

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 13, 2023  
Board of County Commissioners: March 28, 2023

**APPLICANT:** Hernando County Board of County Commissioners

**FILE NUMBER:** H-23-05

**REQUEST:** Establish a PSFOD/Public Service Facility Overlay District for a Government Building

### GENERAL

**LOCATION:** South of Rhanbuoy Road, east of Burnside Parkway and north of Forest Oaks Boulevard, approximately 3,000' east of Commercial Way

### PARCEL KEY

**NUMBERS:** 944072, 1027908

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### APPLICANT'S REQUEST:

The County is seeking to Establish a PSFOD/Public Service Facility Overlay District for a Government Building to include a building plan and driving course for the Office of the Tax Collector. The existing Office of the Tax Collector is currently located within an approximately 6,000 square feet office in a strip plaza on Forest Oaks Boulevard along with numerous other County and private businesses with limited room to expand. The Hernando County Utilities Division owns 6.7 acres of property adjacent to the site which shall be purchased by the County for the purpose of providing suitable acreage to construct the necessary improvements for a new facility. An additional 4.4 acres of property adjacent to these sites is currently owned by NAMI (National Association for Mental Illness); the County intends to negotiate the purchase of the land and possible preparation of a pad site for NAMI to construct a building in the future. A rezoning for the development of the NAMI portion of the site shall be required.

The Office of the Tax Collector will be approximately 16,000 square feet with exterior covered areas for VIN checks. The construction of a certified driving course per DMV standards allowing for a minimum of three (3) tests to be conducted simultaneously will also be included within the site design. The property's site master planning will include the preparation of an additional future building pad and infrastructure to accommodate an approximate 6,000 square feet structure and required parking areas.

The current zoning on the site is Planned Development Project Highway Commercial (PDP/HC). The proposed Public Service Facility Overlay District will allow all Governmental and Public Facility uses and structures consistent with the PSF approval; however, the site will retain the right to develop all uses consistent with the underlying PDP/HC zoning provided a master plan is approved for those uses. The present request is to develop the entire site consistent with the PSF approval and will not require subsequent master plan submission provided the development of the site is consistent with the PSF approval.

**SITE CHARACTERISTICS:**

**Site Size:** 11.1 acres (The project consists of two parcels; a 6.7 acres parcel Key #944072 and a 4.4 acres Key # 1027908)

**Surrounding Zoning & Land Uses:** North: PDP(SF); Single Family  
South: PDP(MF), R-1B, PSF; Single Family, Duplexes, Undeveloped  
East: PDP(SF), (SU); Single Family, Assisted Living Facility  
West: PDP(SF),(GHC), PSF; Single Family, Health Department

**Current Zoning:** R-1B/(Residential), PDP(SU)/Planned Development Project (Special Use), PSFOD/Public Service Facility Overlay District

**Future Land Use Map Designation:** Residential

**Flood Zone:** X

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler Fine Sand

**Habitat:** Property is identified as utilities according to FWC CLC mapping (Florida Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data). The parcels are cleared and vacant with gopher tortoises present.

**Comments:** A gopher tortoise burrow survey shall be prepared by a gopher tortoise agent. The petitioner is required to comply with all applicable FWC regulations and permitting.

**Hydrologic Features:** The property does not contain any wetlands, Wellhead Protection Area (WHPA) or Special Protection Areas (SPA), according to County data resources.

**Archaeological:** The property does not contain any archaeological sites.

**Water Quality:** This project is located within the Weeki Wachee Priority Focus Area (PFA) identified by FDEP as contributing nutrients to the Weeki Wachee Riverine System.

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

**UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) has indicated they do not currently supply water or sewer service to the subject parcels. There is an existing 6-inch water main that runs along the north side of Rhanbuoy Road, and an existing 6-inch water main that runs along the west and east sides of Burnside Parkway. There is an existing 8-inch sewer gravity main that runs in Rhanbuoy Road, an existing 8-inch/6-inch sewer force main that runs along the south side of Rhanbuoy Road, and an existing 6-inch sewer force main that runs along the eastern property line of Parcel Key #1027908.

HCUD has no objection to the request subject to a water and sewer capacity analysis and connection to the central water and sewer systems at time of vertical construction. The developer is responsible for all on and offsite utility infrastructure improvements to provide utility service and capacity to this site.

**ENGINEERING REVIEW:**

The property is located south of Rhanbuoy Road, east of Burnside Parkway and north of Forest Oaks Boulevard, approximately 3,000' east of Commercial Way. There are three (3) entrances proposed for the project, all having access to Forest Oaks Boulevard. The County Engineer has reviewed the request and indicated the following:

- These properties are located outside the FEMA 1% annual chance floodplain (Sites are Zone X).
- Development must provide a drainage design that meets the requirements of the Hernando County Facility Design Guidelines and South West Florida Water Management District Environmental Resource Permitting process.
- Geotechnical testing that corroborates the variables used in the design will be required.
- The stormwater mitigation pond will require Ground Penetrating Radar (GPR), or similar testing if it is to be maintained by the County. Refer to Hernando County Facility Design Guideline Pg. I-9,M,2b.
- Forest Oaks Drive is classed as a Collector Road. A sidewalk is required along the entire frontage of the Collector Roadway. Refer to Hernando County Facility Design Guideline IV-30.
- The driveway connection will need to meet County standards. Refer to Hernando County Facility Design Guideline IV-25.
- The Parking and Layout will be required to meet County standards. Refer to Hernando County Facility Design Guideline IV-28.
- The right turn Lane into this project will need to meet County standards. Refer to Hernando County Facility Design Guideline IV-19.
- When the future sites are developed, additional turn lanes or pavement modifications, may be required.

**LAND USE REVIEW:**

**Setbacks**

Minimum Building Setbacks

Front: 50'

Side: 20'

Rear: 35'

**Buffers**

The north and west portions of the project (Rhanbuoy Road, Burnside Parkway), which previously was utilized by Utilities as infiltration ponds, has an existing 6' high perimeter wall. It is the intent to keep the wall and make repairs where necessary. If approved, landscaping shall be added on the outside of the wall in order to break up the long stretch of wall and provide additional height buffering for neighboring parcels. All other property lines must meet the minimum commercial landscape standards.

**Lighting**

The petitioner has not indicated any lighting provisions for the proposed uses. If approved, the petitioner will be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring residential parcels. Security lighting shall be shielded from the neighboring residential use to the north.

**Parking**

County LDRs require a minimum of 4.0 parking spaces per 1,000 square feet for the government building.

**Signage**

Signage shall be designed as part of a complete development system. The predominant sign material shall include architectural or split faced block, brick, glass, wood, stucco, artificial stucco, or stone and be compatible with the principal building design.

**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 property is located within the Residential land use classification on the adopted Future Land Use Map.

**Residential Category**

**Objective 1.04B:** 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.

**Strategy 1.04B(1):** Commercial and institutional uses within the Residential Category are generally associated with medium and high density residential development and may include neighborhood commercial, office professional, recreational, schools, and hospitals. Minor public facilities that do not unduly disturb the peaceful enjoyment of residential uses may also be allowed.

**Comments:** The County is requesting a Public Facility Overlay District for a government center, namely for a the West side Tax Collector Office and driving course. The request is complimentary to the continued development of government and private business office in the area; therefore, public facility is consistent with the Residential Land Use classification.

**FINDINGS OF FACT:**

Establish a PSFOD/Public Service Facility Overlay District for a Government Building is appropriate based on the following conclusion:

1. The request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.
2. The proposed use is compatible with the area and not adverse to the public interest.

**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 RECOMMENDATIONS:**

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 PSFOD/Public Service Facility Overlay District for a Government Building and Educational Facility, with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. All onsite lighting must provide for full cutoff fixtures and retain all light on site to prevent any light spillage onto neighboring properties.

3. Development within the floodplain shall require the appropriate permitting and potential mitigation, and an engineer's certification that there is no adverse impact to off-site properties and that floodplain volume is maintained.
4. Drainage design shall comply with the requirements of the Hernando County Facility Design Guidelines and the Southwest Florida Water Management District Environmental Resource Permitting requirements. Geotechnical testing that corroborates the variables used in the design will be required.
5. The exiting wall shall be updated/repared where necessary and landscaping shall be added on the outside of the wall to break up the long stretch of wall and provide additional height buffering for neighboring parcels. All other property lines must meet the minimum commercial landscape standards.
6. The stormwater mitigation pond will require Ground Penetrating Radar (GPD), or similar testing if it is to be maintained by the County. Refer to Hernando County Facility Design Guideline Pg. I-9,M,2b.
7. Forest Oaks Drive is classed as a Collector Road. A sidewalk is required along the entire frontage of the Collector Roadway. Refer to Hernando County Facility Design Guideline IV-30.
8. The driveway connection will need to meet County standards. Refer to Hernando County Facility Design Guideline IV-25.
9. The Parking and Layout will be required to meet County standards. Refer to Hernando County Facility Design Guideline IV-28.
10. The right turn Lane into this project will need to meet County standards. Refer to Hernando County Facility Design Guideline IV-19.
11. When the future sites are developed, additional turn lanes or pavement modifications, may be required.
12. Minimum Building Setbacks and Height:
  - i. Front: 50'
  - ii. Side: 20'
  - iii. Rear: 35'
13. Signage shall be limited to a monument sign and directional signage complementary to the architecture and design of the overall site.
14. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods



Program for design techniques, principles, materials, and plantings for required landscaping, as applicable.

15. A comprehensive wildlife survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations.
16. A Utility Capacity Analysis and connection to the central water and sewer systems shall be required at the time of vertical construction.
17. The public service facility overlay shall include a campus developed with various government offices. Future expansion, as noted on the master plan, shall not require a master plan revision.
18. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 60 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.