

**P&Z RECOMMENDATION:**

On November 14, 2022, the Planning and Zoning Commission voted 4-0 to recommend the Board of county Commissioners adopt a resolution approving the petitioner's request to Establish a Master Plan on Property Zoned CPDP (Combined Planned Development Project) with Single Family and General Commercial Uses with deviations and the following modified 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 comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional at the conditional plat stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.
3. The petitioner must 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.
4. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
5. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted, including all proposed drainage retention areas within the project to test for subsurface karst features.
6. The Special Protection Area (SPA) shall be delineated by a Florida Registered Geotechnical Engineer through a geotechnical/geophysical assessment and shall be incorporated into a revised master plan (before the submission of the conditional plat) as open space. The delineation shall include the extent of the subsurface karst feature(s).
7. A conservation easement shall be provided for the Special Protection Area (SPA) at time of final plat. Specific land uses are prohibited within 500' of

- a SPA, therefore, a 500' prohibited use buffer around the sinkhole shall be shown on any future plats and construction drawings.
8. Wetlands shall be delineated on all future plats and plans.
  9. A vegetated buffer averaging 25' in width (with no portion of the buffer narrower than 15' wide) shall be maintained by development adjacent to Class I and/or Class II wetlands. No development is allowed in the buffer except for walkways or boardwalks used for access or recreation. The wetland buffers should be planted with native vegetation to control erosion.
  10. The wetlands and associated buffer areas shall include a conservation easement in favor of the developer and including a third-party right of enforcement in favor of the County pursuant to Section 704.06(8), Florida Statutes on the master plan and construction drawings.
  11. A stormwater plan shall be designed and maintained upland of the wetland buffer to prevent direct stormwater runoff, provide treatment, and avoid adverse impacts to the wetlands and the Lake. There should be a minimum 25' average upland buffer between the drainage system and the lake's wetland line. Said buffer shall be indicated on all plans for this development and final plat.
  12. A conservation easement shall be provided for Tooke Lake, wetlands and Special Protection Area.
  13. Natural vegetation is to be retained in the non-wetland buffers and enhanced with trees and vegetation to meet 80% opacity requirement.
  14. The petitioner must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District, and the County.
  15. This project generates over 50 PM Peak Hour trips. A Traffic Access Analysis is required. The analysis must include a queuing analysis.
  16. Any improvements identified by the Traffic Access Analysis are the responsibility of the developer.

17. The subject site shall install a frontage road for the entire property frontage of Commercial Way/ US Hwy 19, per Ordinance Chapter 24, Article I, Section 24-2. ~~A Frontage Road is required the~~
18. Minimum Lot Widths: 40' (deviation from 50')
19. Minimum Residential Building Setbacks:
  - Front: 20'
  - Rear: 15'
  - Side: 5' (deviation from 7.5')
20. Minimum Commercial Building Setbacks:
  - US Hwy 19: 125'
  - Bourassa Blvd: 35'
  - Side: 20'
  - Rear: 35'
21. The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations and ensure that this park is pedestrian-accessible for all residents within the development.
22. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County's Land Development Regulations. The required natural vegetation may be included as part of the required open space.
23. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
24. The developer shall provide a utility capacity analysis and shall connect to the central water and sewer systems at time of vertical construction. Furthermore, the developer will be required to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.
25. The petitioner shall be required to provide a treed boulevard entrance from Commercial Way/US Hwy 19.
26. The petitioner shall submit a GIS Shapefile showing the final SPA, wetlands, and buffer delineations at the conditional plat phase of project development.
27. The petitioner shall be required to conduct and/or supply a State reviewed and approved Cultural Resource Assessment Survey (CRAS) performed by

a qualified professional in accordance with the guidelines published by the Florida Bureau of Archaeological Research, prior to the conditional plat phase of development.

28. The petitioner shall install a fence along the eastern perimeter of the site where adjacent to parcel key 538948.

29. ~~28.~~ The petitioner shall provide a revised plan in compliance with all the performance conditions within 60 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.