

**Rezoning Application: RZ-STD 24-0356****Zoning Hearing Master Date:** March 25, 2024**BOCC Land Use Meeting Date:** May 07, 2024**Hillsborough  
County Florida****Development Services Department**

Applicant:	Justin A Marx	
FLU Category:	R-6	
Service Area:	Rural	
Site Acreage:	0.15 +/-	
Community Plan Area:	Lutz	
Overlay:	None	

**Introduction Summary:**

The applicant requests to rezone the property from RSC-6 to CG-R as to create parking for their proposed country store and café on the adjacent parcel to the west.

Zoning:	Existing	Proposed
District(s)	RSC-6	CG-R
Typical General Use(s)	Single-Family Residential (Conventional Only)	Parking
Acreage	0.15 +/-	0.15 +/-
Density/Intensity	6 DU per GA/ FAR: NA	0 DU per GA/ FAR: 0.27
Mathematical Maximum*	0 Units/ FAR: NA	0 Units/ FAR: 1,764 Sq. Ft.

\*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	RSC-6	CG-R
Lot Size / Lot Width	7,000 Sq. Ft./ 70'	10,000 Sq. Ft./ 75'
Setbacks/Buffering and Screening	<ul style="list-style-type: none"> <li>Front &amp; Rear: 25'</li> <li>Side: 7.5'</li> <li>Buffering &amp; Screening: 20'/B to the north</li> </ul>	<ul style="list-style-type: none"> <li>Buffering &amp; Screening: 20'/B to the east</li> </ul>
Height	35'	50'

**Additional Information:**

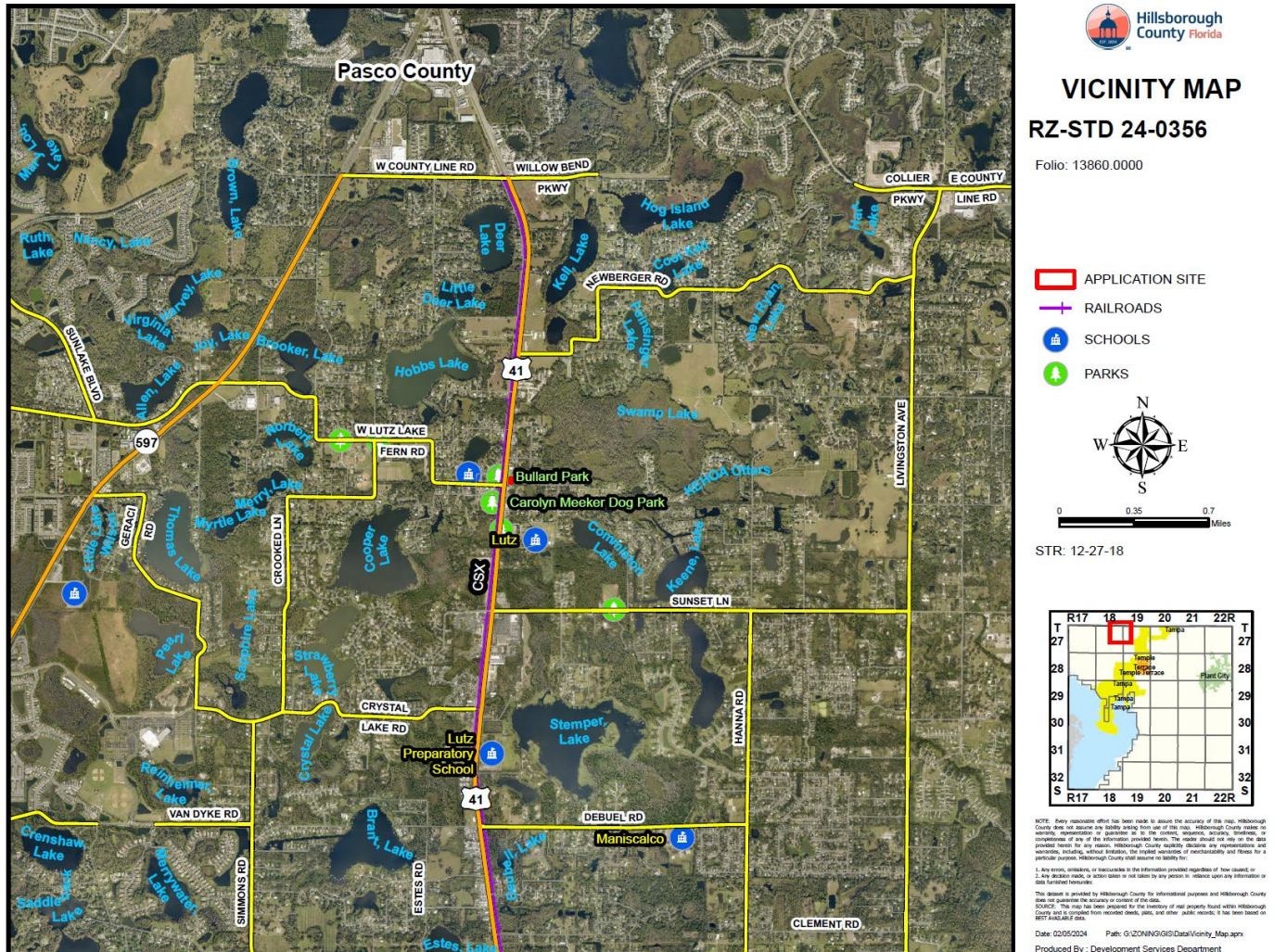
PD Variation(s)	None requested as part of this application
Waiver(s) to the Land Development Code	NA

**Planning Commission Recommendation:**  
Consistent

**Development Services Recommendation:**  
Approvable with restrictions

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map



#### Context of Surrounding Area:

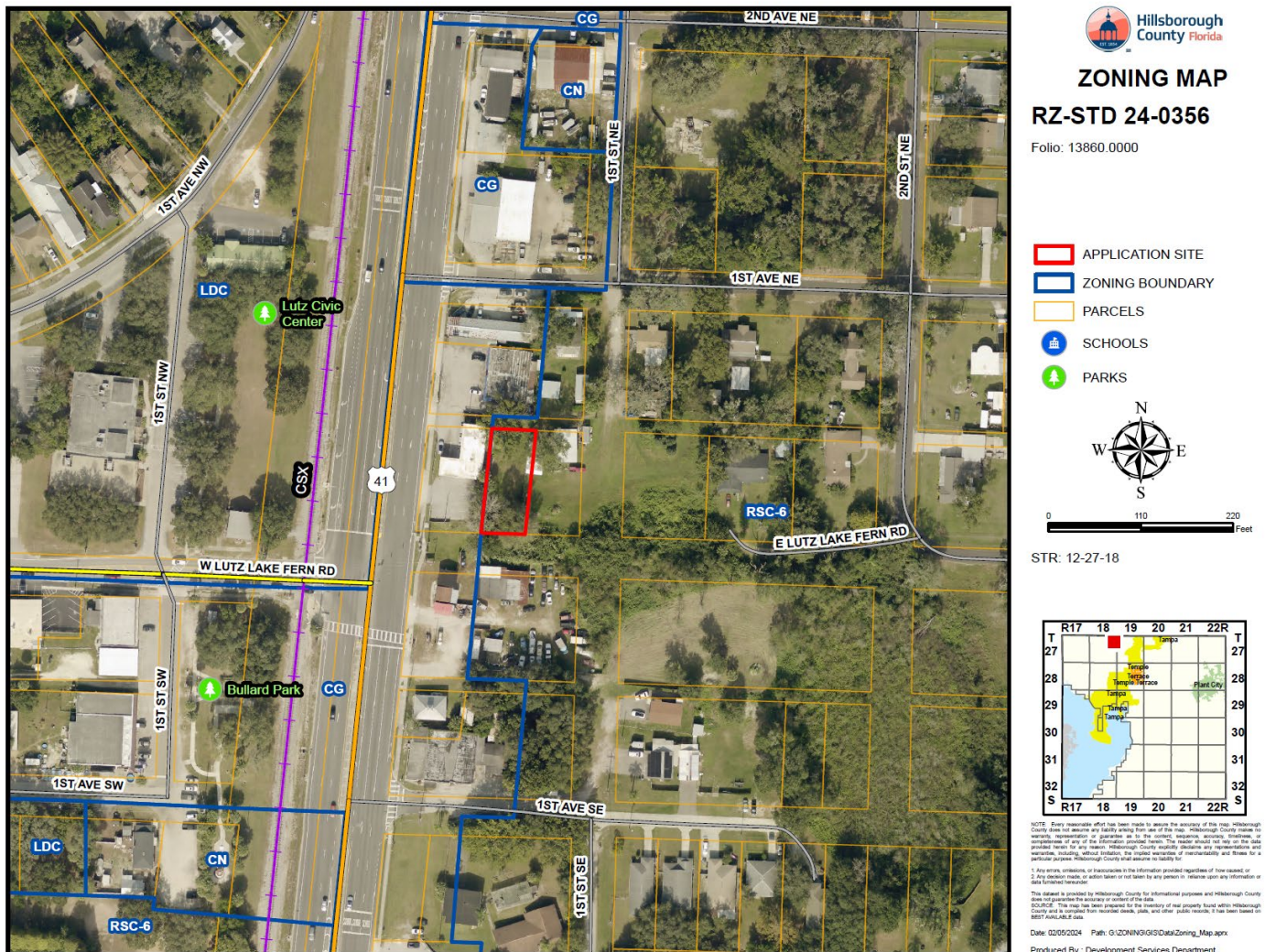
The subject parcel is located along the eastern portion of N US Highway 41 in an area comprised of CG, CN, LDC, and RSC - 6 zoning districts. To the east of the property and along N US Highway 41 the properties are a mixture of commercial and residential uses. To the west of the subject property and across N US Highway 41 the uses consist of county owned properties and single-family residential uses. Furthermore, all surrounding properties have a Future Land Use designation of R-6.





## 2.0 LAND USE MAP SET AND SUMMARY DATA

## 2.3 Immediate Area Map



## Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	CG	NA, 0.27	General Commercial, Office and Personal Services	CONV STORE
South	CG, RSC-6	NA, 0.27, 6 DU per GA /NA	General Commercial, Office and Personal Services, Single-Family Residential	MIXED USE RETAIL
East	RSC-6	6 DU per GA /NA	Single-Family Residential	VACANT RESIDENTIAL
West	CG	NA, 0.27	General Commercial, Office and Personal Services	CG

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.4 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.0 for full site plan)

N/A

**APPLICATION NUMBER: RZ-STD 24-0356**

ZHM HEARING DATE: March 25, 2023

BOCC LUM MEETING DATE: May 07, 2023

Case Reviewer: Carolanne Peddle

**3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)****Adjoining Roadways (check if applicable)**

Road Name	Classification	Current Conditions	Select Future Improvements
Us Hwy 41	FDOT Principal Arterial - Urban	6 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

**Project Trip Generation**

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	15	1	1
Proposed	0	0	0
Difference (+/-)	-1	-1	-1

\*Trips reported are based on net new external trips unless otherwise noted.

**Connectivity and Cross Access ☒ Not applicable for this request**

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

**Design Exception/Administrative Variance ☒ Not applicable for this request**

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

## 4.0 ADDITIONAL SITE INFORMATION &amp; AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
<b>Environmental:</b>	<b>Comments Received</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No comments.
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input checked="" type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
<b>Public Facilities:</b>	<b>Comments Received</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
<b>Transportation</b> <input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	See staff report.
<b>Service Area/ Water &amp; Wastewater</b> <input type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input checked="" type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Yes
<b>Hillsborough County School Board</b> Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Impact/Mobility Fees</b>				
<b>Comprehensive Plan:</b>	<b>Comments Received</b>	<b>Findings</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
<b>Planning Commission</b> <input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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## 5.0 IMPLEMENTATION RECOMMENDATIONS

### 5.1 Compatibility

The subject parcel is located along the eastern portion of N US Highway 41 in an area comprised of CG, CN, LDC, and RSC - 6 zoning districts. To the east of the property and along N US Highway 41 the properties are a mixture of commercial and residential uses. To the west of the subject property and across N US Highway 41 the uses consist of county owned properties and single-family residential uses. Furthermore, the property is separated from the north and south by platted right of way further buffering the lot. Additionally, all surrounding properties have a Future Land Use designation of R-6. The subject parcel will be restricted to uses limited to parking and utilities.

### 5.2 Recommendation


Based on the above considerations and proposed restriction, staff finds the proposed CG-R zoning district is compatible with the existing zoning districts and development pattern in the area. Therefore, staff finds the request approvable.



## 6.0 PROPOSED RESTRICTION

1. The eastern 50 feet of folio 13860.0000 (Lot 7, Block 15 of Plat Book 1, Page 128 – East North Tampa Plat) shall be restricted to only parking and utility uses.

**Zoning Administrator Sign Off:**

  
J. Brian Grady  
Mon Mar 18 2024 11:55:49

### **SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.**

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

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Case Reviewer: Carolanne Peddle

## 7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

**N/A**

## 8.0 PROPOSED SITE PLAN (FULL)

N/A

APPLICATION NUMBER: RZ-STD 24-0356

ZHM HEARING DATE: March 25, 2023

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Case Reviewer: Carolanne Peddle

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## 9.0 FULL TRANSPORTATION REPORT (see following pages)



## AGENCY REVIEW COMMENT SHEET

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

**DATE:** ~~03-14-2024~~

Revised 3-18-2024

**REVIEWER:** Alex Steady, AICP

**AGENCY/DEPT:** Transportation

**PLANNING AREA/SECTOR:** Lutz/ Northwest

**PETITION NO.:** STD 24-0356

☐

This agency has no comments.

☒

This agency has no objection.

☐

This agency objects for the reasons set forth below.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant requests to rezone one parcel totaling +/- 0.15 acres from Residential Single Family Conventional – 6 (RSC-6) to Commercial General – Restricted (CG-R). The proposed restriction states “The eastern 50 feet of Folio 13860.0000 (lot 7, Block 15 of Plat Book 1, Page 128 – East North Tampa Plat) shall be restricted to only parking and utility uses”. The site is located on the east side of US Highway 41 +/- 60 feet north of the intersection of Lutz Lake Fern Road and US Hwy 41. The Future Land Use designation of the site is Residential – 6 (R-6).

### **SITE ACCESS**

Generally, for projects with a Euclidean zoning designation, a project’s potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review. Given the limited information available, as is typical of all Euclidean zoned properties and/or non-regulatory nature of any conceptual plans provided, Transportation Review Section staff did review the proposed rezoning, including the proposed restriction, to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough County Comprehensive Plan, LDC and TTM, and/or whether, in staff’s opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards.

Staff notes that, regardless of this review, the developer/property owner must comply with all Comprehensive Plan, LDC, TTM, and other applicable rules and regulations at the time of plat/site/construction plan review. As such, staff has no objection to this request.

Staff notes that any plans or graphics presented as a part of a Euclidean zoning case are non-binding and will have no regulatory value at the time of plat/site/construction plan review.

### ***Trip Generation Analysis***

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 11<sup>th</sup> Edition.

**Approved Zoning:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-6, 1 Single-Family Dwelling Units (ITE Code 210)	15	1	1

**Proposed Zoning:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CG-R, Parking and/or utility uses	0	0	0

**Trip Generation Difference:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>-15</b>	<b>-1</b>	<b>-1</b>

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

The site has frontage on US Hwy 41. US Hwy 41 is a six-lane, divided, FDOT-maintained principal arterial roadway. Within the vicinity of the project, US Hwy 42 has a sidewalk on the east side. US Hwy 41 lies within +/- 123 feet of right of way within the project's vicinity.

**ROADWAY LEVEL OF SERVICE**

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
US HWY 41	SUNSET LANE	COUNTY LINE ROAD	D	C

Source: [\*2020 Hillsborough County Level of Service \(LOS\) Report\*](#)

## Transportation Comment Sheet

### 3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9 OF STAFF REPORT)

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Us Hwy 41	FDOT Principal Arterial - Urban	6 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	15	1	1
Proposed	0	0	0
Difference (+/-)	-1	-1	-1

\*Trips reported are based on net new external trips unless otherwise noted.

\*\*The 11th Edition of the ITE Trip Generation Manual does not include daily trips for ITE Code 918 and as such daily trip generation cannot be compared.

Connectivity and Cross Access <input checked="" type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

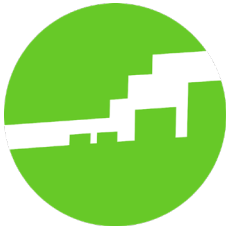
### 4.0 Additional Site Information & Agency Comments Summary

Transportation	Objections	Conditions Requested	Additional Information/Comments
<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No	See staff report.

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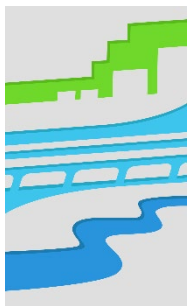
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**Hillsborough County  
City-County  
Planning Commission**

Unincorporated Hillsborough County Rezoning	
<b>Hearing Date:</b> March 25, 2024  <b>Report Prepared:</b> March 13, 2024	<b>Petition: RZ 24-0356</b>  <b>19013 North US Highway 41</b>  <i>South of 1<sup>st</sup> Avenue Northeast, east of North U.S. Highway 41</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use</b>	<b>Residential-6 (6 du/ga; 0.25 FAR)</b>
<b>Service Area</b>	<b>Rural Area</b>
<b>Community Plan</b>	<b>Lutz</b>
<b>Request</b>	Rezoning from Residential Single Family Conventional (RSC-6) to Commercial General (CG) to allow for parking.
<b>Parcel Size</b>	0.15 ± acres
<b>Street Functional Classification</b>	North U.S. Highway 41 – <b>State Principal Arterial</b> West Lutz Lake Fern Road – <b>County Collector</b> 1 <sup>st</sup> Avenue NE – <b>Local</b>
<b>Locational Criteria</b>	Meets
<b>Evacuation Zone</b>	None



### **Context**

- The 0.15 ± acre subject site is located south of 1<sup>st</sup> Avenue NE, and east of North US Highway 41.
- The site is located within the Rural Area and is located within the limits of the Lutz Community Plan.
- The subject property is located within the Residential-6 (RES-6) Future Land Use category, which can be considered for a maximum density of up to 6 dwelling units per gross acre and a maximum consideration of up to 0.25 Floor Area Ratio (FAR). The RES-6 Future Land Use category designates areas that are suitable for low density residential development. Typical uses within RES-6 include but are not limited to, residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses shall meet established locational criteria for specific land use.
- RES-6 surrounds the subject site on all sides. Further south consists of the Public/Quasi-Public (P/Q-P) and Residential-2 (RES-2) Future Land Use categories. Residential-1 (RES-1) is further north.
- The subject site is currently vacant. There is vacant land to the immediate east as well. To the immediate west, north and south are Light Commercial uses. There are also single-family uses to the north and east.
- The site is currently zoned as Residential Single Family Conventional (RSC-6). RSC-6 extends to the north, south, east and areas to the west. To the immediate west is Commercial General (CG) zoning, which extends to the north, south and areas to the west across North U.S. Highway 41.
- The applicant is requesting a rezoning of Residential Single Family Conventional (RSC-6) to Commercial General-Restricted (CG-R) to only allow parking.

### **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. The One Water Chapter outlines relevant language related to water, wastewater and septic in the Rural Area. 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 4.1:** Rural Area Densities Within rural areas, densities shown on the Future Land Use Map will be no higher than 1 du/5 ga unless located within an area identified with a higher density land use category on the Future Land Use Map as a suburban enclave, planned village, a Planned Development pursuant to the PEC ½ category, or rural community which will carry higher densities.

### **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.

### **Environmental Considerations**

**Objective 13:** New development and redevelopment shall not adversely impact environmentally sensitive areas and other significant natural systems as described and required within the Conservation and Aquifer Recharge Element and the Coastal Management Element of the Comprehensive Plan.

**Policy 13.3: Environmentally Sensitive Land Credit** Density and FAR calculations for properties that include wetlands will comply with the following calculations and requirements for determining density/intensity credits:

Wetlands are considered to be the following:

Conservation and preservation areas as defined in the Conservation and Aquifer Recharge Element

Man-made water bodies as defined (including borrow pits)

If wetlands are less than 25% of the acreage of the site, density and intensity is calculated based on:

Entire project acreage multiplied by Maximum intensity/density for the Future Land Use Category

If wetlands are 25% or greater of the acreage of the site, density and intensity is calculated based on :

*Upland acreage of the site multiplied by 1.25 = Acreage available to calculate density/intensity based on that acreage is then multiplied by the Maximum Intensity/Density of the Future Land Use Category*

### **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 16.1:** *Established and planned neighborhoods and communities shall be protected by restricting incompatible land uses through mechanisms such as: a) locational criteria for the placement of non-residential uses as identified in this Plan, b) limiting commercial development in residential land use categories to neighborhood scale; c) requiring buffer areas and screening devices between unlike land uses.*

**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 16.5:** *Development of higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials and to locations external to established and developing neighborhoods.*

### **Commercial Locational Criteria**

**Objective 22:** *To avoid strip commercial development, locational criteria for neighborhood serving commercial uses shall be implemented to scale new commercial development consistent with the character of the areas and to the availability of public facilities and the market.*

**Policy 22.1:** *The locational criteria for neighborhood serving non-residential uses in specified land use categories will:*

- provide a means of ensuring appropriate neighborhood serving commercial development without requiring that all neighborhood commercial sites be designated on the Future Land Use Map;*
- establish a maximum square footage for each proposed neighborhood serving commercial intersection node to ensure that the scale of neighborhood serving commercial development defined as convenience, neighborhood, and general types of commercial uses, is generally consistent with surrounding residential character; and*
- establish maximum frontages for neighborhood serving commercial uses at intersections ensuring that adequate access exists or can be provided.*



**Policy 22.2:** *The maximum amount of neighborhood-serving commercial uses permitted in an area shall be consistent with the locational criteria outlined in the table and diagram below. The table identifies the intersection nodes that may be considered for non-residential uses. The locational criteria is based on the land use category of the property and the classification of the intersection of roadways as shown on the adopted Highway Cost Affordable Long Range Transportation Plan. The maximums stated in the table/diagram may not always be achieved, subject to FAR limitations and short range improvements as well as other factors such as land use compatibility and environmental features of the site.*

**Policy 22.3:** *In order to address instances where a site does not exactly meet the dimension requirements of the Chart in Policy 22.2, the following will apply:*

*Where a proposed neighborhood commercial use is located such that the major roadway frontage associated with the proposed use exceeds the maximum distance specified in the Chart in Policy 22.2 but at least 75% of the frontage associated with the use is within that distance and under single ownership, then such proposed use may also be considered for approval.*

*When an intersection is shown on the adopted Highway Cost Affordable Long Range Transportation Plan, as a three way, or “T” intersection, consideration for commercial development can occur as if there were a full intersection for locational purposes, but when determining the appropriate size development for each quadrant the configuration of the road may not support maximum square footage’s due to limiting nature of the intersection.*

**Policy 22.5:** *When planning the location of new non-residential developments at intersections meeting the locational criteria, a transition in land use shall be established that recognizes the existing surrounding community character and supports the creation of a walkable environment. This transition will cluster the most intense land uses toward the intersection, while providing less intense uses, such as offices, professional services or specialty retail (i.e. antiques, boutiques) toward the edges of the activity center.*

#### **4.1 RURAL RESIDENTIAL CHARACTER**

**Goal 7:** *Preserve existing rural uses as viable residential alternatives to urban and suburban areas.*

**Objective 7-1:** *Support existing agricultural uses for their importance as a historical component of the community, their economic importance to the County and for the open space they provide.*

#### **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: Lutz Community Plan**

## **STRATEGIES**

*To ensure the implementation of the Vision formulated by the residents of the Lutz community the following strategies will guide future growth and redevelopment.*

### **Commercial Character**

*The Lutz community desires to retain existing and encourage new commercial uses geared to serving the daily needs of area residents in a scale and design that complements the character of the community. Currently there is approximately 301,559 square feet of commercial approved but not built within the community planning area.*

*The Lutz community seeks to ensure that commercial development and special uses in the community are properly placed to enhance the utility and historic character of the downtown. The community does not want new commercial and special use development to force the creation of development that does not complement the character of the area. To ensure that new commercial development is consistent with the character of the Lutz community, design guideline standards have been created and adopted into the County's land development regulations.*

*These regulations ensure that:*

- *commercial uses are developed in character and/or scale with the rural look of the community and the environment;*
- *the Lutz downtown, generally located at the intersection of Lutz Lake Fern Road and US Highway 41, is recognized as community activity center, and defined as an overlay district within the County's Land development regulations;*
- *the Lutz Downtown Center Zoning District incorporates design guidelines which reflect the historic development pattern already in place and promote desirable complements to that pattern. These standards include:*
  1. *recognizing proximity of the historic old Lutz schoolhouse and its Georgian Revival in roof lines and structures;*
  2. *interruptions in roof lines and structures;*
  3. *public courtyards or open space(s) with shade trees;*
  4. *architectural features to emphasize the location of the downtown;*
  5. *residential style roof lines;*
  6. *outside structure facades made of wood siding, brick or vinyl material;*
  7. *preserved natural areas to act as buffers along perimeters;*
  8. *ground level monument signage standards in scale and related to architectural character overlay district;*
  9. *drought tolerant trees and vegetation plantings for shade, screening and buffers along roadways; and,*
  10. *nighttime lighting that mimics gaslights or kerosene lights (circa early 1990's).*
- *the commercial activity centers identified in the North Dale Mabry Corridor Plan will be maintained (Figure 3 (of the Lutz background documentation));*
- *new commercial zoning is encouraged to locate at the three existing activity nodes along U.S. Highway 41 (Figure 4 (of the Lutz background documentation)):*
  1. *Lutz's historic downtown area to Newberger Road;*
  2. *Crystal Lake Road to Sunset Lane; and*
  3. *Crenshaw Lake Road area*

### **Livability/Safety**

*In order to ensure livable roadways in the community the County shall encourage development of pedestrian/equestrian trails along the roadways identified in the 2015 Scenic Corrido Map, in the Future Land Use Element. Off-road pedestrian/equestrian trails and bikeways will be developed whenever possible in the preserved greenway corridors identified in Hillsborough Greenways Master Plan. Off-road trails and bikeways will be developed when possible in these greenways. The 1995 Greenways Master Plan was used in identifying pedestrian trails, which should be included to provide connectivity.*

*The following transportation concepts will be supported:*

- utilizing existing transportation corridors (e.g., rail lines, US Highway 41, etc.) to make transit accessible for our aging population and to complement our commercial corridors;*
- keeping development consistent with what the roads can handle without widening existing roadways;*
- providing multi-modal transportation such as bike pathways or lanes, trails and sidewalks; and*
- utilizing traffic calming measures to reduce speed on roads*

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

**The 0.15 ± acre subject site is located south of 1<sup>st</sup> Avenue NE, and east of North US Highway 41 and West Lutz Lake Fern Road. The site is in the Rural Area and located within the limits of the Lutz Community Plan. The subject site's Future Land Use classification is Residential-6 (RES-6). The applicant is requesting a rezoning from Residential Single Family Conventional (RSC-6) to Commercial General-Restricted (CG-R) to only allow parking. The parking lot would accommodate parcel 13859.0000, which is also owned by the applicant, and will be a proposed local family owned and operated general store.**

**The Future Land Use Element permits new development within the Rural Area that is similar in character to the existing community. Objective 4 of the Future Land Use Element (FLUE) of the Comprehensive Plan notes that 20% of the growth in the region will occur within the Rural Area without the threat of urban or suburban encroachment. FLUE Policy 4.1 characterizes the Rural Area as low-density, large lot residential. The subject site is within the Rural Area and the proposed rezoning RSC-6 to CG-R is similar in character to the CG uses to the immediate west, north and south. The subject site also is in line with the CG uses to the north. The consistent with this policy direction.**

**The intention is to rezone the subject site to only allow parking. Objective 9 of the FLUE states that all existing and future land development regulations shall be made consistent with the Comprehensive Plan. Policies 9.1 and 9.2 allow for approving zoning that is consistent with the Comprehensive Plan and developments that meet the regulations established by Hillsborough County. At the time of drafting this report, Planning Commission staff had not received transportation comments. Therefore, staff's finding did not take transportation comments into consideration for the analysis of the request.**

**The proposal meets the intent of FLUE Objective 16 and its accompanying policies 16.1, 16.2, 16.3 and 16.10 that require new development, infill and redevelopment to be compatible with the surrounding area in character, lot size and density. Goal 12 and Objective 12-1 of the Community Design Component (CDC) in the FLUE requires new developments to recognize the existing community and be designed to relate to and be compatible with the predominant character of the surrounding area. In this case, the surrounding land use pattern is made of light commercial and single-family uses, as well as vacant land. The parcel to the immediate east of the subject site is vacant.**

The subject site meets the Commercial Character strategies in the Lutz Community Plan. The Lutz community seeks to ensure that commercial development and special uses in the community are properly placed to enhance the utility and historic character of the downtown. The Lutz downtown which is located at the intersection of Lutz Lake Fern Road and U.S. Highway 41, is recognized as community activity center, and defined as an overlay district within the County's Land development regulations. The site is directly east of U.S. Highway 41 and West Lutz Lake Fern Road.

Overall, the proposed rezoning would allow for development that is consistent with the Goals, Objectives, and Policies of the Unincorporated Hillsborough County Comprehensive Plan.

#### **Recommendation**

Based upon the above considerations, the Planning Commission staff finds the proposed rezoning **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.



# HILLSBOROUGH COUNTY FUTURE LAND USE

RZ 24-0356

<all other values>

Rezoning

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

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

- wam NATURAL LULC\_Wet\_Poly
- AGRICULTURAL/MINING-120 (.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)
- INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)
- OFFICE COMMERCIAL-20 (.75 FAR)
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.75 FAR)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASI-PUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

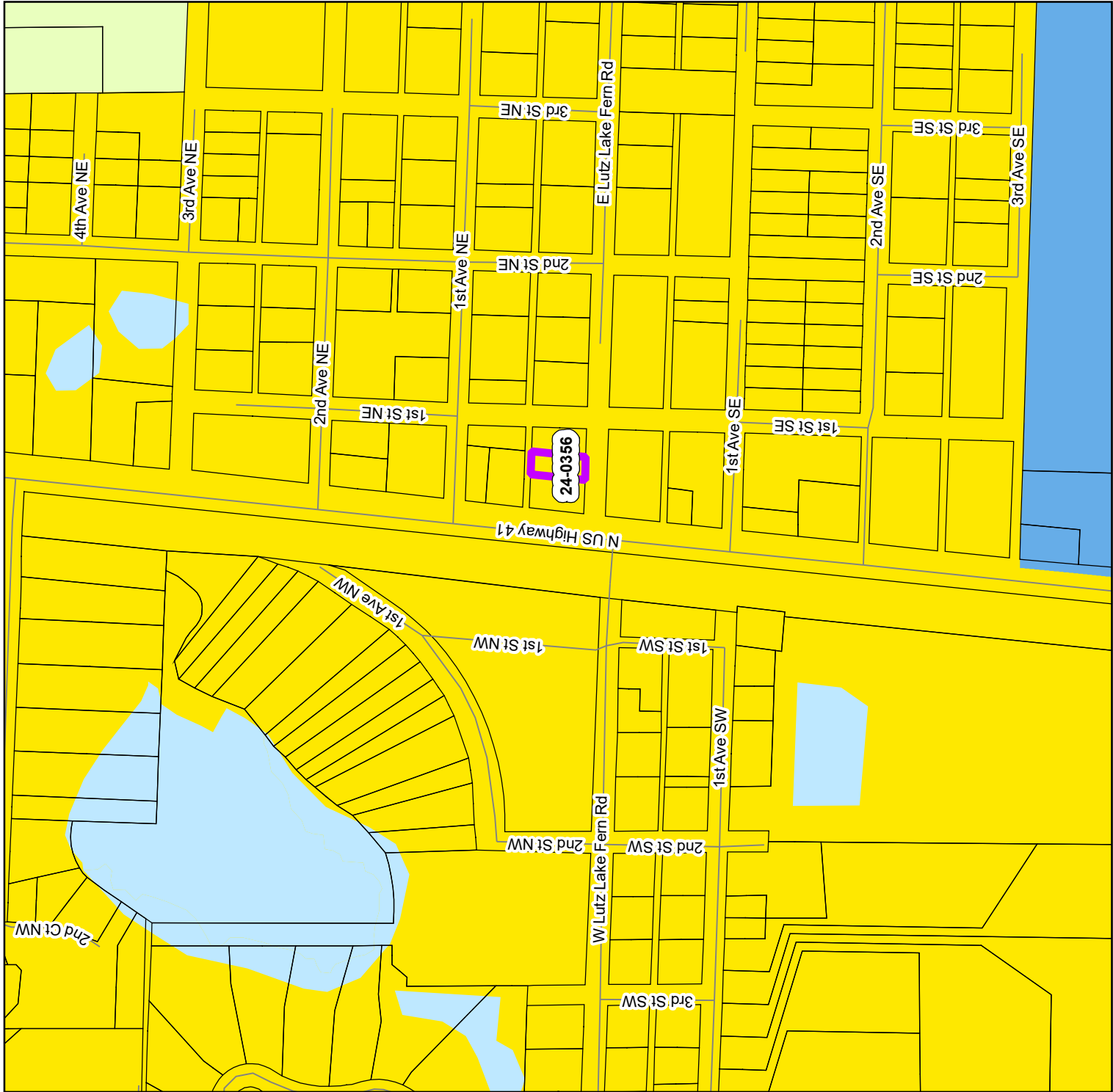
DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. This map is for informational purposes only and is not intended to be used as a legal document. It is intended that the user of this map will verify the accuracy of the information shown on this map with the official records of Hillsborough County City/County Planning Commission. This map is for illustrative purposes only. For the most current data and information, visit the appropriate local or state website.



Map Printed from Rezoning System: 2/14/2024

Author: Beverly F. Daniels

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