

NOTE: Additions/~~Deletions~~ = Language proposed for addition/deletion to existing Code provisions.

ORDINANCE NO.: 2026-____

AN ORDINANCE AMENDING APPENDIX A, ARTICLE III, SECTION 3 OF THE HERNANDO COUNTY CODE, RELATING TO SPECIFIC REGULATIONS AND SIDEWALKS; PROVIDING THAT SIDEWALKS NOT BE CONSTRUCTED ALONG FLORIDA DEPARTMENT OF TRANSPORTATION ROADWAYS UNLESS REQUIRED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION; AMENDING WAIVERS OF SIDEWALK CONSTRUCTION; PROVIDING SIDEWALK CONSTRUCTION WAIVER FOR CERTAIN ZONING DISTRICTS WHERE ALLOWED; PROVIDING THAT NO SIDEWALK CONSTRUCTION WAIVER SHALL APPLY IN THE REFERENCED ZONING DISTRICTS WHERE PROPERTY FRONTAGE CONNECT TO EXISTING SIDEWALKS OR WHERE REQUIRED; PROVIDING FOR COMPLIANCE WITH INTERNAL SIDEWALK PROJECTS REGARDLESS OF SIDEWALK CONSTRUCTION WAIVER; PROVIDING FOR REQUIRED PARTICIPATION IN MUNICIPAL SERVICES BENEFIT UNIT FOR SIDEWALK INSTALLATION ALONG THE PROPERTY IF GRANTED SIDEWALK CONSTRUCTION WAIVER; PROVIDING FOR REMOVAL OF CONTRIBUTIONS TO COUNTY SIDEWALK IMPROVEMENT FUND PURSUANT TO WAIVER OF SIDEWALK CONSTRUCTION; PROVIDING FOR AMENDMENT AND FORMATTING; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF

NOTE: Additions/~~Deletions~~ = Language proposed for addition/deletion to existing Code provisions.

1 CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE
2 DATE.

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

5 Section 1. Amendment of Hernando County General Provisions for Planned
6 Development Projects Pertaining to Duration of Master Plan. Hernando County Code of
7 Ordinances, Appendix A, Article III, Section 3, Paragraph Q is amended and reformatted to read
8 as follows:

9 Q. *Sidewalks.*

- 10 1. ~~Sidewalks shall be constructed for the length of the site frontage along all~~
11 ~~adjoining roadways in conjunction with all new construction under the following~~
12 ~~conditions:~~ Sidewalk Construction Requirements.

- 13 (a) ~~The site is located along a county designated arterial or collector street;~~
14 Sidewalks shall be constructed for the length of the site frontage along all
15 adjoining roadways in conjunction with all new construction under the
16 following conditions:

- 17 i. The site is located along a county designated arterial or collector street;
18 ii. The site is adjacent to properties with existing sidewalks; or
19 iii. The site is within two (2) miles of a public school.

- 20 (b) ~~The site is adjacent to properties with existing sidewalks; or~~
21 Notwithstanding paragraph (a), sidewalks shall not be constructed along
22 roadways under the jurisdiction of the Florida Department of Transportation

NOTE: Additions/~~Deletions~~ = Language proposed for addition/deletion to existing Code provisions.

1 unless required by the Florida Department of Transportation.

2 ~~(c) — The site is within two (2) miles of a public school.~~

3 2. All sidewalks shall be designed and constructed in accordance with the
4 requirements of the Florida Accessibility Code and Hernando County Facilities
5 Design Guidelines.

6 3. ~~The county engineer may permit the waiver of sidewalk construction where one~~
7 ~~(1) or more of the following conditions exist:~~ Sidewalk Construction Waiver.

8 (a) ~~The existing street or right-of-way is unimproved.~~ The county engineer may
9 permit the waiver of sidewalk construction where one (1) or more of the
10 following conditions exist:

11 i. The existing street or right-of-way is unimproved.

12 ii. The sidewalk cannot be constructed due to existing natural,
13 environmental, topographic or hazardous conditions.

14 iii. The property is located in an area where sidewalks do not exist, new
15 sidewalks are not projected nor planned for, and no abutting or
16 connecting sidewalks exist.

17 iv. Sidewalks may not be required for properties located within one (1) of
18 the following zoning districts: AG, AR-1, AR-2, AR, or PDP(RUR). In
19 these zoning districts, except where otherwise required, sidewalks will
20 not be required along the property frontage unless connecting to an
21 existing sidewalk. Where sidewalks are otherwise required, this
22 exception shall not apply.

NOTE: Additions/~~Deletions~~ = Language proposed for addition/deletion to existing Code provisions.

1 (b) ~~The sidewalk cannot be constructed due to existing natural, environmental,~~
2 ~~topographic or hazardous conditions.~~ If a sidewalk construction waiver is
3 granted under paragraph (a), the property shall be required to participate in
4 any applicable Municipal Services Benefit Unit (MSBU) for sidewalk
5 installation along the property.

6 (c) ~~The property is located in an area where sidewalks do not exist, new~~
7 ~~sidewalks are not projected nor planned for, and no abutting or connecting~~
8 ~~sidewalks exist.~~ Any sidewalk construction waivers granted under
9 paragraph (a) do not relieve projects from complying with internal sidewalk
10 requirements.

11 ~~(d) The county engineer may require a contribution to the county sidewalk~~
12 ~~improvement fund as a condition of granting the waiver.~~

13 **Section 2. Amendment and Formatting.** This ordinance revises the numbering,
14 lettering, subparagraph structure of Appendix A, Article III, Section 3, Paragraph Q of the
15 Hernando County Code for clarity and consistency, in addition to updating the substantive
16 sidewalk construction requirements and waiver provisions.

17 **Section 3. Severability.** It is declared to be the intent of the Board of County
18 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
19 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect
20 the validity of the remaining portions of this ordinance.

21 **Section 4. Inclusion in the 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

NOTE: Additions/~~Deletions~~ = Language proposed for addition/deletion to existing Code provisions.

Ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word “ordinance” may be changed to “section,” “article,” or any other appropriate designation.

Section 5. Conflicting Provisions Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 6. Effective Date. This ordinance shall take effect immediately upon receipt of official acknowledgment from the office of the Secretary of State of Florida that this ordinance has been filed with said office.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
HERNANDO COUNTY in Regular Session this _____ day of _____ 2026.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

Attest: _____ By: _____
Douglas A. Chorvat, Jr. **Jerry Campbell**
Clerk of Circuit Court & Comptroller **Chairman**

Approved for Form and Legal Sufficiency

Natasha López Perez
County Attorney's Office