

Ordinance No. 84-14

AN ORDINANCE AMENDING THE LAND USE REGULATIONS OF HERNANDO COUNTY, FLORIDA, ORDINANCE 72-3 BY: AMENDING ARTICLE IV, SECTION 1, SUBSECTION A TO INCLUDE THE DESIGNATION OF A C-4 HEAVY HIGHWAY COMMERCIAL DISTRICT; AMENDING ARTICLE IV, SECTION 3, SUBSECTION A TO CHANGE THE PERMITTED USES WITHIN THE C-1 GENERAL COMMERCIAL DISTRICT, C-2 HIGHWAY COMMERCIAL DISTRICT, AND C-3 NEIGHBORHOOD COMMERCIAL DISTRICT AND CREATING A C-4 HEAVY HIGHWAY COMMERCIAL DISTRICT WITH PERMITTED USES SPECIFIED; AMENDING ARTICLE IV, SECTION 3, SUBSECTION C TO CHANGE THE SPECIAL EXCEPTION USES IN THE C-1 GENERAL COMMERCIAL DISTRICT, C-2 HIGHWAY COMMERCIAL DISTRICT, C-3 NEIGHBORHOOD COMMERCIAL DISTRICT, AND CREATING SPECIAL EXCEPTION USES FOR THE C-4 HEAVY HIGHWAY COMMERCIAL DISTRICT; AMENDING ARTICLE IV, SECTION 3, SUBSECTION D, TO INCLUDE DIMENSION AND AREA REGULATIONS FOR THE C-4 HEAVY HIGHWAY COMMERCIAL DISTRICT; AMENDING ARTICLE VIII; SECTION 4, SUBSECTION D, NEIGHBORHOOD COMMERCIAL PLANNED DEVELOPMENT PROJECT AND SUBSECTION E, GENERAL HIGHWAY COMMERCIAL PLANNED DEVELOPMENT PROJECT TO AMEND THE PERMITTED USES AND SPECIAL EXCEPTION USES ALLOWED; PROVIDING A SEVERANCE CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners has adopted land use regulations to provide for the orderly growth and development of the County; and

WHEREAS, there has been shown a potential for land use conflicts because of the allocation of uses within the current zoning districts; and

WHEREAS, the Board of County Commissioners of Hernando County, Florida has determined that the modifications to the existing commercial districts within Hernando County is not only desirable but necessary to achieve harmonious land development;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, DULY ASSEMBLED IN REGULAR SESSION THIS 21st DAY OF AUGUST, 1984, AS FOLLOWS:

SECTION I. ARTICLE III, SECTION 1, SUBSECTION A IS HEREBY AMENDED TO INCLUDE THE FOLLOWING:

C-4 Heavy Highway Commercial District: This district is designed to permit the development of heavy commercial areas at appropriate locations on major highways to minimize land use conflicts by providing desirable clusters or groupings of heavy commercial uses in appropriate areas rather than scattered in strip or linear fashion along highways.

SECTION 11. ARTICLE IV, SECTION 3, SUBSECTION A IS HEREBY AMENDED TO READ:

SECTION 3. COMMERCIAL DISTRICTS
The following regulations shall apply to Commercial Districts as indicated:

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AUG 21 1984
CLERK OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

A. PERMITTED USES

1. Permitted uses in the C-1 Commercial District shall be as follows:

- a. Comparison Goods Stores
- b. Convenience Goods Stores
- c. Personal Service Establishments
- d. Domestic and Business Service Establishments
- e. Domestic and Business Repair Establishments
- f. Business, Professional and Non-Profit Organization Offices
- g. Public Offices
- h. Business Training Schools
- i. Restaurants With or Without Alcohol Dispensation
- j. Indoor Commercial Amusement Establishments
- k. Indoor Motion Picture Theaters
- l. Motel
- m. Hotel
- n. Automobile Parking Establishments
- o. Gasoline Service Stations
- p. Light Farm Equipment and Supply Establishments
- q. Light Building Material Establishments
- r. Light Landscaping Service
- s. Mortuaries, Funeral Homes
- t. Antique Stores
- u. Alcoholic Beverage Dispensation Package & Restaurants Only
- v. Retail Food Stores
- w. Veterinary Clinics with Air Conditioned Sound Attenuated Runs
- x. Light Marine Establishments
- y. Fire Stations and State, County & Municipal Police Stations
- z. Light Domestic Rental Establishments
- aa. Auto Parts Establishment
- bb. Dry Cleaning Establishments
- cc. One Single-Family Dwelling Unit (Minimum of 600 square feet) in Conjunction with the Operation of a Business on the Premises; Such Single-Family Dwelling Unit Shall be an Integral Part of the Principal Business Structure and Located Behind or Above that Portion of the Business Structure Devoted to Service to the Public

2. Permitted uses in a C-2 Highway Commercial District shall be as follows:

- a. Any Use Permitted in a C-1 General Commercial District
- b. Drive-In Restaurants
- c. Automotive Dealer Establishments, Including the Principal Selling of Used Cars
- d. Tire and Automotive Accessory Establishments
- e. Automotive Specialty Establishments
- f. Automobile and Truck Rental Establishments
- g. Automobile Service Establishments
- h. Automobile and Truck Repair Establishments Excluding Body Shops
- i. Veterinarian and Animal Clinics or Hospital Service Establishment
- j. Alcoholic Beverage Dispensation

- k. Commercial Billboard Advertising Signs in Accordance with all Federal and State Requirements
 - l. Publishing and Printing Service Establishments
 - m. Domestic Rental Establishments
 - n. Crematories
 - o. Public Transportation Terminals for Buses and Taxis Only
 - p. Light Construction Service Establishments
 - q. Light Marine Establishments
 - r. Retail Plant Nurseries
 - s. Mini-Warehouses
 - t. One Single-Family Dwelling Unit (Minimum of 600 square feet) in Conjunction with the Operation of a Business on the Premises; Such Single-Family Dwelling Unit Shall be an Integral Part of the Principal Business Structure and Located Behind or Above that Portion of the Business Structure Devoted to Service to the Public
3. Permitted uses in a C-3 Neighborhood Commercial District shall be as follows:
- a. Convenience Goods Stores; Provided That There are Not More than Two Checkout Lanes
 - b. Personal Service Establishments
 - c. Business, Professional and Non-Profit Organization Offices
 - d. Public Offices
 - e. Alcoholic Beverage Dispensation (Package and Restaurants Only)
 - f. Rental Apartments
 - g. One Single-Family Dwelling Unit (Minimum of 600 square feet) in Conjunction with the Operation of a Business on the Premises; Such Single-Family Dwelling Unit Shall be an Integral Part of the Principal Business Structure and Located Behind or Above that Portion of the Business Structure Devoted to Service to the Public
4. Permitted uses in a C-4 Heavy Highway Commercial District shall be as follows:
- a. Automobile and Truck Body Repair Establishments
 - b. Welding Shops
 - c. Cabinet Shops
 - d. Heavy Marine Establishments
 - e. Fire Stations and State, County, and Municipal Police Stations
 - f. Light Wholesale and Storage Establishments
 - g. Truck Service Center
 - h. Laundry & Dry Cleaning Plants
 - i. One Single-Family Dwelling Unit (Minimum of 600 square feet) in Conjunction with the Operation of a Business on the Premises; Such Single-Family Dwelling Unit Shall be an Integral Part of the Principal Business Structure and Located Behind or Above that Portion of the Business Structure Devoted to Service to the Public

SECTION III. ARTICLE IV, SECTION 3, SUBSECTION C IS
HEREBY AMENDED TO READ:

- C. SPECIAL EXCEPTION USES:
1. Special Exception Uses in C-1 General Commercial Districts shall be as follows:
As allowed per Article III, Section 2, Subsection C, of these regulations.
 2. Special Exception Uses in a C-2 Highway Commercial District shall be as follows:
 - a. Outdoor Commercial Amusement Establishments
 - b. Heavy Outdoor Advertising Service Establishments
 - c. Heavy Marine Establishment
 - d. Laundry & Dry Cleaning Plants
 - e. Heavy Farm Equipment and Supply Establishment
 - f. Heavy Building Material Establishment
 - g. Heavy Construction Service Establishments
 - h. Heavy Landscaping Service Establishments
 - i. Light and/or Heavy Motor Freight Transportation Establishments
 - j. General Highway Commercial Planned Development Establishments
 - k. Drive-In Restaurants
 - l. Automobile and Truck Repair Establishments
 - m. Light Wholesale and Storage Establishments
 3. Special Exception Uses in a C-3 Neighborhood Commercial District shall be as follows:
 - a. Gasoline Service Stations
 - b. Restaurants
 4. Special Exception Uses in a C-4 Heavy Highway Commercial District shall be as follows:
 - a. Heavy Wholesale and Storage Establishments
 - b. Heavy Heating Fuel and Ice Establishments

SECTION IV. ARTICLE IV, SECTION 3, SUBSECTION D, IS
HEREBY AMENDED TO READ:

- D. DIMENSION AND AREA REGULATIONS: The following dimension and area regulations shall apply in the respective commercial districts:
1. Minimum Front Yard Requirement
The minimum front yard requirement for districts C-1, C-2, and C-4 is 75 feet. The minimum front yard requirement for district C-3 is 50 feet.

Along U.S. 19, S.R. 50, U.S. 41, U.S. 98, U.S. 301, and C.R. 50, front yard requirements shall be 125 feet.
 2. Minimum Side Yard Requirement
The minimum side yard requirement in all commercial districts is 20 feet.
 3. Minimum Rear Yard Requirement
The minimum rear yard requirement in all commercial districts is 35 feet. The Board may, upon request by the applicant, reduce the required rear yard where such rear yards would be adjacent to railroad sidings if such reduction would not be detrimental to surrounding areas.

4. Reduction of Minimum Yard Requirements in C-1 Commercial Districts

The Board may, upon appeal by the applicant, reduce the minimum yard requirement within a C-1 Commercial District provided the following determinations are made:

- a. The required yards would prevent the continuous development of a compact and coordinated row of commercial buildings front on an already established commercial block or shopping area.
- b. Off-street parking space required under the provisions of this ordinance has been provided off the premises in accordance with the provisions of this ordinance or within the principal building being proposed.
- c. The required yards would severely limit the overall utilization of the property and would detract from the overall shopping desirability of the adjoining buildings and premises.

5. Commercial lots adjacent to residential districts

All commercial uses in all commercial districts which are located on lots adjacent to a residential district shall maintain a minimum setback requirement for all structures of 35 feet in the side or rear yard adjacent to the residential district. The outer most portion of the 35 foot setback bordering the parcel and adjacent to the residential district shall consist of a five (5) foot landscaped separation strip. The commercial use located on such lot shall be permanently screened from the adjoining and contiguous residential properties by a wall, ever-green hedge, and/or other approved enclosures. Such screening shall be located within the required separation strip and shall have a minimum height of five (5) feet and a maximum height of eight (8) feet.

6. Maximum building height.

In C-1, C-2, and C-4 Commercial Districts, the maximum building height is 45 feet, and/or three stories. In C-3 commercial districts, the maximum building height is 35 feet, and/or two stories. The maximum building height permitted, except within the C-3 Commercial District, may be increased provided one additional foot is added to each of the required yards for each additional foot of building height constructed over the maximum building height permitted. In such cases, the minimum side yard requirement shall be 35 feet plus 1 additional foot for additional foot of building height permitted.

7. Required land area.

No C-3 Commercial District shall consist of less than sixty thousand (60,000) square feet of land area.

SECTION V. ARTICLE VIII, SECTION 4, SUBSECTION D, IS
HEREBY AMENDED TO READ:

- D. NEIGHBORHOOD COMMERCIAL PLANNED DEVELOPMENT PROJECT: All neighborhood commercial planned development projects shall be subject to the following regulations:
1. PERMITTED USES shall be:
Those permitted uses under the C-3 Neighborhood Commercial District.
 2. SPECIAL EXCEPTION USES shall be:
Those permitted uses under the C-3 Neighborhood Commercial District.
 3. STANDARDS:
 - a. At least two (2) square feet of automobile parking and circulation area shall be provided for each square foot of building area.
 - b. No sign shall extend or project more than three (3) feet above or beyond the building walls. All signs must relate only to the name and use of the store and premises or to the products sold therein. One (1) free standing sign to identify the neighborhood commercial planned development project shall be permitted after its design and location has been approved as shown on the preliminary and final plat.
 - c. Mobile Home Parks (Rental) shall meet the standards as set forth under Commercial Districts of this ordinance.
 - d. Rental apartments shall meet the standards as set forth under Commercial Districts of this ordinance.
 4. DIVIDED PROJECT AREA:
For the purposes of calculating the minimum required land area, dimensions, standards, and regulations for neighborhood commercial planned development projects and buildings, a single neighborhood commercial planned development project cannot lie on two sides of a street, excluding alleys, shall be required to meet the minimum requirements for a neighborhood commercial planned development project on each such side.
- E. GENERAL HIGHWAY COMMERCIAL PLANNED DEVELOPMENT PROJECT: All general highway commercial planned development projects shall be subject to the following regulations:
1. PERMITTED USES shall be:
Those permitted uses under the C-1 General Commercial District.
 2. SPECIAL EXCEPTION USES shall be:
Those permitted uses under the C-1 General

Commercial District.

SECTION VI. 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 VII. EFFECTIVE DATE.

This Ordinance shall become effective upon receipt of the official acknowledgment from the Office of the Secretary of the State of Florida that this Ordinance has been filed with said office. However, those parcels of land currently zoned C-2 as of the effective date of this ordinance, shall be entitled for a period of eighteen (18) months, commencing from the effective date of this ordinance, to be developed in accordance with the permitted use of the C-2 zoning district existing August 20, 1984.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION THIS 21st DAY OF AUGUST, 1984.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

BY: Henry D. Ledbetter
HENRY D. LEDBETTER, CHAIRMAN

ATTEST: Shirley Ross Deputy Clerk
HAROLD WILLIAM BROWN,
CLERK