

ORDINANCE NO. 2013-22

AN ORDINANCE AMENDING APPENDIX A (ZONING) ARTICLE II (GENERAL REGULATIONS), SECTION 2 (GENERAL REGULATIONS FOR STRUCTURES AND USES), PROVIDING FOR MINIMUM DESIGN STANDARDS FOR SINGLE FAMILY DEVELOPMENTS; AMENDING APPENDIX A (ZONING) ARTICLE IV (ZONING DISTRICT REGULATIONS), SECTION 2 (RESIDENTIAL DISTRICTS), PROVIDING FOR REVISIONS TO THE RESIDENTIAL DISTRICTS; AMENDING APPENDIX A (ZONING) ARTICLE IV (ZONING DISTRICT REGULATIONS), SECTION 13 (AGRICULTURAL/RESIDENTIAL DISTRICTS), PROVIDING FOR REVISIONS TO THE AGRICULTURAL/RESIDENTIAL DISTRICTS; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

FILED
2013 JUL 31 AM 10:51
CLERK OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

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

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

WHEREAS, the County desires to update and modernize its land development regulations, and to provide for additional criteria and standards for the residential and agricultural/residential districts; and

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

WHEREAS, the Board of County Commissioners finds that the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan.

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

SECTION I. AMENDING APPENDIX A (ZONING), ARTICLE II (GENERAL REGULATIONS), SECTION 2 (GENERAL REGULATIONS).

Appendix A (Zoning), Article II (General Regulations), Section 2 (General Regulations for Structures and Uses), is amended to read as follows, with underlined language added and strike through language deleted:

1 **Section 2 - General Regulations for Structures and Uses.**

2
3 I. Minimum design standards for development of Single-family dwellings, Two-family
4 dwellings, or homes of six or fewer residents which meet the definition of a Community
5 residential home as defined by State law and which otherwise satisfies the requirements of
6 this zoning code.

7
8 1. For the R-1B, R-1C, R-2.5, R-2, R-3, R-4, R-R, A/R, and PDP (SF)
9 Districts:

10
11 a. Building Façade: Exterior building façade shall incorporate one
12 offset measuring ~~7~~ 4 feet perpendicular to the façade by ~~10~~ 8 feet in
13 length and a minimum of one architectural design feature including
14 one of the following: balconies, covered porches, projections,
15 cornice elements, windows, or door reveals. Architectural design
16 features shall occur a minimum of every 30 feet to provide
17 modulation, visual interest, and textured relief to preclude large
18 expanses of uninterrupted building facades.

19
20 b. Exterior Covering: Wall surface areas must be brick, stone, stucco,
21 cement finish, or non-aluminum siding.

22
23 c. Roof: The minimum pitch shall be 3 on 12. The use of traditional
24 roof forms such as gables, hips and dormers are encouraged.

25
26 d. Foundation: The foundation shall consist of a monolithic slab, stem
27 wall with continuous footing, or a permanent foundation designed to
28 meet the flood damage and prevention ordinance requirements.

29
30 e. Garage(s): For all districts other than A/R, at least one garage per
31 dwelling unit, with a minimum measurement of 10 feet in width by
32 20 feet in length, must be architecturally integrated. Said garage(s)
33 must be structurally connected to residence or connected by a
34 covered breezeway or roof. Side loaded garages must include one
35 window, faux window, or door reveal to reduce the blank wall
36 impact.

37
38
39 **SECTION II. AMENDING APPENDIX A (ZONING) ARTICLE IV (ZONING DISTRICT**
40 **REGULATIONS), SECTION 2 (RESIDENTIAL DISTRICTS).**

41
42 Appendix A (Zoning), Article IV (Zoning District Regulations), Section 2 (Residential Districts)
43 is amended to read as follows, with underlined language added and strike through language
44 deleted:

1 **Section 2. - Residential Districts**
2

3 B. *R-1B Residential District:*

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

6
7 (g) *Minimum living area:* The minimum living area of a dwelling shall
8 be ~~six hundred (600)~~ nine hundred (900) square feet. For the
9 purposes of this subsection, "minimum living area" shall mean the
10 minimum floor area of a dwelling unit exclusive of carports,
11 breezeways, unenclosed porches, garages, or terraces.
12

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

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

16
17 (g) *Minimum living area:* The minimum living area of a dwelling shall
18 be ~~six hundred (600)~~ nine hundred (900) square feet. For the
19 purposes of this subsection, "minimum living area" shall mean the
20 minimum floor area of a dwelling unit exclusive of carports,
21 breezeways, unenclosed porches, garages, or terraces.
22

23 D. *R-2.5 Residential District:*

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

26
27 (g) *Minimum living area:* The minimum living area of a dwelling shall
28 be ~~six hundred (600)~~ nine hundred (900) square feet. For the
29 purposes of this subsection, "minimum living area" shall mean the
30 minimum floor area of a dwelling unit exclusive of carports,
31 breezeways, unenclosed porches, garages, or terraces.
32

33 F. *R-2 Residential District:*

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

36
37 (g) *Minimum living area:* The minimum living area of a single family
38 dwelling shall be ~~six hundred (600)~~ nine hundred (900) square feet.
39 The minimum living area for all other dwellings shall be six hundred
40 (600) square feet. For the purposes of this subsection, "minimum
41 living area" shall mean the minimum floor area of a dwelling unit
42 exclusive of carports, breezeways, unenclosed porches, garages, or
43 terraces.
44

1 G. *R-3 Residential District:*

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

4
5 (g) Minimum living area: The minimum living area of a single family
6 dwelling shall be ~~six hundred (600)~~ nine hundred (900) square feet.
7 The minimum living area for all other dwellings shall be six hundred
8 (600) square feet. For the purposes of this subsection, "minimum
9 living area" shall mean the minimum floor area of a dwelling unit
10 exclusive of carports, breezeways, unenclosed porches, garages, or
11 terraces.
12

13 H. *R-4 Residential District:*

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

16
17 (g) Minimum living area: The minimum living area of a single family
18 dwelling shall be ~~six hundred (600)~~ nine hundred (900) square feet.
19 The minimum living area for all other dwellings shall be six hundred
20 (600) square feet. For the purposes of this subsection, "minimum
21 living area" shall mean the minimum floor area of a dwelling unit
22 exclusive of carports, breezeways, unenclosed porches, garages, or
23 terraces.
24

25 I. *R-R Residential District:*

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

28
29 (g) Minimum living area: The minimum living area of a single family
30 dwelling shall be ~~six hundred (600)~~ nine hundred (900) square feet.
31 The minimum living area for all other dwellings shall be six hundred
32 (600) square feet. For the purposes of this subsection, "minimum
33 living area" shall mean the minimum floor area of a dwelling unit
34 exclusive of carports, breezeways, unenclosed porches, garages, or
35 terraces.
36

37 **SECTION III. AMENDING APPENDIX A (ZONING) ARTICLE IV (ZONING DISTRICT**
38 **REGULATIONS), SECTION 13 (AGRICULTURAL/RESIDENTIAL DISTRICTS).**

39
40 Appendix A (Zoning), Article IV (Zoning District Regulations), Section 13
41 (Agricultural/Residential Districts) is amended to read as follows, with underlined language added
42 and strike through language deleted:
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44

1 **Section 13. – Agricultural/Residential Districts**
2

3 (2) *Dimension and area regulations.*
4

5 (h) Minimum living area: The minimum living area of a single-family dwelling
6 shall be ~~six hundred (600)~~ nine hundred (900). For the purposes of this
7 subsection, "minimum living area" shall mean the minimum floor area of a
8 dwelling unit exclusive of carports, breezeways, unenclosed porches,
9 garages, or terraces. In accordance with the provisions of this subsection,
10 the minimum living or floor area of a mobile home will be six hundred
11 (600) square feet exclusive of all attachments, and no mobile home shall be
12 permitted to be attached or detached in a manner that would be inconsistent
13 with the original manufacturer's design standards. No mobile home shall
14 have a length or width dimension less than twelve (12) feet, not including
15 pop-outs and attachments. All mobile homes must be skirted within thirty
16 (30) days from the issuance of a certificate of occupancy. The skirting shall
17 constitute a visual screen of new materials, or material in acceptable
18 condition, consisting of aluminum, pressure-treated wood, masonry, or
19 other acceptable material normally used for mobile home skirting and be
20 placed around the entire perimeter of the mobile home and extending from
21 the base of the mobile [home] to the ground.
22

23 Applicants applying for a building permit to place a used mobile home shall
24 either provide proof of a current and valid inspection by the Department of
25 Motor Vehicles or be inspected by the Hernando County Development
26 Department prior to the issuance of a building permit to set the mobile
27 home. The inspection will be conducted by the building division and is
28 designed to protect the public health, safety, and welfare. The inspection
29 will be conducted in areas of fire safety, electrical, plumbing, mechanical,
30 and overall construction of the mobile home.
31

32 If the inspection of the mobile home determines that the unit is not
33 repairable, no building permit shall be issued.
34

35 No applicant applying to place a mobile home shall perform any repair
36 work or commence set up of the mobile home until a building permit has
37 been secured.
38

39 Any deficiencies noted in the inspection report shall be corrected prior to
40 the issuance of a certificate of occupancy.
41

42 Standards for used mobile home inspections will be adopted by resolution
43 of the Hernando County Board of County Commissioners, and will be
44 consistent with state standards regulating used mobile homes.
45

46 **NOTE: All other definitions will require renumbering due to the addition of the above**
47 **definition.**

1
2 **SECTION IV. APPLICABILITY.** This Ordinance shall be applicable throughout the
3 unincorporated area of Hernando County.

4
5 **SECTION V. SEVERABILITY.** It is declared to be the intent of the Board of County
6 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
7 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect
8 the validity of the remaining portions of this ordinance.

9
10 **SECTION VI. CONFLICTING PROVISIONS.** Special acts of the Florida Legislature
11 applicable only to unincorporated areas of Hernando County, Hernando County ordinances,
12 County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this
13 ordinance to the extent of such conflict except for ordinances concerning either adoption or
14 amendment of the Comprehensive Plan, pursuant to Chapter 163, part II, Florida Statutes.

15
16 **SECTION VII. FILING WITH THE DEPARTMENT OF STATE.** The clerk shall be and is
17 hereby directed forthwith to send a certified copy of this ordinance to the Bureau of
18 Administrative Code, Department of State, R.A. Gray Bldg., Room 101, 500 S. Bronough Street,
19 Tallahassee, FL 32399-0250.

20
21 **SECTION VIII. INCLUSION IN CODE.** It is the intention of the Board of County
22 Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this
23 Ordinance shall become and be made a part of the Code of Ordinances of Hernando County,
24 Florida. To this end, any section or subsection of this Ordinance may be renumbered or re-lettered
25 to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or
26 other appropriate designation. Section IV through Section IX shall not be codified.

27
28 **SECTION IX. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing
29 with the Department of State.

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31
32 **DULY PASSED AND ADOPTED IN REGULAR SESSION THIS** 23rd **DAY OF**
33 _____, 2013



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36 **BOARD OF COUNTY COMMISSIONERS**
37 **HERNANDO COUNTY, FLORIDA**

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43 **Approved as to Form and**
44 **Legal Sufficiency**

47 By: _____



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

July 31, 2013

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

Attention: Ms. Sherry L. Crum, Deputy Clerk

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated July 26, 2013 and certified copies of Hernando County Ordinance Nos. 2013-22 and 2013-23, which were filed in this office on July 31, 2013.

As requested, the date-stamped originals are being returned for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/elr

Enclosure