

Hillsborough County City-County Planning Commission

Memorandum

September 10, 2024

To: Board Members, Board of County Commissioners

From: Melissa Lienhard, AICP, Planning Commission staff

Re: Initial Consideration of HC/CPA 24-32, a Privately Initiated Comprehensive Plan Text Amendment to eliminate Policy 47.18 under the Planned Environmental Community ½ Section of the Future Land Use Element of the *Unincorporated Hillsborough County Comprehensive Plan*

Pursuant to the Comprehensive Plan Amendment Procedures Manual for Unincorporated Hillsborough County (Procedures Manual), once a privately initiated text amendment to the *Unincorporated Hillsborough County Comprehensive Plan* is applied for, Planning Commission staff will schedule the item for initial consideration at a meeting of the Board of County Commissioners (BOCC). The Procedures Manual further states:

The Planning Commission will prepare a report to accompany the application that shall include, at a minimum, the following information:

- a. A determination of resources needed for adequate review*
- b. A recommendation on the timeframe to review the amendment*
- c. A recommendation on additional public outreach to be conducted by the applicant beyond what is required by this manual.*

A determination of resources needed for adequate review

The proposed amendment can be adequately reviewed with existing staff resources. The following items have been found appropriate due to the fact that the proposed change applies to a specific geographical area rather than applying to properties countywide. The following items have been determined as needed in order to adequately review the proposed amendment:

- An applicant analysis of how the request is consistent with the Comprehensive Plan, including but not limited to the Objectives and Policies under the Planned Environmental Community ½ section of the Future Land Use Element of the Comprehensive Plan;

A recommendation on the timeframe to review the amendment

Per applicable requirements, Planning Commission staff has determined a recommended timeframe to review the amendment. It is recommended that once the supplemental item listed above is submitted and PC staff have found it sufficient, then the item will be scheduled into a plan amendment cycle and dates set for a public hearing with the Planning Commission and a transmittal hearing with the BOCC.



A recommendation on additional public outreach to be conducted by the applicant

Per the Procedures Manual requirements, the Planning Commission staff has determined no additional public outreach is necessary due to the limited scope of the change, as the proposed policy removal impacts the Hillsborough River State Park to the south, with whom the applicant has coordinated. In addition, a change to the zoning would need to occur if this privately initiated text amendment is approved, which would allow the public another opportunity for feedback.

Board Action

The Procedures Manual also addresses the process for the meeting wherein the initial consideration by the BOCC is to be made:

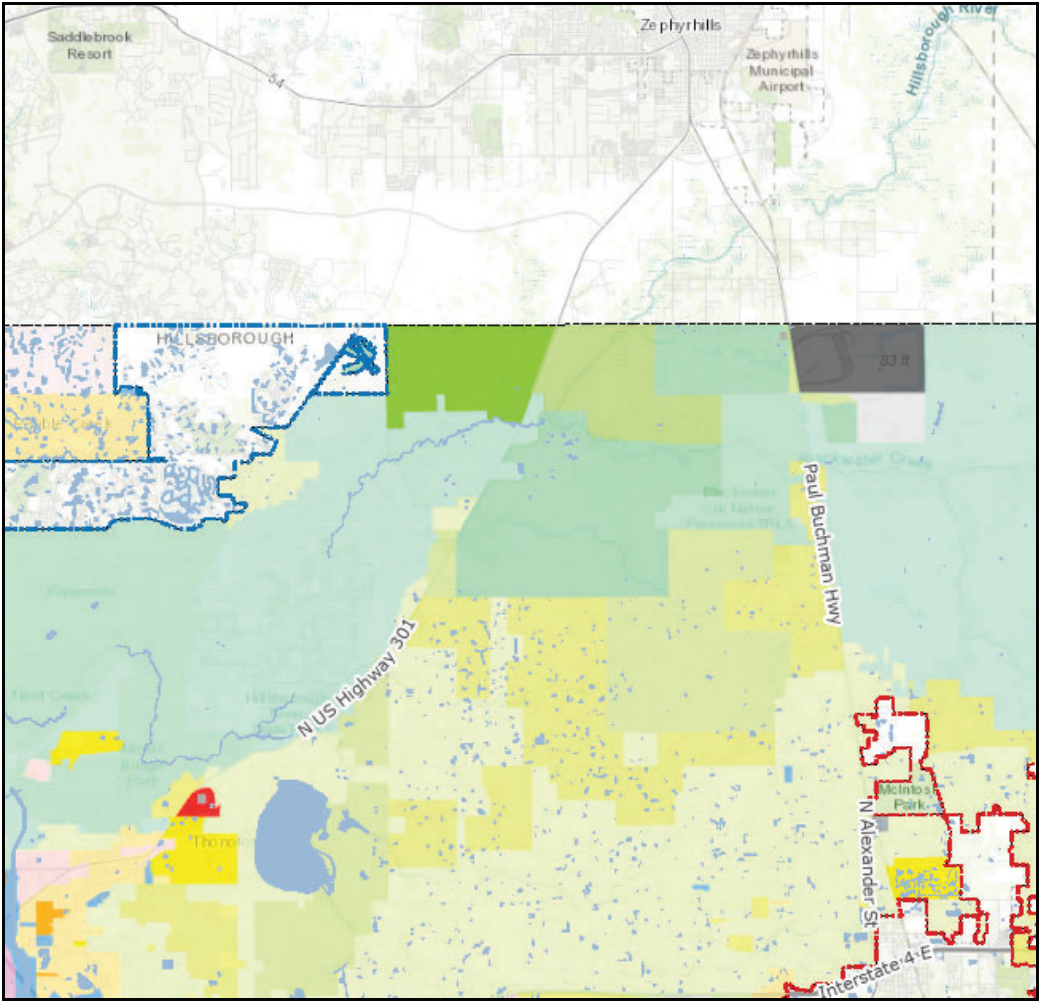
At the scheduled meeting, the applicant will be afforded time to make a presentation and public testimony will be permitted.

Following board discussion, the BOCC shall take one of the following actions after review of the report by the Planning Commission and testimony provided by the applicant:

- a. Motion to take no further action on the application. A refund of 80% of the amount of the application fee will be provided should this occur.*
- b. Motion to allow the application to proceed for review and public hearing in accordance with the procedures outlined herein. Said motion shall address the Planning Commission's recommendations on the review timeframes, public outreach and provision of additional resources (if applicable).*

If you have any questions regarding this assessment or need further information, please contact Melissa Lienhard, AICP, at (813) 547-4364 or lienhardm@plancom.org.

Attachments: Application and Map



Planning Information Map App (PIMA)

Road Names

Jurisdiction Boundary

- PLANT CITY
- TAMPA
- TEMPLE TERRACE
- UNINCORPORATED COUNTY

Water



Hillsborough County Future Land Use

- AGRICULTURAL/MINING-1/20
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2
- AGRICULTURAL-1/10
- AGRICULTURAL/RURAL-1/5
- AGRICULTURAL ESTATE-1/2.5
- RESIDENTIAL-1
- RESIDENTIAL-2
- RESIDENTIAL PLANNED-2
- RESIDENTIAL-4
- RESIDENTIAL-6
- RESIDENTIAL-9
- RESIDENTIAL-12
- RESIDENTIAL-16
- RESIDENTIAL-20
- RESIDENTIAL-35
- NEIGHBORHOOD MIXED USE-4 (3)
- SUBURBAN MIXED USE-6
- COMMUNITY MIXED USE-12
- URBAN MIXED USE-20
- REGIONAL MIXED USE-35
- INNOVATION CORRIDOR MIXED USE-35
- OFFICE COMMERCIAL-20
- RESEARCH CORPORATE PARK
- ENERGY INDUSTRIAL PARK
- LIGHT INDUSTRIAL PLANNED
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL
- PUBLIC/QUASI-PUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2
- CITRUS PARK VILLAGE

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Comprehensive Plan Amendment Application

This Comprehensive Plan Amendment (CPA) application provides the data and analysis required for the review of a proposed Comprehensive Plan Amendment, in accordance with the Hillsborough County City-County Planning Commission ("Planning Commission") Procedures Manual and Chapter 163, Florida Statutes.

A pre-application meeting must take place no later than 7 (seven) days prior to the filing deadline for the Plan Amendment.

Pre-Application Meeting:
2024-06-04

Property Owner Information

EPG1 LLC
111 S ARMENIA AVE STE 201
TAMPA, FL 33609-3337

kami.corbett@hwhlaw.com ; jaime.maier@hwhlaw.com
813 227 8421

Agent/Representative Information

Kami Corbett, Esq.
101 E. Kennedy Blvd., Ste. 3700, Tampa, FL 33602

kami.corbett@hwhlaw.com
813 227 8421

Jurisdiction in which the proposed Comprehensive Plan Amendment is located:

Unincorporated Hillsborough County

Type of request:

Text Amendment

Text Amendment

Text Amendment (Goals, Objectives, and Policies of the Comprehensive Plan)
Goal/Objective/Policy No. _____

Description of Property (for map amendments only):

47.18

All included Folio's:
47.18

Adopted FLUE:
["N/A - Text Amendment"]

Requested FLU:

Total acres:

Map Amendments Only:
Is the subject site, or a portion of the subject site, located within the Coastal High Hazard Area (CHHA)?

Unincorporated Hillsborough County Plan Amendment's Only:
Is the subject site located within the Urban Service Area (USA)?

Map Amendments Only:
Development trend in the surrounding area (within one mile of the subject site in Tampa, Temple Terrace and Plant City; within five miles of the subject site in unincorporated Hillsborough County):

Map Amendments Only:
Is there a pending application on the property, or do you anticipate applying for other applications?
(Example: Rezoning, Land Development Code Amendment, etc):

Justification for the proposed Map or Text Amendment (i.e, infrastructure, supporting policies, transit availability, etc):

Memorandum of Understanding
Between
Hillsborough County City-County Planning Commission
and

EPG1 LLC

Kami Corbett, Esq.

1. Purpose. The purpose of this Memorandum of Understanding (MOU) is to establish the terms and conditions governing submittal and administration of the Plan Amendment.

2. Responsibilities of the Applicant.

a. The applicant and/or their authorized representative ("Applicant") shall be responsible for submitting all required documentation for the Plan Amendment and compliance with the procedures and requirements set forth in the Plan Amendment Procedures Manual.

b. The Applicant is responsible for payment of legal advertising fees per the deadlines outlined in the Procedures Manual. If payment is not timely received, the Plan Amendment will not be included in the public hearing agenda, and additional advertising fees will become due for rescheduling the public hearing.

c. If the Applicant is proposing a plan amendment category that allows consideration of a residential use, the Applicant is responsible for, and will pay to the Hillsborough County School Board, a review fee for an "Adequate Facilities Analysis", upon request by the School Board. Receipt of this payment is due to Planning Commission staff no less than thirty (30) days after submission of the Plan Amendment application.

d. If the Applicant desires to make a presentation to the Planning Commission utilizing electronic media, the media must be provided to the Planning Commission at least 2 business days prior the public hearing.

e. The Applicant shall be responsible for all noticing required by the Plan Amendment Procedures Manual.

f. The Applicant understands the procedures for a "Continuation of Plan Amendment Requests" and "Withdrawal, Denial, and Resubmittal of a Plan Amendment Application" set forth in the Plan Amendment Procedures Manual.

3. City of Tampa, Plant City, and Temple Terrace ONLY: Withdrawal/Termination. After submission of the application, staff conducts a seven (7) day sufficiency review period. A full refund will only be issued if the application is withdrawn within the seven (7) day sufficiency review period.

EPG1 LLC

Kami Corbett, Esq.

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Additional Notes:
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Comprehensive Plan Text Amendment

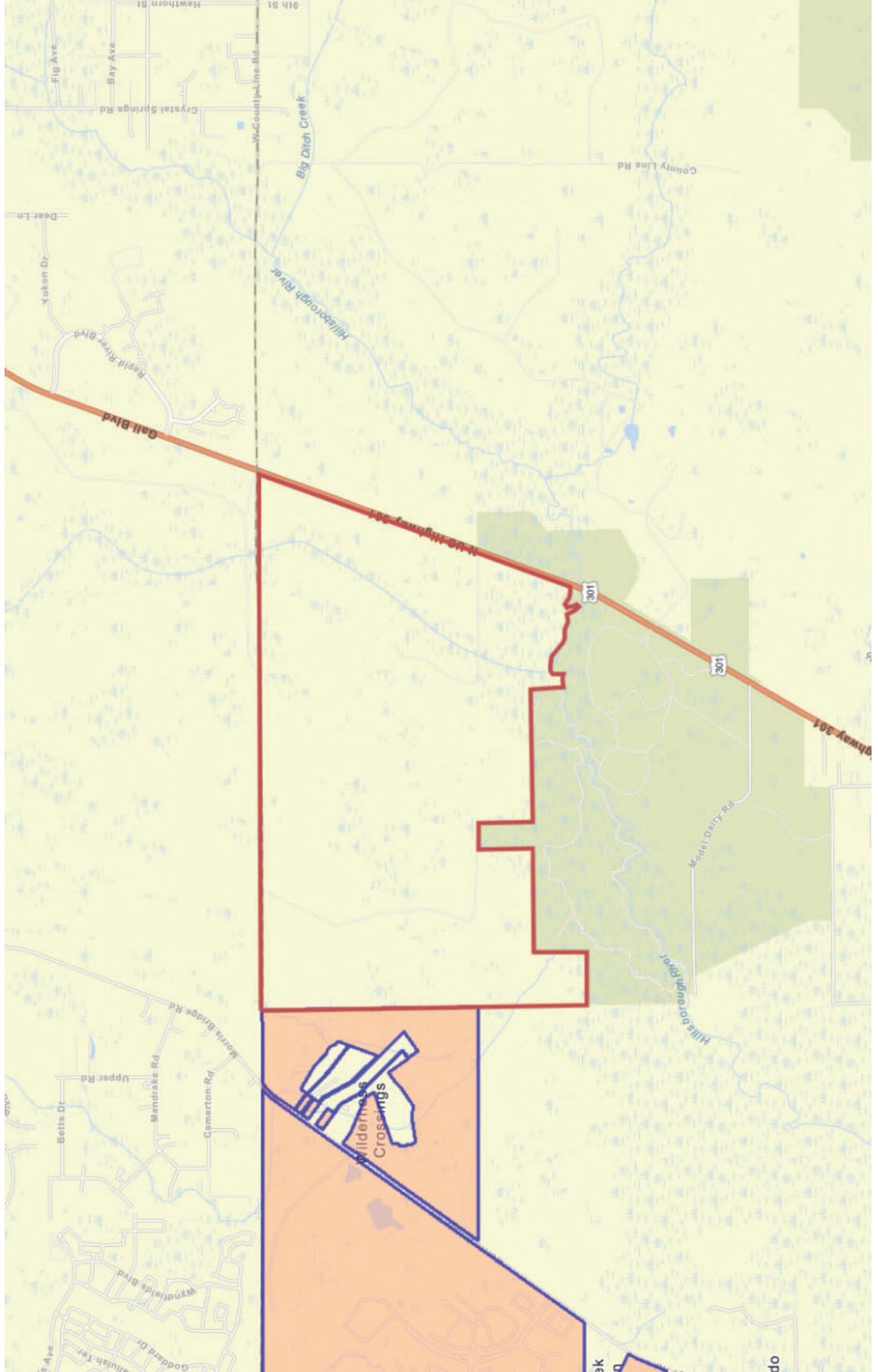
PEC Policy 47.18

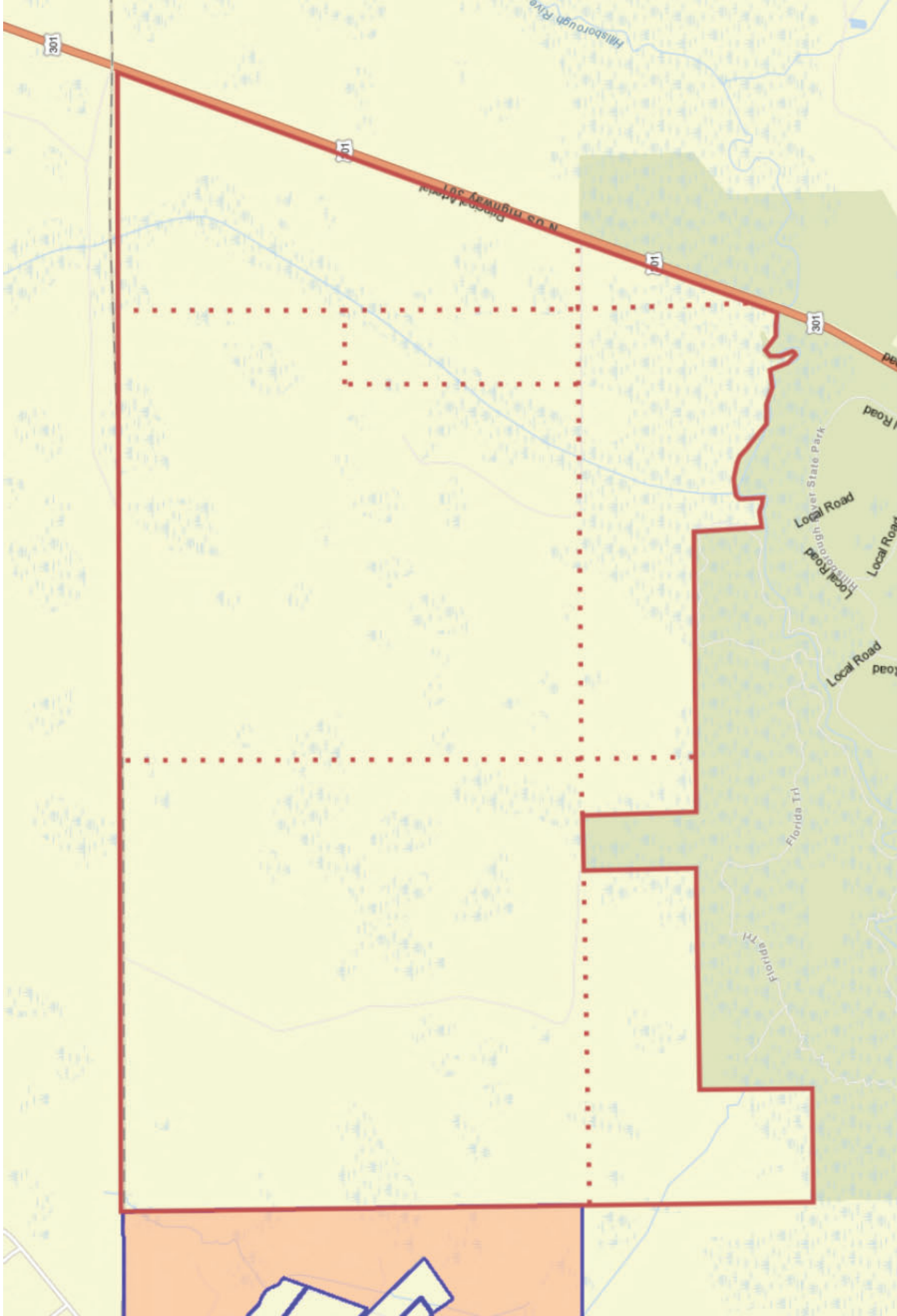
The Applicant, EPG1, LLC, is the developer of the residential project known as Two Rivers, located generally between 301 Hwy / Morris Bridge Road in Thonotosassa (an assemblage of folios collectively referred to as the "Site"). It is zoned PD and is within the PEC future land use category. Although this request is for a text amendment to the Comprehensive Plan, and not a map amendment, the effect of the PEC future land use category Policy 47.18 on the Site and other similarly situated sites warrants this request for an amendment to same.

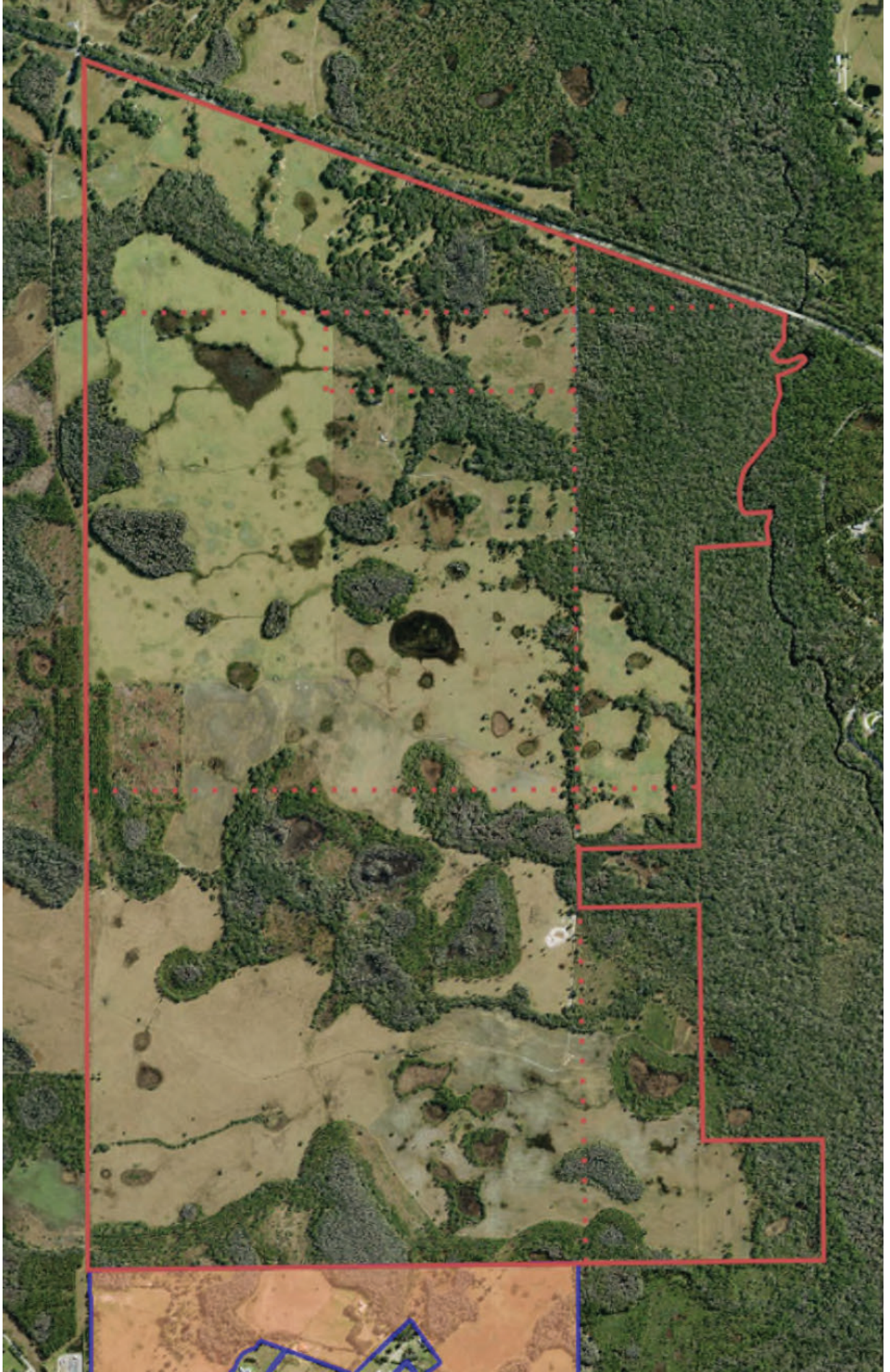
Policy 47.18 currently requires that PD zoned properties within the PEC category provide for direct access to a Regional Resource, by way of publicly accessible trail(s) (through easement, dedication, or other conveyance mechanisms) to allow connectivity to Regional Resources directly by and through the PD property, as well as provide a public parking area contiguous to said trail connection which accommodates both personal vehicles as well as mass transit.

The Site is located north of and adjacent to the Hillsborough River State Park, and therefore would be required under this policy to provide the above-described connection(s), trail(s), and parking facilities to an overlook of the Hillsborough at the property line of the Hillsborough River State Park. The Applicant at the time of zoning approval complied with this requirement. The Applicant is now in the process of designing and permitting the development. The Applicant has approached the Florida Park Service about the overlook, and has received direction from the Park Service that the State does not desire this connection/overlook to the Hillsborough River State Park, nor do they desire any such connections to and between other PD properties in the PEC district to their parks, as this Policy would otherwise require. The Park Service considers this overlook to be a safety concern and allow for unmonitored access to the State Park, which could result in vandalism and trespassing.

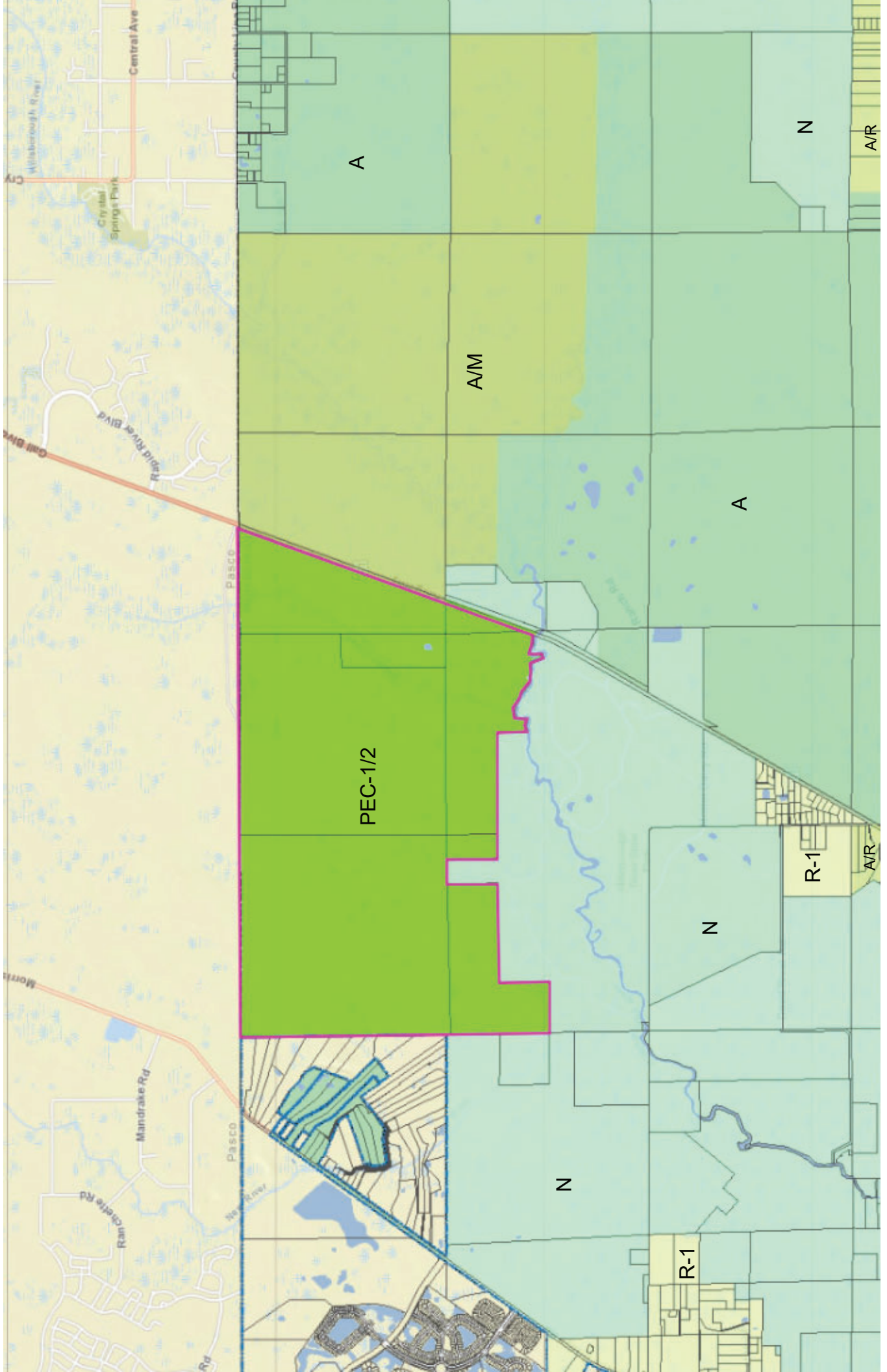
Therefore, pursuant to this direction received from the State, the Applicant seeks this text amendment to eliminate Policy 47.18 in its entirety. The purpose of the PEC future land use category will remain comprehensive and intact.



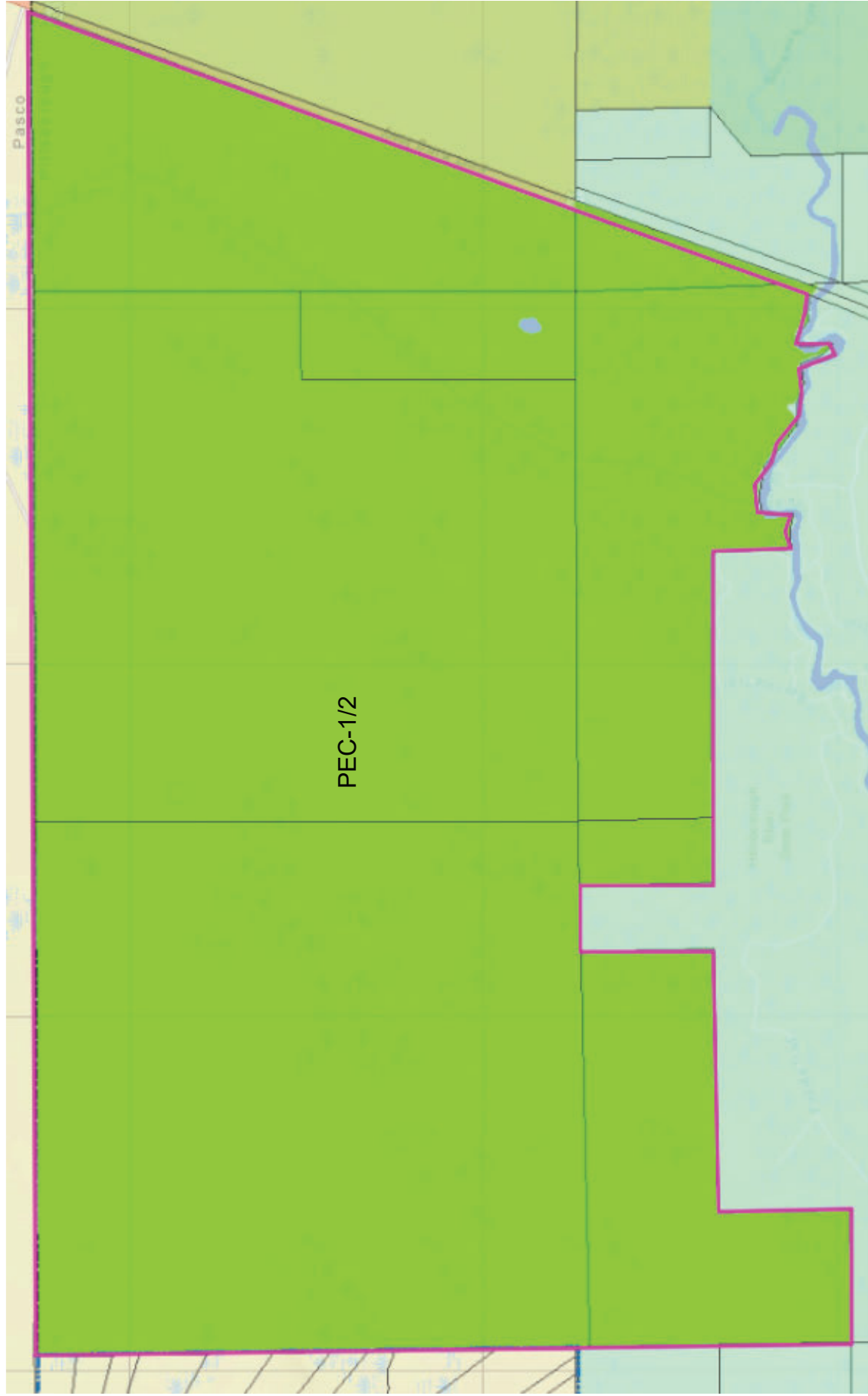




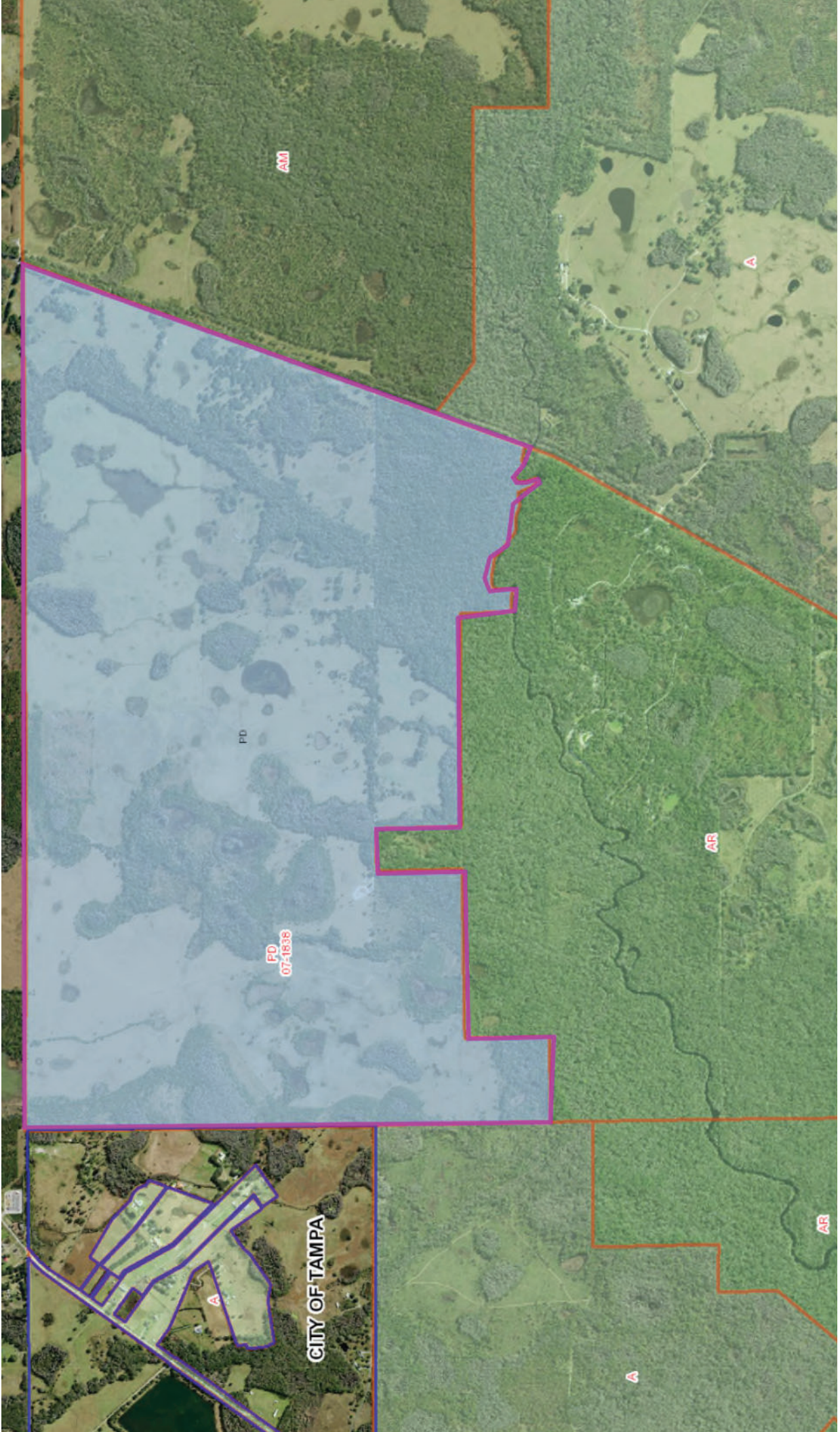
Future Land Use Map - Site outlined in pink



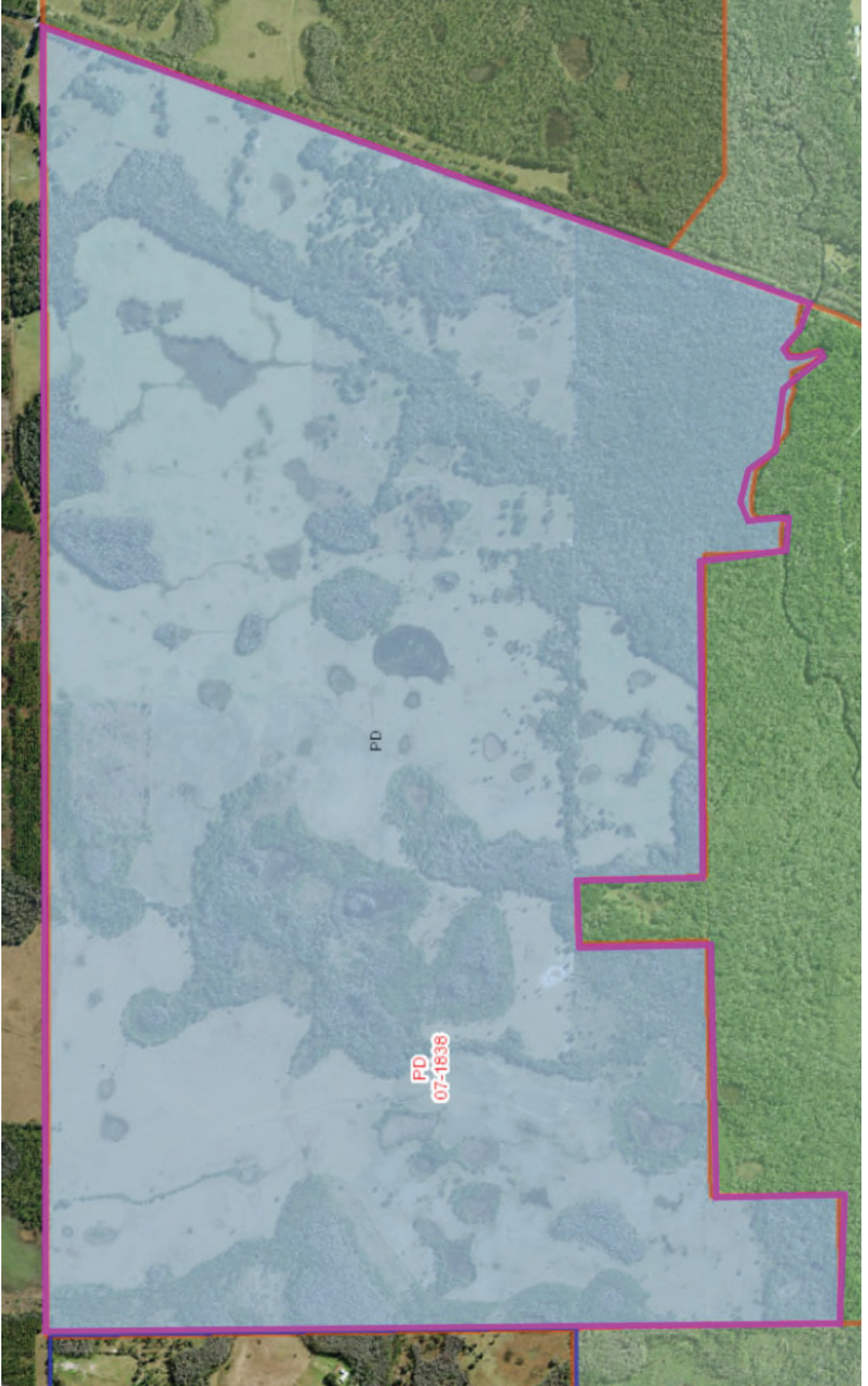
Future Land Use Map - Site outlined in pink



Zoning Map - Site outlined in pink



Zoning Map - Site outlined in pink



View of Folio 079974-0000 from US Hwy 301



View of Folio 079981-0010 from US Hwy 301



View of Folio 079981-0010 from US Hwy 301



View of Folio 079962-0000 from US Hwy 301



View of Folio 079962-0000 from US Hwy 301



View of Folios 079970-0000 and 079967-0000



View of Folios 079965.0000, 079966-0000, and 079962-0000



View of Folios 079974-0000 and 079981-0010



Hillsborough
River Rapids