
Sec. 4.3.11. Mining and excavation.

- A. Existing mines which are permitted in conformance with the requirements of the Florida Statutes and the Florida Administrative Code will be allowed to continue operation in rural and urban areas wherein the excavation, screening, crushing, processing, storing or distributing of limerock, phosphate, sand, gravel, clay or other mineral resources, within the same ownership or leasehold, has been actively pursued within the three-year period prior to June 11, 1992.
- B. Resource extraction from sites other than existing mines will be allowed in any zoning classification by SUP. Buffers and screening will be provided within a minimum setback of 25 feet in accordance with Article 6. Resource extraction shall be conducted in accordance with federal and state statutes. For purposes of this Section, any removal of excavated material from a site for offsite use or sale, whether or not associated with a permitted development or an approved Mass Grading Plan, constitutes "resource extraction" and requires a Special Use Permit (SUP), except as expressly limited in § 4.3.11(B)(1)(c). "Resource extraction" has the meaning set forth in F.S. § 378.403(6); "Borrow pit" has the meaning set forth in F.S. § 378.403(3); "Net cubic yards" include only the volume of unsuitable material removed for legitimate onsite construction purposes and excludes otherwise suitable fill removed for commercial use.
- (1) Exceptions. A SUP is not required for the following activities:
- a. Existing mines covered by Section 4.3.11.A above.
 - b. Expansion of existing, on-going aquaculture operations.
 - c. . Excavation incidental to permitted commercial, industrial, or residential site improvements where all excavated material remains on-site for on-site use or on-site disposal, and no excavated material is removed from the site for sale or off-site use.
Limited off-site removal of unsuitable material (e.g., muck, contaminated soils, or clay) necessary to construct approved stormwater facilities may occur, provided the total off-site removal does not exceed 5,000 net cubic yards or 200% of the minimum stormwater retention/detention volume required for the approved project, whichever is less, and provided the removed material is not suitable for structural fill and is not sold or used as a commercial resource. Any off-site removal beyond these limits, or any off-site removal of suitable sand/fill for sale or commercial use, is resource extraction and requires an SUP under this Section
 - d. . Excavation for ponds solely to serve on-site stormwater management or bona fide agricultural uses, where all excavated material remains on-site and is not sold or removed for off-site use. Any off-site removal of material from pond construction constitutes resource extraction and requires an SUP.
 - e. . Road construction projects under an approved permit where removal of unsuitable material is necessary and no excavated material is sold for off-site use. Off-site sale or use of suitable sand/fill removed from such projects constitutes resource extraction and requires an SUP
- C. New and expanding mining projects which include: (a) at least 35 percent of the proposed excavated area is located in a MCAVA category of "more" or "most" vulnerable, or (b) the operations will excavate within 15 feet of predicted height of potentiometric surface, or lime rock, whichever is higher, shall meet the requirements of the Springs Protection Overlay Zone in Article 5.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017)