

ORDINANCE NO.: 2010 - 1

AN ORDINANCE AMENDING APPENDIX A (ZONING) OF THE HERNANDO COUNTY CODE OF ORDINANCES BY AMENDING ARTICLE IV (ZONING DISTRICT REGULATIONS), SECTION 1 (ESTABLISHMENT OF ZONING DISTRICTS), SUBSECTION A (ZONING DISTRICT DESIGNATION) REGARDING THE DESCRIPTION FOR THE PLANNED DEVELOPMENT PROJECT DISTRICT, AND AMENDING SECTION 5 (PLANNED DEVELOPMENT DISTRICTS) BY ADDING A CATEGORY FOR PDP/COMMERCIAL MARINE; AMENDING ARTICLE VIII (PLANNED-DEVELOPMENT PROJECT), SECTION 1 (GENERAL PROVISIONS FOR PLANNED DEVELOPMENT PROJECTS), SUBSECTION B (PERIMETER SETBACKS) AND SECTION 5 (PERMITTED USES); CREATING A PDP/COMMERCIAL MARINE ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, § 163.3202, Florida Statutes, requires each local government in the State of Florida to adopt or amend and enforce local land development regulations that are consistent with and implement the adopted Comprehensive Plan; and,

WHEREAS, Hernando County has previously adopted land development regulations; and periodic updates and clarifications are necessary for successful implementation.

SECTION I. AMENDING APPENDIX A (ZONING), ARTICLE IV (ZONING DISTRICT REGULATIONS), SECTION 1 (ESTABLISHMENT OF ZONING DISTRICTS), SUBSECTION A (ZONING DISTRICT DESIGNATION). Appendix A (Zoning), Article IV (Zoning District Regulations), Section 1 (Establishment of zoning districts), Subsection A (Zoning district designation) is amended to read as follows, with underlined matter added and struck-through matter deleted:

Section 1. Establishment of zoning districts.

A. *Zoning district designation:* The unincorporated area of Hernando County, Florida, is divided into the following zoning districts, as shown on the "Official Zoning District Map, Hernando County, Florida," and these zoning districts are designated, as follows:

[Sub-subsections (1) thru (22) remain unchanged]

(23) *PDP Planned Development Project District:* ~~This district is designed to encompass an area that is to be developed as an integral and planned complex of structures and uses other than through the conventional principal building-single~~

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1 lot development approach, and is intended to be the district most used as a means
2 of providing for land the changes and amendment of the zoning district map;
3 especially in regard to the agricultural zoning districts. The planned development
4 project (PDP) is a specialized zoning district which provides a level of density
5 and/or intensity, and a list of permitted uses. A narrative description and a master
6 plan are part of the PDP zoning. The master plan is a visual depiction of the
7 general layout of the project in conformance with the PDP rules with any
8 additional performance standards or specific deviations requested. The process for
9 approval of a PDP zoning is through the zoning amendment process as provided
10 for in this ordinance. This master plan must be reviewed and approved by the
11 governing body. The list of permitted PDP districts are contained in Section 5 of
12 this article and the requirements related to PDP districts are contained in article
13 VIII of this code.

14
15 *[Remainder of this sub-section remains unchanged]*

16
17 **SECTION II. AMENDING APPENDIX A (ZONING), ARTICLE IV (ZONING DISTRICT**
18 **REGULATIONS), SECTION 5 (PLANNED DEVELOPMENT DISTRICTS).** Appendix A (Zoning),
19 Article IV (Zoning District Regulations), Section 5 (Planned development districts) is amended
20 to read as follows, with underlined matter added and struck-through matter deleted:

21
22 **Section 5. Planned development districts.**

23
24 The following regulations shall apply to all planned development districts:

25
26 A. Planned Development Districts are as follows:

- 27
28 1. PDP (Single-Family).
29
30 2. PDP (Multifamily).
31
32 3. PDP (Multifamily-2).
33
34 4. PDP (Mobile Home).
35
36 5. PDP (Rural).
37
38 6. PDP (Resort Residential).
39
40 7. PDP (General Commercial).
41
42 8. PDP (General Highway Commercial).
43
44 9. PDP (Highway Commercial).

- 1 10. PDP (Neighborhood Commercial).
- 2
- 3 11. PDP (Heavy Highway Commercial).
- 4
- 5 12. PDP (Industrial).
- 6
- 7 13. PDP (Light Industrial).
- 8
- 9 14. PDP (Heavy Industrial).
- 10
- 11 15. PDP (Office/Professional).
- 12
- 13 16. PDP (Recreational).
- 14
- 15 17. PDP (Public Service Facility Overlay District).
- 16
- 17 18. PDP (Special Use).
- 18
- 19 19. C/PDP (Combined).
- 20
- 21 20. PDP (Corporate Park).
- 22
- 23 21. PDP (Aviation Facilities).
- 24
- 25 22. PDP (Commercial Marine).
- 26

27 B. *Dimensions and area regulations; plan and narrative standards:* Dimensions and
 28 area regulations and plan and narrative standards shall be as provided ~~For in Section 1 of for in~~
 29 Appendix A, article VIII of this code, the Land Development Regulations. ~~Dimension and area~~
 30 ~~regulations shall be shown on the submitted PDP Plan, pursuant to the requirements of Article~~
 31 ~~VIII.~~

32

33 C. *Mapping designations:* The following district designations will be used for
 34 mapping purposes:

35	36 Zoning Designation	36 Mapping Designation
37	1. PDP (Single-Family)	PDP (SF)
38	2. PDP (Multifamily)	PDP (MF)
39	3. PDP (Multifamily-2)	PDP (MF2)
40	4. PDP (Mobile Home)	PDP (MH)
41	5. PDP (Rural)	PDP (RUR)
42	6. PDP (Resort Residential)	PDP (RR)
43	7. PDP (General Highway Commercial)	PDP (GHC)
44	8. PDP (General Commercial)	PDP (GC)

1	9.	PDP (Highway Commercial)	PDP (HC)
2	10.	PDP (Neighborhood Commercial)	PDP (NC)
3	11.	PDP (Heavy Highway Commercial)	PDP (HHC)
4	12.	PDP (Industrial)	PDP (IND)
5	13.	PDP (Light Industrial)	PDP (LI)
6	14.	PDP (Heavy Industrial)	PDP (HID)
7	15.	PDP (Office/Professional)	PDP (OP)
8	16.	PDP (Recreational)	PDP (REC)
9	17.	PDP (Public Service Facility Overlay District)	PDP (PSF)
10	18.	PDP (Special Use)	PDP (SU)
11	19.	PDP (Combined)	CPDP
12	20.	PDP (Corporate Park)	PDP (CP)
13	21.	PDP (Aviation Facilities)	PDP (AF)
14	<u>22.</u>	<u>PDP (Commerical Marine)</u>	<u>PDP (CM)</u>

SECTION III. AMENDING APPENDIX A (ZONING), ARTICLE VIII (PLANNED-DEVELOPMENT PROJECT), SECTION 1 (GENERAL PROVISIONS FOR PLANNED DEVELOPMENT PROJECTS), SUBSECTION B (PERIMETER SETBACK). Appendix A (Zoning), Article VIII (Planned-Development Projects), Section 1 (General provisions for planned development projects), Subsection B (Perimeter setback) is amended to read as follows, with underlined matter added and struck-through matter deleted:

B. *Perimeter setback:* The following shall be the minimum building front, rear and side setbacks for the portion of the project which is adjacent to the project perimeter:

27	PDP (Residential Uses)	Front	25
28		Side	10
29		Rear	20
30	PDP (Neighborhood Commercial)	Side	20
31		Rear	35
32	PDP (Commercial/Office-Professional Uses)	Side	20
33		Rear	35
34	PDP (Industrial Uses)	Side	20
35		Rear	35
36	PDP (Agricultural, County 2.5)	Front	75
37		Side	25
38		Rear	35
39	PDP (Agricultural/Residential)	Front	50
40		Side	10
41		Rear	35
42	PDP (Recreational)	Front	75
43		Side	25
44		Rear	25

1	PDP (Residential SF Mobile Home)	Front	25
2		Side	10
3		Rear	15
4	PDP (Corporate Park)	Side	20
5		Rear	35
6	PDP (Aviation Facilities District)	Side	20
7		Rear	35
8	<u>PDP (Commercial Marine)</u>	<u>Side</u>	<u>20</u>
9		<u>Rear</u>	<u>35</u>

10
 11 Along US 19, SR 50, US 41, US 98, US 301, CR 578, and CR 485, front yard
 12 requirements shall be one hundred twenty-five (125) feet. Residential uses located
 13 on CR 578 between US 19 and Oak Lake Drive shall meet the standard setback of
 14 the district. For (commercial/office professional uses), (industrial), (corporate
 15 park), and (aviation facilities) PDPs, front perimeter setbacks are as follows:

16
 17 Along all roads not included above and identified on the Existing
 18 Functional Classification Map developed by Hernando County, the front
 19 setback shall be seventy-five (75) feet. Along all roadways not identified
 20 on the Existing Functional Classification Map, the minimum front yard
 21 requirement is thirty-five (35) feet.

22
 23 For neighborhood commercial PDPs, front perimeter setbacks are as follows:

24
 25 Along all roads not included above and identified on the Existing
 26 Functional Classification Map developed by Hernando County, the front
 27 setback shall be fifty (50) feet. Along all roadways not identified on the
 28 Existing Functional Classification Map, the minimum front yard
 29 requirement is thirty-five (35) feet.

30
 31 The Existing Functional Classification Map developed by Hernando County is
 32 hereby adopted by reference and made part of this section. The official Existing
 33 Functional Classification Map shall be placed on file at the Hernando County
 34 Planning Department. The Existing Functional Classification Map may be
 35 modified by board resolution at any time upon notice of an advertised public
 36 hearing.

37
 38 For PDP (Commercial Marine), the rear setback may be reduced to twenty-five
 39 feet (25) adjacent to a navigable water body.

40
 41 **SECTION IV. AMENDING APPENDIX A (ZONING), ARTICLE VIII (PLANNED-DEVELOPMENT**
 42 **PROJECT), SECTION 5 (PERMITTED USES).** Appendix A (Zoning), Article VIII (Planned-
 43 Development Projects), Section 5 (Permitted uses) is amended to read as follows, with
 44 underlined matter added and struck-through matter deleted:

1 **Section 5. Permitted uses.**

2
3 The following permitted uses are allowable subject to approval by the governing body
4 through the zoning amendment process:

5
6 1. PDP (Single-Family): All permitted uses and special exception uses
7 allowed in the R-1A, R-1B, R-1C, R-2.5, R-2 and R-1MH zoning districts which
8 have been specifically designated or specified in the narrative or on the master
9 plan.

10
11 [no change to Subsections 1. thru 21.]

12
13 22. PDP (Commercial Marine): All permitted and special exception uses
14 allowed in the CM-1 and CM-2 Districts which have been specifically designated
15 or specified in the narrative or on the master plan.

16
17 **SECTION V. Severability.** It is declared to be the intent of the Board of County
18 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
19 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect
20 the validity of the remaining portions of this ordinance.

21
22 **SECTION VI. Inclusion in the Code.** It is the intention of the Board of County Commissioners
23 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance
24 shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To
25 this end, any section or subsection of this Ordinance may be renumbered or relettered to
26 accomplish such intention, and the word "ordinance" may be changed to "section," "article," or
27 other appropriate designation.

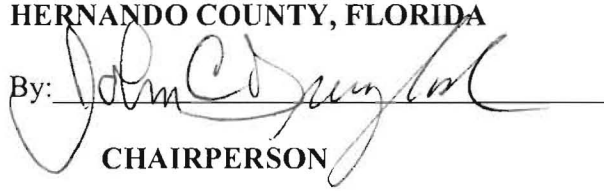
28
29 **SECTION VII. Effective date.** This ordinance shall take effect immediately upon filing with
30 the Department of State.

31
32 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
33 **HERNANDO COUNTY in Regular Session this 26th day of January, 2010.**



KAREN NICOLAI
CLERK

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By: 
CHAIRPERSON

