

STAFF REPORT

HEARINGS: Planning & Zoning Commission: February 12, 2024
Board of County Commissioners: March 12, 2024

APPLICANT: Hernando County Board of County Commissioners

FILE NUMBER: H-23-80

REQUEST: Rezoning from PDP(REC)/Planned Development Project (Recreation) to PDP(SF)/Planned Development Project (Single Family)

GENERAL LOCATION: Southeast corner of Miracle Drive and Century Drive

PARCEL KEY NUMBERS: 431483

APPLICANT'S REQUEST:

Hernando County seeks to rezone the subject site from PDP(REC)/Planned Development Project (Recreational) to PDP(SF)/Planned Development Project (Single-Family) to construct 25 single family homes or a maximum of 36 duplex units on the 9.5 acre subject site. The minimum lot size for the single family is proposed as 6,000 square feet with a lot of width of 60 feet (R1-A standards) and the minimum lot size for duplexes of 12,000 square feet with a minimum lot width of 75 feet (R-2 standards). Additionally, the parcel has some environmental and topographical constraints which the county seeks to utilize for a neighborhood park and walking trail. The site was previously designated as a park site on the original Spring Hill Master Plan.

SITE CHARACTERISTICS:

Site Size: 9.5 acres

Surrounding Zoning & Land Uses:
North: PDP(SF); Single Family
South: PDP(SF); Single Family
East: PDP(SF), (SU); Single Family, Church
West: PDP(SF); Single Family

Current Zoning: PDP(REC); Planned Development Project (Recreation)

Future Land Use Map Designation: Residential

ENVIRONMENTAL REVIEW:

Soil Type: Candler Fine Sand

Comments: Soils and habitat are suitable to support gopher tortoises (a listed species). The Florida Fish and Wildlife Commission (FWC) permitting is required for burrows that cannot be avoided during clearing or development of individual lots.

Hydrologic Features: There are no Wellhead Protection Areas on the subject site according to County data resources. However, there is a wetland associated with the sinkhole.

Protection Features: The property contains a centrally located sinkhole with associated AE floodplain (the sinkhole is classified as a Special Protection Area (SPA) in the County's Groundwater Protection Ordinance).

Comments: The site appears to a relic sinkhole. According to the Groundwater Protection Ordinance (GPO) the site may be considered a Special Protection Area (SPA) and would be subject to a restriction in terms of the density to 1 dwelling unit per acre in accordance with the GPO (Section 28-265). It should be noted that the sink feature is accepting the stormwater for the undeveloped area. It should also be noted that there appears to be a high number of reported sinkhole claims in the surrounding area. A Geotechnical Evaluation by a Florida Registered Geotechnical Professional Engineer will be required prior to development. The evaluation will determine the potential mitigation of the sink and whether the sink can be abandoned.

Should the sink not qualify for abandonment, then the SPA associated with the sink will consist of a setback of 500-feet measured from the outer boundary of the vulnerable feature which restricts new residential subdivisions with a density of greater than one unit per acre that are not served by central sewer.

Habitat: The property is vacant, forested, and shown sandhill according to FWC CLC (Florida Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data) mapping.

**Archaeological/
Historical**

There are no archaeological or historical sites according to County data resources.

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. Providing information on Florida friendly landscaping techniques and proper fertilizer use is another opportunity to educate property owners on water quality. These materials are designed to address and help reduce nutrient pollution.

Comments:

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 buffers, as applicable.

The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ Program information and encourage the use of the principles, techniques, and landscaping recommendations. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.

Invasive plant species, if present, will need to be removed during the development process.

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. There is an existing 8-inch water main that runs along the north side of Century Drive, the west side of Miracle Drive, and the south side of Parkhurst Lane. There is an existing 8-inch sewer gravity main that runs along the north side of Century Drive, in/along Miracle Drive, and along the south side of Parkhurst Lane. HCUD has no objection to the request subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

NOTE: Sewer capacity analysis will determine whether or not offsite improvements will be required.

SCHOOL DISTRICT REVIEW:

No comments were received from the Hernando County School District regarding this application.

A formal application for School Concurrency Analysis should be submitted to the School District no less than thirty (30) days prior to submission for approval of a site plan, conditional plat, or functional equivalent. The administrative fee for this application is \$500.00. Should the School District then find sufficient capacity neither exists, nor is anticipated to exist within three (3) years from the issuance of such approval, the School District will require, as a condition of any such approval, a Capacity Improvement Agreement or a Proportionate Share Mitigation Agreement with the School Board, to offset the demand for public school facilities created by the proposed development.

ENGINEERING REVIEW:

The subject site is located on the southeast corner of Miracle Drive and Century Drive. The petitioner is proposing a maximum of 36 dwelling units. A portion of the lots will have direct driveway access to neighboring street, Additionally, an internal road, aligned with Ordale Avenue to the north, will provide access to internal parcels. The County Engineering Department has reviewed the rezoning and indicated the following:

- The proposed roadway must meet the Hernando County standards for a Local Road with a 50' Right-of-Way.
- Sidewalks will be required throughout the proposed neighborhood.
- Geotechnical investigation and reporting shall be conducted in accordance with the requirements of Hernando County Facility Design Guidelines.

LAND USE REVIEW:

PDP (Single-Family): All permitted uses and special exception uses allowed in the R-1A, R-1B, R-1C, R-2.5, R-2 and R-1MH zoning districts which have been specifically designated or specified in the narrative or on the master plan. The petitioner is requesting R-1A and R-2 uses for the proposed site.

Setbacks

The petitioner is proposing the following setbacks for the subject site:

Building Setbacks:

- Front: 25'
- Side: 10'
- Rear: 20'

R1-A (Single Family) Lot Sizes and Layout

Lot Width: 60'x100'
Lot Size: 6,000 Sq. Ft.

R2 (Duplex) Lot Sizes and Layout

Lot Width: 75'x100'
Lot Size: 12,000 Sq. Ft.

COMPREHENSIVE PLAN REVIEW:

The subject property is within the Residential future land use category, surrounded by the existing Spring Hill community.

Future Land Use Element

Strategy 1.04A(3): The **Residential Category** accommodates residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in long-range facilities plans of the County.

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(2): Future residential development will be planned to locate where the Residential Category predominates on the Future Land Use Map as determined by the availability of facilities and services, the need to accommodate future growth, the strategies to discourage the proliferation of urban sprawl, and the impacts to natural resources, including groundwater.

Single-Family Housing
Strategy 1.04B(3):

The Residential Category will include zoning for single-family housing, generally averaging a density of 2.5 dwelling units per gross acre to 6.0 dwelling units per gross acre comprised of varying lot sizes and dwelling unit types such as senior housing, villa housing, single family detached housing, and zero lot line housing.

Comments: The subject property is located within the residential land use category. The density proposed is 3.79 dwelling/acre, which is consistent with the density of the surrounding existing residential development.

Conservation Element

Invasive and Noxious Species

Objective 10.01D: Protect plant and animal communities from the spread of invasive and noxious exotic species.

Strategy 10.01D(1): Identify problem areas where invasive exotic vegetation may threaten the functional integrity of upland, wetland and aquatic ecosystems. Plant species included on the State of Florida’s Noxious Weed List and on the Florida Exotic Pest Plant Council list for the central Florida region should be included in the inventory.

Strategy 10.01D(6): Implement Florida Friendly Landscaping techniques as a means of increasing vegetation community resiliency and resistance to the recruitment and spread of exotic and noxious plants.

Comments: If invasive plant species are present on the subject site, species will need to be identified and removed during the development process. In addition, Florida Friendly Landscaping™ techniques should be implemented as well.

FINDINGS OF FACT:

A rezoning from PDP(REC)/Planned Development Project (Recreation) to PDP(SF)/Planned Development Project (Single-Family) is appropriate based on consistency with the Comprehensive Plan and compatibility with the surrounding areas and subject to appropriate 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 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.

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 rezone a property zoned PDP(REC)/Planned Development Project (Recreation) to PDP(SF)/ Planned Development Project (Single-Family) with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. A wildlife survey shall be prepared by a qualified professional at the time of conditional plat approval. The petitioner is required to comply with all applicable FWC regulations.
3. The petitioner must meet the minimum requirements of Florida-Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping, as applicable.
4. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ Program materials and encourage the use of the principles, techniques, and landscaping recommendations. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational materials are available through the Hernando County Utilities Department.
5. Minimum Lot Width and Size:
R1-A (Single Family):
Lot Width: 60'x100'
Lot Size: 6,000 Sq. Ft.

R2 (Duplex)
Lot Width: 75'x100'
Lot Size: 12,000 Sq. Ft.
6. Minimum Building Setbacks:
Front: 25'
Side: 10'
Rear: 20'
7. Geotechnical investigation and reporting shall be conducted in accordance with the requirements of Hernando County Facility Design Guidelines.
8. The site appears to have relic sinkhole and shall be evaluated by a Florida Registered Geotechnical Professional prior to conditional plat approval. The

geotechnical evaluation shall indicate whether a Special Protection Area (SPA) is present; based on the outcome of this geotechnical evaluation, the petitioner shall either be required to abandon the SPA or follow all related Land Development Regulation requirements for SPAs including the density limitation in accordance with Sec. 28-266. If it is determined that the SPA can be abandoned, the recommendations shall be included in the construction drawings for construction plan approval, and the number of lots may be increased to the proposed maximum provided all the necessary mitigation is completed prior to final plat approval.

9. Invasive plant species must be identified during the subdivision review and removed during the development process.
10. The petitioner must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District, and the County.
11. Sidewalks will be required along Miracle Drive and Century Drive.
12. The developer shall conduct a utility capacity analysis and shall be required to connect to the central water and sewer systems at time of vertical construction.
13. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.