

BCC ACTION:

On February 14, 2023, the Board of County Commissioners voted 5-0 to remand the petitioner's request for a rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations back to the Planning and Zoning Commission. This hearing shall be scheduled after the applicant has submitted revised plans to staff and revised recommendations have been developed for consideration. The applicant shall be responsible for all re-advertising costs for the application.

NOTE:

Subsequent to the February 14, 2023, Board of County Commissioners (BOCC) hearing and per BOCC direction, the petitioner submitted a revised master plan addressing the projects access points and density. The Planning and Engineering Departments have reviewed the following revisions:

1. The overall project was reconfigured. The area previously allocated to the communication tower along the northeast has been removed. The neighborhood park has been relocated to the south.
2. Communication tower will be removed, and the existing eagles nest relocated per Florida Fish and Wildlife regulations.
3. The density was reduced from 162 units to 142 units.
4. Access to Godwit Avenue and Gyrafalcon Avenue will remain, however, additional access has been proposed along the reconfigured northeast portion of the property. The new connection will connect to Seely Lane.
5. A new large drainage retention area is proposed along the entire southern property line.

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations and with the following revised 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. 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, as applicable.
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. A jurisdictional wetland line shall be shown on the conditional plats.
6. Geotechnical subsurface testing and reporting in accordance with Hernando County’s Facility Design Guidelines shall be conducted for all proposed drainage retention or detention areas within the project.
7. Invasive plant species must be removed, including wetland areas, during the development process and controlled through the approved Association documents during the subdivision process for long-term maintenance and control.
8. The subdivision shall be limited to 142 single-family residential units.
9. The developer shall conduct a water and sewer capacity analysis during the conditional plat phase and connect to the central water and sewer systems at time of vertical construction. All required improvements will be the responsibility of the developer.
10. In conjunction with the conditional plat phase, the petitioner shall perform a Traffic Access Analysis (TAA) in accordance with the requirements of the County Engineer. The Traffic Access Analysis shall include a queuing analysis. Any identified improvements shall be the responsibility of the developer.
11. The petitioner shall maintain a minimum perimeter buffer of 20' around the residential portion of the project enhanced to an 80% opacity by landscaping and augmented with a 6' high opaque fence or wall around the project perimeter, except in areas designated as neighborhood park or drainage. The buffer shall be designated as a common tract and included in the Association documents for long term maintenance.
12. Minimum Lot Setbacks, widths and sizes:

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|--------------|-------------------------|
| Front: | 20'(Deviation from 25') |
| Sides: | 5' (Deviation from 10') |
| Rear: | 20' |
| Corner Lots: | Secondary Front 10' |

Minimum Lot Width: 50' (Deviation from 60')

Minimum Perimeter Setbacks:

Front: 25'

Side: 10'

Rear: 10'

13. 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. If preservation of existing native vegetation is not practical as a result of the proposed development needs or site constraints, such as but not limited to existing topography, existing drainage patterns, stormwater design and other infrastructure needs such as water, waste water, and roadway design, then the developer shall instead be allowed to install native vegetation using Florida Friendly Landscaping practices at the time of site development in order to satisfy the minimum vegetation requirement. For purposes of calculating the 7%, undisturbed vegetation in the cell tower area shall count toward meeting this requirement.
14. The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations as designated on the master plan. The neighborhood park shall provide vehicular and pedestrian access from the subdivision street network.
15. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
16. 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.
17. The petitioner shall provide a designed construction access point to be reviewed and approved by County Engineer no later than at time of Conditional Plat.
18. The Master Plan designates both entrances as treed boulevard entrances exceeding the minimum required by the County LDR's.

19. The petitioner shall provide access to Seely Lane as shown on the master plan.
20. 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.