

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: November 14, 2022  
Board of County Commissioners: December 13, 2022

**APPLICANT:** A & I Land Association, LLC

**FILE NUMBER:** H-22-23

**REQUEST:** Rezoning from AG (Agricultural) to C-4 (Heavy Highway Commercial)

**GENERAL LOCATION:** South side of Cortez Boulevard (SR 50), approximately 1,000' east of Frisco Road

**PARCEL KEY NUMBERS:** 387450

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### APPLICANT'S REQUEST:

The petitioner is seeking a rezoning from AG/(Agricultural) to C-4/ (Heavy Highway Commercial) to develop a Truck Service Establishment for parking of commercial trucks. The petitioner has indicated that the 5.0-acre site will provide 105 semi-truck with tractor trailer parking spaces. The petitioner has indicated the site will provide adequate buffering, paved surfaces for parking, and full cut-off lighting. Servicing of trucks and overnight stays will be prohibited. No structures are proposed other than a restroom facility for the truck drivers.

### SITE CHARACTERISTICS:

**Site Size:** 5.0 acres

**Surrounding Zoning & Land Uses:** North: R-1B; Single Family  
South: AG; Undeveloped, Single Family  
East: AR, AR; Undeveloped, Single Family  
West: AG; Undeveloped, Single Family

**Current Zoning:** AG/(Agricultural)

**Future Land Use Map Designation:** Residential

**ENVIRONMENTAL REVIEW:**

<b>Soil Type:</b>	Candler Fine Sand, Sparr Fine Sand
<b>Habitat:</b>	Vacant, mostly cleared property identified as improved pasture according to FWC CLC mapping (Florida Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data).
<b>Hydrologic Features:</b>	There are no Wellhead Protection Areas on the subject site according to County data resources.
<b>Protection Features:</b>	There are no Special Protection Area's (SPA) on the subject site according to County data resources.
<b>Archaeological/ Historical</b>	There are no archaeological or historical sites according to County data resources.
<b>Comment:</b>	<p>A comprehensive wildlife survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.</p> <p>The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.</p>
<b>Flood Zone:</b>	X

**UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. There is an existing 16-inch water main that runs along the south side of Cortez Boulevard. There is an existing 8-inch sewer force main that also runs along the south side of Cortez Boulevard. HCUD has no objection to the request subject to connection to the central water system at time of construction. Additionally, developer will need to provide sewer demands to determine whether or not connection to central sewer would also be required at the time of construction of the restroom facility.

## **ENGINEERING REVIEW:**

The subject site is located on the south side of SR 50, approximately 1,000' east of Frisco Road. The petitioner has indicated a single right-in/right-out onto SR 50 via the required frontage road.

The County Engineer has reviewed the petitioner's request and has the following comments:

- The at the time of development this project will be required to provide a Traffic Access Analysis. The petitioner will need to provide a Land Use Code and Trip Generation for project.
- A frontage road meeting the current County standards, will be required along the entire length of frontage along Cortez Boulevard.
- The driveway(s) will need to meet current County and FDOT standards.
- Site circulation analysis will be required to determine site layout for the intended use, at time of development.
- FDOT access management and drainage permitting required. The petitioner will be required coordinate with FDOT on any offsite improvements needed to accommodate semi-truck with tractor trailers and turn movements associated with the signal at Spring Lake Highway and SR 50 and the median cut just 300' east of the site. FDOT requirements are also subject to review and approval of County Engineer.
- This site is located outside the 1% annual chance floodplain.
- This project must also meet the storm drainage design requirements of Southwest Florida Water Management District and Hernando County Facility Design Guidelines.

**Comments:** The petitioner is proposing 105 semi-truck parking spaces. The subject site although located on SR 50, a truck route, is located on a portion of the road with insufficient access related to semi-trucks. The County Engineering Department and FDOT have indicated concerns with the sites only a right-in/right-out. Access is of such that it requires semi-trucks wanting to head west out of the site, to perform U-Turns shortly after leaving the property (300' east) at the first available median cut. Although the median cut offers a turn lane, there are concerns of truck acceleration speeds and trailer blocking traffic on a high-speed road. Additionally, all truck traffic coming from the I-75 corridor will be forced to perform U-Turns at Cammie Street and SR 50. In both instances, semi-trucks with and without trailers would be required to temporarily block two lanes of traffic in order to manage the U-Turn movements required to reach the site.

## **LAND USE REVIEW:**

**Building Setbacks**

Minimum Building Setbacks:

Front: 125'

Side: 20'

Rear: 35'

**Screening:**

In the heavy 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.

**Comments:** The petitioner has proposed a drainage retention pond along the south along with landscaping and a 25' landscape buffer along the west and 32' landscape buffer and drainage swale along the east. Additional 20' landscape buffer is being proposed along SR 50 and the frontage road.

**Lighting:**

County LDRs require lighting that enhances the visual impact of the project on the community and to specifically address lighting intensity levels and glare accordingly. Commercial buildings and projects shall be designed to provide safe, convenient, and efficient lighting for pedestrians and vehicles.

**Comments:** The petitioner has indicated the development will provide full cutoff fixtures in order to retain all light on-site and prevent any light spillage onto neighboring parcels.

**Landscaping:**

The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and design techniques, principles, materials, and plantings for required landscaping.

**COMPREHENSIVE PLAN REVIEW:**

The subject property is located within the Residential land use classification on the adopted Future Land Use Map. The area is characterized by single family homes to the north (across from SR 50) and large agricultural tracts to the south, east and west. C-4 uses are considered specialty commercial and permitted in the Residential land use designation with appropriate performance conditions.

**Specialty Commercial**

**Strategy 1.04G(11):** Specialty Commercial areas are recognized but generally not depicted on the Future Land Use Map due to their small size and specialized function. The County will provide for land use regulations that recognize and encourage specialty commercial uses important to the traditional economic base, including Agricultural Commercial, Marine Commercial and Heavy Commercial uses.

**Strategy 1.04G(14):** Heavy Commercial uses may be established to accommodate those uses that have potential impacts too significant for a standard commercial district and shall meet the following criteria:

- a. not to be located proximate to residential housing;
- b. be accessible to arterial or major collector roadways without requiring the use of residential roads;
- c. provide for adequate buffers, screening and transition;
- d. minimize negative impacts to adjoining properties.
- e. minimize the visual impacts of outdoor storage.

### **Land Use Compatibility**

**Objective 1.10B:** The County shall establish standards by which land use compatibility is evaluated in the review of proposals for Future Land Use Map amendments, zoning changes, and other land development applications.

**Strategy 1.10B(2):** Zoning changes should be compatible with surrounding development and minimize impact to natural resources. Impacts may be mitigated through design of building placement, buffers, noise reduction, setbacks and other appropriate planning techniques or performance measures.

**Comments:** The petitioner has proposed adequate perimeter buffering for the proposed use. The request is compatible with the surrounding land uses subject to compliance with all performance conditions.

### **Road Network – Frontage Roads**

**Objective 5.01B:** Maintain and expand a system of frontage roads and cross-access easements parallel to County arterial and collector roads. The frontage road network is designed to enable the creation of shared drives, shared easements, and alternative routes. Frontage road configuration is intended to optimize corridor and roadway network function, maintain capacity on the functionally classified network, and provide aesthetic, safe and convenient access to multiple properties and business sites.

**Strategy 5.01B(3):** The County should require cross-access easements, shared drives, shared access, and other techniques that optimize the function of the roadway network where frontage roads are not required.

**Comments:** The County Engineer has reviewed the proposed development and indicated the frontage road will be required in order to provide future interconnectivity and cross-connection between outparcels.

#### **FINDINGS OF FACT:**

A rezoning from AG/(Agricultural) to C-4/ (Heavy Highway Commercial), is inappropriate and should be considered as a PDP(HHC)/ Planned Development Project (Heavy Highway Commercial) for a Truck Service Establishment based on the following conclusion:

1. Although C-4/ (Heavy Highway Commercial) are considered Specialty Commercial areas, suitable consideration should be taken regarding the specific impact of the proposed use. Any impacts should be mitigated through the PDP/Planned Development Project process with appropriate performance conditions.
2. The use shall be limited to a Truck Service Establishment for semi-truck and tractor trailer parking. In order to avoid overnight stays, the proposed restroom structure/facility shall not be permitted.
3. The request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.

#### **NOTICE OF APPLICANT RESPONSIBILITY:**

*The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrence. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.*

*The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.*

**STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving a rezoning from AG/(Agricultural) to PDP(HHC)/ Planned Development Project (Heavy Highway Commercial) for a Truck Service Establishment, with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. A faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.
3. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping, as applicable.
4. A 25' landscape buffer shall be provided along the west and 32' landscape buffer and drainage swale along the east. Additionally, a 20' landscape buffer shall be required along SR 50 and the frontage road.
5. A Traffic Access Analysis shall be required at the time of development. The petitioner will need to provide a Land Use Code and Trip Generation for project.
6. A frontage road shall be required along the entire length of frontage along Cortez Boulevard.

7. All driveway(s) shall meet current County and FDOT standards.
8. A Site Circulation Analysis shall be required to determine site layout for the intended use, at time of development.
9. FDOT access management and drainage permitting shall be required. The petitioner will be required coordinate with FDOT on any offsite improvements needed to accommodate semi-truck with tractor trailers and turn movements. FDOT requirements are also subject to review and approval of County Engineer.
10. Building Setbacks:  
    Front: 125'  
    Side: 20'  
    Rear: 35'
11. The commercial development shall provide a lighting plan at the time of development which complies with the lighting standards for Large Retail Development.
12. No permanent structures shall be permitted. Any future structures shall require a revision to the master plan.
13. Overnight stays shall not be permitted.
14. The C-4/ (Heavy Highway Commercial) is limited to Semi-Truck and Tractor Trailer parking only. No RV, car, boat, freight container, box truck or utility trailer storage shall be permitted.
15. No servicing of semi-trucks and/or tractor trailers shall be permitted onsite. Inoperable semi-trucks and/or tractor trailers shall be removed of the premises within 30 days of being deemed inoperable.
16. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.