

**REVISED STAFF RECOMMENDATION (FOR MAY 6, 2025, BOARD OF COUNTY COMMISSIONERS HEARING):**

Staff recommends that the Board of County Commissioners adopt a resolution approving the petitioner's request 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. A wildlife survey shall be prepared by a qualified professional. 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 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.
5. The petitioner shall coordinate with the City of Brooksville to validate the availability of utilities capacity. Prior to receiving a Certificate of Concurrency for the proposed development, the petitioner shall be required to provide proof of capacity from the City of Brooksville.
6. The property is in the Bystre Lake Watershed with areas of A and AE flood Zones at Elevation 99.6. ~~Oxley Road is a minor rural residential road, with no markings, that is unable to handle the traffic volumes that will be generated by the development occurring on this road.~~
7. A Traffic Access Analysis has been received and is currently under review. Any improvements identified will be the responsibility of the developer to install.
8. To make Oxley Road functional for new development, it is required to be paved according to County standards from Cortez Boulevard (SR 50) to the entrance of the development.
9. All roadways and driveways shall meet Hernando County standards.

10. Driveway locations must be in coordination with previously approved rezoning case H-24-22. This coordination must occur prior to the submittal of the conditional plat for the project.
11. Sidewalks shall be installed throughout this development.
12. FDOT access management and drainage permits are required.
13. The petitioner shall coordinate with the Engineering Department to provide a transit stop with amenities. This shall be identified on the conditional plat.
14. The petitioner shall construct a sidewalk from the entrance of the development to the edge of the right-of-way at the driveway entrance of Moton Elementary, along the west side of Emerson Road, as shown on the proposed master plan, at the sole expense of the developer.
- ~~15. The development shall be limited to a total of 215 units. or the number of units that will not exceed trip generation maximums from previous entitlements on the site, whichever is less. This will be demonstrated through the Traffic Analysis provided at the conditional plat.~~
16. The development shall be required to follow the Class A subdivision requirements as identified in Chapter 26 of the Land Development Regulations.
17. The following perimeter setbacks shall apply to the development:
  - S.R. 50: 125'
  - West: 45'
  - South: 45'
  - East (Along Emerson): 35'
  - East (Remainder): 30'
18. The development shall be required to provide the following perimeter buffers for the development. These buffers shall be maintained and/or enhanced to reach 80% opacity within 18 months of development. If enhancement is required, the specific planting plans shall be incorporated into the landscape plans submitted with the construction drawings for the development.
  - S.R. 50: 45'
  - West: 20'
  - South: 15'
  - East (Along Emerson): 35'
  - East (Remainder): 5'
19. The petitioner shall be required to delineate the wetland jurisdictional line at the time of site development or conditional plat application submittal. A 25' buffer and building setback shall be set from the jurisdictional lines. No structures shall be permitted within this setback, and conservation easements in favor of the HOA or CDD, as applicable, which shall include a third-party right of enforcement in favor of the County pursuant to Section 704.06(8), shall be placed over all wetland setback and buffer areas.

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20. The townhomes are proposed to be sold as fee-simple, individually owned units. The lot lines will be clearly delineated at the subdivision phase of development, with no individual lot being less than ~~3,800~~ 3,080 square feet.
21. Building Setbacks:
- Front: 20'
  - Side: 0' (Internal)
  - Rear: 10'
  - Building Separation: Minimum ~~10'~~ 20'
22. The units shall be constructed in pods, with no building having more than 8 units.
23. The conditional plat may allow for flexibility in the overall layout of the buildings and units without requiring a master plan revision, as long as the general areas of development as identified in this rezoning are not impacted.
24. The petitioner shall coordinate with the County Engineer to identify the primary entranceway into the proposed development. Upon determination, that entrance must be designed as the tree-lined entrance into the development in accordance with the Hernando County Land Development Regulations.
25. The petitioner shall be required to set aside 2.15 acres for a neighborhood park, with the location identified at conditional plat, or the acreage amount required by the final number of residential units shown on the conditional plat. The park should be centrally located to be accessible to all residents within the development. The petitioner can utilize wetlands as part of the park system, by including it in the Neighborhood Park Plan submitted as part of the construction drawings.
26. The petitioner shall provide a minimum of seven percent (7%) natural vegetation. Preserved natural vegetation and/or planted native vegetation may be used to meet all or part of the requirement for open space if it is a minimum of fifteen (15) feet in width. The natural vegetation of 2.81 acres shall be designated during the conditional plat phase of development.
27. The petitioner shall submit a fire protection plan with the Conditional Plat in accordance with the Hernando County Land Development Regulations.