

STAFF REPORT

HEARINGS: Planning & Zoning Commission: March 14, 2023
Board of County Commissioners: April 11, 2023

APPLICANT: Great Life Church, Inc.

FILE NUMBER: H-22-84

REQUEST: Rezoning from R-1A (Residential) to C-1 (General Commercial)

GENERAL LOCATION: South side of Cortez Boulevard, approximately 550' west of Grove Road

PARCEL KEY NUMBER: 346897

APPLICANT'S REQUEST

The petitioner is requesting a rezoning of the subject property from R-1A (Residential) to C-1 (General Commercial) to better suit the further development of the property as a church and a school. The property is currently split-zoned with both R-1A and C-1 zoning districts present. Approval of this petition would change the property to a single zoning district.

The petitioner has submitted a companion Special Exception application (SE-22-16) to expand its existing permit to include the subject parcel and allow an educational facility along both the subject key number and parcel 346897.

SITE CHARACTERISTICS

Site Size: 5.8 acres

Surrounding Zoning;

Land Uses:

North:	PDP(GHC)/ Planned Development Project (General Highway Commercial); Partially developed
South:	AR-2 (Agricultural/Residential-2), Special Use overlay for Medical/Hospital
East:	C-2 (Commercial-2); Pinebrook Medical Facility
West:	C-1 (Commercial), Outdoor Commercial Activity, and undeveloped. PDP(SF)/ Planned Development Project (Single Family); Undeveloped

Current Zoning: C-1 (General Commercial), and R-1A (Residential) with a Special Use overlay for Place of Public Assembly (SE-14-05)

Future Land Use Map Designation: Commercial

ENVIRONMENTAL REVIEW

- Soils:** Candler Fine Sand
- Comment:** Candler Fine Sand provides habitat suitable for gopher tortoises (a listed species) and commensal species. A comprehensive faunal (wildlife) survey shall be prepared by a qualified professional and submitted during the permitting stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.
- Protection Features:** There are no Protection Features (Wellhead Protection Areas (WHPA) and Special Protection Areas (Special Protected Areas (SPAs)) on this site according to county data.
- Hydrologic Features:** There are no Hydrologic Features (Sinkholes, Karst Sensitive Areas, and Wetlands) on this property according to county data.
- Habitat:** The Undeveloped area is Sandhill 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). The Developed area is identified as commercial and services.
- Water Quality:** The proposed development is within the Weeki Wachee River Basin Management Action Plan (BMAP), the Weeki Wachee Primary Focus Area (PFA), and the and Weeki Wachee Outstanding Florida Springs (OFS) Group.
- Comment:** Implementation of Florida Friendly Landscaping™ principles, techniques, and materials designed to conserve water and reduce pollutant loading to Florida's waters is required. This will be addressed during the permitting phase of development.
- Flood Zone:** X with small areas of AE

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) currently supplies water and sewer service to this parcel. HCUD has no objection to the requested zoning change from R-1A to C-1 to allow construction of portable classrooms, subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

ENGINEERING REVIEW

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

- This site does not contain floodplain (FEMA FIRM 12053C0186D).

- Any development of the site must meet Hernando County Facility Design Guidelines and Southwest Florida Water Management District (SWFWMD) Environmental Resource Permit design requirements.
- No Traffic concerns about the zoning change.

LAND USE REVIEW

The petitioner has submitted a companion application (SE-22-16) to this request to expand the existing Special Exception Use. The petitioner would like to move the Private Christian Day School to the property in the future as they grow, and a need for expansion arises. Places of Public Assembly and Educational Facilities are special exception uses allowable in the C-1 (General Commercial) zoning district. The petitioner shall be required to meet all minimum requirements of the C-1 (General Commercial) zoning district.

Due to the Single-Family Residential zoning district on the southern property line, the properties in this application will be subject to the residential protection standards when applicable.

COMPREHENSIVE PLAN REVIEW

Future Land Use Map

Approximately 1/3 of the southern portion of the subject property is shown as having a "Rural" future land use. The Comprehensive Plan is, however, not parcel specific and is meant to provide guidance with regards to the future development of the County especially along major commercial corridors. The Rural portion of the subject property is considered "infill" per the Comprehensive Plan Strategies.

Strategy 1.04A(6): The **Commercial Category** provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties. Publicly owned lands along the commercial use corridors that are made available for surplus may be considered to have a Commercial designation, if the agency proceeds through the Comprehensive Plan Amendment process to amend the future land use map, in accordance with Section 163.3184, F.S.

Commercial Category

Objective 1.04G: The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor

area ratio of 0.35 but also includes limited industrial, recreational, and institutional uses. Residential and mixed uses may be allowed subject to locational criteria and performance standards.

Strategy 1.04G(1): Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category 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. Frontage roads and cross-access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

FINDING OF FACTS

1. The subject parcel is currently split zoned as R-1A and C-1.
2. Rezoning the property to C-1 would remove the conflicting zoning districts on the property.
3. The proposed C-1 zone is compatible with surrounding zoning districts.
4. Residential Protection Standards, as necessary, will apply to the subject site at the time of site development.

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 the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from R-1A (Residential) to C-1 (General Commercial).