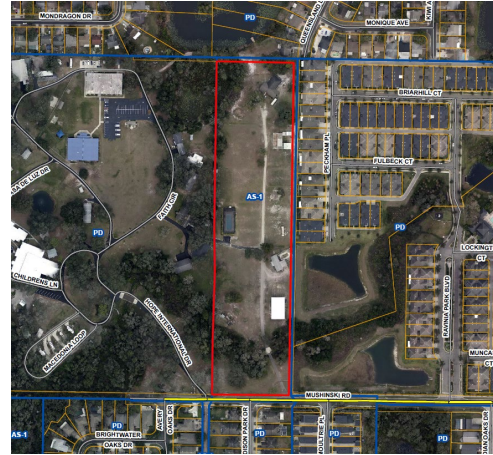


Rezoning Application: PD 23-0181
Zoning Hearing Master Date: July 24, 2023
BOCC Land Use Meeting Date: September 12, 2023

1.0 APPLICATION SUMMARY

Applicant: Kami Corbett
FLU Category: RES-4
Service Area: Urban
Site Acreage: 9.44 AC +/-
Community Plan Area: Greater Carrollwood Northdale
Overlay: None



Introduction Summary:

The existing zoning is AS-1 (Agricultural, Single Family) which permits agricultural and single family residential uses pursuant to the development standards in the table below. The proposed zoning for Planned Development (site plan controlled district) to allow a total of 9 single dwelling units serving the staff who are on-site providing care and education at the adjacent property zoned PD 89-0043, pursuant to the development standards in the table below and site plan depicted in 2.4 of the report.

Zoning:	Existing	Proposed
District(s)	AS-1	PD
Typical General Use(s)	Agricultural, single family conventional uses are permitted. One single-family exists in the site.	A total of 9 single-family dwelling units serving the staff who are on-site providing care and education at the adjacent property zoned PD 89-0043.
Acreage	9.44 AC	9.44 AC
Density/Intensity	1 DU/AC	0.95 DU/AC
Mathematical Maximum*	9 DU	RES-4 FLU allows up to 4 DU/AC = 37.76 DU

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	AS-1	PD
Lot Size / Lot Width	1 Acre/ 150 ft	9.44 AC / 314.42'
Setbacks/Buffering and Screening	50' Front 50' Rear 15' Sides	Building Setbacks: 250' Front 45' Rear 20' Side (west) 30' Side (east) Buffer: 0' east, west and north Screening: maintaining existing vegetation
Height	50'	30'

APPLICATION NUMBER: PD 23-0181

ZHM HEARING DATE: July 24, 2023

BOCC LUM MEETING DATE: September 12, 2023

Case Reviewer: Tania C. Chapela

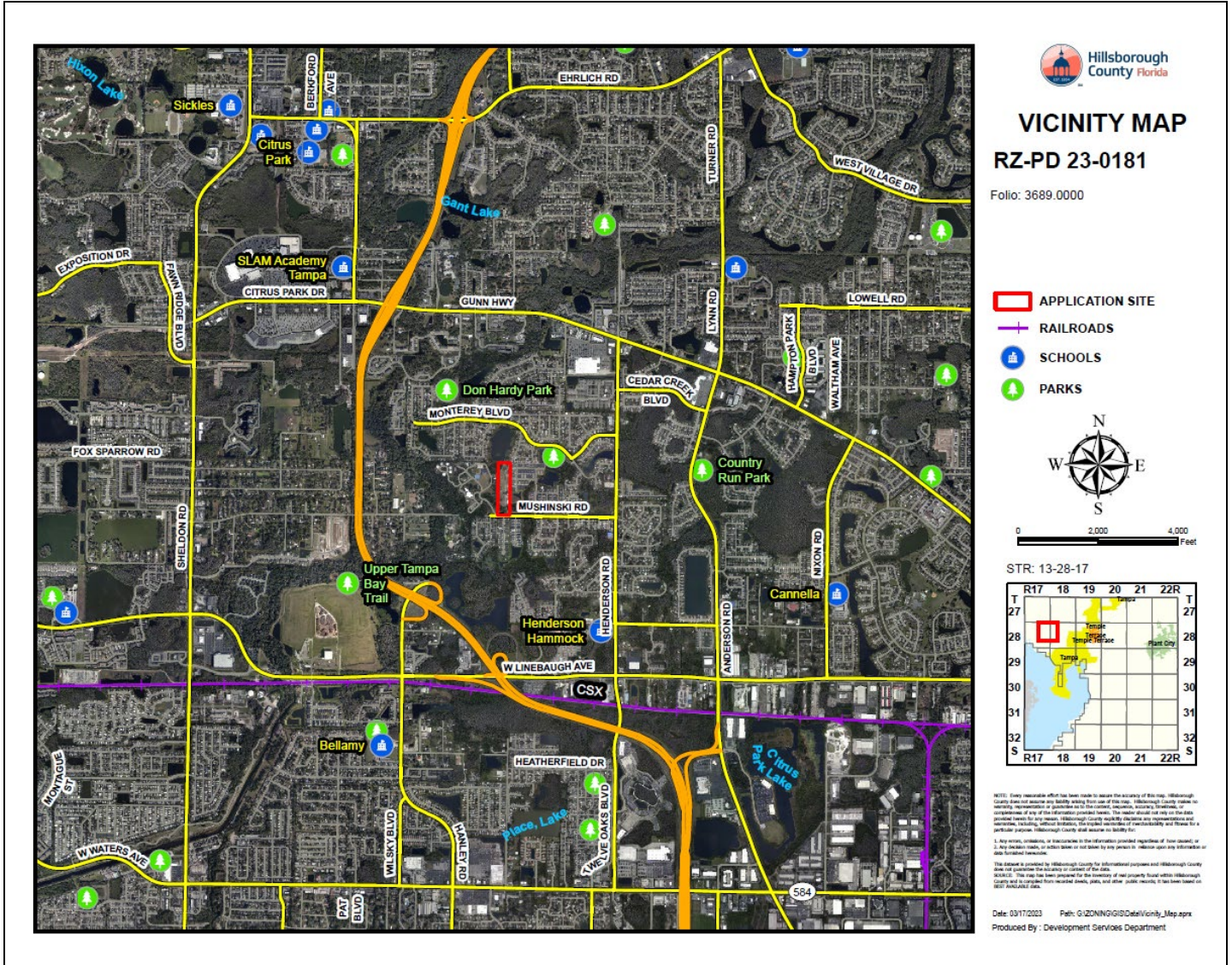
Additional Information:

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

Planning Commission Recommendation: Inconsistent	Development Services Recommendation: Approvable, subject to proposed conditions
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

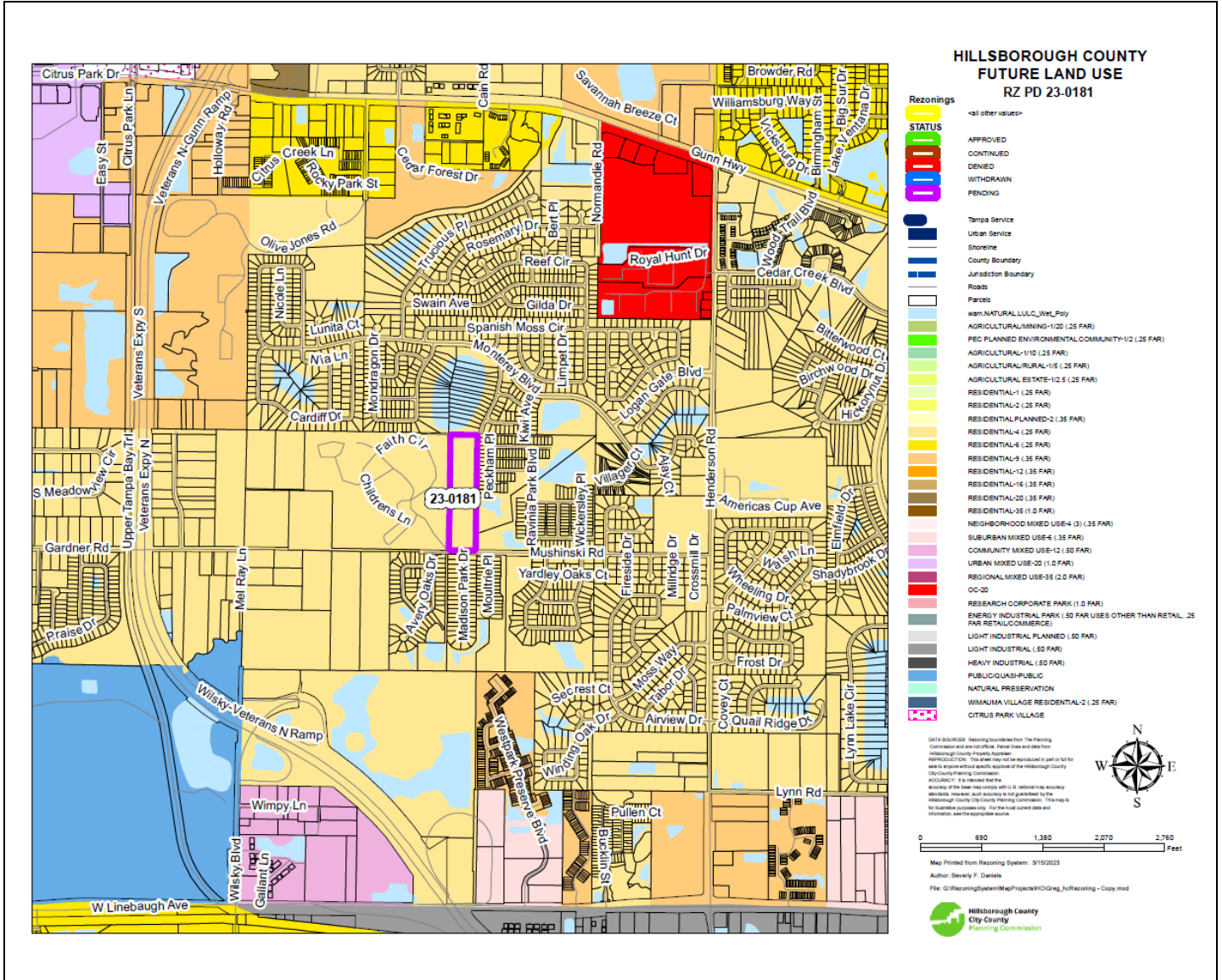


Context of Surrounding Area:

The parcel is located along Mushinski Rd., a local road. The property is located approximately 2,500 feet west of the intersection with Henderson Rd. The surrounding properties to the north, east and west are zoned PD, and approved for residential uses with a maximum density of 3.8 DU/AC.

2.0 LAND USE MAP SET AND SUMMARY DATA

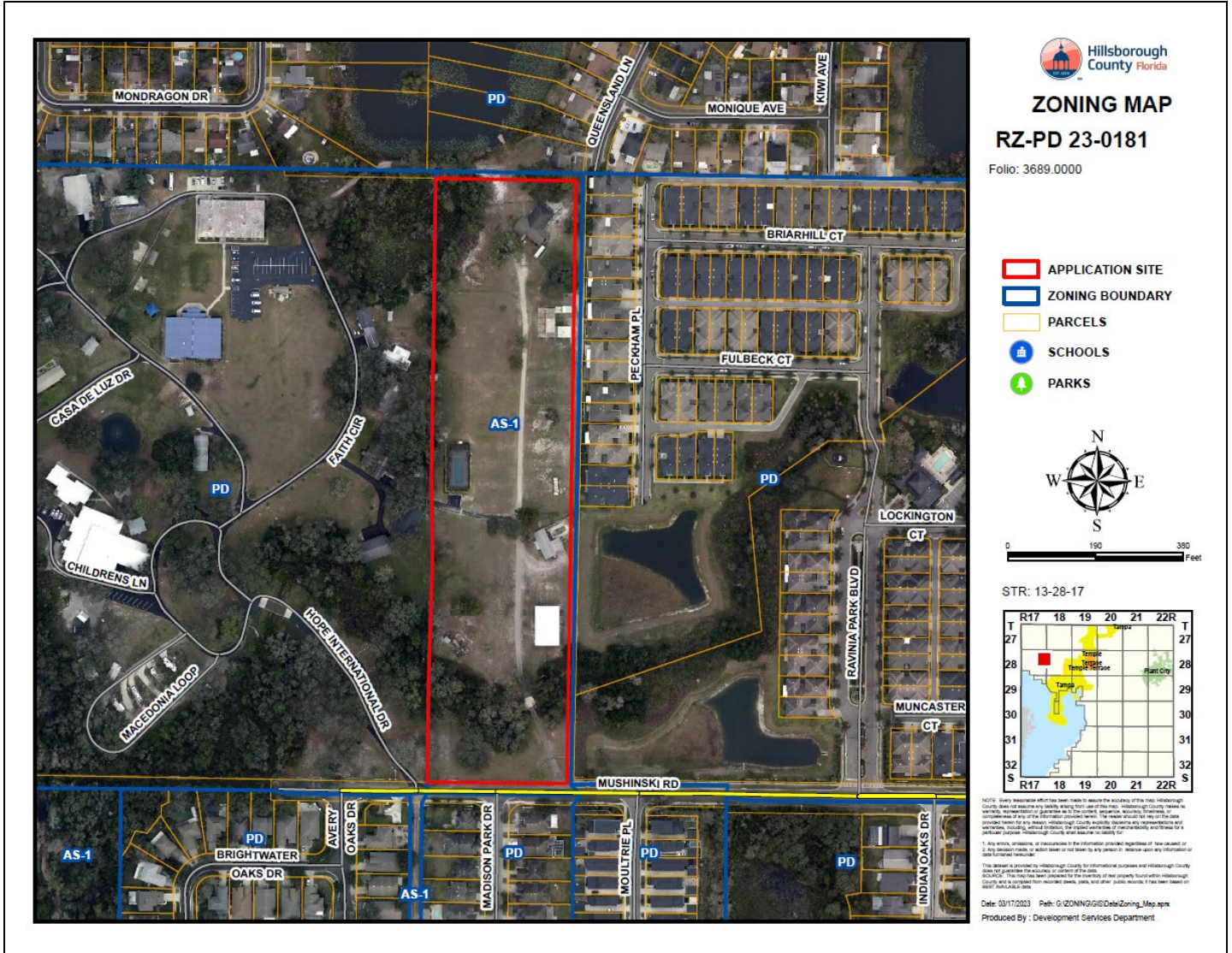
2.2 Future Land Use Map



Subject Site Future Land Use Category:	RES-4
Maximum Density/F.A.R.:	0.25 FAR, 4 DU/AC
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects.

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	PD 78-0145	3.86 DU/AC	Residential, Single Family	Single Family Residential
South	PD 03-1604	4 DU/AC	Residential, Single Family	Residential, Single Family
East	PD 07-0565	3.82 DU/AC	Residential, Single Family	Residential, Single Family
West	PD 89-0043	4.3 DU/AC	Institutional	Institutional

APPLICATION NUMBER: PD 23-0181

ZHM HEARING DATE: July 24, 2023

BOCC LUM MEETING DATE: September 12, 2023

Case Reviewer: Tania C. Chapela

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
Mushinski Road	County Collector - Urban	2 Lanes <input checked="" 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	90	7	9
Proposed	90	7	9
Difference (+/-)	0	0	0

*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		None	Vehicular & Pedestrian	Meets LDC
South	X	None	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
Mushinski Road/ Access Spacing	Administrative Variance Requested	Approvable

Notes:

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input checked="" 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:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input 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	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input checked="" type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Impact/Mobility Fees				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input 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"/> Density Bonus Requested <input type="checkbox"/> Consistent <input checked="" type="checkbox"/> Inconsistent	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

Per the Planning Commission staff report, the proposed density does not comply with the Comprehensive Plan minimum density policies. The proposed 9 residential units equivalent to 0.95 Dwelling Units per Acre do not meet the minimum density of 28 dwelling units, equivalent to 75% of the 4 Dwelling Units per Acre required in the RES-4 Future Land Use. However, DSD staff finds the proposed detached residential units are in harmony with the surrounding land uses while maintaining the existing height, scale, and bulk of structure patterns. The project is intended to serve exclusively the institutional development to the west, which results in the continuity of the land use and visual character of the area and does not create additional landscaping, lighting, noise, odor, or architectural impacts.

Staff concurs with the applicant's justification for the requested variation to remove the buffer requirements along the side and rear yards, and to replace the screening requirements to keep existing mature vegetation on the property. As noted in the applicant's justification statement, the site's established natural buffering and screening, in addition to the wall, is a preferred means of accomplishing what the Code seeks to do in Section 6.06.06, as it leaves the existing visual character and feel of the Site and thereby the surrounding area undisturbed.

Furthermore, the proposed density will have minimal impact on the transportation network and will not generate additional pedestrian or vehicular traffic, circulation, access, and parking impacts. Per the Transportation Staff, the proposed rezoning would not result in a difference in trips potentially generated by the development of the subject site. It is also noted that Mushinski Road dead ends at the adjacent property to the west.

Given the above, staff finds the proposed modification to be compatible with the surrounding properties and in keeping with the general development pattern of the area.

5.2 Recommendation

Staff recommends approval of the applicant's request, subject to conditions.

6.0 PROPOSED CONDITIONS

Prior to certification the applicant shall revise the PD site plan to:

Add a note to the site plan that reads "The project shall not be subject to the 2-to-1 setback for structure height over 20 feet."

Revise the Label for "Security Fence" on the site plan to correct spelling.

Revise the Label for "Guard Rail Post" on the site plan to correct spelling.

Add a note to the site plan that reads "Internal drive to be built per Hillsborough County Standards".

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted July 5, 2023.

- 1. The project shall be permitted a maximum of 9 detached residential single family units to accommodate the on-site staff who are providing care and education at the adjacent parcel zoned PD 89-0043, as most recently modified by PRS 10-0951. Permitted accessory uses are including but not restricted to pool, barn, chicken coops and a non-residential guardhouse structure; and shall also be restricted to those serving operations on the adjacent property.

1.1. Notwithstanding a Special Use 09-0605 was approved for the subject property, a Major Modification will be needed to allow siting of a wireless Communications Tower in accordance with SU 09-0605.

- 2. The location of structures shall be as generally shown on the site plan. The project shall not be subject to the 2-to-1 setback for structure height over 20 feet.


- 3. Lot Development Standards shall be as follows:

Table with 2 columns: Requirement and Value. Rows include: Minimum front yard building setback (250 feet South), Minimum side yard building setback (30 feet East; 20 feet West), Minimum rear yard building setback (45 feet North), Maximum Height (30 Feet), Maximum Impervious Surface (3 Acres), Minimum Lot Size (9.44 Acres), Minimum Lot Width (314.42 Feet).

- 3.1. No buffer shall be required to the sides and rear yards. Existing vegetation, trees, open space, and fencing conditions on the site shall be allowed along the rear and side yards.
- 4. If RZ 23-0181 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated May 30, 2023) which was found approvable by the County Engineer (on May 30, 2023) from the Section 6.04.07 access spacing standards with regards to the project's existing Mushinski Road connection.
- 5. All 9 dwelling units shall remain on a single parcel. Plating or subdivision of this parcel for individual units shall not be permitted.

6. Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.
7. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
8. The construction and location of any proposed wetland impacts are not approved by this correspondence but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
9. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
11. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
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, unless otherwise stated herein.
11. The development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
12. 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:



IntelliSign
Signature
Brian Grady
Fri Jul 14 2023 09:54:32

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

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: Greater Carrollwood
Northdale/Northwest

DATE: 06/01/2023
AGENCY/DEPT: Transportation
PETITION NO: PD 23-0181

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

CONDITIONS OF APPROVAL

- If RZ 23-0181 is approved, the County Engineer will approve a Section 6.04.02.B. Administrative Variance (dated May 30, 2023) which was found approvable by the County Engineer (on May 30, 2023) from the Section 6.04.07 access spacing standards with regards to the project’s existing Mushinski Road connection.

- All 9 dwelling units shall remain on a single parcel. Plating or subdivision of this parcel for individual units shall not be permitted.

- Notwithstanding anything herein these conditions or on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the project boundaries.

Other Conditions

Prior to PD site plan certification, the applicant shall revise the PD site plan to:

- Revise the Label for “Security Fence” on the site plan to correct spelling.
- Revise the Label for “Guard Rail Post” on the site plan to correct spelling.
- Add a note to the site plan that reads “Internal drive to be built per Hillsborough County Standards”.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone one parcel totaling +/- 9.06 acres from Agricultural Single Family – 1 (AS-1) to Planned Development (PD). The proposed Planned Development is seeking entitlements of 9 single family dwelling units. The site is generally located on the north side of Mushinski Road. The Future Land Use designation of the site is Residential – 4 (R-4).

Trip Generation Analysis

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a trip generation letter for the proposed project. A detailed traffic study was not required because the project does not generate more than 50 peak hour trips. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, 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.

Approved Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AS-1, 9 Single Family Dwelling Units (ITE Code 210)	90	7	9

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 9 Single Family Dwelling Units (ITE code 210)	90	7	9

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+0	+0	+0

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The subject property has frontage on Mushinski Road. Mushinski Road is a 2-lane, substandard, Hillsborough County maintained, collector roadway, characterized by +/-10 ft. travel lanes. The existing right-of-way on Mushinski is +/- 50 feet. There are no sidewalks along the north side of Mushinski Road and no bicycle facilities on either side of the roadway. There is existing sidewalk along the south side of the roadway.

ADMINISTRATIVE VARIANCE, ACCESS SPACING – MUSHINSKI ROAD.

The applicant’s Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated May 30, 2023) from the Section 6.04.07. LDC requirement, governing spacing for the proposed Mushinski Road access. Per the LDC, Mushinski Road is a Class 6 roadway, which requires minimum connection spacing of 245 feet. The applicant is proposing to utilize the existing driveway location, which is +/- 140 from Madison Park Drive to the west and +/- 160 from Moultrie Place to the East. Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on May 30, 2023. If this rezoning is approved, the County Engineer will approve the above-referenced Administrative Variance Request.

SITE ACCESS

The project proposes one full existing access to Mushinski. A vehicular and pedestrian cross access to the west is provided, but was not required per the Hillsborough County Land Development Code Section 6.04.03.Q.

ROADWAY LEVEL OF SERVICE (LOS)

Mushinski Road is not a Hillsborough County regulated roadway and as such was not included in the Level of Service Report.

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Mushinski Road	County Collector - Urban	2 Lanes <input checked="" 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	90	7	9
Proposed	90	7	9
Difference (+/-)	0	0	0

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	Vehicular & Pedestrian	Meets LDC
South	X	None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Mushinski Road/ Access Spacing	Administrative Variance Requested	Approvable
Notes:		

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input checked="" type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Staff Report.



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: July 24, 2023 Report Prepared: July 12, 2023	Petition: RZ 23-0181 7211 Mushinski Road <i>Located north of Mushinski Road, west of Ravinia Park Boulevard and east of Hope International Drive</i>
Summary Data:	
Comprehensive Plan Finding	INCONSISTENT
Adopted Future Land Use	Residential-4 (4 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan	Greater Carrollwood-Northdale
Request	Rezoning from Agricultural Single Family (AS-1) to Planned Development (PD) for 8 single-family dwelling units.
Parcel Size	9.44 ± acres
Street Functional Classification	Mushinski Road – County Collector Hope International Drive – Local Ravinia Park Boulevard – Local
Locational Criteria	N/A
Evacuation Zone	D



Context

- The approximate 9.44±acre subject property is located north of Mushinski Road, west of Ravinia Park Boulevard and east of Hope International Drive.
- The site is located within the Urban Service Area and is within the limits of the Greater Carrollwood-Northdale 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 and a maximum intensity of 0.25 Floor Area Ratio (FAR). The RES-4 Future Land Use category is intended to designate areas that are suitable for low density residential development. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element. Typical uses include, but are not limited to residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects.
- The subject site is surrounded entirely by the RES-4 Future Land Use category on all sides. Residential-9 is located further north and south. To the northeast, there is a pocket of Office Commercial-20 (OC-20).
- According to Hillsborough County Property Appraiser data, multifamily uses currently exist on the subject site. The area is mostly developed with single-family residential homes, homeowner association land, and multi-family uses. Multifamily and single family uses extend north of the site. To the east there are single-family residential and homeowner association uses. Across Mushinski Road, there are primarily single-family residential uses with homeowner associations, agricultural and public/quasi-public institution uses interspersed throughout the area. To the west is solely multi-family uses. Further west is agricultural, vacant, single family residential and a single light commercial use.
- The subject site is currently zoned as Agricultural Single Family (AS-1). There are Planned Development (PD) zoning districts that surround the subject site on all sides. The AS-1 zoning district extends further west of the subject site. The Residential Single Family Conventional (RSC-6) and AS-1 zoning districts are interspersed further east of the subject site.

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

Urban Service Area (USA)

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 1.2: *Minimum Density* All new residential or mixed use land use categories within the USA shall have a density of 4 du/ga or greater unless environmental features or existing development patterns do not support those densities. Within the USA and in categories allowing 4 units per acre or greater, new development or redevelopment shall occur at a density of at least 75% of the allowable density of the land use category, unless the development meets the criteria of Policy 1.3.

Policy 1.3: *Within the USA and within land use categories permitting 4 du/ga or greater, new rezoning approvals for residential development of less than 75% of the allowable density of the land use category will be permitted only in cases where one or more of the following criteria are found to be met:*

Development at a density of 75% of the category or greater would not be compatible (as defined in Policy 1.4) and would adversely impact with the existing development pattern within a 1,000 foot radius of the proposed development;

Infrastructure (Including but not limited to water, sewer, stormwater and transportation) is not planned or programmed to support development.

Development would have an adverse impact on environmental features on the site or adjacent to the property.

The site is located in the Coastal High Hazard Area.

The rezoning is restricted to agricultural uses and would not permit the further subdivision for residential lots.

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.*

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

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

Policy 8.3: *Calculating Density* Densities are applied on a gross residential acreage basis which means that each development proposal is considered as a "project". Only those lands specifically within a project's boundaries may be used for calculating any density credits. Acreage dedicated to commercial, office and industrial land uses that fall within a project's boundaries are excluded.

Density may be transferred between non-contiguous parcels in accordance with the County's transferable development rights regulations or when the parcels are physically separated from each other by a roadway, wetlands, stream, river, lake or railway. The following lands may be included when calculating gross residential density: planned but unconstructed roads and road rights-of-ways, utility rights-of-way, public and private parks and recreation sites, sites for schools and churches, open space sites and land uses, and community facilities sites such as sewage treatment plants, community centers, well fields, utility substations, and drainage facility sites.

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 16.3: 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 16.8: The overall density and lot sizes of new residential projects shall reflect the character of the surrounding area, recognizing the choice of lifestyles described in this Plan, and where

appropriate, shall reflect efforts to encourage gopher tortoise and other Significant and Essential Wildlife Habitat protection.

Policy 16.9: All land use categories allowing residential development may permit clustering of residences within the gross residential density limit for the land use category.

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

Community Design Component

4.0 Community Level Design

4.2 Suburban Residential Character

GOAL 8: Preserve existing suburban uses as viable residential alternatives to urban and rural areas.

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: Greater Carrollwood-Northdale Community Plan

2. Community Design/Culture

Maintain and enhance community pride by promoting the areas’ history, culture and volunteerism while preserving each community’s value and unique character. As the area redevelops it is important that the existing residential neighborhoods remain suburban in nature.

New development and redevelopment shall use compatibility design techniques to ensure the appearance (architectural style), mass and scale of development is integrated with the existing suburban nature of each neighborhood. (i.e. transitions, buffers etc).

Goal 2: Reinforce community identity through maintenance and enhancement of the community’s unique characteristics, assets and physical appearance.

Strategies:

- *New development and redevelopment shall use compatibility design techniques to ensure the appearance (architectural style), mass and scale of development is integrated with the existing suburban nature of each neighborhood. (i.e. transitions, buffers etc).*
- *Preserve the character and integrity of existing neighborhoods through increased code enforcement.*

Staff Analysis of Goals, Objectives, and Policies:

The 9.44 ± acre subject property is located north of Mushinski Road, west of Ravinia Park Boulevard and east of Hope International Drive. The site is in the Urban Service Area and is within the limits of the Greater Carrollwood Northdale Community Plan. The applicant is requesting a rezoning from Agricultural Single Family (AS-1) to Planned Development (PD) for 8 single-family dwelling units.

Objective 1 of the Future Land Use Element (FLUE) of the Comprehensive Plan asserts that Hillsborough County shall proactively direct new growth into the Urban Service Area (USA) with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of the Comprehensive Plan. FLUE Policy 1.2 requires that all new development or redevelopment shall occur at a density of at least 75% of the allowable density of the Future Land Use category to optimize investment for services and infrastructure.

The subject site’s Future Land Use category is RES-4, which allows for the consideration of up to a maximum of 37 dwelling units on the 9.44 ± acre site (4 dwelling units per gross acre). The proposed development seeks to add 8 additional single-family dwelling units to an existing dwelling unit located on the subject site. The total 9 dwelling units would fall significantly under the 75% density requirement (28 dwelling units) for new development within the Urban Service Area (USA) by a considerable margin.

FLUE Policy 1.3 seeks to restrict new rezoning approvals for residential development within the USA and Future Land Use categories that permit 4 dwelling units/gross acre or greater that do not meet minimum density unless certain exemptions are met. The applicant, per the narrative that was uploaded into Optix on June 7, 2023, states that the proposed development would adversely impact the existing development pattern of the area if it was required to meet the 75% minimum density requirement. This, however, is not a true representation of the dense residential nature of the surrounding areas adjacent to the subject site directly to the north, east and south. The 8 new dwelling units plus the existing residential structure would vastly reduce the density of the subject site to a mere 1 unit per gross acre, which is significantly below the 75% minimum that is required for new development within the USA.

The applicant, per their narrative uploaded into Optix on June 7, 2023, has stated that Mushinski Road is substandard, and that the transportation infrastructure is not adequate to support 30 units on the site. Mushinski Road is a dead-end Hillsborough County collector road, which is surrounded by existing single family residential development that are higher in density than the proposed development. Transportation staff’s finding also indicate that the current infrastructure is sufficient for the proposed development, and there is no indication that if the planned development was proposed to be at 75% minimum density (approximately 28 dwelling units) that there would not be any negative impacts to the existing right of way or infrastructure that is currently in place.

The proposed rezoning would conflict with FLUE Policy 1.4 which establishes compatibility guidelines that outline the characteristics of uses and activities which allow them to be located near each other in harmony. The proposed development is seeking 9 dwelling units total (8 new dwelling units plus the existing residential unit) within 9.44 ± acres of the proposed development. This would greatly conflict with the character of the surrounding area. This is made evident by property to the east which has an estimated 96 dwelling units, and to the south where there are an estimated 38 dwelling units. Since the proposed development's density is less dense than that of the surrounding areas to the east and south, it would be incompatible with the surrounding development pattern.

The proposed rezoning does not meet the intent of the Neighborhood Protection policies that modify FLUE Objective 16. The proposed rezoning would conflict with Objective 16, which strives to preserve, protect, and enhance neighborhoods and that new development must conform to the area. It is contrary to the intent of FLUE Policy 16.1, as it aims to restrict incompatible land uses. FLUE Policy 16.3 states that new development shall strive to integrate adjacent land uses through the creation of complementary and like uses. FLUE Policy 16.8 argues for new residential projects to reflect the overall density and lot sizes of the surrounding area. FLUE Policy 16.9 argues in favor of permitting clustering of residences within the gross residential density limits of the land use category, thus showcasing that the subject site is eligible for greater residential density than what is being proposed by the applicant. Therefore, the applicant's resistance to meeting minimum density requirements would greatly disrupt the developmental pattern of the overall area as well as the ability to maximize density in the Urban Service Area (USA).

The Community Design Component (CDC) of the Comprehensive Plan establishes guidance on suburban residential character. Goal 8 of the CDC aims at preserving existing suburban uses as viable residential alternatives to urban and rural areas. The proposed modification is inconsistent with this goal, as the proposed development strives to lower density requirements that are present throughout the surrounding area of the subject site. The 8 proposed dwelling units plus the existing residential unit on the ± 9.44 acres would lead to a rural designation of 1 dwelling unit an acre which does not allow for a suburban developmental pattern that is consistent with the USA.

The CDC also established goals and objectives for neighborhood level compatibility. CDC Goal 12 and Objectives 12-1 require that new developments should recognize the existing communities and be designed in a manner that is compatible with the established character of the surrounding neighborhood. The proposed plan development includes per the applicant narrative uploaded on June 7, 2023, states that the 9 units will not be platted as individual single-family lots. Rather, they will remain on a single, unified lot, as a multi-family style arrangement with shared accessory uses and access drives. The applicant has also stated that no individual lot sizes or lot lines are shown on the site plan that was included with the application. The surrounding single-family residential dwelling units all have individual lot sizes, and lot lines. There are also minimal environmental factors that hinder any attempts to increase density within the subject site.

The Greater Carrollwood-Northdale Community Plan argues that new development shall use compatibility design techniques to ensure the appearance, mass and scale of development is integrated with the existing nature of each neighborhood. The plan development does not meet this goal 2 and its ensuing policies.

Overall, the proposed rezoning would allow for development that is inconsistent with the Goals, Objectives, and Policies of the Unincorporated Hillsborough County Comprehensive Plan. The rezoning request is not compatible with the existing residential development pattern in the area and does not meet minimum density requirements for the Urban Service Area.

Recommendation

Based upon the above considerations, the Planning Commission staff finds the proposed Planned Development **INCONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ PD 23-0181

Rezonings

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

- Tampa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Reads
- Parcels

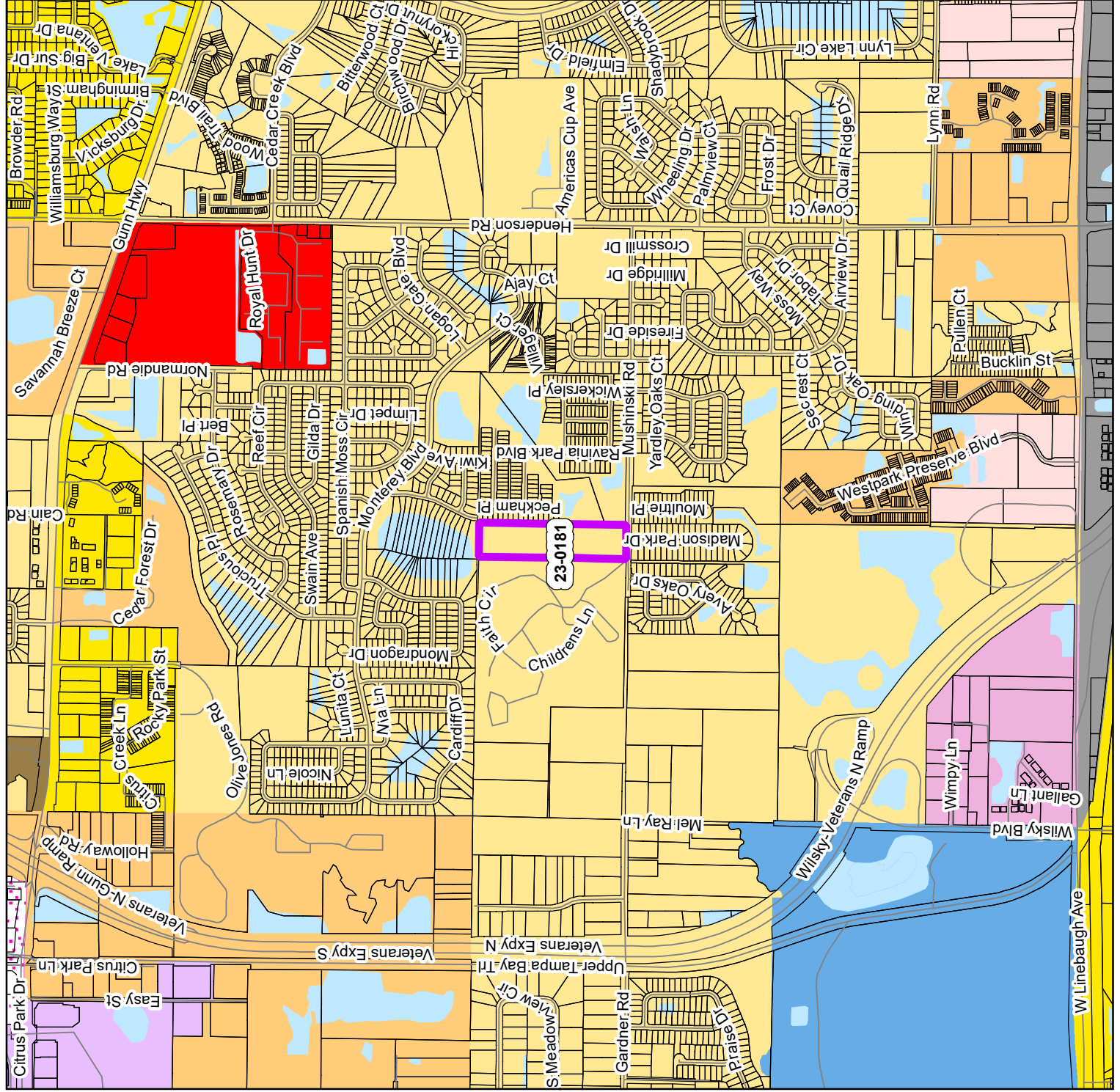
- WATER NATURAL LULUC, Wet, Dry
- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-RURAL-1/10 (.25 FAR)
- AGRICULTURAL-ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- OC-20
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.50 FAR)
- LIGHT INDUSTRIAL (.50 FAR)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/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 rezoning data is for use as a reference only and is not intended to be used for any other purpose without specific approval of the Hillsborough County City/County Planning Commission.

ACCURACY: It is intended that this map be used as a reference only. The map is not intended to be used for any other purpose without specific approval of the Hillsborough County City/County Planning Commission. This map is for illustrative purposes only. For the most current data and information, visit the appropriate website.



Map Printed from Rezoning System: 3/15/2023
 Author: Beverly F. Daniels
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