

# Hillsborough County City-County Planning Commission

## Memorandum

September 10, 2024

To: Board Members, Board of County Commissioners

From: Jillian Massey, Principal Planner, Planning Commission staff

Re: Initial Consideration of HC/CPA 24-33, a Privately Initiated Comprehensive Plan Text Amendment to expand the Urban Service Area boundary

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Pursuant to the Comprehensive Plan Amendment Procedures Manual for Unincorporated Hillsborough County (Procedures Manual), once a privately initiated text amendment to the *Unincorporated Hillsborough County Comprehensive Plan* is applied for, Planning Commission staff will schedule the item for initial consideration at a meeting of the Board of County Commissioners (BOCC). The Procedures Manual further states:

*The Planning Commission will prepare a report to accompany the application that shall include, at a minimum, the following information:*

- a. A determination of resources needed for adequate review*
- b. A recommendation on the timeframe to review the amendment*
- c. A recommendation on additional public outreach to be conducted by the applicant beyond what is required by this manual.*

### A determination of resources needed for adequate review

The proposed amendment can be adequately reviewed with existing staff resources. The following items have been found appropriate due to the fact that the proposed USA Extension applies to a specific geographical area rather than applying to properties countywide. The following items have been determined as needed in order to adequately review the proposed amendment:

- An applicant analysis of how the request is consistent with the Comprehensive Plan, including but not limited to, adopted Policy 2.2, Objective 3 and Policy 3.1, Objective 4 and associated Rural Area policies, and other applicable Objectives and Policies in the Future Land Use Element;
- An applicant report analyzing the compatibility of the proposed USA Extension with the surrounding Future Land Use pattern with particular attention to the rural area that would be surrounded by the Urban Service Area if the proposed amendment is adopted;
- Additional data may be requested if necessary to provide for an adequate review.



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Tampa, FL, 33602

#### A recommendation on the timeframe to review the amendment

Per applicable requirements, Planning Commission staff has determined a recommended timeframe to review the amendment. It is recommended that once all the supplemental items listed above are submitted, PC staff have found it sufficient and the additional community meeting occurs, then the item will be scheduled into a plan amendment cycle and dates set for a public hearing with the Planning Commission and a transmittal hearing with the BOCC.

If the Board so desires and directs a concurrent rezoning for the property, and the zoning application is submitted and found sufficient, this may result in an extension to the recommended timeframe based on the need to coordinate the overall review.

#### A recommendation on additional public outreach to be conducted by the applicant

Per the Procedures Manual requirements, the Planning Commission staff has determined the following additional outreach be conducted by the applicant beyond what is already required by the Procedures Manual:

- It is the applicant's responsibility to hold at least one neighborhood meeting in addition to what is required by the Procedures Manual for map amendments. This meeting shall be open to the public and at an ADA-accessible location near to the subject site, which is generally located east of South Dover Road and north of Durant Road. Additionally, a sign shall be posted at the following locations: (1) at the subject site in a location visible from the Right-of-Way; (2) at the neighborhood meeting location. Photos of the signs at the specific locations should be submitted into the record.
- The applicant will be responsible for mailed notice of the neighborhood meeting consistent with the Procedures Manual. This mailed notice will be sent out at least 10 days prior to the meeting date.
- Once the applicant has determined the date, time, and location of the additional community meeting, the applicant shall provide this information to Planning Commission staff no later than 20 calendar days prior to the community meeting date. Please note it is expected that the attendance will be above average based upon community interest, so the applicant should accommodate accordingly.
- Planning Commission staff will notify, on behalf of the applicant via email 10 days prior to the meeting date, any party who has signed up to receive updates pertaining to the Board directed USA Expansion Study.
- The applicant will be responsible for all costs associated with all mailed notices and all costs associated with the neighborhood meetings, including but not limited to, venue reservation costs.
- Planning Commission staff shall provide a sign-in sheet template that the applicant will use at the community meeting. The applicant shall provide Planning Commission staff with a scanned version of the original and completed sign-in sheet from the meeting, as well as a summary of topics discussed, and a summary of comments made by the public.
- The applicant shall follow the map amendment requirements outlined in the Procedures Manual for signage and mailed notices for Planning Commission public hearings.

#### Board Action

The Procedures Manual also addresses the process for the meeting wherein the initial consideration by the BOCC is to be made:

*At the scheduled meeting, the applicant will be afforded time to make a presentation and public testimony will be permitted.*

*Following board discussion, the BOCC shall take one of the following actions after review of the report by the Planning Commission and testimony provided by the applicant:*

- a. Motion to take no further action on the application. A refund of 80% of the amount of the application fee will be provided should this occur.*
- b. Motion to allow the application to proceed for review and public hearing in accordance with the procedures outlined herein. Said motion shall address the Planning Commission's recommendations on the review timeframes, public outreach and provision of additional resources (if applicable).*

If you have any questions regarding this assessment or need further information, please contact Jillian Massey at 813-565-9315.

Attachments: Application and map

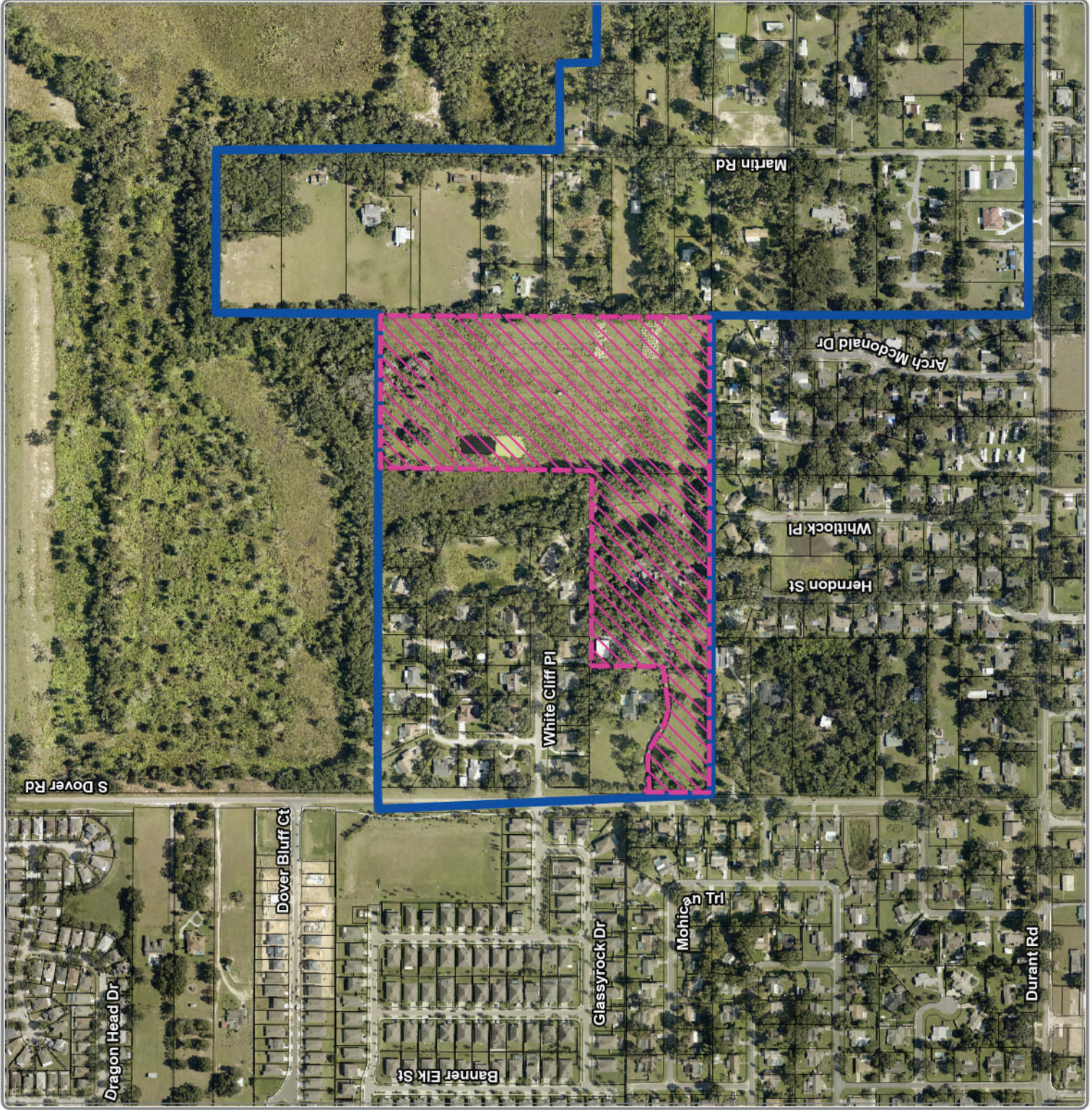


FIGURE 2  
 UNINCORPORATED HILLSBOROUGH COUNTY  
 AERIAL PHOTOGRAPHY  
 HC/CPA 24-33

PROPOSED USA EXPANSION AREA

LEGEND

-  PLAN AMENDMENT AREA
-  PROPOSED EXPANSION AREA
-  JURISDICTION BOUNDARY
-  COUNTY BOUNDARY
-  URBAN SERVICE AREA



AERIAL PHOTOGRAPHY 2017, Hillsborough County Property Appraiser.  
 PARCELS: Hillsborough County Property Appraiser.  
 JURISDICTION BOUNDARIES: Hillsborough County City/County Planning Commission.  
 ACCURACY: It is intended that the accuracy of the base map comply with U.S. map accuracy standards. However, no warranty is made.  
 prepared by Hillsborough County City/County Planning Commission.





## Comprehensive Plan Amendment Application

This Comprehensive Plan Amendment (CPA) application provides the data and analysis required for the review of a proposed Comprehensive Plan Amendment, in accordance with the Hillsborough County City-County Planning Commission ("Planning Commission") Procedures Manual and Chapter 163, Florida Statutes.

A pre-application meeting must take place no later than 7 (seven) days prior to the filing deadline for the Plan Amendment.

Pre-Application Meeting:  
2024-06-07

### Property Owner Information

Homes by WestBay, LLC  
4065 Crescent Park Drive  
Riverview, FL 33578

kami.corbett@hwhlaw.com ; jaime.maier@hwhlaw.com  
813 227 8421

### Agent/Representative Information

Kami Corbett, Esq.  
101 E. Kennedy Blvd., Ste. 3700, Tampa, FL 33602

kami.corbett@hwhlaw.com  
813 227 8421

Jurisdiction in which the proposed Comprehensive Plan Amendment is located:

Unincorporated Hillsborough County

Type of request:

Text Amendment

Text Amendment

Text Amendment (Goals, Objectives, and Policies of the Comprehensive Plan)  
Goal/Objective/Policy No. \_\_\_\_\_

Description of Property (for map amendments only):

1.3

All included Folio's:  
1.3

Adopted FLUE:  
["N/A - Text Amendment"]

Requested FLU:

Total acres:

Map Amendments Only:  
Is the subject site, or a portion of the subject site, located within the Coastal High Hazard Area (CHHA)?

Unincorporated Hillsborough County Plan Amendment's Only:  
Is the subject site located within the Urban Service Area (USA)?

Map Amendments Only:  
Development trend in the surrounding area (within one mile of the subject site in Tampa, Temple Terrace and Plant City; within five miles of the subject site in unincorporated Hillsborough County):

Map Amendments Only:  
Is there a pending application on the property, or do you anticipate applying for other applications?  
(Example: Rezoning, Land Development Code Amendment, etc):

Yes

Justification for the proposed Map or Text Amendment (i.e, infrastructure, supporting policies, transit availability, etc):

Companion Map Amendment

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Memorandum of Understanding  
Between  
Hillsborough County City-County Planning Commission  
and

Homes by WestBay, LLC

Kami Corbett, Esq.

1. Purpose. The purpose of this Memorandum of Understanding (MOU) is to establish the terms and conditions governing submittal and administration of the Plan Amendment.

2. Responsibilities of the Applicant.

a. The applicant and/or their authorized representative ("Applicant") shall be responsible for submitting all required documentation for the Plan Amendment and compliance with the procedures and requirements set forth in the Plan Amendment Procedures Manual.

b. The Applicant is responsible for payment of legal advertising fees per the deadlines outlined in the Procedures Manual. If payment is not timely received, the Plan Amendment will not be included in the public hearing agenda, and additional advertising fees will become due for rescheduling the public hearing.

c. If the Applicant is proposing a plan amendment category that allows consideration of a residential use, the Applicant is responsible for, and will pay to the Hillsborough County School Board, a review fee for an "Adequate Facilities Analysis", upon request by the School Board. Receipt of this payment is due to Planning Commission staff no less than thirty (30) days after submission of the Plan Amendment application.

d. If the Applicant desires to make a presentation to the Planning Commission utilizing electronic media, the media must be provided to the Planning Commission at least 2 business days prior the public hearing.

e. The Applicant shall be responsible for all noticing required by the Plan Amendment Procedures Manual.

f. The Applicant understands the procedures for a "Continuation of Plan Amendment Requests" and "Withdrawal, Denial, and Resubmittal of a Plan Amendment Application" set forth in the Plan Amendment Procedures Manual.

3. City of Tampa, Plant City, and Temple Terrace ONLY: Withdrawal/Termination. After submission of the application, staff conducts a seven (7) day sufficiency review period. A full refund will only be issued if the application is withdrawn within the seven (7) day sufficiency review period.

Homes by WestBay, LLC

Kami Corbett, Esq.

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Additional Notes:

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## **Comprehensive Plan Text Amendment**

### **Urban Expansion Area**

The Applicant, Homes by WestBay, seeks a Comprehensive Plan Text Amendment for approximately 31.83 acres of land in Dover, generally located east of S. Dover Road and approximately 1300 feet north of Durant Road (collectively, the "Site"). Directly south and west of the Site is the Urban Service Area boundary, with a swath of Residential-4 designated land.

The Applicant seeks to expand the Urban Service Area ("USA") boundary to include the Site through the Urban Expansion Area process per the pending updated Comprehensive Plan. This request is supported by policies in the Comprehensive Plan, and by the pattern of development of and around the Site. In a concurrently-submitted application, the Applicant seeks a map amendment to designate the Site under the Residential-4 (RES-4) future land use category (from its current RES-1 designation).

The Comprehensive Plan update contemplates the projected growth of the County and seeks to encourage and facilitate appropriate growth in the areas of the County where residents are anticipated to live, as suburban patterns of development spread by necessity and demand to areas of the County that were previously rural. The Plan seeks to ensure that "new growth occurs in a manner that fits in with existing communities . . . and efficiently utilizes infrastructure." Across Dover Road to the west of the Site is a series of dense single-family subdivisions within the USA, and more such subdivisions exist to the south. Extending the USA boundary to the Site which is already cradled within it is therefore an efficient use of infrastructure and fits in with the existing pattern of communities in the surrounding area.

Accordingly, the goals of the Comprehensive Plan update to facilitate the direction of new growth in the County align with the proposed text amendment to create an Urban Expansion Area for the Site:

- *Guide future growth through the placement of an Urban Service Area (USA) and identification of Urban Expansion Areas, allowing for urban, suburban and rural communities* – In this case, the Site is suited for suburban development, with a pattern of such development in the immediate area, and a map amendment application concurrently submitted to allow for suburban scale density.
- *Identify new residential growth opportunities aligned with infrastructure service through the planning for and establishment of Urban Expansion Areas* – as described above and herein, the Site is a prime location for an Urban Expansion Area, and recognizing this through a formal expansion will efficiently utilize available infrastructure and allow for growth that is consistent with the developing suburban pattern already present.



Accordingly, the Applicant's request to expand the USA boundary to include the Site is consistent and compatible with the goals of the Comprehensive Plan in ensuring responsible and timely growth. The pending policies in the Comprehensive Plan which contemplate allowing for expansion of the USA expressly recognize that the primary areas in which the USA may be expanded will "provide the opportunity for new suburban residential development" and that a "focus in expansion areas will be to plan infrastructure needed to serve the new proposed development." Therefore, where the growing suburban pattern of development in this area of the County has already begun to address the need for this suburban-scale infrastructure, an Urban Expansion Area to include the Site and recognize its suburban scale opportunity is wholly appropriate.

The request will satisfy the criteria for a privately initiated amendment of the USA boundary under the Comprehensive Plan update, including:

1.1.9.1: the Site is adjacent to the USA boundary to the south and to the west across Dover Road. Accordingly, an Expansion Area to incorporate the Site is a contiguous expansion of the USA.

1.1.9.2: the Site contains developable land, and its location is suited to contribute to addressing the population and employment projections contemplated in the pending Comprehensive Plan update.

1.1.9.3: the proposed Expansion Area is an extension of an existing development pattern in the immediate and surrounding area.

1.1.9.4: impacts on infrastructure and services will be addressed through the site development process.

1.1.9.5: the Site will undergo review for environmentally sensitive areas through the site development process.

1.1.9.6: the proposed Expansion Area, i.e. the Site, is in proximity to several major rights-of-way in the surrounding area, including Dover and Durant Road, and is less than 2 miles from SR 60. There are several schools nearby as well. Therefore, its inclusion in an Expanded USA will not create additional impacts that are inconsistent with the Plan, especially considering its contiguity with the existing USA boundary.

1.1.9.7: the data reviewed by the County in connection with the pending Comprehensive Plan update (per Policy 1.3.2) proves a need for an expansion of the USA boundary to further ensure and recognize the suburban scale growth taking place. The companion RES-4 map amendment reflects the suburban nature of the Site and the need for the Expansion, by proposing a suburban future land use category to replace its former rural one.

1.1.9.8: the proposed Expansion will promote the efficient use of land and the provision of services/infrastructure, and will not compromise the preservation of rural areas. The proposed Expansion will recognize a Site which is well suited to contribute to a suburban pattern of development.

Proposed Comprehensive Plan policies that support this request include:

Objective 1.3 Policy 1.3.1: the proposed Urban Expansion Area is appropriate in an area of the County that is currently in the Rural Service Area, but is surrounded by a suburban development pattern and is an appropriate area in which to direct new growth so as to efficiently utilize the infrastructure that is already present and expanding in the adjacent USA.

Objective 1.3 Policy 1.3.2: the Site is a prime area for accommodating population growth through 2045, as the infrastructure and pattern is already developing by way of the adjacent and surrounding suburban pattern. The goal to accommodate the necessary growth through 2045 *by* 2025 can only be realistically accomplished if areas where a suburban pattern of development has already emerged and is supported by necessary infrastructure are utilized.





S Dover Rd

White Cliff Pl

Dover Cliff Ct

08677301206

08677301300

08677301401

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Entire Site





Street View from Folio 086778-0200

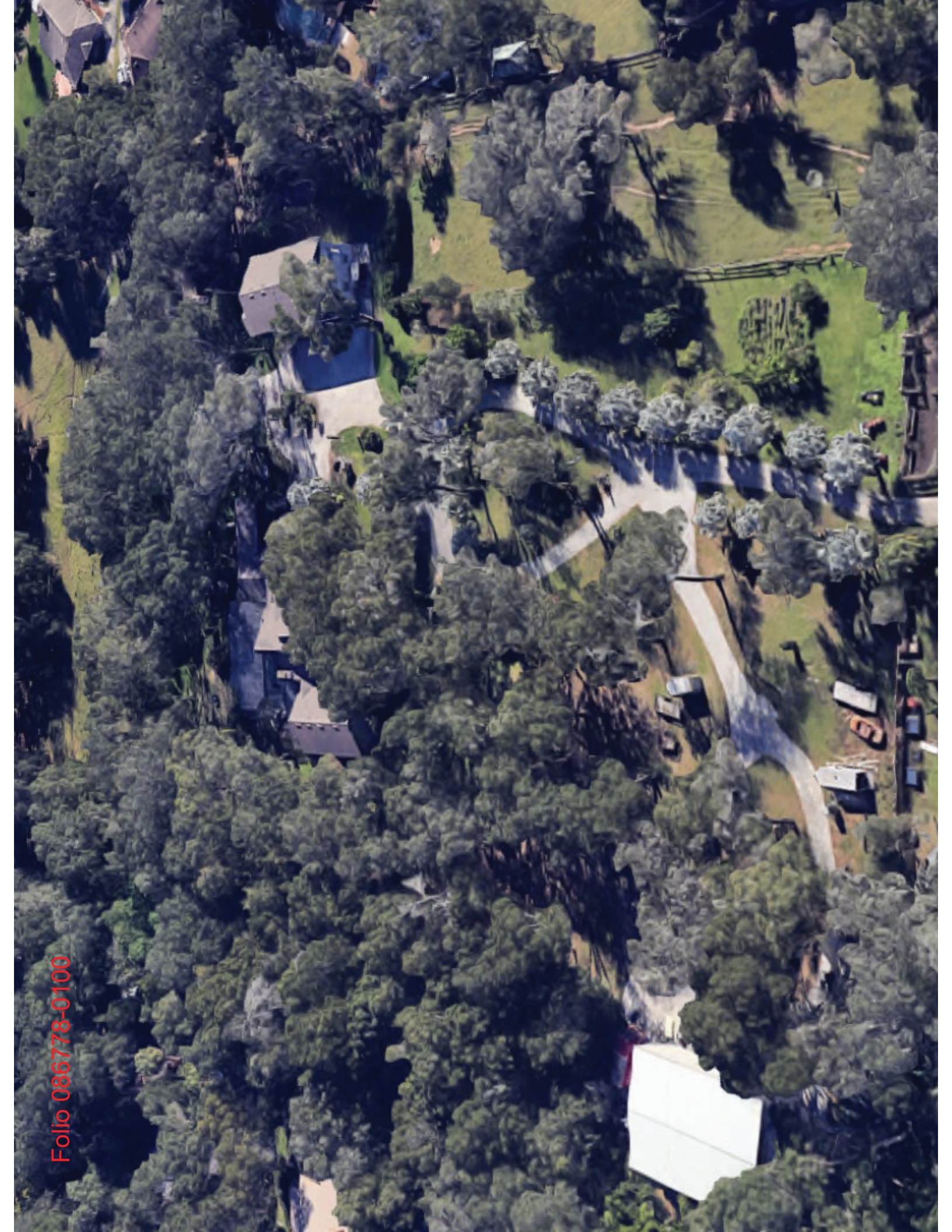








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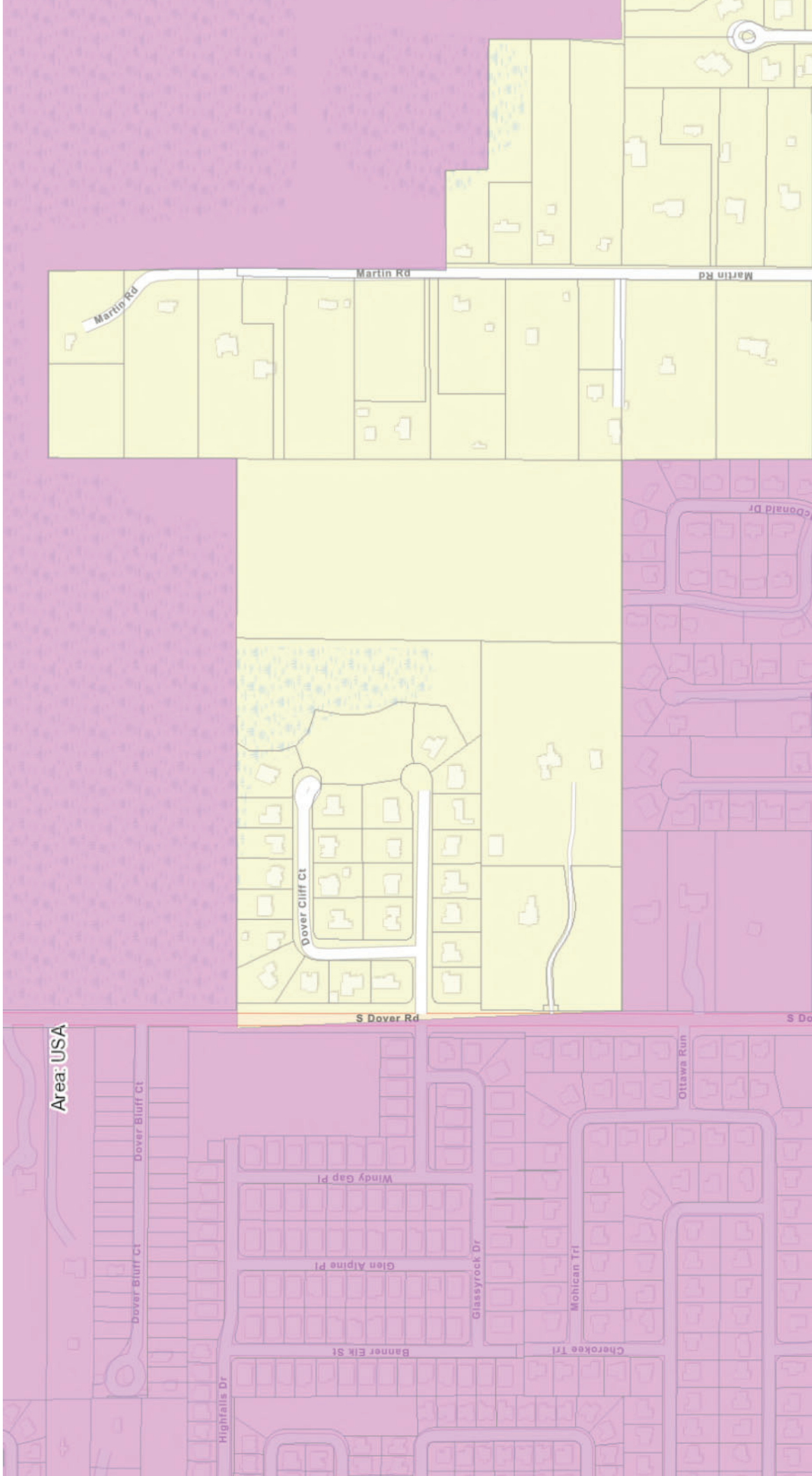


Folio 086777-0000





# Proposed Urban Service Area Expansion Boundary



## Legend

- Site
- Urban Service Area
- Proposed USA Expansion