

APPLICANT: F.O. Enterprises, LLC

FILE NUMBER: H-23-26

REQUEST: Rezoning from PDP(OP)/ Planned Development Project (Office Professional) to PDP(GC)/ Planned Development Project (General Commercial) with specific C-2 uses of mini-warehouse and outdoor storage

GENERAL

LOCATION: South side of Forest Oaks Blvd at its intersections with Casino Ct and Longbranch Ct.

PARCEL KEY

NUMBERS: 1027855

BCC ACTION:

On December 12, 2023, the Board of County Commissioners voted 5-0 to adopt Resolution 2023-248 approving the petitioner's request for a rezoning from PDP(OP)/ Planned Development Project (Office Professional) to PDP(GC)/ Planned Development Project (General Commercial) with specific C-2 uses of mini-warehouse and outdoor storage and the following unmodified performance conditions:

1. The petitioner shall obtain all permits from Hernando County and other applicable agencies, meet all applicable land development regulations for either construction or use of the property, and complete all applicable development review processes.
2. All performance conditions established herein shall be completed according to the approved plans prior to the release of the performance bond.
3. Planning
 - A. Allowed Uses in this PDP: Mini-warehouse and Outdoor Storage as shown in the master plan approved by the Board of County Commissioners.
 - B. Maximum Square Footage,
 - i. Indoor Storage: 71,009 square feet
 - ii. Outdoor Storage: 15,270 square feet
 - C. Minimum Building Separation: 20'
 - D. Maximum Building Height:
 - i. Buildings within 100' of a residential property line: 20'
 - ii. Buildings not within 100' of a residential property line: 60'
 - E. Perimeter Setbacks:
 - i. North: 75'
 - ii. South: 35' (on all southern property lines)

- iii. East: 35' adjacent to the PDP(OP) district, 20' on the remainder of the eastern property.
- iv. West: 20'

4. Environmental

- A. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional and submitted as a part of the initial permit application before any development activity occurs on this site. The petitioner is required to comply with all applicable FWC regulations and permitting. This survey shall include existing plant communities present on the site, and identification of invasive vegetation (as designated by IFAS or the USDA).
- B. 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.
- C. The Petitioner shall meet all requirements included in *Section 10-21b Commercial Projects*.
 - i. Required Landscaping: 0.94 acres (15%, 40,772 square feet)
 - ii. Required Tree per Acre: 97 trees, 31 of which shall be “shade” trees. Unless otherwise approved for removal, specimen and majestic trees shall be preserved.
 - iii. Required Natural Vegetation: .44 acres (19,027 square feet). (7% of the project acreage). Preserved natural vegetation areas must be a minimum of two thousand (2,000) square feet and no more than two (2) non-contiguous areas shall be allowed.

5. Buffers

Perimeter buffers shall remain undisturbed, except for the removal of invasive species or dead trees, and the installation of supplemental plantings to reach the required opacity. All buffer types, except natural vegetation, must be maintained to a maximum of eight (8) feet in height. All landscaping, buffer and groundcover requirements shall be completed before the performance bond is released.

- A. Minimum Perimeter Buffers:
 - North: 15' planted buffer
 - South: 35' residential protection buffer (abutting the residential zone)
10' natural buffer, against the PDP(OP) zone, supplemented with plantings to meet code requirement.
 - East: 10' natural buffer supplemented with plantings to meet code requirement.
 - West: 10' natural buffer supplemented with plantings to meet code requirement (as shown on the Master Plan)

10' planted buffer to restore the vegetation removed by the grading required for the DRA (as shown on the Master Plan).

B. Vegetative Buffers

Vegetative buffers are comprised of a minimum of forty (40) plants per area of land five (5) feet in width by one hundred (100) feet in length. A combination of preserved plants or installed plants may be used. If plants are preserved, they must be shrubs or trees to count toward the requirement. (*Section 10-26(c)*).

Vegetative buffers shall include plants with a minimum height of eighteen (18) inches at time of planting. Trees/vegetation with a minimum height of five (5) feet and a maximum height of eight (8) feet, or an evergreen hedge may be used, with a minimum height of five (5) feet at the time of planting.

- C. Natural vegetation is to be retained where present in the buffers and enhanced with trees and vegetation to meet 80% opacity requirement within 12 months and maintained to a minimum height of five (5) feet.
- D. The fence or wall used with the buffer shall be visually dominated by greenery and attain fifty (50) percent opacity/coverage within twelve (12) months of planting (*Section 10-26(b)*). The greenery shall be installed on the external side of the fence that faces adjacent parcels.
- E. Invasive plant species, if present, are to be removed during the development process.

6. Landscaping

- A. All landscaping and buffers shall be completed before the performance release bond is released.
- B. Maintenance of all landscaping shall be the responsibility of the property owner. The plants within installed planting areas shall be healthy. Dead plants shall be replaced on a 1 to 1 basis.
- C. A **Landscape Design Plan** meeting all requirements of *Section 10-25* of the Hernando County Code shall be prepared by a qualified professional and submitted as a part of the conditional plat application. Existing plant communities, including any vegetation listed as invasive by the county, shall be listed on the landscape design plan (*Section 10-22 j*).
- D. A **Land Clearing Plan** meeting all the requirements of *Section 10-28* of the Hernando County Code shall be prepared by a qualified professional and submitted for approval with the conditional plat application. The plan shall show the proposed natural vegetation areas to be preserved and the proposed areas to be cleared. Installed planting areas of high-water use shall also be shown. The land clearing permit for the new subdivision authorizes clearing of street right-of-way, drainage areas, utility areas, and individual lots as approved on subdivision construction plans. (*Section 10-28 (2)*)

7. Residential Protection and Large-Scale Commercial

- A. No Mechanical/operational equipment including HVAC shall be located at ground level within 100' of any property line. Equipment shall be visually shielded, and sound attenuated as necessary to comply with the County's noise ordinance.
- B. Access to the site shall be limited by a keyless gated entry.
- C. All outdoor lighting shall meet the specific use regulations for commercial lighting under Article III.
- D. Loading areas and docks shall be situated between buildings in a manner which allows the buildings to act as screens. All loading areas/docks will be set back at least one hundred (100) feet from any property line external to the development site and shall be screened at 100% opacity through the use of landscape plantings, berms, fences or walls.
- E. On-site advertising signs shall be limited to mound mounted monument type signs. All sign requirements in this code.
- F. No building will be located within 100' of a residentially zoned property.
- G. A 35' wide buffer is shown on the master plan where the property abuts residentially zoned property. This buffer will be screened at 80% opacity, at a height of 6' above finished grade and shall run the length of the property line abutting the residential zone.

8. Development

- A. **Construction Buffer** shall be installed along the southernmost property line within thirty (30) days of clearing and prior to commencement of construction.

It shall be a natural vegetative buffer, supplemented with plantings, a minimum of thirty-five (35) feet in width, provide a minimum of eighty (80) percent opacity, and minimize airborne erosion to existing adjacent residentially zoned housing units.

The buffer shall include a fence or wall, designed to minimize airborne erosion, at least six (6) feet in height above grade, and shall be installed within thirty (30) days of clearing and prior to commencement of construction. If a permanent fence or wall is provided it must be dominated by greenery on the side facing adjacent property at the conclusion of construction.

- B. If a permanent fence or wall is used for the construction buffer, the fence or wall must be dominated by greenery on the side facing adjacent property at the conclusion of construction before the performance bond is released.
- C. **Reestablishing Ground Cover:** Within 30 days of completion of the infrastructure approved by the land clearing permit, vegetative ground cover shall be reestablished for all disturbed areas to reduce dust clouds, storm water runoff, and soil erosion. If turf grass is used, varieties with excellent drought-tolerance are required.
- D. The petitioner shall remove any **barbed wire and/or electric fencing** from the subject parcel(s) prior to the issuance of any Certificate of Occupancy being issued. This includes any areas designated as Buffers and Drainage Retention Areas designated as PDP (Special Use) on the conditional or final plats.

9. Engineering: Any development of the site must meet Hernando County Facility Design Guidelines and Southwest Florida Water Management District (SWFWMD) Environmental Resource Permit design requirements.
10. Utilities: A utility capacity analysis, and connection to the central water and sewer systems shall be performed at time of vertical construction.
Please note: Availability of existing water, sewer, and reclaimed water capacity is dependent on the engineer's estimated flows for the proposed development. Existing utility infrastructure may require upgrades to supply service to the proposed development. Complete a Utilities Capacity Request form located on HCUD's Engineering website and submit with a proposed site plan for capacity inquiries.
****Utility location does not guarantee capacity****
11. No outdoor storage shall be permitted along the front of the project (Forest Oak Blvd).
12. 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.