

STAFF REPORT

HEARINGS: Planning & Zoning Commission: December 12, 2022
Local Planning Agency: January 10, 2023
Board of County Commissioners: January 10, 2023

APPLICANT: Oak Development Group, LLC

FILE NUMBER: CPAM2205

REQUEST: Small Scale Comprehensive Plan Amendment to Change the Future Land Use Map for a 40.4-acre from Rural to Residential

GENERAL LOCATION: Eastern terminus of Godwit Avenue and Gyrafalcon Avenue and south of Seely Lane

PARCEL KEY NUMBERS: 344657

DESCRIPTION OF PROPOSED AMENDMENT:

During the 2021 legislative session, the maximum acreage for a Small-Scale Comprehensive Plan Amendment was increased from 10 to 50 acres. The subject Small-Scale Comprehensive Plan amendment is proposed to cover 40.4 acres.

DESCRIPTION OF PROPOSED PROJECT:

The proposed amendment will allow for the development of the subject site as a single-family residential subdivision with 162 homes (4.0 DU/AC). It should be noted the subject site has an existing communication tower which will remain. The tower meets the County's Comprehensive Plan Strategy 1.04K(1). The request has a companion rezoning application (H2276) which is being processed concurrently with this Comprehensive Plan Amendment.

The area is characterized by standard residential parcels (west and southeast) and agricultural lots varying in size from 2.5 to 5.0 acres, with several larger parcels.

BACKGROUND INFORMATION:

Site Characteristics

Site Size: 40.4 acres

Surrounding Zoning: North: AG; Developed/undeveloped residential uses
South: AG; Developed/undeveloped residential uses
East: AG; Developed/undeveloped residential uses
West: R-1A; Developed residential uses

Surrounding Land Use: North: Rural
South: Rural
East: Rural
West: Rural

Current Zoning: Agriculture (AG)
Pending approval of companion rezoning application (H2276) to PDP(SF)/Planned Development Project (Single Family)

IMPACTS OF PROPOSED AMENDMENT:

According to the Hernando County Comprehensive Plan, properties that are classified as rural on the Future Land Use Map can have up to 1 unit per every ten gross acres, except when parcels were created prior to 1990. Assuming a maximum build out based on the existing rural classification of the subject parcel, 4.0 (based on zoning) to 7.0 (based on “Parent Parcel” status) dwelling units could be generated on the site. The proposed amendment from rural to residential would generate a maximum of 162 dwelling units based on a maximum single-family residential build out of 4.0 dwelling units per acre as permitted by the Residential Future Land Use category (Future Land Use Strategy 1.04B(3)). These density and intensity calculations do not take into consideration any zoning conditions of approval or site constraints such as environmental considerations, access, and other land development requirements.

COMPREHENSIVE PLAN CONSISTENCY:

Future Land Use Map

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(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.

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.

Staff Analysis: The petitioner has submitted a corresponding rezoning application and master plan that proposes the construction of 162 homes on the subject site. This request generates an average single-family density of 4.0 units/acre. This density is consistent with the densities allowable under the Residential category for single-family homes.

Urban Sprawl Prevention

Objective 1.11B: The County discourages the proliferation of urban sprawl development patterns characterized as functionally unrelated to and/or not integrated with surrounding development.

Strategy 1.11B(1): Review of developments and comprehensive plan amendments shall evaluate whether proposals have the following characteristics of urban sprawl development:

- a. substantial areas of low-intensity, low-density, or single use development;
- b. significant amounts of urban development in rural areas at substantial distances from existing urban areas with intervening undeveloped lands that are available and suitable for development;
- c. urban development of a radial, strip, isolated, or ribbon pattern generally emanating from existing urban development;
- d. inadequate protection and conservation of natural resources, wetlands, waterbodies, floodplains, native vegetation, environmentally sensitive areas, or natural groundwater aquifer recharge areas;

- e. inadequate protection of adjacent agricultural areas and activities;
- f. inefficient use or underutilization of existing and future public facilities and services;
- g. land use patterns or timing which disproportionately increase the cost in time, money and energy of providing and maintaining facilities and services;
- h. lack of a clear separation between rural and urban uses;
- i. discouragement, hindrance or prevention of infill developments or redevelopments;
- j. lack of a functional mix of uses;
- k. poor accessibility among linked or related land uses;
- l. loss of significant amounts of functional open space.

Strategy 1.11B(2): Approvals shall not be issued for land development requiring potable water and/or wastewater services that is located outside those areas planned for such services within the 10-year planning period in accordance with their respective master plans, unless the facilities can be reasonably provided through a utilities services agreement.

Strategy 1.11B(3): Comprehensive plan amendments may be appropriate for areas adjacent to existing or authorized urban development the following items being met:

- a. the subject property comprises a logical addition to established urban areas where existing or planned infrastructure and service capacity including potable water, wastewater, solid waste, transportation, public buildings, fire protection, emergency services, law enforcement, schools, parks, open space and proximate commercial services, are available to efficiently serve the additional dwelling units;
- b. Environmental resources shall not be adversely impacted. The integrity of aquifer recharge and groundwater quality shall not be adversely affected or compromised. Standards for floodplain protection shall be met. Critical wildlife habitats shall be protected and existing major wildlife corridors shall be accommodated in the design of the development;
- c. Objectives and strategies of this Element aimed at the retention of agricultural activities in Hernando County shall be met, and, proximate rural areas shall not be adversely impacted or subjected to additional development pressure.

Staff Analysis: The Hernando County Utilities Department has recognized that off-site improvements may be necessary to provide capacity for both potable water and sewer services to the proposed development. If any improvements are required, the developer will enter into a Utility's Services Agreement with the department for the cost and

construction of the improvements. This is consistent with the County's urban sprawl prevention strategies as utility services can be reasonably provided through a service agreement with the developer. Additionally, the site is surrounded by lands developed with single-family residential uses, consistent with the proposed use for the site.

Infrastructure Services

GOAL 1.12 – Infrastructure Services:

In accordance with the County's growth strategy to provide for directed high-quality infrastructure services and discourage urban sprawl, the provision of adequate facilities shall be ensured for new development through a variety of mechanisms.

Strategy 1.12A(1): A level of service standard shall be adopted for facilities and services. These standards shall be used for the purpose of implementing impact fees and for issuing development orders and are as follows:

- a. Fire Protection: Maintain or exceed an overall ISO (Insurance Service Office) rating of Class 2/2Y for Hernando County Fire District;
- b. Law Enforcement: Maintain a ratio of at least 1.32 sworn officers per 1,000 permanent residents of the unincorporated County with accompanying equipment and facilities;
- c. Public Buildings: Maintain the provision of public buildings at a minimum of 1,500 square feet per 1,000 permanent and seasonal residents (peak population);
- d. Public Libraries: Maintain a book collection equal to at least 1.5 items per capita for the permanent residents;
- e. Educational Facilities: Levels of service for educational facilities are set forth in the Public School Facilities Element of this Plan;
- f. Transportation Facilities: Level of service standards for transportation facilities are set forth in the Transportation Element of this Plan;
- g. Potable Water Facilities, Wastewater Facilities, Solid Waste Facilities, and Drainage Facilities: Level of service standards for potable water, wastewater, solid waste and drainage facilities are set forth in the Utilities Element of this Plan;
- h. Hurricane Evacuation: Level of service standards for hurricane evacuation are set forth in the Coastal Management Element of this Plan.

Staff Analysis: The Hernando County Utility Department has indicated they do not currently supply water or sewer service to this parcel and water service is not available to this parcel; however, there are water mains

in the area. A capacity analysis will be required at the time of development to determine if any off-site improvements will be required to provide adequate capacity to the development. If improvements are necessary, they will be the responsibility of the developer and established through a Utility's Services Agreement with the County.

A Traffic Access Analysis shall be required at the time of development to identify any improvements to provide reasonable capacity for the subject development. Any improvements identified by the analysis shall be the responsibility of the developer.

The applicant 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.

It is not anticipated that the development shall have any impact on any other public facilities.

FINDINGS OF FACT:

The Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map for 40.4 acres from Rural to Residential is consistent with the Comprehensive Plan Strategies for residential development.

STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission review and determine whether to recommend approval of the Comprehensive Plan Amendment to the Local Planning Agency and the Board of County Commissioners.

P&Z RECOMMENDATION:

On December 12, 2022, the Planning and Zoning Commission voted 3-1 to recommend approval of the Comprehensive Plan Amendment to the Local Planning Agency and the Board of County Commissioners.