



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

October 24, 2013

Honorable Don Barbee Jr.  
Clerk of the Circuit Court  
Hernando County  
Room 131, 20 North Main Street  
Brooksville, Florida 34601-2800

Attention: Ms. Ashley Hofecker, Deputy Clerk

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2013-31, which was filed in this office on October 24, 2013.

Sincerely,

Liz Cloud  
Program Administrator

LC/elr

Enclosure

## Sherry Crum

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**From:** County Ordinances <CountyOrdinances@dos.myflorida.com>  
**Sent:** Thursday, October 24, 2013 2:09 PM  
**To:** Sherry Crum  
**Cc:** County Ordinances  
**Subject:** RE: Hernando County Ordinances  
**Attachments:** Hernando 2013-31 - Ack.pdf

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**From:** Sherry Crum [mailto:scrum@co.hernando.fl.us]  
**Sent:** Thursday, October 24, 2013 12:55 PM  
**To:** County Ordinances  
**Subject:** Hernando County Ordinances

Sender Full Name:	Sherry Crum
Sender Phone number:	352-754-4970
County Name:	Hernando
Ordinance Number:	2013-31

*Sherry L. Crum*

Deputy Clerk

Hernando County Clerk of Circuit Court & Comptroller

20 N. Main Street, Room 131

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ORDINANCE NO.: 2013 - 31

1  
2  
3 AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE OF  
4 ORDINANCES BY AMENDING APPENDIX A (ZONING), ARTICLE I  
5 (PREAMBLE; SHORT TITLES; PURPOSE; DEFINITIONS), SECTION 3  
6 (DEFINITIONS) BY PROVIDING FOR REVISED DEFINITIONS FOR PUBLIC  
7 SERVICE FACILITIES, USES AND STRUCTURES; AMENDING APPENDIX A  
8 (ZONING), ARTICLE II (GENERAL REGULATIONS), SECTION 1  
9 (APPLICATION OF REGULATIONS AND CLASSIFICATION OF  
10 STRUCTURES AND USES) BY MODIFYING GOVERNMENTAL AND PUBLIC  
11 SERVICE CLASSIFICATIONS; AMENDING APPENDIX A (ZONING) ARTICLE  
12 IV (ZONING DISTRICT REGULATIONS), SECTION 11 (PSF PUBLIC SERVICE  
13 FACILITY OVERLAY DISTRICT) BY MODIFYING USES AND ADDING LIME  
14 STABILIZATION TREATMENT FACILITIES AS A PERMITTED USE IN  
15 SPECIFIED DISTRICTS; PROVIDING FOR APPLICABILITY; PROVIDING FOR  
16 SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS;  
17 PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE;  
18 PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN  
19 EFFECTIVE DATE.  
20

21 WHEREAS, the Board of County Commissioners (County) has adopted the Hernando County  
22 Comprehensive Plan within which are included goals, objectives, and policies related to the process for  
23 review and approval of certain development applications; and  
24

25 WHEREAS, Chapter 163, Part II, Florida Statutes, requires the implementation of these goals,  
26 objectives, and policies through the adoption of consistent land development regulations; and  
27

28 WHEREAS, the County desires to update and modernize its land development regulations, and to  
29 provide for additional uses and modified uses in the PSF (Public Service Facility Overlay District); and  
30

31 WHEREAS, this proposed amendment to the Hernando County Land Development Regulations,  
32 Appendix "A", (Zoning Code), has received public hearings before the Planning Commission, Local  
33 Planning Agency and the Board of County Commissioners as required by state and local law; and  
34

35 WHEREAS, the Board of County Commissioners, for itself and acting as the Local Planning Agency,  
36 finds and determines that the proposed amendment is consistent with the goals, objectives, and policies of  
37 the Comprehensive Plan.  
38

39 NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
40 HERNANDO COUNTY, FLORIDA:  
41  
42

1 SECTION I. Hernando County Code of Ordinances, Appendix "A" (Zoning) Article I (Preamble; Short  
2 Titles; Purpose; Definitions), Section 3 (Definitions), numbered definitions 107, Public Service Facility  
3 Overlay District and 108, Public Service Uses and Structures, are hereby amended, with all other  
4 definitions unaltered, as more precisely delineated with strike-through and underlined text below:  
5

6 107. *Public Service Facility Overlay District*: The Public Service Facility Overlay District  
7 is a mechanism to allow governmental uses and structures and public service facility  
8 uses and structures in all zoning districts. The Public Service Facility Overlay District  
9 ~~may be~~ is approved by the Board of County Commissioners for a site specific location  
10 and use.

11 108. *Public Service Uses and Structures*: Any use or structure necessary for the operation  
12 and maintenance of a utility service or facility that is regulated or controlled by the  
13 City, County, State or Federal Government or legally empowered special  
14 governmental district, ~~but not owned and operated by such government~~. Public  
15 service uses and structures are designed to serve the public facility needs of the  
16 community, but are not necessarily owned or operated by a government entity.  
17 Associated buildings for general administrative, executive, studio, warehousing or  
18 storage functions, or general maintenance operations located at a different physical  
19 location than the public service use or structure, are excluded.  
20

21 SECTION II. Hernando County Code of Ordinances, Appendix "A" (Zoning) Article II (General  
22 Regulations), Section 1 (Application of Regulations and Classification of Structures and Uses), is  
23 hereby amended to revise existing Classifications numbers 51 *Governmental Uses and Structures* and  
24 77 *Public Service Facility Uses and Structures* with all classifications unaltered, as more precisely  
25 delineated with strike-through and underlined text below:  
26

- 27 51. Governmental Uses and Structures  
28 a. Emergency medical service facilities  
29 b. Fire Departments  
30 c. Police Stations  
31 d. Public Libraries  
32 e. Public Offices, Buildings and Centers  
33 f. Public Auditoriums, Arenas, Museums and Art Galleries  
34 g. Public Educational Facilities  
35 h. Government Post Offices  
36 i. ~~Sanitary Landfills~~  
37 j. ~~Digesters~~  
38 k. ~~Water Treatment Plants~~  
39 l. ~~Domestic Wastewater Facilities~~  
40  
41

- 1           77. Public Service Facility Uses and Structures  
2           a. Transmission Lines  
3           i. ~~Gas lines 24" or greater~~  
4           ii. ~~Water lines 24" or greater~~  
5           iii. ~~Sewer lines 24" or greater~~  
6           iv. Electric lines 230 kv or greater  
7           b. Compressor Stations  
8           c. Construction and Demolition Debris Landfill  
9           d. Sanitary Landfills  
10          e. Utility Substations and Distribution Centers  
11          f. Domestic Waste Water Facilities including lime stabilization and residual  
12             management treatment facilities  
13          g. Public Water Supply Wellfields  
14          h. Public Water and Reuse Water Storage Facilities  
15          i. Stand Alone Potable and Reuse Water Pumping Facilities not accessory to a  
16             project or use of land connected to water lines 24" or greater  
17          j. Stand alone Sewer Lift Pumping Facilities not accessory to a project or use of  
18             land connected to sewer lines 24" or greater  
19          k. Digesters  
20          l. Water Treatment Plants  
21          m. Air Curtain Incinerators  
22          n. ~~Telephone Switching~~ Telecommunication Facilities  
23          o. Radio, Television and Communication Towers  
24          p. Railroad Tracks Yards  
25          q. Distribution Electric Substations that distribute electricity through lines greater  
26             than 69 kilovolts in size

27  
28 **SECTION III.** Hernando County Code of Ordinances, Appendix "A" (*Zoning*) Article IV (*Zoning*  
29 *District Regulations*), Section 11 (*PSF Public Service Facility Overlay District*), Paragraph A (*Permitted*  
30 *Uses*), is hereby amended to add and modify permitted uses, as more precisely delineated with strike-  
31 through and underlined text below:

32  
33           A. *Permitted Uses:*

- 34           (1) Any use permitted in the underlying zoning district.  
35           (2) Governmental uses and structures consistent with ~~zoning amendment~~ plat the  
36             PSF approval.  
37           (3) Public service uses and structures consistent with ~~zoning amendment~~ plat the  
38             PSF approval.  
39           (4) Lime Stabilization and Residual Management Treatment Facilities in the C-4  
40             Heavy Highway Commercial District, the I-1 Light Industrial District and the  
41             I-2 Heavy Industrial District only.  
42

1 **SECTION IV.** Hernando County Code of Ordinances, Appendix "A" (*Zoning*) Article IV (*Zoning*  
2 *District Regulations*), Section 11 (*PSF Public Service Facility Overlay District*), Paragraph D is hereby  
3 amended to clarify the process for deviation from standards, as more precisely delineated with strike-  
4 through and underlined text below:

5  
6 *D.* All development must meet, at a minimum, the dimension and area regulations of the  
7 underlying zoning district and the standards and criteria in this section. The board of  
8 county commissioners may increase the minimum dimension and area regulations for  
9 the proposed use if it is deemed necessary to protect the health, safety and welfare of  
10 the citizens of Hernando County. Any reduction of the minimum dimension and area  
11 regulations or other development standards and criteria contained in this section must  
12 be specifically enumerated in the application and would require the approval of a  
13 deviation by the board of county commissioners issuance of a variance.

14  
15 **SECTION V. APPLICABILITY.** This Ordinance shall be applicable throughout the unincorporated  
16 areas of Hernando County and throughout the incorporated areas of Hernando County, to the extent  
17 permitted by Article VIII, Section 1(f) of the Constitution of the State of Florida.

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

23  
24 **SECTION VII. CONFLICTING PROVISIONS.** Special acts of the Florida Legislature applicable  
25 only to unincorporated areas of Hernando County, Hernando County ordinances, County resolutions,  
26 or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent  
27 of such conflict except for ordinances concerning either adoption or amendment of the  
28 Comprehensive Plan, pursuant to Chapter 163, part II, Florida Statutes.

29  
30 **SECTION VIII. REMAINDER.** All sections, subsections, clauses, sentences, phrases, and  
31 provisions of Appendix A, Zoning Code of the Hernando County Code of Ordinances not amended  
32 herein shall stay the same and remain in full force and effect until amended, repealed or otherwise  
33 acted upon by the Board of County Commissioners.

34  
35 **SECTION IX. FILING WITH THE DEPARTMENT OF STATE.** The clerk shall be and is hereby  
36 directed forthwith to send a certified copy of this ordinance to the Bureau of Administrative Code,  
37 Department of State, R.A. Gray Bldg., Room 101, 500 S. Bronough Street, Tallahassee, FL 32399-  
38 0250.

39  
40 **SECTION X. INCLUSION IN CODE.** It is the intention of the Board of County Commissioners of  
41 Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall  
42 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, any  
43 section or subsection of this Ordinance may be renumbered or re-lettered to accomplish such  
44 intention, and the word "ordinance" may be changed to "section", article," or other appropriate  
45 designation. Section V through Section XI need not be codified.

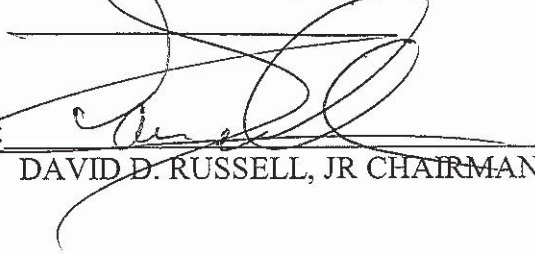
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SECTION XI. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Department of State.

DULY PASSED AND ADOPTED IN REGULAR SESSION THIS 22nd DAY OF October, 2013

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

Attest:   
DONALD C. BARBEE JR., CLERK

  
DAVID D. RUSSELL, JR CHAIRMAN



Approved as to Form and  
Legal Sufficiency

By: 