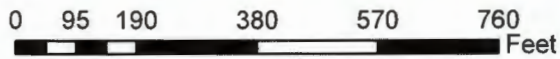
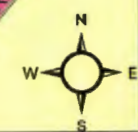
Hernando County Comprehensive Plan Map

Proposed Future Land Use CPAM 21-05

Version Date: 12/18/2020



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|------------------------|-----------------------|
| | CPAM 21-05 |
| | FLU Road |
| | FLU Riverine District |
| | Regional Commercial |
| Future Land Use | |
| FLU | |
| | CITY |
| | COMMERCIAL |
| | CONSERVATION |
| | EDUCATION |
| | INDUSTRIAL |
| | MINING |
| | PLANNED DEVELOPMENT |
| | PUBLIC FACILITIES |
| | 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\CompPlan2040\CPAM2105\CPAM2105b_Detail_8x11.pdf
 Project: S:\Share\Planning\Zoning\NicoleD_Workspace_S\CPAM\CPAM2105\CPAM2105b_8x11_Detail.mxd
 Date of mapping: 04/27/2021

