

ORDINANCE # 2000-11

AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE OF ORDINANCES, CHAPTER 23 - PLANNING; BY AMENDING ARTICLE I, SECTION 23-3, THE HERNANDO COUNTY COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, CHAPTER 163, PART II, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, Chapter 163, Part II, Florida Statutes also known as the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 9J-5, Florida Administrative Code, also known as the Minimum Criteria for Review of Local Government Comprehensive Plans and Plan Amendments, Evaluation and Appraisal Reports, Land Development Regulations and Determinations of Compliance, and Chapter 9J-11, Florida Administrative Code, also known as the Governing the Procedure for the Submittal and Review of Local Government Comprehensive Plans and Amendments, require that Hernando County prepare, adopt a Comprehensive Plan; and

WHEREAS, Hernando County has prepared a Comprehensive Plan consisting of the following elements: Future Land Use Element; Mining Sub-element; Traffic Circulation Element; Mass Transit, Ports and Related Sub-element; Aviation Sub-element; Housing Element; General Sanitary Sewer Sub-element; Solid Waste Sub-element; Drainage and Natural Groundwater Aquifer Recharge Sub-elements; Potable Water Sub-element; Coastal Management Element; Conservation Element; Recreation and Open Space Element; Intergovernmental Coordination Element; Capital Improvements Element; and Future Land Use Map Mapping Criteria; and

WHEREAS, Hernando County has held public hearings to provide for and encourage public participation through out the plan preparation process; and

WHEREAS, Hernando County did submit a proposed Comprehensive Plan Amendment, which consists of a revised Future Land Use Map of the Future Land Use Element, to be incorporated into the adopted Hernando County Comprehensive Plan to the State Land Planning Agency for preliminary review on January 27, 2000; and

WHEREAS, the State Land Planning Agency did review and make written objections to certain sections of the proposed plan amendments and transmitted the same in writing to Hernando County; and

FILED
JUN 16 AM 9:22
CLERK OF STATE
TALLAHASSEE, FLORIDA

WHEREAS, the Board of County Commissioners did consider the Objections, Recommendations and Comments of the State Land Planning Agency and did hold a public hearing on June 7, 2000; and

WHEREAS, all applicable substantive and procedural requirements of law have been met; and

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

SECTION ONE. THE HERNANDO COUNTY CODE OF ORDINANCES, CHAPTER 23, SECTION 3, THE HERNANDO COUNTY COMPREHENSIVE PLAN IS HEREBY AMENDED AS FOLLOWS:

The proposed Hernando County Comprehensive Plan Amendments CPAM-99-1 and CPAM 99-6 (DCA #00-1), attached as Attachment A, which consists of a revised Future Land Use Map of the Future Land Use Element and an objective (C) and policies 1 - 4 of Goal 4.10 of the Drainage and Natural Groundwater Aquifer Recharge Element, shall be included in the Comprehensive Plan of the Hernando County and shall supersede any and all elements or portions of elements as specified in the amendment.

SECTION TWO. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of the ordinance, for any reason, is held to be unconstitutional, not found in compliance with Chapter 163, FS, void or invalid, the validity of the remaining portions of said ordinance shall not be affected thereby.

SECTION THREE. INCLUSION INTO THE CODE

The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of Hernando County, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION FOUR. EFFECTIVE DATE OF PLAN AMENDMENT

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of non-compliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolutions shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team.

SECTION FIVE. EFFECTIVE DATE OF ORDINANCE

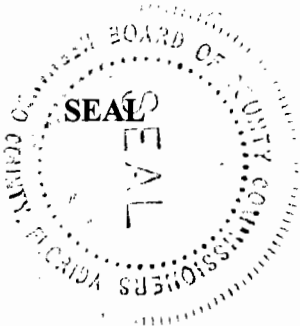
This ordinance shall become effective upon filing a certified copy of the ordinance with the Department of State within 10 days of enactment.

**ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION
THIS 7TH DAY OF JUNE, 2000.**

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

BY Paul H. Sullivan
PAUL SULLIVAN, CHAIRMAN

ATTEST Karen Nicolai
KAREN NICOLAI, CLERK



GROUNDWATER PROTECTION

OBJECTIVE 4.10C: PROTECT AND MAINTAIN THE QUALITY OF GROUNDWATER IN HERNANDO COUNTY BY PROVIDING CRITERIA FOR LAND USES AND THE SITING OF FACILITIES WHICH USE, HANDLE, PRODUCE, STORE, OR DISPOSE OF REGULATED SUBSTANCES AND BY PROVIDING PROTECTION TO VULNERABLE FEATURES WHICH DISCHARGE DIRECTLY TO THE FLORIDAN AQUIFER.

POLICY 4.10C(1): Designate wellhead protection areas for all community public water supplies.

POLICY 4.10C(2): Special Protection Areas shall be designated around vulnerable features which have the potential to discharge directly to the aquifer.

POLICY 4.10C(3): Special Protection Areas shall also be designated to include areas with land use approval for mining whether actual excavation has taken place or not.

POLICY 4.10C(4): Adopt land development regulations which define the specific prohibited uses in wellhead protection areas and special protection areas.

