

**BCC ACTION:**

On November 8, 2022, the Board of County Commissioners voted 4-0 to adopt Resolution 2022-215 approving the petitioner's request for a rezoning from PDP(GC)/Planned Development Project (General Commercial) and C-1 (General Commercial) to CPDP/Combined Planned Development Project to include General Commercial and Multifamily Uses with Deviations, and the following unmodified 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 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.
3. 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.
4. The petitioner shall be required to provide a water and sewer capacity analysis and connect to the central water and sewer systems at time of vertical construction.
5. All lighting shall be full cut off fixtures in order to prevent any light spillage into neighboring parcels
6. A vegetated buffer averaging a minimum of 25' and no narrower than 15' in width adjacent to the wetland line shall be maintained by development adjacent to the Class I wetland. No development is allowed in the buffer except for walkways or boardwalks used for access or recreation. The wetland jurisdictional line and 25' buffer must be shown on all future plans and drawings.
7. Any removal, encroachment or alteration of these wetlands shall require permitting and mitigation by the appropriate state and federal agencies.

8. A Traffic Access Analysis shall be required. Traffic Access Analysis shall include a queuing analysis. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
9. A reverse frontage road shall be required.
10. Fast food establishments shall demonstrate adequate queuing and storage onsite, furthermore, a Traffic Access Analysis with que analysis shall be required.
11. A sidewalk from the buildings to Cortez Boulevard will be required.
12. The outparcels will not be permitted individual driveways onto Spring Lake Highway (arterial road). They will be allowed one joint driveway between all three outparcels. The petitioner shall provide cross connectivity between the parcels.
13. Minimum Building Setbacks
  - Minimum Commercial Building Setbacks (Cortez Blvd):
    - Cortez Blvd: 75'
    - Side: 20'
    - Rear: 35'
    - Reverse Frontage Road: 20'
  - Minimum Commercial Building Setbacks (Spring Lake Highway)
    - Spring Lake Highway: 75'
    - Reverse Frontage Road: 35'
    - Side: 20'
    - Rear: 35'
  - Minimum Villa Setbacks:
    - Reverse Frontage Road: 35'
    - Side: 20'
    - Rear: 35'
14. A Cross Access Agreement shall be provided between all parcels/uses.
15. A 20' landscape buffer shall be provided along Cortez Boulevard and the three (3) commercial outparcels along Spring Lake Highway. A 6' high fence shall be provided along the perimeter of the villas and a 15' landscape buffer shall be provided for that portion of the villas that fronts the reverse frontage road. This fence shall also be extended for the full length of the southern property boundary to Spring Lake Highway.
16. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional and submitted at the construction plans stage of

development. Invasive plant species if present are to be removed during the development process. The petitioner is required to comply with all applicable FWC regulations and permitting.

17. The petitioner shall provide a master plan in compliance with all performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.