

# ORDINANCE # 2004-10

**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 ELEMENT, TRANSPORTATION ELEMENT, AND ADDING AN AIRPORT MASTER PLAN MAP TO SECTION E: SPECIAL FEATURES MAPS OF HERNANDO COUNTY, FLORIDA; 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 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 Element; Transportation Element; Housing Element; Sanitary Sewer Element; Solid Waste Element; Drainage and Natural Groundwater Aquifer Recharge Element; Potable Water Element; Coastal Management Element; Conservation Element; Recreation and Open Space Element; Intergovernmental Coordination Element; Capital Improvements Element; Economic Development Element; and the following additional sections: Capital Improvements Implementation; Procedures for Monitoring and Evaluation; Future Land Use Map-Mapping Criteria & Land Uses Allowed; and Special Features Maps of Hernando County, Florida; 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 Element, revised Transportation Element and addition of an Airport Master Plan to Section E: Special Features Maps of Hernando County, Florida; to be incorporated into the adopted Hernando County Comprehensive Plan. The proposed amendment package was received by the State Land Planning Agency for preliminary review on March 9, 2004; and

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**WHEREAS**, the State Land Planning Agency did review and did raise objections to the proposed plan amendment and transmitted their Objections, Recommendations and Comments Report in writing to Hernando County; and

**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 July 14, 2004; 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 Hernando County Comprehensive Plan Amendment CPAM-04-01 (DCA No. 04-1), attached as Appendix A, which consist of: a revised Future Land Use Element, revised Transportation Element and addition of an Airport Master Plan to Section E: Special Features Maps of Hernando County, Florida; all of which shall be included in the Comprehensive Plan of Hernando County, Florida, 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 resolution 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 14TH DAY OF JULY, 2004.**

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

BY *Diane B. Rowden*  
**DIANE B. ROWDEN, VICE-CHAIRPERSON**

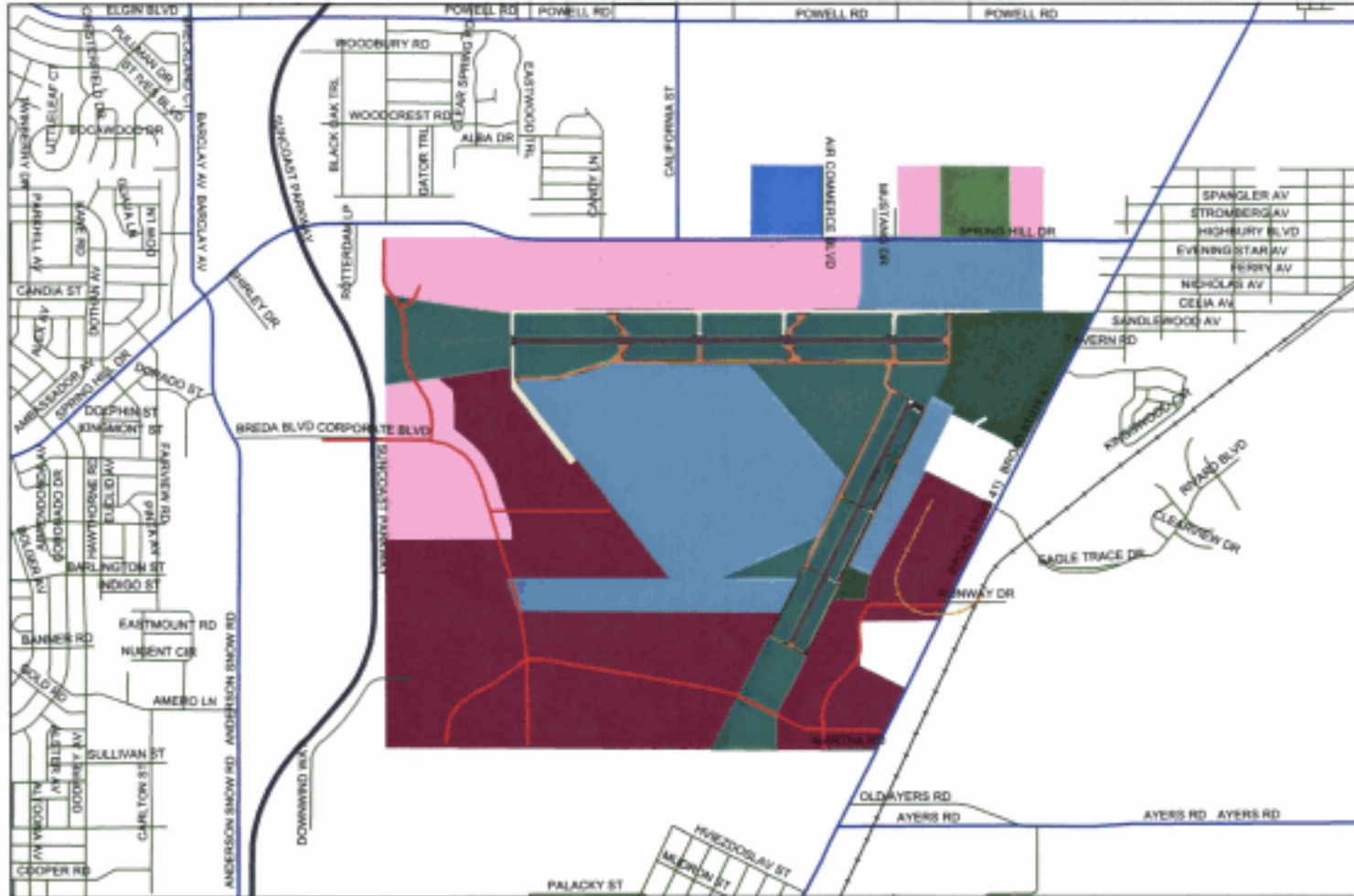
SEAL

ATTEST *Karen Nicolai*  
**KAREN NICOLAI, CLERK**

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY *[Signature]* 7/20/04  
County Attorney's Office



# HERNANDO COUNTY COMPREHENSIVE PLAN AIRPORT MASTER PLAN



**Legend**

- Existing Taxiways
- Existing Runways
- RR
- Proposed Taxiways
- Rail park Siding
- External Local Roads
- Major Airport Roads
- Suncoast Parkway
- Principal Roads
- BOUNDARY

**USE**

- AVIATION
- AVIATION (NON BLDG)
- INDUSTRIAL/COMMERCIAL
- INSTITUTIONAL
- OPEN SPACE
- PROPOSED AVIATION
- PROPOSED IND/COM
- PROPOSED RUNWAYS



**GOAL 2.08**

**TO PROMOTE THE CONTINUATION AND EXPANSION OF AVIATION, AND AVIATION RELATED, AND AVIATION COMPATIBLE FACILITIES, INCLUDING COORDINATION OF SURFACE TRANSPORTATION ACCESS, CONSISTENT WITH THE GOALS OF OTHER ELEMENTS OF THE COMPREHENSIVE PLAN, INCLUDING, THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, AND CONSERVATION ELEMENT: INTERGOVERNMENTAL COORDINATION ELEMENT AND THE UTILITIES ELEMENT.**

**AIRPORT LAND USE REGULATION**

**OBJECTIVE 2.08A: LAND USES FOR THOSE AREAS SURROUNDING THE HERNANDO COUNTY AIRPORT LAND USE DISTRICT SHALL BE COORDINATED AND ARRANGED SO AS TO ENSURE COMPATIBILITY WITH ZONING RESTRICTIONS.**

- POLICY 2.08A(1):** No building, structure or other artificial or natural object shall be permitted that exceeds or would exceed 150 feet above the established airport elevation within the airport's "horizontal zone" or that penetrates or would penetrate the conical surface within the airport's conical zone, as both zones have been delineated on the Airport Land Use Map.
- POLICY 2.08A(2):** No building, structure, or other artificial or natural object shall be permitted in the "approach zone" that would penetrate the approach slope for that runway or that would raise a planned or existing published minimum descent altitude, decision height, or missed approach procedure for any airport runway, or that would raise or increase the minimum obstruction clearance altitude or minimum en route altitude on any federal airway, raise the minimum vectoring altitude, or alter any missed approach procedure, in Hernando County. The "horizontal zone", "conical zone", and "approach zone" constitute the FAA designated safety clear zones.
- POLICY 2.08A(3):** Approval of permitted uses of land and water in Hernando County shall be contingent upon all lights or illumination being arranged and operated so as not to be misleading or dangerous to aircraft operating from or in the vicinity of a public airport; structures over two hundred (200) feet above the ground shall be equipped with lighting, and structures over seven hundred forty-nine (749) feet above mean sea level shall be equipped with white obstruction lights in accordance with FAA guidelines.



**POLICY 2.08A(4):** Operations from any land use that produces smoke, glare, or other visual hazards within three statute miles of any usable public airport runway, or that produces electronic interference with navigational signals or radio communications between aircraft and the airport or air traffic control personnel shall not be permitted.

**POLICY 2.08A(5):** Hernando County shall adopt Airport Zoning regulations, which in part, address airport height zones and limitations, noise conditions within a defined area proximate to the Hernando County Airport, and land use compatibility in approach zones to the Hernando County Airport.

Within "Noise-Zone A" as identified on the County Airport Land Use Map, agricultural land uses with a density not in excess of 6,000 square feet of residential single-family dwelling per five (5) acres of land shall be permitted; no multi-family residential dwellings or residential subdivisions shall be permitted; commercial and light industrial land uses that comply with the airport height limitations and use restrictions shall be permitted:

**POLICY 2.08A(6):** Within the areas on the Airport Master Plan (Section E Special Features Map) designated "Proposed Industrial/Commercial", the percentage distribution of land use types will approximate 50% industrial, 40% office, and 10% commercial.

Within "Noise-Zone B" of the County airport noise impact area as designated on the County Airport Land Use Map, no lots or parcels shall be sold or leased unless the prospective buyer or lessee has received a "noise warning" notification as specified in the County Airport Zoning Ordinance, and the sale or lease contract contains such notification:

**POLICY 2.08A(7):** Within the areas on the Airport Master Plan (Section E Special Features Map) designated "Proposed Aviation", the list of potential uses shall include, but not be limited to, taxiways, fuel storage facilities, hangars, aircraft parking apron, general aviation terminal facility, fixed base operator (FBO) facility, aircraft maintenance facility, and vehicular parking. The total land coverage of buildings constructed in this category will not exceed 35% of the land area.

Non-conforming buildings, structures, land uses, or legally platted and accepted lots or parcels approved as of June 13, 1977 shall not have to comply with the use and density restrictions:

~~All applicable Federal Aviation Administration rules and regulations shall be complied with on a timely basis.~~

- POLICY 2.08A(8):** If determined to be warranted, the County will pursue funding from the Federal Aviation Administration and the State Department of Transportation to conduct a FAA Part 150 Study (Airport Noise Abatement and Land Use Compatibility Study). Upon completion of the study the County will readdress the Airport Zoning Ordinance to determine whether additional modifications are necessary to assure compatibility of the surrounding community land uses with the airport. Additionally, results of the study will be incorporated into a "Land Use Guide" to be issued by the County for land uses surrounding the airport.
- POLICY 2.08A(9):** Upon completion of the FAA Part 150 Study, the "Airport Zoning Ordinance" will be amended to reflect the identified noise impact zones and subsequent recommendations be included as a part of the ordinance.
- POLICY 2.08A(10):** The land use densities identified in the Comprehensive Plan will determine the maximum density levels which can be obtained. The densities developed in conjunction with the FAA Part 150 Study, will be adopted when more restrictive than those developed in the Comprehensive Plan.
- POLICY 2.08A(11):** ~~The Airport Master Plan shall be continuously updated in not more than five-year increments. Any proposed amendments shall also be submitted for review and approval to the Federal Aviation Administration.~~

The FAA approved (3-14-96) Airport Layout Plan (ALP) for the Hernando County Airport is currently undergoing revision. To resolve inconsistencies between the approved ALP and the FLUM Airport Master Plan, the land uses shown on the approved ALP shall control. The County shall amend the FLUM Airport Master Plan, if needed, in the next plan amendment cycle following the approval of the revised ALP by the FAA. The FLUM amendment shall, at a minimum, ensure consistency regarding: existing and planned land uses, airport facilities, airport boundaries, and airport compatibility zones (hazard areas, obstructions, runway protection zones, noise zones).

<b>PLANNING, DEVELOPMENT, AND MANAGEMENT OF SURFACE AND AIR MODES OF TRANSPORTATION</b>
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**OBJECTIVE 2.08B: AS NECESSARY, MONITOR AND UPDATE INTEGRATION MECHANISMS TO ASSURE COORDINATED PLANNING, DEVELOPMENT AND MANAGEMENT, ~~OF SURFACE AND AIR~~ ~~MODES OF TRANSPORTATION.~~**

- POLICY 2.08B(1):** The County shall continue to review procedures to ensure that airport facility modification, improvement and expansion are consistent with the Future Land Use, Transportation, and Conservation, Intergovernmental Coordination and Utilities Elements of this Comprehensive Plan, and Long-Range Transportation Plan.
- POLICY 2.08B(2):** Airport ingress and egress on major roadways shall be coordinated with County and MPO transportation plans and designed and built in such a manner as to minimize the impact of airport-related traffic on the roadway's operating level of service. The County will ensure that transportation impacts of the airport will be addressed in a manner that maintains the adopted level of service standard on roadways both within and outside the airport, including regional transportation facilities.
- POLICY 2.08B(3):** Plans to modify, expand or improve airport facilities shall include provisions for the mitigation/minimization of impacts to adjacent natural resources. This shall include designing improvements, where ever possible, in such a manner as to maintain the functions of on-site natural resources.
- POLICY 2.08B(4):** Central sewer and water service shall be made available to all development areas within the Airport, and improvements shall be consistent with the master utilities planning of the Hernando County Utilities Department.
- POLICY 2.08B(5):** Major infrastructure improvements at the Airport shall be coordinated with, and incorporated into the County's Capital Improvement Plan.
- POLICY 2.08B(6):** The County shall work with private utility providers to coordinate planning and facilitate the provision of natural gas, electricity, television, and other services to Airport properties.
- POLICY 2.08B(7):** The County shall prepare a master stormwater management plan for the Airport property, review that plan with the Southwest Florida Water Management District, and coordinate future permitting with that plan.



**POLICY 2.08B(8)**

**Development at the Airport shall be required to meet County development review procedures, including land use, subdivision, and concurrency.**

**GOAL 2.09**

**HERNANDO COUNTY SHALL WORK WITH REGIONAL, STATE, AND FEDERAL AGENCIES TO ENSURE THAT THE COUNTY AIRPORT IS MAINTAINED AND DEVELOPED TO MEET THE FUTURE NEEDS OF THE RESIDENTS AND BUSINESS COMMUNITY.**

**COORDINATION WITH FAA AND FDOT**

**OBJECTIVE 2.09A: ANY PROPOSED PLANS OR IMPROVEMENT PROJECTS TO THE COUNTY AIRPORT SHALL BE COORDINATED WITH THE ANY APPROPRIATE FEDERAL, REGIONAL, OR STATE AGENCYIES, INCLUDING THE FEDERAL AVIATION ADMINISTRATION AND THE FLORIDA DEPARTMENT OF TRANSPORTATION.**

- POLICY 2.09A(1):** The County shall ~~continue to~~ prepare a five-year airport improvement plan for inclusion in the MPO Transportation Improvement Plan (TIP). The TIP spans a five year period and shall be updated on an annual basis. During this process the County shall address consistency of the Airport Master Plan with the Hernando County MPO LRTP
- POLICY 2.09A(2):** The County shall submit periodic revisions and updates of the Airport Master Plan to the Federal Aviation Administration for review and approval. ~~The Master Plan shall be continuously updated in not more than five-year increments. Any proposed amendments shall also be submitted for review and approval.~~
- POLICY 2.09A (3)** The County shall review any revisions or updates of the Airport Master Plan for consistency with the Comprehensive Plan and submit to the Florida Department of Community Affairs any necessary revisions to the Comprehensive Plan in the next available cycle.
- POLICY 2.09A(34):** The County shall coordinate all improvement projects with the Federal Aviation Administration to ensure compliance with federal regulations.
- POLICY 2.09A(45):** The County shall seek financial assistance in the form of grants, when available, for airport improvement projects from the Federal Aviation Administration and Florida Department of Transportation.

**POLICY 2.09A (6)**

The County shall provide the City of Brooksville and Pasco County with copies of proposed changes in the Airport Master Plan or Airport-related policies in the Comprehensive Plan and consider comments received from those entities prior to adoption.

**GOAL 1.07**

**AIRPORT PLANNED DEVELOPMENT DISTRICT**

**OBJECTIVE 1.07C: MAXIMIZE THE USE OF THE HERNANDO COUNTY AIRPORT AND SURROUNDING LANDS BY PROVIDING FOR AVIATION, AVIATION RELATED ACTIVITIES, INDUSTRIAL USES, AND OTHER LAND USES NOT INCOMPATIBLE WITH THE AIRPORT.**

- POLICY 1.07C(1):** Establish a Planned Development Land Use Category on the Future Land Use Map which allows for a mixture of the following land uses: Aviation, Commercial, Industrial, Public Facility, Exposition Facility, limited agriculture, limited rural development, and interim continuation of vested residential development.
- POLICY 1.07C(2):** Aviation uses will be restricted to the Hernando County Airport properties.
- POLICY 1.07C(3):** Maintain a master plan for the Hernando County Airport property which controls the uses allowed within the airport properties.
- POLICY 1.07C(4):** The Master Plan for the Hernando County Airport property shall be updated at least every five (5) years.
- POLICY 1.07C(5):** The location of land uses within the Airport Planned Development Land Use Category, not owned by Hernando County, shall be governed by the locational criteria for the proposed use.
- POLICY 1.07C(6):** Industrial uses allowed within the Planned Development Land Use Category shall not be incompatible with the aviation activities at the airport.
- POLICY 1.07C(7):** The County shall identify runway "approach surfaces" at the end of each runway which shall be protected from encroachment from residential development and other non-compatible land uses.
- POLICY 1.07C(8):** Appropriate warnings (noise and proximity to runway approach surface) shall be issued to property owners seeking to place dwelling units on property within the Airport PDD. These warnings shall be made part of any deed of sale and shall be issued as part of a request for building permits.

**POLICY 1.07C(9):** The County shall develop a plan to include funding to acquire properties within the Airport Planned Development District necessary for expanded operation of the Hernando County Airport.