

BOCC ACTION:

On July 30, 2024, the Board of County Commissioners voted 5-0 to adopt a resolution approving the petitioner's request for a a rezoning from CPDP (Combined Planning Development Project) with single-family and multifamily uses to PDP(SF)/ Planned Development Project (Single Family) with deviations and with 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. Planning

- A. Maximum number of Lots Allowed: 220
- B. Allowed Uses in this PDP:
 - I. Single Family Residential Houses
 - II. Associated accessory buildings
 - III. Clubhouse
 - IV. Park
- C. Lot Information:
 - Minimum Lot Size (square footage): 6,000 square feet
 - Minimum Lot Width at the building line: 50'
 - Minimum Lot Frontage: 50'
 - Minimum Lot Frontage for lots on a cul-de-sac or lots on a curve with a radius less than fifty (50) feet: 30'
 - Maximum Lot Coverage: 65%
- D. Lot Setbacks:
 - Front: 25'
 - Side: 5' 7.5'-(deviation from 10')
 - Rear: 15' (deviation from 20')

* Mechanical equipment shall be located behind each individual single-family home or is to be elevated if located within the side setback.

* Corner lots shall have a front yard setback on each road frontage one yard will be deemed the front yard, determined by the location of the front entrance of the principal building. The other yard shall be considered the secondary front yard.

- E. Neighborhood Park: 3.0 acres

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.

The approximate location and acreage of the neighborhood park system shall be identified within the project master plan. The final location of the park site(s), access and a list of proposed facilities shall be provided for review and approval during the conditional plat process. A neighborhood park(s) site plan, prepared by a registered landscape architect or professional civil engineer, shall be submitted for review and approval in conjunction with the final construction plans for the subdivision. Development of the neighborhood park system shall occur prior to receiving fifty-one (51) percent of the certificates of occupancy for the subdivision (based on complete build-out).

F. Perimeter Setbacks (inclusive of the vegetated buffer)

- North: 30'
- South: 40' from the future right-of-way
- East: 40'
- West: 30'

G. Buffers:

- North: 15'
- South: 20'
- East: 25'
- West: 25' when adjacent to rural residential lots. 15' when adjacent to vacant parcels.

All required buffers shall include a combination of natural vegetation, natural vegetation enhanced with landscaping, natural vegetation enhanced with fencing, or landscaping enhanced with fencing in accordance with the standards of the Community Appearance Ordinance.

Buffer fencing – If a fence is used, the landscaping shall be installed on the side of the fence that faces the adjacent property.

The petitioner shall coordinate with the County on determining an appropriate location for a 6' chain link fence to protect existing, adjacent, agricultural properties. This fence shall be installed at the time of development construction.

- H. Perimeter Buffers and Setbacks shall not be included as a part of individual lots. A distinct lot edge shall be marked on lots to denote that preservation of that area is required.
- I. The developer shall dedicate 40' of additional right of way along Powell Road as determined by the County Engineer.
- J. The project shall provide a boulevard entrance along Powell Road in order to alleviate potential congestion in an emergency. This is a deviation from the required two (2) points of access for a project with more than 50 units..
- K. The petitioner shall provide an additional 10% of the required parking as dedicated holiday parking for the development.
- L. Lots on cul-de-sacs or sharp curves shall be required to have all driveways on the same side of the lot to allow adequate opportunity for utility placement and maintenance.

3. Environmental:

A. Required Natural Vegetation: 6 Acres

Article II, Section 10-28 (2). Preserved natural vegetation and/or planted native vegetation shall be provided per the following standard:

Projects greater than twenty (20) acres shall designate an area of at least seven (7) percent of the total project area as preserved natural vegetation and no construction activity can occur in this area. Preserved natural vegetation areas must be a minimum of twenty thousand (20,000) square feet. If no preserved natural vegetation is available, then installed native vegetation using Florida Friendly Landscaping practices will be considered after review of the site. A combination of natural and planted may be used to meet this requirement. The county administrator or designee may grant deviations to this standard if changes in elevation or other conditions preclude meeting this standard.

B. Vegetated buffers shall remain undisturbed, with the exception of the removal of invasive species or dead trees. Buffers may not include any stormwater management facilities, utility easements or drainage retention areas.

C. The petitioner shall provide information about the wetlands and include jurisdictional wetland lines on the Master Plan and all other plans submitted for review by the County. There shall be a buffer adjacent to all wetlands with an average width of 20', with no portion being less than 15' wide.

D. Natural vegetation is to be retained in the buffers and enhanced with landscaping or fencing as needed.

E. Invasive plant species if present are to be removed during the development process.

F. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for required plantings and buffers, as applicable.

The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ Program information and encourage the use of the principles, techniques, and landscaping recommendations. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.

4. Engineering:

A. The petitioner shall obtain all applicable permits from Hernando County and other applicable permitting agencies. These permits include, but are not limited to, a right-of-way use permit, an access management or drainage permit from the Florida Department of Transportation (FDOT), and/or a Gopher Tortoise Relocation Permit from the Florida Fish and Wildlife Commission (FWC).

B. All floodplain encroachment shall be compensated.

C. Stormwater treatment and attenuation ponds may ~~shall~~ be located ~~outside~~ within of the floodplain as long as the floodplain compensation consistent with SWFWMD regulations has been mitigated.

- D. A Traffic Access Analysis is required. Refer to Hernando County Facility Design Guidelines IV-18. Turn lanes may be required and will be determined by the Traffic Access Analysis.
- E. Any improvements identified by the Traffic Analysis shall be the responsibility of the developer to install.
- F. A sidewalk shall be constructed along Powell Road (Collector Roadway) for the entire frontage.
- G. The entrance road for the project shall be designed as a collector roadway.
- H. The petitioner shall specify if the roadways will be public or private.
- I. The petitioner shall provide roadway designation for all the other roadways in the development at the Conditional Plat stage.

5. Utilities:

- A. A capacity analysis shall be performed and provided to the County as part of the conditional plat process.

Please note: Availability of existing water, sewer, and reclaimed water capacities dependent on the engineer's estimated flows for the proposed development. Existing utility infrastructure may require upgrades to supply service to the proposed development. Complete a Utilities Capacity Request form located on HCUD's Engineering website and submit with a proposed site plan for capacity inquiries.

****Utility location does not guarantee capacity****

- B. The petitioner shall connect to the central water and sewer systems at time of vertical construction.
- C. Utility placement details showing the locations of all utilities shall be shown on the conditional plat for lots with side setback deviations of five (5) feet. **(if the 5' side setback deviation is approved)**

6. Schools:

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.

- 7. **Construction Buffer:** Article II, Section 10-21 (5) All new development (subdivision and commercial) greater than two (2) acres that abuts existing residentially zoned housing units not in previously developed or future phases of the same development must provide a construction buffer at the perimeter of the construction site boundary. It shall be a natural vegetative buffer a minimum of ten (10) feet in width, provide a minimum of eighty (80) percent opacity, and minimize - airborne erosion to existing adjacent residentially zoned housing units. If natural vegetation is not adequate or available to provide such a buffer,

a fence or wall at least six (6) feet in height above grade must be installed within thirty (30) days of clearing and prior to commencement of construction. If a fence is used it must include mesh or slats to minimize airborne erosion. If a permanent fence or wall is provided it must be dominated by greenery on the side facing adjacent property at the conclusion of construction. Retention of a natural vegetative buffer is encouraged. A permanent construction buffer can be used to meet all or part of the requirements for natural vegetation preservation.

8. The petitioner shall remove any barbed wire and/or electric fencing from the subject parcel(s) prior to the issuance of any Certificate of Occupancy being issued. This includes any areas designated as Buffers and Drainage Retention Areas designated as PDP(Special Use) on plats.
9. Prior to the issuance of an approved set of construction plans, the developer shall provide the Department of Public Works and The Planning Department with a contact list of any known contractors and professionals that will be working on the site as well as designating a primary contact should issues arise.
10. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of receiving the final BCC action report from the County. Failure to submit the revised plan will result in no further development permits being issued.