

ORDINANCE #2004-03

AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE OF ORDINANCES BY AMENDING APPENDIX A, ZONING, ARTICLE I, SECTION 3. DEFINITIONS BY MODIFICATION; BY AMENDING APPENDIX A, ZONING, ARTICLE II. GENERAL REGULATIONS, SECTION 1. APPLICATION OF REGULATIONS AND CLASSIFICATIONS OF STRUCTURES AND USES. B. LAND USE CLASSIFICATIONS THROUGH ALPHABETIZING AND MODIFICATION; BY AMENDING APPENDIX A, ZONING, ARTICLE III. SPECIFIC REGULATIONS, SECTION 3. SPECIFIC USE REGULATIONS (K) COMMERCIAL DESIGN STANDARDS, (2) APPLICABILITY, THROUGH MODIFICATION; BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE IV. ZONING DISTRICT REGULATIONS, SECTION 1. ESTABLISHMENT OF ZONING DISTRICTS THROUGH MODIFICATION; BY AMENDING ARTICLE IV. SECTION 2. RESIDENTIAL DISTRICTS THROUGH ADDITION OF CRITERIA RELATING TO PORTABLE STORAGE; BY AMENDING APPENDIX A, ARTICLE IV. SECTION 3. COMMERCIAL DISTRICTS THROUGH MODIFICATION OF PERMITTED USES; BY AMENDING APPENDIX A, ARTICLE IV. SECTION 3. COMMERCIAL DISTRICTS THROUGH ADDITION OF A SPECIAL EXCEPTION USE FOR A COMMERCIAL VEHICLE PARKING LOT IN THE C-1 AND C-2 ZONING DISTRICTS; BY AMENDING ARTICLE IV. SECTION 3. COMMERCIAL DISTRICTS THROUGH ELIMINATION OF AN OUTDATED DEFINITION REFERENCE IN THE CM-1 (COMMERCIAL MARINE) ZONING DISTRICT; BY AMENDING ARTICLE IV. SECTION 3. COMMERCIAL DISTRICTS THROUGH ADDITION OF RESIDENTIAL PROTECTION CRITERIA IN ALL COMMERCIAL ZONING DISTRICTS; BY AMENDING ARTICLE IV. SECTION 3. COMMERCIAL DISTRICTS THROUGH ADDITION OF CRITERIA FOR PORTABLE STORAGE; BY AMENDING APPENDIX A, ARTICLE IV. SECTION 4. INDUSTRIAL DISTRICTS THROUGH MODIFICATION OF DIMENSION AND AREA REGULATIONS AND ADDITION OF RESIDENTIAL PROTECTION CRITERIA IN ALL INDUSTRIAL DISTRICTS; BY AMENDING APPENDIX A, ARTICLE IV. SECTION 6. RURAL DISTRICTS, A. AGRICULTURAL DISTRICT, AND B. COUNTRY 2.5 DISTRICT, THROUGH ADDITION OF CRITERIA RELATING TO PORTABLE STORAGE; BY AMENDING APPENDIX A, ARTICLE IV. SECTION 13. AGRICULTURAL/RESIDENTIAL DISTRICTS THROUGH ADDITION OF CRITERIA RELATING TO PORTABLE STORAGE; BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE V. ADMINISTRATION, SECTION 4. CONDITIONAL USE PERMIT, C. (1) THROUGH MODIFICATION; BY AMENDING ARTICLE VIII. PLANNED DEVELOPMENT PROJECT THROUGH ADDITION OF RESIDENTIAL PROTECTION STANDARDS FOR COMMERCIAL AND INDUSTRIAL PLANNED DEVELOPMENT PROJECTS; BY AMENDING APPENDIX A, ARTICLE VIII, PLANNED DEVELOPMENT PROJECT THROUGH ADDITION OF CRITERIA FOR COMMERCIAL PLANNED DEVELOPMENT PROJECTS EXCEEDING AN

INTENSITY THRESHOLD; BY AMENDING APPENDIX A, ARTICLE VIII. PLANNED DEVELOPMENT PROJECT THROUGH ADDITION OF CRITERIA RELATING TO PORTABLE STORAGE IN COMMERCIAL AND RESIDENTIAL PLANNED DEVELOPMENT PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. BY AMENDING ARTICLE I. SECTION 3. DEFINITIONS THROUGH MODIFICATION BY ADDITION OF A DEFINITION OF PORTABLE, AS FOLLOWS:

126. Portable: Designed to be moved from place to place, not permanent.

SECTION 2. BY AMENDING ARTICLE II. GENERAL REGULATIONS, SECTION 1. APPLICATION OF REGULATIONS AND CLASSIFICATIONS OF STRUCTURES AND USES. B. LAND USE CLASSIFICATIONS THROUGH MODIFICATION AND ALPHABETIZE AS FOLLOWS:

B. The Administrative Official shall classify all existing and future structures and uses of premises based on the definitions as set forth in Article I and on the following schedule:

Land Use Classifications

1. Aircraft Establishments
 - a. Aircraft
 - b. New parts and accessories
 - c. Reconditioned parts and accessories
2. Aircraft Parts Establishments
 - a. Excluding structural aircraft parts, no assembly allowed
 - i. Instruments
 - ii. Engine Parts
3. Animal Specialty Farms

- a. Apiaries
 - b. Dog farms
 - c. Fox farms
 - d. Horse farms
 - e. Mink farms
 - f. Rabbit farms
4. Antique Stores
 - a. Antique furniture and home furnishings
 - b. Objects of art
 - c. Related antique accessories
 5. Automobile Dealer Establishments
 - a. Automobiles and trucks
 - b. New parts and accessories
 6. Automobile Equipment Rental Establishments
 - a. Rental or leasing large equipment and machinery
 7. Automobile Glass Establishments
 - a. Retail sales and associated storage of automobile and light truck glass
 - b. Replacement of automobile and light truck glass
 8. Automobile Parking Establishments
 9. Automobile Service Establishments
 - a. Car washing, waxing, polishing
 - b. Windshield wiper changes, oil changes, tune ups, tire repair, brake repair, battery and ignition system repair, and other similar minor repair
 10. Automobile Specialty Establishments
 - a. Travel trailers
 - b. Mobile homes
 - c. Motorcycles
 - d. Similar automotive product specialties
 11. Automobile and Truck Rental or Leasing Establishments

12. Automobile and Truck Repair Establishments
 - a. Repair of automobile or truck tops, bodies, and radiators
 - b. Automobile truck painting and refinishing and repair and replacement of glass
 - c. General and specialized similar automobile or truck repairs including motorcycles, farm tractors and similar farm equipment repairs
 - d. Transmission repair, drive train repairs, engine overhauls, and similar major repairs

13. Boatyards
 - a. heavy repair and boat building

14. Building Material Establishment
 - a. Lumber
 - b. Building Materials
 - c. Hardware
 - d. Paint and glass
 - e. Electrical supplies
 - f. Roofing materials

15. Business, Professional and Nonprofit Organizations Offices
 - a. Finance, insurance and real estate functions
 - b. Medical and other health out-patient functions
 - c. Legal functions
 - d. Engineering, architectural and planning functions
 - e. Accounting, auditing and bookkeeping functions
 - f. Welfare and charitable administrative and executive functions
 - g. Business, professional, political, labor, civic, social and fraternal associations, organizations and union administrative and executive functions
 - h. Advertising, employment, protective, business, and management consulting functions
 - i. Administrative and executive functions

16. Business Training Schools
 - a. Correspondence schools
 - b. Business and stenographic schools
 - c. Barber and beauty schools
 - d. Art and music schools
 - e. Dancing schools

17. Cemeteries
18. Charitable Organizations
19. Child Care Facilities
20. Civic Centers
21. Clubhouses
22. Commercial Amusement Establishments
 - a. Profit-oriented amusements
 - b. Outdoor commercial amusement facility
 - (1) Drive-in motion picture theater
 - (2) Golf courses, driving ranges, carpet golf courses
 - (3) Stadium complexes
 - (4) Racetracks
 - (5) Travel trailer parks
 - (6) Boat, canoe, motorcycle, bicycle and off-road vehicle rental establishment where rented items are used on the premises
 - (7) Turkey shoots
 - (8) Carnival-type rides
 - (9) Sightseeing tours
23. Commercial Billboard Advertising Sign
24. Commercial Fishing Pond
25. Commercial Riding Stables
26. Commercial Vehicle Parking Lot
27. Community Residential Homes
28. Comparison Goods Stores
 - a. Clothing
 - b. Shoes
 - c. Apparel accessories
 - d. Furniture
 - e. Appliances
 - f. Home furnishings
 - g. Retail pet stores

29. Concession Stands
30. Congregate Care Homes and Facilities:
 - a. Adult family care homes
 - b. Homes for special services
 - c. Transitional living facilities
 - d. Adult day care homes
 - e. Assisted living facilities
31. Construction Service Establishments
 - a. Operative and investment builders
 - b. Subdividers and developments
 - c. General building heavy construction and special trade contractors
 - d. Plumbing, painting, electrical work and carpentry contractors
 - e. Highway, bridges, dams, sewer and water system contractors
32. Convenience Goods Stores
 - a. Groceries
 - b. Drugs
 - c. Notions
 - d. Toiletries
 - e. Sundries
 - f. Associated Gas sale
33. Cultural Facilities
 - a. Libraries
 - b. Museums
 - c. Art galleries and arboreta
 - d. Botanical and zoological gardens
34. Domestic and Business Repair Establishments
 - a. Small electrical appliances, radios and television repairs
 - b. Re-upholstery and furniture repairs
 - c. Bicycle, leather goods, locks, guns and musical instruments
 - d. Business machine and typewriter repairs
35. Domestic and Business Service Establishments
 - a. Duplicating, mailing and stenographic services
 - b. Blueprinting and photocopying services

- c. Window cleaning, floor waxing, office cleaning and janitorial services
 - d. Disinfecting and exterminating services
 - e. Ambulance services
 - f. Catering services
36. Domestic Rental Service
- a. Renting or leasing small miscellaneous merchandise products or goods
 - b. Taxi and limo services
37. Dude Ranches
38. Educational Facilities
- a. Nursery schools and kindergartens
 - b. Elementary, secondary, and vocational schools
 - c. Junior colleges, colleges, universities and professional schools
39. Farm Equipment and Supply Establishments
- a. Farm equipment
 - b. Machinery
 - c. Hardware
 - d. Production
 - e. Miscellaneous farm and garden supplies
40. Farming
- a. Field crops
 - b. Fruit
 - c. Tree nuts
 - d. Vegetables
 - e. Livestock
 - f. Livestock products
 - g. Poultry hatcheries
 - h. Animal husbandry activities
 - i. Dairies
 - j. Poultry feed lots
41. Farming Service Establishments
- a. Crop dusting
 - b. Vegetable and fruit picking
 - c. Grain cleaning, harvesting, plowing and similar operations

42. Fisheries
 - a. Commercial fishing
 - b. Operation of oyster farms
 - c. Tonging and dredging oysters
 - d. Gathering of sponges, seaweed
 - e. Operation of fish hatcheries or fishing preserves
43. Fishing Camps
44. Forestry
 - a. Commercial operation of timber tracts, forest nurseries
 - b. Reforestation services
 - c. Gathering of gums, barks, balsam needles, maple sap, Spanish moss and other forest products
 - d. Forest Management Activities
45. Forestry Service Establishments
 - a. Timber production, wood technology, forestry economics and marketing
 - b. Timber, fire fighting, reforestation
46. Gasoline Service Stations
 - a. Gasoline and lubricating oils
 - b. Retail selling of minor automotive accessories
 - c. Performing of minor automotive repair work
 - d. Associated convenience good sales
47. Gift Shops
48. Government Research and Associated Education Facilities
49. Governmental Uses and Structures
 - a. Emergency medical service facilities
 - b. Fire Departments
 - c. Police Stations
 - d. Public Libraries
 - e. Public Buildings and Centers
 - f. Public Auditoriums, Arenas, Museums and Art Galleries
 - g. Public Educational Facilities
 - h. Government Post Offices

- i. Sanitary Landfills
 - j. Digesters
 - k. Water Treatment Plants
 - l. Domestic Wastewater Facilities
50. Heating fuel and ice establishments
- a. Coal, wood, heating fuel oil, bottled gas and/or ice
51. Home Occupations
52. Horse Show
53. Horticultural Specialty Farms
- a. Greenhouse, frame, cloth house, lath house, or outdoor-grown horticultural specialty crops
54. Hospitals
55. Hunting Camps
56. Hunting, Trapping and Game Propagation
57. Landscaping Service Establishments
- a. Horticultural services
 - b. Cemetery upkeep
 - c. Landscape gardening
 - d. Tree planting
58. Laundry and Dry Cleaning Plants
59. Light Research, Development and Testing Establishments normally associated with Mining Activities
60. Live Aboards
- a. permanent residence aboard a docked or moored boat
61. Livestock Auctions
62. Manufacturing
63. Marine Establishments

- a. Boats and motorboats
 - b. New parts and accessories
64. Mining
- a. Quarrying
 - b. Well operation
 - c. Crushing
 - d. Screening
 - e. Flotation
65. Mortuaries, Funeral Homes and Crematories
66. Motor Freight Transportation Establishments
- a. Local or long distance trucking
 - b. Transfer and draying services
 - c. Trucking and freight handling services
67. Noncommercial Amusement Facilities
- a. Nonprofit oriented recreation
 - b. Noncommercial operation of sports and recreational services
68. Nursing Care Homes
- a. Convalescent homes
 - b. Rest homes
 - c. Homes for the aged or infirm
 - d. Convalescent homes for children
 - e. Hospice facilities
69. Outdoor Advertising Service Establishments
70. Paint Ball Ranges
71. Personal Services Establishments
- a. Beauty and barber services
 - b. Garment mending
 - c. Alteration and related minor pressing services
 - d. Laundry and dry cleaning pickup services
 - e. Self-service or coin-operated laundromat
 - f. Fur repair and storage services
 - g. Shoe shining, shoe repair and hat cleaning service

- h. Watch, clock and jewelry repair services
 - i. Commercial photographic services
 - j. Tattoo/Body Piercing services
72. Places of Public Assembly
- a. Social Clubs
 - b. Religious Establishments
 - c. Public Meeting Halls
 - d. Community Centers
 - e. Civic Centers
 - f. Fraternal Organizations
 - g. Cultural Facilities
73. Private Airstrips
74. Public Service Facility Uses and Structures
- a. Transmission Lines
 - i. gas lines 24" or greater
 - ii. water lines 24" or greater
 - iii. sewer lines 24" or greater
 - iv. electric lines 230 kv or greater
 - b. Compressor Stations
 - c. Construction and Demolition Debris Landfill
 - d. Sanitary Landfills
 - e. Substations
 - f. Domestic Waste Water Facilities
 - g. Public Water Supply Wellfields
 - h. Public Water Storage Facilities
 - i. Water Pumping Facilities connected to water lines 24" or greater
 - j. Sewer Lift Facilities connected to sewer lines 24" or greater
 - k. Digesters
 - l. Water Treatment Plants
 - m. Air Curtain Incinerators
 - n. Telephone Switching Facilities
 - o. Communication Towers
 - p. Railroad Tracks
75. Publishing and Printing Service Establishments
- a. Duplicating, mailing and stenographic services
 - b. Blueprinting and photocopying services
 - c. Commercial and job printing services
 - d. Newspaper publishing and printing

- 76. Recreational Facilities
- 77. Rental Stores
- 78. Residential
 - a. Single-family residence
 - b. Duplex
 - c. Multifamily dwellings
 - d. Single-family mobile home
 - e. Duplex mobile home
 - f. Lodging house
 - g. Rental apartment
 - h. Boardinghouse
- 79. Resource-Oriented Recreational Activities
 - a. Hunting
 - b. Fishing
 - c. Canoeing
 - d. Camping
 - e. Hiking
 - f. Nature Observation
 - g. Natural Swimming Areas
 - h. Picnicking
 - i. Bicycling
 - j. Horse-back riding
- 80. Restaurants
 - a. Drive-in restaurants
- 81. Retail Food Stores
 - a. Grocery stores
 - b. Produce markets
 - c. Meat markets
 - d. Fish markets
 - e. Fruit stands
 - f. Bakeries
 - g. Other retail food shops
- 82. Retail Plant Nurseries with Outside Storage
- 83. Rodeo

- 84. Seafood Processing Plants
- 85. Secondhand Stores
 - a. Used clothing
 - b. Used furniture
 - c. Used books
- 86. Substance-abuse Rehabilitation Facilities
- 87. Wholesale and Storage Establishments
 - a. Wholesaling and warehousing
 - b. Open and tank storage
 - c. Other nonretail sales and functions of a similar nature
- 88. Wildlife Management Activities

SECTION 3. BY AMENDING ARTICLE III. SPECIFIC REGULATIONS, SECTION 3. SPECIFIC USE REGULATIONS (K) COMMERCIAL DESIGN STANDARDS, (2) APPLICABILITY, THROUGH ADDITION OF (B) AND RELETTERING SUBSEQUENT ITEMS AS FOLLOWS:

K. COMMERCIAL DESIGN STANDARDS

2. Applicability

- A. Provisions of this section are applicable to all retail commercial development whose total gross building area is less than 25,000 square feet, all non-retail commercial development regardless of size, and all office development regardless of size. The design standards apply to the commercial and office projects specified above located within the C-1, C-2, C-3, OP, PDP(GHC), PDP(GC), PDP(HC), PDP(NC) and PDP(OP). The provisions of this section do not apply to any industrial zoning categories.
- B. If a single use, single lot development comprised of multiple buildings is being phased by the developer, and a phase of the development has been constructed or received a development permit at the time of adoption of this ordinance, subsequent development must either meet the minimum standards provided for herein, or continue with the same architectural design and concept as the existing development.

SECTION 4. BY AMENDING ARTICLE IV. ZONING DISTRICT REGULATIONS, SECTION 1. ESTABLISHMENT OF ZONING DISTRICTS THROUGH MODIFICATION of A.(16) C-1 GENERAL COMMERCIAL DISTRICT, AND A.(17) C-2 HIGHWAY COMMERCIAL DISTRICT AS FOLLOWS:

ARTICLE IV. ZONING DISTRICT REGULATIONS

Section 1. Establishment of Zoning Districts.

- (16) *C-1 General Commercial District:* This district is predominately designed to serve the general retail shopping needs of a community or area with uses to include convenience goods, shopping goods, personal services and limited institutional uses.
- (17) *C-2 Highway Commercial District:* This district is designed to permit the development of commercial areas at appropriate locations on major highways and is intended to meet the needs of motorists and other consumers through the provision of automobile-oriented service activities and other heavier commercial activities, in addition to those allowable in the C-1 district, located in a desirable grouping rather than in a strip or linear fashion along the highway.

SECTION 5: BY AMENDING ARTICLE IV. SECTION 2. (A) R-1A RESIDENTIAL DISTRICT (4) DIMENSION AND AREA REGULATIONS BY ADDITION OF (I) CRITERIA RELATING TO PORTABLE STORAGE STRUCTURES AS FOLLOWS:

Section 2. Residential Districts.

A. R-1A Residential District:

(4) Dimension and area regulations:

- (I) A portable storage structure not to exceed 160 square feet in size is allowable in conjunction with the residential use of a property when the storage structure is associated with remodeling, other construction, or moving. Such portable storage structure shall be allowable for a period not to exceed 30 days except when used in conjunction with a building permit issued for remodeling or other construction. In these cases, the portable storage structure is allowable for a period to correspond with the building permit.

SECTION 6: BY AMENDING ARTICLE IV. SECTION 2. (B) R-1B RESIDENTIAL DISTRICT (4) DIMENSION AND AREA REGULATIONS BY ADDITION OF (I) CREATING CRITERIA RELATING TO PORTABLE STORAGE STRUCTURES AS FOLLOWS:

B. R-1B Residential District:

(4) Dimension and area regulations:

- (1) A portable storage structure not to exceed 160 square feet in size is allowable in conjunction with the residential use of a property when the storage structure is associated with remodeling, other construction, or moving. Such portable storage structure shall be allowable for a period not to exceed 30 days except when used in conjunction with a building permit issued for remodeling or other construction. In these cases, the portable storage structure is allowable for a period to correspond with the building permit.

SECTION 7: BY AMENDING ARTICLE IV. SECTION 2. (C) R-1C RESIDENTIAL DISTRICT (4) DIMENSION AND AREA REGULATIONS BY ADDITION OF (I) CREATING CRITERIA RELATING TO PORTABLE STORAGE STRUCTURES AS FOLLOWS:

C. R-1C Residential District:

(4) Dimension and area regulations:

- (1) A portable storage structure not to exceed 160 square feet in size is allowable in conjunction with the residential use of a property when the storage structure is associated with remodeling, other construction, or moving. Such portable storage structure shall be allowable for a period not to exceed 30 days except when used in conjunction with a building permit issued for remodeling or other construction. In these cases, the portable storage structure is allowable for a period to correspond with the building permit.

SECTION 8: BY AMENDING ARTICLE IV. SECTION 2. (D) R-2.5 RESIDENTIAL DISTRICT (4) DIMENSION AND AREA REGULATIONS BY ADDITION OF (n) CREATING CRITERIA RELATING TO PORTABLE STORAGE STRUCTURES AS FOLLOWS:

D. R-2.5 Residential District

(4) Dimension and area regulations:

- (n) A portable storage structure not to exceed 160 square feet in size is allowable in conjunction with the residential use of a property when the storage structure is associated with remodeling, other construction, or moving. Such portable storage structure shall be allowable for a period not to exceed 30 days except when used in conjunction with a building permit issued for remodeling or other construction. In these cases, the portable storage structure is allowable for a period to correspond with the building permit.

SECTION 9: BY AMENDING ARTICLE IV. SECTION 2. (E) RM RESIDENTIAL DISTRICT (4) DIMENSION AND AREA REGULATIONS BY ADDITION OF (l) CREATING CRITERIA RELATING TO PORTABLE STORAGE STRUCTURES AS FOLLOWS:

E. RM Residential District

(4) Dimension and area regulations:

- (l) A portable storage structure not to exceed 160 square feet in size is allowable in conjunction with the residential use of a property when the storage structure is associated with remodeling, other construction, or moving. Such portable storage structure shall be allowable for a period not to exceed 30 days except when used in conjunction with a building permit issued for remodeling or other construction. In these cases, the portable storage structure is allowable for a period to correspond with the building permit.

SECTION 10: BY AMENDING ARTICLE IV. SECTION 2. (F) R-2 RESIDENTIAL DISTRICT (4) DIMENSION AND AREA REGULATIONS BY ADDITION OF (k) CREATING CRITERIA RELATING TO PORTABLE STORAGE STRUCTURES AS FOLLOWS:

F. R-2 Residential District

(4) Dimension and area regulations:

- (k) A portable storage structure not to exceed 160 square feet in size is allowable in conjunction with the residential use of a property when the storage structure is associated with remodeling, other construction, or moving. Such portable storage structure shall be allowable for a period not to exceed 30 days except when used in conjunction with a building permit issued for remodeling or other construction. In these cases, the portable storage structure is allowable for a period to correspond with the building permit.

SECTION 11: BY AMENDING ARTICLE IV. SECTION 2. (G) R-3 RESIDENTIAL DISTRICT (4) DIMENSION AND AREA REGULATIONS BY ADDITION OF (I) CREATING CRITERIA RELATING TO PORTABLE STORAGE STRUCTURES AS FOLLOWS:

G. R-3 Residential District

(4) Dimension and area regulations:

- (I) A portable storage structure not to exceed 160 square feet in size is allowable in conjunction with the residential use of a property when the storage structure is associated with remodeling, other construction, or moving. Such portable storage structure shall be allowable for a period not to exceed 30 days except when used in conjunction with a building permit issued for remodeling or other construction. In these cases, the portable storage structure is allowable for a period to correspond with the building permit.

SECTION 12: BY AMENDING ARTICLE IV. SECTION 2. (H) R-4 RESIDENTIAL DISTRICT (4) DIMENSION AND AREA REGULATIONS BY ADDITION OF (I) CREATING CRITERIA RELATING TO PORTABLE STORAGE STRUCTURES AS FOLLOWS:

H. R-4 Residential District

(4) Dimension and area regulations:

- (I) A portable storage structure not to exceed 160 square feet in size is allowable in conjunction with the residential use of a property when the storage structure is associated with remodeling, other construction, or moving. Such portable storage structure shall be allowable for a period not to exceed 30 days except when used in conjunction with a building permit issued for remodeling or other construction. In these cases, the portable storage structure is allowable for a period to correspond with the building permit.

SECTION 13: BY AMENDING ARTICLE IV. SECTION 2. (I) R-R RESIDENTIAL DISTRICT (4) DIMENSION AND AREA REGULATIONS BY ADDITION OF (I) CREATING CRITERIA RELATING TO PORTABLE STORAGE STRUCTURES AS FOLLOWS:

I. R-R Residential District

(4) Dimension and area regulations:

- (l) A portable storage structure not to exceed 160 square feet in size is allowable in conjunction with the residential use of a property when the storage structure is associated with remodeling, other construction, or moving. Such portable storage structure shall be allowable for a period not to exceed 30 days except when used in conjunction with a building permit issued for remodeling or other construction. In these cases, the portable storage structure is allowable for a period to correspond with the building permit.

SECTION 14: BY AMENDING ARTICLE IV. SECTION 3. COMMERCIAL DISTRICTS THROUGH MODIFICATION OF PERMITTED USES IN C-1 AND C-2 COMMERCIAL ZONING DISTRICTS AS FOLLOWS:

Section 3. Commercial Districts.

The maximum building area permitted for single buildings or single site development with multiple buildings with the same use and owned and managed by the same entity in the commercial zoning districts provided for in this section shall be limited to 65,000 square feet. Any single building, or single site development with multiple buildings with the same use and owned and managed by the same entity, greater than 65,000 square feet may apply for approval through the Planned Development Project section of this ordinance. The following regulations shall apply to Commercial Districts as indicated:

A. Permitted uses:

- (1) Permitted uses in the C-1 Commercial District shall be as follows:
 - (a) Comparison goods stores
 - (b) Convenience goods stores with a limit of 12 vehicle fueling stations
 - (c) Personal service establishments
 - (d) Domestic and business service establishments
 - (e) Domestic and business repair establishments
 - (f) Business, professional and nonprofit organization offices
 - (g) Public offices
 - (h) Business training schools
 - (i) Restaurants with or without alcohol dispensation
 - (j) Indoor commercial amusement establishments
 - (k) Indoor motion picture theaters
 - (l) Motels
 - (m) Hotels
 - (n) Automobile parking establishments
 - (o) Gasoline service stations with a limit of 12 vehicle fueling stations
 - (p) Light building material establishments
 - (q) Mortuaries, funeral homes
 - (r) Antique stores

- (s) Alcoholic beverage dispensation package and restaurants only
 - (t) Retail food stores
 - (u) Veterinary clinics with air conditioned, sound-attenuated runs
 - (v) Light marine establishments
 - (w) Fire stations and state, county and municipal police stations
 - (x) Light domestic rental establishments
 - (y) Auto parts establishments
 - (z) Dry cleaning establishments
 - (aa) One (1) single-family dwelling unit (minimum of six hundred (600) square feet) per commercial parcel in conjunction with the operation of business on the premises; such single-family dwelling unit shall be an integral part of the principal business structure and located behind or above that portion of the business structure devoted to service to the public
 - (bb) Day care centers and preschools
 - (cc) Automobile service establishments limited to four (4) service bays
 - (dd) Places of Public Assembly
 - (ee) Fraternal organizations
 - (ff) Secondhand stores
 - (gg) Retail plant nurseries with outside storage limited to plants and packaged products
 - (hh) Auto glass establishments
 - (ii) Aircraft parts establishments
 - (jj) Nursing care homes
- (2) Permitted uses in a C-2 Highway Commercial District shall be as follows:
- (a) Any use permitted in a C-1 General Commercial District
 - (b) Drive-in restaurants
 - (c) Automotive dealer establishments, including the principal selling of used cars
 - (d) Tire and automotive accessory establishments
 - (e) Automotive specialty establishments
 - (f) Automotive and truck rental establishments
 - (g) Automobile dealer establishments for the principal selling of new cars with service establishments including body shops
 - (h) Automobile and truck repair establishments excluding body shops
 - (i) Veterinarian and animal clinics or hospital service establishment
 - (j) Alcoholic beverage dispensation
 - (k) Publishing and printing service establishments
 - (l) Domestic rental establishments
 - (m) Crematories
 - (n) Public transportation terminals for buses and taxis only
 - (o) Light construction service establishments
 - (p) Retail plant nurseries

- (q) Mini-warehouses
- (r) One (1) single-family dwelling unit (minimum of six hundred (600) square feet) per commercial parcel in conjunction with the operation of a business on the premises; such single-family dwelling unit shall be an integral part of the principal business structure and located behind or above that portion of the business structure devoted to service to the public
- (s) Boat sales and service with or without outside display
- (t) Light farm equipment and supply establishments
- (u) Light landscaping service establishments
- (v) Automobile service establishments

SECTION 15: BY AMENDING ARTICLE IV. SECTION 3. COMMERCIAL DISTRICTS THROUGH MODIFICATION PERMITTED USES IN COMMERCIAL MARINE DISTRICT CM-1 THROUGH DELETION OF OUTDATED DEFINITION REFERENCE AS FOLLOWS:

- (5) Permitted uses in the CM-1 Commercial Marine District shall be as follows:
 - (a) Marinas for pleasure craft with screened, fenced boat storage areas.*
 - (b) Marinas for commercial vessels which are less than 26' in length with screened, boat storage areas*
 - (c) Marinas for commercial vessels with screened, fenced boat storage areas.*

*Fencing shall be six (6) feet in height. Where fencing is not opaque, screening shall consist of a three-foot hedge along streets abutting the property. Tree plantings (one (1) per fifty (50) feet) shall be provided on property lines adjacent to commercially zoned property and a six-foot hedge along the property lines along residentially zoned property unless adjacent to a water body. Where fencing is opaque, one (1) tree per fifty (50) feet shall be provided along property lines to provide screening. Marinas, including expansions or additions to existing marinas, located on waterways shall be constructed with seawalls meeting county standards.

- (d) Accessory uses which are designed as an integral part of a marina, including, but not necessarily limited to the following:
 1. Administrative offices
 2. Gift and Souvenir shops
 3. Laundromats
 4. Restaurants

5. Sale of fuel and lubricants
 6. Sanitary facilities (restrooms and showers for transient persons; pump out facilities for on-board sanitation, wastewater holding pretreatment or treatment)
 7. Consumption on premises--In conjunction with a restaurant where the dispensation of alcoholic beverages is secondary to the dispensation of food
- (e) Bait and tackle shop
 - (f) Boat parts store including installation
 - (g) Docking or mooring facilities for pleasure craft
 - (h) Dry boat storage, not exceeding sixty (60) feet in height above flood zone
 - (i) Sales, service, minor repairs and rental of pleasure boats, motors and accessories
 - (j) Schools, commercial-limited to sailing and marine-oriented outdoor lifestyle schools
 - (k) One (1) single-family dwelling unit (minimum of six hundred (600) square feet) per commercial parcel in conjunction with the operation of a business on the premises; such single-family dwelling unit shall be an integral part of the principal business structure and located behind or above that portion of the business structure devoted to service to the public

SECTION 16: BY AMENDING ARTICLE IV. SECTION 3. COMMERCIAL DISTRICTS C. SPECIAL EXCEPTION USES (1) THROUGH ADDITION OF (c) COMMERCIAL VEHICLE PARKING LOT IN C-1 AS FOLLOWS:

C. Special exception uses:

- (1) Special exception uses in C-1 General Commercial Districts shall be as follows:
 - (a) As allowed per Article V, Section 8, Subsection C of these regulations
 - (b) Retail plant nurseries with outside storage
 - (c) Commercial vehicle parking lot as a principal use, provided:
 - i. The parking of commercial vehicles shall be limited to no more than ten commercial vehicles.
 - ii. The parking of commercial vehicles shall not be allowed on any commercial tract less than five acres in size.
 - iii. The parking of commercial vehicles shall only be allowed on paved parking lots.
 - iv. The property on which the commercial vehicles may park shall have direct access to a County truck route.

SECTION 17: BY AMENDING ARTICLE IV. SECTION 3. COMMERCIAL DISTRICTS THROUGH MODIFICATION OF C. SPECIAL EXCEPTION USES, (2) THROUGH THE ADDITION OF (e) COMMERCIAL VEHICLE PARKING LOT IN C-2 AS FOLLOWS:

C. Special exception uses:

- (2) Special exception uses in a C-2 Highway Commercial District shall be as follows:
 - (a) Automobile and truck repair establishments
 - (b) Light wholesale and storage establishment
 - (c) Heavy building material establishment
 - (d) Welding shops
 - (e) Commercial vehicle parking lot as a principal use, provided:
 - i. The parking of commercial vehicles shall be limited to no more than ten commercial vehicles.
 - ii. The parking of commercial vehicles shall not be allowed on any commercial tract less than five acres in size.
 - iii. The parking of commercial vehicles shall only be allowed on paved parking lots.
 - iv. The property on which the commercial vehicles may park shall have direct access to a County truck route.

SECTION 18: BY AMENDING ARTICLE IV. SECTION 3. COMMERCIAL DISTRICTS THROUGH ADDITION OF (E) RESIDENTIAL PROTECTION STANDARDS IN ALL COMMERCIAL DISTRICTS AS FOLLOWS:

E. Residential Protection Standards in all commercial districts:

- (1) There shall be no speakers or other sound equipment located within 100 feet of any single family residential district property line.
- (2) There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100 feet of any single family residential district property line.
- (3) No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100 feet of any single family residential district property line.

- (4) No building within 100 feet of any single family district residential district property line shall be more than 20 feet in height.
- (5) All loading bays and loading docks must be a minimum of 100' from any residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single family residential district property line. Screening may include landscape plantings, berms, fences or walls.
- (6) Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property, or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences or walls.

SECTION 19: BY AMENDING ARTICLE IV. SECTION 4. INDUSTRIAL DISTRICTS THROUGH MODIFICATION OF DIMENSION AND AREA REGULATIONS AND ADDITION OF (6) RESIDENTIAL PROTECTION STANDARDS IN ALL INDUSTRIAL DISTRICTS AS FOLLOWS:

Section 4. Industrial Districts.

- (5) Dimensions and area regulations: The following dimension and area regulations shall apply in all Industrial districts:
 - (a) The front yard requirement along U.S. 19, S.R. 50, U.S. 41, U.S. 98, U.S. 301, C.R. 578, and C.R. 485 shall be one hundred twenty-five (125) feet.
 - (b) Along all other functionally classified roads not included in (a) above as identified on the Existing Functional Classification Map developed by Hernando County, the front setback shall be 75'.
 - (c) Along all roadways not identified on the Existing Functional Classification Map, the minimum front yard requirement is thirty-five feet (35').

The Existing Functional Classification Map developed by Hernando County is hereby adopted by reference and made part of this Section. The official Existing Functional Classification Map shall be placed on file at the Hernando County Planning Department. The Existing Functional Classification Map may be modified by board resolution at any time upon notice of an advertised public hearing.

- (d) Minimum side yard requirement: The minimum side yard requirement for industrial districts is twenty (20) feet.

- (e) Minimum rear yard requirement: The minimum rear yard requirement for industrial districts is thirty-five (35) feet. The board may, upon request by an applicant, reduce the required rear yard where such rear yards would be adjacent to railroad sidings if such reduction would not be detrimental to surrounding areas.
 - (f) Industrial lots adjacent to residential districts: All industrial uses in all industrial districts which are located on lots adjacent to a residential district shall maintain a minimum setback requirement for all structures of thirty-five (35) feet in the side or rear yard adjacent to the residential district. The outer portion of the required thirty-five-foot setback bordering the parcel and adjacent to the residential district shall consist of a five-foot landscaped separation strip. The nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous residential properties by a wall, fence, evergreen, hedge, and/or other approved enclosures. Such screening shall have a minimum height of five (5) feet and a maximum height of eight (8) feet.
 - (g) Maximum building height: The maximum building height in industrial districts is forty-five (45) feet and/or three (3) stories. The maximum building height permitted may be increased provided one additional foot is added to each of the required yards for each additional foot of building height constructed over the maximum building height permitted. In such cases the minimum side yard requirement shall be thirty-five (35) feet plus one additional foot for each additional foot of building height constructed over the maximum building height permitted.
 - (h) Communication Tower: A monopole tower shall meet the setbacks of the Industrial District. In no case shall a monopole tower 100 feet in height or greater be located within 125% of its height to any residentially zoned property, unless such property is used or designated for a nonresidential use. In no case shall a monopole tower less than 100 feet in height be located within 100% of their height to any residentially zoned property unless such property is used or designated for a nonresidential use.
- (6) Residential Protection Standards in all industrial districts:
- (a) There shall be no speakers or other sound equipment located within 100 feet of any single family residential district property line.
 - (b) There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100 feet of any single family residential district property line.

- (c) No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas, shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100 feet of any single family residential district property line.
- (d) No building within 100 feet of any single family residential district property line shall be more than 20 feet in height.
- (e) All loading bays and loading docks must be a minimum of 100' from any single family residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single family residential district property line. Screening may include landscape plantings, berms, fences or walls.
- (f) Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property, or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences or walls.

SECTION 20: BY AMENDING ARTICLE IV. SECTION 13. AGRICULTURAL/RESIDENTIAL DISTRICTS. (A) (2) DIMENSION AND AREA REGULATIONS BY ADDITION OF (J) CREATING CRITERIA RELATING TO PORTABLE STORAGE STRUCTURES AS FOLLOWS:

Section 13. Agricultural/residential districts

(2) Dimension and area regulations:

- (j) A portable storage structure not to exceed 160 square feet in size is allowable in conjunction with the residential use of a property when the storage structure is associated with remodeling, other construction, or moving. Such portable storage structure shall be allowable for a period not to exceed 30 days except when used in conjunction with a building permit issued for remodeling or other construction. In these cases, the portable storage structure is allowable for a period to correspond with the building permit.

SECTION 21: BY AMENDING ARTICLE V. ADMINISTRATION, SECTION 4. CONDITIONAL USE PERMIT, C. (1) THROUGH MODIFICATION AS FOLLOWS:

Section 4. Conditional Use Permit.

- C. Conditional Use Permits allowable in any zoning category with Administrative Official Approval:
 - (1) Carnivals, circuses, tent revivals, festivals and special events of a similar nature where any associated retail sales are incidental to the use and not a principal or primary aspect of the use. The sale of alcoholic beverages in association with these types of events are exempt from the minimum separation distance for the sale of alcoholic beverages from a church or school.

SECTION 22: BY AMENDING ARTICLE VIII. SECTION 1. PLANNED DEVELOPMENT PROJECTS THROUGH ADDITION OF (N) CREATING CRITERIA RELATING TO PORTABLE STORAGE STRUCTURES IN RESIDENTIAL PDPS AS FOLLOWS:

ARTICLE VIII. PLANNED-DEVELOPMENT PROJECT

Section 1. Planned Development Projects:

- (N) Portable storage structure regulations in all residential PDPs:

A portable storage structure not to exceed 160 square feet in size is allowable in conjunction with the residential use of a property when the storage structure is associated with remodeling, other construction, or moving. Such portable storage structure shall be allowable for a period not to exceed 30 days except when used in conjunction with a building permit issued for remodeling or other construction. In these cases, the portable storage structure is allowable for a period to correspond with the building permit.

SECTION 23: BY AMENDING ARTICLE VIII. PLANNED DEVELOPMENT PROJECT THROUGH ADDITION OF SECTION 6. SPECIAL REGULATIONS, CREATING (A) RESIDENTIAL PROTECTION STANDARDS FOR COMMERCIAL AND INDUSTRIAL PLANNED DEVELOPMENT PROJECTS, AND (B) ADDITIONAL CRITERIA FOR COMMERCIAL PLANNED DEVELOPMENT PROJECTS EXCEEDING A THRESHOLD, AND RENUMBERING SUBSEQUENT OWNERSHIP STANDARDS AS SECTION 7. AS FOLLOWS:

ARTICLE VIII. PLANNED-DEVELOPMENT PROJECT

Section 6. Special Regulations:

- A. Residential Protection Standards in all commercial or industrial PDPs shall be subject to the following unless modified by section 6. B. herein,

- (1) There shall be no speakers or other sound equipment located within 100 feet of any single family residential district property line.
 - (2) There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100 feet of any single family residential district property line.
 - (3) No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100 feet of any single family residential district property line.
 - (4) No building within 100 feet of any single family residential district property line shall be more than 20 feet in height.
 - (5) All loading bays and loading docks must be a minimum of 100' from any single family residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single family residential district property line. Screening may include landscape plantings, berms, fences or walls.
 - (6) Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property, or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences or walls.
- B. Commercial development with any single building, or single site development with multiple buildings with the same use and owned and managed by the same entity, greater than 65,000 square feet is allowable through approval of a Planned Development Project. This type of development is generally compatible with the land uses permitted in the zoning district but because of the intensity may require additional conditions to ensure appropriateness at a particular location. The following shall be addressed by the BCC:
- (1) Enhanced screening and/or location of air conditioning and/or other operational equipment
 - (2) Limitations on hours of operation to ensure operational compatibility
 - (3) Screening and/or location of loading areas and loading docks
 - (4) Enhanced lighting beyond minimum standards

Section 7: Ownership Standards

In the event that the ownership of the parcels included in a Planned Development Project consists of two individuals, both individuals must agree to any revisions. If the ownership consists of three or more owners, fifty-one (51) percent of all the owners must agree to all revisions to the project.

SECTION 24. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance, For any reason, is held to be unconstitutional, void or invalid, the validity of the remaining portions of said ordinance shall not be affected thereby.

SECTION 25. 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 26. EFFECTIVE DATE

This Ordinance shall become effective upon receipt of the official acknowledgment from the office of the Secretary of State of the State of Florida that this Ordinance has been filed with said office.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION THIS 24th DAY OF FEBRUARY, 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]* 3/2/04
County Attorney's Office