

**Section 3. - Commercial districts.**

The maximum building area permitted for single buildings or single site development with multiple buildings with the same use and owned and managed by the same entity in the commercial zoning districts provided for in this section shall be limited to sixty-five thousand (65,000) square feet. Any single building, or single site development with multiple buildings with the same use and owned and managed by the same entity, greater than sixty-five thousand (65,000) square feet may apply for approval through the planned development project section of this ordinance. The following regulations shall apply to commercial districts as indicated:

**A. Permitted uses:**

- (1) **Permitted uses in the C-1 Commercial District shall be as follows:**
  - (a) **Comparison goods stores**
  - (b) **Convenience goods stores with a limit of 12 vehicle fueling stations**
  - (c) **Personal service establishments**
  - (d) **Domestic and business service establishments**
  - (e) **Domestic and business repair establishments**
  - (f) **Business, professional and nonprofit 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) **Motels**
  - (m) **Hotels**
  - (n) **Automobile parking establishments**
  - (o) **Gasoline service stations with a limit of 12 vehicle fueling stations**
  - (p) **Light building material establishments**
  - (q) **Mortuaries, funeral homes**
  - (r) **Antique stores**
  - (s) **Alcoholic beverage dispensation package and restaurants only**
  - (t) **Retail food stores**
  - (u) **Veterinary clinics with air conditioned, sound-attenuated runs**
  - (v) **Light marine establishments**
  - (w) **Fire stations and state, county and municipal police stations**

- (x) Light domestic rental establishments
- (y) Auto parts establishments
- (z) Dry cleaning establishments
- (aa) One (1) single-family dwelling unit (minimum of six hundred (600) square feet) per commercial parcel in conjunction with the operation of 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
- (bb) Day care centers and preschools
- (cc) Automobile service establishments limited to four (4) service bays
- (dd) Places of Public Assembly
- (ee) Fraternal organizations
- (ff) Secondhand stores
- (gg) Retail plant nurseries with outside storage limited to plants and packaged products
- (hh) Auto glass establishments
  - (ii) Aircraft parts establishments
  - (jj) Nursing care homes
- (kk) Light construction service establishments
  - (ll) Call Centers
- (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) Automotive and truck rental establishments
  - (g) Automobile dealer establishments for the principal selling of new cars with service establishments including body shops
  - (h) Automobile and truck repair establishments excluding body shops
  - (i) Veterinarian and animal clinics or hospital service establishment
  - (j) Alcoholic beverage dispensation
  - (k) Publishing and printing service establishments
  - (l) Domestic rental establishments

- (m) Crematories
  - (n) Public transportation terminals for buses and taxis only
  - (o) Light construction service establishments
  - (p) Retail plant nurseries
  - (q) Mini-warehouses
  - (r) One (1) single-family dwelling unit (minimum of six hundred (600) square feet) per commercial parcel 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
  - (s) Boat sales and service with or without outside display
  - (t) Light farm equipment and supply establishments
  - (u) Light landscaping service establishments
  - (v) Automobile service establishments
- (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 (2) checkout lanes and two (2) vehicle fueling stations.
  - (b) Personal service establishments.
  - (c) Business, professional and non-profit organization offices.
  - (d) Public offices and utility facilities.
  - (e) Alcoholic beverage dispensation (package and restaurants only).
  - (f) Delicatessens and restaurants with a forty (40) or less seating capacity.
  - (g) One single-family dwelling unit (minimum of six hundred (600) square feet) per commercial parcel 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.
  - (h) Day care centers.
    - (i) Nursing care homes.
- (4) Permitted uses in a C-4 Heavy Highway Commercial District shall be as follows:
- (a) Automobile and truck repair establishments.
  - (b) Welding shops.
  - (c) Cabinet shops.
  - (d) Domestic and business service establishments.

- (e) Fire stations and state, county and municipal police stations.
  - (f) Light wholesale and storage establishments.
  - (g) Truck service centers.
  - (h) Laundry and dry cleaning plants.
  - (i) One single-family dwelling unit (minimum of six hundred (600) square feet) per commercial parcel 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.
  - (j) Outdoor advertising service establishments.
  - (k) Automobile service establishments.
  - (l) Light manufacturing with or without outside storage.
  - (m) Construction service establishments.
  - (n) Domestic rental services.
  - (o) Miniwarehouses.
  - (p) Publishing and printing service establishments.
  - (q) Aircraft parts establishment.
  - (r) Monopole towers one hundred fifty (150) feet or less in height.
  - (s) Recycling collection facility.
- (5) Permitted uses in the CM-1 Commercial Marine District shall be as follows:
- (a) Marinas for pleasure craft with screened, fenced boat storage areas. <sup>[3]</sup>
  - (b) Marinas for commercial vessels which are less than 26' in length with screened, boat storage areas\*
  - (c) Marinas for commercial vessels with screened, fenced boat storage areas.\*
  - (d) Accessory uses which are designed as an integral part of a marina, including, but not necessarily limited to, the following:
    - 1. Administrative offices.
    - 2. Gift and souvenir shops.
    - 3. Laundromats.
    - 4. Restaurants.
    - 5. Sale of fuel and lubricants.
    - 6. Sanitary facilities (restrooms and showers for transient persons; pump out facilities for on-board sanitation, wastewater holding pretreatment or treatment).

7. Consumption on premises—In conjunction with a restaurant where the dispensation of alcoholic beverages is secondary to the dispensation of food
  - (e) Bait and tackle shop.
  - (f) Boat parts store including installation.
  - (g) Docking or mooring facilities for pleasure craft.
  - (h) Dry boat storage, not exceeding sixty (60) feet in height above flood zone.
  - (i) Sales, service, minor repairs and rental of pleasure boats, motors and accessories.
  - (j) Schools, commercial—Limited to sailing and marine-oriented outdoor lifestyle schools.
  - (k) One single-family dwelling unit (minimum of six hundred (600) square feet) per commercial parcel 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.
- (6) Permitted uses in the CM-2 Commercial Marine District shall be as follows:
  - (a) Marinas for pleasure crafts or commercial vessels with fenced, screened boat storage areas. <sup>[4]</sup>
  - (b) Accessory uses which are designed as an integral part of a marina, including, but not necessarily limited to, the following:
    1. Gift and souvenir shops.
    2. Laundromats.
    3. Restaurants.
    4. Sale of fuel and lubricants.
    5. Sanitary facilities (restrooms and showers for transient persons; pump out facilities for onboard sanitation, wastewater holding pretreatment or treatment).
    6. School, commercial—Limited to sailing and marine-oriented, outdoor life-style schools.
    7. Signs, provided such signs comply with the Hernando County Sign Ordinance.
  - (c) Administrative offices.
  - (d) Bait and tackle shop.
  - (e) Sales, service, minor repairs and rental of boats, motors, and accessories.
  - (f) Consumption on premises—In conjunction with a restaurant where the dispensation of alcoholic beverages is secondary to the dispensation of food.
  - (g) Boat parts store including installation.
  - (h) Docking or mooring facilities for any pleasure craft or permitted commercial vessels.

- (i) Dry boat storage, not exceeding sixty (60) feet in height above flood zone.
  - (j) Commercial fisheries, land support but limited to: Ice manufacture, ice service to fishing boats, landing, icing, boxing and shipping fresh fin fish, shellfish (mollusks) and crustaceans. All outside storage areas other than boat storage must be screened with a six-foot fence of eighty (80) percent opacity.
  - (k) One single-family dwelling unit (minimum of six hundred (600) square feet) per commercial parcel 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.
- (7) Permitted uses in OP (Office-Professional) District shall be as follows:
- (a) Day care centers and preschools.
  - (b) Places of public assembly.
  - (c) Business, professional and nonprofit organization office use, but not including the sale or storage of merchandise except where the sale or storage of merchandise relates directly to the rendering of professional services.
  - (d) Publicly owned or operated building.
  - (e) One single-family dwelling unit (minimum of six hundred (600) square feet) per commercial parcel 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.
  - (f) Charitable organizations.
  - (g) Hospital.
- (8) Permitted uses in an A/C (Agricultural/Commercial) District shall be as follows:
- (a) Building material establishments.
  - (b) Convenience stores.
  - (c) Custom slaughtering establishments.
  - (d) Feed stores.
  - (e) Garden supply and nurseries.
  - (f) General dry goods stores.
  - (g) Landscape services.
  - (h) Produce markets.
  - (i) Veterinarian clinics.

- (j) One single-family dwelling unit (minimum of six hundred (600) square feet) per commercial parcel 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 the portion of the business structure devoted to service to the public.

B. *Permitted accessory or temporary uses and structures in all commercial districts:*

- (1) Permitted accessory uses and structures in all commercial districts are: Signs identifying the name and type of activity conducted on the same premises; and, garages or other buildings not used as dwellings and accessories to the principal uses.
- (2) In the C-4 and A/C Commercial districts, screened outside storage shall be permitted behind the building line as an accessory use to a permitted use. Screening shall be required from adjoining and contiguous properties by a wall, fence or other approved enclosures. Screening shall meet an eighty (80) percent opacity standard. Such screening shall be located behind the building line and shall have a minimum height of five (5) feet and maximum of eight (8) feet.
- (3) In the C-2 district, welding shops customarily incidental to the principal use of the property shall be permitted as an accessory use provided the welding shop does not exceed twenty-five (25) [percent] of the principal use area.
- (4) Portable storage structures are allowable in conjunction with the commercial use of a property provided an area for their placement is designated on a site plan. The area shall be located behind the principal permitted use on the property and not visible from the street. The area shall not be located within buffers or parking areas, or otherwise impede the traffic circulation associated with the principal permitted use. Placement of the storage structures must meet minimum setback requirements for accessory buildings and secure a zoning permit. If the portable storage structure area is placed adjacent to residentially zoned property, it must be shielded from view.
- (5) In all commercial districts the display of merchandise and products for retail sale is allowed provided the display occurs on the sidewalk adjacent to a customer entrance to the principle structure.

C. *Special exception uses:*

- (1) Special exception uses in C-1 General Commercial Districts shall be as follows:
  - (a) As allowed per Article V, Section 8, subsection C. of these regulations.
  - (b) Retail plant nurseries with outside storage.
  - (c) Commercial vehicle parking lot as a principal use, provided:
    - i. The parking of commercial vehicles shall be limited to no more than ten commercial vehicles.

- ii. The parking of commercial vehicles shall not be allowed on any commercial tract less than five acres in size.
  - iii. The parking of commercial vehicles shall only be allowed on paved parking lots.
  - iv. The property on which the commercial vehicles may park shall have direct access to a County truck route.
- (2) Special exception uses in a C-2 Highway Commercial District shall be as follows:
- (a) Automobile and truck repair establishments.
  - (b) Light wholesale and storage establishments.
  - (c) Heavy building material establishments.
  - (d) Welding shops.
  - (e) Commercial vehicle parking lot as a principal use, provided:
    - i. The parking of commercial vehicles shall be limited to no more than ten commercial vehicles.
    - ii. The parking of commercial vehicles shall not be allowed on any commercial tract less than five acres in size.
    - iii. The parking of commercial vehicles shall only be allowed on paved parking lots.
    - iv. The property on which the commercial vehicles may park shall have direct access to a County truck route.
  - (f) Outdoor storage.
- (3) Special exception uses in a C-3 Neighborhood Commercial District shall be as follows: As allowed per Article V, Section 8, subsection C. of these regulations.
- (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.
  - (c) Heavy outdoor advertising service establishments.
  - (d) Heavy farm equipment and supply establishments.
  - (e) Heavy building material establishments.
  - (f) Heavy construction service establishments.
  - (g) Heavy landscaping service establishments.
  - (h) Light and heavy motor freight transportation establishments.
- (5) Special exception uses in the CM-1 Commercial Marina District shall be as follows:
- (a) Hotels/motels.
  - (b) Live-aboards—Permanent residence aboard a docked or moored boat.



(6) Special exception uses in the CM-2 Heavy Commercial Marina District shall be as follows:

- (a) Hotels/motels.
- (b) Live-aboards—Permanent residence aboard a docked or moored boat.
- (c) Boatyards—Heavy repair, boat building.
- (d) Seafood processing plants.

(7) Special exception uses in the A/C Agricultural/Commercial District shall be as follows:

- (a) Livestock auctions.

(8) Special exception uses in a OP Office-Professional District shall be as follows: As allowed per Article V, Section 8, subsection C. of these regulations.

D. *Dimension and area regulations:* The following dimension and area regulations shall apply in the respective commercial districts:

(1) *Minimum front yard requirements for all commercial zoning districts:*

- (a) The front yard requirement along U.S. 19, S.R. 50, U.S. 41, U.S. 98, U.S. 301, C.R. 578, C.R. 485 shall be one hundred twenty-five (125) feet.
- (b) Along all other functionally classified roads not included in (a) above identified on the Existing Functional Classification Map developed by Hernando County, the front setback shall be seventy-five (75) feet; provided, however, any yard variances existing on October 1, 1987, shall remain in full force and effect on property rezoned to CM-1 or CM-2.
- (c) Along all roadways not identified on the Existing Functional Classification Map, the minimum front yard requirement is thirty-five (35) feet.

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

(2) *Minimum side yard requirement:* The minimum side yard requirement in all commercial districts is twenty (20) feet.

(3) *Minimum rear yard requirement:* The minimum rear yard requirement in all commercial districts is thirty-five (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) *Required land area:* C-3 Commercial Districts shall consist of no more than three (3) acres of land area; A/C Districts shall consist of no more than five (5) acres.

(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 thirty-five (35) feet in the side or rear yard adjacent to the residential district. The outermost portion of the thirty-five-foot setback bordering the parcel and adjacent to the residential district shall consist of a five-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, evergreen 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 maximum height of eight (8) feet.

- (6) *Commercial water body setbacks in the CM-1 and CM-2 Districts:* Where any of the above (front, side, rear) setbacks in a CM-1 and CM-2 District are adjacent to a navigable water body, the setback may be reduced to twenty-five (25) feet.
- (7) *Communication tower setbacks in the C-4 District:* A monopole tower shall meet the setbacks of the C-4 District. In no case shall a monopole tower one hundred (100) feet in height or greater be located within one hundred twenty-five (125) percent of its height to any residentially zoned property, unless such property is used or designated for a nonresidential use. In no case shall a monopole tower less than one hundred (100) feet in height be located within one hundred (100) percent of their height to any residentially zoned property unless such property is used or designated for a nonresidential use.
- (8) *Maximum building height:* In the C-1, C-2, and C-4 Districts the maximum building height is sixty (60) feet. In the OP and A-C, CM-1, and CM-2 Commercial District, the maximum building height is forty-five (45) feet. In C-3 Commercial Districts, the maximum building height is thirty-five (35) feet. 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 thirty-five (35) feet plus one additional foot for each additional foot of building height permitted.

E. *Residential Protection Standards in all commercial districts:*

- (1) There shall be no speakers or other sound equipment located within 100 feet of any single family residential district property line.
- (2) There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100 feet of any single family residential district property line.
- (3) No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100 feet of any single family residential district property line.
- (4)

No building within 100 feet of any single family district residential district property line shall be more than 20 feet in height.

- (5) All loading bays and loading docks must be a minimum of 100' from any residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single family residential district property line. Screening may include landscape plantings, berms, fences or walls.
- (6) Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property, or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences or walls.

(Ord. of 12-4-72, § IV(b)(1), (3)—(5); Ord. No. 74-8, §§ 2—5, 10-15-74; Ord. No. 76-2, §§ 15, 16, 2-17-76; Ord. No. 84-6, §§ 2, 3, 3-27-84; Ord. No. 84-14, §§ II—IV, 8-21-84; Ord. No. 86-18, § 5, 8-5-86; Ord. No. 87-12, § 2, 3-31-87; Ord. No. 87-26, §§ 2—6, 10-20-87; Ord. No. 87-28, §§ 1, 2, 12-8-87; Ord. No. 88-21, § 1, 5-25-88; Ord. No. 88-27, § 2, 8-10-88; Ord. No. 89-5, §§ 1, 2, 4-11-89; Ord. No. 89-16, § 2; 8-15-89; Ord. No. 96-08, §§ 16, 17 5-7-96; Ord. No. 96-19, § 12, 9-10-96; Ord. No. 97-08, §§ 5, 6, 5-20-97; Ord. No. 98-17, §§ 7, 8, 6-23-98; Ord. No. 98-18, §§ 4, 5, 6-23-98; Ord. No. 99-19, §§ 3, 4, 8-10-99; Ord. No. 2000-04, §§ 10, 11, 4-4-00; Ord. No. 2000-05, §§ 2, 3, 4-4-00; Ord. No. 2001-06, §§ 9, 10, 5-8-01; Ord. No. 2001-24, §§ 6—9, 12-18-01; Ord. No. 2002-12, § 3, 7-23-02; Ord. No. 2003-02, § 6, 2-11-03; Ord. No. 2003-08, § 1, 4-22-03; Ord. No. 2004-03, §§ 14 —18, 2-24-04; Ord. No. 2004-11, § 9, 8-3-04; Ord. No. 2008-05, §§ XIII, XV, 2-26-08; Ord. No. 2016-12, §§ II, III, 7-27-16; Ord. No. 2019-3, § II, 10-8-19; Ord. No. 2021-19, § 1, 9-28-21)

*Footnotes:*

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**Note—** Fencing shall be six (6) feet in height. Where fencing is not opaque, screening shall consist of a three-foot hedge along streets abutting the property. Tree plantings (one per fifty (50) feet) shall be provided on property lines adjacent to commercially zoned property and a six-foot hedge along the property lines along residentially zoned property unless adjacent to a water body. Where fencing is opaque, one tree per fifty (50) feet shall be provided along property lines to provide screening. Marinas, including expansions or additions to existing marinas, located on waterways shall be constructed with seawalls meeting county standards.

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**Note—** Fencing shall be six (6) feet in height. Where fencing is not opaque, screening shall consist of a three-foot hedge along streets abutting the property. Tree plantings (one per fifty (50) feet) shall be provided on property lines adjacent to commercially zoned property and a six-foot hedge along the property lines along residentially zoned property unless adjacent to a water body. Where fencing is opaque, one tree per fifty (50) feet shall be provided along property lines to provide screening. Marinas, including expansions or additions to existing marinas, located on waterways shall be constructed with seawalls meeting county standards.