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ORDINANCE NO. 2004-11

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DEPT. OF STATE  
TALLAHASSEE, FLORIDA

AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE OF ORDINANCES, APPENDIX A, ZONING; BY AMENDING ARTICLE I, (SHORT TITLE), DEPTH SECTION 3. DEFINITIONS, THROUGH ALPHABETIZATION, ADDITION AND MODIFICATION; BY AMENDING ARTICLE II. GENERAL REGULATIONS, SECTION 1. APPLICATION OF REGULATIONS AND CLASSIFICATIONS OF STRUCTURES AND USES. B. LAND USE CLASSIFICATIONS THROUGH ADDITION AND MODIFICATION; BY AMENDING ARTICLE II. GENERAL REGULATIONS, SECTION 4. GENERAL REGULATIONS FOR VEHICLES. A. OFF-STREET PARKING SPACE AND ACCESS THROUGH MODIFICATION OF (6) AND (7); BY AMENDING ARTICLE III. SPECIFIC REGULATIONS, SECTION 3. SPECIFIC USE REGULATIONS. SECTION REGARDING MODEL HOMES THROUGH MODIFICATION; BY AMENDING ARTICLE III. SPECIFIC USE REGULATIONS, SECTION 3. SPECIFIC USE REGULATIONS. BY ADDING A NEW SECTION INCLUDING STANDARDS FOR ALLOWING LIMITED BUSINESS ACTIVITIES INCIDENTAL TO RESIDENTIAL USE IN RESIDENTIAL, RURAL AND AGRICULTURAL-RESIDENTIAL ZONING CATEGORIES; BY AMENDING ARTICLE III. SPECIFIC REGULATIONS. SECTION 3. SPECIFIC USE REGULATIONS. E. RECREATION VEHICLES THROUGH MODIFICATION; BY AMENDING ARTICLE IV. ZONING DISTRICTS SECTION 2. A. R-1A, RESIDENTIAL DISTRICT (4) DIMENSION AND AREA REGULATIONS (h) MAXIMUM BUILDING AREA; BY AMENDING ARTICLE IV. ZONING DISTRICTS, SECTION 2. C. R-1C, RESIDENTIAL DISTRICT (4) DIMENSION AND AREA REGULATIONS (k)(vi) THROUGH MODIFICATION; BY AMENDING ARTICLE IV. ZONING DISTRICTS, SECTION 3. COMMERCIAL DISTRICTS, B. PERMITTED ACCESSORY USES AND STRUCTURES IN ALL COMMERCIAL DISTRICTS THROUGH ADDING A PROVISION FOR PORTABLE STORAGE STRUCTURES; BY AMENDING ARTICLE IV. ZONING DISTRICTS, SECTION 4. INDUSTRIAL DISTRICTS, (1) PERMITTED USES IN THE I-1 DISTRICT THROUGH MODIFICATION AND CREATION OF STANDARDS FOR OUTSIDE STORAGE IN THE I-1 LIGHT INDUSTRIAL ZONING DISTRICT; BY AMENDING ARTICLE IV. ZONING DISTRICTS, SECTION 6. RURAL DISTRICTS, A. AGRICULTURAL DISTRICT THROUGH INCLUSION OF A PROVISION FOR PIGEONS AND PIGEON AVIARIES; BY AMENDING ARTICLE IV. ZONING DISTRICTS, SECTION 6. RURAL DISTRICTS, A. AGRICULTURAL DISTRICT (3) SPECIAL EXCEPTION USE PERMIT BY ADDING A PROVISION FOR EXOTIC ANIMAL SPECIALTY FARMS; BY AMENDING ARTICLE IV. ZONING DISTRICTS, SECTION 6. RURAL DISTRICTS. A. AGRICULTURAL DISTRICT THROUGH INCLUSION OF A PROVISION FOR PORTABLE STORAGE STRUCTURES; BY AMENDING ARTICLE IV. ZONING DISTRICTS, SECTION 6. RURAL DISTRICTS, B. COUNTRY 2.5 DISTRICT. 5. ACCESSORY BUILDING AND STRUCTURES, VII. INCLUDING A PROVISION REGARDING PORTABLE STORAGE STRUCTURES; BY AMENDING ARTICLE IV. ZONING DISTRICTS, SECTION 6. RURAL DISTRICTS, B. COUNTRY 2.5 DISTRICT, 1.

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PERMITTED USES THROUGH INCLUSION OF A PROVISION FOR PIGEONS AND PIGEON AVIARIES; BY AMENDING ARTICLE IV. ZONING DISTRICTS, SECTION 13. AGRICULTURAL/RESIDENTIAL DISTRICTS, THROUGH ADDING A PROVISION FOR PIGEONS AND PIGEON AVIARIES; BY AMENDING ARTICLE V. ADMINISTRATION, SECTION 3. APPEALS AND VARIANCES H. REQUIRED NOTICE FOR APPEALS AND VARIANCES (3) SIGN POSTING, THROUGH ADDING (C) TO INCLUDE A PROVISION REQUIRING REMOVAL OF PUBLIC NOTICE SIGNS IN A SPECIFIED TIME FRAME; BY AMENDING ARTICLE V. ADMINISTRATION, SECTION 4. CONDITIONAL USE PERMITS (A) THROUGH ADDITION OF USES ALLOWED BY CONDITIONAL USE; BY AMENDING ARTICLE V. ADMINISTRATION SECTION 4. CONDITIONAL USE PERMITS BY MODIFICATION OF (D) APPLICATION PROCEDURE (2) INCLUDING A PROVISION TO REQUIRE REMOVAL OF PUBLIC NOTICE SIGNS WITHIN A SPECIFIED TIME FRAME; BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE V. ADMINISTRATION, SECTION 8. SPECIAL EXCEPTION USE REGULATIONS A. THROUGH MODIFICATION; BY AMENDING ARTICLE V. ADMINISTRATION, SECTION 8. SPECIAL EXCEPTION USE REGULATIONS, F. REQUIRED NOTICE (3) TO INCLUDE A PROVISION TO REQUIRE REMOVAL OF PUBLIC NOTICE SIGNS WITHIN A SPECIFIED TIME FRAME; BY AMENDING ARTICLE VI. AMENDMENTS, SECTION REGARDING REQUIRED NOTICE B. REQUIRED POSTING OF NOTICE THROUGH MODIFICATION TO INCLUDE A PROVISION TO REQUIRE REMOVAL OF PUBLIC NOTICE SIGNS WITHIN A SPECIFIED TIME FRAME; BY AMENDING ARTICLE VIII, PLANNED DEVELOPMENT PROJECT SECTION 5. PERMITTED USES, 16. PDP (RECREATION), THROUGH ADDITION; 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:

SECTION 1. BY AMENDING ARTICLE I (SHORT TITLE; DEFINITIONS), SECTION 3. DEFINITIONS, THROUGH ALPHABETIZATION, ADDITION AND MODIFICATION AS FOLLOWS:

**Section 3. Definitions.**

The words defined below are words which have special or limited meanings as used in this ordinance and might not otherwise be clear. Words whose meaning is self-evident as used in this ordinance are not defined here. Words used in the present tense shall include the future; the singular includes the plural, and vice versa; the word "shall" is mandatory; the word "may" is permissive.

1. Reserved.

2. Accessory building: A separate detached building, the use of which is customarily incidental to that of the principal building on the same lot. Detached shall be construed to mean structurally detached; not having a common wall.
3. Accessory use: A use customarily incidental to the principal use of the property.
4. Agricultural building or structure: Any building or structure accessory to the principal farming, forestry, fisheries, animal specialty farm or hunting, trapping and game propagation use of the land.
5. Airport: means any area of land or water, or any manmade object or facility located thereon, which is used or intended for use, for the landing and takeoff of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport buildings and facilities located thereon.
6. Altered: Any change or addition to the load-bearing members or the foundation of a structure.
7. Antenna: A device attached to a structure which is used for the transmission and/or receiving of radio, television, microwave, cellular, personal communication services or radar or any similar communication purpose. For the purposes of this ordinance, antennas utilized for noncommercial use shall be excluded.
8. Antenna Array: One or more antennas located on the same structure and at the same height.
9. Apartment building: A multi-family dwelling consisting of three (3) or more dwelling units in a single building primarily used as rentals property but may include limited convenience good stores.
10. Automobile and truck rental establishments: A premises, or portion of a premises, occupied by an establishment primarily engaged in renting or leasing passenger automobiles and/or trucks without drivers to meet the needs of the ultimate consumers.
11. Automobile parking establishments: A premises, occupied by an establishment primarily engaged in providing commercial parking facilities on open air lots and/or structures for relatively short periods of time directly to meet the needs of ultimate consumers normally for a fee or charge.
12. Bed and breakfast establishments: An owner or lessee occupied single family, two-family, mobile home, or multiple family dwelling unit which provides lodging and the breakfast meal on a daily basis. Bed and breakfasts are characterized by common open space and common dining facilities for guests only with sleeping units for rent with private or common restroom facilities. Generally bed and breakfast establishments are situated where resources unique to

the area are located. A bed and breakfast shall be compatible with any adjacent dwellings in the neighborhood. Signage shall not exceed four (4) square feet in size. Parking will be provided at a rate of one space per one sleeping room and it shall be buffered to blend into the area. The appearance and atmosphere of a bed and breakfast is intended to convey a feeling of being in a home rather than an institutional environment.

13. Boarding or rooming house: A building, or portion of a building, in which five or more sleeping rooms are provided for occupancy by nontransient persons with or without meals for compensation on a prearranged weekly or monthly basis. A boarding or rooming house may include living quarters containing independent cooking facilities designed for the resident manager only.
14. Building: Any structure which fully encloses space for the occupancy by person or their activities.
15. Building area: The total ground area, taken on a horizontal plane at the mean grade level, of each building and accessory building but not including uncovered entrance platforms, terraces, steps, pools and screened enclosures.
16. Building heights: The vertical distance measured from the established mean grade at the front building line to the highest point of the building.
17. Building line: A line drawn parallel to the front lot line and tangent to the nearest part of the principal building and extending from side lot line to side lot line.
18. Camouflaged Antenna: An antenna or antenna array designed to appear as part of an existing structure and not readily apparent to be an antenna.
19. Camouflaged Tower: A communication tower designed to appear as an object such as a church steeple, tree, building facade or other such object.
20. Certificate of use: A certificate, required by appropriate authority under the provisions of this ordinance, which authorizes the occupancy of a structure or premises and is required prior to occupancy, change of use and under other specific conditions.
21. Charitable organizations: non-profit service organization involved with charitable services including distribution of goods, foods and services. Administrative offices are included in conjunction with the operation of the charitable organization.
22. Collocation: The locating of one or more antenna arrays and support structures on either an existing communication tower or an existing structure.

23. Commercial Equipment: truck trailers, construction equipment, lawn equipment and similar devices utilized for commercial purposes.
24. Commercial Vehicles:
- a. A vehicle with a gross vehicle weight in excess of 10,000 pounds and utilized for commercial purposes; or,
  - b. A van with a width of more than eighty (80) inches and utilized for commercial purposes; or,
  - c. A vehicle with a gross vehicle weight of less than 10,000 pounds that has been modified with a utility body, tank or other similar commercial attachments, and utilized for commercial purposes.
25. Commercial vessel:
- (a) Any vessel primarily engaged in the taking or landing of saltwater fish or saltwater products or freshwater fish or freshwater products, or any vessel licensed pursuant to section 370.06, Florida Statutes from which commercial quantities of saltwater products are harvested, from within and without the waters of this state for sale either to the consumer, retail dealer, or wholesale dealer.
  - (b) Any vessel engaged in any activity wherein a fee is paid by the user, either directly or indirectly, to the owner, operator, or custodian of the vessel.
26. Commission: The Hernando County Planning and Zoning Commission.
27. Communication Tower: A structure, used for the purpose of elevating an antenna, placed on a foundation or existing structure and constructed to a given height for radio, television, microwave, cellular, personal communication services or radar or any similar communication purpose. For the purposes of this ordinance, communication towers utilized for noncommercial use shall be excluded.
28. Community center: Public assembly facility designated for use by all members of the surrounding community.
29. Community Residential Home: A dwelling unit licensed to serve clients of the Department of Health and Rehabilitative Services which provides a living environment for up to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

30. Conditional Use: A conditional use is intended to be utilized as a special permit which temporarily allows uses not otherwise permitted by this ordinance. A conditional use is not a matter of right. It is a discretionary approval by the Commission.
31. Congregate Care Homes and Facilities: A facility, single family, multifamily residence or other dwelling unit utilized for profit or not which provides 24 hour congregate care. Congregate care includes but is not limited to, the provision of housing, food, personal services, limited nursing or mental health services. The congregate care home or facility is intended to convey a "family-type" living environment. The occupants of a congregate care home or facility are not related to the owner or manager by blood or marriage and are typically ambulatory.
32. Construction and Demolition Debris: Discarded materials generally considered to be not water soluble and non-hazardous in nature resulting from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure or the debris from a land clearing operation. On site disposal of land clearing debris from an agricultural or mining operation is not considered construction and demolition debris.
33. Construction and Demolition Debris Landfill: A solid waste disposal facility which is designed, sited and operated to accept and dispose of construction and demolition debris through burial. Such a facility can be located either on-site or off-site of the property where the construction and demolition debris is generated.
34. County clerk: The Clerk of the Circuit Court or other appropriate and duly designated public recording officer for Hernando County, Florida.
35. Dimensional variance: A departure from the terms of this ordinance pertaining to height, width, depth and area of structures and size of yards and open spaces, where such departure will not be contrary to the public interest, and where, owing to conditions peculiar to the property because of its size, shape or topography, and not as a result of the actions of the applicant, the literal enforcement of this ordinance would result in unnecessary and undue hardship.
36. Dormitory, fraternity house or sorority house: A building in which sleeping rooms are provided for occupancy by, and maintained as a place of residence exclusively for, students affiliated with an academic or professional college or university, with or without meals, and when approved and regulated by such institution. A dormitory, fraternity house or sorority house may include living quarters containing independent cooking facilities designed for the resident manager only.
37. Drive-in restaurant: An eating and drinking establishment designed primarily to provide for the quick, efficient and convenient ordering and dispensing of food and/or beverages to automobile oriented customers. Such establishments normally contain very little indoor

eating space and few tables and normally specialize in carry-out purchases which are often consumed on the premises outdoors, within automobiles or off the premises entirely. Off-street parking and automobile access to the premises normally constitutes a major service factor in the function of the establishment.

38. Dry cleaning establishment: A building, or portion of a building, occupied by an establishment engaged in retail drycleaning services for the general public.
39. Dwelling: A building containing one or more dwelling units each of which provides shelter, sanitation and the amenities for permanent human habitation. A dwelling does not include hotels, motels, boarding or rooming houses, dormitories, fraternity or sorority houses, lodging houses, guest cottages, nursing care homes, mobile homes, travel trailers or any temporary lodging, boarding or rooming building or structure designed for transient residence.
40. Dwelling, resort: A single family, multi-family, or townhouse dwelling which is leased or purchased, offered for lease or purchase or advertised for lease or purchase on a daily, weekly, monthly, or seasonal basis for tourist or resort usage. The following, either singularly or in combination with others, shall create a presumption of a usage as a resort dwelling:
  - A. When in combination with either subsection B, C, D or E below, the leasing or purchase of a dwelling for periods of three (3) months or less for two (2) or more times during a calendar year;
  - B. The offering for lease or purchase of a dwelling for daily, weekly, monthly, or seasonal basis;
  - C. The advertising for lease or purchase of a dwelling for a daily, weekly, monthly, or seasonal basis;
  - D. The leasing or purchasing of a dwelling for daily, weekly, monthly, or seasonal periods as a commercial enterprise involving centralized management, the conducting of a reservations system and/or the providing of maid or laundry services;
  - E. The leasing or purchasing of a dwelling for daily, weekly, monthly or seasonal usage by more than a single family.
41. Dwelling unit: The dwelling accommodations designed for one-family unit maintaining separate and independent housekeeping including at least one kitchen. A dwelling unit shall not be construed to mean a sleeping unit.
42. Easement: A legally defined right of passage or use across a specified property. An easement may allow for access, placement of utilities, drainage, other purposes, or any combination of these uses.

43. Eating and drinking establishments: A building, or portion of a building, occupied by an establishment in which a person, or persons, practice a vocation that performs a type of labor, act or work that primarily results in the preparation and retail sale of food and/or beverages directly to ultimate consumers on the premises and not for resale.
44. Excavation: The severance of more than ten (10) cubic yards of soil, top soil, fill, fill dirt, sand, or clay.
45. Facade: the front of a building and/or any of its sides facing a public right-of-way whose side is predominantly visible from a public right-of-way, public park or facing an adjacent residential land use.
46. Fall Radius: The area in which a communication tower is designed to fall as measured from its base.
47. Family: One or more persons occupying a dwelling unit and living as a single nonprofit housekeeping unit.
48. Floor area: The total floor area of all stories including halls, stairways, elevator shafts, and other related uses, measured to outside faces of exterior walls.
49. Fraternal organization: Service and social oriented club or organization founded on the concepts of brotherhood.
50. Full-cutoff light fixture: a light fixture designed such that no light is projected at or above a 90-degree plane running through the lowest point on the fixture where the light is emitted and less than ten percent (10%) of the rated lumens are projected between 90-degrees and 80-degrees.
51. Governing Body: The County Commission for Hernando County, Florida.
52. Government uses and structures: Any land, building, structure, uses or activity that is owned and operated by the City, County, State or Federal Government or legally empowered special governmental district and is necessary to the conduct of government, the furnishing of public services or of an institutional character and over which such governments exercise direct and complete control.
53. Guyed Tower: A communication tower anchored by guy wires.
54. Hazardous: Those structures, uses, materials or premises that constitute fire, explosion or safety hazard and/or emit any atmosphere or environmental pollutant, light flashes, noxious



gases, electromagnetic interference, radioactive emissions, smoke or heat, glare, dust, dirt, odor, noise or vibrations which may be heard or felt off the premises.

55. Heavy: Those uses which are hazardous although the maximum public and private safety precautions have been taken and the most stringent performance standards have been met and/or those uses whose premises do contain outdoor or open storage or above-ground tank storage of merchandise, products or materials or any outdoor or open storage of equipment, materials or other items utilized by such establishments in practicing their vocation or occupation except for automobiles and delivery trucks.
56. Heavy motor freight transportation establishments: Those motor freight transportation establishments which are hazardous although the maximum public and private safety precautions have been taken and the most stringent performance standards have been met and/or those motor freight transportation establishments whose premises do contain outdoor or open storage or above-ground tank storage of merchandise, products or materials.
57. Home occupations: Occupations or activities which are customarily maintained or conducted within a dwelling. Such activities are incidental to the principal residential use and involve the employment of no more than one person who does not reside on the premises. Such activities shall occupy no more than twenty-five percent (25%) of the total floor area of the dwelling. Home occupations in the Agricultural District may utilize an accessory structure provided the area of the accessory structure utilized by the home occupation does not exceed twenty-five (25%) of the living area of the principal dwelling.
58. Horse Show: A competition involving persons and equines where participants display skills in events such as, but not limited to, dressage, cantering and trotting, in which there is a gate, parking and/or admission fee.
59. Hotel: A building or portion of a building, containing sleeping units which have no cooking facilities or other amenities for separate and independent housekeeping purposes and are occupied on a daily or short term basis. A hotel may include living quarters containing independent cooking facilities designed for the resident manager only and/or restaurant facilities.
60. Land area: The total land area within the property lines.
61. Land use intensity: The overall structural-mass and open-space relationship in a developed property. It correlates the amount of floor area, livability space, recreation space and car storage of a property with the size of its site or land area.
62. Large Retail Project: Any new commercial retail project, whose total gross building area equals or exceeds 25,000 square feet, specifically mercantile uses, and or shopping center

uses. For the purpose of determining building area, multiple buildings located closer than 20 feet together shall be considered one building.

63. Lattice Tower: A self-supporting communication tower with three or more sides of an open-framed construction.
64. Laundromats - Self-service or coin-operated: A building, or portion of a building, occupied by an establishment designed for on-site retail laundry service, coin-operated and/or laundry pick-up and drop-off services. Laundromats may provide pick-up and drop off for drycleaning services; however, no actual drycleaning service or work is performed on the premises except for the collecting and distributing activities stated above.
65. Laundry and drycleaning plants: A building, or portion of a building, occupied by an establishment primarily engaged in the commercial operation of mechanical laundries with steam or other power normally for a fee or charge and including rug cleaning, drycleaning or dyeing apparel and household fabrics or establishments supplying laundered linens, work clothing, diapers, baby linens or uniforms on a contract basis when such establishments operate their own laundry facilities on the same premises. The establishment normally involves a substantial amount of equipment and serves a relatively large trade area through direct or indirect pick-up and delivery of laundry and drycleaning articles by personnel employed by the establishment.
66. Light: Those uses which are nonhazardous and whose premises do not contain any outdoor or open storage or above ground tank storage of merchandise, products or materials or any outdoor or open storage of equipment, materials or other items utilized by such establishments in practicing their vocation or occupation except for automobiles and delivery or service trucks.
67. Light motor freight transportation establishments: Those motor freight transportation establishments which are nonhazardous and whose premises do not contain any outdoor or open storage or above-ground tank storage of merchandise, products or materials.
68. Light Source: a complete lighting unit consisting of a lamp and all necessary mechanical, electrical and decorative parts, such as reflectors (mirrored enclosures surrounding the lamp), refractors (glass or plastic enclosures surrounding the lamp) and lenses, designed to direct light rays.
69. Lodging house: A building in which up to four sleeping rooms are provided for occupancy by nontransient persons with or without meals for compensation on a prearranged weekly or monthly basis. A lodging house may include living quarters containing independent cooking facilities designed for the resident manager only.

70. Lot: A parcel or land under one ownership occupied by or to be occupied by one principal building and its accessory buildings and including the open spaces and yards required under this ordinance.
- A. Lot line: The boundary dividing a lot from a right-of-way, adjoining lot, or other adjoining tract of land.
    - a. Front lot line: The lot lines abutting street right-of-way lines or points of access.
    - b. Rear lot line: The lot line opposite the front lot line.
    - c. Side lot line: Lot lines other than the front or rear lot lines.
  - B. Corner Lot: A lot which abuts on two or more intersecting streets at their intersection.
  - C. Double frontage lot: Any lot other than a corner lot which abuts on two streets.
  - D. Lot of records: A lot which is duly recorded in the Office of the Clerk of the Circuit Court.
71. Manufactured Building: means a closed structure, building assembly, or system of subassemblies which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing facilities for installation or erection, with or without other specified components, as a finished building or as part of a finished building, which shall include, but not be limited to, residential, commercial, institutional, storage, and industrial structures. This does not apply to mobile homes. Manufactured building may also mean, at the option of the manufacturer, any building of open construction made or assembled in manufacturing facilities away from the building site for installation or assembly and installation on the building site. (Chapter 553, F.S.)
72. Manufacturing: A premises, or portion of a premises, occupied by an establishment primarily engaged in the processing of materials, products or personal property for sale, resale or other processing charge normally for the wholesale market, for interestablishment transfer, or to order for other processors, rather than for direct retail sale to the domestic consumer. Processing refers to the mechanical or chemical transformation of inorganic or organic substances into new products and usually includes the use of power driven machines and materials handling equipment. Processing includes the assembling of component parts of processed products if the resulting new product is neither a structure nor other fixed improvement. The final product of processing may be "finished" in the sense that it is ready for utilization or consumption, or it may be "semi-finished" to become a raw material for an establishment engaged in further processing. Processing also includes the making, packaging or any other similar activity that results in the creating or changing the form of materials, products or personal property including any major specialized cleaning or reconditioning operation or any other similar major original or restorative treatment. The term manufacturing does not include the fabricating operations performed at the site of

construction by construction service establishments nor the incidental and accessory minor processing operation performed by retail sale, service and repair establishments and other domestic consumer and business operation customer establishments so defined by this ordinance provided, however, that such processing is performed as a specialized aid, assistance or customer service intended for the directly incidental to the needs of ultimate consumers served on the premises or as a customer service directly for the domestic consumer and business operation customer served by the establishment or if all products processed are sold at retail directly to ultimate consumers on the premises and not for resale..

73. Meeting hall: A building designed to serve as a meeting place for social clubs, fraternal organizations, civic clubs, service clubs, student or youth clubs or other groups or organizations. Meeting halls may contain office space, germane to the activity, and may also contain kitchen facilities to be used in conjunction with gatherings and may contain one (1) dwelling unit for caretaker or night watchman.
74. Mining, Mining Activity or Mining Operation:
- (1) Any activity or process constituting all or part of a process for the severance of sand, clay, unconsolidated or consolidated minerals for the purposes of sale, use as a raw material, or use off-site. (This does not include the mining of unconsolidated materials conducted pursuant to County Excavation rules); or,
  - (2) The preparation, crushing, washing, cleaning, screening, processing, flotation or other treatment of solid minerals in association with the severance of an area so as to make them suitable for commercial, industrial or construction use.
  - (3) It shall not include plants engaged in processing minerals produced elsewhere or plants engaged in manufacturing or processing as defined by the zoning ordinance or its successor.
75. Mobile home: Means any residential unit constructed to standards promulgated by the United States Department of Housing and Urban Development. (Chapter 553, F.S.)
76. Mobile home park: A premises or tract of land prepared and approved according to the procedures of this Ordinance to accommodate mobile homes where the sale of lots is not involved.
77. Monopole Tower: A communication tower which consists of a single pole.
78. Motel: A building, or portion of a building, containing sleeping units which may or may not have cooking facilities but do not have the other amenities for separate and independent housekeeping purposes and are occupied on a daily or short term basis. A motel may include

living quarters containing individual cooking facilities designed for the resident manager only and/or restaurant facilities.

79. Nonconforming Lot: A lot which is lawfully existing on the effective date of this ordinance, or any amendment thereto, and which does not conform with the dimension and area regulations of the zoning district in which it is located.
80. Nonconforming structure or use: A structure or use of any premises which does not conform with all provisions of this ordinance but which lawfully existed before its designation as nonconforming by the adoption or amendment of this ordinance.
81. Nonhazardous: Those structures, uses, materials or premises that do not constitute fire, explosion or safety hazard and/or emit any atmosphere or environmental pollutant, light flashes, noxious gases, electromagnetic interference, radioactive emissions, smoke or heat, glare, dust, dirt, odor, noise, or vibrations which may be heard or felt off the premises.
82. Nursing care homes: A building or dwelling unit utilized for profit or not which provides 24 hour nursing care, personal care, rehabilitative care or custodial care to persons requiring care because of illness, physical infirmity, or advanced age. The occupants of a nursing care home are not related to the owner or manager by blood or marriage and are typically not ambulatory.
83. Open space: The land area excluding all impervious surfaces, such as roads, parking lots, and buildings.
84. Ornamental and Structural Detail: A raised or decorative feature, other than a corporate logo, and not including, textures, color or materials. Examples are decorative tile, molding, niches, pilasters, and columns.
85. Outdoor advertising service establishment: A building, or portion of a building, occupied by an establishment primarily engaged in the maintenance, distribution and erection of display boards, posters and painted and electric spectacular displays on panels, bulletins and frames principally outdoors and off the premises normally on a contract basis or for a fee or charge and not for resale.
86. Outdoor Light Fixtures: all outdoor illuminating devices, reflective surfaces, lamps and other devices, either permanently installed or portable, which are used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot and floodlights for:
  1. buildings and structures;
  2. recreational areas;
  3. parking lot lighting;

4. landscape lighting;
  5. billboards and other signs;
  6. street lighting;
  7. product display lighting;
  8. building overhangs and open canopies.
87. Places of Public Assembly: A building used as a meeting place for social clubs, fraternal organizations, civic clubs, service clubs, religious organizations and other related assembly. Characteristics of places of public assembly may include meetings which are open to members of the general public, scheduled activities and routine meetings.
88. Planned-development project: A complex of structures and uses planned as an integral unit of development rather than as a single principal structure or use on a single lot.
89. Portable: Designed to be moved from place to place, not permanent.
90. Plat: A map, plan, or chart of a tract of land or property which is drawn to scale and shows the existing or proposed location of boundary lines, buildings, structures, uses or any other required data or information.
91. Pleasure craft: any vessel that is not a commercial vessel or otherwise operated for commercial purposes.
92. Premises: A lot or other tract of land under one ownership and all the structures on it.
93. Primary Facade: A side of a building that faces a public right-of-way or has the primary customer entrance. (A building may have more than one primary facade). For making a determination as to whether a side of a building faces a street, all street side faces within an area between two lines drawn tangent to the furthest extent of a building and perpendicular to the public right-of-way, are included.
94. Principal building: The building in which is conducted the principal use of the lot on which it is situated.
95. Private airstrip: means a tract of land or water, improved or unimproved, that is identified and maintained for the landing and takeoff of authorized (the owner, group of owners, or guests) aircraft, and which may have facilities for the shelter, tie-down, supply, and repair of authorized aircraft if approved by the county. A private airstrip shall not be open to the general flying public.
96. Property line: The recorded boundary of a lot or other tract of land under one ownership.

97. Public notice or due public notice: The term, "public notice", or "due public notice", as used in connection with the phrase "public hearing" or "hearings with due public notice" shall mean publication of notice of the time, place, and purpose of such hearing at least two (2) times in a newspaper of general circulation in the area, with the first such publication to be at least fifteen (15) days prior to the date of the hearing and the second such publication to be at least five (5) days prior to the hearing. In addition, except where the hearing applies to all of the lands within the area, similar notices setting forth the time, place, and purpose of such hearing shall be mailed to the last known address of the owners of the property involved in or directly affected by the hearing, and such notices shall also be posted in a conspicuous place or places on or around such lots, parcels or tracts of lands as may be involved in or directly affected by the hearing. Affidavit proof of the required publication, mailing, and posting of the notice shall be presented at the hearing.
98. Public offices: A building, or portion of a building, occupied on a rental, lease or similarly obtained basis by the City, County, State or Federal Government or legally empowered special governmental district, but not owned by such governments, in which public officials and employees direct the administration and execute functions and affairs of government.
99. Public Service Facility Overlay District: The Public Service Facility Overlay District is a mechanism to allow governmental uses and structures and public service facility uses and structures in all zoning districts. The Public Service Facility Overlay District may be approved by the Board of County Commissioners for a site specific use.
100. Public Service Uses and Structures: Any use or structure necessary for the operation and maintenance of a utility that is regulated or controlled by the City, County, State or Federal Government or legally empowered special governmental district, but not owned and operated by such government. Associated buildings for general administrative, executive, studio, warehousing or storage functions, or general maintenance operations located at a different physical location than the public service use or structure, are excluded.
101. Public transportation terminals: A premises, or portion of a premises, occupied by an establishment primarily engaged in passenger transportation by railway, highway, water, or air, or furnishing services related to transportation normally for a fee or charge, including maintenance facilities and/or freight transportation provided such maintenance facilities and/or freight transportation is incidental and accessory to the principal passenger transportation services.
102. Recreational airport: means a tract of land or water, improved or unimproved, that has been delineated, approved and is maintained for the landing and takeoff of aircraft for recreational or personal purposes, and which may have facilities for the shelter, tie-down, supply, and repair of authorized aircraft if approved by the county. A recreational airport may be open to the general flying public.

103. Recreation vehicles: Any vehicle that meets one of the following requirements:
- A. A travel trailer/park model trailer.
  - B. Identified by the manufacturer as a recreational vehicle and/or displays a motor vehicle license plate identifying it as a recreational vehicle.
  - C. Any vehicle, trailer, or similar portable structure, with or without its own motive power, designed or constructed to be used as conveyance on the public streets and designed or constructed to permit a temporary occupancy for living and sleeping purposes. Removal of the means of conveyance from a recreational vehicle does not change the meaning of the word "recreational vehicle", as defined and used in this ordinance. The term does not include mobile homes or park model trailers.
104. Recycling Collection Facility: A facility in which recyclables, such as newspapers, magazines, books and other paper products; glass; metal cans; wood products, and other products, are collected, sorted and bundled for distribution to recycling facilities. No processing of recyclables takes place at the collection facility.
105. Religious establishments: A building used by a religious organization operated for worship and worship related activities to which the general public is invited.
106. Research, development and testing laboratories: A building, or portion of a building occupied by an establishment primarily engaged in research, development and testing on a commercial basis normally on a contract basis for a fee or charge or nonprofit organizations primarily engaged in research and the dissemination of information for the public health or welfare.
107. Restaurant: An eating and drinking establishment designed primarily to serve walk-in or pedestrian oriented customers. Such establishment[s] normally contain a considerable amount of indoor eating space and tables and specialize in foods and/or beverages which are consumed on the premises within the confines of the principal building itself. While automobile off-street parking space is normally included on the premises it does not constitute a major service factor in the function of the establishment.
108. Roadside Sales: wholesale or retail sales of food, or other items from roadside stands or vehicles on unimproved properties.
109. Rodeo: A competition involving persons, equines and bovines where participants display skills in events such as, but not limited to, bronco riding, calf roping and barrel racing, in which there is a gate, parking and/or admission fee.



110. Search Ring: The defined area in which an antenna array may be located which will fulfill the radio frequency needs of a provider in providing a coverage area. Generally, the search ring is shown on a map.
111. Semi-cutoff fixture: a fixture that projects no more than five percent (5%) of the rated lumens above a 90-degree plane running through the lowest point on the fixture where the light is emitted and less than twenty percent (20%) of the rated lumens are projected between 90-degrees and 80-degrees.
112. Sign: Any structure, display, device, painting, drawing, message, placard poster, billboard or notice bearing a name, direction, advertisement or other message that is displayed or posted for public view.
113. Sleeping room: A single room rented for living purposes but without cooking facilities or other amenities for separate and independent housekeeping. A sleeping room shall not be construed to mean a dwelling or sleeping unit.
114. Sleeping unit: A single room or suite intended for occupancy by transient persons which are lodged with or without meals for compensation. A sleeping unit shall not be construed to mean a dwelling unit.
115. Special exception use: A use which is appropriate in a zoning district if safeguards are imposed, but which would impair the integrity and character of the district in which it is located, or in adjoining districts unless restriction or conditions on location, size, extent, and character of performance are imposed in addition to those imposed in this ordinance. It is an additional Commission-approved use to the permitted uses of the district on the parcel.
116. Special exception permit: Legal authorization to undertake a special exception use which has been authorized in conformance with this ordinance.
117. Street: Means a way for vehicular traffic, whether designated as a public street, highway, thoroughfare, road, parkway, throughway, avenue, boulevard, lane, place, right-of-way, or however designated.
- A. *Parkways, freeways and interstates*: High-type arterial streets designed primarily for major through traffic with full control of access and grade separations at all intersections.
  - B. *Arterial streets*: A street designed or utilized primarily for high vehicular speeds or for heavy volumes of traffic.
  - C. *Major collector streets*: A street which carries or will carry medium volumes of traffic primarily from minor collector streets to arterial streets.

- D. *Minor collector streets:* A street which carries, or will carry, medium volumes of traffic primarily from minor streets to major collector streets.
  - E. *Minor streets:* A street which is used or will be used primarily for access to abutting properties and which carries, or will carry, limited volumes of traffic.
  - F. *Marginal access streets:* A minor street which is parallel to and adjacent to arterial streets and which serves to reduce the number of access points to the arterial streets and thereby increase traffic safety.
  - G. *Alley:* A street used primarily for vehicular service access to the back or side of properties which otherwise abut on a street.
118. Structure: Any combination of materials fabricated to fulfill a function in a fixed location on the land includes buildings and signs.
119. Surface in a stable manner: The term shall mean surfaced as specified in Hernando County Road Construction specifications or in a manner approved by the Administrative Official, or other designated Official; however, such pavement shall be of minimum standard and shall be designated to carry the anticipated traffic loads of the premises and uses served. Loose aggregate will not be considered a completed surface.
120. Travel trailers: A vehicular portable structure designed for temporary living and sleeping purposes primarily for travel, recreational and vacation uses, which:
- A. Is identified by the manufacturer as a travel trailer; and
  - B. Is not more than eight and one-half (8 ½) feet in width; and
  - C. Has a length not to exceed forty (40) feet.
  - D. Tip-outs designed to be used as a temporary area for living, provided they are designed to detract when being transported on highways, and provided they are not used for permanent living area having no attachments shall for the purpose and intent of this ordinance be permitted in R-C ZONING districts only.
121. Travel trailer park: A tract of land prepared and approved according to the procedures of this ordinance to accommodate travel trailers.
122. Use: Use broadly refers to the activities which take place on any land or premises and also refers to the structures located thereon and designed for those activities.

123. Veterinarian and animal hospital service establishments: A premises, or portion of a premises, occupied by an establishment in which a person, or persons, practice a vocation or occupation that performs a type of labor, act or work that primarily results in the medicine, dentistry, or surgery or animal hospitals, and similar veterinary services normally for a fee or charge. Veterinarian and animal hospital service establishments do not include animal specialty farms.
124. Vulnerable Feature: a natural or man-made feature of the land which has the potential to discharge directly to the aquifer. These features include excavations and solution features such as sinkholes, caves, and mine pits which expose the top of the Floridan Aquifer.
125. Wellhouse: a structure over a well designed to protect the well. A wellhouse is not to be used as a storage shed. A wellhouse shall not exceed 25 square feet and 5' in height. aviaries:
126. Yard: The open space surrounding the principal building on any lot, unoccupied and unobstructed by a portion of that building from the ground to the sky except where specifically permitted by this ordinance. Yards are further defined as follows:
- A. Front yard: That portion of the yard extending the full width of the lot and measured between the front lot line and a parallel line tangent to the nearest part of the principal building, which line shall be designed as the front yard line.
  - B. Rear yard: That portion of the yard extending the full width of the lot and measured between the rear lot line and parallel line tangent to the nearest part of the principal building.
  - C. Side yard: Those portions of the yard extending from the front yard to the rear yard and measured between the side lot lines and parallel lines tangent to the nearest parts of the principal building.
127. Zoning permit: A permit; required by appropriate authority under the provisions of this ordinance, which authorizes the excavation, construction or alteration of a structure and is required prior to such construction or alteration, except for recurring maintenance work regardless of cost or the installation of required improvements authorized by approved subdivision drawings.

**SECTION 2. BY AMENDING ARTICLE II. GENERAL REGULATIONS, SECTION 1. APPLICATION OF REGULATIONS AND CLASSIFICATIONS OF STRUCTURES AND USES. B. LAND USE CLASSIFICATIONS THROUGH AMENDING THE FOLLOWING CLASSIFICATIONS: ANIMAL SPECIALTY FARMS, FARMING AND CULTURAL FACILITIES THROUGH MODIFICATION; AND CREATING CLASSIFICATIONS FOR EXOTIC ANIMAL SPECIALTY FARMS AND PIGEON AND PIGEON**

**AVIARIES. ADDED CLASSIFICATIONS ARE TO BE ADDED IN ALPHABETICAL ORDER, RENUMBERING SUBSEQUENT ITEMS.**

3. Animal Specialty Farms
  - a. Apiaries
  - b. Dog farms
  - c. Fox farms
  - d. Mink farms
  - e. Rabbit farm
  - f. Bird farms
  - g. Alligator farms
  
33. Cultural Facilities
  - a. Libraries
  - b. Museums
  - c. Art Galleries and arboreta
  - d. Botanical gardens
  
40. Exotic Animal Specialty Farms
  - a. Large cats
  - b. Elephants
  - c. Monkeys
  - d. Camels
  - e. Hippopotamus
  - f. Zoological gardens
  
41. Farming
  - a. Field crops
  - b. Fruit
  - c. Tree nuts
  - d. Vegetables
  - e. Livestock
    - i. Horses
    - ii. Cows
    - iii. Sheep
    - iv. Goats
    - v. Ostriches
    - vi. Emu
  - f. Livestock products
  - g. Poultry hatcheries

- h. Animal husbandry activities
- i. Dairies
- j. Poultry feed lots

73. Pigeons and Pigeon Aviaries

**SECTION 3. BY APPENDIX A, ZONING ORDINANCE, ARTICLE III. SPECIFIC REGULATIONS, SECTION 3. SPECIFIC USE REGULATIONS THROUGH MODIFICATION OF SECTION REGARDING MODEL HOMES (4) AND (8) AS FOLLOWS:**

**Section 3. Specific use regulations.**

H. Model homes:

- (4) Model home or model home center authorization is by staff review for compliance with the land development regulations. (The permit time period will begin at the issue date of the certificate of occupancy.) The time period may be extended just prior to termination for an additional two-year period by the granting of a conditional use permit by the Planning and Zoning Commission if hardship exists. A hardship shall not be found based solely upon economic conditions.

**SECTION 4: BY AMENDING ARTICLE III. SPECIFIC USE REGULATIONS, SECTION 3. SPECIFIC USE REGULATIONS. BY ADDING (L), STANDARDS FOR ALLOWING LIMITED BUSINESS ACTIVITIES IN RESIDENTIAL, RURAL AND AGRICULTURAL-RESIDENTIAL ZONING CATEGORIES**

- (L) Limited business activity incidental to a residential use is allowable in residential, rural and agricultural-residential zoning categories subject to the following criteria:
  - 1. There is no outside appearance of the limited business activity.
  - 2. No advertising will contain the physical address of the location, including signs on the vehicles.
  - 3. No employees, or customers, other than residents of the home, will go to or from the residence.
  - 4. Vehicular traffic will be consistent with normal traffic generated within the zoning category.
  - 5. Noise will be consistent with the zoning category.
  - 6. There will be no outside storage of any materials.

7. There will be no change in the structural integrity (exterior appearance) of the structure from that permitted by the rules of the district.
8. The volume of delivery trucks shall not be in excess of what is normally associated with a residential use in a neighborhood. In no case shall trucks greater than 2 axles make deliveries associated with the limited incidental business use.

**SECTION 5: BY AMENDING ARTICLE II. GENERAL REGULATIONS, SECTION 4. GENERAL REGULATIONS FOR VEHICLES A. OFF-STREET PARKING SPACE AND ACCESS THROUGH MODIFICATION of (6) and (7) AS FOLLOWS:**

**A. OFF-STREET PARKING SPACE AND ACCESS:**

- (6) Minimum off-street parking space requirements for automobiles shall be as follows:
  - (a) Single-family detached dwelling: 2.0 spaces per dwelling unit.
  - (b) Two (2) or more family dwelling and single-family attached: 1.5 spaces per dwelling unit for one and two bedroom units, 2.0 spaces per unit for 3 or more bedroom units.
  - (c) Lodging house, boarding or rooming house: 1 space per sleeping room PLUS 1 space per resident manager.
  - (d) Dormitory, fraternity or sorority house: 1.5 spaces per every two (2) students based on maximum capacity PLUS 1 space for every resident manager.
  - (e) Comparison goods stores, convenience goods stores, antique stores, secondhand stores, and personal service establishments:
    1. General: 5 spaces per 1,000 square feet of building floor area.
    2. Flea market: 10 spaces per 1,000 square feet of area devoted to sales.
    3. Furniture, major appliance: 2 spaces per 1,000 square feet of building area.
  - (f) Domestic and business service establishments, publishing and printing service establishments, domestic and business repair establishments, and domestic rental establishments: 5 spaces per 1,000 square feet of building area.

- (g) Business, professional and nonprofit organizations offices, public offices, and research development and testing laboratories: 4 spaces per 1,000 square feet of building area PLUS 3 spaces per doctor/dentist/therapist.
- (h) Business training schools: 2 spaces per 1,000 square feet of building area PLUS 0.8 spaces per student enrolled on the premises.
- (i) Restaurant: 0.4 spaces per seat based on maximum customer capacity PLUS 1 space per drive-through customer service window plus 1 space per employee for the largest shift.
- (j) Drive-in restaurant: 1 space per drive-through customer service window PLUS 1 space per employee of the largest shift.
- (k) Commercial amusement establishments, non-commercial amusement facilities, and motion picture theaters:
  1. General: 0.3 spaces per seat based on maximum capacity of auditorium, stadium, arena, theater or similar place of assembly; or 0.3 spaces per person based on maximum capacity; or 15 spaces per 1,000 square feet of building and/or land area devoted to assembly or recreation use on the premises.
  2. Bowling: 4 spaces per lane.
  3. Golf: 4 spaces per green PLUS 1 space per driving range position.
  4. Gun/archery range: 3 spaces per target position PLUS 1 space per employee.
  5. Miniature golf: 2 spaces per green PLUS 1 space per employee.
  6. Racquet court: 2 spaces per court.
  7. Skating: 5 spaces per 1,000 square feet of building area.
- (l) Motel and Hotel: 1.1 spaces per sleeping unit PLUS 1 space per resident manager PLUS 0.2 spaces per restaurant seat based on maximum customer capacity.
- (m) Automotive dealer establishments, tire and automotive accessory establishments, automotive specialty establishments, automotive equipment rental establishments, gasoline service stations, automobile and truck repair establishments, public transportation terminals, motor freight transportation establishments, and aircraft establishments: 1.5 spaces per person regularly employed on the premises PLUS 5 spaces per 1,000 square feet of building area devoted to retail selling of merchandise, goods and products.

- (n) Farm equipment and supply establishments, and building material establishments: 1.5 spaces per person regularly employed on the premises PLUS 5 spaces per 1,000 square feet of building area devoted to retail selling of merchandise, goods and products.
- (o) Heating fuel and ice establishments, construction service establishments and landscaping service establishments: 1.5 spaces per person regularly employed on the premises.
- (p) Veterinarian and animal hospital service establishments: 1.8 spaces per person regularly employed on the premises PLUS 3 spaces per veterinarian.
- (q) Mortuaries, funeral homes and crematories: 20 spaces per 1,000 square feet of building area devoted to slumber rooms, parlors or individual mortuary rooms PLUS 0.3 spaces per seat based on maximum capacity of funeral service chambers or chapel.
- (r) Manufacturing, wholesale and storage establishments, outdoor advertising service establishments, and laundry and dry cleaning plants: 0.7 spaces per person regularly employed on the premises based on the largest single employment shift.
- (s) Primary and secondary educational facilities: the greater of:
  - 1. 1 space per staff member PLUS 3 spaces for visitor parking.
  - 2. 0.2 spaces per student above the 9th grade level
  - 3. 0.3 spaces per seat in public assembly areas
- (t) Cultural facilities: 0.3 spaces per seat or 10 spaces per 1,000 square feet of building and/or land area devoted to assembly or visitor use on the premises.
- (u) Places of public assembly: 0.3 spaces per seat on basis of maximum capacity of auditorium or principal place of assembly.
- (v) Hospitals: 1.6 spaces per bed based on maximum patient capacity.
- (w) Nursing care homes: 0.3 spaces per bed based on maximum capacity.
- (x) Adult congregate living facilities (ACLF):
  - 1. 0.5 spaces per bed based on maximum capacity.
  - 2. A single-family residential structure that has been modified to operate as an adult congregate living facility (ACLF) and is operating under



a special exception to the zoning code shall provide both the required off-street single-family and ACLF parking. The ACLF parking may be surfaced with grass or lawn; however, if parking demand is such that said grass or lawn is caused to be damaged or destroyed to the extent that said grass or lawn ceases to grow then paving of such an area in accordance with this section may be required by the Administrative Official.

- (y) Marine establishments: 1 space per person regularly employed on the premises PLUS 5 spaces per 1,000 square feet of building area devoted to retail selling of merchandise, goods and products PLUS 2 spaces per 5 wet or dry boat slips.
- (7) Where a facility is combined for multiple use, the total amount of required parking shall be calculated on a combined basis.

Shared parking provision:

When any land or building is under the same ownership, or able to provide assurance of the continued operation and proper maintenance of the shared parking facility, and the proposed development includes two or more land uses (excluding residential), the number of minimum required parking spaces may be computed by multiplying the minimum number of parking spaces normally required for each land use by the appropriate percentage shown in the shared parking credit table below for each of the time periods indicated. The number of parking spaces required is then determined by adding the results in each column. The column with the greatest number of parking spaces is the minimum parking required.

Land Use	Weekday		Weekend		Nighttime
	6 am-6 pm	6 pm - midnight	6 am - 6 pm	6 pm - midnight	midnight - 6 am
office & industrial	100%	10%	10%	5%	5%
retail & personal services	60%	90%	100%	70%	5%
hotel/motel	75%	100%	75%	100%	75%
restaurant	50%	100%	100%	100%	10%
indoor theater & commercial recreation	40%	100%	80%	100%	10%

**SECTION 6: BY AMENDING ARTICLE III, SPECIFIC REGULATIONS, SECTION 3. SPECIFIC USE REGULATIONS, E. RECREATION VEHICLES (3) THROUGH MODIFICATION OF AS FOLLOWS:**

E. Recreation vehicles: The following provisions shall apply to both recreation vehicles and travel trailer usage.

3. Fee for the approval of recreational vehicle shall be as established in the County's fee schedule for development review.

**SECTION 7: BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE IV. ZONING DISTRICT REGULATIONS, SECTION 2. RESIDENTIAL DISTRICTS, A, R-1A RESIDENTIAL DISTRICT, ITEM (4). DIMENSION AND AREA REGULATIONS THROUGH AMENDING (h) MAXIMUM ACCESSORY BUILDING AREA AS FOLLOWS:**

**Section 2. Residential Districts.**

The following regulations shall apply in Residential Districts as indicated:

A. *R-1A Residential District*

- (4) *Dimension and area regulations*. The following dimension and area regulations shall apply in the district:

- (h) Maximum building area: The maximum building area shall be thirty-five (35) percent of the lot area.

**SECTION 8: BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE IV. ZONING DISTRICTS, SECTION 2. C. R-1C, RESIDENTIAL DISTRICT, (4) DIMENSION AND AREA REGULATIONS THROUGH AMENDING (k) ACCESSORY BUILDINGS AND STRUCTURES, ITEM vi. TO CLARIFY THAT DETACHED ACCESSORY STRUCTURES WITH FABRIC OR SCREEN ROOFS ARE ALLOWED ONLY IN REAR YARDS:**

**C. R-1C Residential District**

- (4) *Dimension and area regulations.* The following dimension and area regulations shall apply in the district:

- (k) Accessory Buildings and Structures:

- vi. Detached accessory structures which have a fabric or screen roof shall be permitted only in the rear yard and must be at least five (5) feet from rear property lines. A detached accessory structure which has a fabric or screen roof and is rendered nonconforming by the adoption of this ordinance shall be brought into conformance with County regulations by January 1, 2000 or be removed.

**SECTION 9: BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE IV. ZONING DISTRICTS, SECTION 3. COMMERCIAL DISTRICTS, B. PERMITTED ACCESSORY USES AND STRUCTURES IN ALL COMMERCIAL DISTRICTS, THROUGH ADDING A PROVISION (5) TO ALLOW PORTABLE STORAGE STRUCTURES:**

**Section 3. Commercial districts.**

**B. Permitted accessory uses and structures in all commercial districts:**

- (5) Portable storage structures are allowable in conjunction with the commercial use of a property provided an area for their placement is designated on a site plan. The area shall be located behind the principal permitted use on the property and not visible from the street. The area shall not be located within buffers or parking areas, or otherwise impede the traffic circulation associated with the principal permitted use. Placement of the storage structures must meet minimum setback requirements for accessory buildings and secure a zoning permit. If the portable storage structure area is placed adjacent to residentially zoned property, it must be shielded from view

**SECTION 10. BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE IV. ZONING DISTRICTS, SECTION 4. INDUSTRIAL DISTRICTS, (1) PERMITTED USES IN THE I-1 LIGHT INDUSTRIAL DISTRICT AND CREATION OF A NEW NUMBER (6) PROVIDING STANDARDS FOR OUTSIDE STORAGE IN I-1 LIGHT INDUSTRIAL DISTRICT AND RENUMBERING SUBSEQUENT ITEMS AS FOLLOWS:**

**Section 4. Industrial Districts.**

The following regulations shall apply in Industrial Districts as indicated:

- (1) *Permitted uses:* Permitted uses in the I-1 Light Industrial district shall be as follows:
  - (a) Light manufacturing
  - (b) Light wholesale and storage establishments
  - (c) Light outdoor advertising service establishments
  - (d) Light research, development and testing laboratories
  - (e) Light motor freight transportation establishments
  - (f) Aircraft parts establishments
  - (g) Automobile and truck repair establishments
  - (h) Welding shops
  - (i) Cabinet shops
  - (j) Automobile service establishments
  - (k) Domestic rental services
  - (l) Miniwarehouses
  - (m) Publishing and printing service establishments
  - (n) Monopole Towers 150 feet or less in height
  - (o) Recycling Collection Facility
  
- (6) Outdoor storage is allowable as an accessory use to permitted uses within the I-1 zoning category subject to the following standards:

Screened outdoor storage shall be permitted within the I-1 zoning classification behind the building line as an accessory use to a permitted use. Screening shall be required from adjoining and contiguous properties by a wall, fence or other approved enclosures. Screening shall meet an eighty (80) percent opacity standard. Such screening shall be located behind the building line and shall have a minimum height of five (5) feet and maximum of eight (8) feet

**SECTION 11: BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE IV. ZONING DISTRICTS, SECTION 6. RURAL DISTRICTS, A. AGRICULTURAL DISTRICT, THROUGH ADDING A PROVISION**

**TO ALLOW PIGEON AND PIGEON AVIARIES AS A PERMITTED  
USE AS FOLLOWS:**

**SECTION 6. RURAL DISTRICTS:**

*A. Agricultural District*

- (1) *Permitted Uses:* The following permitted uses shall apply in the agricultural district:
- (a) Animal specialty farms
  - (b) Farming
  - (c) Farming service establishments
  - (d) Fisheries
  - (e) Forestry
  - (f) Forestry service establishments
  - (g) Horticultural specialty farms
  - (h) Hunting, trapping and game propagation
  - (i) Landscaping service establishment
  - (j) Single-family dwelling
  - (k) Mobile Home provided that such mobile home meets all of the regulations, requirements and provisions of this ordinance for minimum living area within the zoning district
  - (l) wildlife management activities
  - (m) resource-oriented recreational activities
  - (n) pigeons and pigeon aviaries

**SECTION 12. BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE IV. ZONING DISTRICTS, SECTION 6. RURAL DISTRICTS, A. AGRICULTURAL DISTRICT (3) SPECIAL EXCEPTION USES THROUGH ADDITION OF AN EXOTIC ANIMAL SPECIALTY FARM AS FOLLOWS:**

- (3) *Special Exception Uses:* In the agricultural district the following are special exception uses that may be approved and may be subject to other ordinance provisions:
- (a) Retail sales on the premises of permitted agricultural products and services produced on the premises: provided, that where such products or services are sold from roadside stand, such stand shall be set back from any public street right-of-way at least seventy-five (75) feet and shall be provided with automobile access and off-street parking space in such a manner so as to not create an undue traffic hazard on the street on which such roadside stand is located.
  - (b) Paint Ball ranges

- (c) Boat, canoe, motorcycle, bicycle and off-road vehicle rental establishments where rental items are used on the premises.
- (d) Commercial fishing ponds
- (e) Home occupations
- (f) Dude ranches
- (g) Commercial riding stables
- (h) Private Airstrips
- (i) Hunting camps
- (j) Fishing camps
- (k) Government research and associated educational facilities
- (l) Bed and breakfast establishments
- (m) Horse Shows with maximum seating capacity for fifty (50) persons
- (n) Rodeos with maximum seating capacity for fifty (50) persons
- (o) Livestock auctions
- (p) Exotic Animal Specialty Farms

**SECTION 13. BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE IV. ZONING DISTRICTS, SECTION 6. RURAL DISTRICTS, A. AGRICULTURAL DISTRICT (2) PERMITTED ACCESSORY STRUCTURES AND USES THROUGH ADDING (f) ALLOWING PORTABLE STORAGE STRUCTURES AS FOLLOWS:**

**Section 6. RURAL DISTRICTS**

**A. Agricultural District:**

- (2) *Permitted accessory structures and uses:* The following permitted accessory structures and uses apply to all agricultural districts:
  - (a) Agriculture buildings or structures accessory to the principal permitted use of the premises
  - (b) Single-family dwellings to house the owner or operator, his family, or hired workers who work on the agricultural land, which are accessory to the principal permitted use of the premises
  - (c) Carport, garage or other buildings not used as a dwelling and customarily incidental to the principal permitted use of the premises
  - (d) Accessory uses customarily incidental to the principal permitted use of the premises

- (e) Signs identifying the name and type of permitted agricultural activity conducted on the same premises
- (f) Portable storage structures are allowable in conjunction with the permitted use provided they are not visible from the street. If the portable storage structures are placed adjacent to a residentially zoned property, the portable storage structure must be shielded from view.

**SECTION 14. BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE IV, ZONING DISTRICTS, SECTION 6. RURAL DISTRICTS, B. COUNTRY 2.5 DISTRICT (5). ACCESSORY BUILDING AND STRUCTURES, TO ADD ITEM vii. ALLOWING PORTABLE STORAGE STRUCTURES AS FOLLOWS:**

**Section 6. RURAL DISTRICTS**

**B. Country 2.5 District:**

**(5) Accessory building and structures:**

- i. Building height: The maximum building height shall not exceed forty-five (45) feet.
- ii. Building setback: The minimum front yard requirement shall be seventy-five (75) feet.

All other yards shall be a minimum of thirty-five (35) feet. Along U.S. 19, S.R. 50, U.S. 41, U.S. 98, U.S. 301, C.R. 578, C.R. 485 and C.R. 50 front yard requirement shall be one hundred twenty-five (125) feet.

- iii. Location: All accessory buildings shall be located no closer to the front property line than the front yard requirement for the district. If a single family dwelling is on or will be on the premises, the accessory building shall be no nearer than fifteen (15) feet to such dwelling.
- iv. Detached accessory structures which have impervious roof coverings shall meet the minimum yard requirements for accessory buildings in the district.
- v. Accessory buildings or structures 5' or less in height, and smaller than 40 square feet in size shall not be required to obtain a zoning permit. Such buildings or structures must meet the minimum yard requirements for accessory buildings in the district.
- vi. There are no minimum yard standards for wellhouses as defined in this ordinance.

- (vii.) 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 15: BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE IV. ZONING DISTRICTS, SECTION 13. A. AGRICULTURAL/RESIDENTIAL DISTRICTS (A) PERMITTED USES, (a) THROUGH ADDING A PROVISION ITEM vi. TO ALLOW PIGEON AND PIGEON AVIARIES AS FOLLOWS:**

**Section 13. Agricultural/Residential Districts**

A. The following regulations apply to agricultural/residential districts as indicated:

(1) *Permitted Uses:*

(a) *All agricultural/residential districts*

- i. Limited cultivated crops
- ii. Grazing livestock at the rate of one mature animal and offspring less than one year of age, per acre.
- iii. Poultry and swine for home consumption maintained at least seventy-five (75) feet from adjacent property.
- iv. Horticultural specialty farms
- v. Accessory structures related to the principal use of the land.
- vi. Pigeon aviaries with a maximum of 1500 square feet of area devoted to housing pigeons, per acre.

**SECTION 16: BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE V. ADMINISTRATION, SECTION 3. APPEALS AND VARIANCES, H. REQUIRED NOTICE FOR APPEALS AND VARIANCES (3) SIGN POSTING, THROUGH MODIFICATION OF (C) TO INCLUDE A PROVISION REQUIRING REMOVAL OF PUBLIC NOTICE SIGNS IN A SPECIFIED TIME FRAME AS FOLLOWS:**

(3). Sign Posting:

- (c). After the signs are posted, the petitioner shall prepare an affidavit certifying that the required signs were posted, including a description of the parcel of land on which the



signs were placed. This affidavit must be filed with the Administrative Official prior to the public hearing. The County shall make affidavit forms available for use by the applicant. The petitioner shall be responsible for removal of the sign(s) within 10 days of the date the decision on the petitioner's application becomes final or the date of appeal of a commission or governing body decision for judicial determination, whichever comes first. Failure to timely remove any such sign(s) is prohibited.

**SECTION 17: BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE V. ADMINISTRATION, SECTION 4. CONDITIONAL USE PERMITS (A) THROUGH ADDITION OF ITEM (6) AS FOLLOWS:**

**Section 4. Conditional Use Permit.**

The conditional use permit is intended to be utilized as a special permit which temporarily allows uses not otherwise permitted by this ordinance.

- A. Conditional use allowable in any zoning district with Planning and Zoning Commission approval:
- (1) Temporary real estate sales office exclusively for real estate sales of property in a developing subdivision.
  - (2) Second principal building on one lot of record in cases of extreme personal hardship, etc.
  - (3) Temporary structures.
  - (4) Temporary uses, other than those permitted as accessory uses and structures in all commercial districts
  - (5) Seasonal sales of plants or plant materials which are not accessory to churches, schools or fraternal organizations as principal uses of property
  - (6) Uses allowable by special exception use permit

**SECTION 18: BY AMENDING ARTICLE V. ADMINISTRATION, SECTION 4. CONDITIONAL USE PERMITS THROUGH MODIFICATION OF (D) APPLICATION PROCEDURE THROUGH INCLUSION OF A PROVISION IN (2) TO REQUIRE REMOVAL OF NOTICE SIGNS IN A SPECIFIED TIME FRAME IN (2) AS FOLLOWS:**

- D. Application Procedure:

- (2) If a public hearing before the Planning and Zoning Commission or Board of County Commissioners is required or requested by appeal hereunder, upon fixing a date for the public hearing the petitioner shall post the property with a public notice sign as supplied by the County Administrator or designee. The notice shall be posted in a conspicuous location at the front lot line at least ten (10) days prior to the scheduled hearing date. The petitioner shall be responsible for removal of the sign(s) within 10 days of the date the decision on the petitioner's application becomes final or the date of appeal of a commission or governing body decision for judicial determination, whichever comes first. Failure to timely remove any such sign(s) is prohibited. Additionally, the County Administrator or designee shall mail a notice giving the time, place, and purpose of the meeting to each property owner within two hundred fifty (250) feet of the parcel covered by the application. The notice shall be mailed at least ten (10) days prior to the scheduled meeting date.

**SECTION 19: BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE V. ADMINISTRATION, SECTION 8. SPECIAL EXCEPTION USE REGULATIONS A. (4) THROUGH MODIFICATION AS FOLLOWS:**

**Section 8. Special Exception Use Regulations**

Special exception uses may be permitted in those zoning districts where designated by this ordinance but only when specifically approved by the Planning and Zoning Commission in accordance with the provisions of this ordinance. All special exception uses shall be subject to the following regulations unless otherwise stated in this ordinance.

- A. *In considering the granting of a special exception permit the Planning and Zoning Commission shall have the following powers and duties.*
  - (1) The Commission shall hear and decide on applications for special exception use permits; to decide such questions as are involved in the determination of when special exceptions should be granted; to grant special exceptions with appropriate conditions and safeguards; to deny special exceptions when not in harmony with the purpose and intent of the Land Development Regulations.
  - (2) In granting any special exception, the Commission shall find that such grant will not adversely affect the public interest.
  - (3) In granting any special exception, the Commission may prescribe appropriate conditions and safeguards in conformity with the Land Development Regulations. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this ordinance.

- (4) If a developer fails to initiate substantial construction within a period of not more than two (2) years from the approval date, the special exception use permit shall be null and void.
- (5) Where deemed appropriate by the Commission, an application for a special exception may be approved as a conditional use subject to the limitations and requirements thereof, including reasonable time limits on such use.

**SECTION 20: BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE V. ADMINISTRATION, SECTION 8. SPECIAL EXCEPTION USE REGULATIONS, F. REQUIRED NOTICE (3) SIGN POSTING (c), THROUGH MODIFICATION TO INCLUDE A PROVISION TO REQUIRE REMOVAL OF PUBLIC NOTICE SIGNS IN A SPECIFIED TIME FRAME AS FOLLOWS:**

**Section 8. Special Exception Use Regulations**

**F. Required notice:**

**(3) Sign Posting:**

- (c) After the signs are posted, the petitioner shall prepare an affidavit certifying that the required signs were posted, including a description of the parcel of land on which the signs were placed. This affidavit must be filed with the County Administrator or designee prior to the public hearing. The County Administrator or designee shall make affidavit forms available for use by the applicant. The petitioner shall be responsible for removal of the sign(s) within 10 days of the date the decision on the petitioner's application becomes final or the date of appeal of a commission or governing body decision for judicial determination, whichever comes first. Failure to timely remove any such sign(s) is prohibited.

**SECTION 21: BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE VI. AMENDMENTS, SECTION 8. REQUIRED NOTICE B. REQUIRED POSTING OF NOTICE, THROUGH MODIFICATION TO INCLUDE A PROVISION TO REQUIRE REMOVAL OF PUBLIC NOTICE SIGNS IN A SPECIFIED TIME FRAME, AS FOLLOWS:**

Section 8. Required notice for zoning amendment proposals originating with petition of owners of fifty-one percent or more of the area involved in the change.

B. *Required posting of notice:* The petitioner shall, upon adoption of the resolution fixing a date for public hearing on a proposed zoning amendment involving a change in Zoning district

classification and not less than fifteen (15) days prior to the date set for the public hearing, post sign(s) on the parcel of land for which the change in Zoning district classification is proposed. Such sign shall have the size, the shape, design and color determined by the Administrative Official. Upon such sign shall be printed or otherwise made to appear the following information:

**PUBLIC NOTICE  
REZONING HEARING BEFORE  
PLANNING AND ZONING COMMISSION  
AND/OR  
COUNTY COMMISSION  
(as applicable)  
HERNANDO COUNTY, FLORIDA  
(insert date, meeting time, and location)  
PROPOSED TO BE REZONED FROM  
\_\_\_\_\_ TO \_\_\_\_\_**

The sign(s) furnished by the Planning and Development Department shall be posted by the applicant along each front lot line with the bottom of the sign at least three (3) feet above grade on the property being considered for rezoning. The sign cards shall be posted at the outer property line along the road or street frontage and shall be clearly visible. If the frontage is in excess of three hundred (300) feet, posting of the signs shall be determined by the Planning and Development Department. In those cases where the property does not have frontage on a road, the sign cards shall be posted at the property corners, and where the access road intersects with the nearest county road.

After the sign is posted, the petitioner shall make an affidavit certifying that he had posted the required sign. The affidavit shall include a description of the parcel of land on which such sign was placed. Such affidavit must be filed with the Administrative Official prior to the public hearing. The county shall make affidavit forms available for use by the applicant. The petitioner shall be responsible for removal of the sign(s) within 10 days of the date the decision on the petitioner's application becomes final or the date of appeal of a commission or governing body decision for judicial determination, whichever comes first. Failure to timely remove any such sign(s) is prohibited.

**SECTION 21: BY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE VIII. PLANNED DEVELOPMENT PROJECT, SECTION 5, PERMITTED USES, 16. PDP(RECREATION) THROUGH ADDITION AS FOLLOWS:**

**ARTICLE VIII. PLANNED-DEVELOPMENT PROJECT**

Section 5. Permitted Uses:

16. **PDP (Recreation):** Any permitted or special exception uses in the R-C district which have been specifically designated or specified in the narrative or on the master plan, plus any of the following which have been designated on the approved master plan:
- (a) Golf Courses
  - (b) Miniature Golf Course
  - (c) Go-cart Tracks
  - (d) Tennis Complexes
  - (e) Baseball or golf driving ranges
  - (f) Bathing Beaches
  - (g) Swimming Facilities
  - (h) Picnic Grounds
  - (i) Amusements piers, mechanical riding devices, carnivals, circuses, animal displays, aquariums, menageries or exhibit museums
  - (j) Outdoor rifle, shotgun, pistol or archery ranges
  - (k) Natural Buffer areas
  - (l) All park districts, including private, mini-park/tot lots, neighborhood, community and regional parks
  - (m) Recreational Airports
  - (n) Other outdoor uses of a recreational nature specifically approved by the Governing Body
  - (o) Private airstrips
  - (p) Clubhouses and restaurants as accessory uses to a permitted use
  - (q) Pro Shops as accessory uses to a permitted use
  - (r) Concession stands accessory uses to a permitted use
  - (s) Zoological Gardens

## **SECTION 22. 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 23. 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 24. 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 3rd DAY OF AUGUST, 2004.

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

BY *Hannah M. Robinson*  
HANNAH M. ROBINSON,  
CHAIRPERSON

ATTEST *Karen Nicolai*  
KAREN NICOLAI, CLERK

SEAL

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY *[Signature]* 8/10/04  
County Attorney's Office