

STAFF REPORT

HEARINGS: Planning & Zoning Commission: September 9, 2024
Board of County Commissioners: October 22, 2024

APPLICANT: Society Hill Capital Partners, LLC

FILE NUMBER: H-24-20

REQUEST: Rezoning from AG (Agricultural) to CPDP (Combined Planned Development) to include PDP(REC)/(Recreation) and PDP(RR)/ (Resort Residential) with Deviations

GENERAL LOCATION: North side of Lake Lindsey Road, approximately 4,500' east of US Hwy 41

PARCEL KEY NUMBERS: 337399, 338423, 1355893

APPLICANT'S REQUEST:

The petitioner is requesting a rezoning from AG (Agricultural) to CPDP (Combined Planned Development) to include PDP(REC)/(Recreation) and PDP(RR)/ (Resort Residential) with deviations in order to develop two (2) private golf courses with associated amenities and resort style lodging.

The three (3) parcel property totaling 292.2 will be developed with a private golf club, complete with a golf course, clubhouse, resort style residential dwellings and ancillary facilities (including but not limited to, maintenance facilities, restaurant, pro shop, comfort stations, practice facilities, etc.). On-site lodging is anticipated for up to 120 guests. Several styles of lodging are being considered, including resort cottage dwellings, condominiums, hotel style rooms and bedroom units within the clubhouse. The lodging will be available only to members and their guest and will not be open to the general public. Subdivision of residential lots is not being considered.

The clubhouse will be located on parcel Key 337399 (largest parcel north of Lake Lindsey Road) central to the parcel and will be setback sufficiently from Lake Lindsey Road. The clubhouse will contain meeting rooms, common space, recreation space and a restaurant. The clubhouse and restaurant will be open only to members and will not be open to the public. The clubhouse and maintenance facility will not exceed 30,000 square feet. The proposed maintenance facility will be located on either parcel key 337399 or parcel key 338423 (south of Lake Lindsey Road) and will be sufficiently setback from Lake Lindsey Road to shield from view.

The golf course will consist of an 18 hole course on the north side of Lake Lindsey Road (Phase 1), and a 12 hole short course on the south side of Lake Lindsey Road (Phase 2). A pedestrian and cart crossing at Lake Lindsey Road will either be constructed under the roadway or at surface level. Any proposed crossing will be designed and constructed in accordance with the requirements of the County Engineer (pedestrian signal lighting, pavement markings, warning signage, etc.).

Requested Deviation:

County LDRs require all structures in the Resort Residential zoning districts to be on a central sewer system. Due to the rural nature of the subject site and no available sewer or water in the area (per HCUD), the petitioner is requesting that septic be permitted or the minimum requirements of the Hernando County Health Department.

The applicant is requesting the Master Plan duration be extended from the County LDR PDP/Planned Development Project required 2 years to a maximum period of 5 years. Justification for the request are as follows:

- Due to the nature of the project, a longer lead time will be required for the planning of the golf course and assembling of the club membership.
- No subdivision of the property is proposed.
- All planned infrastructure improvements will be private

SITE CHARACTERISTICS:

Site Size:	262.2 acres
Surrounding Zoning & Uses:	North: AG; Undeveloped South: AG; Undeveloped, Single Family East: AG; Single Family West: AG; Undeveloped
Current Zoning:	AG (Agricultural)
Future Land Use Map Designation:	Rural

ENVIRONMENTAL REVIEW:

Soil Type:	Candler Fine Sand, Flemington Fine Loamy, Arredondo Fine Sand, Sparr Fine Sand, Blichton Loamy Fine Sand and Micanopy Loamy Fine Sand.
Comments:	Candler Fine Sand and Kendrick Fine Sands provides habitat suitable for gopher tortoises (a listed species) and

commensal species. A comprehensive floral survey shall be prepared by a qualified professional at the construction plan approval stage of development. The petitioner will be required to comply with all applicable FWC regulations and permitting.

Protection**Features:**

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

Hydrologic**Features:**

There are two (2) isolated wetlands on the subject parcels (one in the north and another on the south). There are no hydrologic features Special Protection Areas (SPAs), sinkholes, karst sensitive areas, or wetlands) according to County records.

Flood Zone:

C

Comments:

The property has a natural drainage area associated with FEMA Zone AE located on the north center of the property. Drainage to this area will be evaluated during preliminary engineering analysis and permitting. Sufficient open space has been depicted on the proposed zoning master plan to accommodate stormwater retention as required. The exact size and location of drainage retention areas will be determined during the engineering design phase. The final drainage design will be permitted in accordance with the requirements of the Southwest Florida Water Management District (SWFWMD).

Golf Course Details:

The proposed golf course shall be designed, constructed, certified, and managed in accordance with the Audubon International Signature Program for new golf courses or a similarly recognized golf course environmental certification program. Golf courses not so certified shall provide adequate documentation that the golf course meets or exceeds equivalent standards of such programs, including compliance monitoring. The following are equivalent minimum design and performance standards for new golf courses not certified by Audubon International:

- Improve on-site natural habitats.
- Identify, protect, and restore natural features.
- Create wildlife corridors and wildlife habitat areas.
- Utilize native species in landscaping.

- e. Preserve native trees.
- f. Create and enhance natural areas.
- g. Remove exotic, nuisance and invasive plants.
- h. Enhance wetland edges with aquatic plantings.
- j. Create and preserve open spaces.
- k. Minimize chemical use.
- l. Minimize irrigation and irrigated areas.
- m. Optimize organic fertilizers.
- n. Minimize turf areas and provide natural "no-mow" areas.
- o. Protect wetland hydrology and functions.

SCHOOL BOARD REVIEW:

The applicant is proposing a primarily resort residential and commercial community, with limited transient residences. At the time of conditional plat and/or subdivision review, the petitioner shall be required to submit documentation supporting the resort residential uses for its project to adequately determine school impacts.

UTILITIES REVIEW:

The Hernando County Utilities Department has indicated that water and sewer service are not available to the subject site.

Comments: According to the petitioner's narrative, the proposed golf club/resort will be served by private well and septic unless an onsite alternative treatment system is required by the Department of Health.

ENGINEERING REVIEW:

The subject sites are located on the north and south side of Lake Lindsey Road, approximately 4,500' east of US Hwy 41. The petitioner has indicated a single access to the north parcel which will contain the 18 hole golf course and clubhouse with amenities and another access to the southern 12 hole course. A pedestrian crossing is proposed for traversing between the three (3) parcels. The County Engineer has reviewed the request and indicated the following:

- A Traffic Access Analysis along with a Queuing Analysis is required. A Traffic Signal Warrant Analysis will be required along with the Traffic Access Analysis. Refer to the Hernando County Facility Designs Guideline IV-18 & the Manual on Uniform Traffic Control Devices.
- Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer to install.
- Driveway(s), Parking & Layout will need to meet County Standards.
- The proposed Pedestrian Crossing will be reviewed at the time of site plan approval, it may create an issue at the proposed location. If a Traffic Signal

and/or a pedestrian crossing signal is required, the cost of installation will be at the expense of the developer.

LAND USE REVIEW:

The petitioner is proposing two zoning districts in order to accommodate the golf course and resort units. County LDRs limit golf courses to PDP(REC)/ Planned Development Project (Recreation) and resort units to PDP(RR)/Planned Development Project (resort Residential).

Definition

Dwelling, resort: A single family, multi-family, or townhouse dwelling which is part of a resort development or project specifically designed and regulated under the Resort Residential (RR) District. These dwellings are leased or purchased, offered for lease or purchase or advertised for lease or purchase on a daily, weekly, monthly, or seasonal basis for tourist or resort usage. This definition does not apply to dwellings permitted in other residential zoning districts that are used as short-term vacation rentals specifically licensed and regulated by the State.

Zoning District

PDP (Resort Residential): All permitted uses and special exception uses allowed in the RR zoning district which have been specifically designated or specified in the narrative or on the master plan.

Permitted Uses in R-R Residential District

- (a) Resort dwellings.
- (b) Single-family dwellings.
- (c) Two-family dwellings.
- (d) Multifamily dwellings containing up to twelve (12) dwelling units.
- (e) Bed and breakfast establishments.
- (f) Homes of six or fewer residents which meet the definition of a Community residential home as defined by State law and which otherwise satisfies the requirements of this zoning code.

Special exception uses:

- (a) Home occupation
- (b) Lodging houses
- (c) Boardinghouses
- (d) Community centers
- (e) Clubhouses
- (f) Gift shops
- (g) Recreational facilities
- (h) Rental stores
- (i) Restaurants

Comments: The petitioner has indicated 120 non-permanent, non-fee simple units which may vary in style from resort cottage dwellings, condominiums, hotel style rooms and/or bedroom units within the clubhouse. If approved, no permanent units shall be permitted.

Minimum living area in R-R Residential District:

The minimum living area of a single family dwelling shall be nine hundred (900) square feet. The minimum living area for all other dwellings shall be six hundred (600) square feet. For the purposes of this subsection, "minimum living area" shall mean the minimum floor area of a dwelling unit exclusive of carports, breezeways, unenclosed porches, garages, or terraces.

Comments: The petitioner has requested a deviation from the minimum dwelling unit area of 600 square feet in order to provide design flexibility based on the proposed unit types. Staff has reviewed the request and approves the deviation.

Proposed Setbacks, Building Height:

Golf Course Setback:	50' from all property boundaries
Internal Building Setbacks:	10' between buildings
Building Height:	45' (Consistent with the current building height in the Agricultural District)

Proposed Perimeter Building Setbacks:

North:	50'
South:	50'
East:	50'
West:	50'
From Lake Lindsey ROW:	100'

Proposed Buffers:

Where adjacent to private property:	30' Vegetative Natural Buffer (supplemented where necessary)
Along Lake Lindsey ROW:	25' landscape buffer

Comments: The site is adjacent to the Withlacoochee State Forest property on the North and West side of parcel Key 337399 (northern parcel), and adjacent to The Florida Audubon Society property on the West and South of parcel Key 338423. The petitioner has indicated no buffers will be provided in these areas.

Lighting

The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner must provide full or semi-cutoff fixtures as required by the

County LDR, to retain all light on site and prevent any light spillage onto neighboring residential uses.

Comments: The subject site is located in a rural area. On site lighting shall be designed to be Dark Sky Compliant as to preserve the night sky.

Landscaping

The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials, and plantings for required landscaping.

COMPREHENSIVE PLAN REVIEW

The subject site is within the Rural Land Use category according to the County's adopted Comprehensive Plan. The area is characterized by large agricultural parcels and conservation to the north, south and west.

The Rural Category retains and promotes agricultural activities, retains the rural nature and countryside character of a significant portion of the County including rural residential uses with limited agricultural activities, limits residential density and infrastructure outside of recognized urbanizing areas as shown on the Adjusted Urbanized Area Map, and, may be used to recognize properties with natural physical development limitations such as floodplains.

Rural Land Use Category

Objective 1.04C: The Rural Category allows agriculture, agricultural commercial, agri-industrial, recreation, agritourism and residential land uses of a rural character. Certain neighborhood commercial uses may be allowed subject to locational criteria and performance standards. Residential density is 0.1 dwelling units per gross acre (1 unit per ten gross acres) except where otherwise indicated by the strategies listed herein and incorporated into the land development regulations.

Comments: The requested golf course requires PDP(REC)/Planned Development Project (Recreation), an allowable use un the Rural Land Use Category. Furthermore, the petitioner's golf resort proposes approximately 120 PDP(RR)/Planned Development Project (Resort Residential) lodging units. The units are proposed as several lodging types, including resort cottage dwellings, condominiums, hotel style rooms and bedroom units within the clubhouse. The Rural Land Use category prohibits high density residential development and even though the overall subject site is 262.2 acres, no

permanent residential dwelling units should be permitted and any future increase in resort units should require a master plan revision.

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.

Comments: The development is proposed as a CPDP (Combined Planned Development Project) in order to accommodate both the golf course and its amenities and the 120 resort dwelling units.

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.

Comments: Strict environmental considerations should be made as it pertains to the proposed golf courses and its proximity to conservation lands. Golf courses should be designed, constructed and maintained in accordance with the Audubon International Signature Program (AISP) or its equivalent. A comprehensive Environmental Management Plan should be prepared for the golf courses based upon the principles of AISP with the objective of avoiding adverse environmental impacts and enhancing environmental benefits. An Environmental Management Plan (EMP) and Wildlife Management Habitat Plan (WHMP) should be conducted and reviewed/approved by the appropriate state and federal agencies as applicable. The EMP shall include an Integrated Pest Management Plan/Chemical Management Plan (IPMP/CMP) covering the Development's golf courses.

FINDINGS OF FACT:

A rezoning from AG (Agricultural) to CPDP (Combined Planned Development) to include PDP(REC)/(Recreation) and PDP(RR)/ (Resort Residential) with deviations is appropriate based on the following:

1. The proposed deviation for the ability to utilize septic or an alternative method as approved by the Health Department, is not considered adverse to the public interest.
2. The extended duration of the master plan from 2 years to 5 years is appropriate based on the proposed phasing of the development.
3. The proposed use 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 CPDP/Combined Planned Development Project with deviations and the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.

2. The petitioner shall provide a comprehensive floral/faunal (wildlife) survey prepared by a qualified professional to identify any listed species present prior to any clearing or development occurring on the property. Furthermore, copies of any required FWC permits shall be provided prior to clearing or development.
3. 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. Implementation of Florida Friendly Landscaping™ principles, techniques, and materials, and are designed to conserve water and reduce pollutant loading to Florida's waters.
4. Minimum Perimeter Building Setbacks:

North:	50'
South:	50'
East:	50'
West:	50'
From Lake Lindsey ROW:	100'
5. Minimum Setbacks and Building Height:

Golf Course Setback:	50' from all property boundaries
Internal Building Setbacks:	10' between buildings
Building Height:	45'
6. The petitioner shall provide full or semi-cutoff fixtures as required by the County LDR and retain all light on site and prevent any light spillage onto neighboring uses.
7. Onsite lighting shall be designed to be Dark Sky Compliant to preserve the night sky.
8. Golf courses shall be designed, constructed and maintained in accordance with the Audubon International Signature Program (AISP) or its equivalent.
9. Minimum Buffer

Where adjacent to private property:	30' Vegetative Natural Buffer (supplemented where necessary)
Along Lake Lindsey ROW:	25' landscape buffer
10. A Traffic Access Analysis along with a Queuing Analysis shall be required. A Traffic Signal Warrant Analysis shall be required along with the Traffic Access

Analysis. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer to install.

11. The proposed Pedestrian Crossing shall be reviewed at the time of site plan approval. If a Traffic Signal and/or a pedestrian crossing signal is required, the cost of installation shall be at the expense of the developer.
12. Golf courses shall be designed, constructed and maintained in accordance with the Audubon International Signature Program (AISP) or its equivalent.
13. The development shall be permitted to be served by septic unless an onsite alternative treatment system is required by the Department of Health.
14. Resort units shall be limited to 120. Any additional units shall require a revision to the master plan.
15. No permanent residential dwelling units shall be permitted.
16. The master plan duration shall be extended to 5 years.
17. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days upon rendition of the resolution and the BOCC performance conditions. Failure to submit the revised plan will result in no further development permits being issued until submitted by the applicant.

PLANNING AND ZONING ACTION

At their regular meeting on September 9, 2024, the Planning and Zoning Commission voted 3-1 to postpone the board's decision on this matter, to provide time to address issues and concerns from the neighbors and community and to hold a Public Inquiry Workshop (PIW), until their regular meeting on November 04, 2024.