

Rezoning Application: 24-0303
Zoning Hearing Master Date: March 25, 2024
BOCC CPA Public Hearing: May 9, 2024

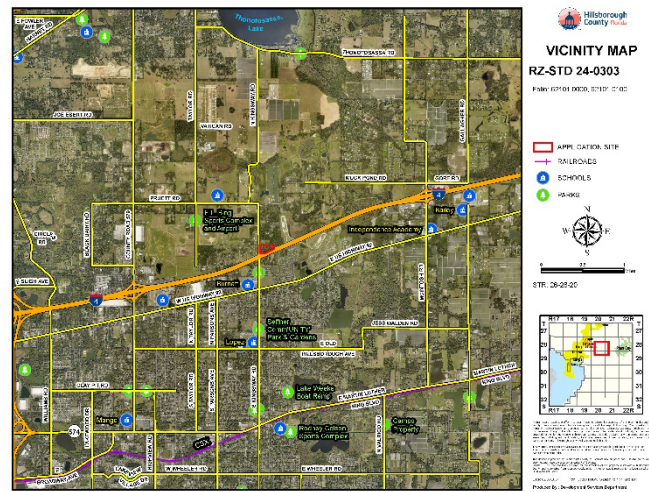


Hillsborough County Florida

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Todd Pressman
FLU Category: Residential 1 (Res-1)
Service Area: Rural
Site Acreage: 8.57 +/- acres
Community Plan Area: Thonotosassa
Overlay: None
Request: Rezone from **Agricultural Single-Family Conventional (ASC-1)** and **Agricultural Rural (AR)** to **Commercial Intensive Restricted (CI-R)**.



Request Summary:

The request is to rezone from the existing **Agricultural Single-Family Conventional (ASC-1)** and **Agricultural Rural (AR)** zoning districts to the proposed to **Commercial Intensive Restricted (CI-R)** zoning district with restrictions. The proposed restriction addresses site-specific use of Open Storage restricted to “Trench Boxes” only.

This rezoning request is concurrent with Comprehensive Plan Amendment (CPA) 24-03 which requested to change the Future Land Use of the site from Residential-1 to Light Industrial LI. The Planning Commission findings will be made on March 20, 2024 at the Planning Commission Public Hearing. Planning Commission’s staff report for this rezoning request is being filed prior to the March 20, 2024, Planning Commission Public Hearing.

Zoning:	Current Zoning: ASC-1	Current Zoning: AR	Proposed Zoning: CI-R
Uses	Agricultural/ Single Family Conventional	Agricultural	Open Storage (Trench Boxes Only)
Acreage	4.47 +/- Acres (ac) (197,713 square feet (sq ft))	4.01 +/- Acres (ac) (174,676 sq ft)	8.57 +/- ac (373,309 sq ft)
Density / Intensity	1 dwelling unit (du) per 1 ac	1 du per 5 ac	0 (FAR) (0 sq ft)
Mathematical Maximum*	4 dwelling units	0 dwelling units	0 sq ft

* Mathematical Maximum entitlements may be reduced due to roads, stormwater and other improvements.

Development Standards:	Current Zoning: ASC-1	Current Zoning: AR	Proposed Zoning: CI-R
Density / Intensity	1 du per 1 ac	1 du per 5 ac	0 FAR (0 sq ft)
Lot Size / Lot Width	1 Acre (43,560 sq ft) / 150'	5 Acre (217,800 sq ft) / 150'	20,000 sq ft / 100'
Setbacks/Buffering and Screening	50' - Front (west) 15' – Sides (north & south) 50' – Rear (east)	50' - Front (west) 25' – Sides (north & south) 50' – Rear (east)	30' w/ Type C Buffering/Screening – Required along ALL property lines.

APPLICATION NUMBER: RZ STD 24-0303

ZHM HEARING DATE: March 25, 2024

BOCC CPA PUBLIC HEARING: May 9, 2024

Case Reviewer: Isis Brown

Height	50'	50'	110'
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Additional Information:

PD Variations	N/A
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Waiver(s) to the Land Development Code	None
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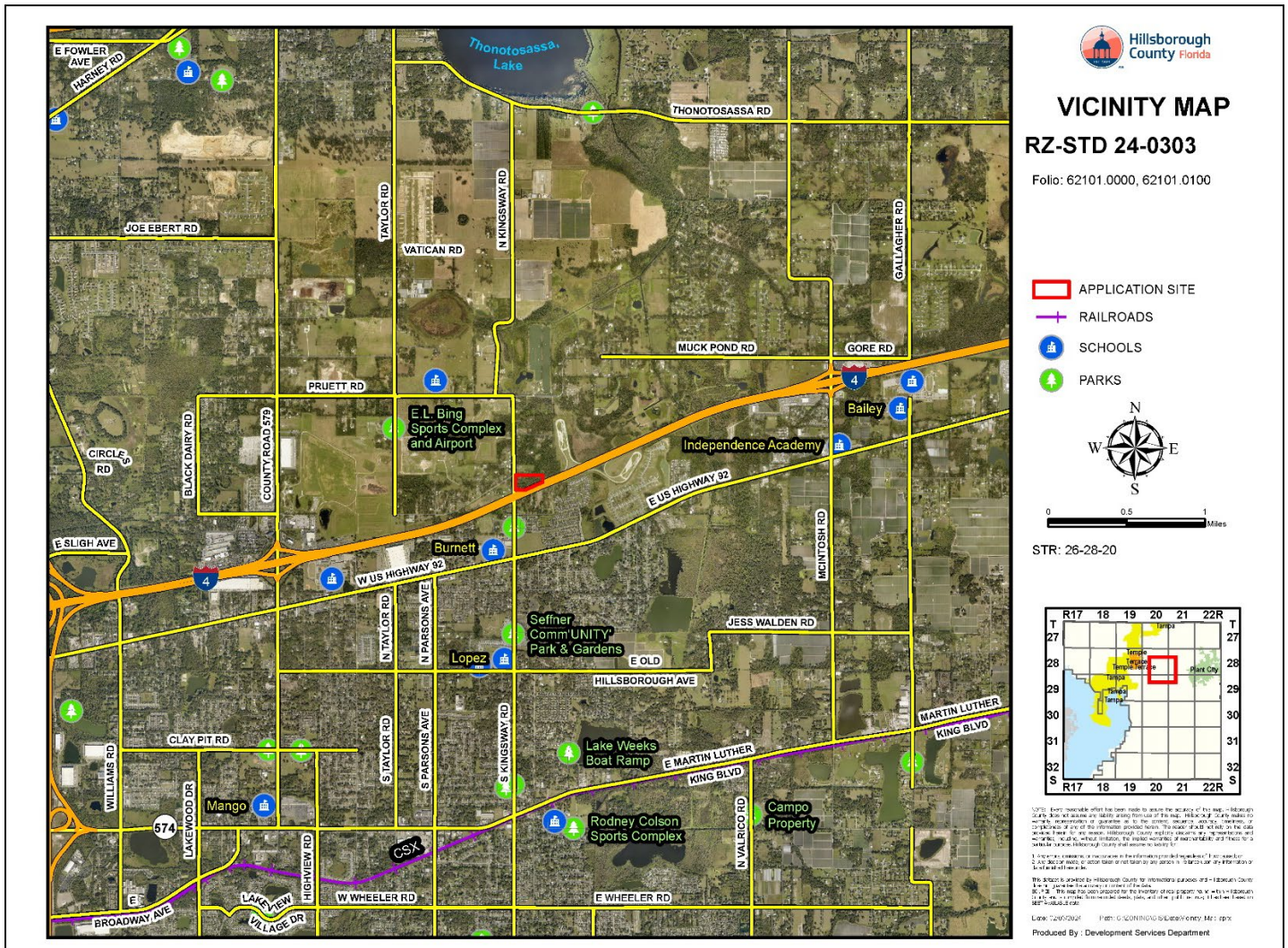
Additional Information:

Planning Commission Recommendation	Inconsistent
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Development Services Department Recommendation	Not Supportable
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

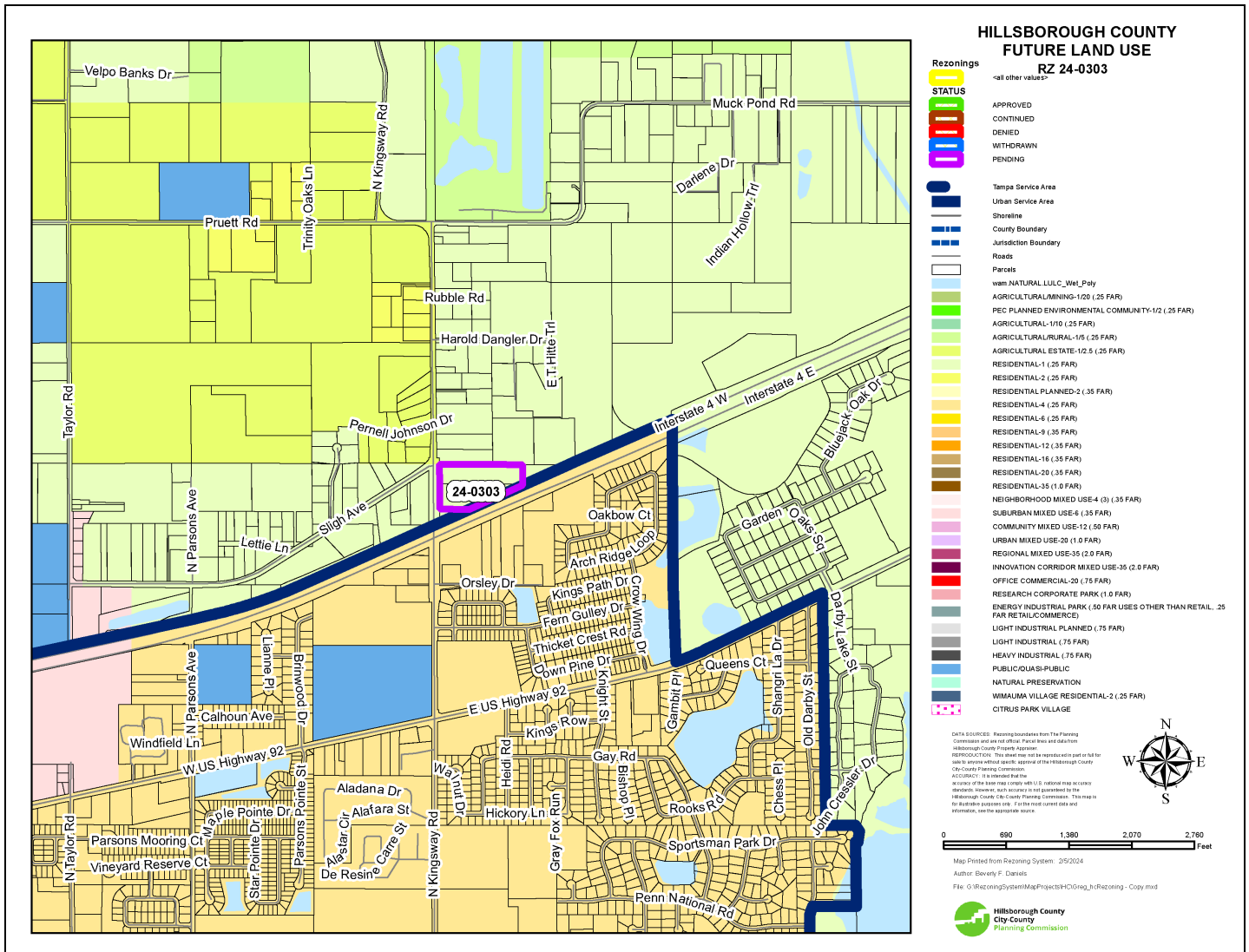


Context of Surrounding Area:

The site is surrounded by agricultural and residential type use properties. The adjacent properties are zoned AR and RSC-2 to north; AS-1 to the west; AR, AS-1 and RSC-3 to the south; and AR and AS-1 to the east. The subject site is located in the Res-1 FLU category and immediately surrounded by properties within the FLU Categories: Agricultural Estate (to the north – west), and Res-4 (to the south).

2.0 LAND USE MAP SET AND SUMMARY DATA

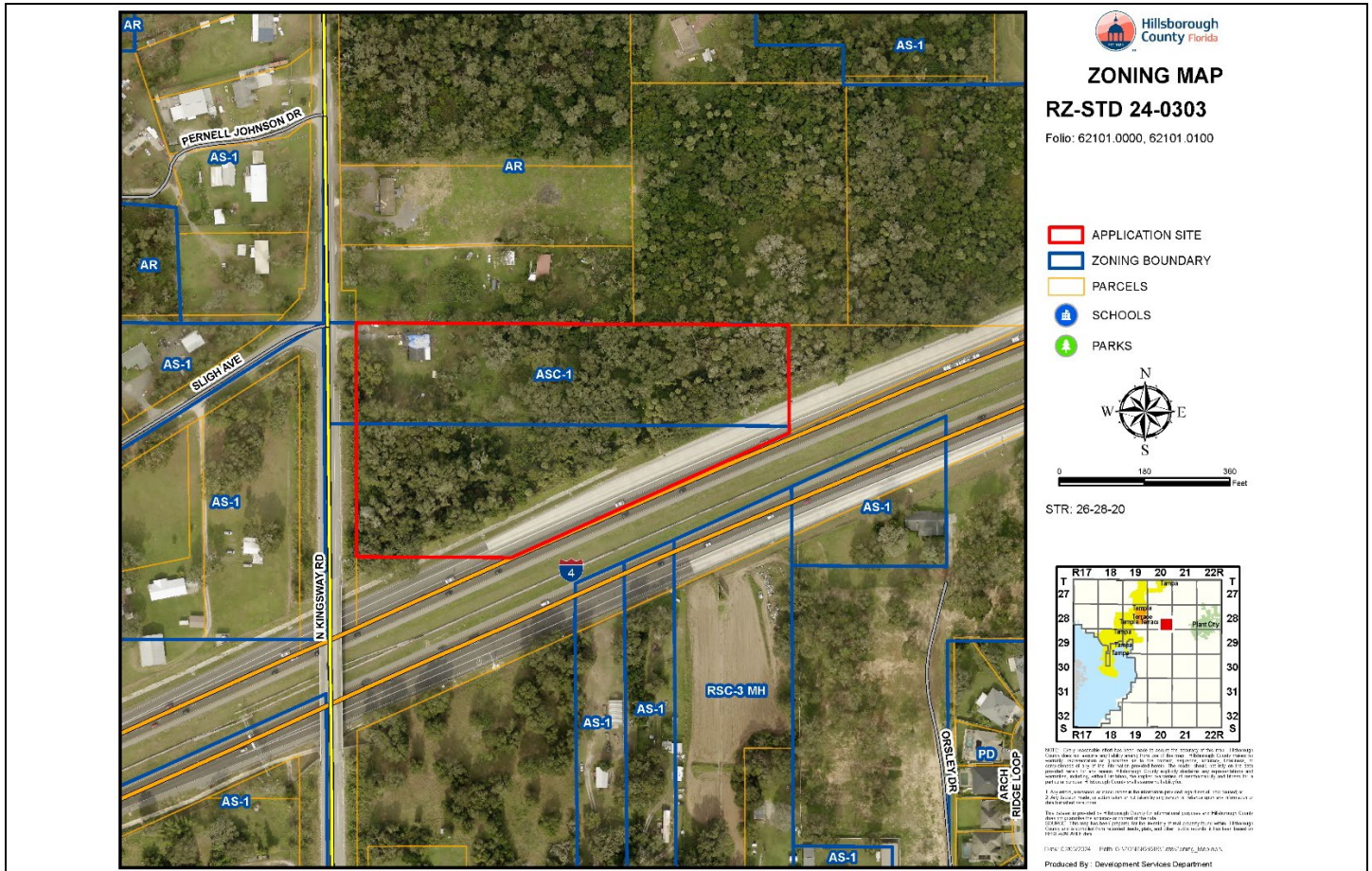
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential 1 (Res-1)
Maximum Density/F.A.R.:	1 dwelling unit per Gross Acre (ga)/ 0.25 F.A.R.
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Nonresidential uses shall meet established locational criteria for specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

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	AR	1 du/ 5ac; 0.25 FAR	Agricultural	Single Family Residence
			Single-Family Residential (Conventional/Mobile Home)	
South	Road	N/A	Road	I-4
	AR	1 du/ 5ac; 0.25 FAR	Agricultural Single-Family Residential (Conventional/Mobile Home)	Single Family Residence
	AS-1	1 du/ 1 ac	Single-Family Residential/Agricultural	Single Family Residence
	RSC-4	1 du/ 10, 000 sq ft	Single-Family Residential (Conventional Only)	Single Family Residence
West	Road	N/A	Road	N Kingsway Rd
	AS-1	1 du/ 1 ac	Single-Family Residential/Agricultural	Single Family Residence
East	AR	1 du/ 5ac; 0.25 FAR	Agricultural	Vacant
			Single-Family Residential (Conventional/Mobile Home)	

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)

Not Applicable

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
Kingsway Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" 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
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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	9	1	1
Proposed	135	8	14
Difference (+/-)	(+) 126	(+) 7	(+) 13

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

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: Euclidean zoned properties are not site plan controlled and the applicant is not proposing access restrictions. Certain buffering will affect the ability to provide required Shared Access Facilities and required cross access facilities. See staff report for additional information.

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY			
Environmental:	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Review at time of development
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Agency Report
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input 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 checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____			
Public Facilities:	Objections	Conditions Requested	Additional Information/Comments
Transportation <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"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Utilities Service Area/ Water & Wastewater <input type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input checked="" type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Hillsborough County School Board 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"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments provided
Impact/Mobility Fees N/A			
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <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 type="checkbox"/> N/A	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	See Agency Report

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of Agricultural and single-family type uses. The site is currently zoned Agricultural Single Family Conventional (ASC-1) and Agricultural Rural (AR). The surrounding properties are zoned: AR, along with Agricultural Single Family (AS-1) to the north; To the south across Interstate-4, A, AS-1 and RSC-4; to the East, vacant AR property; and to west across N Kingsway Road AS-1 zoned properties.

The subject site is located along N. Kingsway Road, a designated scenic corridor, which may trigger additional buffering and tree plantings as required by Part 6.06.03.I of the Land Development Code.

From a compatibility perspective the most potentially impacted parcel would be parcels zoned AR (north) and AS-1 (east). The applicant proposed site-specific use of Open Storage restricted to "Trench Boxes" only. Therefore, given the adjacent zoning/development pattern, staff finds the site characteristics, requires buffering/screening/setbacks and the proposed use restrictions provide appropriate mitigation for any potential impacts of the proposed rezoning.

The subject property is located within the Residential-1 (RES-1) Future Land Use category, which can be considered for a maximum density of up to 1 dwelling unit per gross acre and a maximum consideration of up to 0.25 Floor Area Ratio (FAR). The RES-1 Future Land Use category designates areas for rural residential uses. The site meets commercial location criteria; however, The Planning Commission staff found the request inconsistent due to other compatibility concerns.

Transportation Review staff have objected to the intensification of the site due to concerns, as outlined in their attached agency comment that access to the site as operation/safety issues as also outlined in their agency comment.


5.2 Recommendation

Due to the objections from Transportation Review and Planning Commission review, for the reasons outlined in their attached agency comments of the subject parcel, staff finds the request is not supportable. As noted, the applicant is proposing the following restrictions:

- 1) Site-specific use of Open Storage restricted to storing "Trench Boxes" only.

6.0 PROPOSED CONDITIONS:

N/A

Zoning Administrator Sign Off:	 J. Brian Grady Mon Mar 18 2024 13:15:13
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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.

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

8.0 PROPOSED SITE PLAN (FULL)

Not Applicable

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 3/18/2024

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: TH/Central

PETITION NO: RZ 24-0303

- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to the listed or attached conditions.
- This agency objects for the reasons set forth below.

RATIONALE FOR OBJECTION

1. On February 28, 2024 staff emailed the applicant indicating that Transportation Review Section staff had several questions, comments and concerns. Specifically, staff mentioned that:
 - a. Although the project has +/- 500 feet of frontage along Kingsway Rd., there are significant concerns with respect to the proximity to the Kingsway Rd. flyover, and the majority of the project frontage consists of guardrail due to the grade changes, which may make a turn lane impossible, depending on whether that is LA right-of-way or based on other design consideration (which could otherwise potentially help mitigate at least a portion of site visibility concerns for decelerating traffic entering the site). As evident in photo below, there are significant site visibility issues for traffic entering/existing the existing site driveway, and intensification of the access may result in an unacceptable risk to life safety given these constraints. Staff indicated they would discuss this issue with the County Engineer to determine whether the County would need additional information or could potentially support given the proposed restrictions. Staff also indicated they would inquire about the offset intersection and whether there are any issues that this may create with Sligh Ave. to determine if those can be supported.
 - b. Even if we could get past those potential issues listed above, Kingsway Rd. is functionally classified as a collector roadway, and is therefore subject to Sec. 6.04.07 access spacing standards. There are two parcels to the north that could be anticipated to request similar rezonings/redevelopment in the future if this project is successful, and such redevelopment could not meet access spacing requirements. These spacing issues are further exacerbated due to the proximity of the flyover and visibility issues. To mitigate this, the applicant would need to propose zoning restriction language that commits the project driveway to being a Shared Access Facility (see attached markup for further information).
 - c. The driveway will need to have a sufficient throat depth to accommodate the project's design vehicles as well as the combined traffic from all parcels utilizing such access. This will result in a 124-foot-long driveway (100 feet of throat depth, plus 24 feet for the access/cross-access driveway aisle) which must be placed (due to the above-described issue) at the extreme northern end of the project. As such, this effectively eliminates the required buffer along a portion of the northern boundary of the project. Transportation Review Section staff indicated that they understand that zoning staff will be reaching out to the applicant separately to discuss that issue further.



2. Transportation Review Section (TRS) staff followed up with the applicant on March 4, 2024, indicating that the meeting with the County Engineer (CE) had taken place, and that the CE indicated that the applicant's team would need to prepare a conceptual access design, which can then be used by the applicant's Engineer of Record (EOR) to evaluate the sight distance/safety issues, particularly with respect to the intended design vehicle(s). TRS staff would also need the EOR to provide a report on whether site distance is an issue there, as well as examine the intersection spacing/geometry. The EOR would prepare a report, which the CE would then evaluate.
3. TRS staff indicated that, assuming such report were to find no issues and the CE concurred, TRS staff would be comfortable recommending approval of the zoning subject to the applicant's inclusion of proposed restrictions which address the access issues described above (i.e. the Shared Access Facility), would necessitate modification to the proposed buffer standards.
4. Staff offered to meet with the applicant to further discuss the issues. No formal communications were received; however, the applicant did submit a letter into Optix in an attempt to address the issues; however, the applicant's letter was not signed and sealed by a Professional Engineer (PE) license in the state of Florida, not did it accurately describe the issues nor provide any meaningful analysis of the life safety issues which could be further reviewed and evaluated by staff and the CE.
5. The applicants' transportation calculations are based on statements from the property owner (or intended user) regarding how many trips they thought they might generate, and did not follow the County's methodology for calculating trip impacts for open storage uses, which it consistently applies to projects across the County for fairness and consistency. The letter also stated different trip generation assumptions than that contained in the project narrative. TRS staff finds that problem with solely relying on what a user thinks that their trip impacts might be for their particular business model, is that the County staff can't restrict individual business owners, only types of business (e.g. we approve an individual site for a restaurant use generally, not a specific brand, for example "Brand X", and while "Brand X" might generate less traffic than "Brand Y", there is generally nothing stopping "Brand Y" from purchasing and moving into the site). As such, it is important that we apply trip generation assumptions fairly and consistently. Furthermore, how much or how little a site will generate does not obviate the need for access to that parcel to be provided safely (or the need for it to address its impact on the ability of other adjacent properties to pursue similar intensification of their properties in the future). Lastly, the applicant's letter does nothing to address the fact that (even if trip generation were to be similar between the proposed use and the existing single-family house), the two uses are likely to have very different vehicles

traveling to the site (with the storage uses more likely to have semi-trucks, trailers or other larger sized vehicles visiting the site).

6. The proposed buffering and screening would interfere with required driveway placement and the needed Shared Access Facilities that may be required in the future to ensure development of adjacent properties to the north could develop/redevelop safely.
7. The applicant has failed to provide the requested data and analysis, or address conflicts with proposed buffering and screening. Given this, the applicant has not proven that intensification is appropriate or can be supported, and staff recommends denial of the applicant at this time. Staff is hopeful that, with additional time and the proper analysis (prepared by individuals with acceptable qualifications), as well as revisions to the applicant to address future spacing concerns, the application could potentially be supportable (but this cannot be determined until the applicant works through these issues with staff).

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone two parcels, totaling +/- 8.57 ac., from Agricultural Single-Family Conventional – 1 (ASC-6) and Agricultural Rural (AR) to Commercial Intensive (CI) with Restrictions (CI-R).

The applicant is proposing three restrictions as follows:

1. The use of the site is specifically restricted to the open storage of “Trench Boxes”.
2. Provide extreme buffering and screening.
3. Where the natural screening and forestation exceeds to code requirements, the natural screening and forestation will remain in place.

Staff notes that other high trip intensity uses including but not limited to restaurants without drive-up facilities, liquor stores, free-standing bars, lounges, nightclubs and dance halls, drug stores, medical marijuana dispensing facilities, microbreweries, specialty food stores, and walk-in and drive-through banks could still be permitted.

The applicant is also proposing a restriction which states “The proposed condition is to consider approval of this application on the condition that FDOT approves the US 41 access connection.”

Consistent with the Development Review Procedures Manual (DRPM), the applicant was not required to submit a trip generation and site access analysis for the proposed project. Staff has prepared a comparison of the trips potentially generated utilizing a generalized worst-case scenario. The information below is based on data from the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition except as otherwise noted below. Consistent with the County’s methodology for determining trip generation for open storage uses (which is a considerably variable use and not one addressed in the Trip Generation Manual), staff applied the underlying FAR of 0.25 to the site acreage, and estimated impacts using the resulting square-footage (93,327s.f.) utilizing ITE Land Use Code 151 (Mini-Warehouse). Data for the proposed use utilizes the above described methodology.

Existing Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AR, ASC-1, 1 Single-Family Detached Dwelling Units (ITE LUC 210)	9	1	1

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, +/- 8.57 Open Storage Uses (County Methodology, LUC 151)	135	8	14

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 126	(+) 7	(+) 13

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Kingsway Rd. is a 2-lane, undivided, substandard, publicly maintained collector roadway. The roadway is characterized by +/- 11-foot travel lanes in average condition (in the vicinity of the proposed project). Along the project’s frontage, the roadway lies within a variable width right-of-way +/- 118-foot-wide at its narrowest point and widening to the south as it approaches the Interstate – 4 flyover bridge. There are no sidewalks along the roadway in the vicinity of the proposed project. There are +/- 5-foot-wide bicycle facilities (on paved shoulders) in the vicinity of the project.

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 and restrictions 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 (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), 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 (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements).

Transportation Section staff did identify concerns regarding future project access, as noted in the “Rationale for Objection” section hereinabove. Staff notes that, regardless of this review, the developer/property owner will be required to comply will all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review.

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

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway sections is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Kingsway Rd.	I-4	Thonotosassa Rd.	C	C

Source: Hillsborough County 2020 Level of Service Report.

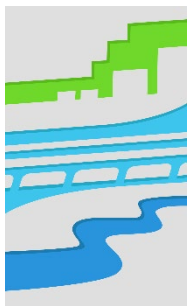
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**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: March 25, 2024 Report Prepared: March 13, 2024	Petition: RZ 24-0303 1347 North Kingsway Road <i>North of Interstate-4, east of Kingsway Road and Sligh Avenue</i>
Summary Data:	
Comprehensive Plan Finding	INCONSISTENT
Adopted Future Land Use	Residential-1 (1 du/ga; 0.25 FAR)
Service Area	Rural Area
Community Plan	Thonotosassa
Request	Rezoning from Agricultural Single Family Conventional (ASC-1) and Agricultural Rural (AR) to Commercial Intensive-Restricted (CI-R) to allow only for the open storage of trench boxes.
Parcel Size	8.57 ± acres
Street Functional Classification	Interstate-4 – State Principal Arterial North Kingsway Road – County Collector Sligh Avenue – Local
Locational Criteria	Yes; meets
Evacuation Zone	None



Context

- The 8.57 ± acre subject site is located north of Interstate-4 and east of Kingsway Road and Sligh Avenue.
- The site is located within the Rural Area and is within the limits of the Thonotosassa Community Plan.
- The subject property is located within the Residential-1 (RES-1) Future Land Use category, which can be considered for a maximum density of up to 1 dwelling unit per gross acre and a maximum consideration of up to 0.25 Floor Area Ratio (FAR). The RES-1 Future Land Use category designates areas for rural residential uses. Typical uses within RES-1 include but are not limited to, 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.
- RES-1 extends to the east, west and north of the subject site. To the northwest across Kingsway Road consists of the Agricultural Estate (AE) and Residential-2 (RES-2) Future Land Use categories. Residential-4 (RES-4) and Public/Quasi-Public (P/QP) Future Land Use categories are to the south across Interstate-4.
- The subject site consists of vacant land and a single-family home. Single-family uses extends to the immediate north and west.
- The site is currently zone as Agricultural Single Family Conventional (ASC-1) and Agricultural Rural (AR). There are areas of AR, along with Agricultural Single Family (AS-1), Residential Single Family Conventional (RSC02) and Planned Development (PD) zoning surrounding the subject site. To the south across Interstate-4 also consists of the Residential Single Family Conventional (RSC-3 and RSC-6) zoning districts.
- The applicant is requesting a rezoning of Agricultural Single Family (ASC-1) and Agricultural Rural (AR) to Commercial Intensive-Restricted (CI-R) to allow for the open storage of trench boxes.

Compliance with Comprehensive Plan:

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

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.

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.

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: Thonotosassa Community Plan

Goals

1. Community Control – Empower the residents, property owners and business owners in setting the direction and providing ongoing management of Thonotosassa’s future growth and development, toward a community that adds value and enhances quality of life.
2. Sense of Community – Ensure that new development maintains and enhances Thonotosassa’s unique character and sense of place and provides a place for community activities and events.
4. Diversity of People, Housing and Uses – Maintain the existing diversity of housing types and styles. Provide for commerce and jobs but protect the community identity and limit the location, type and size of new businesses to fit the surrounding area.

Comprehensive Plan Strategies

- *Form a Thonotosassa Community Advisory Committee to become an effective voice for the community.*
- *Designate Main Street as Thonotosassa's downtown, develop a central gathering place and make downtown a focal point of commercial and community activity.*
- *Establish the community's boundary and designate gateways.*
- *Require minimum lot sizes of 1 acre for residential development within the Residential-1, Agricultural Estate, and Agricultural Rural Future Land Use categories.*
- *Protect the area's rural character.*
- *Support agricultural uses throughout the community.*
- *Retain the current boundaries of the Urban Service Area and continue to restrict central water and sewer services within the Rural Service Area.*
- *Allow commercial uses along SR 578 south of Pruett Road to I-4.*

By June 2004, a proposal for transfer of development rights and purchase of development rights will be presented to the Thonotosassa Community Plan Steering Committee for further consideration by the Board of County Commissioners.

Staff Analysis of Goals, Objectives, and Policies:

The 8.57 ± acre subject site is located north of Interstate-4 and east of Kingsway Road and Sligh Avenue. The subject site is in the Rural Area and located within the limits of the Thonotosassa Community Plan. The subject site's Future Land Use category is Residential-1 (RES-1). The applicant is requesting a rezoning of ASC-1 and AR to CI-R to only allow for the open storage of trench boxes.

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 Service 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 of the parcel from ASC-1 and AR to CI-R is not similar in character to the surrounding area. CI uses may not be considered in the RES-1 Future Land Use category, as this category only allows for neighborhood serving commercial uses. Per the Definitions Section of the Comprehensive Plan, neighborhood serving commercial uses include those uses permitted by the Commercial Neighborhood (CN) and Commercial General (CG) zoning districts, not the uses permitted by Commercial Intensive (CI) zoning.

The intention of the rezoning is to allow only for the open storage of trench boxes. 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. This rezoning would not be consistent with Objective 9 and Policies 9.1 and 9.2 as the area is predominantly made up of residential and agriculture uses.

The proposal does not meet 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 development pattern is mostly comprised of large rural residential lots. The proposed rezoning to allow the open storage of trench boxes does not align with the character of the surrounding area and present significant compatibility concerns given the rural residential nature of the area.

The site does not meet the goals and accompanying strategies of the Thonotosassa Community Plan. The Community Control goal strives to empower the residents, property owners and business owners in setting the direction and providing ongoing management of Thonotosassa's future growth and development, toward a community that adds value and enhances quality of life. The Sense of Community goal ensures that new development maintains and enhances Thonotosassa's unique character and sense of place and provides a place for community activities and events. The rezoning to allow for a Commercial Intensive use does not complement the goals and strategies in this Plan.

Overall, the proposed rezoning would allow for development that is inconsistent 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 **INCONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ 24-0303

Rezonings

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

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

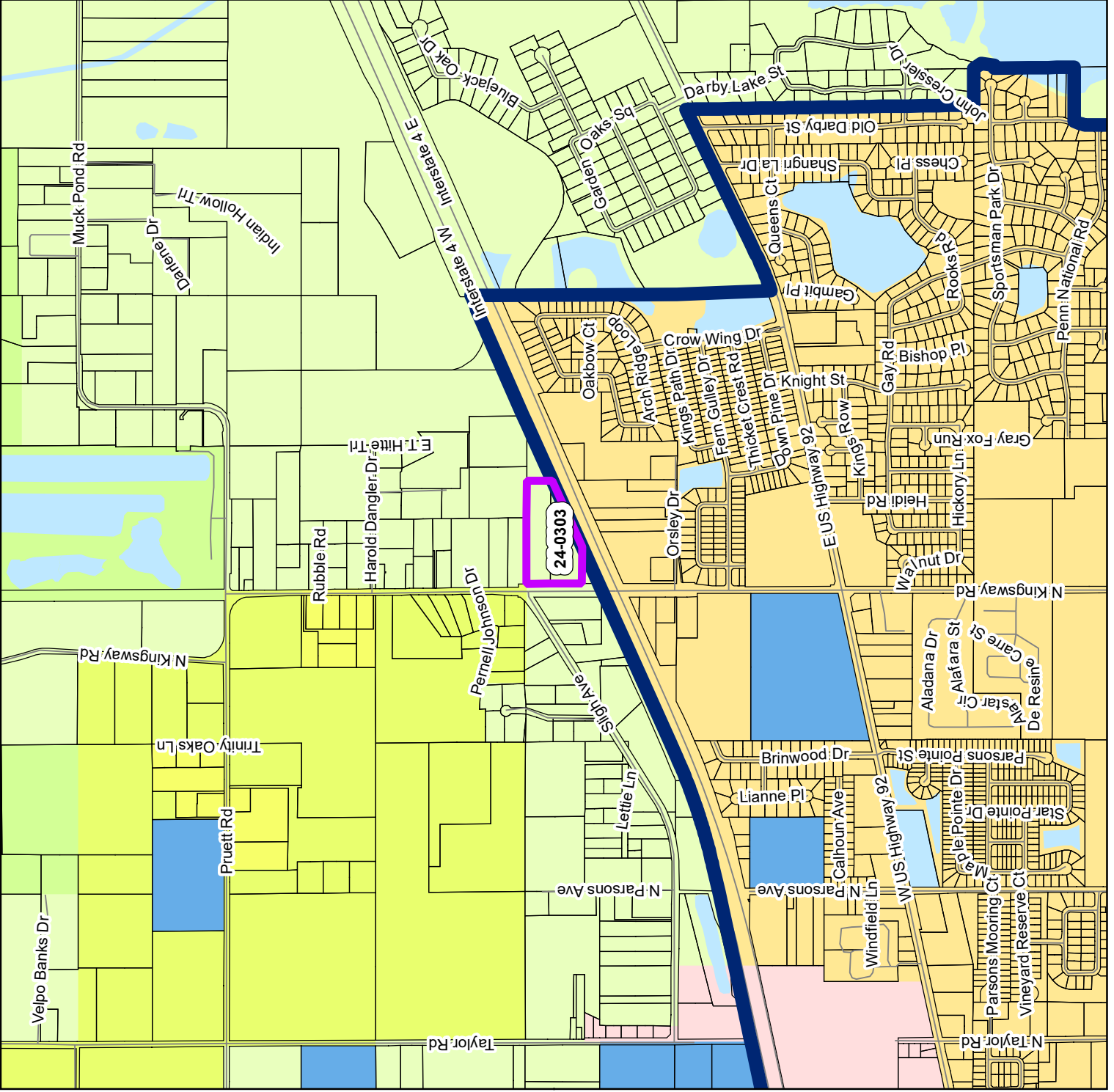
- WATER NATURAL LULC_WeL_Poly
- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 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/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The map is for informational purposes only and does not constitute an offer for any rezoning. It is intended that the rezoning be subject to the approval of the Hillsborough County City/County Planning Commission.

ACCURACY: It is intended that the map be accurate to the standards of the U.S. National Map Accuracy Standards. However, such accuracy is not guaranteed by the Hillsborough County City/County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.



Map Printed from Rezoning System: 2/5/2024
 Author: Beverly F. Daniels
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