

REZONING CASE H-24-04

STAFF REPORT

RECOMMENDATIONS/ACTIONS

STAFF RECOMMENDATION TO PLANNING & ZONING COMMISSION JULY 3, 2024

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 PDP(GHC)/ Planned Development Project (General Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a Specific C-4 use for Light Manufacturing with performance conditions listed in **Appendix A** of this Staff Report

PLANNING & ZONING COMMISSION July 8, 2024

The July 8, 2024, Planning and Zoning hearing was canceled due to a lack of a quorum. Details listed in **Appendix B** of this Staff Report.

PLANNING & ZONING COMMISSION July 22, 2024

On July 22, 2024, the Planning and Zoning Commission voted 5-0 approving the petitioners request for a rezoning from a rezoning from PDP(GHC)/ Planned Development Project (General Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a Specific C-4 use for Light Manufacturing. Details listed in **Appendix C** of this Staff Report.

INTRODUCTORY INFORMATION

HEARINGS: Planning & Zoning Commission: July 8, 2024
Board of County Commissioners: August 25, 2024

APPLICANT: Biscard Holdings, LLC

FILE NUMBER: H-24-04

REQUEST: Rezoning from PDP(GHC)/ Planned Development Project (General Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a Specific C-4 use for Light Manufacturing.

GENERAL LOCATION: West side of Lamson Avenue, approximately 125' south of Tillery Road

PARCEL KEY NUMBER: 623748

APPLICANT'S REQUEST:

This property is part of the Spring Hill Subdivision Unit 17 which was approved in 1967. The subject site is located along Lamson Avenue, which is consider a quasi-business park with heavy commercial uses.

The petitioner's current request is to rezone from PDP(GHC)/ Planned Development Project (General Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a specific C-4 (Heavy High Commercial) use for Light Manufacturing. The petitioner is requesting Light manufacturing in order to utilize the existing building for a plastic goods and direct injection molding operation. No additional buildings are proposed at this time.

SITE CHARACTERISTICS:

Site Size: 1.10 Acres

Surrounding Zoning & Land Uses:

North:	PDP(GHC); Commercial
South:	PDP(GHC); Commercial
East:	PDP(GHC); Commercial
West:	PDP(GHC); Commercial

Current Zoning: PDP(GHC)/Planned Development Project (General Highway Commercial)

**Future Land Use
Map Designation:** Commercial

ENVIRONMENTAL REVIEW:

Soil Type: Candler Fine Sand

Comments: Candler Fine Sand provides habitat suitable for gopher tortoises (a listed species) and commensal species. A comprehensive faunal (wildlife) survey shall be prepared by a qualified professional during the construction plans stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.

**Water Quality
Review:**

The proposed development is within the Weeki Wachee River Basin Management Action Plan, the Weeki Wachee Primary Focus Area (PFA), and the Weeki Wachee Outstanding Florida Springs (OFS) Group.

Comments: 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.

**Protection
Features:**

There are no protection features (Wellhead Protection Areas (WHPAs) present on this parcel.

**Hydrologic
Features:**

There are no hydrologic features (Special Protection Areas (SPAs), sinkholes, karst sensitive areas, or wetlands) present on this parcel.

Flood Zone:

There is a portion of the northwest part of the property that is in X floodplain, the rest of the parcel is not in a floodplain.

UTILITIES REVIEW:

Hernando County Utilities Department has indicated they currently supplies commercial water and sewer service to this parcel.

ENGINEERING REVIEW:

The subject site is located on the west side of Lamson Avenue, approximately 125' south of Tillery Road and has an existing driveway. The petitioner has indicated no new access points are being proposed with the current request. The County Engineer has reviewed the petitioners request and indicate the following:

- The driveway and parking areas may require updating. Petitioner shall coordinate with the County Engineer.
- If constructing a new building, be advised; this site lies within the Special Drainage Area of Concern.
- Special closed drainage basins which have undersized receiving Drainage Retention Areas that flood during a 100-year 24-hour storm event will necessitate proposed development to provide additional on-site storage volume to accommodate the entire 100-year storm event.

LAND USE REVIEW:**Setbacks**

Building Setbacks:

Lamson Ave:	50'
South:	20'
North:	20'
East:	20'

Comments: Setbacks are based upon Spring Hill Deed Restrictions booklet for Unit 17. Any future structures and/or expansions shall meet the minimum building setbacks.

Buffers

County LDRs require buffering consisting of a minimum five (5) foot landscape separation distance. The use shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosure. Such screening shall be a minimum height of five (5) feet and a maximum height of eight (8) feet. The petitioner's site plan does not indicate any provisions for buffering.

Comments: If approved, the petitioner must provide the minimum buffering required by the County's LDRs

Parking

County LDRs requires one (1) space per employee during peak shift for light manufacturing.

Lighting

The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner must provide full or semi-cutoff fixtures as required by the County LDR, to retain all light on site and prevent any light spillage onto neighboring residential uses.

Landscaping

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.

COMPREHENSIVE PLAN REVIEW:

Commercial Category

Objective 1.04G: The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited industrial, recreational and institutional uses. Residential and mixed uses may be allowed subject to locational criteria and performance standards.

Strategy 1.04G(1): Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross-access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

Comments: The subject site is located in a predominantly in a quasi-business park area with the Spring Hill Area. The Site has access to Northcliffe Boulevard and Mariner Boulevard via Lamson Avenue.

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

Comments: This parcel is located in a business park adjacent to Northcliffe Boulevard & Mariner Boulevard that allows for a mixed use of specialty commercial including limited light industrial uses. The request for a C-4 (Heavy Highway Commercial) use is compatible with surrounding area.

FINDING OF FACTS:

A rezoning from PDP(GHC)/ Planned Development Project (General Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a Specific C-4 use for Light Manufacturing is appropriate based on the following:

1. The PDP for the subject parcel was established in 1967 under the name "Spring Hill Unit 17" and was designed as a business park node.
2. The existing parcel is surrounded by commercial parcels.
3. The addition of the C-4 (Heavy Highway Commercial) use is compatible with the surrounding area and consistent with the County Comprehensive Plan.

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 Concurrency. 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.

APPENDIX A
STAFF RECOMMENDATION TO PLANNING AND ZONING
COMMISSION

APPENDIX A – STAFF RECOMMENDATION TO PLANNING & ZONING COMMISSION:

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 PDP(GHC)/ Planned Development Project (General Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a Specific C-4 use for Light Manufacturing 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. Perimeter Setbacks:
 - Lamson Ave: 50'
 - North: 20'
 - South: 20'
 - East: 20'
3. A minimum of 5' wide vegetative buffer shall be provided along Lamson Avenue and on any parking areas
4. The petitioner shall adhere to buffer and landscaping requirements set forth in the Hernando County Code of Ordinances, Chapter 10 Community Appearance.
5. The petitioner shall coordinate the driveway location & parking area with the County Engineer.
6. The petitioner shall coordinate the potential for an Industrial Wastewater Discharge permit with the Hernando County Utilities Department.
7. No outdoor storage and/or manufacturing shall be permitted.
8. The petitioner shall provide a master plan in compliance with all of 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.

**APPENDIX B
PLANNING AND ZONING COMMISSION
ACTION**

APPENDIX B –PLANNING & ZONING COMMISSION ACTION:

The July 8, 2024, Planning and Zoning hearing was canceled due to a lack of a quorum. According to state statute, at least three (3) voting members are required in order to conduct a meeting. The hearing will be rescheduled for a future date as a Special Hearing.

APPENDIX C
PLANNING AND ZONING COMMISSION
ACTION

APPENDIX C –PLANNING & ZONING COMMISSION ACTION:

On July 22, 2022, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from PDP(GHC)/ Planned Development Project (General Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a Specific C-4 use for Light Manufacturing with the following performance conditions:

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