

REZONING CASE H-24-02
STAFF REPORT

RECOMMENDATIONS/ACTIONS

STAFF RECOMMENDATION TO PLANNING & ZONING COMMISSION
May 3, 2024

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 AG (Agriculture) to PDP(REC)/Planned Development Project (Recreation) subject to the following performance conditions listed in **Appendix A** of this Staff Report.

PLANNING AND ZONING COMMISSION ACTION
MAY 13, 2024

On May 13, 2024, the Planning and Zoning Commission voted 4-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from AG (Agriculture) to PDP(REC)/Planned Development Project (Recreation) subject to the following unmodified performance conditions

INTRODUCTORY INFORMATION

HEARINGS: Planning & Zoning Commission: May 13, 2024
Board of County Commissioners: June 25, 2024

APPLICANT: McCease, LLC

FILE NUMBER: H-24-02

REQUEST: Rezoning from AG (Agriculture) to PDP(REC)/Planned Development Project (Recreation)

GENERAL

LOCATION: Northeast corner of Copper Terrace and Mondon Hill Road

PARCEL KEY

NUMBERS: 366552

APPLICANT’S REQUEST:

The petitioner is requesting a rezoning from AG (Agriculture) to PDP(REC)/Planned Development Project (Recreation) in order to utilize the subject site for a disc golf course. The subject site has a long history and popularity for disc golf and mountain biking due to its former use as a quarry. The site offers unique terrain perfectly suited for recreational use. The property currently has a handful of events per year and the petitioner would like to open the parcel to the public as a daily disc golf venue. As part of the request, the petitioner is proposing a 3,600 square foot clubhouse with security office (second story). The petitioner is also requesting a pair of RV spots for occasional use by the owners and/or private members. Other structures will include a large maintenance shed and a construction trailer for use as an office and site security during the construction. Other onsite amenities are considered such as Pickle Ball Courts. The petitioner has not indicated hours of operation.

SITE CHARACTERISTICS:

Site Size: 59.1 acres total

**Surrounding Zoning;
Land Uses:** North: AG; Undeveloped
South: AG; Single Family
East: AG; Single Family
West: AG; Single Family

Current Zoning: AG (Agriculture)
Future Land Use:

Map Designation: Rural

Flood Zone: Scatter floodplain areas

ENVIRONMENTAL REVIEW:

Soil Type: Pits due to its historic quarry use

Hydrologic

Features: The subject property contains no wetlands, however due to historic excavation the parcel is categorized as a Special Protection Area (SPA), according to County data resources.

Protection

Features: The site contains no Well Head Protection Areas (WHPA) according to County data resources.

Comment: The proposed use is an allowable use in the Special Protection Area. The petitioner shall follow the Health Department rules for septic systems and RV hookups for the parcel.

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) has indicated they do not currently supply water or sewer service to the subject site. Water and sewer service are not available to this parcel. HCUD has no objection to the requested rezoning subject to Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System.

ENGINEERING REVIEW:

The subject property is located on the northeast corner of Copper Terrace and Mondon Hill Road. The petitioner has indicated utilizing the existing driveway onto Copper Terrace. The County Engineer has reviewed the request and indicated the following:

- A Traffic Access Analysis will be required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
- A sidewalk along the entire length of frontage along Mondon Hill Road (Collector Roadway) is required.

- Recommend access to be from Mondon Hill Road, to continue access on Cooper Terrace applicant must demonstrate there are no site distance issues.

LAND USE REVIEW:

Building Setbacks

Minimum Building Setbacks:
Copper Terrace: 75'
North: 20'
East: 35'
Mondon Hill Road: 35'

Buffers

The petitioner shall has indicated a 10' native vegetation buffer will be provide along the perimeter of the subject site. If approved, the buffer shall be a native vegetative buffer supplemented where necessary.

Parking

The minimum parking requirement for the proposed use is 4.0 spaces per hole or tee. If approved, parking will be required to provide parking in compliance with the County's LDRs.

Lighting

The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner must provide full cutoff fixtures for all new lighting, in order to retain all light onsite and prevent any light spillage onto neighboring residential uses.

COMPREHENSIVE PLAN REVIEW:

The subject properties are located within the Rural land use classification on the adopted Future Land Use Map. The area is characterized by large vacant agricultural parcels. The petitioners request for PDP(REC)/Planned Development Project (Recreation) is a permitted use in the Rural land use designation.

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: The requested use is an allowable use in the Rural Land Use destination and is compatible with the surrounding area with appropriate performance conditions.

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 Hernando County Code of ordinances has established the Planned Development Project (PDP) district whereby permits flexibility for special or unique uses by allowing deviations from the code through governing body approval. The request is in compliance with the strategies of the comprehensive plan.

FINDINGS OF FACT:

A rezoning from AG (Agriculture) to PDP(REC)/Planned Development Project (Recreation) is appropriate based on the following:

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.

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. Homeowners 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.

**APPENDIX A
STAFF RECOMMENDATION TO PLANNING AND ZONING
COMMISSION**

APPENDIX A – STAFF RECOMMENDATION TO PLANNING & ZONING COMMISSION:

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 AG (Agriculture) to PDP(REC)/Planned Development Project (Recreation) subject to 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 meet the minimum commercial buffer requirements of the County's LDRs.
3. Minimum Building Setbacks:

Copper Terrace:	75'
North:	20'
East:	35'
Mondon Hill Road:	35'
4. A 10' native vegetation buffer shall be provided along the perimeter of the subject site and supplemented where necessary.
5. A Traffic Access Analysis will be required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
6. The petitioner shall coordinate the sidewalk requirement along the entire length of frontage along Mondon Hill Road (Collector Roadway), with the County Engineer.
7. The petitioner shall coordinate potential access to Mondon Hill Road, and demonstrate no line of sight issues along Cooper Terrace.
8. All lighting shall be full cut off fixtures to prevent any light spillage into neighboring parcels.
9. The petitioner shall obtain Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System.
10. The project shall be limited to a 3,600 square foot clubhouse. Any new public structures shall require a master plan revision.
11. The project shall be limited to six (6) RV hook ups/spots.

12. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of notification in writing by the Planning Department of the final action. Failure to submit the revised plan will result in no further development permits being issued until submitted by the applicant.

**APPENDIX B
PLANNING AND ZONING COMMISSION
ACTION**

APPENDIX B –PLANNING & ZONING COMMISSION ACTION:

On May 13, 2024, the Planning and Zoning Commission voted 4-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from AG (Agriculture) to PDP(REC)/Planned Development Project (Recreation) subject to the following unmodified 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 meet the minimum commercial buffer requirements of the County's LDRs.
3. Minimum Building Setbacks:

Copper Terrace:	75'
North:	20'
East:	35'
Mondon Hill Road:	35'
4. A 10' native vegetation buffer shall be provided along the perimeter of the subject site and supplemented where necessary.
5. A Traffic Access Analysis will be required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
6. The petitioner shall coordinate the sidewalk requirement along the entire length of frontage along Mondon Hill Road (Collector Roadway), with the County Engineer.
7. The petitioner shall coordinate potential access to Mondon Hill Road, and demonstrate no line of sight issues along Cooper Terrace.
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