1	ORDINANCE NO. 2023		
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3	AN ORDINANCE AMENDING THE 2040 HERNANDO COUNTY		
4	COMPREHENSIVE PLAN BY AMENDING SECTION B RELATING		
5	TO THE FUTURE LAND USE MAP AS AFFECTING 13.6 ACRES OF		
6	LAND GENERALLY LOCATED AT THE SOUTH SIDE OF		
7	OSOWAW BOULEVARD, APPROXIMATELY 1,165' EAST OF		
8	BUCCANEER BOULEVARD; PROVIDING FOR TRANSMITTAL OF ADOPTED CPAM-23-02 TO THE STATE LAND PLANNING		
9	AGENCY AND REVIEW AGENCIES; PROVIDING FOR		
10 11	APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING		
12	FOR CONFLICTING PROVISIONS; PROVIDING FOR FILING		
13	WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN		
14	EFFECTIVE DATE.		
17	EITECHVE DATE.		
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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 19	as set forth in Sections 163.3161 through 163.3215, Florida Statutes (the "Act"); and,		
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 included goals, objectives, and strategies used to guide future growth; and,		
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24	WHEREAS, the instant request is for the BOCC to amend Section B of the 2040 Hernando		
25	County Comprehensive Plan relating to the Future Land Use Map (attached as Exhibit "A" hereto		
26	and incorporated herein by this reference) hereinafter referred to as CPAM-23-02; and,		
27	WHERE AS CRAM 22 02 is an amount of the Country's Fortuna Lond Health and involving		
28 29	WHEREAS, CPAM-23-02 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		
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31	set forth in Section 163.3187, Florida Statutes; and,		
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33	WHEREAS, small scale development amendments are exempt from state and regional review		
34	pursuant to Section 163.3187, Florida Statutes; and,		
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36	WHEREAS, the BOCC conducted a public hearing on November 7, 2023, in connection with		
37	the adoption of CPAM-23-02 as an amendment to the 2040 Hernando County Comprehensive		
38 39	Plan; and,		
40	WHEREAS, upon enactment of this Ordinance, CPAM-23-02 will be transmitted as an		
41	adopted comprehensive plan amendment to the State Land Planning Agency and the other Review		
42	Agencies.		
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44	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY		
45	COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:		

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SECTION I.

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

SECTION II. Adopting CPAM-23-02. CPAM-23-02 (attached as Exhibit "A" hereto and incorporated herein by this reference) is hereby approved and adopted and the 2040 Hernando County Comprehensive Plan is amended accordingly, subject to the Effective Date provision (Section X) below.

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

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SECTION IV. Transmittal of Adopted CPAM-23-02 to State Land Planning Agency and Review Agencies. County staff shall transmit an executed copy of this Ordinance adopting **CPAM-23-02** to the State Land Planning Agency and the other Review Agencies within ten (10) days of adoption hereof pursuant to Section 163.3184, Florida Statutes.

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

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

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

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

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

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SECTION X. Effective Date. This Ordinance shall take effect upon filing with the Florida Secretary of State; however, the adopted amendment (CPAM-23-02) shall take effect and be considered an amendment to the 2040 Hernando County Comprehensive Plan, if the amendment is not timely challenged, 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete or as otherwise provided in Sections 163.3184 and 163.3187, Florida Statutes. If timely challenged, this amendment shall become effective on the date the State Land Planning Agency, or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development

1	orders, development permits, or land uses	dependent on this amendment may be issued or	
2	commence before it has become effective. If a final order of noncompliance is issued by the		
3	Administration Commission, this amendmen	t may nevertheless be made effective by adoption of	
4	a resolution affirming its effective status, a co	py of which resolution shall be sent to the State Land	
5	Planning Agency.		
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7	BE IT ORDAINED BY THE BO	OARD OF COUNTY COMMISSIONERS OF	
8	HERNANDO COUNTY, FLORIDA, AD	OPTED In Regular Session thisday of	
9	November 2023.		
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11		BOARD OF COUNTY COMMISSIONERS	
12		HERNANDO COUNTY, FLORIDA	
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16	Attest:	By:	
17	DOUGLAS A. CHORVAT, JR.	JOHN ALLOCCO	
18	CLERK OF CIRCUIT COURT	CHAIRMAN	
19	AND COMPTROLLER		
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28	APPROVED AS TO FORM AND		
29	LEGAL SUFFICIENCY		
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31 32	By: Victoria Anderson		
33	County Attorney's Office		