

Rezoning Application: 22-0422

Zoning Hearing Master Date: April 18, 2022

BOCC Land Use Meeting Date: June 7, 2022

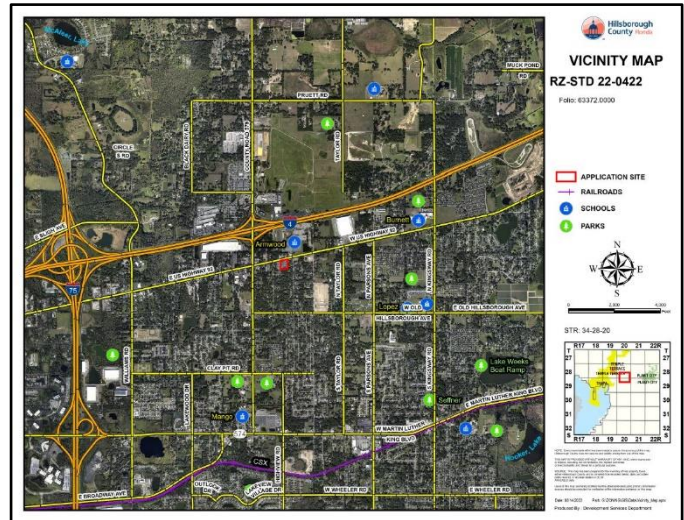


Hillsborough County Florida

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Salem Holdings LLC
 FLU Category: Community Mixed-Use 12 (CMU-12)
 Service Area: Urban
 Site Acreage: 4.71+/-
 Community Plan Area: Seffner Mango
 Overlay: None
 Request: Rezone from **Commercial General (CG) & Planned Development PD 97-0407** to **Commercial General (CG)**.



Request Summary:

The request is to rezone from the existing from Commercial General (CG) & Planned Development PD 97-0407 to Commercial General (CG) zoning district. The proposed zoning for CG permits Commercial, Office and Personal Services development on lots containing a minimum of 10,000 square feet.

Zoning:

	Current CG Zoning	Current PD Zoning	Proposed CG Zoning
Uses	General Commercial, Office and Personal Services	PD 97-0407 (Auto Sales)	General Commercial, Office and Personal Services
Acreage	1.9+/- Acres (ac)	2.81+/- ac	4.71+/- ac
Density / Intensity	Floor Area Ratio (F.A.R.) 0.27	F.A.R. 0.27	F.A.R. 0.27
Mathematical Maximum*	22,346.28 square feet (sf)	33,048.97 sf	55,395.25 sf

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

Development Standards:

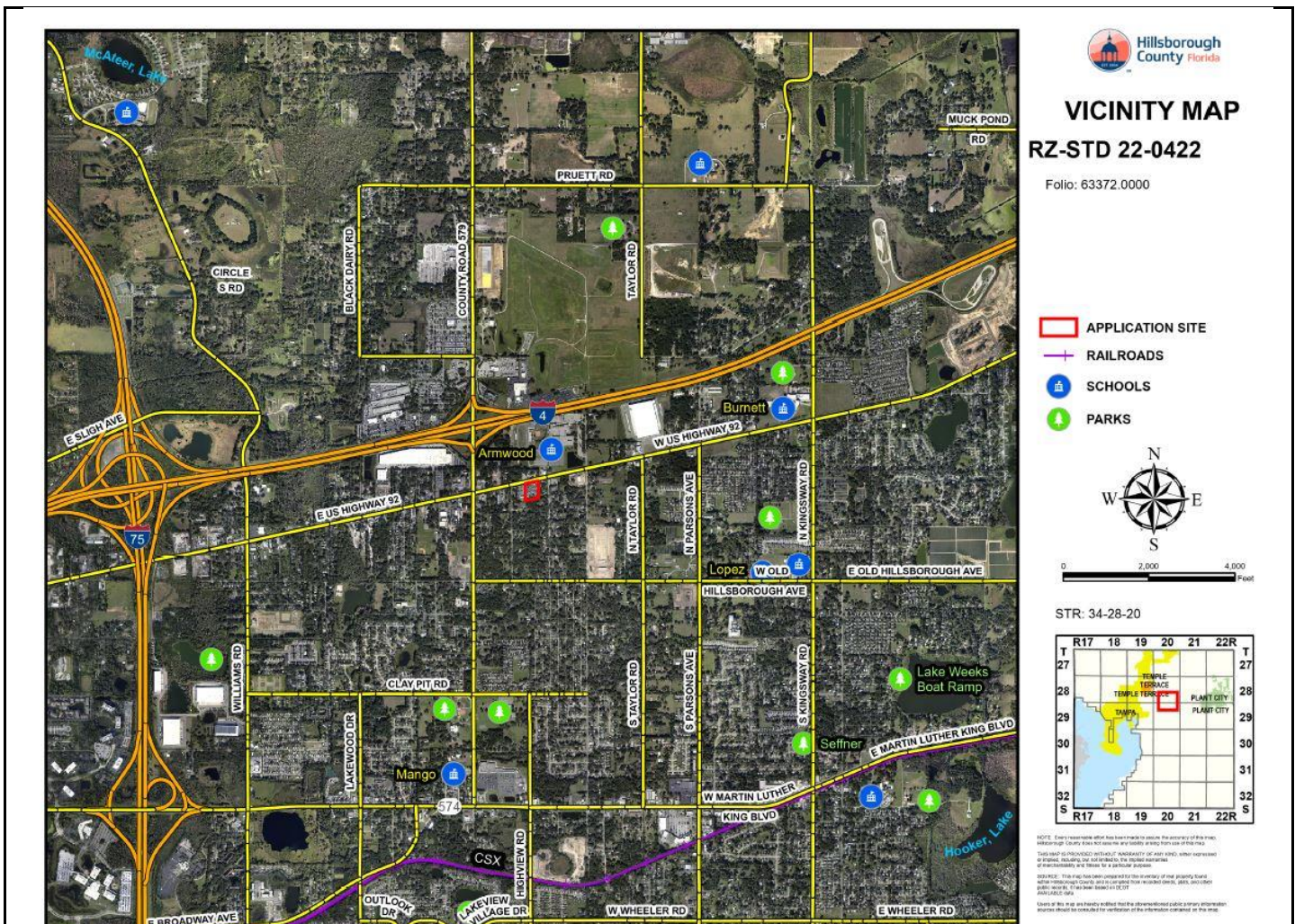
	Current CG Zoning	Current PD Zoning	Proposed CG Zoning
Density / Intensity	F.A.R. 0.27	F.A.R. 0.27	F.A.R. 0.27
Lot Size / Lot Width	1.9+/- ac / 75'	10,000 sf / 75'	10,000 sf / 75'
Setbacks/Buffering and Screening	30' - Front (North) None - Side (East) 0' - Side (West) 20' Type B Buffer - Rear (South)	30' - Front (North) 0' - (East) 0' - Side (West) 20' Type B Buffer - Rear (South)	30' - Front (North) 0' - Front (East) 0' - Side (West) 20' Type B Buffer - Rear (South)
Height	50'	50'	50'

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

Additional Information:	
Planning Commission Recommendation	Inconsistent
Development Services Department Recommendation	Not Supportable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

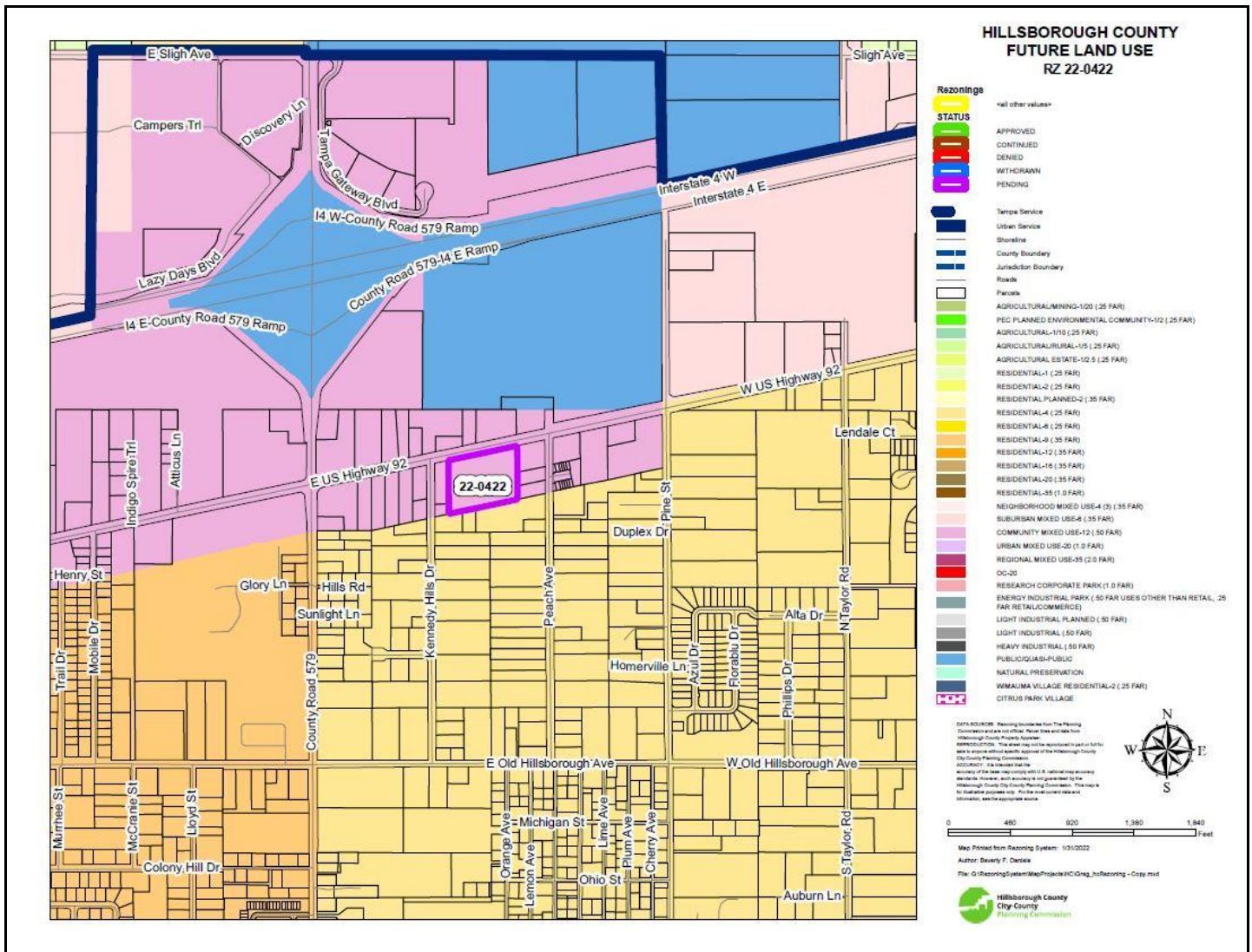


Context of Surrounding Area:

The site is located along Major State Road- E US Highway 92 which is a Principal Arterial roadway. The area is comprised of a mixture of uses. The properties to the North, East and West of the subject site are within the CMU-12 category which has the potential to permit light industrial, commercial, office and multi-purpose uses. The properties to the South of the subject site are within the Residential-4 (R-4) category which has the potential to permit low density residential uses. The adjacent properties are zoned CG (to the west); (RDC-6) Residential - Duplex Conventional-6 (to the south); E Highway 92 and CG (to the north); and CG (to the east).

2.0 LAND USE MAP SET AND SUMMARY DATA

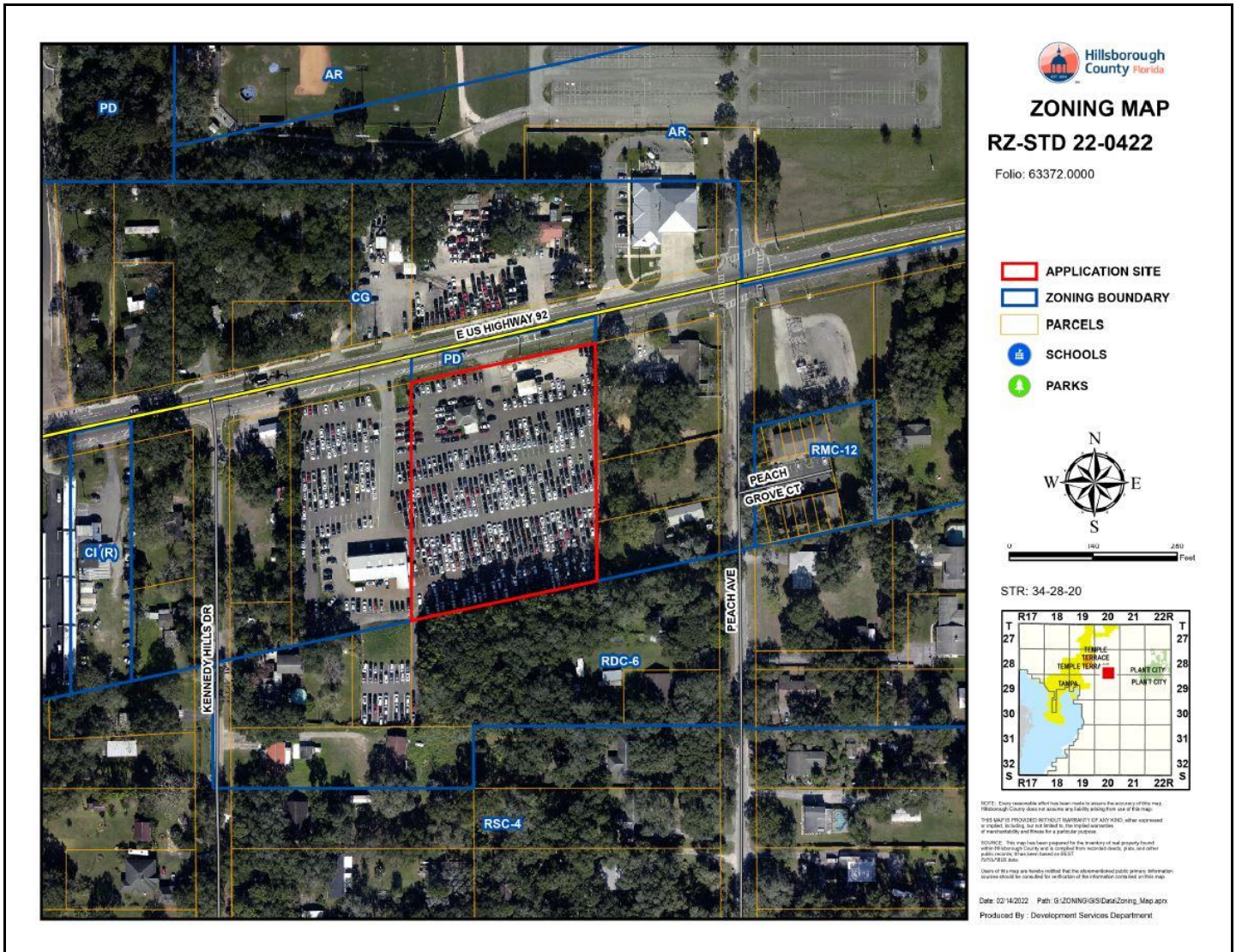
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Community Mixed-Use 12 (CMU-12)
Maximum Density/F.A.R.:	12 dwelling unit per Gross Acre (ga)/ .50 F.A.R.
Typical Uses:	Residential, community scale retail commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed-use projects at appropriate locations. Non-residential land uses must be compatible with residential uses through established techniques of transition or by restricting the location of incompatible uses. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



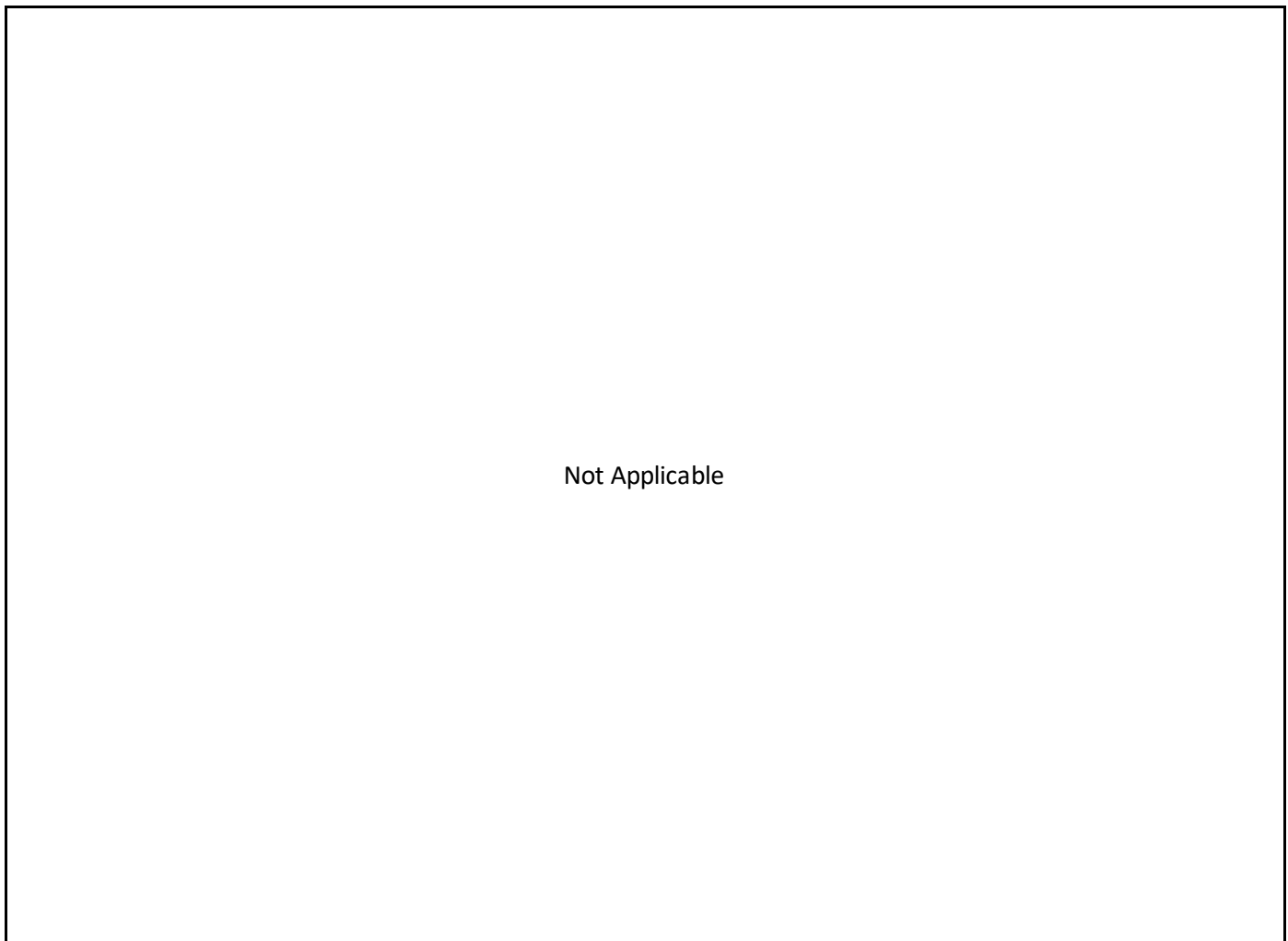
Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	CG	F.A.R. 0.27	General Commercial, Office and Personal Services	Auto Sales
South	RDC-6	F.A.R. 1 du/ 7,260 sf	Single-Family and Two-Family Residential (Conventional)	Single-Family and Two-Family Residential

Adjacent Zonings and Uses				
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
East	CG	0.27 F.A.R.	General Commercial, Office and Personal Services	- Day Care Center - Vacant - Single Family Residential
West	CG	0.27 F.A.R.	General Commercial, Office and Personal Services	Night Club

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)



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
US Hwy 92	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	5,905	211	327
Proposed	5,905	211	327
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		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 type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	"No Change to previous comments"
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input 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
Transportation <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	
Utilities 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	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input 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 type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comment
Impact/Mobility Fees N/A			
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<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

The site is located along Major State Road-E US Highway 92 which is a Principal Arterial roadway. The area is comprised of a mixture of uses. The properties to the North, East and West of the subject site are within the CMU-12 category which has the potential to permit light industrial, commercial, office and multi-purpose uses. CG zoning districts are located to the east, west and north across US Hwy 92, with residential zoning districts and uses to the south. The CG zoning districts to the east and west are similarly situated in that they also abut residentially zoned properties.

The properties to the South of the subject site are within the Residential-4 (R-4) category which has the potential to permit low density residential uses. The adjacent properties are zoned CG (to the west); (RDC-6) Residential - Duplex Conventional-6 (to the south); E Highway 92 and CG (to the north); and CG (to the east).


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

The subject parcel has a Future Land Use Classification of Community Mixed Use -12 (CMU). The Planning Commission found the requested CG zoning district inconsistent with the intent of CMU-12 category which requires a rezoning to a planned development with integrated site plans controlled through performance standards or through rezoning to a mixed-use standard zoning district. The Planning Commission found that a standard CG zoning district does not meet the intent of the CMU-12 category and that a PD rezoning is required. Therefore, staff finds the proposed CG zoning district **Not Supportable**.

6.0 PROPOSED CONDITIONS:

N/A

Zoning Administrator Sign Off:	 <p>J. Brian Grady Mon Apr 11 2022 07:47:05</p>
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SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

8.0 PROPOSED SITE PLAN (FULL)

Not Applicable

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department	DATE: 04/05/2022
REVIEWER: Alex Steady, Senior Planner	AGENCY/DEPT: Transportation
PLANNING AREA/SECTOR: Seffner Mango/ Northeast	PETITION NO.: STD 22-0422

- 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 the same number of trips potentially generated by development of the subject site as compared to development of the property using the existing zoning.
- 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.
- Staff notes that a significant amount of activity on the site is not permitted and if this application is approved, the applicant must bring those non-conforming activities into conformance with the Hillsborough County Land Development Code.
- Transportation Review Section staff has no objection to the proposed rezoning.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a parcel totaling +/- 4.71 acres from Commercial General (CG) and Planned Development (PD 97-0407) to Commercial General (CG). The site is located +/- 0.2 miles east of the intersection of Mango Road and US HWY 92. The Future Land Use designation of the site is Community Mixed Use – 12 (CMU-12).

Staff notes that a significant amount of activity on the site is not permitted and if this application is approved, the applicant must bring those non-conforming activities into conformance with the Hillsborough County Land Development Code.

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, 10th Edition.

The existing PD 97-0407 zoning approved two development options. Option A is an office with open storage and the option B is all Commercial General uses. Option B allows for the same development density as the proposed rezoning of all CG uses. The transportation analysis in this report compares the worst-case scenario trip generation from the existing zoning to the proposed zoning. Option B was used in the trip generation analysis because it represents the worst-case transportation impact scenario of the existing zoning. Option B allows for the same density of the proposed zoning of a Euclidean CG zoning category. As such, the trip generation of the existing zoning and the proposed zoning remains the same since the worst-case scenario of transportation impact from development of the site does not change. The following analysis shows the comparison of those two scenarios:

Approved Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 55,300 sf Supermarket (ITE Code 850)	5,905	211	511
<i>Less Internal Capture:</i>	Not Available	0	38
<i>Passerby Trips:</i>	Not Available	0	184
<i>Net External Trips:</i>	5,905	211	327

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CG, 55,300 sf Supermarket (ITE Code 850)	5,905	211	511
<i>Less Internal Capture:</i>	Not Available	0	38
<i>Passerby Trips:</i>	Not Available	0	184
<i>Net External Trips:</i>	5,905	211	327

Trip Generation Difference:

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

The proposed rezoning would result in the same number of trips potentially generated by development of the subject site as compared to development of the property using the existing zoning.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on US HWY 92. US HWY 92 is a 2-lane, undivided, Florida Department of Transportation (FDOT) maintained Principal Arterial roadway with +/- 12-foot travel lanes. US HWY 92 lies within +/- 81 feet of Right of Way in the vicinity of the project. US HWY 92 has no sidewalk on the south side of the roadway, bike facilities on both sides and no curb or gutter on either side of the roadway in the vicinity of the proposed project.

CORIDOR PRESERVATION PLAN

US HWY 92 is included as a 6-lane roadway in the Corridor Preservation Plan. Adequate Right of Way must be preserved for the future improvement. The applicant provided documentation concerning a pre application meeting held with FDOT in April 2021 as well as a letter dated Feb 9, 2022 with updated information concerning required preservation for the planned widening of US HWY 92. The applicant is required to preserve 56' on the south side of US 92 for right-of-way preservation.

SITE ACCESS

It is anticipated that the site will have access to US HWY 92. 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.

ROADWAY LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
US HWY 92	WILLIAMS RD	PINE ST	D	C

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

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**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: April 18, 2022	Petition: RZ 22-0422
Report Prepared: April 6, 2022	11809 East US 92 Highway <i>On the south side of East US Highway 92, east of Kennedy Hills Drive, and west of Peach Avenue</i>
Summary Data:	
Comprehensive Plan Finding:	INCONSISTENT
Adopted Future Land Use:	Community Mixed-Use-12 (12 du/ga; 0.50 FAR)
Service Area	Urban
Community Plan:	Seffner Mango
Requested Zoning:	Planned Development (PD) to Commercial General (CG) to permit all CG uses
Parcel Size (Approx.):	+/-2.88 acres
Street Functional Classification:	East US Highway 92 – State Principal Arterial Kennedy Hills Drive – Local Road
Locational Criteria	N/A
Evacuation Zone	None



Context

- The 2.88 +/- acre subject site is located on the south side of East US Highway 92, east of Kennedy Hills Drive, and west of Peach Avenue. The subject site is located within the Urban Service Area and is within the limits of the Seffner Mango Community Plan.
- The subject site's Future Land Use classification is Community Mixed-Use – 12 (CMU-12) on the Future Land Use Map. Typical uses of CMU-12 include residential, community scale retail commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed use projects at appropriate locations. Non-residential land uses must be compatible with residential uses through established techniques of transition or by restricting the location of incompatible uses. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- CMU-12 surrounds the subject site on the north, east and west. Residential-4 (RES-4) is located south of the site. Public/ Quasi-Public (P/QP) is located further north, across East US Highway 92.
- The subject site is used for heavy commercial auto sales. Light commercial, heavy commercial, light industrial, and single family uses are located to the west. Single family residential is immediately adjacent to the south and east. In addition, to the east, are vacant single family residential, and daycare properties. To the north, across East US Highway 92, is heavy commercial, single family residential, a mobile home park, public institutional, vacant lots and a high school (Armwood High School).
- The subject site is currently zoned as Planned Development (PD) zoning. CG zoning is located to the north, east, and west of the site. Residential - Duplex Conventional (RDC-6) zoning is located directly to the south.
- The applicant is requesting to rezone the subject site from Planned Development (PD) to Commercial General (CG) to permit all CG zoning uses on the property.

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 1.4: 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.

Land Use Categories

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 8.2: Each potential use must be evaluated for compliance with the goals, objectives, and policies of the Future Land Use Element and with applicable development regulation

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.

Mixed Use Land Use Categories

Objective 19: All development in the mixed use categories shall be integrated and interconnected to each other.

Policy 19.1: Larger new projects proposed in all mixed use plan categories shall be required to develop with a minimum of 2 land uses in accordance with the following:

Requirements for 2 land uses will apply to properties 10 acres or greater in the RMU-35, UMU-20, and CMU-12 land use categories, and to properties 20 acres or greater in the SMU-6 and NMU-4 land use categories.

At least 10% of the total building square footage in the project shall be used for uses other than the primary use.

The mix of uses may be horizontally integrated (located in separate building). Horizontal integration may also be achieved by utilizing off-site uses of a different type located within ¼ mile of the project, on the same side of the street of a collector or arterial roadway connected by a continuous pedestrian sidewalk.

The land uses that may be included in a mixed use project include: retail commercial, office, light industrial, residential, residential support uses, and civic uses provided that the use is permitted in the land use category.

These requirements do not apply within ½ of a mile of an identified Community Activity Centers (if other mixed use standards have been adopted for that area or when the project is exclusively industrial).

Policy 19.2: In the mixed use land use categories, when two or more uses are required on the same project, then the development shall be implemented through a zoning district that demonstrates street connectivity, description of land uses, and site placement, access locations and internal connections at a minimum.

Policy 19.3: Incentives for Mixed Use: The following incentives are available to encourage mixed use and vertically integrated mixed use projects within the Urban Service Area:

Parking structures shall not count towards the FAR for projects that include 3 or more land uses or vertically integrate two land uses.

Projects that either include 3 or more land uses or vertically integrate two land uses may utilize a density bonus to the next higher land use category or the following FAR bonus:

*Property with a Future Land Use Category of 35 units per acre and/or 1.00 FAR and higher and within the USA – may increase up to 50 units and/or an additional .50 FAR
Property within a Future Land Use Category of 9 units per acre and/or .5 FAR and higher and within the USA – Increase in FAR by .25*

Property within a Future Land Use Category of 4 units per acre and/or .25 FAR and higher and within the USA – Increase in FAR by .10

When considering mixed use projects of 3 or more land uses, a different housing type (multi-family, attached single family or detached single family) may be considered as one of the uses.

COMMERCIAL-REDEVELOPMENT

Objective 25: *The County shall implement commercial redevelopment strategies to concentrate commercial uses, revitalize older commercial areas, and encourage mixed use projects that include commercial development.*

Policy 25.3: *To assist in the revitalization of rundown areas, commercial infill development may be considered in areas where over 50% of a given block is already zoned or used for commercial uses in all land use categories, otherwise new commercial development should be located at existing or planned activity centers or at appropriate locations within larger planned developments. The intensity of the new zoning district should be of a comparable intensity of the zoning and development on the surrounding parcels. Typically, a block is defined as the road frontage on one side of a street between two public road rights-of-way. In some cases, another boundary will be more reasonable to define a given block, such as a creek, or railroad.*

Community Design Component

7.0 SITE DESIGN

7.1 DEVELOPMENT PATTERN

GOAL 17: *Develop commercial areas in a manner which enhances the County's character and ambiance.*

OBJECTIVE 17-1: *Facilitate patterns of site development that appear purposeful and organized.*

Policy 17-1.4: *Affect the design of new commercial structures to provide an organized and purposeful character for the whole commercial environment.*

LIVABLE COMMUNITIES ELEMENT: SEFFNER MANGO COMMUNITY PLAN

3. Goal: Commercial development should be directed to the US 92 and Martin Luther King Boulevard corridors.

Strategies:

- *Establish an overlay district along US 92 to enhance the appearance and value of properties as they develop and redevelop. The overlay district will address aspects of site development such as signage and landscaping, parking and parking lots, street design, the location and appearance of stormwater facilities, and building standards such as height, bulk, design and placement.*
- *Recognize the commercial character of US 92 and Martin Luther King Boulevard within the Urban Service Area.*
- *Restrict retail development along US 92 and Martin Luther King Boulevard outside the Urban Service Area to existing commercial zoning districts.*
- *Improve sidewalks, landscaping and signage and require all new development to provide sidewalks.*
- *Discourage further strip retail development along those portions of US 92 and Martin Luther King Boulevard that are in the Rural Service Area.*
- *Support in-fill development and redevelopment within the Urban Service Area.*
- *Encourage revitalization and redevelopment of older existing commercial areas and uses.*
- *Support office and light industrial uses along US 92 and Martin Luther King Boulevard between I-75 and CR 579 (Mango Road).*
- *Support office uses along Martin Luther King Boulevard between CR 579 (Mango Road) and Kingsway Road.*
- *Establish an overlay district along Martin Luther King Boulevard to establish design standards that will enhance the appearance and value of the development sites. The overlay district will address aspects of site development such as signage and landscaping, parking and parking lots, street design, the location and appearance of stormwater facilities, and building standards such as height, bulk, design and placement.*

Staff Analysis of Goals, Objectives, and Policies

The 2.88 +/- acre subject site is located on the south side of East US Highway 92 and east of Kennedy Hills Drive. The subject site is located within the Urban Service Area and is within the limits of the Seffner Mango Community Plan. The subject site's Future Land Use classification on the Future Land Use Map (FLUM) is Community Mixed-Use-12 (CMU-12). The applicant is requesting to rezone the subject site from Planned Development (PD) to Commercial General (CG) to permit all CG zoning uses on the property. The east portion of the site is PD zoning, and the western portion is CG zoning. The applicant is only requesting to rezone the eastern portion of the site, 2.88 acres out of the total 4.7 acre parcel. The applicant wishes to remove the split zoning designation on site and have unified CG zoning for the entire parcel. The applicant is also requesting to remove the existing approved contractor's office with open storage. The site will only permit CG uses.

Per FLUE Objective 8, the Future Land Use categories outline the maximum level of intensity or density and range of permitted land uses allowed in each category. Appendix A contains a description of the character and intent permitted in each of the Future Land Use categories. The site is within the Community Mixed-Use 12 (CMU-12) Future Land Use category. The intent of the CMU-12 Future Land use category states the following: *“Rezoning shall be approved through a planned unit development rezoning process which requires, at a minimum, integrated site plans controlled through performance standards to achieve developments which are compatible with surrounding land use*

patterns and the Goals, Objectives, and Policies of the Land Use Plan, or through a mixed use standard zoning district. Exceptions to this requirement may be included within the Land Development Code. As the language above states, rezonings shall be approved through a planned unit development rezoning process with integrated site plans. The requested rezoning would occur through a standard rezoning and not a planned development rezoning. A standard rezoning does not permit site planning techniques that would achieve a development compatible with the surrounding land uses, including the adjacent residential uses. In addition, per FLUE 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”. A PD application allows Planning Commission staff to evaluate how the proposed commercial character would be compatible with the surrounding area uses, density/intensity and building types. As the CG zoning district permits more intensive commercial uses such as fast food, drive-thru, and convenience stores with gas pumps, site planning is essential to ensure compatibility in the surrounding area.

Per FLUE Policy 9.2, developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County. Previous rezoning applications with 2 acres or greater in size have followed the Land Development Code (LDC) language, which requires a rezoning to a Planned Development when located in a Mixed-Use Comprehensive Plan Category. It should be noted that the aforementioned LDC provision does include language about a mixed use standard zoning district. However, to date, a mixed use standard zoning district has not been created and is therefore not a rezoning option.

The requirement for a PD in a Mixed Use Future Land Use categories 2 acres or greater in size provides staff with the additional details needed to fully review a development proposal’s compatibility with the surrounding scale, design, and uses of a community. The proposed CG zoning district may permit different uses but it is not a mixed use zoning district. Approving this request for a Euclidian zoning district in lieu of a Planned Development has the future consequence of any applicant being able to circumvent the site plan controlled consistency standards of the Comprehensive Plan and Land Development Code. Planning Commission staff does not support this precedent and finds the proposed rezoning does not meet the intent of Objective 8 and its policies and the intent of the Community Mixed-Use 12 Future Land Use category.

The subject site is in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county’s growth is to be directed. FLUE Objective 16 and its accompanying policies (FLUE Policies 16.1, 16.2, 16.3 and 16.10) require that new development protect established neighborhoods and be compatible with the development pattern of the surrounding area. Compatibility may be achieved through various tools such as site planning, buffering, and screening as well as the gradual transitions of uses. According to Policies 1.4 and 16.10, “*Compatibility does not mean “the same as”. Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development*”. Goal 12 and Objective 12-1 of the Community Design Component (CDC) in the FLUE requires new developments to recognize the existing community and be designed to relate to and be compatible with the predominant character of the surrounding area. In addition, The Land Development Code is an implementing tool for Objective 19 and its policies. Per FLUE Objective 19, development in the mixed land use categories “shall be integrated and interconnected”. The intent of the mixed future land use categories is to achieve development that is integrated, interconnected, and compatible with surrounding land use patterns.

The subject site is proposing commercial general uses within the Urban Service Area. The proposed uses are compatible with the existing development in the area. Commercial General zoning exists along the East US Highway 92 corridor. However, there are existing single family residential properties immediately abutting the subject site to the south and east. The proposed standard rezoning does not allow for the use of buffer and screening and other professional site planning techniques to ensure a gradual transition between intensity of uses. A site plan is only required for submission with a Planned Development rezoning. The proposed rezoning does not meet the intent of the Neighborhood Protection Policies of the Future Land Use Element (Objective 16 and Policies 16.1, 16.2, 16.3, and Policies 9.2, 17.7, and Objective 19, and Goal 12 and Objective 12-1).

FLUE Policy 16.5 requires development of higher intensity non-residential land uses that are adjacent to established neighborhoods to be restricted to collectors and arterials and to locations external to established and developing neighborhoods. The proposed commercial general uses are located along US Highway 92, an arterial roadway. The proposed development is consistent with Policy 16.5 of the FLUE.

Goal 3 of the Seffner Mango Community Plan directs new commercial development in the community to Martin Luther King Jr. Boulevard and US Highway 92/East Hillsborough Avenue corridors. Goal 2 of the Community Plan supports in-fill development and redevelopment in the Urban Service Area if it is compatible with existing uses. The Community Plan also discourages commercial encroachment into the residential areas between US Highway 92 and Martin Luther King Boulevard and south of Martin Luther King Boulevard. The proposed rezoning is located in the Urban Service Area, will retain commercial uses on US Highway 92, and is compatible with the surrounding CG zoning, all of which are consistent with the vision of the Community Plan. However, the site is located on the commercial corridor of US Highway 92 that is adjacent to residential areas. The Community Plan also includes language on enhancing the appearance and value of properties along US Highway 92 through an overlay district that addresses aspects of site development (i.e. signage and landscaping, parking and parking lots, street design, the location and appearance of stormwater facilities, and building standards such as height, bulk, design, and placement). While there is no established overlay district, a Planned Development rezoning would allow for the ability to address site development for the US Highway 92 corridor.

Overall, the proposed rezoning would allow for development that is inconsistent with the Goals, Objectives, and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* and does not meet the intent of the Community Mixed Use-12 Future Land Use Category.

Recommendation

Based upon the above considerations, Planning Commission staff finds the proposed rezoning **INCONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

HILLSBOROUGH COUNTY FUTURE LAND USE RZ 22-0422

Rezonings

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

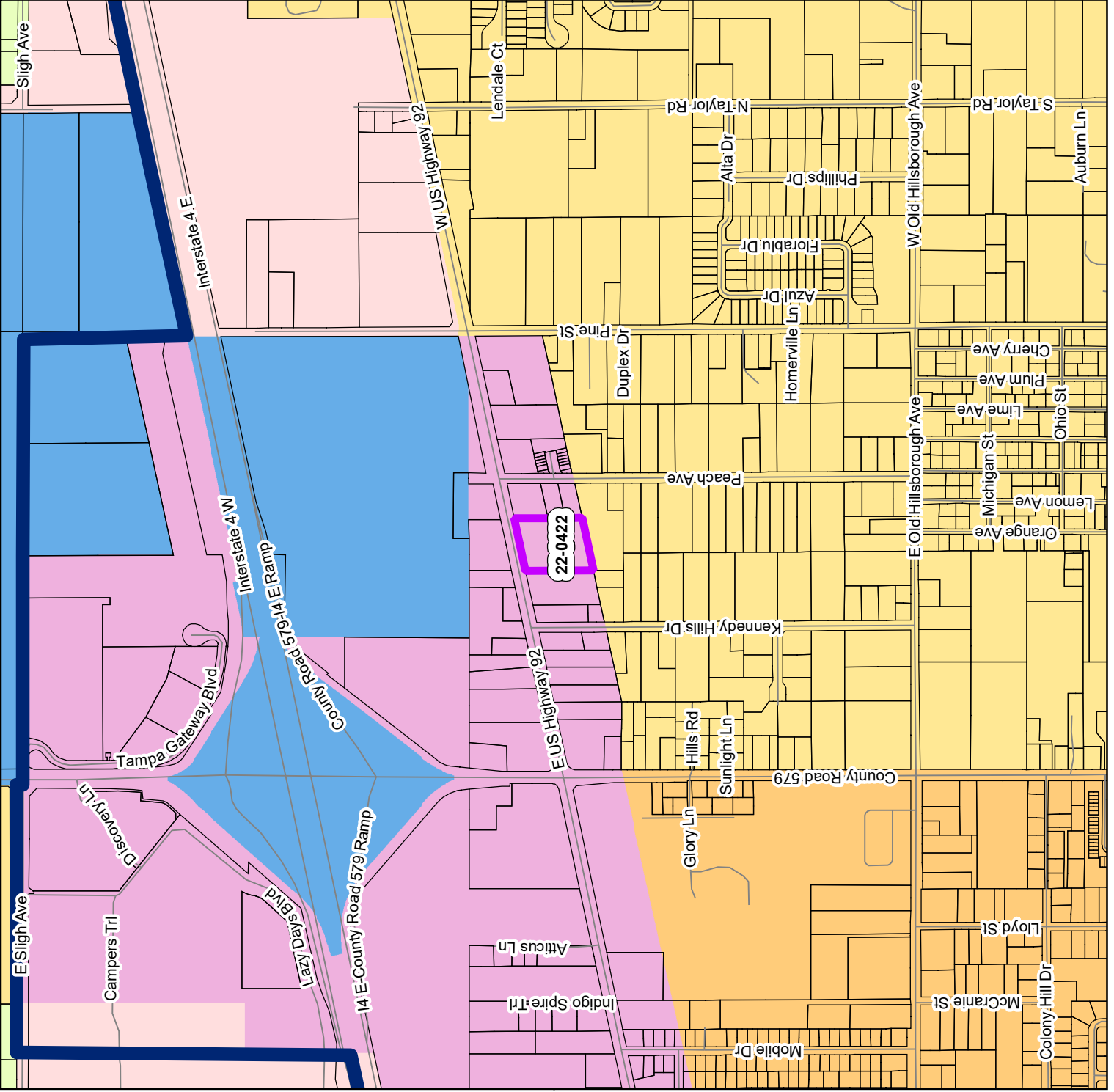
<all other values>

- Tampa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels
- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- 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 map is intended for use as a guide only and does not constitute a specific approval of the Hillsborough County City-County Planning Commission.

ACCURACY: It is intended that this U.S. selected map be accurate for its intended purpose only. For the most current data and information, use the appropriate source.

Map Printed from Rezoning System: 3/2/2022
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HC\Gen_H\Rezoning_Copy.mxd



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