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CLERK OF THE
TALLAHASSEE, FLORIDA

ORDINANCE NO.: 2010 -2 1.

AN ORDINANCE AMENDING APPENDIX A (ZONING), ARTICLE II (GENERAL REGULATIONS), SECTION 2 (GENERAL REGULATIONS FOR STRUCTURES AND USES) OF THE HERNANDO COUNTY CODE OF ORDINANCES; DELETING SUBSECTION G ENTITLED "STANDARDS FOR DETERMINATION OF SIMILARITY IN EXTERIOR APPEARANCE FOR SINGLE FAMILY HOMES AND MANUFACTURED BUILDINGS"; RENUMBERING REMAINING SUBSECTIONS; DELETING ALL REFERENCES AND CROSS-REFERENCES TO SIMILARITY AS CONTAINED ELSEWHERE IN THE COUNTY'S LAND DEVELOPMENT REGULATIONS; REPEALING ANY PROVISIONS IN CONFLICT HERewith; 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, Hernando County has previously adopted land development regulations; and,

WHEREAS, periodic updates and clarifications are necessary for the successful implementation of land development regulations.

SECTION I. AMENDING APPENDIX A (ZONING), ARTICLE II (GENERAL REGULATIONS), SECTION 2 (GENERAL REGULATIONS FOR STRUCTURES AND USES) OF THE CODE. Appendix A (Zoning), Article II (General Regulations), Section 2 (General regulations for structures and uses) of the Code is amended to read as follows, with underlined matter added and struck-through matter deleted:

Section 2. General regulations for structures and uses.

A. Existing nonconforming structures, uses and lots: . . .

. . . . [No changes to Subsections 2.A thru 2.F]

~~G. Standards for determination of similarity in exterior appearance for single-family homes and manufactured buildings. Prior to the issuance of a building permit for a single-family home or manufactured building within specified zoning districts in the land development regulations, a determination of similarity in exterior appearance must be made. To be deemed similar, a single-family dwelling or manufactured building shall have the electrical service meter can attached to the residence and shall have non-metal stairs for the front entrance within the specified zoning districts which require a determination of similarity in exterior appearance. In addition the single-family residence or manufactured building shall meet either category 1 or category 2 similarity standards.~~

- 1 4. ~~Siding materials: same material as at least two (2) of the three (3) closest~~
2 ~~residences.~~
- 3
- 4 5. ~~Permanent foundation: on a stem wall with continuous footing, a monolithic slab,~~
5 ~~or permanent foundation designed to meet the criteria of the flood regulations in~~
6 ~~flood-prone areas.~~
- 7
- 8 6. ~~View: at least the same number of legs along the front of the residence as the~~
9 ~~average of the three (3) closest residences rounded up to the closest round~~
10 ~~number. "Leg" shall mean a minimum four-foot offset from the front of the main~~
11 ~~building with the other dimension being a minimum of eight (8) feet. Legs must~~
12 ~~be covered by the same roof material as the main structure and includes porches.~~
- 13
- 14 7. ~~Mandatory attached garage, a minimum of ten (10) feet × twenty (20) feet in size,~~
15 ~~unless the home is located within the V-zone, or two (2) out of three (3) of the~~
16 ~~closest residences do not have a garage. In cases where the proposed single family~~
17 ~~home or manufactured building is larger in square footage than two (2) out of~~
18 ~~three (3) of the closest residences and is proposed to have at least the same~~
19 ~~number of legs along the front of the residence as two (2) out of three (3) of the~~
20 ~~closest residences, an attached garage is not mandatory. Attached means~~
21 ~~architecturally integrated into the design of the residence and structurally~~
22 ~~connected or connected by a breezeway, roof or other similar attachment.~~
- 23
- 24 8. ~~Minimum 900 square feet of living area unless two (2) out of three (3) of the~~
25 ~~closest residences are smaller than nine hundred (900) square feet. If two (2) out~~
26 ~~of three (3) of the closest residences are smaller, the minimum living area will be~~
27 ~~as specified in the zoning district.~~

28
29 ~~The criteria included in this section are use standards.~~

30
31 H G. *Regulations for temporary uses and structures.*

- 32
- 33 1. Temporary uses and structures as provided for in this code may be allowed subject
34 to meeting the following development review standards:
 - 35
 - 36 a. A site plan depicting the proposed use in relation to the overall parcel on
37 which it is to be located must be provided.
 - 38
 - 39 b. Driveway access permits shall be obtained.
 - 40
 - 41 c. Adequate parking shall be provided in conformity with the required
42 standards for the use without reducing the required parking for the
43 established permitted activity.
 - 44
 - 45 d. A covered trash or garbage receptacle with a plastic liner will be kept on
46 site.

1 e. Adequate restroom facilities shall be provided.
2

3 2. No electric service will be permitted for temporary uses and structures which do
4 not include placement of a building or mobile home approved through the
5 permitting process.
6

7 3. Seasonal sales of plants and plant material shall be allowed as a temporary use at
8 established churches, schools and fraternal organizations for a period not to
9 exceed thirty (30) days. Such sales must utilize the existing parking area for
10 parking and traffic circulation associated with the use.
11

12 4. A Recreational Vehicle for security purposes is allowable as accessory to a
13 temporary use which is allowable for less than thirty (30) days in duration.
14

15 5. Roadside sales are prohibited unless otherwise authorized by the county's land
16 development regulations.
17

18 F H. *Minimum design standards for multifamily development.*
19

20 1. For the PDP (MF) and R-3 zoning categories:
21

22 a. Building facade: A minimum of fifteen (15) percent of the front facade
23 shall contain windows or doors. All windows and doors shall provide four-
24 inch trim or be recessed (ie: into the front facade) to provide shadowing.
25 Exterior building elevations shall incorporate design features such as
26 offsets, balconies, projections, window reveals, or similar elements to
27 preclude large expanses of uninterrupted building surfaces. These features
28 shall occur at a minimum of every thirty (30) feet.
29

30 b. Building materials: Wall surface areas must be brick, stone, stucco,
31 decorative cementacious finish, stucco appearance, or colored or painted
32 architectural block. Up to fifty (50) percent of wall surface area may be
33 finished with siding if two (2) out of three (3) of the closest buildings
34 utilize siding.
35

36 c. Roofs shall have a minimum four (4) on twelve (12) pitch.
37

38 d. All rooftop equipment shall be hidden behind parapets or other structures
39 designed into the building.
40

41 e. Minimum open space required for multifamily developments containing
42 twelve (12) or more units: A minimum of fifteen (15) percent of the gross
43 site must be maintained in open space. A minimum of fifty (50) percent of
44 the required open space shall be in areas at least five hundred (500) square
45 feet in size with no horizontal dimension less than fifteen (15) feet.
46

- 1 f. Internal accessway design: Any accessways serving projects with multiple
2 buildings shall be designed to accommodate turnaround traffic without the
3 need for vehicles to back-up. The minimum width of an accessway shall
4 be eighteen (18) feet.
5
6 Adequate transition radius from the accessway to the parking lot area must
7 be provided. All intersecting drives must have a minimum fifteen-foot
8 radius. The minimum design speed shall be fifteen (15) mph.
9
10 g. Minimum dimensions for drive aisles and parking spaces must be in
11 accordance with commercial parking standards.
12
13 h. For developments containing more than twelve (12) units, when parking
14 spaces are placed within entry aisles to a garage, an additional thirty (30)
15 percent of the required parking must be provided in common areas
16 throughout the project.
17
18 i. No trash receptacles shall be located within the front twenty-five-foot
19 setback or side ten-foot setback. Trash receptacles must be on a concrete
20 or asphalt pad. Trash receptacles shall be screened from view by
21 placement of a solid wood fence, masonry wall, or similar sight-obscuring,
22 gated enclosure. Such screening is exempt from the provision of the fence
23 ordinance for the minimum area necessary to adequately screen the trash
24 receptacles.
25
26 j. Pedestrian circulation for projects with multiple buildings: continuous
27 internal sidewalks, a minimum of four (4) feet in width, shall be provided
28 between buildings throughout the project. The internal sidewalk system
29 shall connect all abutting streets to primary building entrances.
30
31 k. For all development containing more than fifty (50) units, there shall either
32 be twenty-four-hour on-site management or twenty-four-hour management
33 by a professional company or the owner.
34
35 l. Minimum building setbacks, excluding garages, from edge of pavement
36 of internal vehicular accessways: Twenty-five (25) feet.
37
38 m. Minimum separation between buildings: Fifteen (15) feet.
39
40 2. For the PDP (MF2) and R-4 zoning categories:
41
42 a. Minimum open space required for multifamily developments containing
43 twelve (12) or more units: A minimum of fifteen (15) percent of the gross
44 site must be maintained in open space. A minimum of fifty (50) percent of
45 the required open space shall be in areas at least five hundred (500) square
46 feet in size with no horizontal dimension less than fifteen (15) feet.

- 1 b. Internal accessway design: Any accessways serving projects with multiple
2 buildings shall be designed to accommodate turnaround traffic without the
3 need for vehicles to back-up. The minimum width of an accessway shall
4 be eighteen (18) feet.
5
6 Adequate transition radius from the accessway to the parking lot area must
7 be provided. All intersecting drives must have a minimum fifteen-foot
8 radius. The minimum design speed shall be fifteen (15) mph.
9
10 c. Minimum dimensions for drive aisles and parking spaces must be in
11 accordance with commercial parking standards.
12
13 d. For developments containing more than twelve (12) units, when parking
14 spaces are placed within entry aisles to a garage, an additional thirty (30)
15 percent of the required parking must be provided in common areas
16 throughout the project.
17
18 e. No trash receptacles shall be located within the front twenty-five-foot
19 setback or side ten-foot setback. Trash receptacles must be on a concrete
20 or asphalt pad. Trash receptacles shall be screened from view by
21 placement of a solid wood fence, masonry wall, or similar sight-obscuring,
22 gated enclosure. Such screening is exempt from the provision of the fence
23 ordinance for the minimum area necessary to adequately screen the trash
24 receptacles.
25
26 f. Pedestrian circulation for projects with multiple buildings: continuous
27 internal sidewalks, a minimum of four (4) feet in width, shall be provided
28 between buildings throughout the project. The internal sidewalk system
29 shall connect all abutting streets to primary building entrances.
30
31 g. For all development containing more than fifty (50) units, there shall either
32 be twenty-four-hour on-site management or twenty-four-hour management
33 by a professional company or the owner.
34
35 h. Minimum building setbacks, excluding garages, from edge of pavement of
36 internal vehicular accessways: Twenty-five (25) feet.
37
38 i. Minimum separation between buildings: Fifteen (15) feet.
39

40 (Ord. of 12-4-72, § II(b)(5); Ord. No. 76-2, § 7, 2-17-76; Ord. No. 82-1, § 2, 1-19-82; Ord. No.
41 82-13, §§ 1, 2, 11-1-82; Ord. No. 84-5, § 2, 3-27-84; Ord. No. 85-12, §§ 1, 2, 6-4-85; Ord. No.
42 90-22, § 1, 11-26-90; Ord. No. 91-23, § 3, 7-2-91; Ord. No. 93-30, § 4, 12-21-93; Ord. No. 96-
43 08, § 3, 5-7-96; Ord. No. 97-08, §§ 3, 4, 5-20-97; Ord. No. 98-18, § 3, 6-23-98; Ord. No. 99-02,
44 § 2, 2-2-99; Ord. No. 2000-04, §§ 1--7, 4-4-00; Ord. No. 2000-05, § 1, 4-4-00; Ord. No. 2000-
45 07, § 2, 5-9-00; Ord. No. 2001-06, § 2, 5-8-01; Ord. No. 2001-24, § 3, 12-18-01; Ord. No. 2002-
46 12, § 2, 7-23-02; Ord. No. 2002-15, § 3, 8-6-02; Ord. No. 2003-02, § 2, 2-11-03; Ord. No. 2003-

1 15, §§ 1--5, 8-5-03; Ord. No. 2005-22, § 3, 12-6-05; Ord. No. 2007-11, § 1, 7-24-07; Ord. No.
2 2008-05, § IX, 2-26-08; Ord. No. 2008-03, § 26, 2-5-08; Ord. No. 2010-_____)

3
4 **SECTION II. AMENDING APPENDIX A (ZONING), ARTICLE IV (ZONING DISTRICT**
5 **REGULATIONS), SECTION 2 (RESIDENTIAL DISTRICTS), SUBSECTION B (R-1B RESIDENTIAL**
6 **DISTRICT), SUB-SUBSECTION (4)(DIMENSION AND AREA REGULATIONS) OF THE CODE .**
7 Appendix A (Zoning), Article IV (Zoning District Regulations), Section 2 (Residential Districts),
8 Sub-subsection (4)(Dimension and area regulations) of the Code is amended to read as follows,
9 with underlined matter added and struck-through matter deleted:

- 10
11 (4) Dimension and area regulations. The following dimension and area
12 regulations shall apply in the district:

13
14 *[sub-subsections (a) to (i) remain unchanged]*

- 15
16 (j) ~~[Minimum standards for similarity in exterior appearance.] All~~
17 ~~proposed single family dwellings or manufactured buildings shall~~
18 ~~meet the minimum standards for determination of similarity in~~
19 ~~exterior appearance for single family homes and manufactured~~
20 ~~buildings as provided for in Article II, General Regulations,~~
21 ~~Section 2, General Regulations for Structures and Uses, (G)~~
22 ~~Standards for Determination of Similarity in Exterior Appearance~~
23 ~~for Single Family Homes and Manufactured Buildings.~~

24
25 *[the remaining sub-subsections shall be renumbered]*

26
27 **SECTION III. AMENDING APPENDIX A (ZONING), ARTICLE IV (ZONING DISTRICT**
28 **REGULATIONS), SECTION 2 (RESIDENTIAL DISTRICTS), SUBSECTION C (R-1C RESIDENTIAL**
29 **DISTRICT), SUB-SUBSECTION (4)(DIMENSION AND AREA REGULATIONS) OF THE CODE.**
30 Appendix A (Zoning), Article IV (Zoning District Regulations), Section 2 (Residential Districts),
31 Subsection C (R-1C Residential), Sub-subsection (4)(Dimension and area regulations) of the
32 Code is amended to read as follows, with underlined matter added and struck-through matter
33 deleted:

- 34
35 (4) Dimension and area regulations. The following dimension and area
36 regulations shall apply in the district:

37
38 *[sub-subsections (a) to (i) remain unchanged]*

- 39
40 (j) ~~[Minimum standards for similarity in exterior appearance.] All~~
41 ~~proposed single family dwellings or manufactured buildings shall~~
42 ~~meet the minimum standards for determination of similarity in~~
43 ~~exterior appearance for single family homes and manufactured~~
44 ~~buildings as provided for in Article II, General Regulations,~~
45 ~~Section 2, General Regulations for Structures and Uses, (G)~~

1 ~~Standards for Determination of Similarity in Exterior Appearance~~
2 ~~for Single Family Homes and Manufactured Buildings.~~

3
4 *[the remaining sub-subsections shall be renumbered]*

5
6 **SECTION IV. AMENDING APPENDIX A (ZONING), ARTICLE IV (ZONING DISTRICT**
7 **REGULATIONS), SECTION 2 (RESIDENTIAL DISTRICTS), SUBSECTION D (R-2.5 RESIDENTIAL**
8 **DISTRICT), SUB-SUBSECTION (4)(DIMENSION AND AREA REGULATIONS) OF THE CODE.**

9 Appendix A (Zoning), Article IV (Zoning District Regulations), Section 2 (Residential Districts),
10 Subsection D (R-2.5 Residential District), Sub-subsection (4)(Dimension and area regulations) of
11 the Code is amended to read as follows, with underlined matter added and struck-through matter
12 deleted:

- 13
14 (4) Dimension and area regulations. The following dimension and area
15 regulations shall apply in the district:

16
17 *[sub-subsections (a) to (i) remain unchanged]*

- 18
19 (j) ~~[Minimum standards for similarity in exterior appearance:] All~~
20 ~~proposed single family dwellings or manufactured buildings shall~~
21 ~~meet the minimum standards for determination of similarity in~~
22 ~~exterior appearance for single family homes and manufactured~~
23 ~~buildings as provided for in Article II, General Regulations,~~
24 ~~Section 2, General Regulations for Structures and Uses, (G)~~
25 ~~Standards for Determination of Similarity in Exterior Appearance~~
26 ~~for Single Family Homes and Manufactured Buildings.~~

27
28 *[the remaining sub-subsections shall be renumbered]*

29
30 **SECTION V. AMENDING APPENDIX A (ZONING), ARTICLE IV (ZONING DISTRICT**
31 **REGULATIONS), SECTION 13 (AGRICULTURAL/RESIDENTIAL DISTRICTS), SUBSECTION A, SUB-**
32 **SUBSECTION (2)(DIMENSION AND AREA REGULATIONS) OF THE CODE.**

33 Appendix A (Zoning), Article IV (Zoning District Regulations), Section 13 (Agricultural/residential districts),
34 Subsection A, Sub-subsection (2) (Dimension and area regulations) of the Code is amended to
35 read as follows, with underlined matter added and struck-through matter deleted:

- 36
37 (2) Dimension and area regulations:

38
39 *[sub-subsections (a) to (h) remain unchanged]*

- 40
41 (i) ~~For the AR district: All proposed single-family dwellings or~~
42 ~~manufactured buildings shall meet the minimum standards for~~
43 ~~determination of similarity in exterior appearance for single-family~~
44 ~~homes and manufactured buildings as provided for in Article II,~~
45 ~~General Regulations, Section 2, General Regulations for Structures~~

1 and Uses, (G) Standards for Determination of Similarity in Exterior
2 Appearance for Single-family Homes and Manufactured Buildings:
3

4 *[the remaining sub-subsections shall be renumbered]*
5

6 **SECTION VI. AMENDING APPENDIX A (ZONING), ARTICLE VIII (PLANNED DEVELOPMENT**
7 **PROJECT), SECTION 1 (GENERAL PROVISIONS FOR PLANNED DEVELOPMENT PROJECTS) OF**
8 **THE CODE.** Appendix A (Zoning), Article VIII (Planned Development Districts), Section 1
9 (General provisions for planned development projects) of the Code is amended to read as
10 follows, with underlined matter added and struck-through matter deleted:
11

12 **Section 1. General provisions for planned development projects.**
13

14 All planned development projects shall meet the following requirements for development:
15

16 *[subsections (A) to (J) remain unchanged]*
17

- 18 K. ~~*Compatibility Standards.* All proposed single-family dwellings or~~
19 ~~manufactured buildings shall meet the minimum standards for~~
20 ~~determination of similarity in exterior appearance for single-family homes~~
21 ~~and manufactured buildings as provided for in article II, General~~
22 ~~regulations, section 2. General regulations for structures and uses,~~
23 ~~subsection G. Standards for determination of similarity in exterior~~
24 ~~appearance for single-family homes and manufactured buildings.~~
25

26 *[the remaining subsections shall be renumbered]*
27

28 **SECTION VII. Conflict.** It is declared to be the intent of the Board of County Commissioners
29 that if any provision in the County's zoning code in conflict with the intent and purpose of this
30 ordinance said provision shall be deemed repealed. Further, to the extent that there is any
31 reference or cross-reference to the similarity ordinance remaining in the code after the foregoing
32 deletions, MuniCode is hereby authorized to delete all such reference or cross-reference.
33

34 **SECTION VIII. Severability.** It is declared to be the intent of the Board of County
35 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
36 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect
37 the validity of the remaining portions of this ordinance.
38

39 **SECTION IX. Inclusion in the Code.** It is the intention of the Board of County Commissioners
40 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance
41 shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To
42 this end, any section or subsection of this Ordinance may be renumbered or relettered to
43 accomplish such intention, and the word "ordinance" may be changed to "section," "article," or
44 other appropriate designation.
45

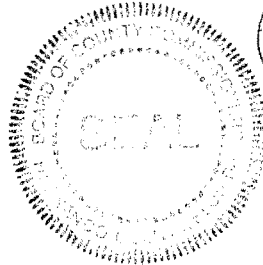
1 **SECTION X.** Effective date. This ordinance shall take effect immediately upon filing with the
2 Department of State.

3
4 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
5 **HERNANDO COUNTY in Regular Session this 26 day of October, 2010.**

6
7 **BOARD OF COUNTY COMMISSIONERS**
8 **HERNANDO COUNTY, FLORIDA**

9
10
11 Attest: Karen Nicolai
12 **KAREN NICOLAI**
13 **CLERK**

14
15
16 By: John Druzbeck
17 **JOHN DRUZBECK**
18 **CHAIRMAN**



19 Approved as to Form
20 and Legal Sufficiency

21
22 By: Geoffrey T. Kirk 10/12/10
23 **Geoffrey T. Kirk**
24 **Assistant County Attorney**