

**STAFF REPORT**

Planning & Zoning Commission: August 8, 2005  
Board of County Commissioners: September 14, 2005

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**APPLICANT:** Hernando Investments Inc. **FILE NUMBER:** H-05-75

**PURPOSE:** Master Plan Revision to Rezone from PDP(GC)/Planned Development Project (General Commercial) to PDP(LI)/Planned Development Project (Light Industrial)

**GENERAL**

**LOCATION:** West of I-75, approximately 2,000' south of Cortez Boulevard, east of Nature Coast Boulevard

**LEGAL**

**DESCRIPTION:** A portion of Section 6, Township 23 South, Range 21 East, Hernando County, FL

**FILE STATUS:** All requirements necessary to conduct the public hearing have been satisfied.

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**CITIZEN RESPONSE:** FOR: 1 AGAINST: 0

**STAFF FINDINGS:**

Surrounding Zoning

Surrounding Land Uses

North: PDP(GC), PDP(HC)

Undeveloped

South: PDP(LI), AG

Undeveloped

East: PDP(GC), AG

I-75

West: PDP(GC), PDP(HC), PDP(LI)

Truss plant, undeveloped

**SUMMARY OF REQUEST**

The petitioner requests a master plan revision to rezone from PDP(GC) to PDP(LI). The subject property is located west of I-75, approximately 2,000' south of Cortez Boulevard, east of Nature Coast Boulevard.

**FACTUAL INFORMATION**

1. The property is currently zoned PDP(GC).
2. The property comprises approximately 8.22 acres.
3. The site is undeveloped.

4. The site is wooded and appears to contain no majestic or specimen trees.
5. The subject property has access from Nature Coast Boulevard.
6. The subject property is located within a I-75/SR 50 Planned Development District land use classification on the adopted Future Land Use Map.
7. The on-site soil type is Candler fine sand. Candler fine sand provides a habitat suitable for gopher tortoises. Since there is the potential for this listed species of special concern to be present, a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.
8. The property is located in a flood zone C.
9. The subject property does not contain any wetlands, WHPAs or SPAs according to County data resources.
10. The Utilities Department has indicated that central water and sewer are available to serve the subject site.
11. There are adequate public facilities available to serve the subject property.
12. The area is characterized by commercial and AG uses, and undeveloped parcels.
13. The petitioner has not requested any deviations from the County's LDRs.

### **STAFF DISCUSSION**

The petitioner requests a master plan revision to rezone the subject property from PDP(GC) to PDP(LI). The 8.22 subject property was rezoned from PDP(GHC) to PDP(GC) as part of the BCC's approval of a rezoning of 47 acres from PDP(GHC) to C/PDP(GC) and (LI) with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, including receiving DRC approval for the proposed use.
2. Internal setbacks:     10' side  
                                  10' rear  
                                  35' from internal roadway
3. Perimeter setbacks:   Per PDP rules

4. The development proposed on this property shall have a front facade oriented toward I-75. The portion of the building visible from SR 50 should be comprised of similar material to the front facade, or be partially screened from view by bushes, trees or decorative fencing.
5. The petitioner should be required to provide 8% of each 10,000 square feet of paved area to be landscaped. The additional 3% landscaping can be located within a courtyard in front of the building.
6. Trash receptacle areas should not be located within the setback from I-75 and shall be screened from either public rights-of-way or adjacent properties.
7. The petitioner shall provide a minimum 20 foot buffer along I-75 and a minimum 5 foot buffer along other property lines.
8. The petitioner shall submit a master plan indicating compliance with the PDP rules and the zoning conditions within 30 days of BCC approval or the request will be null and void.
9. The roadway associated with the project shall be constructed to County Collector standards.

As the I-75/SR 50 corridor area is the entryway to Hernando County, the adopted Comprehensive Plan requires that there be increased landscaping and architectural standards within the corridor area. The BCC has routinely approved increased aesthetic standards in this area, such as in the 2000 rezoning approval. The standards typically addressed, and proposed by staff to be incorporated into any approval would include: front facades oriented toward I-75; building visible from SR 50 should be comprised of similar material to the front facade, or be partially screened from view by bushes, trees or decorative fencing; additional landscaping; restricting visibility of trash receptacle areas; and additional buffers. Subsequent to the 2000 approval, the County has adopted LDRs addressing enhanced landscaping standards which the proposed development would have to meet; consequently, it is the staff's opinion that prior condition number 5 would no longer be necessary.

The Utilities Department has indicated that central water and sewer are available to serve the subject site.

The County Engineer has no objections to the proposed rezoning.

The FDOT has been notified of the request; no response has been received.

### **FINDINGS OF FACT**

The area is characterized by commercial and AG uses, and undeveloped parcels. The PDP(GC) parcels to the north and west are undeveloped. The PDP(HC) parcel to the west has been developed with a truss construction plant. The PDP(LI) parcels to the west and south are undeveloped. I-75 is located to the east.

The subject property is located in the I-75/SR50 Planned Development category as identified on the adopted Future Land Use Map. This area is envisioned to ultimately be developed with a variety of land uses including industrial, commercial, public facility and recreational use as needed; residential and multi-family. The plan further directs the clustering of industrial uses within areas of good transportation access to I-75, and a commercial/light industrial corridor of approximately 1000-1500 feet on either side of I-75.

The Planning staff is of the opinion that the request to rezone from PDP(GC) to PDP(LI) is appropriate, based on the following conclusions:

1. The proposed rezoning is consistent with the County's adopted Comprehensive Plan.
2. The proposed rezoning is compatible with the surrounding land uses subject to compliance with all performance conditions.

**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. 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.**

**STAFF RECOMMENDATION:**

Pursuant to the findings of fact outlined in the staff's report, the Planning staff recommends the Planning and Zoning Commission recommend the Board of County Commissioners adopt Resolution # \_\_\_\_\_ approving the petitioner's request for a master plan revision to rezone from PDP(GC) to PDP(LI), with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. Internal setbacks: 10' side  
10' rear  
35' from internal roadway
3. Perimeter setbacks: Per PDP rules

4. The development proposed on this property shall have a front facade oriented toward I-75. The portion of the building visible from SR 50 should be comprised of similar material to the front facade, or be partially screened from view by bushes, trees or decorative fencing.
5. Trash receptacle areas should not be located within the setback from I-75 and shall be screened from either public rights-of-way or adjacent properties.
6. The petitioner shall provide a minimum 20 foot buffer along I-75 and a minimum 5 foot buffer along other property lines.
7. The petitioner shall submit a master plan indicating compliance with the PDP rules and the zoning conditions within 30 days of BCC approval or the request will be null and void.
8. The roadway associated with the project shall be constructed to County Collector standards.

**P&Z RECOMMENDATION:**

The Planning and Zoning Commission voted 4-1 to recommend the Board of County Commissioners adopt Resolution # \_\_\_\_\_ approving the petitioner's request for a master plan revision to rezone from PDP(GC) to PDP(LI), with the following unmodified performance conditions:

1. The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. Internal setbacks:     10' side  
                              10' rear  
                              35' from internal roadway
3. Perimeter setbacks:   Per PDP rules
4. The development proposed on this property shall have a front facade oriented toward I-75. The portion of the building visible from SR 50 should be comprised of similar material to the front facade, or be partially screened from view by bushes, trees or decorative fencing.
5. Trash receptacle areas should not be located within the setback from I-75 and shall be screened from either public rights-of-way or adjacent properties.
6. The petitioner shall provide a minimum 20 foot buffer along I-75 and a minimum 5 foot buffer along other property lines.
7. The petitioner shall submit a master plan indicating compliance with the PDP rules and the zoning conditions within 30 days of BCC approval or the request will be null and void.

8. The roadway associated with the project shall be constructed to County Collector standards.

**BCC ACTION:**

The Board of County Commissioners voted 5-0 to adopt Resolution # 2005-245 approving the petitioner's request for a master plan revision to rezone from PDP(GC) to PDP(LI), with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. Internal setbacks: 10' side  
10' rear  
35' from internal roadway
3. Perimeter setbacks: Per PDP rules
4. The development proposed on this property shall have a front facade oriented toward I-75. The portion of the building visible from SR 50 should be comprised of similar material to the front facade, or be partially screened from view by bushes, trees or decorative fencing.
5. Trash receptacle areas should not be located within the setback from I-75 and shall be screened from either public rights-of-way or adjacent properties.
6. The petitioner shall provide a minimum 20 foot buffer along I-75 and a minimum 5 foot buffer along other property lines.
7. The petitioner shall submit a master plan indicating compliance with the PDP rules and the zoning conditions within 30 days of BCC approval or the request will be null and void.
8. The roadway associated with the project shall be constructed to County Collector standards.

**NOTE: PLEASE NOTE THAT DEVELOPMENT ACTIONS TAKEN IN RELIANCE WITH THIS ZONING APPROVAL MUST BE CONSISTENT WITH THE APPROVED MASTER PLAN, DEVELOPER'S NARRATIVE, DEVELOPER'S REPRESENTATIONS ON THE RECORD, AND THE APPROVAL CONDITIONS BY THE BCC.**