



# Hillsborough County Florida

## STAFF REPORT

|                                    |                                      |  |                      |
|------------------------------------|--------------------------------------|--|----------------------|
| <b>SUBJECT:</b>                    | MM 20-0801                           | <b>PLANNING AREA:</b>                        | Little Manatee South |
| <b>REQUEST:</b>                    | Major Modification to an Approved PD | <b>SECTOR</b>                                | South                |
| <b>APPLICANT:</b>                  | Tampa Electric Company               |  |                      |
| <b>Existing Zoning: PD 07-1903</b> |                                      | <b>Comp Plan Category: RES-2, RES-1, A/R</b> |                      |



**Project Location Map**  
**MM 20-0801**  
 Folio: 32817.0300 + Multiple

Application Site  
 Parcels

0 300 1,200 Feet

STR: 19-32-19, 30-32-19,  
 25-32-18

NOTE: These materials are for informational purposes only and do not constitute an offer of insurance. The applicant is responsible for obtaining the necessary insurance coverage. This map is provided for informational purposes only and does not constitute an offer of insurance. The applicant is responsible for obtaining the necessary insurance coverage. This map is provided for informational purposes only and does not constitute an offer of insurance. The applicant is responsible for obtaining the necessary insurance coverage.

Date: 10/1/2020 File: C:\ZONING\GIS\MapData.aprx

## **Application Review Summary and Recommendation**

### **1.0 Summary**

#### **1.1 Project Narrative**

The applicant is requesting to major modification to the approved Planned Development (PD) located on the north and south sides of Stevens Road to allow the following:

- To remove the area within the PD south of Stephens Road from the PD zoning. No changes are proposed to the portion of the PD north of Stevens Road.

The applicant has submitted a revised General Site plan to reflect the requested changes and the conditions of approval have been updated accordingly. A companion standard rezoning, RZ 20-1171, is scheduled to move concurrently with the proposed rezoning to rezone the area being removed from the PD to AR (Agricultural Rural).

## 1.2 Compliance Overview with Land Development Code and Technical Manuals

The applicant has not requested any variations to Land Development Code Parts 6.05.00 (Parking/Loading), 6.06.00 (Landscaping/Buffering) or 6.07.00 (Fences/Walls).

## 1.3 Analysis of Recommended Conditions

Conditions pertaining to the south side of Stephens Road have been removed. Environmental Protection Commission staff proposed three conditions which have been included in the proposed conditions of approval.

## 1.4 Evaluation of Existing and Planned Public Facilities

### *Utilities*

This site is located outside of the Hillsborough County Urban Service Area, therefore Hillsborough County Water and/or Wastewater Service will not be available to serve the subject property. If the applicant feels that the proposed development is located within the County Urban Service Area and can provide verification then it is possible that Hillsborough County Water and Wastewater Service could be provided.

### *Transportation*

As the applicant is proposing to remove land area thus reducing the intensity of the approved PD< there would be a significant decrease in trips generated from the approved use. Stephens Road is a substandard collector roadway; however, by policy of the County Engineer projects generating 10 or fewer total peak hour trips are considered de minimis. As such, no improvements to Stephens Road would be required as a result of this request. Stephens Road is not considered a major county or state roadway and is not included in the 2019 Hillsborough County Level of Service (LOS) report. Transportation Review Section staff has no objection to the proposed rezoning.

## 1.6 Comprehensive Plan Consistency

Planning Commission staff has found the proposed planned development **CONSISTENT** with the Future of Hillsborough Comprehensive Plan, subject to conditions proposed by the Development Services Department.

## 1.7 Compatibility

The surrounding area is a mixture of single-family residential developments and agricultural areas.

Adjacent zoning and uses are as follows:

| <b>LOCATION</b> | <b>ZONING</b> | <b>USE / APPROVED FOR</b> |
|-----------------|---------------|---------------------------|
| North           | PD            | Mobile home park          |
| South           | AR            | Agriculture               |
| East            | AR            | Agriculture               |
| West            | AR            | Agriculture               |



Figure 2- Surrounding Area Development Pattern

The area south of Stephens Road will be removed from the subject PD and rezoned to AR zoning as it was zoned prior to the 2003 and 2007 PD rezonings. Staff finds the request compatible with the surrounding development pattern and recommends approval, with conditions.

### 1.8 Agency Comments

The following agencies have reviewed the request and offer no objections:

- Environmental Protection Commission, subject to conditions
- Conservation and Environmental Lands Management
- Streets and Addresses
- Water Resource Services
- Impact and Mobility Fee Coordinator

### 1.9 Exhibits

Exhibit 1: Area Zoning Map

Exhibit 2: Immediate Zoning Map

Exhibit 3: Future Land Use Map

Exhibit 4: Existing Site Plan (PD 07-1903)

Exhibit 5: Proposed Site Plan (MM 20-0801)

## 2.0 Recommendation

Approvable, subject to the following conditions:

### Prior to Certification:

1. The small arrows identified as “Existing Access” on the site plan shall be labeled as “Adjacent Property Access.” Additionally, the applicant shall relocate such “Adjacent Property Access” arrows such that access points not related to the subject PD are not shown as crossing the PD boundary.
2. In the legend, modify the label reading “Potential Vehicular Access” to “Proposed Access”.

## CONDITIONS

**Approval** - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted ~~March 7, 2008~~ October 27, 2020.

1. Maximum development entitlement shall be ~~234~~ 72 single-family detached units.

~~72 single-family detached units at a density of 2 units per acre~~

- Minimum Front Setback: 25 feet
- Minimum Side Setback: 10 feet
- Minimum Rear Setback: 25 feet
- Maximum Building Height: 35 feet (or 2 stories)
- Minimum Lot Size 21,780 feet
- Minimum Lot Width 100 feet

~~137 single-family detached units at a density of 1 unit per acre~~

- ~~Minimum Front Setback: 25 feet~~
- ~~Minimum Side Setback: 10 feet~~
- ~~Minimum Rear Setback: 25 feet~~
- ~~Maximum Building Height: 35 feet (or 2 stories)~~
- ~~Minimum Lot Size 21,780 feet~~
- ~~Minimum Lot Width 100 feet~~

~~25 single-family detached units at a density of 1 unit per 5 acres~~

- ~~Minimum Front Setback: 25 feet~~
- ~~Minimum Side Setback: 10 feet~~
- ~~Minimum Rear Setback: 25 feet~~
- ~~Maximum Building Height: 35 feet (or 2 stories)~~
- ~~Minimum Lot Size 21,780 feet~~
- ~~Minimum Lot Width 100 feet~~

~~Along the western and southern boundary south of Stevens Road the applicant shall provide a minimum lot width of 125 feet. And along the eastern boundary south of the proposed recreation area the applicant shall provide a minimum lot width of 125 feet.~~

2. The subject property shall be subject to buffering and screening requirements of Section 6.06.06 of the Hillsborough County Land Development Code.
  - ~~• The applicant shall provide 18.92 acres of open space/recreation areas~~
  - The applicant shall provide an interconnected 5 foot wide system of unpaved trails along internal roadways, stormwater retention ponds and wetlands (subject to EPC and Natural Resource staff review and approval) that also connect to the required open space/recreation areas
3. The type, location, size and number of signs permitted shall be as set forth in Part 7.03.00 of the Land Development Code with the following exception(s):
  - 3.1 Ground Signs shall be limited to Monument Signs.
  - 3.2 Billboards, pennants and banners shall be prohibited.
4. Approval of this application does not ensure that water will be available at the time when the applicant seeks permits to actually develop.

A performance based septic system (as defined in 64E-6.025 (10) F.A.C. which is environmentally sensitive) shall be installed according to requirements of F.S. 381-0065.
5. The stormwater management system shall be designed and constructed in such a manner so as to not adversely impact off-site surface and groundwater elevations.
6. The project may be permitted a maximum of ~~234~~ 72 single-family dwelling units, subject to formal delineation of on-site conservation areas, preservation areas and water bodies and final calculation of maximum density permitted by the Comprehensive Plan in accordance with the Environmentally Sensitive Lands Credits requirement of the Comprehensive Plan. If the maximum number of units for the project as permitted herein exceeds the maximum density permitted by the Comprehensive Plan, per the Environmentally Sensitive Lands Credits requirement, the number of dwelling units allowed in the project shall decrease as necessary to conform to the Comprehensive Plan.
7. An evaluation of the property identified a number of significantly mature trees. The stature of these trees would warrant every effort to minimize their removal. The applicant is encouraged prior to submittal of preliminary plans through the Land Development Code's Site Development or Subdivision process to consult with staff of the Natural Resource Unit for design input addressing these trees
8. During an evaluation of the property two individual American kestrels were observed


foraging on the property referenced in the zoning application. A breeding season survey (April – August) to confirm the presence or non-presence of the threatened Southeastern American kestrel subspecies (*Falco sparverius paulus*) must be conducted in accordance to Stys 1993 Florida Fish and Wildlife Commission’s technical report. In addition, based on the current land use and soils occurrence this property has the potential to support other listed animal species that may reside on-site or have restricted activity zones throughout the property. Pursuant to the Land Development Code (LDC), a wildlife survey of any endangered, threatened or species of special concern in accordance with the FFWCC Wildlife Methodology Guidelines shall be required. These surveys must be provided upon submittal of the preliminary plans through the LDC Site Development or Subdivision process. Essential Wildlife Habitat as defined by the LDC must be addressed, if applicable, in consideration with the overall boundaries of this rezoning request.

9. Approval of this rezoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands, and does not grant any implied or vested right to environmental approvals.
10. General building areas, stormwater retention areas, floodplain compensation areas and roadways shall be designed and located as necessary to comply with Chapter 1-11, Wetlands, Rule of the EPC. The construction and location of any proposed wetland impacts are not approved by this rezoning, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
11. Prior to the issuance of any building or land alteration permits or other development, the approved wetland/other surface water (OSW) line must be incorporated into the site plan. The wetland/OSW line must appear on all site plans, labeled as “EPC Wetland Line”, and the wetland must be labeled as “Wetland Conservation Area” pursuant to the Hillsborough County Land Development Code (LDC).
12. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
143. The developer shall construct an eastbound left turn lane and an eastbound right turn lane into the project's driveways. If it is determined by the results of any subsequent analysis submitted by the developer, that adequate right-of-way does not exist to construct any needed improvements (i.e. turn lanes), then the developer shall re-submit an analysis showing alternative improvements for the safe operation of the project and the adjacent street traffic.
124. Cross access shall be provided to the west.
135. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions

and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.

14-6. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

~~15. Effective as of February 1, 1990, this development order/permit shall meet the concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities at the time of application for subsequent development orders or permits to allow issuance of such development orders or permits.~~




|  |   |
|--|---|
| <b>Staff's Recommendation: Approvable, Subject to Conditions</b> |   |
| Zoning<br>Administrator<br>Sign-off:                             | <br>J. Brian Grady<br>Wed Dec 2 2020 09:11:04 |

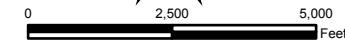


# General Aerial Zoning Map

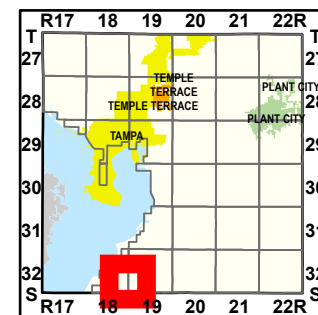
## MM 20-0801

Folio: 32817.0300 + Multiple

-  Application Site
-  Zoning Boundary
-  Parcels



STR: 19-32-19, 30-32-19, 25-32-18



NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map.

THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

SOURCE: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other public records; it has been based on BEST AVAILABLE data.




Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

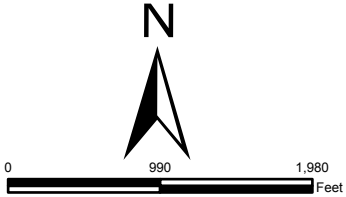


**Immediate Aerial  
Zoning Map**

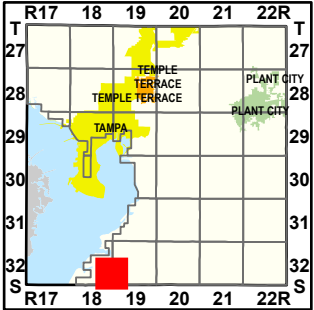
**MM 20-0801**

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-  Application Site
-  Zoning Boundary
-  Parcels



STR: 19-32-19, 30-32-19,  
25-32-18

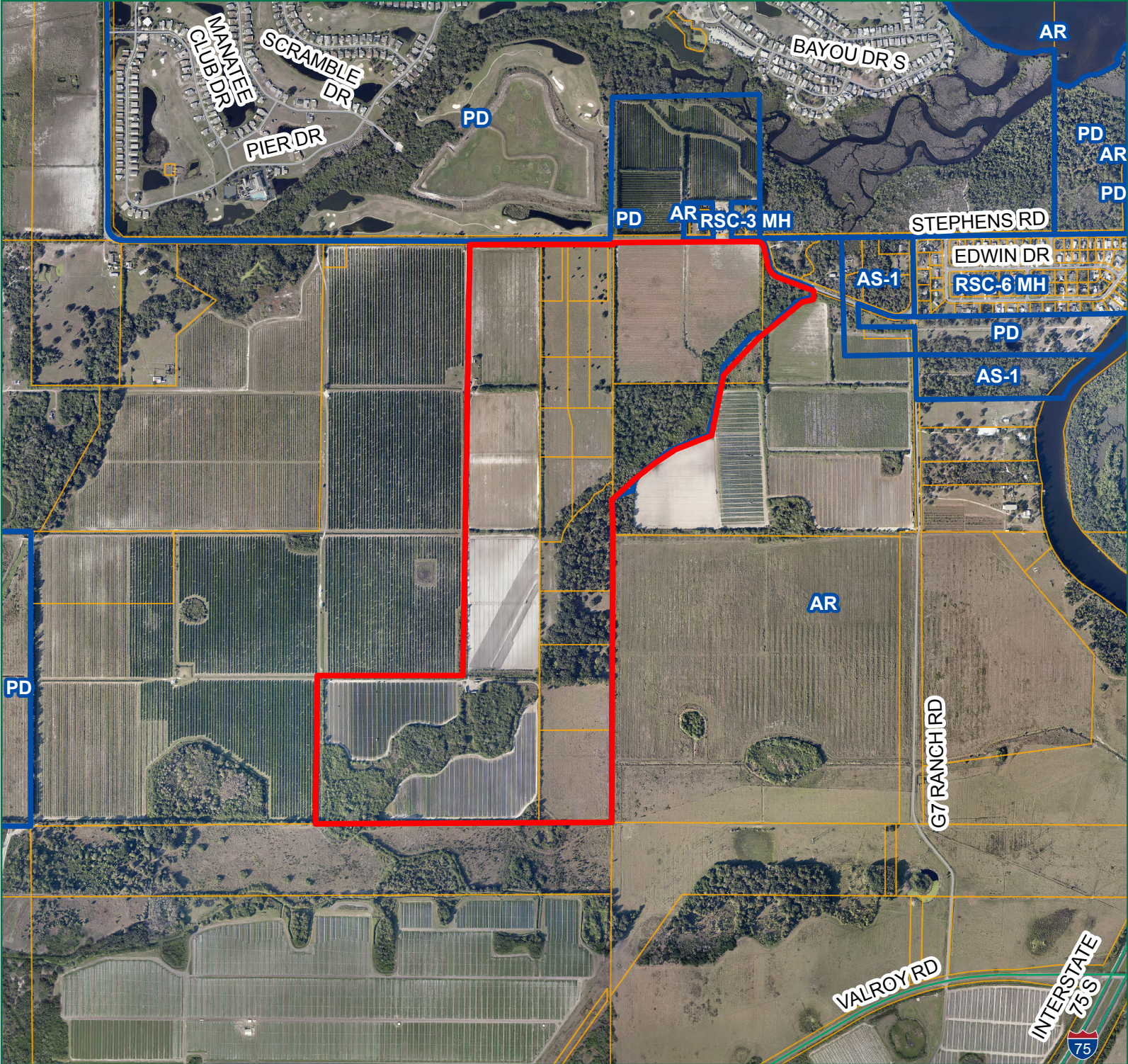


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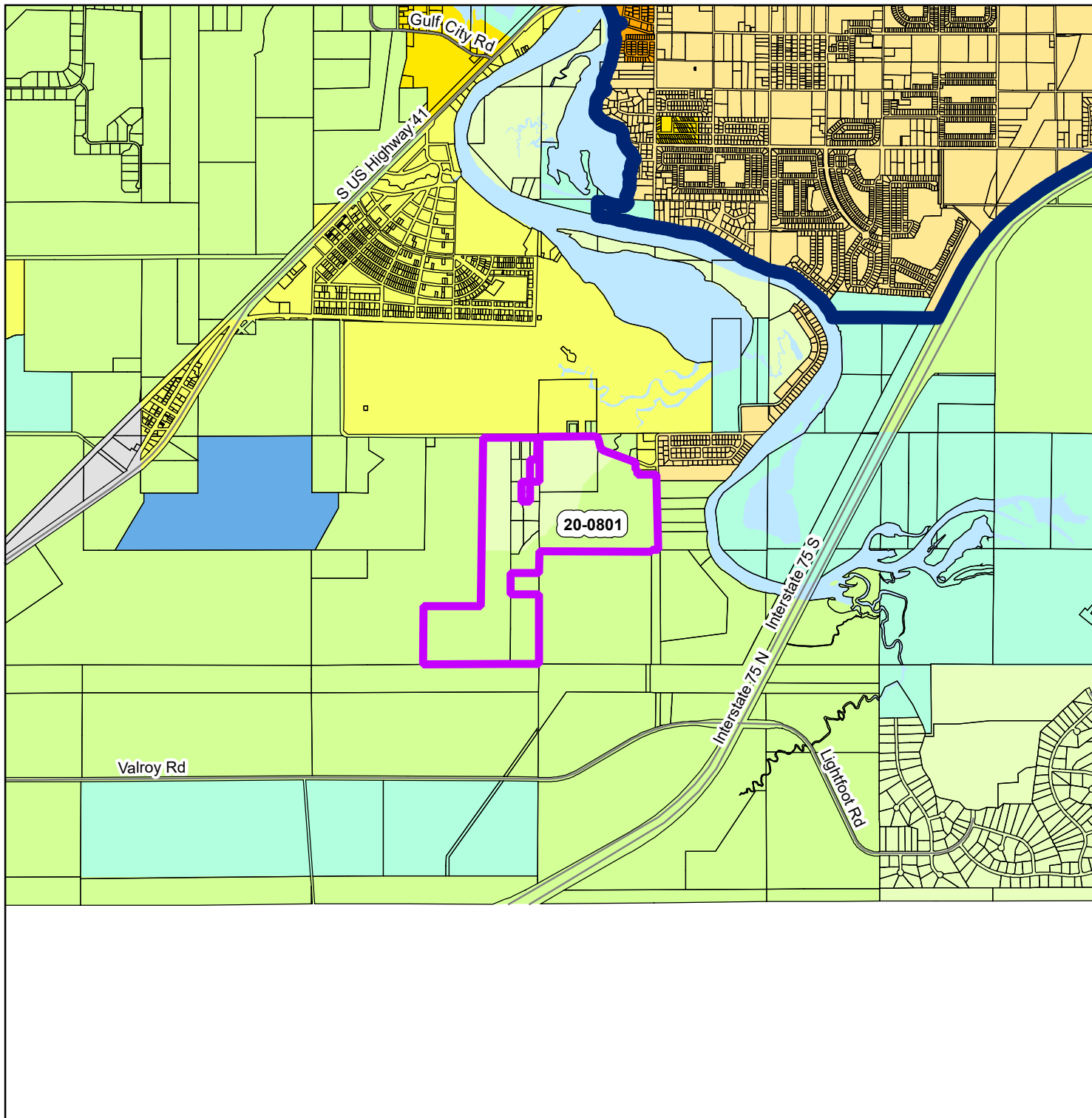
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# HILLSBOROUGH COUNTY 2019 AERIAL RZ MM 20-0801

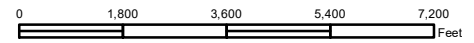


- Rezoning**
- <all other values>
- STATUS**
- APPROVED
  - CONTINUED
  - DENIED
  - WITHDRAWN
  - PENDING
- Tampa Service Area
  - Urban Service Area
  - Shoreline
  - County Boundary
  - Jurisdiction Boundary
  - Major Roads
  - Parcels
  - AGRICULTURAL/MINING-1/20 (.25 FAR)
  - PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
  - AGRICULTURAL-1/10 (.25 FAR)
  - AGRICULTURAL/RURAL-1/5 (.25 FAR)
  - AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
  - RESIDENTIAL-1 (.25 FAR)
  - RESIDENTIAL-2 (.25 FAR)
  - RESIDENTIAL PLANNED-2 (.35 FAR)
  - RESIDENTIAL-4 (.25 FAR)
  - RESIDENTIAL-6 (.25 FAR)
  - RESIDENTIAL-9 (.35 FAR)
  - RESIDENTIAL-12 (.35 FAR)
  - RESIDENTIAL-16 (.35 FAR)
  - RESIDENTIAL-20 (.35 FAR)
  - RESIDENTIAL-35 (1.0 FAR)
  - NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
  - SUBURBAN MIXED USE-6 (.35 FAR)
  - COMMUNITY MIXED USE-12 (.50 FAR)
  - URBAN MIXED USE-20 (1.0 FAR)
  - REGIONAL MIXED USE-35 (2.0 FAR)
  - OC-20
  - RESEARCH CORPORATE PARK (1.0 FAR)
  - ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
  - LIGHT INDUSTRIAL PLANNED (.50 FAR)
  - LIGHT INDUSTRIAL (.50 FAR)
  - HEAVY INDUSTRIAL (.50 FAR)
  - PUBLIC/QUASI-PUBLIC
  - NATURAL PRESERVATION
  - WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
  - CITRUS PARK VILLAGE
  - WATER

DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser.

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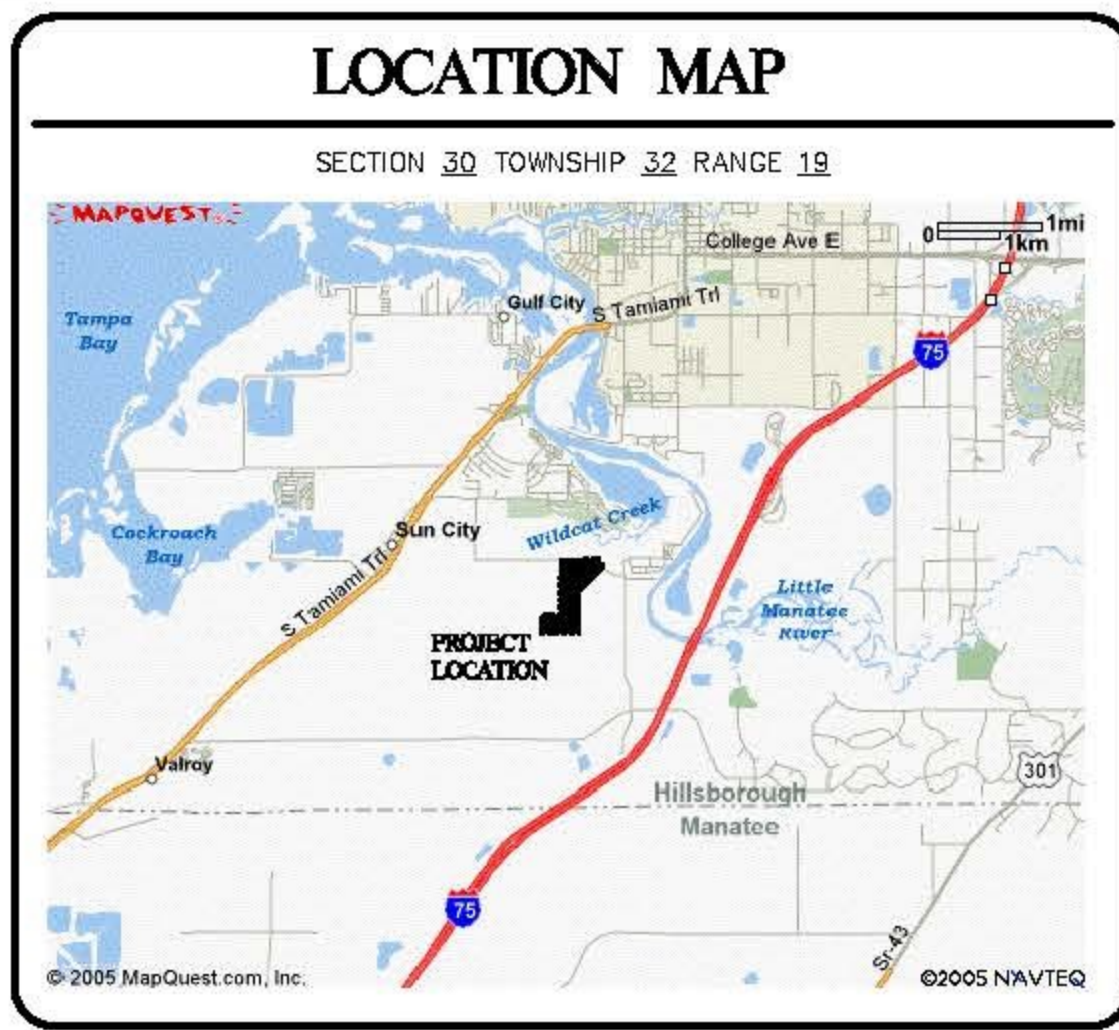
ACCURACY: It is intended that the accuracy of the base map comply with U.S. national map accuracy standards. However, such accuracy is not guaranteed by the Hillsborough County City-County Planning Commission. This map is for illustrative purposes only. For the most current data and information, see the appropriate source.



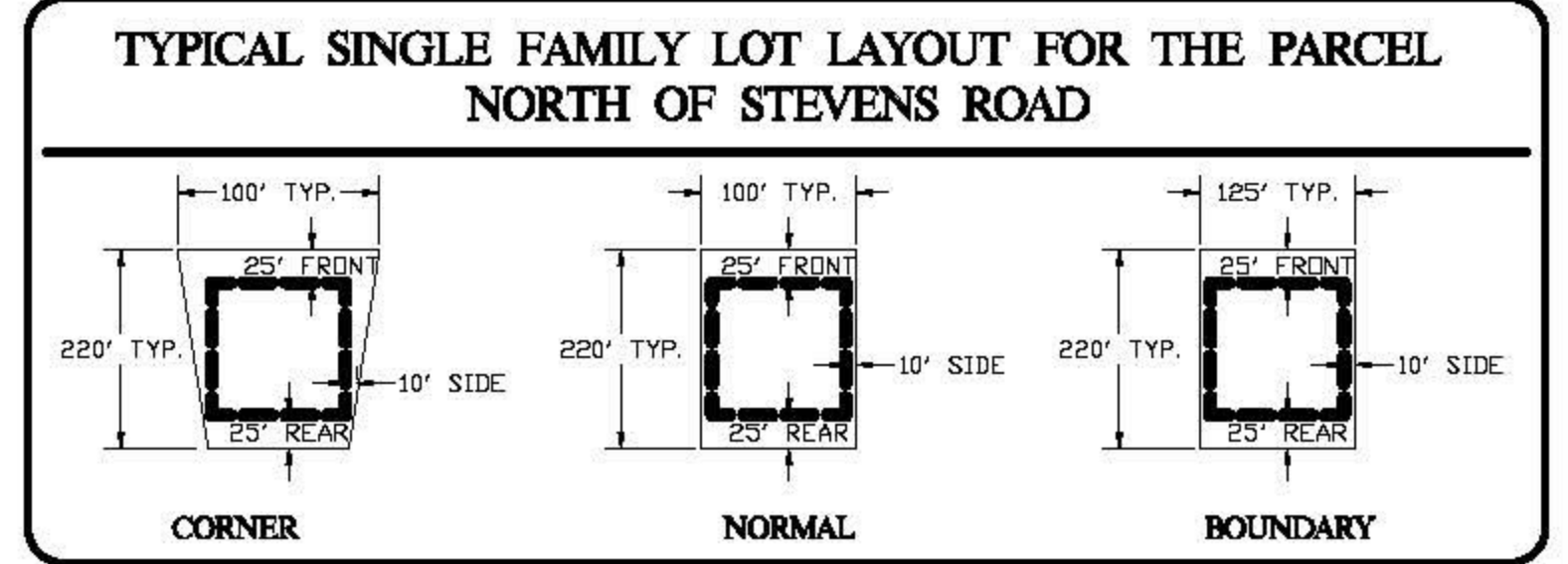
Map Printed from Rezoning System: 4/27/2020  
 Author: Beverly F. Daniels  
 File: G:\RezoningSystem\MapProjects\HC\Greg\_hcRezoning.mxd



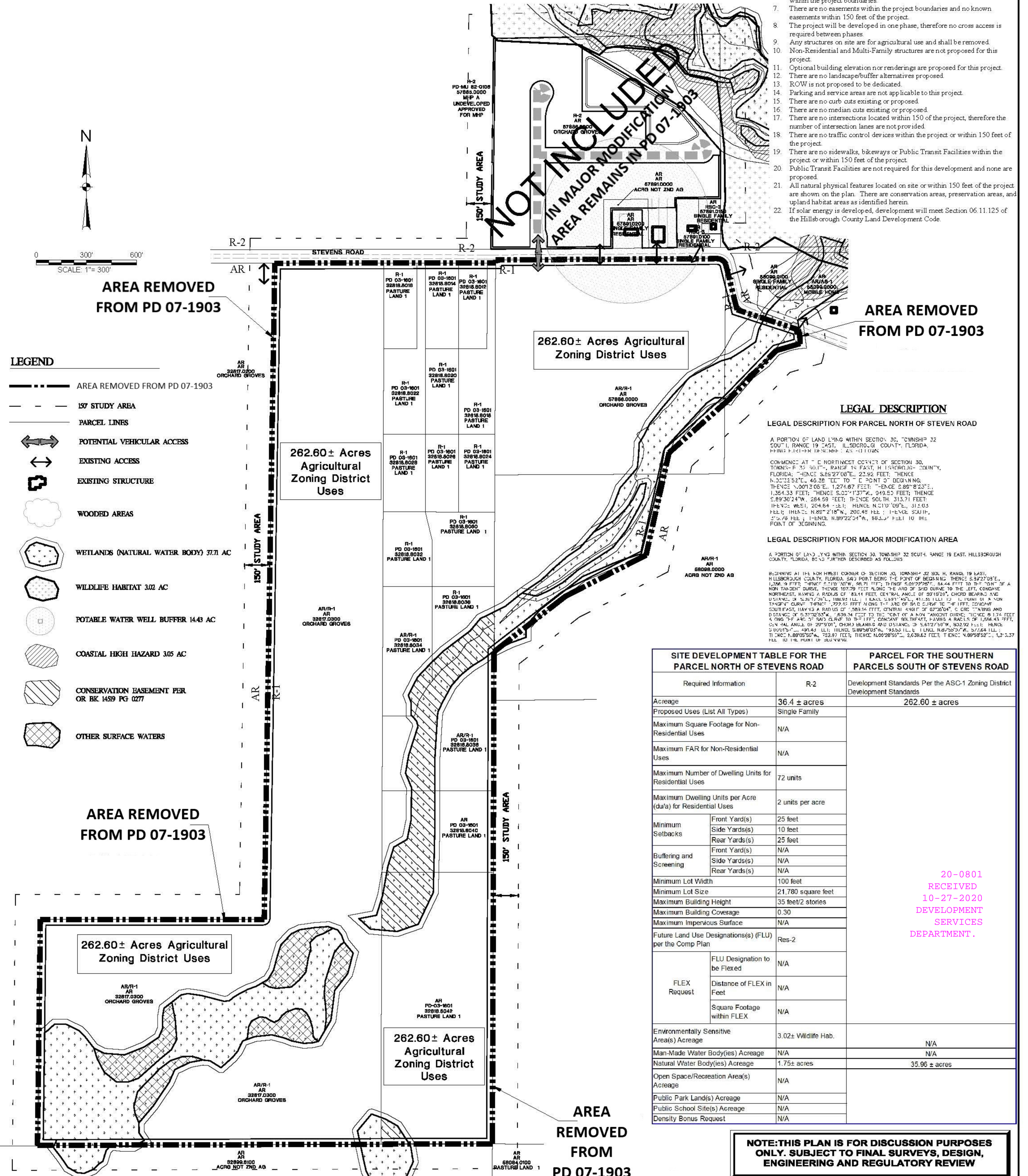
June 2, 2020 (174644 EST)  
 I:\38898\38898\PROJECTS\001\CADD\SHEETS\PA\38898-001 ZONING PLAN OPTION 2.DWG



| PROJECT SUMMARY TABLE                                     |  |
|---|--|
| Required Information                                      | Project Data   |
| Gross Acreage for Planned Development:                    | 299.05 ± acres   |
| Gross Acreage for Major Modification:                     | 262.60 ± acres   |
| Existing Zoning District(s):                              | PD 07-1903   |
| Future Land Use Designation(s) of the Comprehensive Plan: | Res-1 and A/R  |
| Community Plan:   | Little Manatee South                                       |
| Existing Use(s):  | Agriculture/Vacant, Approved for Single Family Residential |
| Proposed Use(s):  | Agricultural Zoning District Uses                          |
| Type of Water and Wastewater Service Utilized by Project: | Private Water and Sewer                                    |



- Notes
- The site is located within an Overlay District (Little Manatee South).
  - A portion of the site is located within the Coastal High Hazard Area and a Potable Water Wellfield Protection Area exists on site. Both of these Special Zones are delineated on the Site Plan.
  - There are no Designated Scenic Roadway corridors within or adjacent to the project.
  - There are no historic landmarks nor other historical or archaeological sites or structures within the project boundaries or within 150 feet of the project.
  - A plat exists within the project boundaries EB 102 PG 208. This plat consists of those properties labeled on the site plan as PD 03-1601. No other plats exist within 150 feet of the project.
  - There are no existing Rights of Way as defined in Section 12 of the LDC within the project boundaries.
  - There are no easements within the project boundaries and no known easements within 150 feet of the project.
  - The project will be developed in one phase, therefore no cross access is required between phases.
  - Any structures on site are for agricultural use and shall be removed.
  - Non-Residential and Multi-Family structures are not proposed for this project.
  - Optional building elevation nor renderings are proposed for this project.
  - There are no landscape/buffer alternatives proposed.
  - ROW is not proposed to be dedicated.
  - Parking and service areas are not applicable to this project.
  - There are no curb cuts existing or proposed.
  - There are no median cuts existing or proposed.
  - There are no intersections located within 150 feet of the project, therefore the number of intersection lanes are not provided.
  - There are no traffic control devices within the project or within 150 feet of the project.
  - There are no sidewalks, bikeways or Public Transit Facilities within the project or within 150 feet of the project.
  - Public Transit Facilities are not required for this development and none are proposed.
  - All natural physical features located on site or within 150 feet of the project are shown on the plan. There are conservation areas, preservation areas, and upland habitat areas as identified herein.
  - If solar energy is developed, development will meet Section 06.11.125 of the Hillsborough County Land Development Code.



**LEGEND**

- AREA REMOVED FROM PD 07-1903
- 150' STUDY AREA
- PARCEL LINES
- POTENTIAL VEHICULAR ACCESS
- EXISTING ACCESS
- EXISTING STRUCTURE
- WOODED AREAS
- WETLANDS (NATURAL WATER BODY) 37.1 AC
- WILDLIFE HABITAT 302 AC
- POTABLE WATER WELL BUFFER 14.3 AC
- COASTAL HIGH HAZARD 3.05 AC
- CONSERVATION EASEMENT PER OR BK 1459 PG 0277
- OTHER SURFACE WATERS

**LEGAL DESCRIPTION**

**LEGAL DESCRIPTION FOR PARCEL NORTH OF STEVEN ROAD**

A PORTION OF LAND LING WITHIN SECTION 30, TOWNSHIP 32 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, COMMENCING AT THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 32 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, THENCE S.65°27'08" E, 23.92 FEET, THENCE N.32°25'21" E, 40.55 FEET, TO THE POINT OF BEGINNING, THENCE S.00°00'00" E, 11271.67 FEET, THENCE S.89°42'31" E, 1364.33 FEET, THENCE S.20°13'37" W, 049.52 FEET, THENCE S.89°30'24" W, 264.59 FEET, THENCE SOUTH, 313.71 FEET, THENCE WEST, 204.64 FEET, THENCE N.03°10'00" E, 314.02 FEET, THENCE N.88°21'18" W, 200.48 FEET, THENCE SOUTH, 574.28 FEET, THENCE N.89°22'54" W, 884.27 FEET TO THE POINT OF BEGINNING.

**LEGAL DESCRIPTION FOR MAJOR MODIFICATION AREA**

A PORTION OF LAND LING WITHIN SECTION 30, TOWNSHIP 32 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NON-HUBBIS CORNER OF SECTION 30, TOWNSHIP 32 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING, THENCE S.87°27'08" E, 108.9 FEET, THENCE S.11°10'10" W, 88.71 FEET, THENCE S.89°29'25" E, 34.44 FEET TO THE POINT OF A NON-TANGENT CURVE, THENCE 107.79 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, CONTOUR NORTHWEST, HAVING A RADIUS OF 434.4 FEET, CENTRAL ANGLE OF 89°02'00", CHORD BEARING AND DISTANCE S.87°27'08" E, 108.9 FEET, THENCE S.89°29'25" E, 34.44 FEET TO THE POINT OF A NON-TANGENT CURVE, THENCE 107.79 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, CONTOUR SOUTHWEST, HAVING A RADIUS OF 434.4 FEET, CENTRAL ANGLE OF 89°02'00", CHORD BEARING AND DISTANCE S.11°10'10" W, 88.71 FEET, THENCE S.11°10'10" W, 88.71 FEET, THENCE S.87°27'08" E, 108.9 FEET TO THE POINT OF BEGINNING, THENCE N.89°22'54" W, 884.27 FEET, THENCE N.89°22'54" W, 1,1271.67 FEET TO THE POINT OF BEGINNING.

| SITE DEVELOPMENT TABLE FOR THE PARCEL NORTH OF STEVENS ROAD |  | PARCEL FOR THE SOUTHERN PARCELS SOUTH OF STEVENS ROAD                     |
|---|--|---|
| Required Information  | R-2  | Development Standards Per the ASC-1 Zoning District Development Standards |
| Acreage   | 36.4 ± acres   | 262.60 ± acres  |
| Proposed Uses (List All Types)                              | Single Family  |   |
| Maximum Square Footage for Non-Residential Uses             | N/A  |   |
| Maximum FAR for Non-Residential Uses                        | N/A  |   |
| Maximum Number of Dwelling Units for Residential Uses       | 72 units   |   |
| Maximum Dwelling Units per Acre (du/a) for Residential Uses | 2 units per acre   |   |
| Minimum Setbacks  | Front Yard(s) 25 feet<br>Side Yard(s) 10 feet<br>Rear Yard(s) 25 feet                              |   |
| Buffering and Screening                                     | Front Yard(s) N/A<br>Side Yard(s) N/A<br>Rear Yard(s) N/A  |   |
| Minimum Lot Width   | 100 feet   |   |
| Minimum Lot Size  | 21,780 square feet   |   |
| Maximum Building Height                                     | 35 feet/2 stories  |   |
| Maximum Building Coverage                                   | 0.30   |   |
| Maximum Impervious Surface                                  | N/A  |   |
| Future Land Use Designation(s) (FLU) per the Comp Plan      | Res-2  |   |
| FLEX Request  | FLU Designation to be Flexed N/A<br>Distance of FLEX in Feet N/A<br>Square Footage within FLEX N/A |   |
| Environmentally Sensitive Area(s) Acreage                   | 3.02± Wildlife Hab.  |   |
| Man-Made Water Body(ies) Acreage                            | N/A  | N/A   |
| Natural Water Body(ies) Acreage                             | 1.75± acres  | 35.96 ± acres   |
| Open Space/Recreation Area(s) Acreage                       | N/A  |   |
| Public Park Land(s) Acreage                                 | N/A  |   |
| Public School Site(s) Acreage                               | N/A  |   |
| Density Bonus Request                                       | N/A  |   |

**NOTE: THIS PLAN IS FOR DISCUSSION PURPOSES ONLY. SUBJECT TO FINAL SURVEYS, DESIGN, ENGINEERING AND REGULATORY REVIEW.**

|                               |  |  |   |  |
|-------------------------------|--|--|---|--|
| SHEET NUMBER<br><b>2 of 2</b> | SHEET TITLE<br><b>ZONING PLAN OPTION 2</b> | SEAL   | <p>1000 N. ASHLEY DRIVE, SUITE 900, TAMPA, FLORIDA USA 33602<br/>                 Phone 813.620.4500, Fax 813.620.4980 www.Halff.com FL CA 33380 FL LC 26000645</p> | NO. DATE DESCRIPTION<br>DESIGNED BY: IA<br>CHECKED BY: IA<br>DRAWN BY: JHM<br>SCALED: AS SHOWN<br>PROJECT NUMBER: 38898.001<br>PRINT DATE: JUNE 2020 |
|                               | PROJECT NAME<br><b>WINDING CREEK</b>       | PREPARED FOR<br><b>Dooley Groves</b><br>1651 Stephens Road, Sun City, FL 33586 |   |  |

**COUNTY OF HILLSBOROUGH  
LAND USE HEARING OFFICER'S RECOMMENDATION**

|                                     |  |
|-------------------------------------|--|
| <b>Application number:</b>          | MM 20-0801   |
| <b>Hearing date:</b>                | December 14, 2020  |
| <b>Applicant:</b>                   | Tampa Electric Company   |
| <b>Request:</b>                     | Major modification Planned Development 07-1903 to remove the area south of Stephens Road from the PD zoning. |
| <b>Location:</b>                    | South side of Stephens Road, west of I-75 and west of G-Seven Ranch Road, east of US Highway 41              |
| <b>Parcel size:</b>                 | 262 +/- acres  |
| <b>Existing zoning:</b>             | PD 07-1903   |
| <b>Future land use designation:</b> | Agricultural/Rural 1-5 (0.25 FAR) and Residential-1 (0.25 FAR)   |
| <b>Service area:</b>                | Rural  |
| <b>Community planning area:</b>     | Southshore, Little Manatee South   |

## **A. APPLICATION REVIEW**

### **DEVELOPMENT SERVICES STAFF REPORT APPLICATION REVIEW SUMMARY AND RECOMMENDATION**

#### **1.0 SUMMARY**

##### **1.1 Project Narrative**

The applicant is requesting to major modification to the approved Planned Development (PD) located on the north and south sides of Stevens Road to allow the following:

- To remove the area within the PD south of Stephens Road from the PD zoning. No changes are proposed to the portion of the PD north of Stevens Road.

The applicant has submitted a revised General Site plan to reflect the requested changes and the conditions of approval have been updated accordingly. A companion standard rezoning, RZ 20-1171, is scheduled to move concurrently with the proposed rezoning to rezone the area being removed from the PD to AR (Agricultural Rural).

##### **1.2 Compliance Overview with Land Development Code and Technical Manuals**

The applicant has not requested any variations to Land Development Code Parts 6.05.00 (Parking/Loading), 6.06.00 (Landscaping/Buffering) or 6.07.00 (Fences/Walls).

##### **1.3 Analysis of Recommended Conditions**

Conditions pertaining to the south side of Stephens Road have been removed. Environmental Protection Commission staff proposed three conditions which have been included in the proposed conditions of approval.

##### **1.4 Evaluation of Existing and Planned Public Facilities**

###### *Utilities*

This site is located outside of the Hillsborough County Urban Service Area, therefore Hillsborough County Water and/or Wastewater Service will not be available to serve the subject property. If the applicant feels that the proposed development is located within the County Urban Service Area and can provide verification then it is possible that Hillsborough County Water and Wastewater Service could be provided.

###### *Transportation*

As the applicant is proposing to remove land area thus reducing the intensity of the approved PD there would be a significant decrease in trips generated from the approved use. Stephens Road is a substandard collector roadway;

however, by policy of the County Engineer projects generating 10 or fewer total peak hour trips are considered de minimis. As such, no improvements to Stephens Road would be required as a result of this request. Stephens Road is not considered a major county or state roadway and is not included in the 2019 Hillsborough County Level of Service (LOS) report. Transportation Review Section staff has no objection to the proposed rezoning.

**1.6 Comprehensive Plan Consistency<sup>1</sup>**

Planning Commission staff has found the proposed planned development **CONSISTENT** with the Future of Hillsborough Comprehensive Plan, subject to conditions proposed by the Development Services Department.

**1.7 Compatibility**

The surrounding area is a mixture of single-family residential developments and agricultural areas.

Adjacent zoning and uses are as follows:

| LOCATION | ZONING | USE / APPROVED FOR |
|----------|--------|--------------------|
| North    | PD     | Mobile home park   |
| South    | AR     | Agriculture        |
| East     | AR     | Agriculture        |
| West     | AR     | Agriculture        |



Figure 2 – Surrounding Area Development Plan

<sup>1</sup> There is no paragraph numbered 1.5 in the Development Services Staff Report.



The area south of Stephens Road will be removed from the subject PD and rezoned to AR zoning as it was zoned prior to the 2003 and 2007 PD rezonings. Staff finds the request compatible with the surrounding development pattern and recommends approval, with conditions.

### **1.8 Agency Comments**

The following agencies have reviewed the application and offer no objections:

- Environmental Protection Commission, subject to conditions
- Conservation and Environmental Lands Management
- Streets and Addresses
- Water Resource Services
- Impact and Mobility Fee Coordinator

### **1.9 Exhibits**

Exhibit 1: Area Zoning Map

Exhibit 2: Immediate Zoning Map

Exhibit 3: Future Land Use Map

Exhibit 4: Existing Site Plan (PD 07-1903)

Exhibit 5: Proposed Site Plan (MM 20-0801)

### **2.0 Recommendation**

Approvable, subject to conditions:

#### Prior to Certification:

1. The small arrows identified as “Existing Access” on the site plan shall be labeled as “Adjacent Property Access.” Additionally, the applicant shall relocate such “Adjacent Property Access” arrows such that access points not related to the subject PD are not shown as crossing the PD boundary.
2. In the legend, modify the label reading “Potential Vehicular Access” to “Proposed Access”.

## **B. HEARING SUMMARY**

This case was heard by the Hillsborough County Land Use Hearing Officer on December 14, 2020. Mr. Brian Grady of the Hillsborough County Development Services Department Introduced the petition.

### **Applicant**

Ms. Kristin Mora spoke on behalf of applicant Tampa Electric Company. She stated the request is to remove from the Planned Development zoning the property located on the south side of Stephens Road in order to rezone it to Agricultural. She stated the property located on the north side of Stephens Road that is within the Planned Development will not be impacted and only the property on the south is being removed from the PD.

### **Development Services Department**

Ms. Colleen Marshall, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted into the record. Ms. Marshall stated this is the companion modification to Rezoning 20-1171, which is item C-1 on the agenda. She stated no changes are proposed to the portion of the PD north of Stephens Road. She stated no agency objections were received, and staff recommends approval.

### **Planning Commission**

Ms. Yeneka Mills, Hillsborough County City-County Planning Commission, presented a summary of the findings and analysis as detailed in the Planning Commission report previously submitted into the record. Ms. Mills stated the major modification request is consistent with objectives and policies of the comprehensive plan. She stated the Little Manatee South Community Plan identifies the subject site as being within the economic development area. Allowing a solar energy generation plant would be green technology, which is consistent with the community plan. Planning Commission Staff finds the proposed major modification consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, subject to conditions proposed by the Development Services staff.

### **Proponents**

The hearing officer asked whether there was anyone at the hearing in person or online to speak in support of the application. There were none.

### **Opponents**

The hearing officer asked whether there was anyone at the hearing in person or online to speak in opposition to the application. Three persons were in attendance remotely to speak as opponents.

Mr. Robert Knowles stated his property is directly across the street from the proposed modification. He stated his objections were vague because Tampa Electric has not shared what its intentions are for the subject property. He said a solar farm appears to be more of an industrial use than agriculture. He stated he is not an expert in land use. Mr. Knowles stated his concerns are that the impacts are unstated, vague, and not minor. He stated he does object to the change until he can understand that his life and quality of life will not be negatively impacted.

Ms. Margaret Knowles stated she and Robert Knowles wanted to emphasize they are not entirely in opposition to the potential use. But they want to be assured that the use does not negatively impact their current or future quality of life that they have enjoyed for many years. They are also concerned about high-potential voltage issues directly across from their property. She stated they are not entirely in opposition to those or to solar generation, but that they do not have enough information to know what Tampa Electric's intentions are or how they intend to go

about them. They want Tampa Electric to know they have been good neighbors and would like to be good neighbors, but they want honesty.

Ms. Nancy Cunningham stated she is on-board with the Knowles. She said her electric service is underground because she does not like the wires. She stated she lives on a dead-end road because she does not like traffic. She stated her property is the most secluded of the properties on her road. She stated there is agriculture on the property already, and she does not mind Tampa Electric continuing the farming use. She does mind the unknown of what Tampa Electric plans for the property and would like further clarification. She stated she is not going to agree to this and is definitely opposed to it at this point.

#### **Development Services Department**

Mr. Grady stated there were no further comments for Hillsborough County Development Services.

#### **Applicant Rebuttal**

Ms. Mora spoke on behalf of Tampa Electric Company and stated the company does not know exactly what the use of the property is going to be, but it is possible it will be a solar farm because that is one of the things that Tampa Electric does. She stated that at the time Tampa Electric does decide to develop the property it will reach out to the neighbors. She stated she would like to reassure the neighbors that the Land Development Code has requirements and restrictions like a 50-foot setback and screening. She said Tampa Electric Company is not looking to change any of those in the event it builds a solar farm and would comply with the Land Development Code requirements. She said the company is not seeking any special favors but would just like an Agricultural zoning district because it gives some flexibility of permitted uses currently and in the future. She stated if Tampa Electric sought some use that was not allowed or wanted to change something in the future it would have to come back through this process and give more concrete plans about what it was going to do.

### **C. EVIDENCE SUBMITTED**

The applicant did not submit additional documentary evidence at the hearing.

### **D. FINDINGS OF FACT**

1. The subject property consists of 262 +/- acres on the south side of Stephens Road, west of I-75 and west of G-Seven Ranch Road, east of US Highway 41.
2. The subject property is designated Agricultural/Rural 1-5 and Residential-1 on the Future Land Use Map. The subject property is within the Southshore, Little Manatee South Community Plan and is in the Rural Service Area.

3. The subject property is currently zoned PD 07-1903.
4. The applicant is requesting a major modification to remove from the PD zoning the area south of Stephens Road. No changes are proposed to the portion of the PD north of Stephens Road. The applicant has not requested any variations to the Land Development Code parts 6.05.00 (Parking and Loading), 6.06.00 (Landscaping and Buffering), or 6.07.00 (Fences and Walls).
5. A companion rezoning application, 20-1171, is being considered concurrently with the major modification. That rezoning request is to rezone 346 +/- acres to Agricultural Rural.
6. The subject property is currently in agricultural use. Surrounding uses include agriculture, single-family residential, and mobile home park.
7. The proposed major modification is compatible with the surrounding agricultural and residential development.
8. The proposed major modification is consistent with the Agricultural/Rural 1-5 and Residential-1 Future Land Use Map categories.
9. The proposed major modification would allow development that is consistent with objectives and policies of the comprehensive plan and support the vision of the Little Manatee South Community Plan.

#### **E. FINDINGS OF COMPLIANCE OR NON-COMPLIANCE WITH COMPREHENSIVE PLAN**

The major modification request is in compliance with and does further the intent of the Goals, Objectives, and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

#### **F. CONCLUSIONS OF LAW**

Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant's testimony and evidence, and opponents' testimony, there is substantial competent evidence demonstrating the requested major modification is consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough Avenue*, and does comply with the applicable requirements of the Hillsborough County Land Development Code.

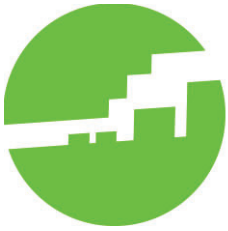
### G. SUMMARY

The applicant is seeking a major modification of PD 07-1903 to remove from the PD that portion of the PD property south of Stephens Road. No changes are proposed to the portion of the PD north of Stephens Road.

### H. RECOMMENDATION

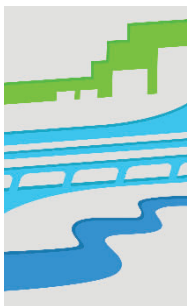
Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **APPROVAL** of the major modification request.

|                                 |                 |
|---------------------------------|-----------------|
| <i>Pamela Jo Hatley</i>         | January 4, 2021 |
| <b>Pamela Jo Hatley</b>         | <b>Date</b>     |
| <b>Land Use Hearing Officer</b> |                 |



**Hillsborough County  
City-County  
Planning Commission**

| <b>Unincorporated Hillsborough County Rezoning</b> |  |
|--|--|
| <b>ZHM Hearing Date:</b><br>December 14, 2020      | <b>Petition: 20-0801</b>   |
| <b>Report Prepared:</b><br>December 4, 2020        | <b>3481 G7 Ranch Road</b><br><br><i>South of Stephens Road, east of South US Highway 41, west of Interstate 75</i>   |
| <b>Summary Data:</b>                               |  |
| <b>Comprehensive Plan Finding:</b>                 | <b>CONSISTENT</b>  |
| <b>Adopted Future Land Use:</b>                    | <b>Agricultural/Rural 1-5 (0.25 FAR) and Residential-1 (0.25 FAR)</b>  |
| <b>Service Area</b>                                | <b>Rural</b>   |
| <b>Community Plan:</b>                             | <b>Southshore, Little Manatee South</b>  |
| <b>Requested Zoning:</b>                           | Major Modification to the portion of PD 07-1903 that is south of Stephens Road to permit agricultural zoning district uses that include Solar Energy Generating Facility uses. |
| <b>Parcel Size (Approx.):</b>                      | 262 +/- acres (11 412 720 square feet)   |
| <b>Street Functional Classification:</b>           | G Seven Ranch Road – <b>Local</b><br>Stephens Road – <b>Local</b><br>South US Highway 41 – <b>State Principal Arterial</b><br>Interstate 75 – <b>State Principal Arterial</b>  |
| <b>Locational Criteria</b>                         | N/A  |
| <b>Evacuation Zone</b>                             | The subject property is in Evacuation Zones B, C, and D  |



## **Context**

- The approximately 262 +/- acre site is located on the south side of Stephens Road, west of G Seven Ranch Road. South US Highway 41 is located to the west and Interstate 75 is to the east. The subject site is within the Rural Service Area, and falls within the Limits of the Southshore Areawide Systems Community Plan and the Little Manatee South Community Plan. There are wetlands on the site, which will need to be delineated by the EPC.
- The subject site is within two Future Land Use designations: Agricultural/Rural – 1/5 (AR – 1/5) and Residential-1 (RES-1). Typical allowable Uses in AR – 1/5 include: Farms, ranches, feed lots, residential uses, rural scale neighborhood commercial uses, offices, industrial uses related to agricultural uses, and mining related activities. Typical allowable uses in RES-1 include Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects. Agricultural uses may be permitted pursuant to Policies in the agricultural objective areas of the Future Land Use Element. AR-1/5 surrounds the site on the south, east and west sides. To the north is Residential-2 (RES-2) with a small pocket of Residential-4 (RES-4) directly to the east of the subject site. There are also Natural Preservation lands (N) interspersed with RES-1 further east.
- The subject site is currently zoned as a Planned Development (PD) for residential uses. Agricultural Rural (AR) surrounds the site to the east, south and west. There are Planned Developments (PD) located to the north and east. To the east are smaller parcels of Agricultural Single-Family – 1 (AS-1) and Residential Single Family Conventional-6 (RSC-6).
- The existing uses on site are currently agricultural. There are vacant lands and single-family residential developments to the east. To the north is a mobile home park. There are wetlands on site (that are currently being delineated by EPC). There are Public/Quasi Public institutional uses along the Little Manatee River northeast of the site.
- The applicant is requesting a Major Modification to the portion of PD 07-1903 that is located south of Stephens road to allow the option to allow agricultural zoning district uses that would allow for the development of a Solar Energy Generation Facility.

## **Compliance with Comprehensive Plan:**

The following Goals, Objectives, and Policies apply to this rezoning request and are used as a basis for a consistency finding.

## **Future Land Use Element**

### ***Rural Area***

*Rural areas will typically carry land use densities of 1 du/5 ga or lesser intense designations. There will be no new extension of public water or sewer service into the Rural Area unless there is a public health concern identified or the development is classified as a planned village as described in this Plan. New development will utilize private potable water wells and septic systems. In some cases, existing water and/or sewer lines may already be in place either by development approvals granted prior to the adoption of these policies or due to public health/safety issues.*

*Expansion of those systems should be prohibited and limited to cases where public health is at risk.*

*Within the rural area there are existing developments that are characterized as suburban enclaves or rural communities. These are residential developments which have a more dense development pattern and character, usually 1 or 2 du/ga. These enclaves are recognized through the placement of land use categories that permit densities higher than 1 du/5 acres. New development of a character similar to the established community will be permitted to infill in a limited manner, but not be permitted to expand into areas designated with lower land use densities.*

*Rural communities, such as Lutz, Keystone and Thonotosassa will specifically be addressed through community-based planning efforts. These communities, and others like them, have historically served as centers for community activities within the rural environment*

**Objective 4:** *The Rural Area will provide areas for long term, agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment, with the goal that no more than 20% of all population growth within the County will occur in the Rural Area.*

**Policy 4.4:** *Private wells and septic tanks are permitted for use in accordance with all adopted health regulations and the goals, objectives and policies of this Plan.*

### **Land Use Categories**

**Objective 8:** *The Future Land Use Map will include Land Use Categories which outline the maximum level of intensity or density and range of permitted land uses allowed and planned for an area. A table of the land use categories and description of each category can be found in Appendix A.*

**Policy 8.1:** *The character of each land use category is defined by building type, residential density, functional use, and the physical composition of the land. The integration of these factors sets the general atmosphere and character of each land use category. Each category has a range of potentially permissible uses which are not exhaustive, but are intended to be illustrative of the character of uses permitted within the land use designation. Not all of those potential uses are routinely acceptable anywhere within that land use category.*

**Policy 8.2:** *Each potential use must be evaluated for compliance with the goals, objectives, and policies of the Future Land Use Element and with applicable development regulations.*

### **Relationship to Land Development Regulations**

**Objective 9:** *All existing and future land development regulations shall be made consistent with the Comprehensive Plan, and all development approvals shall be consistent with those development regulations as per the timeframe provided for within Chapter 163, Florida Statutes. Whenever feasible and consistent with Comprehensive Plan policies, land development regulations shall be designed to provide flexible, alternative solutions to problems.*

**Policy 9.1:** *Each land use plan category shall have a set of zoning districts that may be permitted within that land use plan category, and development shall not be approved for zoning that is inconsistent with the plan.*



**Policy 9.2:** *Developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County, the state of Florida and the federal government unless such requirements have been previously waived by those governmental bodies.*

### **Neighborhood/Community Development**

**Objective 16: Neighborhood Protection** *The neighborhood is a functional unit of community development. There is a need to protect existing neighborhoods and communities and those that will emerge in the future. To preserve, protect and enhance neighborhoods and communities, all new development must conform to the following policies.*

**Policy 16.2:** *Gradual transitions of intensities between different land uses shall be provided for as new development is proposed and approved, through the use of professional site planning, buffering and screening techniques and control of specific land uses.*

**Policy 16.3:** *Development and redevelopment shall be integrated with the adjacent land uses through:*

- a) *the creation of like uses; or*
- b) *creation of complementary uses; or*
- c) *mitigation of adverse impacts; and*
- d) *transportation/pedestrian connections*

**Policy 16.10:** *Any density increase shall be compatible with existing, proposed or planned surrounding development. Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as”. Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.*

### **Agriculture - Retention**

**Objective 30:** *Recognizing that the continued existence of agricultural activities is beneficial, the county will develop, in coordination with appropriate entities, economic incentives to encourage and expand agricultural activities.*

**Policy 30.5:** *Agriculture related commercial uses more intensive or heavy than neighborhood serving commercial, may be considered in the rural land use categories, provided it meets applicable policies of the comprehensive plan. These uses are not subject to the locational criteria for neighborhood serving commercial uses.*

**Policy 30.6:** *Agriculture and agricultural support uses are the preferred uses in rural areas.*

### **Community Design Component**

#### **5.0 NEIGHBORHOOD LEVEL DESIGN**

#### **5.1 COMPATIBILITY**

**GOAL 12:** *Design neighborhoods which are related to the predominant character of the surroundings.*

**OBJECTIVE 12-1:** *New developments should recognize the existing community and be designed in a way that is compatible (as defined in FLUE policy 1.4) with the established character of the surrounding neighborhood.*

**Livable Communities Element: Southshore Areawide Systems Community Plan**

**Economic Development Objective**

*The SouthShore community encourages activities that benefits residents, employers, employees, entrepreneurs, and businesses that will enhance economic prosperity and improve quality of life.*

*The community desires to pursue economic development activities in the following areas:*

1. *Land Use/ Transportation*

- b) *Recognize preferred development patterns as described in individual community plans, and implement the communities' desires to the greatest extent possible (including codification into the land development code). I.e., activity center, compatibility, design and form, pedestrian and bicycle/trail connectivity.*

**Livable Communities Element: Little Manatee South Community Plan**

**Economic Development Area**

*The community has designated the area south of Cockroach Creek and east of the CSX Railroad lines as an Economic Development Area employment center, that can take advantage of the economic engine of the Port of Manatee. The objective is to create the opportunity for spin off activities from the Port activities. The opportunity envisioned is for research facilities that develop under an Overlay District that do not have adverse impacts on the community's environmental, residential and agricultural character. Uses would include but are not limited to bio-medical, agro-business and green technologies. Other allowed uses are those limited light industrial uses that are developed in a planned park setting (in enclosed buildings that look clean, do not have adverse impacts on the community's environmental, residential and agricultural character, and are sustainable.)*

*The proposed operation should create a minimal degree of impact on the surrounding environment and be compatible with the design criteria of the Little Manatee South Community Plan. Flexibility of permitted uses through creativity in site design of the required site plan will be allowed to ensure that the proposed operation creates minimal degree of impact on the surrounding environment. The site plan requirements shall include, at a minimum, an integrated plan controlled through performance standards to ensure developments which are compatible with the surrounding land use patterns and the Goals, Objectives and Policies of the County's Comprehensive Land Use Plan.*

*Open storage shall be prohibited as a principal use. Accessory open storage areas must be screened from view of residential areas and public right-of-way.*

**Staff Analysis of Goals, Objectives and Policies:**

The applicant is requesting a Major Modification to the portion of PD 07-1903 that is located south of Stephens Road, to permit agricultural zoning district uses that would allow for the development of a Solar Energy Generating Facility.

The subject site is in the Rural Service Area where according to Objective 4 of the Future Land Use Element (FLUE) of the Comprehensive Plan, 20% of the future growth will occur. Policy 4.4 states that well and septic are permitted in the Rural Service Area. The applicant has stated that well and septic will be used, and the proposal meets the intent of Objective 4 and Policy 4.4.

The existing land use category is Agricultural Rural – 1/5 and Residential-1 (RES) where agricultural zoning districts and agricultural uses are permitted. Solar Energy Generating Facilities are an acceptable use in agricultural zoning districts according to Section 6.11.25 of the Hillsborough County Land Development Code. The proposal therefore meets the intent of Objective 8, Policies 8.1 and 8.2 as well as Objective 9 and Policies 9.1 and 9.2 that require all new development to be compatible with the Comprehensive Plan FLU designations as well as any land development regulations of Hillsborough County.

Objective 16 and its accompanying Policies 16.2, 16.3 and 16.10 require the protection of existing neighborhoods through various buffering and mitigation mechanisms. Residential neighborhoods in the form of mobile home parks are located on the north side of Stephens Road. The proposal to allow agricultural zoning district uses that allow Solar Energy Generating Facilities is only for the southern portion of PD 07-1903 located south of and will not impact the residential community to the north. There is a small portion of residential development directly east of the site that the applicant will have to mitigate any negative effects for. The proposal therefore meets the intent of Objective 16 and its accompanying Policies.

Objective 30 and Policies 30.5 and 30.6 encourage agricultural and agricultural related uses in the rural area. Solar Energy Generating Facilities are suitable for the agricultural area as they are permitted uses in agricultural zoning districts. Solar Energy Generating Facilities are suitable for the rural area as large acreages of land can be devoted to the capture and generation of clean energy technologies that would otherwise be costly to develop in more urban and dense areas such as within the urban service area of the county where 80% growth and intensification is slated to occur. The proposal therefore meets the intent of Objective 30 and Policies 30.5 and 30.6.

Goal 12 of the Community Design Component (CDC) in the FLUE requires that developments relate to the predominant character of the surroundings. Objective 12-1 states that that new developments should recognize the existing community and be designed in a way that is compatible with the established character of an area. The surrounding land use pattern is agricultural with recreational lands nearby and mobile homes to the north. The Major modification request is to add agricultural zoning district uses to PD 07-1903 that is approved to residential uses is in keeping with the agricultural nature of the area.

The subject site is in the Southshore Areawide Systems Community Plan of which the Little Manatee South Community Plan is a part of. Goal 1.b) of the Economic Development Objective of the Southshore Areawide Systems Community Plan defers to the specific land use and transportation visions of the individual community plans in Southshore. The Little

Manatee Community Plan identifies the subject site as being within the Economic Development Area. The plan states that, “*The objective is to create the opportunity for spin off activities from the Port activities. The opportunity envisioned is for research facilities that develop under an Overlay District that do not have adverse impacts on the community’s environmental, residential and agricultural character. Uses would include but are not limited to bio-medical, agro-business and green technologies.*” Allowing a Solar Energy Generation Facility as a permitted use to the existing Planned Development would fall within the green technology industry that the Little Manatee South Community Plan hopes to attract. The proposed Major Modification is therefore consistent with both the Southshore Areawide Systems Community Plan and the Little Manatee South Community Plan.

Overall, the proposed rezoning would allow for development that is consistent with the Goals, Objectives and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and is compatible with the existing and planned development pattern found in the surrounding area.

**Recommendation**

Based upon the above considerations, the Planning Commission staff finds the proposed Major Modification **CONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, subject to the conditions of the Development Services Department of Hillsborough County.

# HILLSBOROUGH COUNTY 2019 AERIAL RZ MM 20-0801

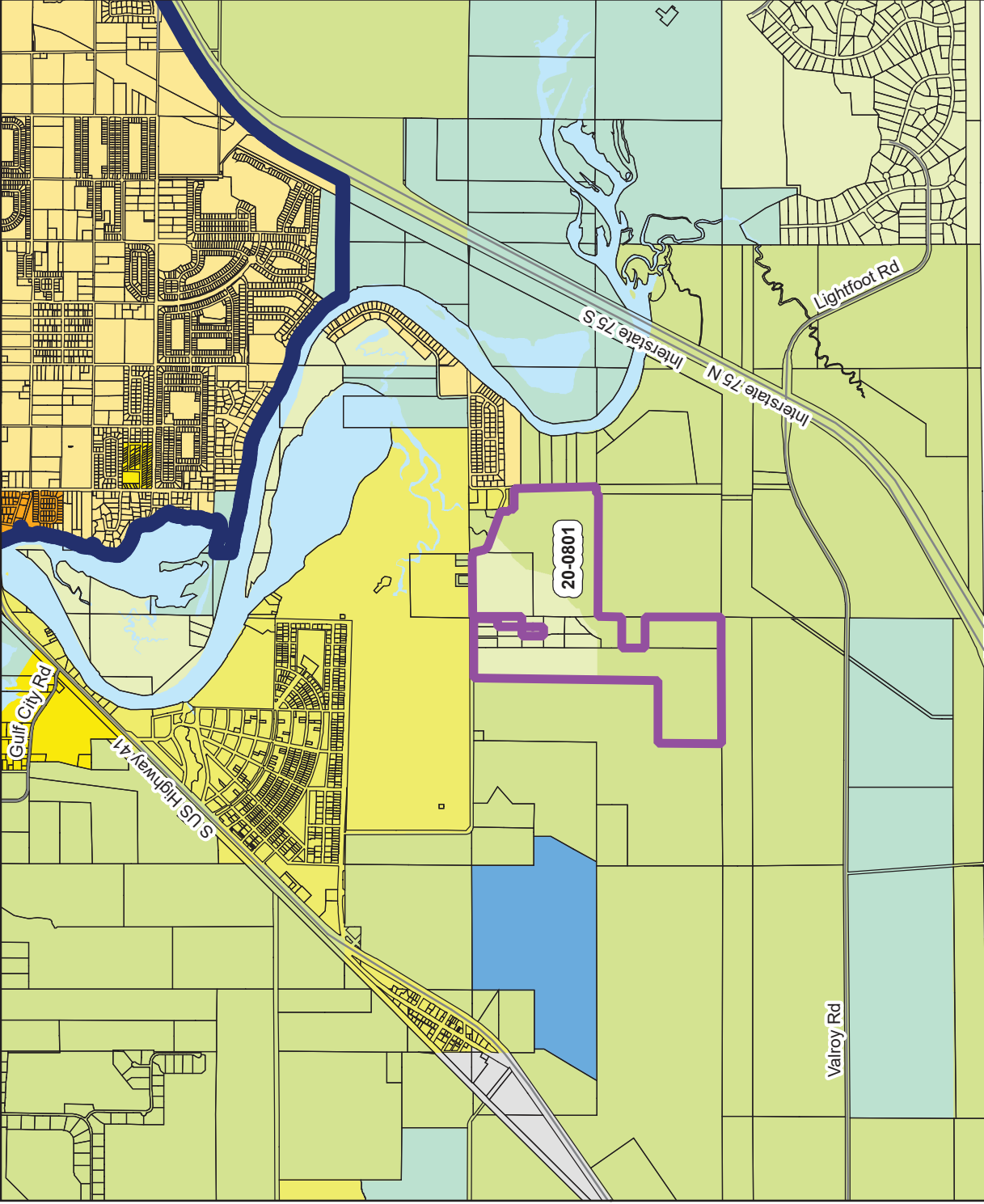
## Rezoning

<all other values>

- STATUS**
- APPROVED
  - CONTINUED
  - DENIED
  - WITHDRAWN
  - PENDING

- Tampa Service Area
- Urban Service Area
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Major Roads
- Parcels

- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-112 (.25 FAR)
- AGRICULTURAL-1110 (.25 FAR)
- AGRICULTURAL/RURAL-115 (.25 FAR)
- AGRICULTURAL ESTATE-1123 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- CC-20
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, 25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.50 FAR)
- LIGHT INDUSTRIAL (.50 FAR)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE
- WATER



DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. This map is for informational purposes only and is not intended for use as a legal document. It is intended that the City/County Planning Commission. ACCURACY: It is intended that the Hillsborough County City/County Planning Commission. This map is for informational purposes only. For the most current data and information, use the appropriate source.

Map Printed from Rezoning System: 4/27/2020  
 Author: Beverly F. Daniels  
 File: C:\Rezoning\System\Map\Projects\HC\Geng\_b\Rezoning.mxd



**GENERAL  
SITE PLAN  
FOR  
CERTIFICATION**



DEVELOPMENT SERVICES

PO Box 1110, Tampa, FL 33601-1110

HILLSBOROUGH COUNTY  
DEVELOPMENT SERVICES DEPARTMENT

GENERAL SITE PLAN REVIEW/CERTIFICATION

DEPUTY COUNTY ADMINISTRATOR

Lucia E. Garsys

Project Name:

Zoning File:  Modification:

Atlas Page:  Submitted:

To Planner for Review:  Date Due:

Contact Person:  Phone:

Right-Of-Way or Land Required for Dedication: Yes  No

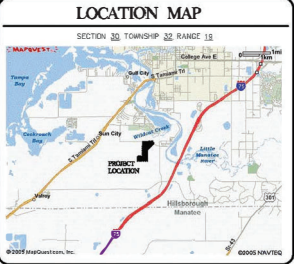
- The Development Services Department HAS NO OBJECTION to this General Site Plan.
- The Development Services Department RECOMMENDS DISAPPROVAL of this General Site Plan for the following reasons:

Colleen Marshall

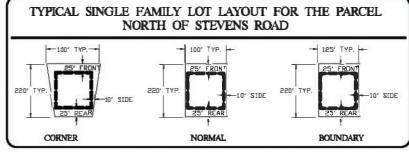
Digitally signed by Colleen Marshall  
DN: cn=Colleen Marshall, email=Colleen.Marshall@hillsboroughcounty.org, o=Hillsborough County, ou=Development Services Department

Reviewed by:  Date:

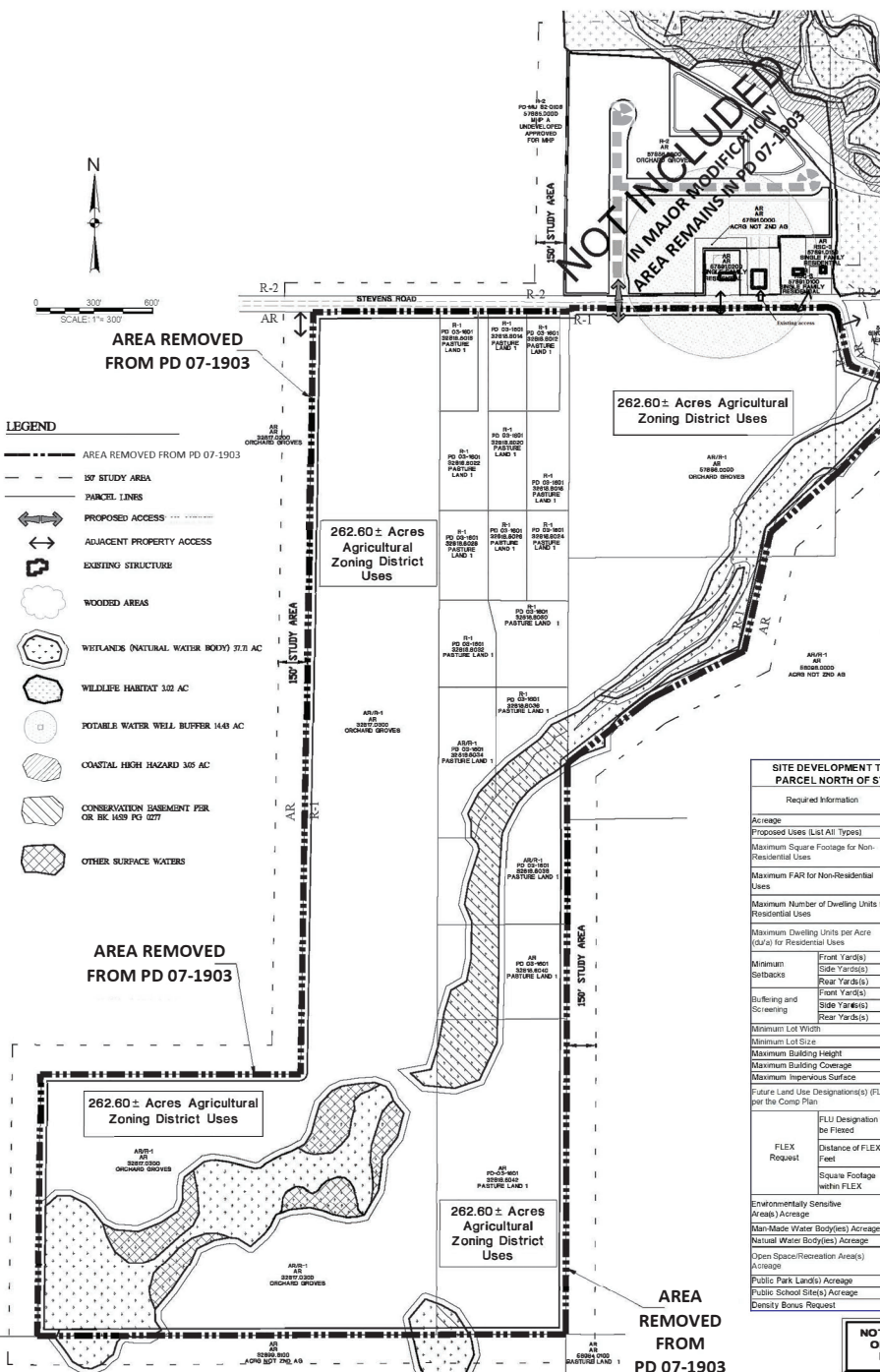
Date Agent/Owner notified of Disapproval:



| PROJECT SUMMARY TABLE                                    |  |
|--|--|
| Required Information                                     | Project Data   |
| Gross Acreage for Planned Development                    | 299.05 ± acres   |
| Gross Acreage for Major Modification                     | 262.60 ± acres   |
| Existing Zoning District(s)                              | PD 07-1903   |
| Future Land Use Designation(s) of the Comprehensive Plan | Res-1 and AR   |
| Community Plan   | Little Manatee South                                       |
| Existing Use(s)  | Agriculture/Vacant, Approved for Single Family Residential |
| Proposed Use(s)  | Agricultural Zoning District Uses                          |
| Type of Water and Wastewater Service Utilized by Project | Private Water and Sewer                                    |



- NOTES**
- The site is located within an Overlay District (Little Manatee South).
  - A portion of the site is located within the Coastal High Hazard Area and a Potable Water/Wildfire Protection Area exists on-site. Both of these Special Zones are delineated on the Site Plan.
  - There are no Designated Scenic Roadway corridors within or adjacent to the project.
  - There are no historic landmarks nor other historical or archaeological sites or structures within the project boundaries or within 150 feet of the project.
  - A plat exists within the project boundaries PB 102 PG 208. This plat consists of those properties labeled on the site plan as PD 03-1601. No other plats exist within 150 feet of the project.
  - There are no existing Rights of Way as defined in Section 12 of the LDC within the project boundaries.
  - There are no easements within the project boundaries and no known easements within 150 feet of the project.
  - The project will be developed in one phase, therefore no cross access is required between phases.
  - Any structures on site are for agricultural use and shall be removed.
  - Non-Residential and Multi-Family structures are not proposed for this project.
  - Optional building elevation and renderings are proposed for this project.
  - There are no landscape/soil alternatives proposed.
  - ROW is not proposed to be dedicated.
  - Parking and service areas are not applicable to this project.
  - There are no curb cuts existing or proposed.
  - There are no median cuts existing or proposed.
  - There are no interchanges located within 150 feet of the project, therefore the number of interchanges lanes are not provided.
  - There are no traffic control devices within the project or within 150 feet of the project.
  - There are no sidewalks, bikeways or Public Transit Facilities within the project or within 150 feet of the project.
  - Public Transit Facilities are not required for this development and none are proposed.
  - All natural physical features located on site or within 150 feet of the project are shown on the plan. There are conservation areas, preservation areas, and upland habitat areas as identified herein.
  - If solar energy is developed, development will meet Section 06.11.125 of the Hillsborough County Land Development Code.



**LEGEND**

- AREA REMOVED FROM PD 07-1903
- 150' STUDY AREA
- PARCEL LINES
- PROPOSED ACCESS
- ADJACENT PROPERTY ACCESS
- EXISTING STRUCTURE
- WOODED AREAS
- WETLANDS (NATURAL WATER BODY) 37.31 AC
- WILDLIFE HABITAT 302 AC
- POTABLE WATER WELL BUFFER 14.8 AC
- COASTAL HIGH HAZARD 305 AC
- CONSERVATION EASEMENT PER OR BK 1459 PG 0277
- OTHER SURFACE WATERS

**LEGAL DESCRIPTION**  
 LEGAL DESCRIPTION FOR PARCEL NORTH OF STEVEN ROAD

**LEGAL DESCRIPTION**  
 LEGAL DESCRIPTION FOR MAJOR MODIFICATION AREA

| SITE DEVELOPMENT TABLE FOR THE PARCEL NORTH OF STEVENS ROAD  |                     | PARCEL FOR THE SOUTHERN PARCELS SOUTH OF STEVENS ROAD                     |  |
|--|---------------------|---|--|
| Required Information   | R-2                 | Development Standards Per the ASC 1 Zoning District Development Standards |  |
| Acreage  | 36.4 ± acres        | 262.60 ± acres  |  |
| Proposed Uses (List All Types)                               | Single Family       |   |  |
| Maximum Square Footage for Non-Residential Uses              | N/A                 |   |  |
| Maximum FAR for Non-Residential Uses                         | N/A                 |   |  |
| Maximum Number of Dwelling Units for Residential Uses        | 72 units            |   |  |
| Maximum Dwelling Units per Acre (d/u/a) for Residential Uses | 2 units per acre    |   |  |
| Minimum Front Yard(s)  | 25 feet             |   |  |
| Minimum Side Yard(s)   | 10 feet             |   |  |
| Minimum Rear Yard(s)   | 25 feet             |   |  |
| Minimum Front Yard(s)  | N/A                 |   |  |
| Minimum Side Yard(s)   | N/A                 |   |  |
| Minimum Rear Yard(s)   | N/A                 |   |  |
| Minimum Lot Width  | 150 feet            |   |  |
| Minimum Lot Size   | 21,780 square feet  |   |  |
| Maximum Building Height                                      | 35 feet/2 stories   |   |  |
| Maximum Building Coverage                                    | 0.30                |   |  |
| Maximum Impervious Surface                                   | N/A                 |   |  |
| Future Land Use Designation(s) (FLU) per the Comp Plan       | Res-2               |   |  |
| FLU Designation to be Flexed                                 | N/A                 |   |  |
| Distance of FLEX in Feet                                     | N/A                 |   |  |
| Square Footage within FLEX                                   | N/A                 |   |  |
| Environmentally Sensitive (Wetland) Acreage                  | 3.02± Wildlife Hab. | N/A   |  |
| Man-Made Water Body(ies) Acreage                             | N/A                 | N/A   |  |
| Natural Water Body(ies) Acreage                              | 1.75± acres         | 35.85 ± acres   |  |
| Open Space/Recreation Area(s) Acreage                        | N/A                 |   |  |
| Public Park Land(s) Acreage                                  | N/A                 |   |  |
| Public School Site(s) Acreage                                | N/A                 |   |  |
| Density Bonus Request  | N/A                 |   |  |

**NOTE: THIS PLAN IS FOR DISCUSSION PURPOSES ONLY. SUBJECT TO FINAL SURVEYS, DESIGN, ENGINEERING AND REGULATORY REVIEW**

| NO. | DATE | DESCRIPTION | REVISIONS | PROJECT NUMBER |
|-----|------|-------------|-----------|----------------|
| 1   | IA   | AS SHOWN    | IA        | 38898.001      |
| 2   | JHM  | AS SHOWN    | IA        | 38898.001      |





# **AGENCY COMMENTS**

**AGENCY REVIEW COMMENT SHEET**

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**TO:** Zoning Technician, Development Services Department

**DATE:** 09/17/2020

*Revised by SG on 11/30/2020*

**REVIEWER:** Sofia Garantiva, Senior Planner

**AGENCY/DEPT:** Transportation

**PLANNING AREA/SECTOR:** South Shore

**PETITION NO:** MM 20-0801

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This agency has no comments.

**This agency has no objection.**

This agency has no objection, subject to listed or attached conditions.

This agency objects, based on the listed or attached conditions.

**REPORT HIGHLIGHTS AND CONCLUSIONS**

- As the applicant is proposing to remove land area thus reducing the intensity of the approved PD, there would be a significant decrease in trips generated from the approved use.
- Stephens Road is substandard collector roadway; however, by policy of the County Engineer projects generating 10 or fewer total peak hour trips are considered de minimis. As such, no improvements to Stephens Road would be required as a result of this request.
- Transportation staff has no objection.

**CONDITIONS**

Staff is not proposing any additional zoning conditions. All previous transportation related conditions shall carry forward.

**OTHER CONDITIONS**

- Prior to certification, the applicant shall revise the “Zoning Site Plan Option 2” sheet as follows:
  - The small arrows identified as “Exiting Access” on the site plan shall be labeled as “Adjacent Property Access.” Additionally, the applicant shall relocate such “Adjacent Property Access” arrows such that access points not related to the subject PD are not shown as crossing the PD boundary.
  - In the legend, modify the label reading “Potential Vehicular Access” to “Proposed Access”.

## **PROJECT OVERVIEW & TRIP GENERATION**

The applicant is requesting a major modification to PD 07-1903 to remove approximately 262.60 acres south of Stephens Road from PD 07-1903 so that the property can be rezoned to AR. This portion of PD 07-1903 was approved for 163 single family dwelling units.

Consistent with Section 6.2.1.C. of the DRPM, a determination has been made that no detailed transportation analysis was required to process this rezoning. As the applicant is proposing to remove land area thus reducing the intensity of the approved PD, there would be a significant decrease in trips generated from the approved use.

## **TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

Stephens Road is a substandard 2-lane collector road with 20-feet of pavement in average condition.

Stephens Road is substandard collector roadway; however, by policy of the County Engineer projects generating 10 or fewer total peak hour trips are considered de minimis provided the roadways meet minimum fire safety standards (i.e. 15 feet of pavement in a 20-foot clear area). As such, no improvements to Stephens Road would be required as a result of this request.

## **ROADWAY LEVEL OF SERVICE (LOS)**

Stephens Road is not considered major county or state roadway and is not included in the [2019 Hillsborough County Level of Service \(LOS\) Report](#).

**COMMISSION**

Mariella Smith CHAIR  
 Pat Kemp VICE-CHAIR  
 Ken Hagan  
 Lesley “Les” Miller, Jr.  
 Sandra L. Murman  
 Kimberly Overman  
 Stacy White



**DIRECTORS**

Janet L. Dougherty  
 EXECUTIVE DIRECTOR

Hooshang Boostani, P.E. WASTE DIVISION  
 Elaine S. DeLeeuw, ADMIN DIVISION  
 Sam Elrabi, P.E. WATER DIVISION  
 Rick Muratti, Esq. LEGAL DEPT  
 Andy Schipfer, P.E. WETLANDS DIVISION  
 Sterlin Woodard, P.E. AIR DIVISION

**AGENCY COMMENT SHEET**

| REZONING  |  |
|---|--|
| <p><b>HEARING DATE:</b> July 27, 2020</p> <p><b>PETITION NO.:</b> 20-0801</p> <p><b>EPC REVIEWER:</b> Abbie Weeks</p> <p><b>CONTACT INFORMATION:</b> (813)627-2600 X1101</p> <p><b>EMAIL:</b> <a href="mailto:weeksa@epchc.org">weeksa@epchc.org</a></p>  | <p><b>COMMENT DATE:</b> June 17, 2020</p> <p><b>PROPERTY ADDRESS:</b> 3481 G7 Ranch Road &amp; Stephens Rd, Ruskin</p> <p><b>FOLIO #:</b> 032817.0300, 032818.8012, 032818.8014, 032818.8016, 032818.8018, 032818.8020, 032818.8022, 032818.8024, 032818.8026, 032818.8028, 032818.8030, 032818.8032, 032818.8034, 032818.8036, 032818.8038, 032818.8040, 032818.8042, 058098.0000, 058098.0100</p> <p><b>STR:</b> 25-32S-18E &amp; 30-32S-19E</p> |
| <p><b>REQUESTED ZONING:</b> Major Modification to PD</p>  |  |
| FINDINGS  |  |
| <p><b>WETLANDS PRESENT</b></p>  | <p>Yes</p>   |
| <p><b>SITE INSPECTION DATE</b></p>  | <p>May 20 &amp; 21, 2020</p>   |
| <p><b>WETLAND LINE VALIDITY</b></p>   | <p>A wetland delineation for a portion of the project area is under EPC review. The wetland lines for the remaining project area are expired.</p>  |
| <p><b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b></p>   | <p>Wetlands are approximately shown on the site plan. Multiple surface water ditches located onsite are not depicted on the site plan.</p>   |
| <p><b>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan’s current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</b></p> <ul style="list-style-type: none"> <li>• Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.</li> <li>• The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the</li> </ul> |  |

EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.

- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
- Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

**INFORMATIONAL COMMENTS:**

The following specific comments are made for informational purposes only and to provide guidance as to the EPC review process. However, future EPC staff review is not limited to the following, regardless of the obviousness of the concern as raised by the general site plan and EPC staff may identify other legitimate concerns at any time prior to final project approval.

- A portion of the wetland line depicted on the subject plans was approved by the Southwest Florida Water Management District (SWFWMD) in 2004 and has since expired. Please provide documentation that the SWFWMD wetland survey is still valid. If documentation cannot be provided, the wetlands on site must be field delineated by EPC or SWFWMD staff and the wetland line surveyed. The survey must then be submitted to EPC staff for approval. After survey approval, the wetland line must appear on all site plans and must be labeled as "EPC Wetland Line." The wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code.
- Chapter 1-11, prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.

Aow/mst



**AGENCY REVIEW COMMENT SHEET**

**NOTE: THIS IS ONLY FOR ESTIMATE PURPOSES, BASED ON THE FEES AT THE TIME THE REVIEW WAS MADE. ACTUAL FEES WILL BE ASSESSED BASED ON PERMIT APPLICATIONS RECEIVED AND BASED ON THE FEE SCHEDULE AT THE TIME OF BUILDING PERMIT APPLICATION.**

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**TO:** Zoning Review, Development Services

**DATE:** 08/19/2020

**REVIEWER:** Ron Barnes, Impact & Mobility Fee Coordinator

**APPLICANT:** Stephen Farms, LLC

**PETITION NO:** 20-0801

**LOCATION:** S/S of Stephens Rd, approx 1.6 mi E of US 41

**FOLIO NO:** see description

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**Estimated Fees:**

Light Industrial

(Per 1,000 s.f.)

Mobility: \$4,129.00

Fire: \$57.00

**Project Summary/Description:**

Rural Mobility, South Fire - Solar Generation Facility (Light Industrial)

32818.8024; 32818.8026; 32818.8028; 32818.8018; 32818.8020; 32818.8022; 32818.8012;  
32818.8014; 32818.8016; 58098.0000; 58098.0100; 32817.0300; 32818.8042; 32818.8040;  
32818.8038; 32818.8036; 32818.8034; 32818.8030; 32818.8032;

If designated Accessory to current use/development, may not be subject to impact/mobility fees

**AGENCY REVIEW COMMENT SHEET**

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**TO: ZONING TECHNICIAN, Planning Growth Management**

**DATE: 04/27/2020**

**REVIEWER: Deborah S. Franklin, Streets and Addresses**

**APPLICANT: Stephens Farms LLC**

**PETITION NO: MM 20-0801**

**LOCATION: s/s Stephens Rd-1.6 mi e of US 41**

**FOLIO NO: 58098.0100 and others**

**SEC: 30 TWN: 32 RNG: 19**

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- This agency has no comments.
  
- This agency has no objection.
  
- This agency has no objection, subject to listed or attached conditions.
  
- This agency objects, based on the listed or attached conditions.

COMMENTS: \_\_\_\_\_.

**AGENCY REVIEW COMMENT SHEET**

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**TO: ZONING TECHNICIAN, Planning Growth Management**

**DATE: 27 Apr 2020**

**REVIEWER: Bernard W. Kaiser, Conservation and Environmental Lands Management**

**APPLICANT: Steve Luce**

**PETITION NO: MM 20-0801**

**LOCATION: 3481 G7 Ranch Rd., Ruskin, FL 33570**

**FOLIO NO: 32817.0300, 32818.8012, 32818.8014, 32818.8016, 32818.8018, 32818.8020, 32818.8022, 32818.8024, 32818.8026, 32818.8028, 32818.8030, 32818.8032, 32818.8034, 32818.8036, 32818.8038, 32818.8040, 32818.8042, 58098.0000, 58098.0100**

**SEC: 30 TWN: 32 RNG: 19**

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- This agency has no comments.
  
- This agency has no objection.
  
- This agency has no objection, subject to listed or attached conditions.
  
- This agency objects, based on the listed or attached conditions.

COMMENTS: \_\_\_\_\_.



**WATER RESOURCE SERVICES  
REZONING REVIEW COMMENT SHEET: WATER & WASTEWATER**

**PETITION NO.:** MM20-0801      **REVIEWED BY:** Randy Rochelle      **DATE:** 4/27/2020

**FOLIO NO.:** 58098.0000, 32818.8024, 32818.8026, Plus Multi More

This agency would  (support),  (conditionally support) the proposal.

**WATER**

- The property lies within the \_\_\_\_\_ Water Service Area. The applicant should contact the provider to determine the availability of water service.
- No Hillsborough County water line of adequate capacity is presently available.
- A \_\_\_\_ inch water main exists  (adjacent to the site),  (approximately \_\_\_\_ feet from the site) \_\_\_\_\_.
- Water distribution improvements may be needed prior to connection to the County's water system.
- No CIP water line is planned that may provide service to the proposed development.
- The nearest CIP water main (\_\_\_\_ inches), will be located  (adjacent to the site),  (feet from the site at \_\_\_\_). Expected completion date is \_\_\_\_\_.

**WASTEWATER**

- The property lies within the \_\_\_\_\_ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- No Hillsborough County wastewater line of adequate capacity is presently available.
- A \_\_\_\_ inch wastewater force main exists  (adjacent to the site),  (approximately \_\_\_\_ feet from the site) \_\_\_\_\_.
- Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.
- No CIP wastewater line is planned that may provide service to the proposed development.
- The nearest CIP wastewater main (\_\_\_\_ inches), will be located  (adjacent to the site),  (feet from the site at \_\_\_\_). Expected completion date is \_\_\_\_\_.

**COMMENTS:** This site is located outside of the Hillsborough County Urban Service Area, therefore Hillsborough County Water and/or Wastewater Service will not be available to serve the subject property. If the applicant feels that the proposed development is located within the County Urban Service Area and can provide verification then it's possible that Hillsborough County Water and Wastewater Service could be provided .



# **VERBATIM TRANSCRIPT**

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

-----X  
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IN RE: )
)
ZONE HEARING MASTER )
HEARINGS )
)
-----X

ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY  
Land Use Hearing Master

DATE: Monday, December 14, 2020

TIME: Commencing at 6:00 p.m.  
Concluding at 8:36 p.m.

PLACE: Appeared via Webex videoconference

Reported By:

Christina M. Walsh, RPR  
Executive Reporting Service  
Ulmerton Business Center  
13555 Automobile Blvd., Suite 100  
Clearwater, FL 33762  
(800) 337-7740

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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
  
ZONING HEARING MASTER HEARINGS  
December 14, 2020  
ZONING HEARING MASTER: PAMELA JO HATLEY

D2:  
Application Number: MM 20-0801  
Applicant: Stephen Farms, Inc.  
Location: 1045' west of inter: G7 Ranch Rd., Stephens Rd.  
Folio Number: 032817.0300 & Multiple  
Acreage: 262.6 acres, more or less  
Comprehensive Plan: A/R & R-1  
Service Area: Rural  
Existing Zoning: PD (07-1903)  
Request: Major Modification to a Planned Development

1 MR. GRADY: The next item is agenda item  
2 D-2, Major Mod Application 20-0801. The request is  
3 for a Major Modification to an existing Planned  
4 Development.

5 Colleen Marshall will provide staff  
6 recommendation after presentation by the applicant.

7 HEARING MASTER HATLEY: Applicant, please.

8 MS. MORA: Good evening again. Kristin  
9 Mora, Tampa Electric Company, on behalf of the  
10 applicant.

11 This is a request to remove the property  
12 that is on the south side of Stephens Road as part  
13 of this Planned Development in order to rezone it  
14 to Agricultural.

15 As you heard earlier, the property that is  
16 within the Planned Development on the north side of  
17 Stephens Road will not be impacted. That will  
18 remain intact, which is property on the south being  
19 removed. I'm available if you have any questions.

20 HEARING MASTER HATLEY: All right. Thank  
21 you.

22 All right. Development Services.

23 MS. MARSHALL: Colleen Marshall, Development  
24 Services.

25 As the applicant stated, the request tonight

1 is to amend the existing Planned Development  
2 located on the north and south sides of Stephens  
3 Road to remove the area south of Stephens Road from  
4 PD zoning.

5 This is the companion modification to  
6 Rezoning 20-1171, which is item C-1 on the agenda.  
7 No changes are proposed to the portion of the PD  
8 north of Stephens Road.

9 No agency objections were received by staff,  
10 and staff recommends approval. I'll be happy to  
11 answer any questions.

12 HEARING MASTER HATLEY: Thank you,  
13 Ms. Marshall.

14 Planning Commission.

15 MS. MILLS: Yeneka Mills, Planning  
16 Commission staff.

17 The requested Major Modification -- excuse  
18 me. Yeneka Mills, Planning Commission staff.

19 The subject property is located within the  
20 Agricultural Rural 1 to 5 and Residential-1 Future  
21 Land Use classification. It's also located within  
22 the Rural Area, the Southshore Areawide Systems  
23 Plan, and the Little Manatee South Community Plan  
24 Area.

25 The applicant's requesting a Major

1 Modification. It is consistent with Objective 4 of  
2 the Future Land Use Element, as this is where  
3 20 percent of future growth is supposed to occur in  
4 a Rural Area.

5 It is consistent with Objective 16 and its  
6 accompanying Policies 16.2, 16.3, and 16.10, which  
7 require protection of neighborhood -- of existing  
8 neighborhoods, various buffering and mitigation  
9 mechanisms.

10 The proposal also meets the intent of  
11 Objective 30, Policies 30.5, Policy 30.6, which  
12 encourages Agricultural and Agricultural-related  
13 uses in the Rural Area.

14 Little Manatee South Community Plan  
15 identifies the subject site as being within the  
16 economic development area. Uses are to be -- uses  
17 are to include but are not limited to biomedical  
18 agri -- ag business in green technologies. So  
19 allowing a solar energy generation as permitted as  
20 a committed use to the existing PD would follow  
21 green technology, which is consistent with the  
22 community plan.

23 And based on those considerations, Planning  
24 Commission staff found the proposed Major  
25 Modification consistent with the Future of

1 Hillsborough Comp Plan. Thank you.

2 HEARING MASTER HATLEY: Thank you,  
3 Ms. Mills.

4 Is there anyone in the room or online who  
5 wishes to speak as a proponent of item 20-0801?  
6 Okay. None.

7 Is there anyone online or in the room who  
8 wishes to speak as an opponent, in opposition to  
9 item 20-0801? Yes. Okay.

10 MR. LAMPE: Robert Knowles, we'll start  
11 with.

12 MR. KNOWLES: Good evening. I'm Robert  
13 Knowles. My address is 3402 G-7 Ranch Road,  
14 Ruskin, Florida. We are directly across the street  
15 from the proposed change.

16 Our objections are admittedly vague inasmuch  
17 as Tampa Electric has made no effort to share with  
18 us in any way what their current intentions are,  
19 rather they seem to be wanting to gather as much  
20 land and get it for the permitted uses that are  
21 already there. That being a solar farm, which  
22 appeared to us to be more of an industrial use as  
23 an agricultural. We're not experts in Land Use  
24 permitted items.

25 So the area of concern to us is the impacts



1 to us are unstated, vague, and not minor. So  
2 accordingly, we do object to the change until or  
3 unless we can understand that -- that our life, our  
4 quality of life that we've enjoyed for quite some  
5 time will not be negatively impacted.

6 HEARING MASTER HATLEY: Mr. Knowles, is that  
7 it?

8 MR. KNOWLES: I believe so.

9 HEARING MASTER HATLEY: Thank you, sir.

10 MR. LAMPE: We also have Margaret Knowles.

11 HEARING MASTER HATLEY: All right. Margaret  
12 Knowles, please.

13 MS. KNOWLES: Good evening. Margaret  
14 Knowles, 3402 G-7 Ranch Road, Ruskin, Florida  
15 33570.

16 One of the things that Robert and I would  
17 like to basically emphasize is that we're not  
18 entirely in opposition as a direct neighbor to this  
19 potential use. But what we'd like to be assured is  
20 that the Land Use and preparation for the Land Use  
21 do not negatively impact current or future quality  
22 of life that our family has enjoyed for many years.

23 We're also concerned about high-potential  
24 voltage issues directly across from our property.  
25 And, again, we both are not entirely in opposition

1 to those or solar generation. It's simply that we  
2 don't have enough information based on what staff  
3 has been gathered before us even this evening for  
4 us to know what TECO's intentions are or how they  
5 intend to go about them.

6 So we wanted to, basically, end our concerns  
7 this evening with this being placed upon TECO  
8 knowing that we've been good neighbors to a lot of  
9 people, and we would like to be good neighbors with  
10 them with their intentions, but we want honesty.  
11 Thank you and good night.

12 HEARING MASTER HATLEY: Mrs. Knowles, thank  
13 you for your testimony.

14 MS. KNOWLES: Okay. Thank you.

15 MR. LAMPE: We have Nancy Cunningham.

16 HEARING MASTER HATLEY: Ms. Cunningham.

17 MS. CUNNINGHAM: I'm the special one. And I  
18 am right on-board with the Knowles. My electric  
19 actually all runs underground because I don't like  
20 the wires. My property is the most secluded of all  
21 properties.

22 HEARING MASTER HATLEY: Ms. Cunningham.

23 MR. GRADY: Can you state your name for the  
24 record? Thank you.

25 MS. CUNNINGHAM: Nancy Cunningham, 3406 G-7

1 Ranch Road, Ruskin, Florida 33570.

2 I am the most secluded property on this  
3 road. So I do want to know what Tampa Electric's  
4 going to do with the property. All of my power  
5 lines run underground. So, no, I don't want  
6 aboveground power.

7 I also live in a dead-end road for a reason.  
8 I don't like traffic. So all of these things Tampa  
9 Electric wants to propose, agricultural, it's  
10 already being farmed agricultural. There's cows  
11 out there. There's agricultural right across the  
12 street from me.

13 I don't mind them farming. What I do mind  
14 is the unknown of what Tampa Electric plans on  
15 doing with this property, and I would like further  
16 clarification. I'm not going to agree to this, and  
17 I'm definitely opposed to it at this point.

18 HEARING MASTER HATLEY: Thank you,  
19 Ms. Cunningham. Thank you for your testimony.

20 All right. Development Services.

21 MR. GRADY: Nothing further, unless you have  
22 any questions.

23 HEARING MASTER HATLEY: All right.  
24 Applicant.

25 MS. MORA: Good evening again. Kristin

1 Mora, Tampa Electric Company.

2 As I stated earlier, you know, we do not  
3 know exactly what the use of this property is going  
4 to be at this point, but it is possible that it  
5 will be a solar farm. That is one of the things  
6 that Tampa Electric does do is build solar farms.

7 So that is certainly a possibility. At the  
8 time that we would go to develop, if that is the  
9 use down the road, then we would certainly reach  
10 out to them.

11 I would like to reassure the neighbors that  
12 there are requirements if you do build a solar farm  
13 in this type of zoning category. There has to be a  
14 50-foot setback, for example. There's some  
15 screening requirements in the Land Development Code  
16 all found in Section 6.11.125. Looks like I've got  
17 it the wrong way. It says top. You think I could  
18 read directions.

19 So there are some restrictions that are in  
20 the Code. We're not looking to change any of those  
21 in the event that we went and built the solar farm.  
22 We would comply with the Land Development Code and  
23 all the requirements in there.

24 So I hope that gives them some reassurance  
25 that we're not looking for anything special or

1 special favors here. We just would like an  
2 Agricultural district, which gives us some  
3 flexibility to use any of those uses within the  
4 Agricultural district, currently for Agricultural,  
5 and then the future potentially for one of these  
6 uses or something else allowed in the Agricultural  
7 district.

8 If we sought something that was not allowed  
9 or if we wanted to change something in the future,  
10 we'd have to come back here and give more concrete  
11 plans about what we're going to do. Thank you.

12 HEARING MASTER HATLEY: Thank you.

13 All right. That closes the hearing for item  
14 20-0801.

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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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ZONE HEARING MASTER )  
HEARINGS )  
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ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: JAMES SCAROLA and SUSAN FINCH  
Land Use Hearing Masters

DATE: Monday, November 16, 2020

TIME: Commencing at 6:00 p.m.  
Concluding at 11:38 p.m.

PLACE: Appeared via Webex Videoconference

Reported By:

Christina M. Walsh, RPR  
Executive Reporting Service  
Ulmerton Business Center  
13555 Automobile Blvd., Suite 100  
Clearwater, FL 33762  
(800) 337-7740

1           Item A-12, RZ-PD 20-0394. This application  
2           is out of order to be heard and is being continued  
3           to the December 14, 2020, Zoning Hearing Master  
4           Hearing.

5           Item A-13, Major Mod Application 20-0801.  
6           This application is being continued by staff to the  
7           December 14, 2020, Zoning Hearing Master Hearing.

8           Item A-14, Major Mod Application 20-0898.  
9           This application is being continued by the  
10          applicant to the December 14, 2020, Zoning Hearing  
11          Master Hearing.

12          Item A-15, Rezoning PD 20-0985. This  
13          application is being continued by the applicant to  
14          the December 14, 2020, Zoning Hearing Master  
15          Hearing.

16          Item A-16, Major Mod Application 20-1068.  
17          This application is being continued by the  
18          applicant to the December 14, 2020, Zoning Hearing  
19          Master Hearing.

20          Item A-17, RZ-PD 20-1071. This application  
21          is being continued by the applicant to the  
22          January 19, 2021, Zoning Hearing Master Hearing.

23          Item A-18, RZ-PD 20-1142. This application  
24          is out of order to be heard and is being continued  
25          to the December 14, 2020, Zoning Hearing Master

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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ZONE HEARING MASTER )
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ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY  
Land Use Hearing Master

DATE: Monday, September 28, 2020

TIME: Commencing at 6:00 p.m.  
Concluding at 7:28 p.m.

PLACE: Appeared via Webex  
Videoconference

Reported By:

Christina M. Walsh, RPR  
Executive Reporting Service  
Ulmerton Business Center  
13555 Automobile Blvd., Suite 100  
Clearwater, FL 33762  
(800) 337-7740



1 anyone online -- okay. And this is just to speak  
2 to the continuance request. Okay. No one else,  
3 then item RZ-PD 20-0969 is continued and will be  
4 heard at the October 19th, 2020, Zoning Hearing  
5 Master Hearing. Thank you.

6 MR. GRADY: That's the two changes to the  
7 agenda. I will now go through the public  
8 withdrawals and continuances on page 4 of the  
9 published agenda.

10 The first item is item A-1, Major Mod  
11 19-0521. This application is out of order to be  
12 heard and is being continued to the October 19th,  
13 2020, Zoning Hearing Master Hearing.

14 Item A-2, Rezoning-PD 20-0308. This  
15 application is out of order to be heard and is  
16 being continued to the October 19th, 2020, Zoning  
17 Hearing Master Hearing.

18 Item A-3, Major Mod Application 20-0377.  
19 This application is out of order to be heard and is  
20 being continued to the December 14th, 2020, Zoning  
21 Hearing Master Hearing.

22 Item -- it says D-1 is Major Mod 20-0801.  
23 This application is out of order to be heard and is  
24 being continued to the November 16th, 2020, Zoning  
25 Hearing Master Hearing.



**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**

**NONE**



**PARTY OF  
RECORD**

**NONE**