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3 **ORDINANCE NO. 2023-\_\_\_\_\_**

4 **AN ORDINANCE AMENDING THE 2040 HERNANDO COUNTY**  
5 **COMPREHENSIVE PLAN BY AMENDING SECTION B RELATING TO**  
6 **THE FUTURE LAND USE MAP AS AFFECTING 40.4 ACRES OF LAND**  
7 **GENERALLY LOCATED AT THE NORTHERN TERMINUS OF WINTER**  
8 **PINE AVENUE AND EASTERN TERMINUS OF EVERGREEN AVENUE;**  
9 **PROVIDING FOR TRANSMITTAL OF ADOPTED CPAM-22-05 TO THE**  
10 **STATE LAND PLANNING AGENCY AND REVIEW AGENCIES;**  
11 **PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY;**  
12 **PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR**  
13 **FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR**  
14 **AN EFFECTIVE DATE.**

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

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

23 **WHEREAS**, the instant request is for the Hernando County Board of County Commissioners  
24 (“BOCC”) to amend Section B of the County’s adopted Comprehensive Plan relating to the Future  
25 Land Use Map (a complete copy of the amendment is collectively attached as Exhibit “A” hereto  
26 and made a part hereof) and hereinafter referred to as CPAM-22-05; and,  
27

28 **WHEREAS**, CPAM-22-05 is an amendment to the County’s Future Land Use Map involving  
29 land that is 50 acres or less in size and which has been determined by the Hernando County  
30 Planning Department to constitute a “small scale development amendment” based upon the criteria  
31 set forth in § 163.3187(1)(c), Florida Statutes; and,  
32

33 **WHEREAS**, small scale development amendments are exempt from state and regional review  
34 pursuant to § 163.3187, Florida Statutes; and,  
35

36 **WHEREAS**, the BOCC conducted a public hearing on January 10, 2023, in connection with  
37 the adoption of CPAM-22-05 as an amendment to the County’s adopted Comprehensive Plan.  
38

39 **WHEREAS**, upon enactment of this Ordinance, CPAM-22-05 will be transmitted as an  
40 adopted comprehensive plan amendment to the State Land Planning Agency and the other Review  
41 Agencies.  
42

43 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**  
44 **COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:**  
45

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-22-05.** CPAM-22-05, 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.

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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.

11  
12       **SECTION IV. Transmittal of Adopted CPAM-22-05 to State Land Planning Agency**  
13 **and Review Agencies.** County staff shall transmit an executed copy of this Ordinance adopting  
14 CPAM-22-05 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-22-05) 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 Section  
43 163.3184, Florida Statutes. If timely challenged, this amendment shall become effective on the  
44 date the State Land Planning Agency or the Administration Commission enters a final order  
45 determining this adopted amendment to be in compliance. No development orders, development  
46 permits, or land uses dependent on this amendment may be issued or commence before it has

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

5 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**  
6 **HERNANDO COUNTY** in Regular Session this 10th day of January 2023.

7  
8 **BOARD OF COUNTY COMMISSIONERS**  
9 **HERNANDO COUNTY, FLORIDA**

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13 Attest: \_\_\_\_\_  
14 DOUGLAS A. CHORVAT, JR.  
15 CLERK OF CIRCUIT COURT  
16 AND COMPTROLLER

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26 By: \_\_\_\_\_  
27 JOHN ALLOCCO  
28 CHAIRMAN

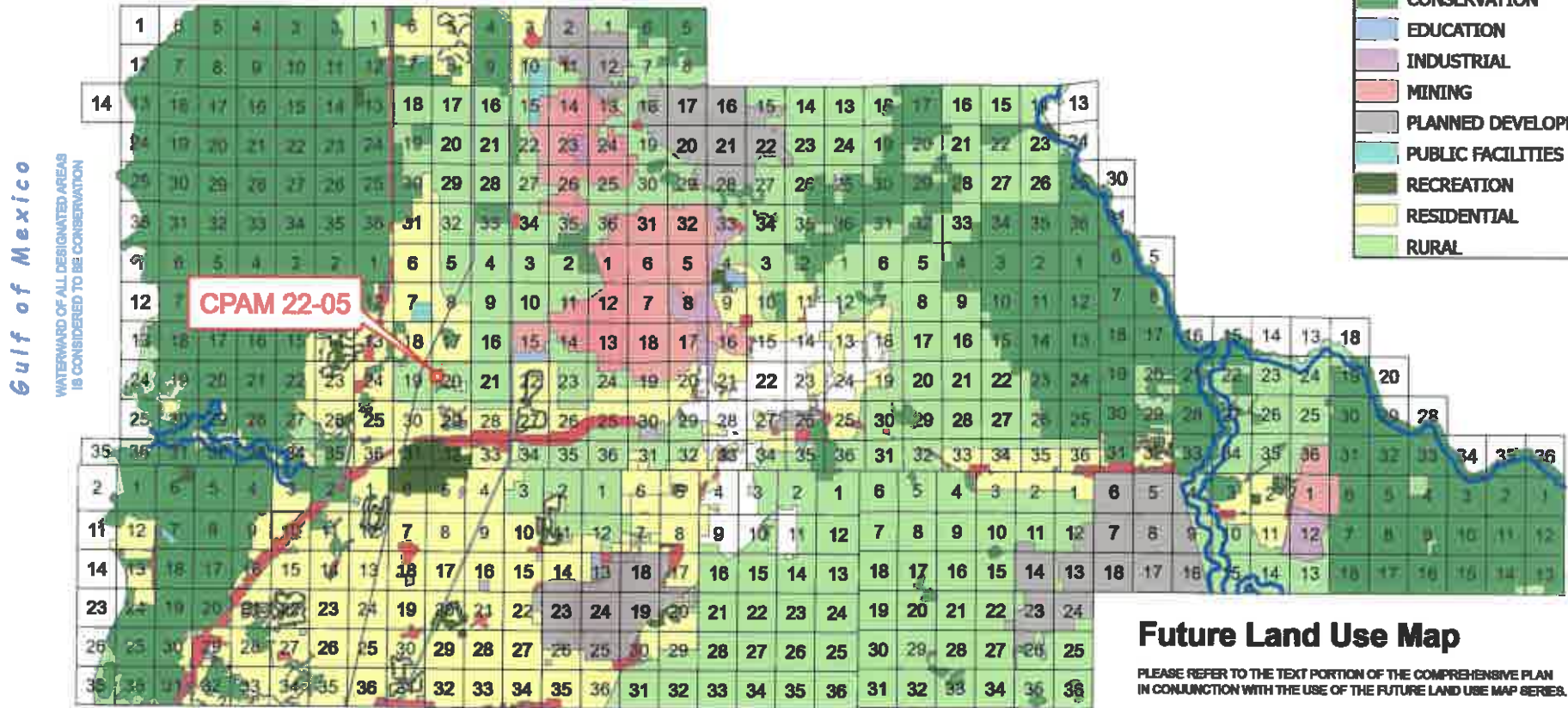
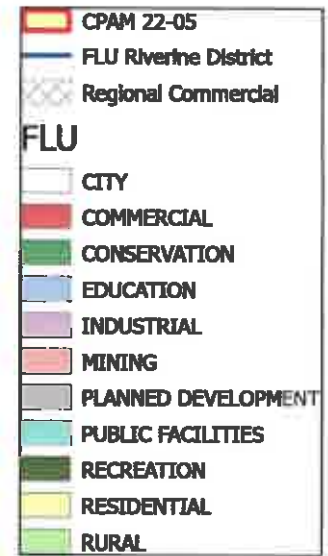
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By:   
Assistant County Attorney

# EXHIBIT A

## Hernando County Comprehensive Plan Map

Proposed Future Land Use CPAM 22-05  
Version Date 06/08/2021



### 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 RIVERLINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.



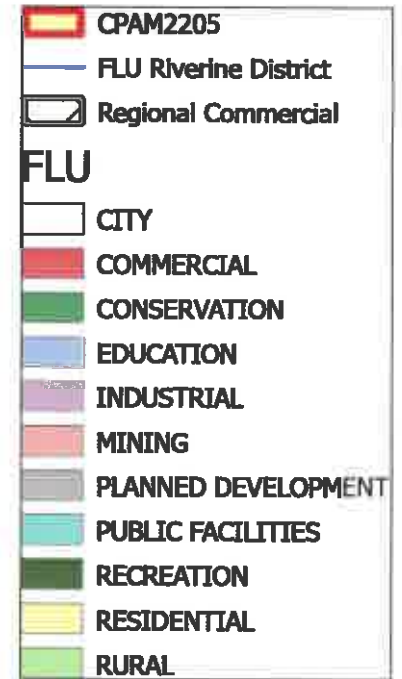
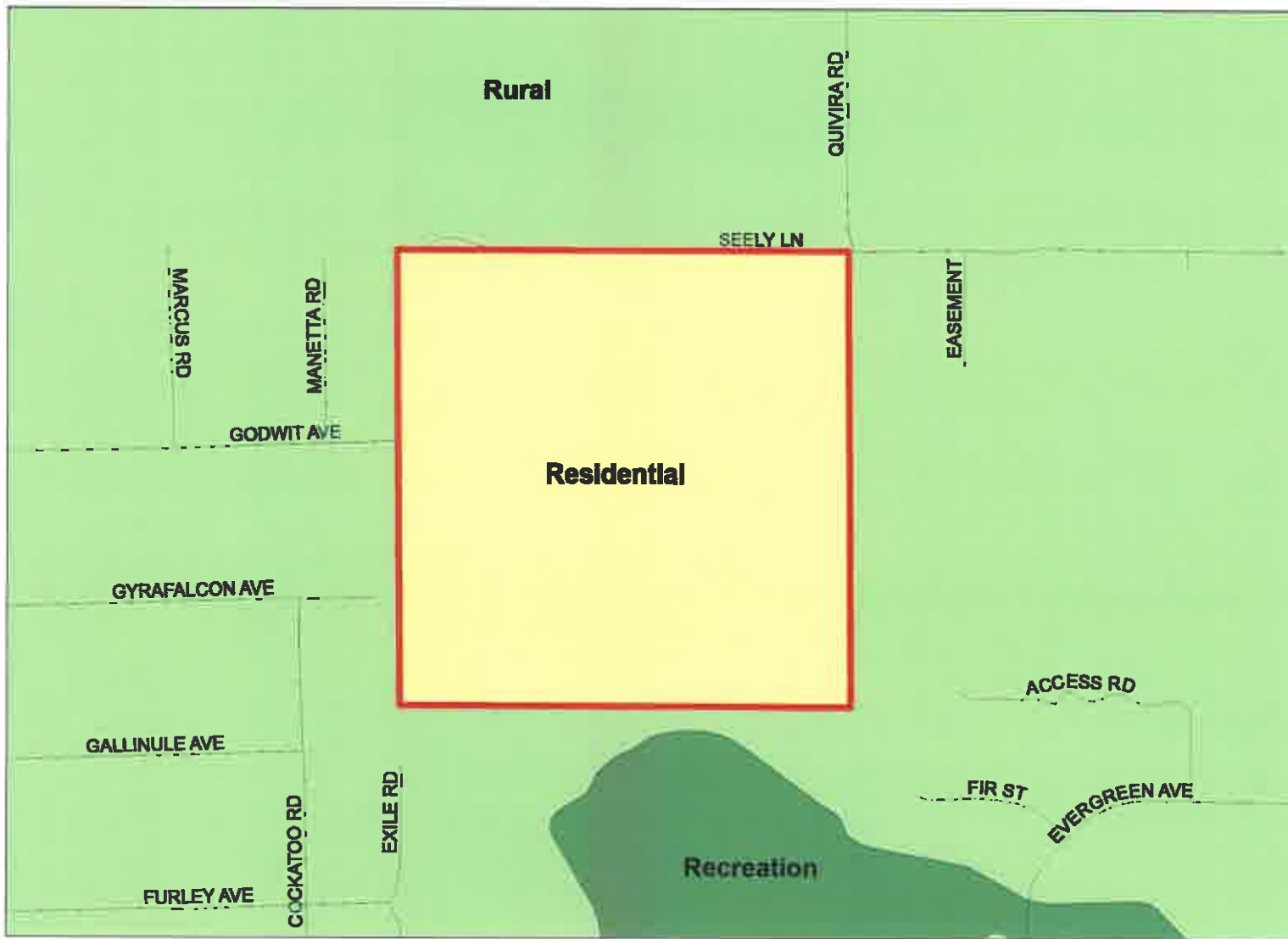
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 Date of mapping: 10/17/2022



# Hernando County Comprehensive Plan Map

Proposed Future Land Use CPAM 2205

Version Date: 06/08/2021



## 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.



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