

STEARNS WEAVER MILLER
WEISSLER ALHADEFF & SITTERSON, P.A.

Jessica M. Icerman
401 East Jackson Street, Suite 2100
Post Office Box 3299
Tampa, FL 33601
Direct: (813) 222-5066
Email: jicerman@stearnsweaver.com

January 26, 2026

**Via Electronic Mail: AKidd@co.hernando.fl.us and
mlmiller@hernandocounty.us**

Alaina Kidd
Michelle L. Miller, M.S.
Senior Planner
Planning Division
Development Services Department
1653 Blaise Drive
Brooksville, FL 34601

Re: H-25-40 – Jack Melton Family Rezoning Request – Black Jack Ridge

Dear Alaina and Michelle,

As you know, Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A. (“SWM”) represents the Jack Melton Family, Inc. (“Melton”) in seeking to rezone property in Hernando County. Thank you for the draft Staff Report prepared in advance of the Planning & Zoning Commission meeting. I have worked with Coastal Engineering & Associates in reviewing the draft Staff Recommendation. We recognize that this is a complex project within a unique area of the County. The purpose of this letter is to offer additional information regarding the proposed rezoning to ensure a clear understanding of the proposed performance conditions. Included as **Attachment #1** are proposed edits to the draft Staff Report. Below is a summary of the proposed changes and the rationale supporting these revisions.

1. Clarify Current Zoning Districts

The REQUEST section was clarified to add that a portion of the subject property is currently zoned C-2.

2. Add Parcel Key Number 1760151

The Florida Department of Transportation (“FDOT”) has authorized Melton to pursue this rezoning. FDOT and Melton are in discussions to relocate the FDOT pond to accommodate future development of the site.

3. Two Development Alternatives

Under the APPLICANT'S REQUEST section of the staff report, clarification may be warranted. The petitioner is requesting approval within the I 75/SR50 PDD that may be constructed under one of two alternative development scenarios. The ultimate configuration will be determined using an approved traffic land-use equivalency matrix, such that different mixes of residential units and commercial square footage may be substituted for one another, provided overall traffic impacts do not exceed the approved thresholds. Under this framework, the project may include up to a maximum of 978 total residential units and up to 300,000 square feet of commercial development. However, 100,000 square feet of commercial development and 320 residential units are mutually exclusive and may not be developed concurrently. Instead, these components may be exchanged on an equivalent basis pursuant to the traffic equivalency matrix.

4. Requested Deviations & Land Use Review

Clarifications were added to show that certain proposed development standards are deviations from the Code and additional requested deviations were added, including the deviation for double frontage lots. Additionally, clarifications were added to show that two single family lot standards are offered. Minimum 40-foot lot widths are only proposed to be included within the Residential Mixed-Use Area of the Master Plan.

5. Comprehensive Plan Review

The subject property is not located within the Commercial Future Land Use category. We suggest that you remove discussions regarding Commercial Category policies as it may confuse the reader.

6. Performance Conditions – Commercial Mixed-Use Pod

One condition proposed by staff recommends the installation of a 6' vinyl fence or wall along the frontage road between the Commercial pod and the Commercial Mixed-Use pod. We have proposed a clarification to indicate that such a fence is only required if the Commercial Mixed-Use pod is developed as solely multi-family uses. No single-family uses are proposed within the Commercial Mixed-Use pod. The Commercial Mixed-Use pod is contemplated to include a mix of commercial and multi-family uses.

7. Performance Conditions – Signage

A clarification was added to propose a Master Signage Plan be required at the time of conditional plat.

8. Performance Conditions – Commercial Parking

January 26, 2026

Page 3

Since we do not yet know the end users of the property, including the commercial component, we have suggested removing the requirement for commercial parking to provide a minimum of 20% along the rear or side of the commercial development.

9. Performance Conditions – Specifications

Clarifications and additions were included to clarify the lot standards for each type of contemplated development.

10. Performance Conditions – Uses

The proposed uses for each pod have been added.

11. Performance Conditions – Large Retail Project

Simple clarification was added to clarify that the Large Retail Project standards will only be applicable for any single use that exceeds 65,000 SF owned and managed by the same entity.

Please let us know if you have any questions regarding the above and attached. We sincerely appreciate the opportunity to offer suggested revisions to the Staff Report in advance.

Sincerely,



Jessica M. Icerman

JMI/vya

cc: Coastal Engineering
Client

ATTACHMENT 1

**STAFF REPORT**

HEARINGS: Planning & Zoning Commission: February 9, 2026 Board of County Commissioners: April 7, 2026

APPLICANT: Jack Melton Family, Inc

FILE NUMBER: H-25-40

REQUEST: Rezoning from AG (agricultural), PDP (GHC) Planned Development Project, General Highway Commercial and PDP (HC) Planned Development Project Highway Commercial and C-2 Highway Commercial District to CPDP Combined Planned Development Project to include PDP (SF) Planned Development Project Single Family, PDP (MF) Planned Development Project Multifamily, PDP (GC) Planned Development Project, General Commercial and PDP (HC) Planned Development Project Highway Commercial

GENERAL LOCATION: Southwest side of Cortez Road, West side of Lockhart Road approximately 944 feet from I 75

PARCEL KEY NUMBER(S): 840923, 841138, 1760151

APPLICANT'S REQUEST

The Petitioner is requesting to rezone from AG (Agricultural), PDP(GC) Planned Development Project, General Commercial and PDP(HC) Planned Development Project Highway Commercial to CPDP Combined Planned Development Project to include PDP(SF) Planned Development Project Single Family, PDP(MF) Planned Development Project Multifamily, PDP(GC) Planned Development Project, General Commercial and PDP(HC) Planned Development Project Highway Commercial.

The petitioner is requesting approval ~~for a total of 978 lots~~ within the I 75/SR50 PDD that may be constructed under one of two alternative development scenarios. The ultimate configuration will be determined using an approved traffic land-use equivalency matrix, such that different mixes of residential units and commercial square footage may be substituted for one another, provided overall traffic impacts do not exceed the approved thresholds.

Under this framework, the project may include up to a maximum of 978 total residential units and up to 300,000 square feet of commercial development. However, 100,000 square feet of commercial development and 320 residential units are mutually exclusive and may not be developed concurrently. Instead, these components may be exchanged on an equivalent basis pursuant to the traffic equivalency matrix.

The development will consist~~ing~~ of a mix of commercial, multifamily, and single-family uses, subject to the above limitations~~—development~~. Proposed commercial uses include medical facilities such as a hospital or urgent care center, educational facilities, light wholesale and storage operations, microbreweries, and public or private recreational uses. Recreational amenities may include activities such as virtual golf and pickleball.

The Requested deviations include:

Single Family Lot – as applicable to min. 40' lots, which are limited to the Residential Mixed Use Area identified on the Master Plan

- Front: 25'
- Side: 5' (deviation from 10')
- Rear: 15' (deviation from 20')
- Maximum Building Coverage: 65 % (Deviation from 35%)
- Minimum Lot Width: 40' (Deviation from 60')
- Minimum Lot Size: 4,400 (Deviation from 6000)
- Double frontage and corner lots shall be allowed to have only one front yard: 20' on the primary front yard and 10' on the secondary front yard (Deviation of 15' for secondary front yard)

Single Family Lot – as applicable to min. 50' lots

- Front: 25'
- Side: 5' (deviation from 10')
- Rear: 15' (deviation from 20')
- Maximum Building Coverage: 65 % (Deviation from 35%)
- Minimum Lot Width: 50' (Deviation from 60')
- Minimum Lot Size: 5,500 (Deviation from 6,000)
- Double frontage and corner lots shall be allowed to have only one front yard: 20' on the primary front yard and 10' on the secondary front yard (Deviation of 15' for secondary front yard)

Villas

- Front: 25'
- Side: 5' (deviation from 10')
- Rear: 15' (deviation from 20')
- Maximum Building Coverage: 70 % (Deviation from 35%)
- Minimum Lot Width: 35' (deviation from 75')
- Minimum Lot Size: 3850 (deviation from 8150)

Townhomes

- Front: 25'
- Side: 7.5 (deviation from 10)

- Rear: 15' (deviation from 20')
- Maximum Building Coverage: 70 % (Deviation from 35%)
- Minimum Lot Width: 18' ([deviation from 75'](#))
- Minimum Lot Size: 1800 ([deviation from 12,000](#))

Perimeter Setbacks ([inclusive of buffers](#)):

- North: 75' (deviation from 125)
- East: 35'
- West: 35'
- South: 35'

SITE CHARACTERISTICS

Site Size 203.89

**Surrounding
Zoning;
Land Uses**

North: C2 Commercial

South: PDP Rec (Planned Development Recreation)
and PDPSF (Planned Development Project
Single Family)

East: PDP GC (Planned Development Project General
Commercial)

West: PDP CP (Planned Development Project
Cooperate Park) and AG (Agricultural)

Current Zoning: AG (Agricultural), PDP GC (Planned Development Project, General Highway Commercial) and PDP HC (Planned Development Project Highway Commercial)

Future Land Use Map Designation: I-75/SR50 PDD

LAND USE REVIEW

The petitioner is proposing a mixed use residential, multifamily and commercial development with highway commercial uses along the northern portion of the site, transitioning into mixed use in the central portion of the site with single-family uses along the southern border.

Project Specifications

The following specifications apply to the entire project, including perimeter setbacks and landscape buffers.

Perimeter Setbacks (inclusive of buffers):

The petitioner is proposing the following perimeter setback:

- North (Cortez Blvd): 75' (Deviation from 125')
- South: 35'
- East (Mixed Use: Commercial and Residential): 35'
- East (I-75): 45'
- West (Recreation): 35'

Perimeter Landscape Buffers:

The petitioner is proposing the following buffers:

- North (Cortez Blvd): 35'
- South: 20'
- East (Mixed Use: Commercial and Residential): 35'
- East (I-75): 30'
- West (Recreation): 20'

Residential Specifications

Single Family Lot - as applicable to min 40' lots

- Front: 25'
- Side: 5' (deviation from 10')
- Rear: 15' (deviation from 20')
- Maximum Building Coverage: 65 % (Deviation from 35%)
- Minimum Lot Width: 40' (Deviation from 60')
- Minimum Lot Size: 4,400 (Deviation from 6000)
- Double frontage and corner lots shall be allowed to have only one front yard: 20' on the primary front yard and 10' on the secondary front yard (Deviation of 15' for secondary front yard)

Single Family Lot – as applicable to min. 50' lots

- Front: 25'
- Side: 5' (deviation from 10')
- Rear: 15' (deviation from 20')
- Maximum Building Coverage: 65 % (Deviation from 35%)
- Minimum Lot Width: 50' (Deviation from 60')
- Minimum Lot Size: 5,500 (Deviation from 6,000)
- Double frontage and corner lots shall be allowed to have only one front yard: 20' on the primary front yard and 10' on the secondary front yard (Deviation of 15' for secondary front yard)

Villas

- Front: 25'
- Side: 5' (deviation from 10')
- Rear: 15' (deviation from 20')
- Maximum Building Coverage: 70 % (Deviation from 35%)
- Minimum Lot Width: 35'
- Minimum Lot Size: 3850

Townhomes

- Front: 25'
- Side: 7.5 (deviation from 10')
- Rear: 15' (deviation from 20')
- Maximum Building Coverage: 70 % (Deviation from 35%)
- Minimum Lot Width: 18'
- Minimum Lot Size: 1800

Holiday/Visitor Parking

The petitioner is proposing holiday/visitor parking within the single-family development pod. If the master plan is approved, the petitioner shall set aside 10% of the required parking in common areas throughout the pod for additional parking.

Natural Vegetation:

Projects greater than twenty (20) acres shall designate an area of at least seven percent (7%) 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 approved, the petitioner must 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.

Comments: The petitioner has set aside 37.81 acres for drainage, buffers, recreation and open space on the proposed master plan; however, the acreage set aside for natural vegetation has not been clearly identified. If the master plan is approved, the petitioner shall be required to set aside a minimum of 14.21 acres for natural vegetation. The proposed buffers may count toward this minimum required vegetation.

Neighborhood Parks:

All developments with 50 dwelling units or more shall provide and maintain a neighborhood park system for use by the residents of the subdivision in accordance with the requirements of the Land Development Regulations (LDRs). The proposed project contains more than 50 dwelling units. Neighborhood parks may count towards the minimum open space requirements. The amount of land provided and maintained as a neighborhood park shall be 1.0 acre for the first 50 dwelling units plus 1/100th of an acre for each dwelling unit over 50 up to 250 dwelling units, for a maximum of 3.0 acres. If approved, the development must meet the minimum neighborhood park requirements as required by the County's LDRs.

Comments: The petitioner has set aside 37.1 acres for drainage, buffers, recreation and open space on the proposed master plan; however, the acreage set aside for the park has not been clearly identified. If the master plan is approved, the petitioner shall be required to set aside a minimum of 3.0 acres for the neighborhood park.

Fire Protection Plan:

Hernando County LDRs require that a fire protection plan be completed for residential developments with lot sizes less than 60' in width.

Comments: If approved, the petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County LDRs.

Access:

To establish minimum access requirements to single-family and multifamily subdivisions, the Board of County Commissioners adopted a policy requiring two (2) means of access for subdivisions. The policy serves to provide more than one-way in and one-way out for residents of a subdivision, alternate routes for emergency services, interconnection between subdivisions, a shortened drive time for residents to the entrance/exits, and access points for travel direction outside of the development. A minimum of two (2) access points must be provided to serve any new subdivision or development pod with more than fifty (50) units. If approved, individual single family and multifamily pods that exceed fifty (50) units must meet the two (2) means of access per pod.

Additionally, Hernando County Land Development Regulations require that new single-family and multifamily developments with more than fifty (50) units provide at least one treed roadway/access way for motor vehicles extending through the length or width (whichever is greater) of the development with a vegetative buffer at least ten (10) foot in width.

Commercial Specifications

Maximum Building Height: 60'

Internal Commercial Setback:

- North (Cortez Blvd): 75' (Deviation from 125')
- Front (Not along Cortez Blvd): 35'
- South (Rear): 35'
- East (Side): 20'
- West (Side): 20'

Internal Commercial Buffers

- North (Cortez Blvd): 35'
- South (Rear): 35'
- East (Side): 5'
- West (Side): 5'

Maximum Building Height: 60'

Comment: The petitioner has requested that the buffers meet the minimum requirements of the Community Appearance Ordinance, which does not establish an opacity requirement. However, based on Board of County Commissioners' direction and an established practice by the County, the landscape buffers shall be required to meet an 80% opacity within 18 months of planting. Any enhancement required to meet the opacity standards within the buffer shall be clearly identified in the construction drawings.

Lighting:

County Land Development Regulations require lighting that enhances the visual impact of the project on the community and to specifically address lighting intensity levels and glare accordingly. Commercial buildings and projects shall be designed to provide safe, convenient, and efficient lighting for pedestrians and vehicles.

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

Landscape:

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.

Parking:

The applicant shall be required to provide adequate parking in accordance with the Land Development Regulations at the time of site plan approval.

Large Retail Development Standards

The petitioner has indicated that the proposed project will consist of 300,00 square feet of office and/or commercial square footage. Due to the complexity and size of the project, it will be required to meet large retail development standards as specified below:

- Commercial development with any single building, or single site development with multiple buildings with the same use and owned and managed by the same entity, greater than 65,000 square feet of gross floor area is only allowable through approval as a Planned Development Project which otherwise satisfies these requirements and this article. This type of development may be compatible in each commercial zoning district but because of its size, intensity, increased traffic-generation, extended hours of operation, or proximity to residential areas/districts or public schools require additional conditions as a prerequisite for approval at a requested location. The applicant shall have the burden of adequately demonstrating compliance with all of the minimum standards set forth below and otherwise contained within this article. The governing body, in their sole discretion and following public hearing and notice, shall be the final arbiter of determining whether compliance with these minimum standards has been adequately demonstrated and whether to approve, approve in part or deny a particular request hereunder.

Comments: The proposed commercial development shall consist of a maximum of 300,00 square feet of office professional, retail and restaurant uses. These uses will be constructed among outparcels, all fronting Cortez Boulevard.

- Mechanical/operational equipment including HVAC located at ground level shall be set back at least one hundred (100) feet from any property line external to the development site and shall be visually shielded through enhanced screening or shall be located on the roof and shall be visually shielded with a parapet wall. All mechanical/operational equipment shall be sound attenuated as necessary to comply with the county's noise ordinance.

Comments: Any noise producing machinery or equipment (refrigeration units, air conditioning, chillers, etc.) for the commercial outparcels shall be placed on the roof and screened by a parapet wall with a similar architectural style as the building.

- Where the proposed commercial development consists of multiple buildings (excluding out parcels), then loading areas and loading docks should be situated between said buildings in a manner which allows the buildings to act as screens. All loading areas/docks shall be set back at least one hundred (100) feet from any property line external to the development site and shall be screened at 100% opacity through the use of landscape plantings, berms, fences or walls. The County may require the use of absorptive noise barrier walls for commercial noise reduction.
- All outdoor lighting shall meet the specific use regulations for commercial lighting under Article III.

Comments: The developer shall provide a lighting plan which complies with the lighting standards for Large Retail Development.

- All on site advertising signs, including out parcels, shall be designed as part of a complete signage system and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in this code.
- The master plan shall meet the following increased setbacks and buffering requirements:
 - **Setbacks.** Where any side or rear lot line adjoins (excluding roads) a residential- or agricultural-zoned property or an existing residential use, then no building shall be located within one hundred (100) feet of said lot line.

Comments: The frontage road creates a transition between the residential and commercial uses allowing for a 35' perimeter setback plus the ROW width for the commercial frontage road for a total of 85', which is reasonable.

- **Buffering.** A thirty-five (35) foot wide buffer screened at 80% opacity at a height of six (6) feet above finished grade shall run along each rear and/or side property line which abuts any residential or agricultural zoned property. This buffer shall be screened through the use of landscape planting and landscape berms and may be augmented through the use of fences or walls, existing natural vegetation, and/or a combination thereof. The County may require the use of absorptive noise barrier walls for commercial noise reduction.
- The applicant shall demonstrate that the proposed use is appropriate to the property in question, is compatible with existing and planned uses in the area and demonstrate compliance with the County Comprehensive Plan.

Large Retail Development Signage:

County LDRs require that any commercially zoned parcel(s) with less than one hundred (100) linear feet of road frontage will be allowed one (1) sign not to exceed one hundred (100) square feet in sign area. Commercially zoned parcels with a road frontage in excess of one hundred (100) linear feet will be allowed one (1) square foot of sign area per linear foot of road frontage with a maximum of two hundred (200) square feet of sign area. For commercially zoned parcels on all other roads and for parcels within any zoning district other than commercial or residential there shall be a maximum of fifty (50) square feet of sign area.

Comments: The predominant sign material shall be like the material (e.g., brick, stone, etc.) of the buildings developed on the subject property. The signage for the project is limited to four (4) monument signs not to exceed the maximum spacing in the LDRs. A maximum of two (2) signs no more than 15' in height are allowed as indicated on the site plan. A maximum of two signs no more than 10' in height are allowed along the frontage road.

Shopping centers, malls, strip plazas and other buildings housing more than one (1) business or activity may display no more than

one (1) sign for each two hundred (200) feet of frontage, provided they are at least two hundred (200) feet apart along public streets and provided each sign does not exceed the maximum allowed according to County LDRs. The petitioner must meet the minimum sign standards as required by the County LDRs.

Minimum County Required Sign Setbacks (based on total sign surface area):

Up to 75 square feet in area:	5' from property line
75 square feet and up to 150 square feet in area:	10' from property line
150 square feet or greater:	20' from property line

Residential Protection Standards

1. There shall be no speakers or other sound equipment located within 100 feet of any single-family residential district property line.
2. There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100 feet of any single-family residential district property line.
3. No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100 feet of any single-family residential district property line.
4. No building within 100 feet of any single-family residential district property line shall be more than 20 feet in height.
5. All loading bays and loading docks must be a minimum of 100' from any single-family residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single-family residential district property line. Screening may include landscape plantings, berms, fences or walls.
6. Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property or screened to minimize noise impacts and reduce visual incompatibility to the single family residential zoned property. Screening may include landscape plantings, berms, fences or walls.

Mixed-Use Specifications

The mixed use area immediately south of the PDP(HC) Planned Development Project (Highway Commercial) pod is proposed to contain the following uses:

- Multifamily
- General Commercial
- Single-Family

Comments: Multi-family is also proposed in a pod south of the mixed-use area; as single-family is not an appropriate transition use between commercial and multi-family, it is recommended that this mixed-use area be limited to multifamily and general commercial.

COMPREHENSIVE PLAN REVIEW

Commercial Category [The Property is not within the Commercial FLU Category. Suggest removing]

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 petitioner is proposing ~~125,000 square feet of commercial and/or office professional uses and 125 single family units as one~~ mixed use planned development project. The petitioner shall be required to provide recorded cross-access agreements between all non-residential uses on the subject site; additionally, access will solely be provided via the service road constructed between the non-residential and residential pods of the development. ~~The residential uses may be allowed in the Commercial Category subject to locational criteria and performance standards.~~

Land Use Compatibility

Objective 1.10B: The County shall establish standards by which land use compatibility is evaluated in the review of proposals for Future Land Use Map amendments, zoning changes, and other land development applications.

Strategy 1.10B(1): Future Land Use Map amendments should be compatible with surrounding development and minimize impact to natural resources without the need for mitigation measures that are extraordinary in scope or difficult to enforce.

Strategy 1.10B(2): Zoning changes should be compatible with surrounding development and minimize impact to natural resources. Impacts may be mitigated through design of building placement, buffers, noise reduction, setbacks and other appropriate planning techniques or performance measures.

Strategy 1.10B(3): Protect existing and future residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the surrounding residential area.

Multi-Family Housing

Strategy 1.04B(7): All multi-family developments shall be located such that the integrity of nearby established single family neighborhoods is preserved:

- a. multi-family development may serve as a density transition located on the periphery of single family neighborhoods and connecting to higher intensity uses;
- b. multi-family developments at a density incompatible with surrounding land uses should not access arterial or collector roadway systems through established single family neighborhoods.

Comments: The subject site is proposed as a mixed use planned development project with commercial outparcels along Cortez Boulevard and a single-family subdivision to the rear. The development is proposed to contain Highway Commercial uses along Cortez Boulevard, transitioning into a mixed-use pod with single-family, multifamily and general commercial uses. The remainder of the site will contain pods of single-family and single-family/multifamily uses. Typically, multifamily is used as a transition use from commercial to single family for compatibility reasons. In this case, single-family is proposed between the commercial and multifamily uses within the mixed-use area. This is inconsistent with the Comprehensive Plan strategies and will disrupt the peaceful lifestyle anticipated for single-family residents. To avoid the incompatibility of commercial development adjacent to single-family, it is recommended that the mixed-use area be limited to multifamily and general commercial uses.

Planned Development Projects and Standards

Objective 1.10C: Planned Development Project (PDP) zoning introduces flexibility to the land development process. The PDP is developed as a zoning district that may include multiple land uses and provides for the mitigation of impacts through performance standards. The PDP process may be used in any Future Land Use Category.

Strategy 1.10C(1): A Planned Development Project (PDP) is designed as an integral unit with one or more land uses utilizing a Master Plan to illustrate and describe the site layout and characteristics including, but not limited to, uses and use restrictions, density and intensity, site and building layout and design, site coverage and designated open space, construction and phasing plans, and other detailed information about the project.

Objective 1.10D: Design criteria for Planned Development Projects (PDP) shall address as applicable building placement and height, parking, multi-modal circulation, drainage, landscaping, architectural standards, public space amenities, and energy efficiency. The PDP process allows flexibility in standards for projects that provide environmental protection, landscaping, increased open space, public facilities, innovative design, public benefits, or features that promote quality community design and land use compatibility.

Strategy 1.10D(3): Site circulation and multi-modal access standards are encouraged where appropriate for all new Planned Development Projects to provide for integration of multiple travel modes appropriate to the scale and context of the surrounding development. Concepts such as the following may be utilized:

- a. relationships to community focal points such as schools, shopping centers, government offices, parks, and public gathering areas;
- b. standards for traffic-calming techniques, Complete Streets, connected streets and blocks, and multi-modal layout focusing on attractive, safe, and convenient access to business fronts and transitions between residential and business areas.

Strategy 1.10D(5): Architectural standards and/or building construction standards are encouraged for Planned Development Projects where necessary to provide guidance for design elements appropriate to the scale of the development. Items to be considered for these types of projects may include the following:

- a. architectural styles, building materials, design elements, roof shapes and architectural details;
- b. building mass step-down scale;
- c. street-visible and hidden facades;
- d. accessory buildings;
- e. doors, windows and storefronts;
- f. awnings, canopies, and arcades
- g. camouflage or covering of unsightly structures such as antennas, air conditioners and similar equipment.

Comments:

To facilitate a viable single family residential community, it is recommended that a 6' foot vinyl fence or wall be installed along both the frontage road to the south and the east west collector roadway to the north, with a 20-foot-wide tract dedicated to the Homeowners Association as a landscape buffer between the use types. Within this landscape buffer, trees at 8' feet at planting located every 25' shall be planted along with appropriate groundcover or shrubbery. A single point of gated access to both the frontage road and east west collector road is also recommended.

Pedestrian accessibility for the subject property must be extended from the nonresidential areas along Cortez Boulevard to the single-family residential pod and connect to the neighborhood park. Residents living in the single-family pods must have safe and convenient access through sidewalks, crosswalks, and bicycle/pedestrian paths to connect to the retail and commercial sites. The main boulevard entrance into the residential development shall be a complete street, allowing for pedestrian and bicycle access to the residential and commercial developments.

I- 5/SR-50 Planned Development District

Objective 1.05A: The I-75/SR-50 Planned Development District (I-75/SR-50 PDD) is hereby established for the purpose of implementing planning tools to maximize the potential economic value of the I-75 corridor through coordination of multiple land uses, roadway network configuration, new and upgraded public infrastructure and consistency of design. The PDD shall extend between the County's existing SR-50/I-75 interchange and where Lockhart Road crosses I-75 and from Lockhart Road to the Withlacoochee State Trail.

Strategy 1.05A(1): The I-75/SR-50 Planned Development District mapped area is characterized by significant potential for future development of multiple land use types. The I-75/SR-50 PDD shall seek to create, to the maximum extent practical, a largely self-contained internally functional concentration of commercial, industrial, and mixed residential land uses supported by public infrastructure. The County intends to encourage and functionally integrate these land uses mainly through advance planning and programming of infrastructure that facilitates orderly development patterns.

Strategy 1.05A(2): Developments within the I-75/SR-50 PDD shall include a master plan utilizing the Planned Development Project (PDP) process for review. The County shall consider the following guidelines and criteria in the review of a PDP and associated master plan:

- a. Standards for a multi-modal transportation network encompassing access, circulation and connection among and between public and private properties;
- b. Planning for infrastructure needs to accommodate wastewater, potable water, fire and emergency medical service, recreation and schools;
- c. Concentration of commercial uses, mixed uses and town-center type development along and/or easily accessed from SR-50, including park and ride opportunities for future inter-county transit;
- d. Opportunities that include primary industrial uses compatible with the placement of commercial or town center areas in order to enhance employment opportunities;
- e. Attractive, convenient and safe multi-modal connections to schools, parks and other identified community focal points;
- f. Attractive, convenient and safe bike and pedestrian connection to the Withlacoochee State Trail;
- g. Standards to create a "sense of place."

Strategy 1.05A(3): Plans for development approval shall include a frontage road network, alternative access, and easements in accordance with long-range transportation plans of the Hernando/Citrus Metropolitan Planning Organization, and other planning studies/transportation criteria for the I-75/SR-50 PDD.

Strategy 1.05A(4): The County shall coordinate with the plans of the Florida Department of Transportation for SR 50 and I-75 in order to ensure that the transportation network is closely coordinated with land uses in the PDD.

Strategy 1.05A(5): The County shall utilize the I-75/SR-50 Area Plan document dated September 4, 2007, and the I-75/SR-50 Area Circulation Plan Study dated April 2013, both hereby incorporated by reference, as a guide for the consistency of proposals for development, and the overall infrastructure needs and plans in the PDD.

Strategy 1.05A(6): The County shall identify and implement feasible funding mechanisms to accommodate public infrastructure needs for the PDD.

Comments: The subject site is within the I-75/S.R. 50 PDD and is consistent with the PDD requirements for the area.

FINDINGS OF FACT

The requested rezoning from AG (agricultural), PDP (GC) Planned Development Project, General Highway Commercial and PDP (HC) Planned Development Project Highway Commercial to CPDP Combined Planned Development Project to include PDP (SF) Planned Development Project Single Family, PDP (MF) Planned Development Project Multifamily, PDP (GC) Planned Development Project, General Commercial and PDP (HC) Planned Development Project Highway Commercial.

- The request is consistent with the County's adopted Comprehensive Plan and compatible with the surrounding land uses subject to compliance with all performance conditions.

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 Concurrence. 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.

STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request to establish a Master Plan on property zoned AG (agricultural), PDP (GHC) Planned Development Project, General Highway Commercial and PDP (HC) Planned Development Project Highway Commercial and C-2 Highway Commercial District to CPDP Combined Planned Development Project to include PDP (SF) Planned Development Project Single Family, PDP (MF) Planned Development Project Multifamily, PDP (GC) Planned Development Project, General Commercial and PDP (HC) Planned Development Project Highway Commercial with deviations and the following performance conditions:

1. A comprehensive wildlife survey shall be provided by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.
2. 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.
3. 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.

4. 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.
5. The petitioner shall be required to enter into a Development Agreement with the County addressing the public facility impacts of the proposed development.
6. If the Commercial Mixed Use area is developed as solely multifamily, A 6-foot vinyl fence or wall be installed along the frontage road ~~between the PDP(HC) Planned Development Project Highway Commercial pod~~ with a 20-foot-wide tract (deviation from 35') dedicated to ~~the Homeowners Association~~ an approved ownership and maintenance entity as a landscape buffer between the use types. Within this landscape buffer, trees at 8' feet at planting located every 25' shall be planted along with appropriate groundcover or shrubbery. The 20- foot buffer shall be located on the inside of the buffer wall or vinyl fence. This buffer shall be a separate tract owned by ~~the Homeowners Association~~ an approved ownership entity and maintained by the individual homeowner or approved maintenance entity. ~~Should the homeowner not maintain the buffer, it becomes the responsibility of the Homeowners Association to maintain. If the Commercial Mixed Use Area is developed as Commercial, then a wall or fence is not required and the buffer will be a landscape buffer not required to meet 80% opacity.~~
7. A cross-access easement or agreement between the commercial outparcels shall be provided at the time of subdivision plat approval for the commercial development.
8. The predominant sign material shall be similar to the material (e.g., brick, stone, etc.) of the commercial buildings developed on the subject property. All on-site advertising signs, including outparcels and the subdivision entrance signs, shall be designed as part of a complete signage system, and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in this code. A Master Signage Plan is required at the time of conditional plat.
9. Any noise producing machinery or equipment (refrigeration units, air conditioning, chillers, etc.) for nonresidential buildings shall be placed on the roof and screened by a parapet wall with a similar architectural style as the building, or placed behind the buildings, screened from view from the public right-of-way and enhanced by landscaping and/or wall.
- ~~10. The commercial properties shall provide 20% of the parking to the side and rear of the commercial development.~~
- ~~11.~~ 10. The commercial development shall provide a lighting plan at the time of development which complies with the lighting standards for Large Retail Development
- ~~12.~~ 11. The development must provide detailed elevation plans and/or renderings and site plans illustrating the proposed facade and site design at the time of permitting. The site and building design must demonstrate compliance with the County's design standards for large retail development, and shall use architectural features, textures

and materials consistent with the other development in the area.

~~13.~~12. The site design shall provide that pedestrian circulation is coordinated onsite and between adjacent commercial properties and internally to the neighborhood park providing for pedestrian circulation between complementary uses.

~~14.~~13. The developer shall be responsible for distributing information to residents regarding the commercial activities that occur on site, including types of businesses, hours of operations, sound and lighting, etc.

15.14. Residential Specifications Single Family Lot – as applicable to min 40’ lots (only permitted in Residential Mixed Use Area)

- Front: 25’
- Side: ~~7.5~~ (deviation from 10)
- Rear: 15’ (deviation from 20’)
- Maximum Building Coverage: 65 % (Deviation from 35%)
- Minimum Lot Width: 40’ (Deviation from 60’)
- Minimum Lot Size: 4,400 (Deviation from 6000)
- Minimum Frontage Along Curve: 30’
- Maximum Building Height: 35’
- Double frontage and corner lots shall be allowed to have only one front yard: 25’ on the primary front yard and 10’ on the secondary front yard (Deviation of 15’ for secondary front yard)

Single Family Lot – as applicable to min. 50’ lots

- Front: 25’
- Side: 5’ (deviation from 10)
- Rear: 15’ (deviation from 20’)
- Maximum Building Coverage: 65 % (Deviation from 35%)
- Minimum Lot Width: 50’ (Deviation from 60’)
- Minimum Lot Size: 5,500 (Deviation from 6,000)
 - Minimum Frontage Along Curve: 30’
- Maximum Building Height: 35’
- Double frontage and corner lots shall be allowed to have only one front yard: 25’ on the primary front yard and 10’ on the secondary front yard (Deviation of 15’ for secondary front yard)

Villas

- Front: 25’
- Side: ~~0’/7.5’~~ for end units (deviation from 10)
- Rear: 15’ (deviation from 20’)
- Maximum Building Coverage: 70 % (Deviation from 35%)
- Minimum Lot Width: 35’
- Minimum Lot Size: 3850
- Minimum Frontage Along Curve: 25’
- Maximum Building Height: 35’

Townhomes

- Front: 25’
- Side: ~~0’/7.5’~~ for end units (deviation from 10)
- Rear: 15’ (deviation from 20’)

- Maximum Building Coverage: 70 % (Deviation from 35%)
- Minimum Lot Width: 18'
- Minimum Lot Size: 1800
- Minimum Frontage Along Curve: 25'
- Maximum Building Height: 35'

Multifamily

- Maximum number of units per building : 24 (deviation from 12)
- Front: 25'
- Side: 0'/10' external
- Rear: 20'
- Maximum Lot Coverage: 45% building area for multifamily acreage
- Minimum building separation: 15'
- Maximum Building Height: 60'

Perimeter Setbacks (Inclusive of Buffers):

- North (Cortez Blvd):75' (Deviation from 125')
- South: 35'
- East (Mixed Use, Commercial and Residential): 35'
- East (I-75): 45'
- West (Recreation): 35'

Perimeter Landscape Buffers:

- North (Cortez Blvd):35'
- South: 20'
- East (Mixed Use, Commercial and Residential): 35'
- East (I-75): 30'
- West (Recreation): 20'

15. Commercial Specifications

- Maximum Building Height: 60'
- Maximum SF/Building Area Ratio/FAR: 0.75
- The Highway Commercial Area and Commercial Mixed Use Area shall not exceed 300,000 s.f. total.

16. Internal Commercial Setback:

- North (Cortez Blvd): 75' (Deviation from 125')
- Front (Not along Cortez Blvd): 35'
- South (Rear): 35'
- East (Side): 20'
- West (Side): 20'

Internal Commercial Buffers

- North (Cortez Blvd): 35'
- South (Rear): 35'
- East (Side): 5'
- West (Side): 5'

16. The Commercial ~~Mixed-Use~~ Area immediately adjacent to the Highway Commercial uses along Cortez Boulevard as identified in the master plan shall ~~be limited to allow~~

multifamily and general commercial uses ~~as well as the following uses:~~

- a. All C-1 Highway Commercial District Permitted Uses
- b. Hospital and/or Urgent Care/Stand-Alone Emergency Room
- c. Educational Facilities
- d. Light Wholesale and Storage
- e. Microbreweries
- f. Public/Private Recreation including Virtual Golf and/or Pickle Ball Facilities
- g. All R-3 Residential District Permitted Uses, except that no single-family detached dwellings are permitted.
- h. Recreational Amenities and Residential Ancillary Uses

17. The Highway Commercial Area shall allow up to seven (7) outparcels and the following commercial uses:

- a. All C-2 Highway Commercial District Permitted Uses
- b. Hospital and/or Urgent Care/Stand-Alone Emergency Room
- c. Educational Facilities
- d. Light Wholesale and Storage
- e. Microbreweries
- f. Public/Private Recreation including Virtual Golf and/or Pickle Ball Facilities

18. The Residential Mixed-Use Area shall allow the following commercial and residential uses:

- a. All R-3 Residential District Permitted Uses
- b. Educational Facilities
- c. Public/Private Recreation including Virtual Golf and/or Pickle Ball Facilities
- d. All R-1A Residential District Permitted Uses (minimum lot width of 40 feet), except that no mobile homes are permitted.
- ~~a-e.~~ Recreational Amenities and Residential Ancillary Uses

19. The Single Family Area shall allow for the following residential uses:

- a. All R-1A Residential District Permitted Uses (minimum lot width of 50 feet), limited to single-family detached homes with a minimum lot width of 50 feet, except that no mobile homes are permitted.
- b. Recreational Amenities and Residential Ancillary Uses.

~~17.~~

~~18.~~20. The developer shall meet all the Large Retail Project design standards as indicated in the County's Land Development Regulations for any single use or site development that exceeds 65,000 square feet owned and managed by the same entity.

~~19.~~21. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of receipt from County staff of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.