

**From:** [County Ordinances](#)  
**To:** [Ordinances](#); [County Ordinances](#)  
**Cc:** [Heidi Kurppe](#)  
**Subject:** RE: Hernando County Ordinance No. 2022-18 - Adopted on July 12, 2022  
**Date:** Thursday, July 14, 2022 12:31:30 PM  
**Attachments:** [Hernando20220713\\_Ordinance2022\\_18\\_Ack.pdf](#)

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Good afternoon,

Please find attached the acknowledgment letter for receipt of Hernando County Ordinance No. 2022-18, which was filed in this office on July 13, 2022.

Best,

County Ordinances  
Florida Administrative Code and Register  
Room 701 The Capitol | Tallahassee, Florida

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**From:** Ordinances <ord@hernandoclerk.org>  
**Sent:** Wednesday, July 13, 2022 10:59 AM  
**To:** County Ordinances <CountyOrdinances@dos.myflorida.com>  
**Cc:** Heidi Kurppe <hkurppe@hernandoclerk.org>  
**Subject:** Hernando County Ordinance No. 2022-18 - Adopted on July 12, 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:    | 2022-18      |

Thank You,

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

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**NOTICE:**

Please note: Florida has a very broad Public Records Law. Most written communications to or from the Clerk's Office are public records available to anyone upon request. Your e-mail, including your e-mail address, may therefore, be subject to public disclosure.



FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

July 14, 2022

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

Attention: Heidi Kurppe

Dear Honorable Doug Chorvat Jr.:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2022-18, which was filed in this office on July 13, 2022.

Sincerely,

Anya Owens  
Program Administrator

ACO/wlh

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**ORDINANCE NO. 2022- 18**

**AN ORDINANCE AMENDING THE 2040 HERNANDO COUNTY COMPREHENSIVE PLAN BY REVISING THE FUTURE LAND USE ELEMENT, LAND USE COMPATIBILITY AND URBAN SPRAWL PREVENTION SECTIONS, TO ADDRESS LOT SIZE COMPATIBILITY; APPROVING AND ADOPTING CPAM2202; PROVIDING FOR TRANSMITTAL OF ADOPTED CPAM2202 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.**

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 BOCC, following a public hearing on April 12, 2022, approved the Large-  
24 Scale Comprehensive Plan Text Amendment to Revise Future Land Use Element, Land Use  
25 Compatibility and Urban Sprawl Prevention Sections, to Address Lot Size Compatibility (a  
26 complete copy of the amendment is attached as **Exhibit “A”** hereto and made a part hereof and  
27 referred to as CPAM2202 and,  
28

29       **WHEREAS**, the County subsequently transmitted CPAM2202 to the State Land Planning  
30 Agency for review pursuant to the Act, and it was assigned tracking number “22-02ESR” by the  
31 State Land Planning Agency; and,  
32

33       **WHEREAS**, the State Land Planning Agency and the other Review Agencies reviewed  
34 CPAM2202 and, thereafter, comments concerning same were submitted to the County; and,  
35

36       **WHEREAS**, the BOCC finds and determines that CPAM2202 is internally consistent with  
37 other Elements and Strategies of the 2040 Hernando County Comprehensive Plan, and is now  
38 ready for final adoption by the BOCC; and,  
39

40       **WHEREAS**, the BOCC conducted a second public hearing on July 12, 2022, in connection  
41 with the final adoption of CPAM2202 as an amendment to the 2040 Hernando County  
42 Comprehensive Plan; and,  
43

44       **WHEREAS**, upon enactment of this Ordinance, CPAM2202 will be transmitted as an adopted  
45 comprehensive plan amendment to the State Land Planning Agency and the other Review  
46 Agencies.

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

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

7  
8 **SECTION II. Adopting CPAM2202 (22-02ESR).** CPAM2202 (22-02ESR) attached as  
9 **Exhibit “A”** hereto and incorporated herein by this reference), is hereby approved and adopted  
10 and the 2040 Hernando County Comprehensive Plan is amended accordingly, subject to the  
11 Effective Date provision (Section X) below.

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

15  
16 **SECTION IV. Transmittal of Adopted CPAM2202 to State Land Planning Agency**  
17 **and Review Agencies.** County staff shall transmit an executed copy of this Ordinance adopting  
18 CPAM2202 to the State Land Planning Agency and the other Review Agencies within ten (10)  
19 days of adoption hereof pursuant to Section 163.3184, Florida Statutes.

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

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

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

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

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

41  
42 **SECTION X. Effective Date.** This Ordinance shall take effect upon filing with the  
43 Florida Secretary of State; however, the adopted amendment (CPAM2202) shall take effect, and  
44 be considered an amendment to the 2040 Hernando County Comprehensive Plan, if the  
45 amendment is not timely challenged, 31 days after the State Land Planning Agency notifies the  
46 local government that the plan amendment package is complete or as otherwise provided in Section

1 163.3184, Florida Statutes. If timely challenged, this amendment shall become effective on the  
2 date the State Land Planning Agency or the Administration Commission enters a final order  
3 determining this adopted amendment to be in compliance. No development orders, development  
4 permits, or land uses dependent on this amendment may be issued or commence before it has  
5 become effective. If a final order of noncompliance is issued by the Administration Commission,  
6 this amendment may nevertheless be made effective by adoption of a resolution affirming its  
7 effective status, a copy of which resolution shall be sent to the State Land Planning Agency.  
8

9 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**  
10 **HERNANDO COUNTY** in Regular Session this 12th day of JULY 2022.

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

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16  
17 Attest: Nadi Kuppe, D.C.  
18 DOUGLAS A. CHORVAT, JR.  
19 *for* CLERK OF CIRCUIT COURT  
20 AND COMPTROLLER

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By:   
STEVE CHAMPION  
CHAIRMAN



30 **Approved as to Form and**  
31 **Legal Sufficiency**

32  
33 By:   
34 Assistant County Attorney

# Exhibit A: CPAM2202 - Revisions to the Future Land Use Element

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## Land Use Compatibility

Strategy 1.10 B (4): Review all land use applications for compatibility to include:

- a. Evaluation of existing uses of land, zonings, and Future Land Uses, including the existing and potential densities and intensities;
- b. Consideration of existing development patterns and approved development in the area;
- c. Evaluation of existing proposed and anticipated transitions between land uses;
- d. Consideration of environmental and cultural features and community characters;
- e. Appropriate timing based on the availability of adequate public facilities/services;
- f. Consistency with applicable specific area plans, corridor plans and redevelopment plans;
- g. Limitations on building height and/or use of increased setbacks; and
- h. Transition of density and intensity.

Strategy 1.10B (5): To promote compatible lot size and design and to mitigate potential incompatibilities, residential Master Plan applications will be reviewed for the following:

- a. Use of undisturbed native vegetation as a suitable buffer;
- b. Use of enhanced buffers to include supplemental trees and shrubs and/or perimeter fencing/walls;
- c. Requirements for increased opacity of screening on the site perimeter;
- d. Increased setbacks on the site perimeter;
- e. The placement of smaller lots internal to the site;
- f. The placement of larger lots, similar in size to adjoining lots, on the site perimeter;
- g. Increased width of buffers on the site perimeter;
- h. Limitations on density consistent with adjoining land uses;
- i. Gradual transition of density and lot size; and
- j. Proposed residential developments adjacent to residential uses shall demonstrate compatibility through the creation of a similar lot pattern, enhanced screening/buffering or other means. Maintenance and enhancement of rural, scenic, or natural view corridors shall also be a consideration in evaluating compatibility in this area.

## Urban Sprawl Prevention

Strategy 1.11 B (4): The following information shall be required when considering rezoning requests in Rural neighborhoods:

- a. A narrative describing how the proposed development will maintain and/or protect the existing rural neighborhood, to include:
  1. An analysis of adjacent conditions and proposed development which illustrates protection of the rural character;
  2. An analysis of the existing roadway network and other infrastructure which demonstrates minimal impact;
  3. The applicant shall conduct one (1) neighborhood meeting prior to the Planning and Zoning Commission hearing for citizen input on the proposed petition.

4. A description of the methods proposed protecting rural neighborhoods from the impacts upon adjacent uses that may affect the long-term viability of those neighborhoods. The impacts to be analyzed include unwanted light, noise, physical access, odor, and other disruptions;
5. An analysis of the impact upon, and compatibility with adjoining agricultural uses.; and
6. The need to include a homeowners or deed restriction for lots in the development that the development is adjacent to agricultural uses