

## REZONING CASE H-23-28

### STAFF REPORT

#### RECOMMENDATIONS/ACTIONS

##### **STAFF RECOMMENDATION TO PLANNING & ZONING COMMISSION**

**APRIL 1, 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 CPDP (Combined Planning Development Project) to PDP(MF)/ Planned Development Project (Multifamily) with deviations and the performance conditions listed in **Appendix A** of this Staff Report.

##### **PLANNING & ZONING COMMISSION ACTION**

**APRIL 8, 2024**

On April 8, 2024, the Planning and Zoning Commission voted 4-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from CPDP (Combined Planning Development Project) to PDP(MF)/ Planned Development Project (Multifamily) with deviations and the performance conditions (modified from staff's recommendation) listed in **Appendix B** of this Staff Report.

##### **STAFF RECOMMENDATION TO THE COUNTY COMMISSION**

**MAY 7, 2024**

It is recommended that the Board of County Commissioners adopt a Resolution approving the petitioner's request for a rezoning from CPDP (Combined Planning Development Project) to PDP(MF)/ Planned Development Project (Multifamily) with deviations and the performance conditions listed in **Appendix B** (Planning and Zoning Commission recommendation) of this Staff Report.

**INTRODUCTORY INFORMATION**

**HEARINGS:** Planning & Zoning Commission: January 8, 2024 (deferred)  
Board of County Commissioners: February 13, 2024 (deferred)  
Planning & Zoning Commission: February 12, 2024 (deferred)  
Board of County Commissioners: March 12, 2024 (deferred)  
Planning & Zoning Commission: April 8, 2024  
Board of County Commissioners: May 14, 2024

**APPLICANT:** TriCounty Development Inc

**FILE NUMBER:** H-23-28

**REQUEST:** Rezoning from CPDP (Combined Planning Development Project) to PDP(MF)/ Planned Development Project (Multi-Family) with Deviations

**GENERAL LOCATION:** North side of County Line Road approximately 280 feet from Farnsworth Boulevard.

**PARCEL KEY NUMBERS:** 378576, 837278, 1523676

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**BACKGROUND**

The subject property was rezoned (H-20-58) on December 15, 2020, from PDP(OP)/Planned Development Project (Office Professional) to CPDP/Combined Planned Development (Multifamily), (Single Family), and (General Commercial) with deviations, in order to develop a mixed-use development on the 29.1-acre subject site. This rezoning included 77 single-family dwelling units and 88 multi-family dwelling units. The multi-family units were proposed to be configured in several 3-story buildings with commercial uses on the first floor of several of the buildings. Since this approval, no development has occurred on the site.

**APPLICANT’S REQUEST**

The petitioners current request is for a rezoning of the subject property from CPDP (Combined Planning Development Project) to PDP(MF)/ Planned Development Project (Multifamily) in order to develop the subject site into a 55+ age restricted rental residential villa community. The proposed development is comprised of duplexes and the petitioner is requesting approval for 220 dwelling units (7.56 du/ac).

The petitioner states the entire property will be under common landscape and maintenance, just as an apartment development, and no further subdivision or creation of fee simple lots will be made. The proposed living area of these single story units is between 1,000 square feet and 1,500 square feet with garages.

**Requested Deviations**

The deviation requests are discussed further within the appropriate areas of this report.

- The petitioner requests that the perimeter setback from County Line Road be reduced from 125' to 35'.
- The petitioner requests the front setbacks (the distance between the building and the road) for the duplexes be reduced from 25' to 20'.
- The petitioner requests a deviation from requiring the amenities to be in the center of the development – there is low-ground to be used for DRAs.

**SITE CHARACTERISTICS**

**Site Size:** 29.1 acres

**Surrounding Zoning;  
Land Uses:**

North: PDP(SF)/ Planned Development Project (Single Family) Wellington at Seven Hills (H-01-31); Single Family Residence

South: Pasco County

East: PDP(SF)/ Planned Development Project (Single Family) Verano Phase 1 (H-20-58), Single Family Residence

West: PDP(OP)/ Planned Development Project (Office Professional) (H-06-70).

**Current Zoning:** CPDP (Combined Planning Development Project) (H-20-14) with Single-family, Multi-family and General Commercial Uses.

**Future Land Use  
Map Designation:** Residential

**ENVIRONMENTAL REVIEW**

**Soils:** Candler Fine Sand

**Comments:** Candler Fine Sand provides habitat suitable for gopher tortoises (a listed species) and commensal species. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional and submitted as a part of the initial permit application before any development activity occurs on this site. The petitioner is required to comply with all applicable FWC regulations and permitting.

**Protection Features:** The property does not contain a Wellhead Protection Area (WHPA), mapped Special Protection Area (SPA), archaeological / historical resources, or wetlands according to County data resources.

**Hydrologic Features:** There are no Hydrologic Features (Sinkholes, Karst Sensitive Areas, and Wetlands) on this property according to county data.

**Habitat:** The property is shown as cropland and pastureland, and low density residential (<2 dwelling units) according to FLUCCS (Florida Land Use Cover and Classification System) mapping. The project narrative reports that there are gopher tortoises present on the site; with the presence of gopher tortoises there is the potential for other listed species to also be present.

**Comments:** A comprehensive floral (vegetation) and faunal (wildlife) survey shall be prepared by a qualified professional and submitted as a part of the initial permit application before any development activity occurs on this site. The petitioner is required to comply with all applicable FWC regulations and permitting. Invasive trees and plant species, if present, shall be removed during the development process.

**Water Quality:** The proposed development is within the Weeki Wachee River Basin Management Action Plan (BMAP), the Springs Priority Focus Area (PFA) and the Weeki Wachee Outstanding Florida Springs (OFS) Group.

**Comments:** Implementation of Florida Friendly Landscaping™ principles, techniques, and materials designed to conserve water and reduce pollutant loading to Florida's waters is required. This shall be addressed in the Landscape Plans for the development.

**Flood Zone:** X

## UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) reviewed the application and indicates they have no objection to the submitted zoning change from CPDP to PDP(MF) to allow a 220 villa unit development, subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction. The following comments were provided:

- HCUD does not currently supply water or sewer service to the subject parcels.
- There is an existing 10-inch water main that runs along the north side of County Line Road.
- There is an existing 20-inch sewer force main that runs along the north side of County Line Road.

## TRANSPORTATION

The subject property is located on CR 578 (County Line Road) which serves as the boundary

between Hernando County and Pasco County. The widening of this segment to a 4-lane divided road is listed in the Long-Range Transportation Plan (LRTP) 2045 in the *Unfunded Needs Tiers 4 and 5* project list. The County and the Hernando/Citrus Metropolitan Planning Organization (MPO) are working on getting funding for this project established so it may move forward.

There are no bus routes currently along County Line Road, however with the density of the project and the understanding that it will be targeted toward those aged 55 and over, staff recommends requiring the petitioner to work with the Hernando County Transit System (TheBus) to determine an appropriate area to be used for a bus stop when the need arises.

## **ENGINEERING REVIEW**

The subject site is located on the north side of County Line Road approximately 280' from Farnsworth Boulevard. The petitioner has indicated three access points for the proposed development. A boulevard entrance on County Line Road, access to Quality Drive along the northwest corner and a private gated access to the east for both the projects residents and those of the Verano subdivision. The petitioner is requesting a setback reduction along County Line Road from 125' to 35' (Appendix A, Article VIII, Section 1(B)), due to the development having no private driveways or commercial uses adjacent to County Line Road.

The County Engineer reviewed the petitioner's request and provided the following comments:

- County Line Road is classified as a Collector Roadway and a sidewalk is required for the entire length of the parcel's frontage along County Line Road. The developer will provide funding to the county sidewalk mitigation fund to allow the sidewalk to be constructed with the County Line Road four lane expansion.
- The petitioner shall work with the County Engineer to establish the right-of-way width required for County Line Road expansion and dedicate the required right of way to the County within Six months of Master Plan approval.
- The Quality Drive extension shall be a private roadway with gated access on the east and west offsite connections such that community traffic from the development and the adjacent Verano subdivision can access Quality Drive.

## **LAND USE REVIEW**

All planned development projects shall meet the following requirements for Appendix A, VIII, Section 1. General provisions for planned development projects.

### **Two-Family Residential Use Minimums**

*(Appendix A, Article IV, Section 2 G)*

Two-family residential buildings, or duplexes, are permitted in the R-2, R-3, R-4, and R-R zoning districts in Hernando County. The development proposal states the petitioner does not want to subdivide the parcel but keep it as one lot under single ownership and rent the duplexes out.

**Comments:** Planning Staff recommends including a performance condition that states: If/when the property owner decides to subdivide the property, a rezoning is required to establish minimum lot sizes, setbacks, buffers, etc. to create a conforming subdivision instead of seeking variances for the properties.

### Duplex Standards

- Maximum Height: 35' (2 ½ stories)
- Maximum Building Area: 45% of the lot area (PDP standard for Multifamily Uses)

### Internal Setbacks

- Front: 20' (deviations from 25')
- Side: 10'
- Rear: 20'

**Comments:** The petitioner is requesting setback deviations for the proposed development. Recent deviations to front setbacks, on similar projects, have resulted in unforeseen consequences with parking and utility equipment. Reductions to the front setback reduces the driveway length, thereby causing vehicles to block sidewalks, furthermore, causing additional street parking which restricts the drive aisles for delivery trucks, emergency vehicles and garbage trucks.

### Proposed Perimeter Setbacks

- North (Wellington at Seven Hills Subdivision): 25'
- South (CR 578 / County Line Road): 35' (Deviation from 125')
- East (Verano Subdivision): 15'
- West (Office Professional): 15'

### Proposed Internal Setbacks

- Front: 20' from the internal driveway (Deviation from 25')
- Building Separation: 10' (no buildings shall be closer than 10 to any other

building) Proposed Minimum living space: 1,000 square feet.

### **Buffers**

*(Sections 10-21 (a)(2), 10-26)*

A *vegetative buffer* is an area of land containing any combination of preserved natural vegetation or installed greenery. It may include berms, fences, or walls. Turf grass is acceptable as a "vegetative ground cover", but not as a "vegetative buffer". If a fence or wall is used, it shall be visually dominated by greenery and attain fifty (50) percent opacity/coverage within twelve (12) months of planting (*Section 10-26(b)*).

The vegetative buffer requirement is a minimum of forty (40) plants per area of land five (5) feet in width by one hundred (100) feet in length. A combination of preserved plants or installed plants may be used. If plants are preserved, they must be shrubs or trees to count toward the requirement. (*Section 10-26(c)*)

A buffer shall be required between a Planned Development Project land use which is multifamily and a land use, external to the PDP, which is residential. The buffer shall consist of a minimum five (5) foot landscaped separation distance. The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5) [feet] and a maximum height of eight (8) feet, or an evergreen

hedge with a minimum height of five (5) feet at the time of planting.

As part of any new development authorization on a parcel of land that has a minimum two hundred (200) feet along the frontage and is two (2) acres or greater, a minimum twenty-foot (20') wide vegetative buffer shall be required with respect to any property line adjacent to the right-of-way of any arterial roadway.

**Comments:** County Line Road is recognized as a principal arterial roadway in Chapter 1 of the Comprehensive Plan. The subject property has over 1,600' in frontage along County Line Road; a 20' landscape buffer is required along County Line Road (CR 578).

According to County Code *Section 10-26(d)* A vegetative buffer is required in the following locations:

- (1) Along street right-of-way/pavements:
  - a. A vegetative buffer at least five (5) feet in width shall abut the street right-of-way/pavements for at least half of the street right-of-way frontage. If only installed planting areas are used, the vegetative buffer shall include a hedge of shrubs with a minimum height of eighteen (18) inches at time of planting. Shrubs shall be appropriately spaced according to growth needed of the species for the hedge to attain eighty (80) percent opacity within twelve (12) months of planting.
  - b. No vegetative buffer over two (2) feet in height that might block any driver's view shall be permitted within the clear-sight triangle of the driveway or street/railroad intersection.
- (2) Around the perimeter of parking lots/pavements: A vegetative buffer at least five (5) feet in width shall abut the perimeter of parking lots/pavements. This applies to parking lot perimeters not adjacent to street right-of-way or buildings. If installed planting areas are used, the vegetative buffer shall include plants with a minimum height of eighteen (18) inches at time of planting. If plants are preserved they must be shrubs or trees in order to count toward the requirement. If the property abuts another commercial property that has provided a vegetative buffer, in lieu of the buffer, a five-foot-wide landscape strip consisting of one (1) tree that is three-inch minimum caliper every twenty-five (25) linear feet and four shrubs plus turf grass, ground cover or mulch shall be provided. Preserved natural vegetation may be substituted for the landscape strip with approval of the development department review staff.
- (3) Property lines. Projects adjacent to a residential district shall provide a five-foot (5') landscaped vegetative buffer. The commercial use located on such property shall be permanently screened from the adjoining and contiguous residential properties.  
If a fence or wall is used as part of the buffer, it shall be dominated by greenery which shall attain fifty (50) percent opacity within twelve (12) months. The greenery shall be growing on the residential side.

If preserved natural vegetation is used as the buffer, it must meet opacity of at least eighty (80) percent to a minimum height of five (5) feet.

Supplemental planting will be required if the natural buffer does not meet the opacity requirement.

All buffer types, except natural vegetation, must be maintained to a maximum of eight (8) feet in height.

### Proposed Buffers

The petitioner has proposed the following perimeter buffers:

- North (Wellington at Seven Hills Subdivision): 15' landscaped buffer with 80% opacity
- South: (CR 578 / County Line Road): 20' landscape buffer
- East (Verano Subdivision): 15' landscape buffer
- West (Office Professional): 15' landscape buffer

### Staff Recommended Buffers

Staff finds the proposed buffers acceptable with additional specifications shown below.

- North (Wellington at Seven Hills Subdivision)  
A 15' landscape buffer shall be provided and planted to include Florida Red Cedars at 36" O.C., 7 to 8 feet in height at the time of planting. Buffer shall achieve 50% opacity within 12 months and 80% opacity within 3 years.
- South: (CR 578 / County Line Road)  
A 20' landscape buffer, from the new right-of-way, planted to achieve 50% opacity within 12 months of planting.
- West (Office Professional)  
A 15' landscape buffer planted to achieve 50% opacity within 12 months, augmented with Red Cedars at 36" O.C., 7 to 8 feet in height at the time of planting, or 6' tall masonry wall/fence with 100% opacity.
- East (Verano Subdivision)  
A 15' landscape buffer shall be planted to achieve 50% opacity within 12 months.

**Comments:** The Verano Subdivision is required to install a 6' high 100% opaque fence within a 15' vegetative buffer. There is no existing vegetation along this property line. The petitioner shall work with staff to design this area to meet the minimum buffer requirements of the County LDRs, while considering the adjacent

### **Access**

(Section 26-70)

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 50 units. If approved, individual single-family and multifamily pods that exceed 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 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 10' in width.

**Comments:** The petitioner has identified three (3) access points for the development: a boulevard entrance on County Line Road, a secondary entrance from Farnsworth Blvd on the west side of the property, and a cross access to the Verano Phase 2 subdivision on the eastern property line. The required trees roadway has not been identified.

### **Construction Buffer**

*(Section 10-21(a)(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 before the construction bond is released.

Retention of a natural vegetative buffer is encouraged, land disturbing activities (other than the removal of dead trees and the installation of plantings for the buffer opacity) are not allowed within the perimeter buffer. A permanent construction buffer can be used to meet all or part of the requirements for natural vegetation preservation.

**Comments:** The proposed development is adjacent to the Wellington subdivision on the north boundary and the Verano subdivision on the east boundary. A construction buffer is required along these boundaries. Staff recommends the installation of an opaque fence and plantings at these locations due to sparse or no vegetation to provide the opacity required of the construction buffer.

### **Neighborhood Park**

*(Section 26-75)*

The developer of a subdivision that includes more than fifty (50) dwelling units shall provide and maintain a neighborhood park system for use by the residents of the subdivision in accordance with the requirements of this section. The provision of neighborhood parks in accordance with the requirements of this section may count towards the minimum open space requirements, where applicable.

The land provided and maintained for use as a neighborhood park or parks shall be developable uplands exclusive of any drainage retention areas for the subdivision and

wetland or environmental areas which are not incorporated into the park design (boardwalks, nature trails, educational and other passive purposes). Natural areas which are integrated into the park design may be utilized. In addition, the property shall not be encumbered by any restrictions that prevent its use as a neighborhood park site.

The land provided for each neighborhood park shall be easily accessible to the residents of the subdivision by auto, foot, and bicycle. Where practical, all neighborhood parks shall be centrally located within the subdivision.

**Comments:** The petitioner has no plans to subdivide the property into individual lots. The design of the development with single story duplexes, however, reflects a “subdivision” development pattern. The petitioner proposes a clubhouse and Recreation Center for the development. If approved, it is recommended that the project provide an amenity center due to the density and the development pattern of the project.

## **COMPREHENSIVE PLAN REVIEW:**

### **Future Land Use Map: Residential Category**

**Objective 1.04 B:** The Residential Category allows primarily single family, duplex, resort, and multi-family housing, and associated ancillary uses such as recreational and institutional. Office and certain commercial uses may be allowed subject to the locational criteria and performance standards of this Plan. Residential density shall not exceed 22 dwelling units per gross acre.

### **Future Land Use Map: Multi-Family Housing**

**Strategy 1.04 B (4):** The Residential Category includes zoning for multi-family housing generally averaging 7.5 dwelling units per gross acre up to 22 dwelling units per gross acre to provide for a diversity of housing choices. Multifamily housing should be located within, or in close proximity to

urban areas shown on the Adjusted Urbanized Area Map, or near shopping and employment centers or within Planned Development Projects.

**Comments:** The density of Wellington at Seven Hills Phases 7 and 8, which are adjacent to the northern boundary of the subject parcel, is approximately 2.6 dwelling units per acre. The density of the Verano Subdivision, which shares the eastern property line with the subject parcel is 4.6 dwelling units per acre.

The petitioner is requesting 220 dwelling units for a 29.1-acre project area, resulting in a density of 7.56 dwelling units per acre. This is the average density for multifamily developments according to Strategy 1.04B(4). One condition for a higher density development is that it is located on an arterial roadway. This development will have access to County Line Road (CR 578) which is considered an arterial roadway by Hernando County and FDOT.

Positioned between County Line and the less dense Wellington at

Seven Hills Phases 7 and 8 residential subdivisions, the subject property provides an appropriate density transition. While the proposed development will not access internal roads through any other subdivision, Quality Drive will be extended through the property, creating a connection from Farnsworth Boulevard to the Verano subdivision.

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

**Comments:** The subject property is adjacent to two single-family residential subdivisions. The project will have direct access to an arterial roadway (County Line Road) a local road, Farnsworth Blvd, and cross access to the Verano subdivision east of the property.

### **Planned Development Projects and Standards**

**Objective 1.10 D:** 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 1.10 D (1):** Flexibility in building placement (setbacks) and height standards (maximum height) may be allowed appropriate to the development context for new Planned Development Projects in to encourage pedestrian and multi-modal interaction at the street level appropriate to the scale of the development. Concepts such as the following may be utilized:

- a. building relationships to the enhancement of multi-modal objectives such as traffic calming or pedestrian movement.
- b. building placement that is integral to the street front.
- c. increased building height and intensity.
- d. building placement that hides parking.

### **FINDING OF FACTS:**

The request for a rezoning from CPDP (Combined Planning Development Project) to PDP(MF)/ Planned Development Project (Multi-Family) with deviations is appropriate based on the following:

1. Duplexes are an allowable use in Hernando County.
2. The petitioner's request is consistent with the Future Land Use for the parcel (Residential).
3. The subject property is appropriate for development as a multi-family residential

neighborhood with a density of 7.56 dwelling units per acre.

## **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 CPDP (Combined Planning Development Project) to PDP(MF)/ Planned Development Project (Multifamily) with deviations and the following performance conditions:

1. The petitioner shall obtain all permits from Hernando County and other applicable agencies, meet all applicable land development regulations for either construction or use of the property, and complete all applicable development review process.
2. The petitioner shall provide a Landscape Bond as required by County LDRs.
3. Maximum number of Dwelling Units Allowed: 220
4. Planning
  - A. Allowed Uses in this PDP: Two-family residential homes / Duplexes, Community Amenities.
  - B. Minimum living area: 1,000 square feet
  - C. Duplex Setbacks
    - i. Front (access road): 20' (deviation from 25')
    - ii. Building Separation: 10'
  - D. Perimeter Setbacks
    - i. North (adjacent to Wellington): 25'
    - ii. South (along County Line Road): 40' (deviation from 125')  
Setback shall be from future County Line right-of-way as approved by the County Engineer)
    - iii. East (adjacent to Verano): 15'
    - iv. West (adjacent to commercial): 10'
  - E. The petitioner may locate the community amenities building at the entrance of the development.
  - F. The petitioner shall provide community amenities for the proposed project. These amenities may include but are not limited to a clubhouse with or without pool, recreational courts, etc).
  - G. The petitioner shall provide a treed roadway which extends the length of the development, per Section 10-21(a)3, that spans the length or width of the subdivision, whichever dimension is greater, and includes a buffer at least 10' in width with one (1) tree every 30 feet on either side of the road. Treed roadways will be limited to the main entrance off County Line Road and the roadway segment off Quality Drive identified as Key # 1523676.
  - H. The petitioner shall work with TheBus to determine an appropriate location to be reserved for a future transit stop.
5. Environmental
  - A. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified

professional and submitted as a part of the initial permit application before any development activity occurs on this site. This survey shall include existing plant communities present on the site, identification of invasive vegetation (as designated by IFAS or the USDA).

- B. The petitioner is required to comply with all applicable FWC regulations and permitting.
- C. 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.
- D. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County's Land Development Regulations. The required natural vegetation may be included as part of the required open space, drainage areas and buffers. It shall be the responsibility of the developer to preserve these areas during construction.

Required Natural Vegetation: 2.04 acres.

## 6. Buffers

### A. Perimeter Buffers

- North (Wellington at Seven Hills Subdivision)

A 15' landscape buffer shall be provided and planted to include Florida Red Cedars at 36" O.C., 7 to 8 feet in height at the time of planting. Buffer shall achieve 50% opacity within 12 months and 80% opacity within 3 years.

- South: (CR 578 / County Line Road)

A 20' landscape buffer, from the new right-of-way, planted to achieve 50% opacity within 12 months of planting.

- East (Verano Subdivision)

A 15' landscape buffer shall be planted to achieve 50% opacity within 12 months. The petitioner shall work with staff to design this area to meet the minimum buffer requirements of the County LDRs, while considering the adjacent existing buffer.

- West (Office Professional)

A 15' landscape buffer planted to achieve 50% opacity within 12 months, augmented with Red cedars at 36" O.C., 7 to 8 feet in height at the time of planting, or a 6' tall masonry wall/fence with 100% opacity.

- B. If a fence or wall is used as part of the buffer, it shall be visually dominated by greenery and attain fifty (50) percent opacity/coverage within twelve (12) months of planting (Section 10-26(b)). The greenery shall be installed on the external side of the fence that faces adjacent parcels.
- C. Invasive plant species, if present, are to be removed during the development process.

## 7. Development

- A. A Construction Buffer shall be installed along the North and East perimeters of the development. It shall be a natural vegetative buffer a minimum of fifteen (15) 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, Florida Red Cedars planted at 36" O.C. and 7 to 8 feet in height maybe utilized or 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. (based on Chapter 10, Article II, Section 10-21(a)5 with the buffer width updated to reflect the width of the required undisturbed buffer).
- B. Reestablishing Ground Cover: Ground cover shall be re-established within 30 days of construction completion for all common areas and before the issuance of Certificate of Occupancy for individual building pads.
- C. 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.

#### 8. Engineering

- A. County Line Road is classified as a Collector Roadway and a sidewalk is required for the entire length of the parcel's frontage along County Line Road. The developer shall provide funding to the county sidewalk mitigation fund to allow the sidewalk to be constructed with the County Line Road four lane expansion.
- B. The petitioner shall work with the County Engineer to establish the right-of-way width required for County Line Road expansion and dedicate the required right of way to the County within Six months of Master Plan approval.
- C. The Quality Drive extension shall be a private roadway with gated access on the east and west offsite connections such that community traffic from the development and the adjacent Verano subdivision can access Quality Drive.

9. Utilities: A utility capacity analysis, and connection to the central water and sewer systems shall be performed at time of vertical construction.

10. If/when the property owner decides to subdivide the property, a rezoning/master plan revision shall be required to establish minimum lot sizes, setbacks, buffers, etc. to create a conforming subdivision.

11. Due to the density and proposed building separation of the homes, a fire protection plan shall be submitted to the County during construction plan review.

12. 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.



13. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of notification in writing by the Planning Department of the final action. Failure to submit the revised plan will result in no further development permits being issued until submitted by the applicant.

**APPENDIX B**  
**PLANNING AND ZONING COMMISSION**  
**ACTION/RECOMMENDATION**

## APPENDIX B – PLANNING & ZONING COMMISSION ACTION / RECOMMENDATION

On April 8, 2024, the Planning and Zoning Commission voted 4-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from CPDP (Combined Planning Development Project) to PDP(MF)/ Planned Development Project (Multifamily) with deviations and the following modified performance conditions:

1. The petitioner shall obtain all permits from Hernando County and other applicable agencies, meet all applicable land development regulations for either construction or use of the property, and complete all applicable development review process.
2. The petitioner shall provide a Landscape Bond as required by County LDRs.
3. Maximum number of Dwelling Units Allowed: 220
4. Planning
  - A. Allowed Uses in this PDP: Two-family residential homes / Duplexes, Community Amenities.
  - B. Minimum living area: 1,000 square feet
  - C. Duplex Setbacks
    - i. Front (access road): 20' (deviation from 25')
    - ii. Building Separation: 10'
  - D. Perimeter Setbacks
    - i. North (adjacent to Wellington): 25'
    - ii. South (along County Line Road): 40' (deviation from 125')  
Setback shall be from future County Line right-of-way as approved by the County Engineer)
    - iii. East (adjacent to Verano): 15'
    - iv. West (adjacent to commercial): 10'
  - E. The petitioner may locate the community amenities building at the entrance of the development.
  - F. The petitioner shall provide community amenities for the proposed project. These amenities may include but are not limited to a clubhouse with or without pool, recreational courts, etc).
  - G. The petitioner shall provide a treed roadway which extends from Quality Drive to the first turn in the road within the subdivision the length of the development, per Section 10-21(a)3, that spans the length or width of the subdivision, whichever dimension is greater, and includes a buffer at least 10' in width with one (1) tree every 30 feet on either side of the road. Treed roadways A boulevard entrance shall ~~will be limited to the provided at the main entrance off County Line Road and the roadway segment off Quality Drive identified as Key # 1523676.~~
  - H. The petitioner shall work with TheBus to determine an appropriate location to be reserved for a future transit stop.

## 5. Environmental

- A. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional and submitted as a part of the initial permit application before any development activity occurs on this site. This survey shall include existing plant communities present on the site, identification of invasive vegetation (as designated by IFAS or the USDA).
- B. The petitioner is required to comply with all applicable FWC regulations and permitting.
- C. 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.
- D. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County's Land Development Regulations. The required natural vegetation may be included as part of the required open space, drainage areas and buffers. It shall be the responsibility of the developer to preserve these areas during construction. Areas of natural vegetation disturbed or removed due to construction shall be restored within the project.

Required Natural Vegetation: 2.04 acres.

## 6. Buffers

### A. Perimeter Buffers

- North (Wellington at Seven Hills Subdivision)

A 15' landscape buffer shall be provided and planted to include Florida Red Cedars at 36" O.C., 7 to 8 feet in height at the time of planting. Buffer shall achieve 50% opacity within 12 months and 80% opacity within 3 years.

- South: (CR 578 / County Line Road)

A 20' landscape buffer, from the new right-of-way, planted to achieve 50% opacity within 12 months of planting.

- East (Verano Subdivision)

A 15' landscape buffer shall be planted to achieve 50% opacity within 12 months. The petitioner shall work with staff to design this area to meet the minimum buffer requirements of the County LDRs, while considering the adjacent existing buffer.

- West (Office Professional)

A 15' landscape buffer planted to achieve 50% opacity within 12 months, augmented with Red cedars at 36" O.C., 7 to 8 feet in height at the time of planting, or a 6' tall masonry wall/fence with 100% opacity.

- B. If a fence or wall is used as part of the buffer, it shall be visually dominated by greenery and attain fifty (50) percent opacity/coverage within twelve (12) months of planting (Section 10-26(b)). The greenery shall be installed on the external side of the fence that faces adjacent parcels.
- C. Invasive plant species, if present, are to be removed during the development process.

## 7. Development

- A. A Construction Buffer shall be installed along the North and East perimeters of the development. It shall be a natural vegetative buffer a minimum of fifteen (15) 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, Florida Red Cedars planted at 36" O.C. and 7 to 8 feet in height maybe utilized or 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. (based on Chapter 10, Article II, Section 10-21(a)5 with the buffer width updated to reflect the width of the required undisturbed buffer).
- B. Reestablishing Ground Cover: Ground cover shall be re-established within 30 days of construction completion for all common areas and before the issuance of Certificate of Occupancy for individual building pads.
- C. 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.

## 8. Engineering

- A. County Line Road is classified as a Collector Roadway and a sidewalk is required for the entire length of the parcel's frontage along County Line Road. The developer shall provide funding to the county sidewalk mitigation fund to allow the sidewalk to be constructed with the County Line Road four lane expansion.
  - B. The petitioner shall work with the County Engineer to establish the right-of-way width required for County Line Road expansion and dedicate the required right of way to the County within Six months of Master Plan approval.
  - C. The Quality Drive extension shall be a private roadway with gated access on the east and west offsite connections such that community traffic from the development and the adjacent Verano subdivision can access Quality Drive.
9. Utilities: A utility capacity analysis, and connection to the central water and sewer systems shall be performed at time of vertical construction.
  10. If/when the property owner decides to subdivide the property, a rezoning/master plan revision shall be required to establish minimum lot sizes, setbacks, buffers, etc. to create a conforming subdivision.
  11. Due to the density and proposed building separation of the homes, a fire protection plan shall be submitted to the County during construction plan review.
  12. 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.
  13. Buildings along the northern project boundary shall be limited to single story.

14. The development shall be a 55 year old and older community.
15. The developer shall provide a recorded copy of the subdivisions HOA documents to the Hernando County School Board, in order to ensure the development is age restricted.
- ~~13.~~16. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of notification in writing by the Planning Department of the final action. Failure to submit the revised plan will result in no further development permits being issued until submitted by the applicant.