

From: [County Ordinances](#)
To: [Ordinances](#); [County Ordinances](#)
Cc: [Darlene Christensen](#); [Heidi Kurppe](#)
Subject: RE: Hernando County Ordinance No. 2022-03 - Adopted on February 8, 2022
Date: Wednesday, February 9, 2022 10:07:23 AM
Attachments: [Hernando20220209_Ordinance2022_03_Ack.pdf](#)

Linda Bryant, Accountant I
Florida Department of State
Administrative Code and Register
500 South Bronough Street
Tallahassee, Florida 32399-0250

From: Ordinances <ord@hernandoclerk.org>
Sent: Wednesday, February 9, 2022 9:30 AM
To: County Ordinances <CountyOrdinances@dos.myflorida.com>
Cc: Darlene Christensen <dchristensen@hernandoclerk.org>; Heidi Kurppe <hkurppe@hernandoclerk.org>
Subject: Hernando County Ordinance No. 2022-03 - Adopted on February 8, 2022

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Sender Full Name:	Heidi Kurppe
Sender Phone number:	352-754-4970
County Name:	Hernando
Ordinance Number:	2022-03

Thank You,

Heidi Kurppe
Administrative Services | Deputy Clerk
Office of Doug Chorvat Jr., Clerk of Circuit Court and Comptroller
Phone: (352)754-4970 | Email: ord@hernandoclerk.org
20 N Main Street, Brooksville, FL 34601

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NOTICE:

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FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

February 9, 2022

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. 2022-03, which was filed in this office on February 9, 2022.

Sincerely,

Anya Owens
Program Administrator

AO/lb

ORDINANCE NO. 2022 - 03

1
2
3 AN ORDINANCE AMENDING THE 2040 HERNANDO COUNTY
4 COMPREHENSIVE PLAN BY REVISING SECTION B, FUTURE LAND
5 USE MAP SERIES, CONSERVATION CATEGORY, MAP
6 INTERPRETATION GUIDANCE, AND REVISING FUTURE LAND USE
7 ELEMENT STRATEGY 1.04A(6) TO ADDRESS PUBLICLY OWNED
8 CONSERVATION LANDS ALONG DESIGNATED COMMERCIAL
9 CORRIDORS; APPROVING AND ADOPTING CPAM-21-07; PROVIDING
10 FOR TRANSMITTAL OF ADOPTED CPAM-21-07 TO THE STATE LAND
11 PLANNING AGENCY AND REVIEW AGENCIES; PROVIDING FOR
12 APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR
13 CONFLICTING PROVISIONS; PROVIDING FOR FILING WITH THE
14 DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.

15
16 WHEREAS, in 1985, the Florida Legislature adopted the Local Government Comprehensive
17 Planning and Land Development Regulation Act (now known as the Community Planning Act),
18 as set forth in Sections 163.3161 through 163.3215, *Florida Statutes* (Act); and

19
20 WHEREAS, on September 25, 2018, the Hernando County Board of County Commissioners
21 (BOCC) adopted the 2040 Hernando County Comprehensive Plan (Ordinance 2018-16), within
22 which, are goals, objectives, and strategies used to guide future growth; and

23
24 WHEREAS, the BOCC, following a public hearing, approved revising Section B, Future
25 Land Use Map Series, Conservation Category, Map Interpretation Guidance, and revising Future
26 Land Use Element Strategy 1.04A(6), to address publicly owned conservation lands along
27 designated commercial corridors, as stated in **EXHIBIT A**, attached hereto and incorporated
28 herein by reference, and hereinafter referred to as CPAM-21-07; and

29
30 WHEREAS, the County transmitted CPAM-21-07 to the State Land Planning Agency for
31 review pursuant to the Act, and it was assigned tracking number "Hernando County 21-04ESR"
32 by the State Land Planning Agency; and

33
34 WHEREAS, the State Land Planning Agency and the other required Review Agencies
35 reviewed CPAM-21-07, and any comments concerning CPAM-21-07 were submitted to the
36 County; and

37
38 WHEREAS, the BOCC finds and determines that CPAM-21-07 is internally consistent with
39 the 2040 Hernando County Comprehensive Plan, and finds that CPAM-21-07 is ready for final
40 adoption by the BOCC; and

41
42 WHEREAS, the BOCC has conducted a second public hearing for the final adoption of
43 CPAM-21-07 as an amendment to the 2040 Hernando County Comprehensive Plan; and

44
45 WHEREAS, upon enactment of this Ordinance, CPAM-21-07 shall be transmitted as an
46 adopted comprehensive plan amendment to the State Land Planning Agency and the other Review
47 Agencies, as required by the Act;

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

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

6
7 **SECTION II. Adopting CPAM-21-07 (Hernando County 21-04ESR).** CPAM-21-07
8 (Hernando County 21-04ESR), attached hereto as **EXHIBIT A** and incorporated herein by this
9 reference, is hereby approved and adopted, and the 2040 Hernando County Comprehensive Plan
10 is amended accordingly, subject to the Effective Date provision (Section X) below.

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

14
15 **SECTION IV. Transmittal of Adopted CPAM-21-07 to State Land Planning Agency**
16 **and Review Agencies.** County staff shall transmit an executed copy of this Ordinance adopting
17 CPAM-21-07 to the State Land Planning Agency and the other Review Agencies within ten (10)
18 days of adoption hereof, pursuant to Section 163.3184, *Florida Statutes*.

19
20 **SECTION V. Publication.** This Ordinance shall be published as required by law.

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

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

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

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

40
41 **SECTION X. Effective Date.** This Ordinance shall take effect upon filing with the
42 Florida Secretary of State; however, the adopted amendment (CPAM-21-07) shall take effect, and
43 be considered an amendment to the 2040 Hernando County Comprehensive Plan, if the
44 amendment is not timely challenged, 31 days after the State Land Planning Agency notifies the
45 local government that the plan amendment package is complete or as otherwise provided in Section
46 163.3184, *Florida Statutes*. If timely challenged, this amendment shall become effective on the
47 date the State Land Planning Agency or the Administration Commission enters a final order

1 determining this adopted amendment to be in compliance. No development orders, development
2 permits, or land uses dependent on this amendment may be issued or commence before it has
3 become effective. If a final order of noncompliance is issued by the Administration Commission,
4 this amendment may nevertheless be made effective by adoption of a resolution affirming its
5 effective status, a copy of which resolution shall be sent to the State Land Planning Agency.
6

7 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
8 **HERNANDO COUNTY, FLORIDA, IN REGULAR SESSION THIS 8TH DAY OF**
9 **FEBRUARY 2022.**

10
11 **BOARD OF COUNTY COMMISSIONERS**
12 **HERNANDO COUNTY, FLORIDA**

13
14 Attest: *Heidi Kuppel, D.C.*
15 *for* DOUGLAS A. CHORVAT, JR.
16 CLERK OF CIRCUIT COURT
17 AND COMPTROLLER



18
19 By: *[Signature]*
20 STEVE CHAMPION
21 CHAIRMAN

22
23
24
25 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
26 By: *Shannon Eller*
27 County Attorney's Office
28
29

Exhibit A: CPAM2107

CPAM2107: Proposed Revisions to Section B, Future Land Use Map Series

The following mapping criteria is proposed to be revised to address Conservation properties owned by public entities along Commercial corridors.

Conservation Category

Mapping Criteria: The Conservation Category includes public and private natural areas designated for conservation due to sensitive or unique geologic, historic, hydrologic or environmental characteristics; or held by federal, state or local government agencies for conservation purposes. Weeki Wachee Springs State Park is included in the Conservation Category as it is designated as an area of historical and environmental emphasis and is governed by a specific set of strategies in the Future Land Use Element.

Map Interpretation Guidance:

- (1) Due to general application of a 20-acre mapping threshold for the Future Land Use Map, small or isolated natural features such as wetlands may not be shown on the Future Land Use Map;
- (2) Wetlands and privately-owned uplands in the Coastal Zone that are completely surrounded by Conservation Category lands and do not have direct access to the County roadway network are included in the Conservation Category. These lands are considered to have a Rural Category designation for purposes of allowable uses, subject to the densities assigned in the Coastal Management Element of this Plan;
- (3) Privately-owned uplands within the Coastal Zone having direct access to the County roadway network may be considered to have a Residential Future Land Use Category designation for purposes of allowable uses only, subject to the densities assigned in the Coastal Management Element of this Plan;
- (4) Class I wetlands of forty acres or more shall be included in the Conservation Category pursuant to the Conservation Element of this Plan;
- (5) The boundaries of the Conservation FLUM Category containing wetlands are interpreted to correspond with the wetland boundary as determined by the applicable agencies;
- (6) Privately-owned lands that are not designated for conservation purposes outside the Coastal Zone shall be considered to have a Rural Future Land Use Category designation.
- (7) Publicly-owned lands located along commercial use corridors along U.S. Highway 19 and State Route 50 that are determined to no longer be necessary for conservation purposes and are made available for surplus by the designated agency may be considered to have a Commercial Future Land Use designation pursuant to Strategy 1.04.A(6) of the Future Land Use Element of this Plan. To receive this designation, the agency must proceed through the Comprehensive Plan Amendment process to amend the future land use map, in accordance with Section 163.3184, F.S.

CPAM2107: Proposed Revisions to the Future Land Use Element

The following strategy is proposed to be revised in the Future Land Use Element to address conservation lands owned by public entities.

Future Land Use Map

Strategy 1.04A(6): The *Commercial Category* provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties. Publicly owned lands along the commercial use corridors that are made available for surplus may be considered to have a Commercial designation, if the agency proceeds through the Comprehensive Plan Amendment process to amend the future land use map, in accordance with Section 163.3184, F.S.