

**Rezoning Application: 23-0100**

**Zoning Hearing Master Date:** April 17, 2023

**BOCC Land Use Meeting Date:** June 13, 2023

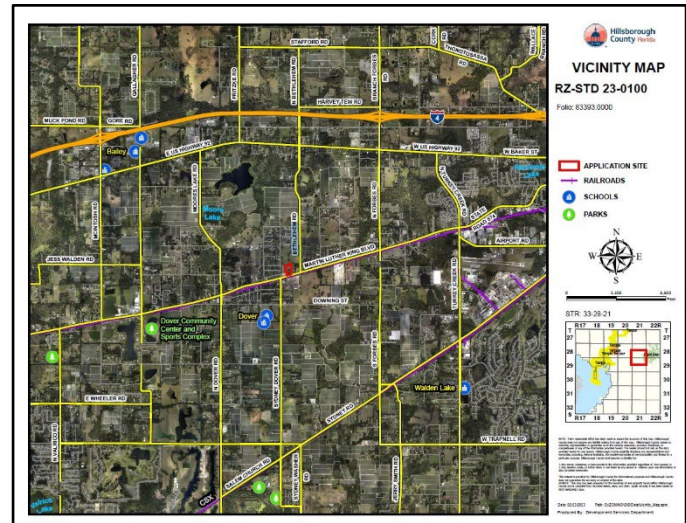


**Hillsborough County Florida**

**Development Services Department**

**1.0 APPLICATION SUMMARY**

**Applicant:** David Wright/ TSP Companies, Inc.,  
**FLU Category:** Residential - 4 (Res-4)  
**Service Area:** Rural  
**Site Acreage:** 5.59 +/-  
**Community Plan Area:** None  
**Overlay:** None  
**Request:** Rezone from **Agricultural Single-Family Residential Conventional - 1 (ASC-1) and Commercial Neighborhood (CN) to Commercial Neighborhood (CN).**



**Request Summary:**

The request is to rezone from the existing Agricultural Single-Family Residential Conventional - 1 (ASC-1) and Commercial Neighborhood (CN) zoning districts to the proposed Commercial Neighborhood (CN) zoning district. The proposed zoning for CN permits development limited to retail uses and personal services in freestanding buildings or small shopping centers to serve residential neighborhoods, on lots containing a minimum of 7,000 square feet (sf).

**Zoning:**

Uses	Current ASC-1 Zoning	Current CN Zoning	Proposed CN Zoning
		Agricultural Single-Family Residential Conventional	Commercial Neighborhood (CN)
Acreage	1.15 +/- Acres (ac)	4.41 +/- ac; 192,099.6 sf	5.56 +/- ac; 242,193.60 sf
Density / Intensity	1 dwelling unit (du)/ 1 ac	F.A.R. 0.20	F.A.R. 0.20
Mathematical Maximum*	1 dwelling unit	38,419.92 sf	48,438.72 sf

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

**Development Standards:**

	Current ASC-1 Zoning	Current CN Zoning	Proposed CN Zoning
Density / Intensity	1 du/ 1 Ac	Max. F.A.R. 0.20	Max. F.A.R. 0.20
Lot Size / Lot Width	1 acre (43,560 sf)/150'	0.16 Ac (7,000 sf)/70'	0.16 Ac (7,000 sf)/70'
Setbacks/Buffering and Screening	<b>Front &amp; Rear</b> - 50' – South & North <b>Sides</b> - 15' (East & West)	<b>Front</b> - 30' (South). <b>Sides</b> - 20' with Type B Buffer – (North-West & East). <b>Sides</b> - 0' (South-West) <b>Rear</b> - 20' with Type B Buffer (North).	<b>Front</b> - 30' (South). <b>Sides</b> - 20' with Type B Buffer – (North-West & East). <b>Sides</b> - 0' (South-West) <b>Rear</b> - 20' with Type B Buffer (North).
Height	50'	35'	35'

**Additional Information:**

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

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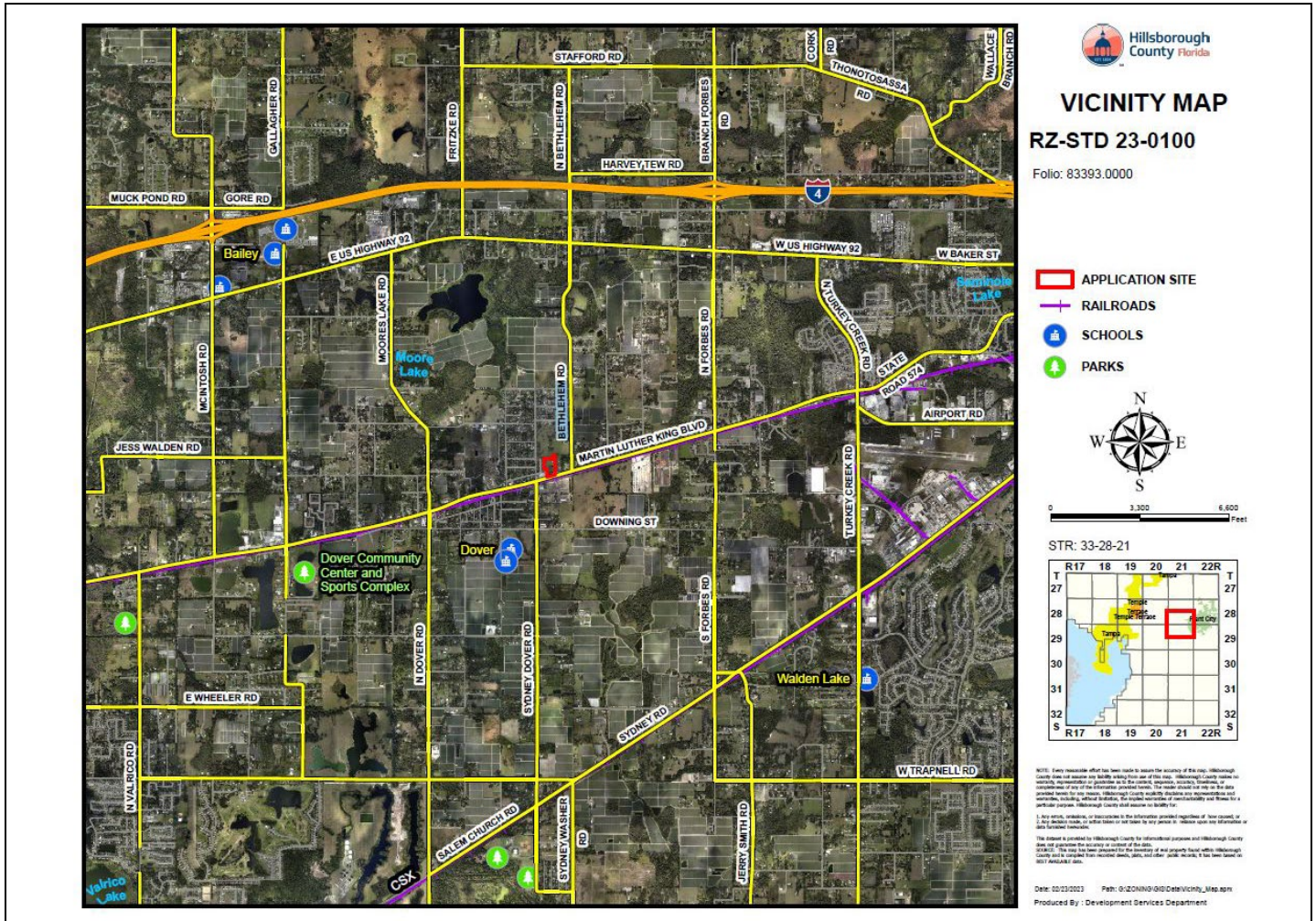
Case Reviewer: Isis Brown

**Additional Information:**

Planning Commission Recommendation	Consistent
Development Services Department Recommendation	Approvable

### 2.0 LAND USE MAP SET AND SUMMARY DATA

#### 2.1 Vicinity Map

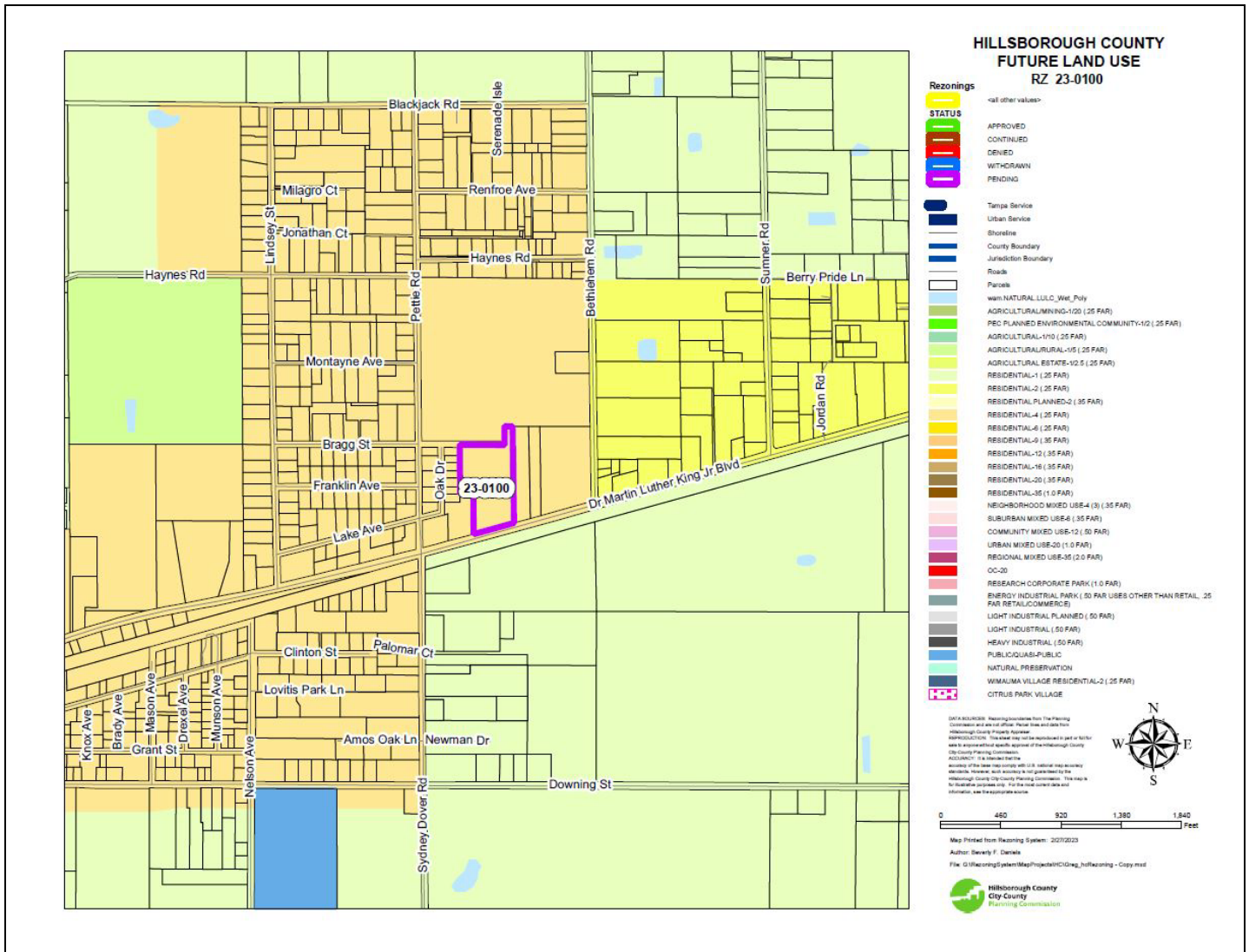


#### Context of Surrounding Area:

The site is located in an area which comprises of a mixture of uses to include: agricultural use, single-family residential use, commercial general uses and commercial neighborhood uses. The surrounding area consists of properties within the Res-4 (North, East and West), Res-1 (South) FLU categories. Surrounding properties are zoned as follows: ASC-1 (to the north and east), RSC-6, CN and CG (to the west), and Dr. MLK Jr. Blvd and ASC-1 (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 4 (Res-4)
Maximum Density/F.A.R.:	4 dwelling unit per Gross Acre (ga)/ 0.25 F.A.R.
Typical Uses:	Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.



**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

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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
Martin Luther King Blvd	FDOT Principal Arterial - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" 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	2,078	91	251
Proposed	4,536	169	433
Difference (+/-)	+2,458	+78	+182

\*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 & 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	"No wetlands onsite"
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No comments provided
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	This agency has no comments.
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 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
<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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
<b>Utilities 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<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"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No comments provided
<b>Impact/Mobility Fees</b> N/A			
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
<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 type="checkbox"/> N/A	<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

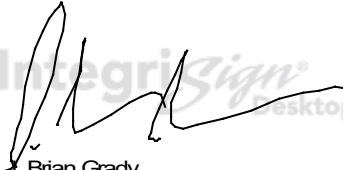
The surrounding properties are zoned as follows: ASC-1 (to the north and east), RSC-6, CN and CG (to the west), and Dr. MLK Jr. Blvd and ASC-1 (to the south). The site is located in an area which comprises of a mixture of uses to include agricultural use, single-family residential use, commercial general uses, and Commercial Neighborhood uses. The immediate surrounding area consists of properties within the Res-4 (to the north, east and west), and Res-1 (to the south) FLU categories. The Res-4 and Res-1 FLU categories have the potential to permit agricultural, single-family residential and some commercial, office and multi-purpose uses.

The site is located in the Rural Service Area and is outside the Hillsborough County Urban Service Area. However, an 8-inch water main exists approximately 70 feet from the subject site and is located west of the subject property within the west Right-of-Way of Railroad Street. Additionally, A 3-inch wastewater low pressure force main exists adjacent to the site and is located within the east Right-of-Way of Railroad Street. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service.

The size and depth of the subject parcel in relation to other adjacent commercial uses would create a zoning/development pattern that is consistent with the existing zoning and development pattern of the commercial uses/zoning districts in the area.

#### 5.2 Recommendation

Based on the above considerations, staff finds the proposed CN zoning district is compatible with the existing zoning districts and development pattern in the area. Staff finds the request **Approvable**.

<p><b>Zoning Administrator Sign Off:</b></p>	 <p>J. Brian Grady Mon Apr 10 2023 08:03:09</p>
<p><b>SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN &amp; BUILDING REVIEW AND APPROVAL.</b></p> <p>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</p>	

**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  
**REVIEWER:** Alex Steady, Senior Planner  
**PLANNING AREA/SECTOR:** East Rural/Northeast

**DATE:** 04/07/2023  
**AGENCY/DEPT:** Transportation  
**PETITION NO.:** STD 23-0100

- This agency has no comments.
- This agency has no objection.
- This agency objects for the reasons set forth below.

**REPORT SUMMARY AND CONCLUSIONS**

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 2,458 average daily trips, 78 trips in the a.m. peak hour, and 182 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to the proposed rezoning.

**PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone one parcel totaling +/- 5.59 acres from Commercial Neighborhood (CN) and Agricultural Single Family Conventional – 1 (ASC-1) to only Commercial Neighborhood (CN). The site is located on the north side of Martin Luther King Blvd +/- 0.08 miles east of the intersection of Pettie Road and Martin Luther King Blvd. The Future Land Use designation of the site is Residential-4 (R-4).

*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
ASC-1, 1 Single Family Dwelling Unit (ITE Code 210)	9	1	1
CN, 38,000 sf Strip Retail Plaza (ITE Code 822)	2,069	90	250
Subtotal	2,078	91	251

**Proposed Zoning:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CN, 48,000 sf Shopping Center (ITE Code 821)	4,536	169	433

**Trip Generation Difference:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>+2,458</b>	<b>+78</b>	<b>+182</b>

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

The site has frontage on Martin Luther King Blvd. Martin Luther King Blvd is a 2-lane, undivided, FDOT maintained, principal arterial roadway. Martin Luther King Blvd lies within +/- 64 feet of Right of Way in the vicinity of the project. Martin Luther King Blvd does not have sidewalks on either side of the roadway within the vicinity of the project.

**SITE ACCESS**

It is anticipated that the site will have access to Martin Luther King Blvd. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

**HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN**

Martin Luther King Blvd is included in the Hillsborough County Corridor Preservation Plan as a 2 lane enhanced roadway. Sufficient ROW will be required to be preserved at the time of plat/site/construction plan review.

**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
M L KING BLVD	MCINTOSH RD	FORBES RD	D	C

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

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**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> April 17, 2023  <b>Report Prepared:</b> April 5, 2023	<b>Petition: RZ 23-0100</b>  <b>14760 Dr. Martin Luther King Jr. Boulevard</b>  <i>East of the Intersection of Dr. Martin Luther King Jr. Boulevard and Petite Road</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use</b>	<b>Residential-4 (4 du/ga; 0.25 FAR)</b>
<b>Service Area</b>	<b>Rural Area</b>
<b>Community Plan</b>	<b>N/A</b>
<b>Request</b>	Rezoning the Agricultural, Single-Family Conventional (ASC-1) portion of the property to Commercial Neighborhood (CN)
<b>Parcel Size</b>	5.59 ± acres (243,868.40 sq. ft.)
<b>Street Functional Classification</b>	Dr. Martin Luther King Jr. Boulevard - <b>Arterial</b>
<b>Locational Criteria</b>	Meets
<b>Evacuation Zone</b>	None



## **Context**

- The 5.59 ± acre subject property is located east of the intersection between Dr. Martin Luther King Jr. Boulevard and Petite Road.
- The site is located within the Rural Service Area and is not located within the limits of a community plan.
- The subject property is located within the Residential-4 (RES-4) Future Land Use category, which can be considered for a maximum density of up to 4 dwelling units per gross acre. The RES-4 Future Land Use category designates areas that are suitable for low density residential development. In RES-4, suburban scale neighborhood commercial, office, multi-purpose or mixed-use projects are limited to a maximum intensity of 175,000 sq. ft. or 0.25 FAR, whichever is less intense. The RES-4 Future Land Use category designates areas that are suitable for low density residential development. In addition, suburban scale neighborhood commercial, office, multi-purpose, and mixed-use projects serving the area may be permitted subject to the Goals, Objectives, and Policies of the Land Use Element and applicable development regulations as well as conform to established locational criteria for specific land use. Typical uses in the RES-4 FLU category include but are not limited to residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects.
- Directly to the north, east, and west of the subject site is the Residential-4 (RES-4) Future Land Use category. To the south is Residential-1 (RES-1), further east is Residential-2 (RES-2), and further northwest is Agricultural/Rural 1/5 (AR-1/5).
- The site currently utilizes light commercial uses. The areas directly north and east are agricultural. Single-family, vacant, and additional light commercial uses are interspersed west of the subject site. Light commercial and single-family uses are located south across Dr. Martin Luther King Jr. Boulevard.
- The site is currently zoned as Commercial Neighborhood (CN) and Agricultural, Single-Family Conventional-1 (ASC-1). East of the subject site is additional ASC-1, and further east and northeast are Agricultural Rural (AR) and Planned Development (PD). South of the site is primarily ASC-1. Southwest of the site is CN. West of the subject site are additional CN, Commercial General (CG), and Residential Single Family Conventional (RSC-6) zonings.
- The applicant is requesting a rezoning of the Agricultural, Single-Family Conventional (ASC-1) portion of the property to Commercial Neighborhood (CN).

## **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.

#### **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.

### **Neighborhood and Community Serving Uses**

**Objective 17:** Certain non-residential land uses, including but not limited to residential support uses and public facilities, shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner to be compatible to the surrounding residential development pattern.

### **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 uses 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 roadway improvements as well as other factors such as land use compatibility and environmental features of the site. In the review of development applications consideration shall also be given to the present and short-range configuration of the roadways involved. The five-year transportation Capital Improvement Program, MPO

*Transportation Improvement Program or Long Range Transportation Needs Plan shall be used as a guide to phase the development to coincide with the ultimate roadway size as shown on the adopted Long Range Transportation Plan.*

**Policy 22.7:** *Neighborhood commercial activities that serve the daily needs of residents in areas designated for residential development in the Future Land Use Element shall be considered provided that these activities are compatible with surrounding existing and planned residential development and are developed in accordance with applicable development regulations, including phasing to coincide with long range transportation improvements. The locational criteria outlined in Policy 22.2 are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the potential neighborhood commercial use in an activity center. The locational criteria would only designate locations that could be considered, and they in no way guarantee the approval of a particular neighborhood commercial or office use in a possible 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.*

#### **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.*

#### **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.*

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

The 5.59 ± acre subject property is located on the north side of Dr. Martin Luther King Jr. Boulevard, east of Pettie Road and northeast of Sydney Dover Road. The site is located within the Rural Service Area and is not located within the limits of a Community Plan. The subject site's Future Land Use classification on the Future Land Use Map (FLUM) is Residential-4 (RES-4). The applicant is requesting a rezoning of a portion of the existing parcel from Agricultural, Single-Family Conventional (ASC-1) to full Commercial Neighborhood (CN).

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 CN to CN is similar in character to the surrounding area.

The subject site is within the Rural Area and is adjacent to existing CN uses to the west and southwest. There are also additional CN uses further west of the parcel. Commercial General (CG) uses are found directly west of the site, and further west as well. Existing land uses of light commercial are located directly west, southwest, and further west, east, and south from the site. The existing CN parcels located west, southwest, and further west are all within the RES-4 FLU Category. 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.

FLUE Objective 16 emphasizes the need for new developments to preserve, protect, and enhance existing neighborhoods and communities. Policy 16.1 restricts incompatible land uses through mechanisms such as locational criteria for non-residential uses and limiting development in residential land use categories to neighborhood scale. This Policy also requires buffer areas between unlike land uses. Policies 16.2 and 16.3 state the need for gradual transitions between incompatible land uses. Policy 16.5 touches upon the restriction of higher intensity non-residential land uses adjacent to established neighborhoods, to collectors and arterials, and to locations external to established and developing neighborhoods. The subject site is situated directly outside nearby single-family residential uses, and directly on Dr. Martin Luther King Jr. Boulevard, an arterial roadway. Objective 17 of the FLUE allows for certain non-residential land uses to be located and designed in a manner that is compatible to the surrounding residential development pattern. The proposed rezoning reflects a development pattern that is consistent with the surrounding area.

FLUE Objective 22 establishes Commercial Locational Criteria (CLC) for neighborhood serving commercial uses. Policy 22.1 states that non-residential uses provide a means to ensure appropriate neighborhood serving commercial development be consistent with the surrounding residential character. It also emphasizes the need for 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 consistent with the surrounding residential uses. Policy 22.2 asserts that 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 located in the FLUE. The subject site is in the RES-4 FLU category and it does meet locational criteria. It is located within 900 feet of the nearest qualifying intersection node of Sydney Dover Road and Dr. Martin Luther King Jr. Boulevard, and therefore meets Commercial Locational Criteria. Maximum square footage of proposed buildings on the site shall be limited to 120,000 square feet. Policy 22.7 states that neighborhood commercial activities that serve the daily needs of residents in areas designated for residential development must be compatible with surrounding existing development. The proposed rezoning is consistent with this policy direction.

**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*.

