
STAFF REPORT

HEARINGS: Planning & Zoning Commission: January 8, 2024
Board of County Commissioners: February 13, 2024

APPLICANT: Gary L. Blackwell Trust Agreement

FILE NUMBER: H-23-35

REQUEST: Rezoning from CPDP (Combined Planned Development Project) to PDP(GC)/ Planned Development Project (General Commercial), PDP(REC)/ Planned Development Project (Recreational) and PDP(SF)/ Planned Development Project (Single Family) with a specific R-1-MH use in order to allow park models and with Deviations

GENERAL

LOCATION: South side of Cortez Boulevard, approximately 700' southeast of Griffin Road

PARCEL KEY

NUMBERS: 362271, 665293

APPLICANT'S REQUEST:

On March 15, 2006, the Board of County Commissioners (BOCC) approved a rezoning from AG (Agricultural) to CPDP/Combined Planned Development Project to include PDP(SF)/ Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial). At the time the BOCC approved 49 single family lots and 150,000 square feet of commercial along SR 50. Since 2006 no development has occurred on the subject site other than timbering.

The petitioners current request is for a rezoning from CPDP (Combined Planned Development Project) to PDP(GC)/ Planned Development Project (General Commercial), PDP(REC)/ Planned Development Project (Recreational) and PDP(SF)/ Planned Development Project (Single Family) with a specific R-1-MH use in order to allow park models and with Deviations, in order to develop the 114.60 acre parcels as mixed use RV Resort development. The project will consist of the following uses and densities.

PROPOSED USE	ACRAGE	INTENSITY/DENSITY
Commercial	9.0 Acres	150,000 Sq Ft
Recreation/Park Models	52.0 Acres	520 Units (10 DU/AC)
Open Space/Conservation, Buffer Tracts	45.0 Acres	

The recreational vehicle resort will consist of a mixture of RV sites (back-in and pull-thru), along with a moderate number of park models. Each site will have a concrete pad served by central utilities (sewer, water, power), WiFi and cable TV. Resort facilities will include a welcome center, clubhouse, pool, active and passive recreation, laundry, picnic areas and abundant open space. The applicant also intends to create a "natural" trail within the open space areas as a recreational amenity. Well vegetated buffers are proposed along the boundaries for both the "RVers" and the surrounding property owners. A vehicle storage area for resort residents has been conceptually located across an intervening power line in the southwest corner of the property.

The petitioner is requesting the following deviations from the County's LDR's

- Commercial Building Setback Deviation
 - SR 50 Building Setbacks: 75' (deviation from 125')
 - Side: 10' (deviation from 20')
 - Frontage Road: 25' (deviation from 35')
- Recreation Lot Width and Lot Size Deviation
 - Lot Width: 35' (Deviation from 40')
 - This will be for "Pull-Through" site only.
 - Lot Size: 2,450 Sq Ft (Deviation from 2,800 Sq Ft)

SITE CHARACTERISTICS:

Site Size: 114.60 acres

Surrounding Zoning:

Land Uses: North: C-1, C-2, C-4; Highway Commercial Uses
 South: AG; Single Family
 East: AG; Single Family
 West: AR, AG; Single Family

Current Zoning: CPDP/Combined Planned Development Project
 PDP(SF) and PDP(GC)

**Future Land Use
Map Designation:** 25% Residential, 75% Rural

ENVIRONMENTAL REVIEW:

Soil Type: Blichton Loamy Fine Sand, Flemington Fine Sandy Loam and Wauchula Fine Sand.

Water Quality: This property is in the Chassahowitzka Spring Group and is within the Chassahowitzka-Homosassa Basin Management Action Plan area (BMAP).

Comment: The Chassahowitzka Spring is designated as an Outstanding Florida Spring (OFS). 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.

Natural vegetation is to be retained in the buffers and enhanced with trees and vegetation to meet 80% opacity requirement.

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.

**Archaeological
Features:**

It shall be the responsibility of the of the petitioner to coordinate with the “Master Site File” to determine whether the subject site has Archaeological features.

**Hydrologic
Features:**

The property contains Class 3 Wetlands, according to County data resources.

**Protection
Features:**

The property does not contain any Special Protection Area (SPA), Wellhead Protections Areas (WHPAs), according to County data resources.

Habitat:

This property has Mixed Hardwood-Coniferous and Mixed Wetlands Hardwoods vegetation.

Comments: A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional at the construction plans approval stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting. Invasive plant species if present are to be removed during the development process.

Flood Zone: These properties contain a stormwater discharge channel and an area of Flood Zone “AE, (92.6)”. Development within floodplain requires specific permitting and mitigation.

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) has indicated the proposed development is located within the City of Brooksville Utility Department’s (CBUD) first right to serve district.

ENGINEERING REVIEW:

The subject site is located on south side of Cortez Boulevard, approximately 700’ southeast of Griffin Road. The petitioner has indicated the main access to the project will be directly from SR 50, at an existing directional median cut with a left-turn. A potential second access point to SR 50 is conceptually located on the master plan, pending coordination with the County Engineer. The petitioner is also proposing a reverse frontage road which will extend to the project’s western boundary for potential future connection to the adjacent property to the west. The reverse frontage roads eastern connection is limited due to wetlands.

The County Engineer has reviewed the petitioners request and indicated the following:

- This project is adjacent to Cortez Boulevard (SR 50) and a reverse frontage road with sidewalk shall be required.
- A Traffic Access Analysis shall be required. The Traffic Access Analysis shall include a queuing analysis and any improvements identified by the Traffic Analysis will be the responsibility of the developer to install.
- The driveways along Cortez Boulevard (SR 50) may be limited to right-in/right-out access only.
- Commercial access shall be through the frontage road.
- An FDOT driveway connection permit and an FDOT drainage permit is required.

LAND USE REVIEW:

Proposed Project Perimeter Setbacks:

SR 50: 75' (Deviation from 125')
South: 65'
East: 65'
West: 65'

Recreation

Minimum RV/Park Model Building Setbacks and Lot:

Front: 20'
Side: 15'
Rear: 8'
Lot Width: 35' (Deviation from 40')
Lot Size: 2,450 Sq Ft (Deviation from 2,800 Sq. Ft.)

County LDR requirements indicate that no occupancy should exceed 180 days and no permanent units shall be permitted within the RC (Recreation) district. Furthermore, no accessory structure attached or detached shall be permitted, except that building which is utilized for a park manager.

Comments: The proposed RV Resort shall be permitted one (1) permanent residence, which may be a park model, to house the park's operations manager. RV's and park models will have a maximum single stay length of 180 days and at no time will a resident stay in excess of 6 months.

No accessory structures such as carports, porches, screen enclosures, sheds etc. shall be permitted on the RV/Park Model lots unless the amenity is installed by the developer and is an integral part of the overall development.

Park Models

County LDR's require that park model trailers not exceed five hundred (500) square feet of living area on a single chassis.

Buffer

County LDRs require that all RC districts have a boundary landscape buffer of twenty five (25) feet (where applicable to be left in its natural state space).

Comments: The petitioner is proposing a perimeter buffer of 50'. If approved, a 50' buffer shall be provided along the east, west and southern

property lines and shall be supplemented where necessary to provide that highest level opacity.

Commercial

Proposed Commercial Building Setbacks:

- SR 50: 75' (deviation from 125')
- Side: 10' (deviation from 20')
- Frontage Road: 25' (deviation from 35')

Comments: The petitioner has requested side setback reductions from the required 20' to 10'. The setbacks may be utilized only between the commercial out parcels; however, the minimum 20' shall be required against exterior parcels not related to the development. The petitioners request for a frontage road setback reduction is not justified and is not warranted considering the amount of property available for development.

Large Retail Development

The subject request is considered a large retail development and as such must comply with the standards provided for in the LDRs. The standards include, but are not limited to, architectural style, parking design, internal pedestrian circulation, and buffering. The master plan approval is a conceptual review. All applicable LDRs relating to large retail development must be met at the time of permit review.

The petitioner is proposing a Large Retail Development of approximately 150,000 square feet of commercial. The County's LDRs provide that developments greater than 65,000 square feet in size require approval as a Planned Development Project. Because of the intensity of development, the County may require additional conditions to ensure appropriateness at a particular location. The following items are those the County must address under the Large Retail Development requirements:

1. Mechanical/operational equipment including HVAC located at ground level shall be set back at least one hundred (100) feet from any property line external to the project boundary or any residential area and shall be visually shielded through enhanced screening or shall be located on the roof and shall be visually shielded with a parapet wall. All mechanical/operational equipment shall be sound attenuated as necessary to comply with the county's noise ordinance.
2. For facilities that operate 24 hours a day, manned parking lot security is required between 10:00 PM and sunrise.

3. When the proposed commercial development consists of multiple buildings (excluding outparcels), loading areas and loading docks should be situated between said buildings in a manner which allows the buildings to act as screens. All loading areas/docks shall be set back at least one hundred (100) feet from any property line external to the project boundary or any residential area and shall be screened at 100% opacity through the use of landscape plantings, berms, fences or walls.
4. Large Retail Outdoor lighting shall meet the following requirements:
 - a. All fixtures must be full-cutoff or shielded;
 - b. All lights must be pointed downward with the exception of low level accent lighting not exceeding 40 watts;
 - c. No spillover of light is permitted beyond property boundaries;
 - d. Fixtures with outputs of 2,000 lumens or more require manual turn-off switches;
 - e. At least fifty percent (50%) of all parking lot lighting must be turned off within one hour after close of business or between 10 p.m. and sunrise, whichever occurs first;
 - f. No pole height shall exceed twenty-five (25) feet; and
 - g. The placement or use of searchlights shall be prohibited
5. All on-site advertising signs, including outparcels, shall be designed as part of a complete signage system, and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in this code.

The predominant sign material shall be similar to the material (e.g., brick, stone, etc.) of the buildings developed on the subject property.

Comments: The petitioner's master plan does not depict development signage along SR 50. The petitioner has not indicated the sizes or heights of the proposed signs. If approved, the petitioner shall meet all County LDR's for signage, including size, type, setback, and number.

6. The master plan shall meet the following increased setbacks and buffering requirements:
 - a. **Setbacks.** Where any side or rear lot line adjoins (excluding roads) a residential- or agricultural-zoned property or an existing residential use, then no building shall be located within one hundred (100) feet of said lot line.

- b. *Perimeter Buffering.* A perimeter buffer shall be required along the full length of all streets serving a large retail development. The buffer shall be a minimum of thirty-five (35) feet in width and comprised of retained natural vegetation or planted with native plant species.
7. The site design shall provide that pedestrian circulation is coordinated on-site and between adjacent properties, providing for pedestrian circulation between complementary uses.
8. All internal walkways shall comply with Florida Accessibility Code design standards. Additionally, all internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, scored concrete, or stamped asphalt, to the extent not inconsistent with said standards.
9. Transit facilities, including but limited to bus stops, pull out lanes, transit related signage, shelters, and bicycle racks for transit users, shall be provided as determined by the County to accommodate transit service.

The County Design Standards for large retail projects provide guidelines for creating safer, efficient, pedestrian-friendly projects with human scale orientation, while discouraging large, nondescript buildings and “unfriendly” pedestrian design, limited landscaping, and vast non-shaded parking lots.

Buffer

The petitioner has not indicated any buffers within the commercial parcels. If approved, the petitioner shall meet the minimum Large Retail Development commercial buffer requirements of the County LDRs.

The County’s LDRs encourage the use of Florida friendly design standards. The development should comply with the Florida Yards & Neighborhoods (FYN) design techniques.

COMPREHENSIVE PLAN REVIEW:

The subject site is located within the Residential and the Rural Land Use designation on the County’s adopted Comprehensive Plan. The area is characterized by commercial uses to the north, and agricultural parcels, to the east west and south, ranging in size from 2.5 acre to 10.0 plus acres in size. The subject site is located in a transitional area (from west to east) on the comprehensive plan and proper density transitions should be considered for those rural parcels to the east and south.

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.

Comments: High densities for the proposed development should be concentrated within the Residential Land use designated area (northwest). Strategy 1.04C(5) should be considered as densities encroach the Rural southeastern portion of the subject site.

1,320-Foot Transition Zone

Strategy 1.04C(5): For the purpose of providing a logical transition of densities and intensities, Residential Category land uses are allowable up to 1,320 feet into the Rural Category without an amendment to this Plan, only where such uses and development are contiguous to a Residential and /or mapped Commercial Category.

Strategy 1.04C(6): Residential uses allowed in the Residential Category are permitted in the 1,320-foot transitional zone provided they are compatible with the surrounding land uses, served by existing infrastructure, and provide a density or intensity appropriate for a logical transition to the Rural Category.

Comments: The maximum density for the RC District is 11 units per acre. The petitioner is proposing a density of 10 units per acre for a

maximum of 520 RV/Park Model units. Consideration should be taken to reduce the density along the south, southeastern portion of the project. Densities along this area should not exceed six (6) units per acre.

Recreational Vehicles

Strategy 1.04B(10): Recreational vehicle parks are appropriate in the Residential, Commercial and Rural Future Land Use Categories and should be directed to areas containing tourist attractions or natural resources. Recreational vehicle parks shall have access to arterial or collector roads.

Comments: The proposed project has direct access to SR 50.

Rural 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: Per Strategy 1.04C(5), appropriate density transitions should be provided. Consideration should be taken to reduce the density along the south, southeastern portion of the project. Densities along this area should not exceed six (6) units per acre.

Land Use Compatibility

Objective 1.10B: The County shall establish standards by which land use compatibility is evaluated in the review of proposals for Future Land Use Map amendments, zoning changes, and other land development applications.

Strategy 1.10B(1): Future Land Use Map amendments should be compatible with surrounding development and minimize impact to natural resources without the need for mitigation measures that are extraordinary in scope or difficult to enforce.

Strategy 1.10B(2): Zoning changes should be compatible with surrounding development and minimize impact to natural resources. Impacts may be mitigated through design of building placement, buffers,

noise reduction, setbacks and other appropriate planning techniques or performance measures.

Strategy 1.10B(3): Protect existing and future residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the surrounding residential area.

Comments: The petitioner has indicated a 50' vegetative buffer will be provided along the west, east and south property boundaries. However, no density transitions have been proposed.

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.

Strategy 1.10C(1): A Planned Development Project (PDP) is designed as an integral unit with one or more land uses utilizing a Master Plan to illustrate and describe the site layout and characteristics including, but not limited to, uses and use restrictions, density and intensity, site and building layout and design, site coverage and designated open space, construction and phasing plans, and other detailed information about the project.

Comments: The project is proposed as a mixed-use Planned Development Project which includes commercial, RV and park models uses. Projects may include multipole uses when part of an integral mixed use design. Appropriate conditions should be considered to mitigate any potential impacts.

FINDINGS OF FACT:

A rezoning from CPDP (Combined Planned Development Project) to PDP(GC)/ Planned Development Project (General Commercial), PDP(REC)/ Planned Development Project (Recreational) and PDP(SF)/ Planned Development Project (Single Family) with a specific R-1-MH use in order to allow park models and with Deviations is appropriate based on the following:

- The RV building setbacks are justified and not adverse to the public interest.
- The commercial building setbacks deviations are justified as follows:

SR 50: 75' (deviation from 125'); due to a proposed reverse frontage road
Side: 10' (deviation from 20'); for internal outparcels only
Frontage Road: 25' (deviation from 35'); the reduction is not justified.

- Per Strategy 1.04C(5), appropriate density transitions should be provided along the south, southeastern portion of the project. Densities along this area should not exceed six (6) units per acre.
- The proposed RV resort and commercial is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with recommended 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's 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 for a rezoning from CPDP (Combined Planned Development Project) to PDP(GC)/ Planned Development Project (General Commercial), PDP(REC)/ Planned Development Project (Recreational) and PDP(SF)/ Planned Development Project (Single Family) with a specific R-1-MH use in order to allow park models and 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 wildlife survey, prepared by a qualified professional, prior to any development occurring on the property. Further,

copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.

3. The petitioner shall provide open space per the master plan. The open space shall not be developed and may only be utilized for passive recreation.
4. The petitioner shall provide a 50' buffer along the west, south and east property boundaries. The buffer shall be supplemented where necessary to achieve the highest level of opacity.
5. Minimum Perimeter Setbacks:
North: 75'
East: 65'
West: 65'
South: 65'

Recreation Commercial

6. No accessory structures associated with RV's including park models, attached or detached shall be permitted.
7. One (1) permanent resident structure shall be permitted for use by the property's operations manager.
8. No occupancy shall exceed 180 days, and no permanent units except Park Models shall be permitted.
9. The development shall be limited to 520 units.
10. Minimum RV/Park Model Building Setbacks and Lot:
Front: 20'
Side: 15'
Rear: 15'
Lot Width: 35' (Deviation from 40')
Lot Size: 2,450 Sq Ft (Deviation from 2,800 Sq. Ft.)

Commercial

11. The commercial development shall meet the minimum requirements of the Large Retail Development standards
12. The project shall be limited to 150,000 square feet of Commercial including all outparcels.

13. A minimum 35' landscape buffer shall be provided along SR 50 in accordance with the Large Retail Development Standards.
14. Minimum Commercial Building Setbacks:
 - SR 50: 75' (deviation from 125')
 - Side: 10' (deviation from 20')
 - Frontage Road: 35'

Engineering

15. This project is adjacent to Cortez Boulevard (SR 50) and a reverse frontage road with sidewalk shall be required.
16. A Traffic Access Analysis shall be required. The Traffic Access Analysis shall include a queuing analysis and any improvements identified by the Traffic Analysis will be the responsibility of the developer to install.
17. The driveways along Cortez Boulevard (SR 50) may be limited to right-in/right-out access only.
18. Commercial access shall be through the frontage road.
19. An FDOT driveway connection permit and an FDOT drainage permit shall be required.

Overall Project

20. It shall be the responsibility of the petitioner to coordinate with the "Master Site File" to determine whether the subject site has Archaeological features.
21. The petitioner shall coordinate with the City of Brooksville Utility Department's (CBUD).
22. The development shall be required to reduction/transition the 10 DU/AC to 6 DU/AC along the south, southeastern portion of the project. Densities along this area should not exceed six (6) units per acre.
23. 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.