

Rezoning Application: PD 24-1264

Zoning Hearing Master Date: March 24, 2025

BOCC Hearing Meeting Date: May 13, 2025



**Hillsborough
County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Sweetheart Ice Cream Inc.

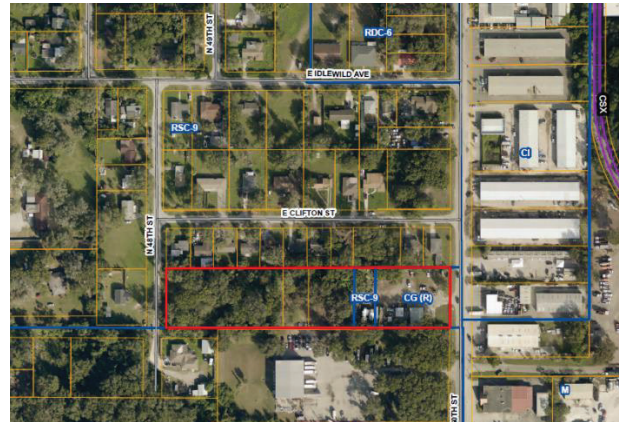
FLU Category: Residential-6 (R-6)

Service Area: Urban

Site Acreage: 2.83 MOL

**Community
Plan Area:** East Lake/Orient Park

Overlay: None



Introduction Summary:

The applicant proposes to rezone a 2.83-acre property containing 5 parcels from RSC-9 (Residential Single-Family) and CG-R (Commercial – General Restricted) to PD 24-1264 (Planned Development) to allow for a use in connection with its adjacent existing ice cream distribution warehouse use on folio# 152789.0100 to the south, which is within the City of Tampa municipal limits. The applicant proposes to use the site as an accessory parking of domestic vehicles, and commercial vehicle storage in four three sided, open-front, metal storage buildings with stormwater facilities.

Existing		Proposed	
District(s)	RSC-9	CG-R	PD 24-1264
Typical General Use(s)	Single-Family Residential (Conventional Only)	Lawn Care and Landscaping Contractor	Accessory Parking and Commercial Vehicle Storage with Stormwater Facilities
Acreage	2.08 MOL	0.75 MOL	2.83 MOL
Density/Intensity	6 du/ga (R-6 FLU)	0.25 F.A.R.	0.08 F.A.R.
Mathematical Maximum*	12 units	8,167 sf	10,200 sf

*number represents a pre-development approximation

Development Standards:		Existing	Proposed
District(s)		RSC-9	CG-R
Lot Size / Lot Width		5,000 sf / 50'	10,000 sf / 75'
Setbacks/Buffering and Screening		20' Front 20' Rear 5' Sides	30' Front Buffer Rear Buffer Sides
Height		35'	50'
			16'

Additional Information:

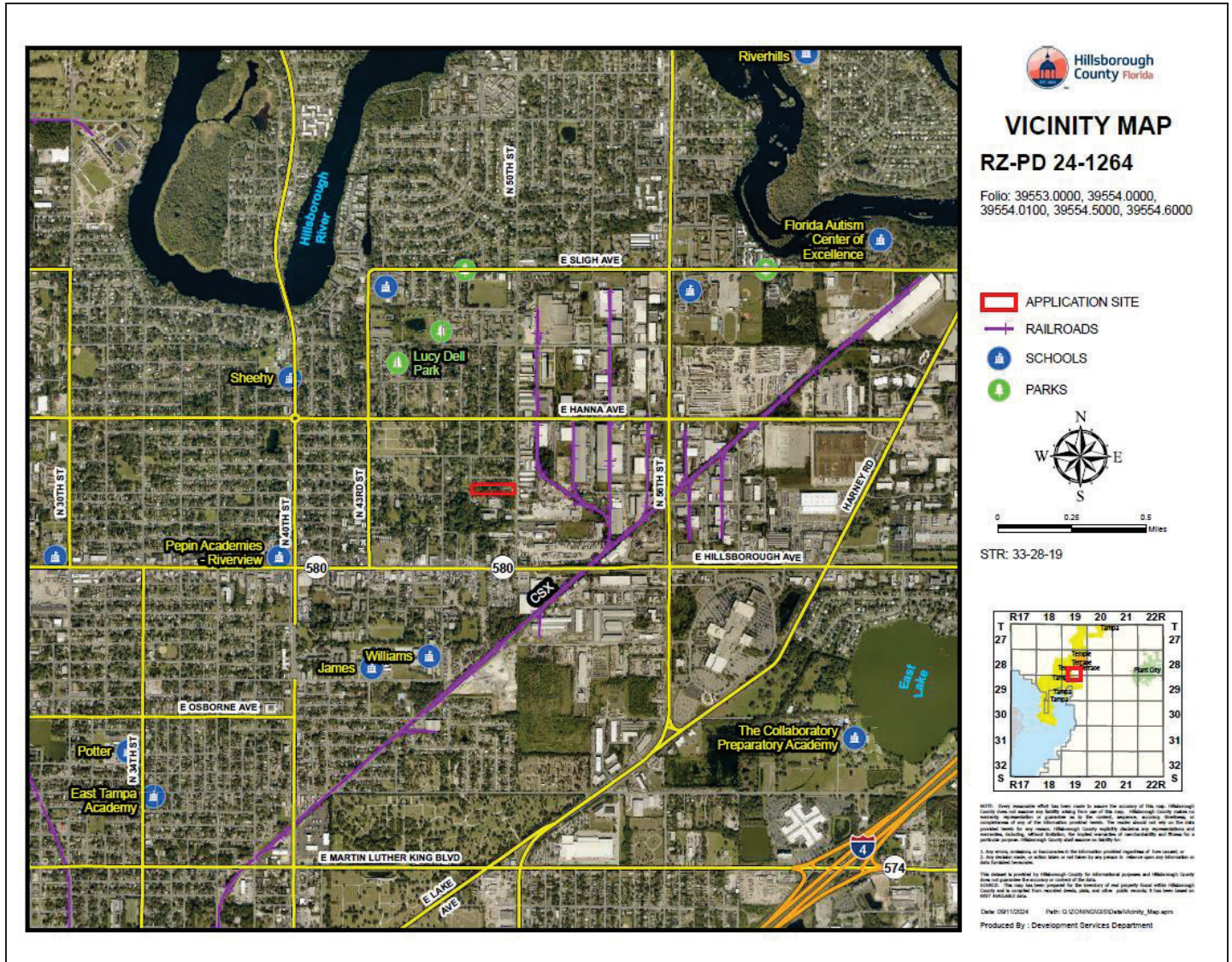
PD Variation(s)	LDC Part 6.06.00 (Landscaping/Buffering) & LDC Part 6.07.00 (Fences/Walls)
Waiver(s) to the Land Development Code	None requested as part of this application

Planning Commission Recommendation:
Consistent

Development Services Recommendation:
Approvable, subject to proposed conditions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

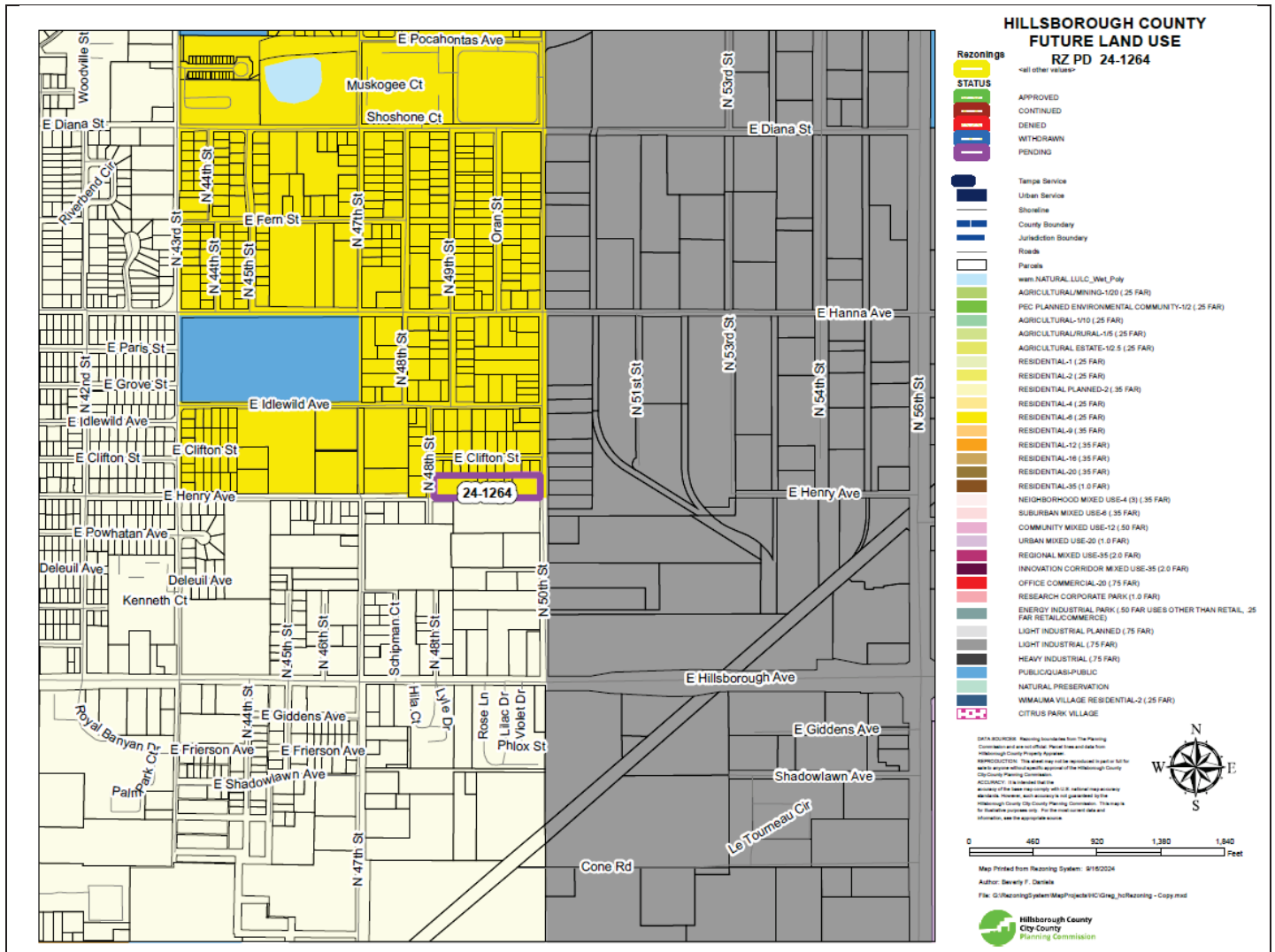


Context of Surrounding Area:

The subject property is generally located 200 feet south of the intersection of East Clifton Street and North 50th Street on the west side of North 50th Street. The area consists of single-family residential, light industrial and commercial. Adjacent to the north is single-family residential zoned RSC-9. To the east across North 50th Street is Commercial zoned CI and M. Adjacent to the south is the City of Tampa and the Sweetheart Ice Cream warehouse which this PD proposes to integrate and serve zoned CI (City of Tampa). Additionally, to the south is single-family residential zoned RS-50 (City of Tampa). Across North 48th Street to the west are single-family residential lots zoned RSC-9.

2.0 LAND USE MAP SET AND SUMMARY DATA

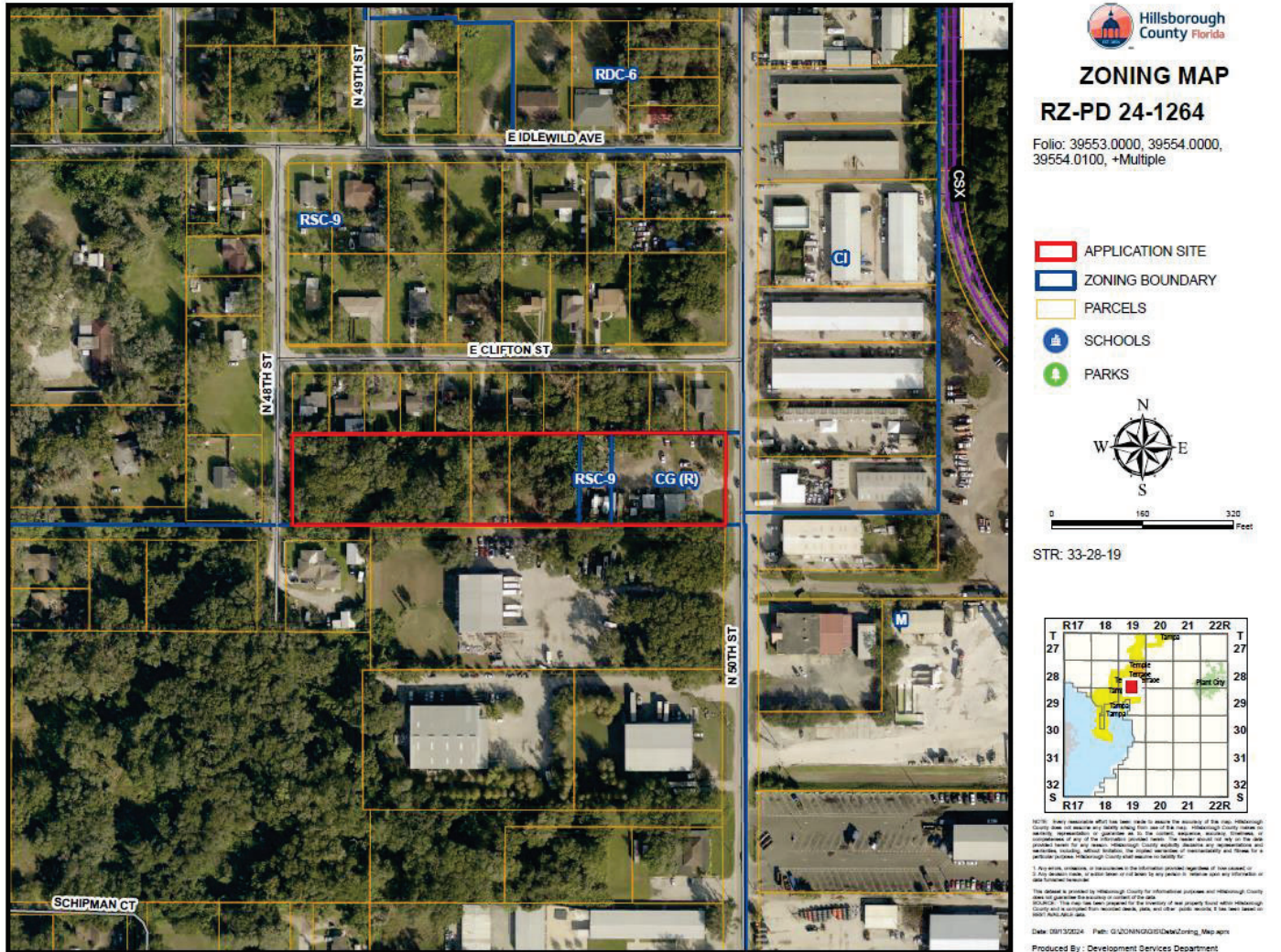
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-6 (RES-6)
Maximum Density/F.A.R.:	6 du/ga; 0.25 FAR
Typical Uses:	Agricultural, residential, neighborhood commercial, office uses, multi-purpose projects and mixed-use development.

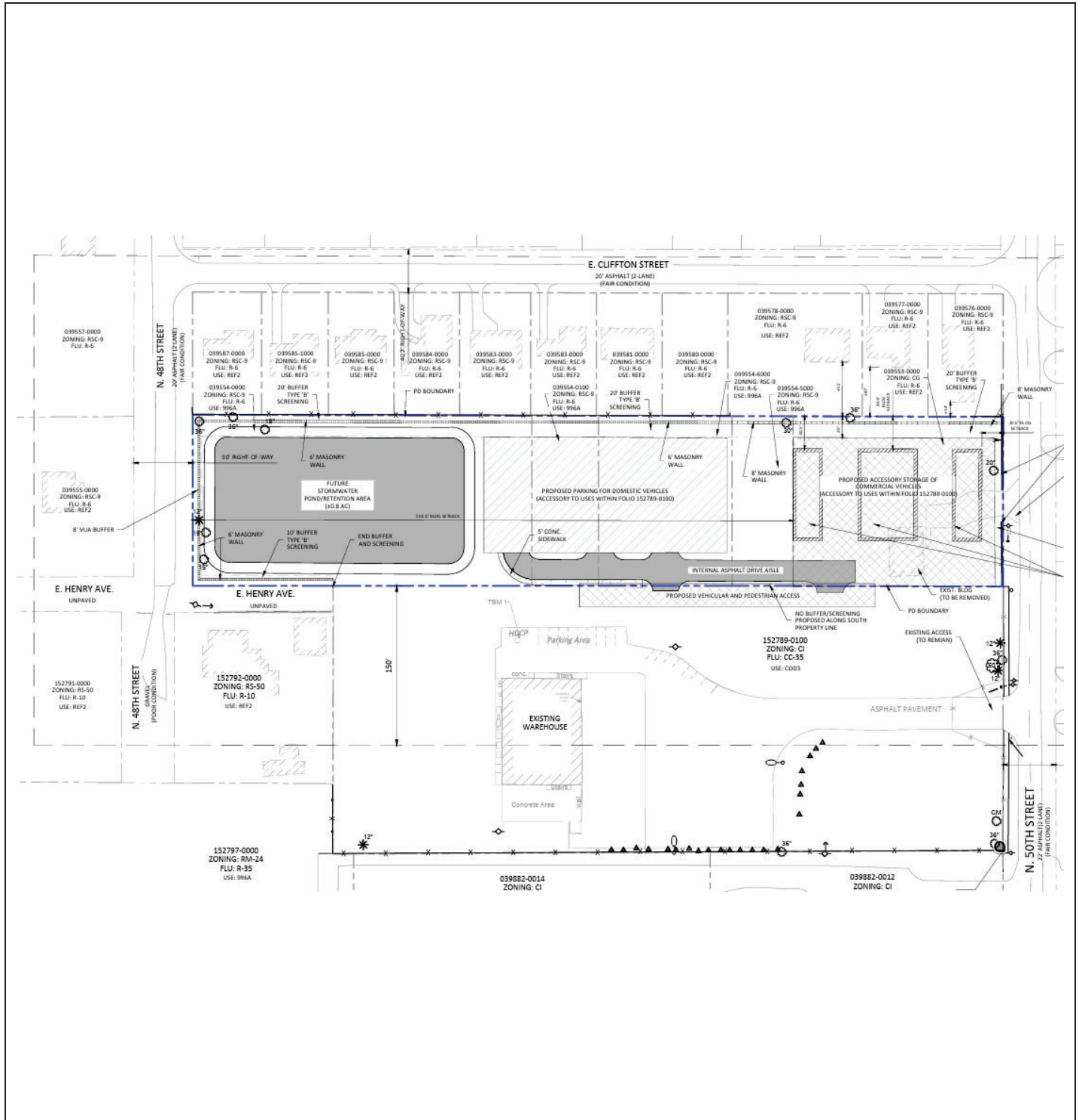
2.0 LAND USE MAP SET AND SUMMARY DATA

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	RSC-9	6 du/ga (R-6 FLU)	Single-Family Residential Conventional	Single-Family Residential
South	RS-50, CI (City of Tampa)	8.7 du/ga, 1.50 F.A.R. (City of Tampa)	Residential Single-Family, Commercial-Intensive	Single-Family Residential, Light Industrial
East	CI, M	0.30 F.A.R., 0.75 F.A.R.	Intensive Commercial, Industrial/Manufacturing	Commercial, Mini Warehouses
West	RSC-9	6 du/ga (R-6 FLU)	Single-Family Residential Conventional	Single-Family Residential

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)

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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
N. 50 th St.	County Local - 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 ☐ Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	5,018	475	356
Proposed	16	1	2
Difference (+/-)	(-) 2,002	(-) 474	(-) 354

*Trips reported are based on gross 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		None	None	Meets LDC
South	X	Pedestrian & Vehicular	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
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.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

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Case Reviewer: Chris Grandlienard, AICP

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
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	No Wetlands Present.
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	
Natural Resources	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Environmental Services	<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	
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <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"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input checked="" type="checkbox"/> Other Airport Height Restriction: 170' AMSL, 190' AMSL				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	No vehicular access to County roadways. Access via easement to section of roadway owned/maintained by City of Tampa.
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 checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> City of Tampa <input 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	
Impact/Mobility Fees Urban Mobility, Northeast Fire - parking and loading area to existing warehouse/distribution facility, no additional impact.				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" 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	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The subject property is generally located 200 feet south of the intersection of East Clifton Street and North 50th Street on the west side of North 50th Street. The area consists of single-family residential, light industrial and commercial. Adjacent to the north is single-family residential zoned RSC-9. To the east across North 50th Street is Commercial zoned CI and M. Adjacent to the south is the City of Tampa and the Sweetheart Ice Cream warehouse which this PD proposes to integrate and serve zoned CI (City of Tampa). Additionally, to the south is single-family residential zoned RS-50 (City of Tampa). Across North 48th Street to the west are single-family residential lots zoned RSC-9. The subject property is designated Residential-6 (RES-6) on the Future Land Use map. The Planning Commission finds the proposed use consistent with the Comprehensive Plan.

The surrounding uses to the south and east are similar to the request, light industrial and commercial, with a seafood wholesaler warehouse directly adjacent to the ice cream warehouse to the south in the city of Tampa. To the east, there are mini warehouses and commercial. Further east, there is a large manufacturing district with a variety of commercial and light industrial uses. The single-family residential to the north, south and west are provided adequate buffering and screening of 20' / Type B plus 8' masonry wall from the accessory parking of domestic vehicles, and the commercial vehicle storage buildings.

Therefore, the rezoning of the subject parcel from RSC-9 (Residential Single-Family) and CG-R (Commercial – General Restricted) to PD 24-1264 (Planned Development) to allow for the accessory parking of domestic vehicles, and commercial vehicle storage in metal buildings would be consistent with the existing zoning pattern of the area.

Based on the above considerations staff finds the requested PD zoning district compatible with the existing zoning and development pattern in the area.

5.2 Recommendation

Approval, subject to proposed conditions.

6.0 PROPOSED CONDITIONS

Requirements for Certification:

Prior to PD Site Plan Certification, the developer shall revise the site plan to:

1. Revise Note 8 to delete the words “roads and”. Staff understands that the applicant intends to construct driveways internal to the project, and not public or private roadways that would be required to applicable Typical Section standards.
2. Revise Note 10 to replace the note with a note stating “Access modifications to be constructed prior to use of the property, at time of site development.”
3. Revise note 13 to state “Easement access shall occur through folio 152789.0100 – See Conditions of Approval.”
4. Include development standards for the vehicle storage structures and variations in a Project Data Table on the site plan.

Approval of the request, subject to the conditions listed, is based on the revised general site plan submitted March 12, 2025.

1. Development shall be limited to parking of domestic vehicles, and commercial vehicle storage in four three sided, open-front, metal storage buildings with stormwater facilities to use in connection with the adjacent existing warehouse use on folio# 152789.0100 to the south which is within the City of Tampa municipal limits.
2. Development standards for the three-sided enclosed storage structures are as follows:

Max. F.A.R. 0.08

Max. building area: 10,200 s.f.

Front yard setback (east): 20’

Side yard setback (north): 30’

Rear yard setback (west): 566’

Side yard setback (south): 0’ (integrated into adjacent use)

Max. height: 16’

Max. ISR: 85%

Buffering and Screening as depicted on the site plan.

3. Notwithstanding anything herein or shown on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
4. Vehicular access to the subject site (excluding any gated emergency access which may be required by the Fire Marshall) shall occur via N. 50th St. through adjacent folio 152789-0100. No other vehicular access shall be permitted. All other existing access connections shall be closed and sod restored.

5. Prior to or concurrent with the initial plat/site/construction plan review, the developer shall provide the Official Records Book and Page number of a non-exclusive ingress and egress easement serving all folios within the subject PD and which provides access to N.50th through adjacent folio 15278.0100. Any other existing access easements serving those folios shall be vacated or otherwise abandoned.
6. Construction access to the site shall be restricted to the proposed access connections shown on the PD site plan along the southern boundary. The developer shall include a note indicated same on the site/construction plan documents.
7. Natural Resources staff identified a number of significant trees on the site including potential Grand Oaks. Every effort must be made to avoid the removal of and design the site around these trees. The site plan may be modified from the Certified Site Plan to avoid tree removal.
8. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.
9. The construction and location of any proposed environmental impacts are not approved by this correspondence but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.
10. 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.
11. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.

Zoning Administrator Sign Off:

J. Brian Grady

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

The applicant has requested four PD Variations, one to LDC Part 6.06.00 (Landscaping/Buffering) and three to LDC Part 6.07.00 (Fences/Walls).

The requested variations are as follows:

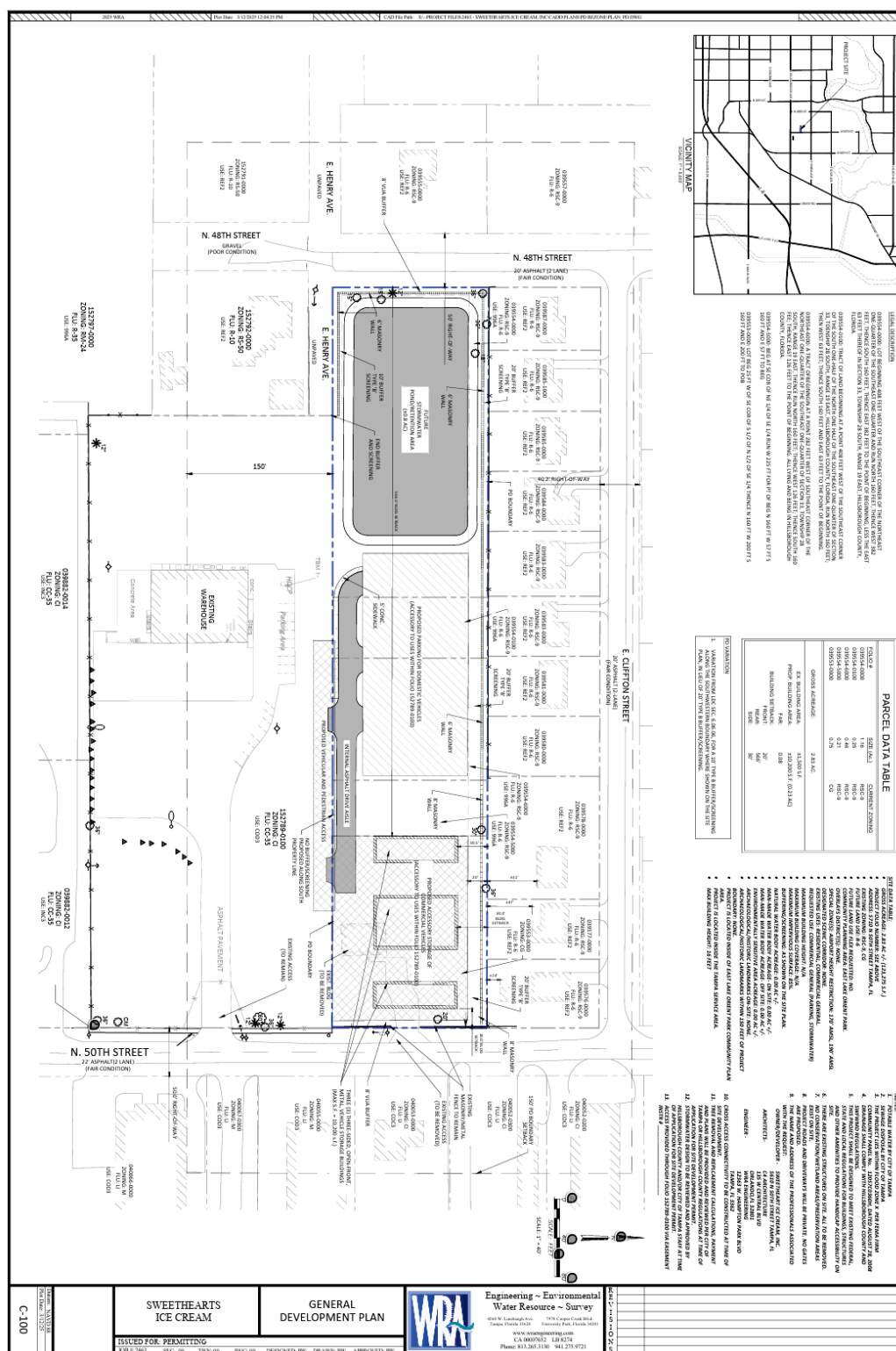
- 1) LDC Part 6.06.00: 10' Type B buffer along the small portion of the Site that abuts unimproved E. Henry Ave. on the south;
- 2) LDC Part 6.07.00: 6' masonry wall along 48th Street boundary;
- 3) LDC Part 6.07.00: ability to close in and/or replace the existing masonry wall along 50th Street.
- 4) LDC Part 6.07.00: 8' masonry wall along the northern boundary.

The applicant argues that these measures ensure the project meets regulatory intent while allowing for creative and functional site integration.

1. Necessity for Variation – The proposed mixed-use development requires integration with an adjacent site, but a large stormwater retention area on the western side limits buffer space. The applicant proposes a combination of vegetative screening and masonry walls to maintain privacy and security.
2. Enhanced Design Features – The stormwater area provides a natural buffer, and additional design elements, such as taller masonry walls, will improve security and screening for the site.
3. Compliance with Land Development Code – The proposed buffers and screening methods align with the intent of the Hillsborough County Land Development Code, ensuring compatibility with adjacent properties.
4. Minimal Impact on Adjacent Properties – The variation will not interfere with neighboring properties due to adequate buffering and screening, as well as the passive nature of the stormwater retention area.

Staff supports the proposed variations as they align with development goals while maintaining compliance with local regulations. The integration of enhanced screening measures, including masonry walls and vegetative buffers, ensures privacy and security for adjacent properties. Additionally, the passive stormwater retention area minimizes environmental and neighborhood impact.

8.0 PROPOSED SITE PLAN (FULL)



9.0 FULL TRANSPORTATION REPORT (see following pages)**AGENCY REVIEW COMMENT SHEET**

TO: ZONING TECHNICIAN, Development Services Department

DATE: 03/13/2025

REVIEWER: James Ratliff, AICP, PTP

AGENCY/DEPT: Transportation

PLANNING AREA: ELOP

PETITION NO: PD 24-1264

- ☐ 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 grounds.

CONDITIONS OF APPROVAL

1. Notwithstanding anything herein or shown on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
2. Vehicular access to the subject site (excluding any gated emergency access which may be required by the Fire Marshall) shall occur via N. 50th St. through adjacent folio 152789-0100. No other vehicular access shall be permitted. All other existing access connections shall be closed and sod restored.
3. Prior to or concurrent with the initial plat/site/construction plan review, the developer shall provide the Official Records Book and Page number of a non-exclusive ingress and egress easement serving all folios within the subject PD and which provides access to N. 50th through adjacent folio 15278.0100. Any other existing access easements serving those folios shall be vacated or otherwise abandoned.
4. Construction access to the site shall be restricted to the proposed access connections shown on the PD site plan along the southern boundary. The developer shall include a note indicated same on the site/construction plan documents.

Other Conditions

- Prior to PD Site Plan Certification, the developer shall revise the site plan to:
 - Revise Note 8 to delete the words "roads and". Staff understands that the applicant intends to construct driveways internal to the project, and not public or private roadways that would be required to applicable Typical Section standards.
 - Revise Note 10 to replace the note with a note stating "Access modifications to be constructed prior to use of the property, at time of site development."
 - Revise note 13 to state "Easement access shall occur through folio 152789.0100 – See Conditions of Approval."

PROJECT SUMMARY AND TRIP GENERATION

The applicant is requesting to rezone multiple parcels, totaling +/- 2.83 ac., from Residential Single-family Conventional - 9 (RSC-9) and Commercial General (CG) to Planned Development (PD). The applicant is requesting two uses on the subject property. The first use is to permit the storage of commercial vehicles accessory to uses within folio 152789.0100 within a +/- 0.96 ac. portion of the site. The second use is to permit the proposed parking of domestic vehicles accessory to uses within folio 152789.0100 within a +/- 0.58 ac. portion of the site. The balance of the site is proposed as stormwater pond/retention area, open space and internal drive aisles.

In accordance with the Development Review Procedures Manual (DRPM), the developer submitted a trip generation analysis for the proposed project indicating that the project generates fewer than 50 peak hour trips. Accordingly, no trip site access analysis was required to process the request consistent with the DRPM.

Staff has prepared a comparison of the number of trips potentially generated under the existing and proposed zoning designations, generally consistent with the applicant's transportation analysis, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's (ITE) Trip Generation Manual, 11th Edition except as otherwise noted.

Staff notes that the calculations show below are consistent with the County's methodology for calculating trip generation for open storage uses. Specifically, the acreage of the open storage area is converted into an equivalent square-footage by taking the acreage and applying the maximum FAR to the underlying future land use (in this case 0.25 FAR allowed pursuant to the RES-6 designation). This square-footage is then analyzed as mini-warehouse (LUC 151).

Existing Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CG, 10,454 Fast-food with Drive-Through (LUC 954)	4,886	466	345
RSC-9*, 11 single-family detached dwelling units (LUC 210)	132	9	11
Subtotal:	5,018	475	356

*Allowable density further limited by RES-6 FLU designation.

Proposed Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, Accessory Storage of Domestic Vehicles**	0	0	0
PD, Open Storage of Commercial Vehicles (10,454 s.f. LUC 151 equivalent trips)	16	1	2
Subtotal:	16	1	2

**While traffic will travel to and from this parcel lot, the accessory storage of domestic vehicles (e.g. employee and customer parking) does not generate trips in and of itself. Cars parking in this area will be appurtenant to the primary use within the adjacent folio 152789.0100, and trip generation of uses within that folio should be assigned to and calculated based on whatever existing or ultimately proposed uses may be permitted within that parcel (which staff notes is located with the City of Tampa).

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Net Peak Hour Trips	
		AM	PM
Difference	(-) 2,002	(-) 474	(-) 354

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

N. 50th St. is a 2-lane, publicly maintained, local roadway. The segment directly adjacent to the site is owned and maintained by Hillsborough County, and lies within a +/- 50-foot-wide right-of-way. The roadway is characterized by +/- 10-foot-wide travel lanes in average condition. There are no sidewalks or bicycle facilities present in the immediate vicinity of the proposed project.

SITE ACCESS/ EASEMENT ACCESS

The applicant is proposing to extinguish any potential access to N. 48th St. as well as any direct access to N. 50th St. The applicant is proposing to take access to N. 50th St. through the adjacent parcel to the south (i.e. the parcel which the proposed uses are being proposed as accessory to). The segment of N. 50th St. adjacent to that parcel (which is the location of the access driveway which will serve this project) is located along that portion of the roadway which is owned and maintained by the City of Tampa. As such, the applicant will be required to obtain any permits necessary from the City.

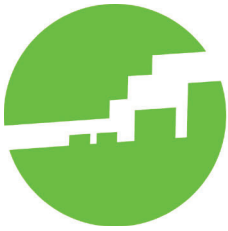
Since this project is taking access through an adjacent parcel which is not located within the same PD, the developer will be required to provide proof of a perpetual non-exclusive easement through the adjacent parcel to the south. This is necessary despite the fact that some of the subject PD parcels are owned by the same owner (and/or intended to be owned by the same owner), given the fact that the parcel to the south could be sold to another owner (potentially leaving the parcels which are the subject of this PD without a legal means of access if an easement were not already on record). The subject PDs inability to obtain/provide such easement at the time of plat/site/construction plan review would necessitate a reevaluation of project access and entitlements via a zoning modification process.

REQUESTED ADMINISTRATIVE VARIANCE

The applicant submitted a Section 6.04.02.B. Administrative Variance from the Sec. 6.04.03.L. requirements regarding substandard roadways; however, given that the location which the project is taking access is within the City of Tampa the request was deemed Out of Order (since the County Engineer does not have authority over City roadways). The applicant subsequently withdrew the request.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Information for N. 50th St. was not included in the 2020 Hillsborough County LOS report. As such, LOS information for the facility cannot be provided.



**Hillsborough County
City-County
Planning Commission**

Plan Hillsborough
planhillsborough.org
planner@plancom.org
813 – 272 – 5940
601 E Kennedy Blvd
18th floor
Tampa, FL, 33602

Unincorporated Hillsborough County Rezoning Consistency Review	
Hearing Date: March 24, 2025 Report Prepared: March 13, 2025	Case Number: PD 24-1264 Folio(s): 39554.0000, 39554.0100, 39554.0000, 39554.5000 & 39553.0000 General Location: South of East Clifton Street, east of North 47 th Street, west of North 50 th Street and north of East Hillsborough Avenue
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Residential-6 (6 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan(s)	East Lake-Orient Park
Rezoning Request	RSC-9 & CG to Planned Development (PD) to allow the use of an accessory parking area with stormwater facilities, to serve the applicant's adjacent warehouse use in the City of Tampa
Parcel Size	+/- 2.83 acres
Street Functional Classification	East Clifton Street – Local North 47 th Street – Local East Hillsborough Avenue – State Principal Arterial North 50 th Street – Local

Commercial Locational Criteria	Does not apply
Evacuation Area	E

Table 1: COMPARISON OF SURROUNDING PROPERTIES			
Vicinity	Future Land Use Designation	Zoning	Existing Land Use
Subject Property	Residential-6	RSC-9 + CG	Vacant + Single-Family
North	Residential-6	RSC-9	Single-Family Residential
South	Community Commercial-35 (City of Tampa)	Commercial Intensive (City of Tampa)	Single-Family Residential + Agricultural +
East	Light Industrial	CI + M	Light Industrial
West	Residential-6	RSC-9	Single-Family Residential

Staff Analysis of Goals, Objectives and Policies:

The approximately 2.83 ± acre subject site is located south of East Clifton Street, east of North 47th Street, west of North 50th Street and north of East Hillsborough Avenue. The site is in the Urban Service Area and within the limits of the East Lake–Orient Park Community Plan. The applicant seeks to rezone the subject property to a Planned Development (PD) to allow for the development of an enclosed accessory parking area with stormwater facilities, which will serve the applicant’s adjacent warehouse use located to the south within the limits of the City of Tampa.

The subject site sits within the Urban Service Area, where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county’s growth is to be directed. FLUE Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that “Compatibility does not mean ‘the same as.’ Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.”

Per Objective 8, Future Land Use categories outline the maximum level of intensity or density and range of permitted land uses allowed in each category. Appendix A contains a description of the character and

intent permitted in each of the Future Land Use categories. The site is within the Residential-6 (RES-6) Future Land Use category, which can be considered for a maximum density of 6 dwelling units per gross acre or a maximum intensity of a 0.25 Floor Area Ratio (FAR). The approximately 2.83-acre site could be considered for up to 30,818 square feet of nonresidential development. The RES-6 Future Land Use category is intended to designate areas that are suitable for low density residential development. Typical uses of RES-6 include residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses are required to meet Commercial Locational Criteria. The RES-6 Future Land Use category allows for the consideration of neighborhood serving commercial uses (uses permitted in the Commercial Neighborhood and Commercial General zoning districts). Commercial Intensive uses such as open storage may not be considered in any residential Future Land Use category. As such, the applicant's original proposal of open storage of vehicles, which is not a permitted use in the RES-6 category, was amended to be enclosed parking and is therefore consistent with development expected in this category.

The proposed rezoning meets FLUE Objective 16 and Policies 16.1, 16.2 and 16.3 that relate to neighborhood protection. There is a single-family home directly to the north of the property with another single-family home to the south. Light Commercial uses exist to the east across from North 50th Street. FLUE Policy 16.5 which states that developments 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. The applicant proposes to access the site from the south, through an existing business owned by the applicant, which is consistent with this policy. Furthermore, the applicant has also amended the original request that proposed to utilize the Flex Provision, as outlined in FLUE Policies 7.3 and 7.4, which would have utilized the Light Industrial (LI) Future Land Use category located to the east of the subject site.. This would have potentially allowed consideration of open storage in a Residential Future Land Use category, which is contrary to the third tenet of the Flex Provision, which is: "The utilization of the flex furthers the Goals, Objectives and Policies of the Future Land Use Element". The applicant was amenable to enclosing the storage and removing the Flex Provision request, which is in line with the neighborhood protection policies that modify FLUE Objective 16. With these revisions, the proposed Planned Development would introduce a development pattern that is comparable to the surrounding area and is consistent with policy direction relating to compatibility.

The subject site is within the limits of the East Lake-Orient Park Community Plan. Goals in the Community Plan seek to preserve neighborhood identity by promoting development that recognizes the needs and distinct identities of East Lake-Orient Park neighborhoods while enhancing the quality of life. The proposed Planned Development meets the intent of the Community Plan as the proposal offers adequate buffering and screening to the neighborhoods adjacent to the north of the subject site and maintains access away from North 48th Street, a local roadway, and preserving access to the south.

Overall, the proposed Planned Development is consistent with the Goals, Objectives and Policies of the Unincorporated Hillsborough County Comprehensive Plan and is compatible with the existing and planned development pattern found in the surrounding area.

Recommendation

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed Planned Development **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*, subject to the conditions proposed by the Hillsborough County Development Services Department.

Staff Identified Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan* Related to the Request:

FUTURE LAND USE ELEMENT

Urban Service Area

Objective 1: Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of this Plan. Within the Urban Service Area, Hillsborough County will not impede agriculture. Building permit activity and other similar measures will be used to evaluate this objective.

Policy 1.4: 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.

Relationship to the Future Land Use Map

Objective 7: The Future Land Use Map is a graphic illustration of the county's policies governing the determination of its pattern of development in the unincorporated areas of Hillsborough County through the year 2025.

Policy 7.3: The land use category boundaries may be considered for interpretation as flexible boundaries in accordance with the Flex Provision as follows:

- Through application of the flex provision, the land use category boundaries shall be deemed to extend beyond the precise line to include property adjoining or separated by a man made or natural feature from the existing boundary line.
- The line may be relocated a maximum of 500 feet from the existing land use boundary of the adopted Land Use Plan Map. Right-of-Way is not included in the measurement of the 500 foot flex.
- No new flexes can be extended from an existing flexed area.
- All flexes must be parallel to the land use category line.
- Flexes are not permitted in the Rural Area or in areas specified in Community Plans. Flexes are also not permitted from the Urban Service Area into the Rural Area. All flexes in the Rural Area approved prior to July 2007 are recognized and are not to be considered non-conforming.
- Flexes to increase residential density are not permitted in the Coastal High Hazard Area.
- Flexes are not permitted from a municipality into the unincorporated county.
- A flex must be requested as part of planned development or site plan oriented rezoning application. Major Modification to approved zoning that changes the intensity, density or the range of uses will require that the previous flex request be re-evaluated for consistency and a new flex request may be required.

- Applicants requesting a flex must provide written justification that they meet the criteria for a flex as outlined below.
- The Board of County Commissioners may flex the plan category boundary to recognize or grant a zoning district which is not permitted in the land use category but lies within the distance of a conforming land use category, as described above. Prior to the determination by the Board of County Commissioner, the staff of the Planning Commission shall make a recommendation on the consistency of the request with the Comprehensive Plan.

Policy 7.4: The criteria for consideration of a flex request are as follows:

- The availability and adequacy of public facilities to serve the proposed development accommodated by the flex;
- The compatibility with surrounding land uses and their density and intensity; and
- The utilization of the flex furthers other goals, objectives and policies of the Future Land Use Element.

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.

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 the 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: locational criteria for the placement of non-residential uses as identified in this Plan, limiting commercial development in residential land use categories to neighborhood scale; 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.

Community Design Component (CDC)

4.3 COMMERCIAL CHARACTER

GOAL 9: Evaluate the creation of commercial design standards in a scale and design that complements the character of the community.

Policy 9-1.2: Avoid “strip development patterns for commercial uses.

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

OBJECTIVE 12-1: New developments should recognize the existing community and be designed in a way that is compatible with the established character of the surrounding neighborhood.

Policy 12-1.4: Compatibility may be achieved through the utilization of site design techniques including but not limited to transitions in uses, buffering, setbacks, open space and graduated height restrictions, to affect elements such as height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture

LIVABLE COMMUNITIES ELEMENT: East Lake-Orient Park Community Plan

Neighborhood Identity – Promote development that recognizes the needs and distinct identities of the East Lake-Orient Park neighborhoods and enhances the quality of life.

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ PD 24-1264

<all other values>

Rezoning

STATUS

APPROVED
CONTINUED
DENIED
WITHDRAWN
PENDING

Tampa Service
Urban Service
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 (.75 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 for their own use. The map is not a warranty for any particular use. The map is not a warranty for any particular use. The map is not a warranty for any particular use.

0 460 920 1,380 1,840 Feet

Map Printed from Rezoning System: 9/16/2024

Author: Beverly F. Daniels

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