

ORDINANCE NO.: 2010-25

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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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3 AN ORDINANCE AMENDING THE HERNANDO COUNTY
4 COMPREHENSIVE PLAN BY AMENDING POLICY 1.011(15) IN THE
5 FUTURE LAND USE ELEMENT RELATING TO PUBLIC SCHOOLS;
6 ADDING OBJECTIVE 1.02C AND POLICIES 1.02C(1)-(7) IN THE FUTURE
7 LAND USE ELEMENT RELATING TO ALLOWING INDUSTRIAL USES
8 IN THE MINING CATEGORY; AMENDING SECTION D, FUTURE LAND
9 USE MAP MAPPING CRITERIA AND LAND USES ALLOWED;
10 ADOPTING CPAM-10-04; PROVIDING FOR TRANSMITTAL TO THE
11 FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR
12 SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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14 WHEREAS, in 1985, the Florida Legislature adopted the Local Government Comprehensive
15 Planning and Land Development Regulation Act as set forth in §§ 163.3161 through 163.3215
16 Florida Statutes (the "Act"); and,

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18 WHEREAS, on June 7, 1989, the Board of County Commissioners adopted Ordinance 89-9
19 which adopted the Hernando County Comprehensive Plan, as such Plan or portions thereof have
20 been subsequently amended ("Comprehensive Plan"); and,

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22 WHEREAS, the Hernando County Board of County Commissioners ("BOCC"), following
23 a public hearing, approved amending Policy 1.011(15) in the Future Land Use Element relating to
24 public schools, adding Objective 1.02C and Policies 1.02C(1)-(7) in the Future Land Use Element
25 relating to allowing industrial uses in the Mining Category, amending Section D relating to Future
26 Land Use Map Mapping Criteria of the Hernando County Comprehensive Plan (a complete copy of
27 the amendment is collectively attached as **Exhibit "A"** hereto and made a part hereof) and referred
28 to as CPAM-10-04; and,

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30 WHEREAS, the County subsequently transmitted CPAM-10-04 to the Florida Department
31 of Community Affairs ("DCA") for review pursuant to the Act and was assigned DCA No. 10-2; and,

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33 WHEREAS, the DCA reviewed CPAM-10-04 and, thereafter, issued its Objections,
34 Recommendations and Comments (ORC) Report concerning same; and,

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36 WHEREAS, DCA's ORC Report raised objections to CPAM 10-04 (DCA No. 10-2); and,

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38 WHEREAS, the County has prepared a response to the DCA ORC Report; and,

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40 WHEREAS, CPAM-10-04 is now ready for final adoption by the BOCC; and,

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42 WHEREAS, the BOCC conducted a second public hearing on October 26, 2010 in
43 connection with final adoption of the CPAM-10-04 (DCA No. 10-2) as an amendment to the
44 County's adopted Comprehensive Plan; and,

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46 WHEREAS, CPAM-10-04 will be transmitted to DCA along with CPAM-10-01, CPAM-10-
47 02, and CPAM-10-03 as part of the same plan amendment cycle/package.
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HERNANDO COUNTY COMPREHENSIVE PLAN
CPAM-10-04
October 6, 2010

LOCATION OF MINING RELATED INDUSTRIAL USES

OBJECTIVE 1.02C: **PROVIDE FOR THE COMPATIBLE AND COORDINATED DEVELOPMENT OF INDUSTRIES WHICH CONSUME MINING PRODUCTS AND CO-LOCATED MINING SUPPORT RELATED INDUSTRIAL USES WITHIN THE MINING LAND USE CATEGORY.**

POLICY 1.02C(1): The purpose and primary benefit of allowing these related industrial uses to be co-located with surface mining activities facilitates Hernando County's economic development efforts to recruit and retain primary industries and create jobs for its residents.

POLICY 1.02C(2): Identify mining support related industries that only provide services and products to be used in the extraction processes to include: heavy equipment servicing, parts, repairs, and tire sales; industrial equipment parts, services and fabrication; explosives and drilling contractors; steel suppliers, fabrication and contractors; machine shops; raw material suppliers (steel, tires, etc.); truck terminals related to cement, aggregate or construction materials; co-generation facilities; and other similar activities or uses. Retail uses shall not be allowed.

POLICY 1.02C(3): Identify industries which consume mining products to include: ready-mix plants; asphalt plants; brick and block manufacturing; concrete pre-stress and pre-cast products; roofing and shingle products; and other similar activities or uses.

POLICY 1.02C(4): The County shall identify and include in its Land Development Regulations specific requirements for mining support related and consumers of mining products industries permitted within the Mining District.

POLICY 1.02C(5): External access for mining support related industries and consumers of mining products industries within the Mining District shall be provided by the primary mine entrance. Development of the mining support industries shall utilize appropriate access management techniques and controls to accommodate anticipated traffic. The use of existing rail access points is also encouraged.

1 **POLICY 1.02C(6):** Adverse noise impacts of proposed mining related support and
2 consumers of mining products industries on adjacent or surrounding
3 land uses shall be minimized through the use of berms and buffers as
4 identified in Objective and Policies 1.08B.

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6 **POLICY 1.02C(7):** In order to establish the industrial uses outlined in Policies 1.02C(2)
7 and (3) above and specify their locations on mining properties, an
8 amendment to the existing Master Mining Plan Approval (MAMPA)
9 meeting the requirements of the Hernando County Code of
10 Ordinances will be required. The approval process to establish the
11 aforementioned industrial uses shall include, but not be limited to,
12 review of the following natural resource issues stormwater
13 management, groundwater protection, karst features, and protected
14 species.

EDUCATIONAL LAND USE REGULATION AND DENSITY STANDARDS

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19 **OBJECTIVE 1.01I:** **ESTABLISH STANDARDS FOR THE LOCATION OF**
20 **FUTURE SCHOOL SITES.**

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22 **POLICY 1.01I(15):** The County supports the concept of neighborhood schools in order
23 to promote community identity and character and reduce vehicle
24 trips on the functionally classified road network. For the purposes of
25 comprehensive planning, neighborhood schools are defined as
26 schools suitable in scale for compatible location in residential
27 communities, subdivisions, developments, areas, or neighborhoods;
28 ~~For the purposes of this section, compatible means design student~~
29 ~~capacity does not exceed 400 student stations;~~ that adequate
30 infrastructure and services are in place or programmed in the Capital
31 Improvements Plan to provide sewer, potable water, roads, police
32 protection, fire and emergency medical services, and drainage
33 facilities to the school and surrounding residential uses in
34 conformance with applicable Level of Service standards and within
35 capacities of local streets. Neighborhood schools shall have design
36 student capacities suitable for serving the residential communities,
37 subdivisions, developments, areas, or neighborhoods in which they
38 are located. Neighborhood schools should have joint-use recreation
39 facilities or, be co-located within one-quarter mile of a
40 neighborhood, community or district park. Neighborhood schools
41 will usually be singular facilities to serve as neighborhood focal
42 points, and usually not part of a larger school complex.

**Hernando County Comprehensive Plan - Section D
Mapping Criteria and Land Uses Allowed**

MINING

- Mapping Criteria. This classification consists of the area north of S.R. 50 within the outer boundaries of mining zoned properties existing as of June 7, 1989, and lands which receive comprehensive plan amendment approval to the mining land use category after June 7, 1989. The maximum Floor Area Ratio shall be .1.

- Purpose. To allow for the extraction of mineral resources where impact on major residential areas will be minimal. Allow for co-location of mining support related or industrial uses which consume mining products within the mining land use category where surface mining occurs.

- Land Use Allowed. Mining and ancillary mining activities, mining support related or industrial uses which consume mining products, and agriculture.