

STAFF REPORT

HEARINGS: Planning & Zoning Commission: February 7, 2022
Board of County Commissioners: March 8, 2022
Planning and Zoning Commission: October 31, 2022
Board of County Commissioners: November 8, 2022

APPLICANT: Brian Garrison and Vicki McMahan

FILE NUMBER: H-21-50

REQUEST: Rezoning from C-1/(General Commercial) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for Outdoor Storage

GENERAL LOCATION: West side of Shoal Line Boulevard, 1,395' south of Hermosa Boulevard

PARCEL KEY NUMBERS: 169757, 169766, 424856

APPLICANT'S REQUEST:

The property is currently zoned C-1 and is undeveloped. The petitioner's current request is to rezone the site to PDP(GC) with a specific C-2 use for outdoor storage. The petitioner wishes to store equipment from an existing shrimping business located approximately two miles down the street from the subject property and intends on using the site to store boats and trailers. No other users of the site for storage are anticipated, and no structures are proposed at the present time.

SITE CHARACTERISTICS:

Site Size: .65 acres

Surrounding Zoning & Land Uses: North: C1; existing commercial business
South: AG; vacant agricultural property
East: C1, C4; existing commercial businesses
West: R1B (Separated by canal); residential homes

Current Zoning: C1/(General Commercial)

Future Land Use Map Designation: Commercial and Residential

ENVIRONMENTAL REVIEW:

Soil Type: Udalfic Arents -Urban land complex (dredge and fill)

Protection Features: The property does not contain WHPAs, wetland or archaeological resources. Flood is AE and properties falls within the Coastal High Hazard zone. Properties are also within a SPA for the Weeki Wachee Preserve; the proposed use does not appear to be prohibited within the SPA. Drainage retention shall be required to meet all Hernando County Land Development Regulations.

Habitat: Properties are shown as still being wooded, identified as unimproved woodland and mixed hardwood – coniferous 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). Although an exhibit shows the property as altered with a hard surface.

Comment: A wildlife survey shall be prepared by a qualified professional, if applicable. The petitioner is required to comply with all applicable FWC regulations and permitting.

Flood Zone: AE

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to these parcels. There is an existing 12-inch water main that runs along the eastern property line on Shoal Line Boulevard. There is an existing 8-inch sewer gravity main that also runs along the eastern property line on Shoal Line Boulevard. HCUD has no objection to the requested zoning change to allow the adjacent parcel's business to store equipment and boats. Connection to the central water and sewer system is not required unless a habitable structure would be included at time of vertical construction.

ENGINEERING REVIEW:

The County Engineer has reviewed the petitioner's request and has the following comments:

- Driveway shall be limited to 1 driveway, or 1 driveway in and 1 driveway out for circulation and meet the Hernando County Facility Design Guideline IV-25 standards.

- Gates will have to meet Hernando County Facility Design Guideline V-18 standards.
- Clarify existing hardened surface. Surface must be stabilized due to runoff. No impervious area is to be constructed without permitting.
- The Hernando County NPDES (National Pollution Discharge Elimination System) Ordinance applies during ground clearing.

LAND USE REVIEW:

Buffers:

The petitioner has proposed a chain link fence with privacy screening as well on the north, east and south sides of the property, with no fence along the perimeter adjacent to the canal. Additionally, the petitioner has proposed a 10' landscape buffer along the side and rear sides.

Comments: Hernando County LDRs require that screening of outdoor storage from adjoining and contiguous properties by a wall, fence or other approved enclosures. Screening shall meet an eighty (80) percent opacity standard. Such screening shall have a minimum height of five (5) feet and maximum of eight (8) feet. In this instance, the primary use is storage, and the entire site must be fenced with a 6' PVC fence supplemented by landscaping in accordance with the requirements of the Community Appearance Ordinance.

Lighting:

County LDRs require lighting that enhances the visual impact of the project on the community and to specifically address lighting intensity levels and glare accordingly. Commercial buildings and projects shall be designed to provide safe, convenient, and efficient lighting for pedestrians and vehicles.

Comments: The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties for any security lighting.

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 site is in the Commercial and Residential land use classifications and has an existing C-1/(General Commercial) zoning. The proposed use is consistent with the strategies for commercial development in the Comprehensive Plan.

Section B: Future Land Use Mapping Criteria

Commercial Category: The Commercial Category includes commercial corridors along U.S. 19 and S.R. 50 and designated commercial nodes at intersections of arterial and/or collector roads intended primarily for commercial development with a wide variety of uses.

Map Interpretation Guidance: Areas considered to have a Commercial Category designation but not shown on the Future Land Use Map include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas.

Comments: The subject site is currently zoned C-1/(General Commercial). While the subject site is in both the Residential and Commercial land use classifications, it is considered to have a commercial designation due to its existing Commercial zoning. Additionally, the property is surrounded by commercial zoning and uses; therefore, the utilization of the site for commercial uses is considered infill in accordance with the Comprehensive Plan.

FINDINGS OF FACT:

The request for Rezoning from C-1 to PDP(GC) with a Specific C-2 use for Outdoor Storage is appropriate based on the following conclusions:

1. The proposed use is consistent with the County's adopted Comprehensive Plan and compatible with the surrounding area.
2. The requested use is 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 RECOMMENDATION:

It is recommended that the Planning and Zoning Commission recommend that the Board of County Commissioners approve the petitioner's request for a Rezoning from C-1 to PDP(GC) with a Specific C-2 use for Outdoor Storage 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. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
3. A drainage plan shall be provided for the site at the time of permitting.
4. The entire site perimeter shall be screened by a minimum 6' in height solid PVC fence and supplemented by landscaping in accordance with the requirements of the Community Appearance Ordinance.
5. Connection to the central water and sewer system is required at the time of vertical construction of a habitable structure on the subject site. The construction of any permanent structures shall require an amendment to the Master Plan.
6. The petitioner shall be limited to 1 driveway, or 1 driveway in and 1 driveway out for circulation, in accordance with the Hernando County Facility Design Guidelines.
7. The existing hardened surface must be stabilized due to runoff. No impervious area shall be constructed without proper permits and compliance with Hernando County and SWFWMD regulations.
8. The Hernando County NPDES (National Pollution Discharge Elimination System) Ordinance will apply during ground clearing.
9. The petitioner shall be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties in the event that security lighting is proposed.
10. 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.