

1 **ORDINANCE NO.: 2024- ____**

2 **AN ORDINANCE MODIFYING THE REQUIREMENTS FOR USE**
3 **PERMITS FOR MODEL HOMES IN COMMERCIAL AND RESIDENTIAL**
4 **ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING**
5 **FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF**
6 **CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE**
7 **DATE.**

8 **WHEREAS**, Appendix A of the Hernando County Code of Ordinances provides the land
9 development regulations in Hernando County; and,

10 **WHEREAS**, Appendix A, Article III, Section 3 of the Hernando County Code of Ordinances
11 provides specific use regulations within Hernando County, including the permitting of model homes;
12 and,

13 **WHEREAS**, Hernando County desires to amend the provisions in the Hernando County
14 Code of Ordinances regarding temporary use permits for model homes.

15 **NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
16 **COMMISSIONERS OF HERNANDO COUNTY:**

17 **Section 1.** Appendix A, Article III, Section 3 of the Hernando County Code of Ordinances
18 is hereby amended to read as follows:

1 G. *Model ~~h~~Home Centers on Commercial Property*s:

2 (1) Model home center means a residential structure not occupied as a
3 dwelling unit, open to the public for inspection, and used solely for
4 the demonstration and selling of residential dwellings.

5 ~~(1)~~(2) Model homes centers are a permitted use in all ~~residential or~~ commercial
6 areas to provide examples of builders' products for promoting the sale of
7 homes to be built elsewhere in Hernando County.

8 ~~(2)~~(3) ~~Model homes in a residential area are intended for later use solely as a~~
9 ~~dwelling after the approved sales time period lapses.~~ Model homes centers
10 erected in commercial areas are intended for later use solely as a commercial
11 unit unless the model home center is to be relocated by the owner after its
12 useful life as a model home center.

13 ~~(3) Model homes may be approved for a period with a maximum duration of~~
14 ~~eleven (11) years upon application therefor by a licensed building contractor~~
15 ~~in Hernando County in single-family residential zoning districts. Model~~
16 ~~homes may be approved for a period with a maximum duration of eleven (11)~~
17 ~~years upon application therefor by a licensed building contractor in Hernando~~
18 ~~County in a multifamily zoning district, which approval shall allow the~~

1 ~~placement of at least three (3) dwelling units, provided the parking for the~~
2 ~~model home or center is located entirely on-site. There is no maximum~~
3 ~~duration for a model home in a commercially zoned area.~~

- 4 (4) Model ~~home or model~~ home center authorization is by staff review for
5 compliance with the land development regulations and any other applicable
6 provisions of the Hernando County Code of Ordinances. ~~Any durational~~
7 ~~limitations pursuant to subsection (3) herein shall run from the issue date of~~
8 ~~the certificate of occupancy. Any such period may be extended prior to~~
9 ~~termination for an additional two-year period by the granting of a conditional~~
10 ~~use permit by the Planning and Zoning Commission if hardship exists. A~~
11 ~~hardship shall not be found based solely upon economic conditions.~~

12 H. *Model Home Permit Within a Residential Subdivision:*

- 13 (1) *Model home or model home unit means a residential structure built in*
14 *compliance with the Florida Building Code for eventual residential use, not*
15 *occupied as a dwelling unit, open to the public for inspection, and used solely*
16 *for the demonstration and selling of residential dwellings being constructed*
17 *in the same subdivision or development.*

1 (2) In any Class A subdivision phase, up to fifty (50) percent of the conditional
2 platted lots or a maximum of ten (10) model homes may be permitted without
3 assignment of addresses of the parent parcel existing prior to subdivision
4 upon approval of subdivision construction plans by the County Administrator
5 or his/her designee. These model homes shall be constructed for the purpose
6 of providing an onsite location for sales of homes. A certificate of occupancy
7 shall be issued to allow model home use within the constructed single-family
8 unit so long as it meets all Florida Building Code requirements. The certificate
9 of occupancy shall not be released until the public use improvements, such
10 as the water system, sewer system, and transportation improvements are
11 completed, approved by the County Administrator or his/her designee, and
12 placed into service.

13 (3) Once the developer or home builder of a model home has received clearance
14 from the Florida Department of Environmental Protection and the water and
15 sewer system has been placed into service, said developer or home builder
16 may apply for service and pay connection fees to use potable water for
17 construction and fire protection.

1 (4) In any residential district, the developer, home builder, or their agents may
2 operate a model home unit as a sales office for the specific project under
3 construction, subject to the following restrictions:

4 (a) The model home unit shall meet all district requirements for lot,
5 parking, and yard dimensions.

6 (b) A model home is considered “residential” so long as it does not
7 exceed 3 stories in height pursuant to the Florida Building Code.

8 (c) Signs shall not be illuminated before 7:00 a.m. or after 9:00 p.m.

9 (d) The model home unit shall not be used for any business activity
10 before 7:00 a.m. and no later than 9:00 p.m.

11 ~~(5) (a) Parking shall be provided for Model homes or centers according to~~
12 ~~the following schedule:~~

13 ~~1. Four (4) spaces shall be provided for one model home.~~

14 ~~2. Seven (7) spaces shall be provided for two (2) model homes.~~

15 ~~3. For each additional model home two (2) additional spaces~~
16 ~~shall be provided.~~

- 1 ~~(b) Parking spaces shall contain a minimum of two hundred (200) square~~
2 ~~feet per space with the minimum dimensions measuring ten feet by~~
3 ~~twenty feet (10' x 20').-~~
- 4 ~~(c) Model homes or model home centers may utilize mulch for the~~
5 ~~parking areas to minimize the disruption of the residential~~
6 ~~neighborhood.-~~
- 7 ~~(d) Parking may be provided on a separate lot adjacent to the center,~~
8 ~~provided the parking area is buffered from all surrounding lots to~~
9 ~~provide visual relief and separation between the land uses. The lot~~
10 ~~utilized for parking must be included in the zoning approval~~
11 ~~authorizing the model home or center-~~
- 12 ~~(e) If parking for the model home or center is to be located on a separate~~
13 ~~lot, the lot or center should be designed so that the access to the~~
14 ~~parking lot is off of a minor street if possible. If the access must be~~
15 ~~off of the major street, the entrance to the parking lot must comply~~
16 ~~with the parking access requirements contained in the facility design~~
17 ~~standards.-~~

1 ~~(f) Model homes or centers may utilize up to ten (10) feet of county~~
2 ~~right-of-way contiguous to the lot for a portion of the required~~
3 ~~parking area for the model home or center, provided the parking area~~
4 ~~is located on a minor street with a minimum of forty (40) feet~~
5 ~~between any space and the intersection of the right-of-way lines of the~~
6 ~~nearest intersection, and a minimum set back of fifteen (15) feet from~~
7 ~~adjacent property boundaries.~~

8 ~~(g) If a model home or model home center has access only to a collector~~
9 ~~or arterial street, all of the parking and circulation area must be~~
10 ~~contained on the lot or lots. Access to parking spaces must be~~
11 ~~designed to prevent traffic from backing into the travel way of the~~
12 ~~street.~~

13 ~~(h) If asphalt or other durable material is utilized for the parking area, the~~
14 ~~applicant must provide engineered plans indicating how the~~
15 ~~stormwater drainage from the impervious areas will be handled on-~~
16 ~~site and how the proposed improvements will affect the overall~~
17 ~~drainage.~~

1 (i) ~~Model homes or model home centers constructed on commercial lots~~
2 ~~must meet the minimum commercial parking standards.~~

3 (6)(5) ~~Upon termination of any model home or model home center, Prior to~~
4 applying for a conversion permit to convert the use of any model home to
5 residential use, the operator shall ensure that the driveways of the model
6 home(s) have been extended to the edge of pavement of the frontage street
7 and that the swales on the property have been restored to ensure the proper
8 drainage flow.

9 (6) The developer or home builder must obtain a conversion permit and pay all
10 fees due at the time that the model home is converted to residential use to
11 obtain a final certificate of occupancy. A final inspection of the converted
12 model home will be required prior to issuance of a final certificate of
13 occupancy.

14 (7) Model homes shall be used solely for the purposes of the underlying zoning
15 district ~~set forth in subsection (1) herein unless the other use is consistent~~
16 ~~with the land use regulations. No commercial use, including utilization of the~~
17 ~~model as a real estate sales office, shall be permitted unless otherwise~~
18 ~~permitted by the land use regulations. Such unauthorized utilization may~~

1 ~~result in the revocation of county approval for the model home or model~~
2 ~~home center.~~

3 (8) An appeal of the denial of the model home or model home center by the
4 ~~administrative official~~ County Administrator or pursuant to departmental
5 plans review shall be reviewed by the Board of County Commissioners and
6 shall be made in writing to the County Administrator within thirty (30) days
7 of the written decision being appealed.

8 **Section 2. Severability.** It is declared to be the intent of the Board of County
9 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
10 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
11 validity of the remaining portions of this ordinance.

12 **Section 3. Inclusion in the Code.** It is the intention of the Board of County Commissioners
13 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall
14 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the
15 sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that
16 the word "ordinance" may be changed to "section," "article," or any other appropriate designation.

17 **Section 4. Conflicting Provisions Repealed.** All ordinances or parts of ordinances in
18 conflict with the provisions of this ordinance are hereby repealed.

