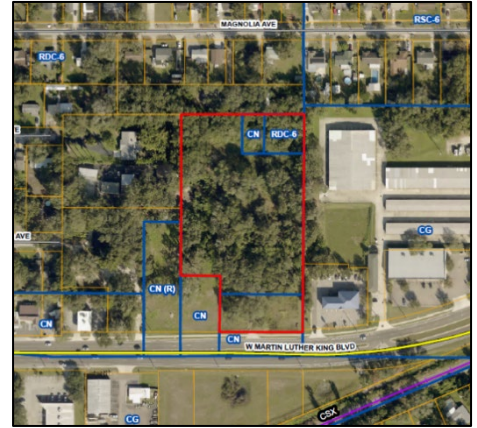


Rezoning Application: RZ STD 24-1023
Zoning Hearing Master Date: 10/15/2024
BOCC CPA Public Hearing: 12/12/2024

1.0 APPLICATION SUMMARY

Applicant: Todd Pressman
FLU Category: R-6 (Proposed: SMU-6)
Service Area: Urban
Site Acreage: 4.2 acres +/-
Community Plan Area: Seffner Mango
Overlay: None
Special District: None
Request: Rezone from CN and RDC-6 to CI-R



Introduction Summary:

The applicant is requesting to rezone property currently split zoned as RDC-6 (Residential, Duplex Conventional) and CN (Commercial, Neighborhood) to entirely CI-R (Commercial Intensive with Restrictions). The applicant is proposing to restrict the use to Contractor’s Offices with Open Storage. Other proposed restrictions include residential appearance standards and additional buffering and screening requirements abutting residentially zoned properties.

The request is running concurrently with Comprehensive Plan Amendment CPA 24-22. The request is to change the Future Land Use from Residential-6 (R-6) to Suburban Mixed Use-6 (SMU-6).

Zoning:	Existing		Proposed
District(s)	RDC-6	CN	CI-R
Typical General Use(s)	Single-Family and Two-Family Residential (Conventional)	Neighborhood Commercial, Office and Personal Services	Intensive Commercial, Office and Personal Services
Acreage	3.5 +/-	0.70 +/-	4.2 +/-
Density/Intensity	6 units per acre	0.20 FAR	0.30 FAR
Mathematical Maximum*	21 units	6,098.4 sq ft	54,885 sq ft

*number represents a pre-development approximation

Development Standards:	Existing		Proposed
District(s)	RDC-6	CN	CI-R
Lot Size / Lot Width	7,260 sf / 60'	7,000 sf / 70'	3,200 sf / 40'
Setbacks/Buffering and Screening	25' Front 7.5' Rear 20' Sides	30' Front 20' / Type B abutting residential; none abutting CN or CG	30' Front 30' / Type B abutting residential; none abutting CN or CG
Height	35'	35'	50'

Additional Information:

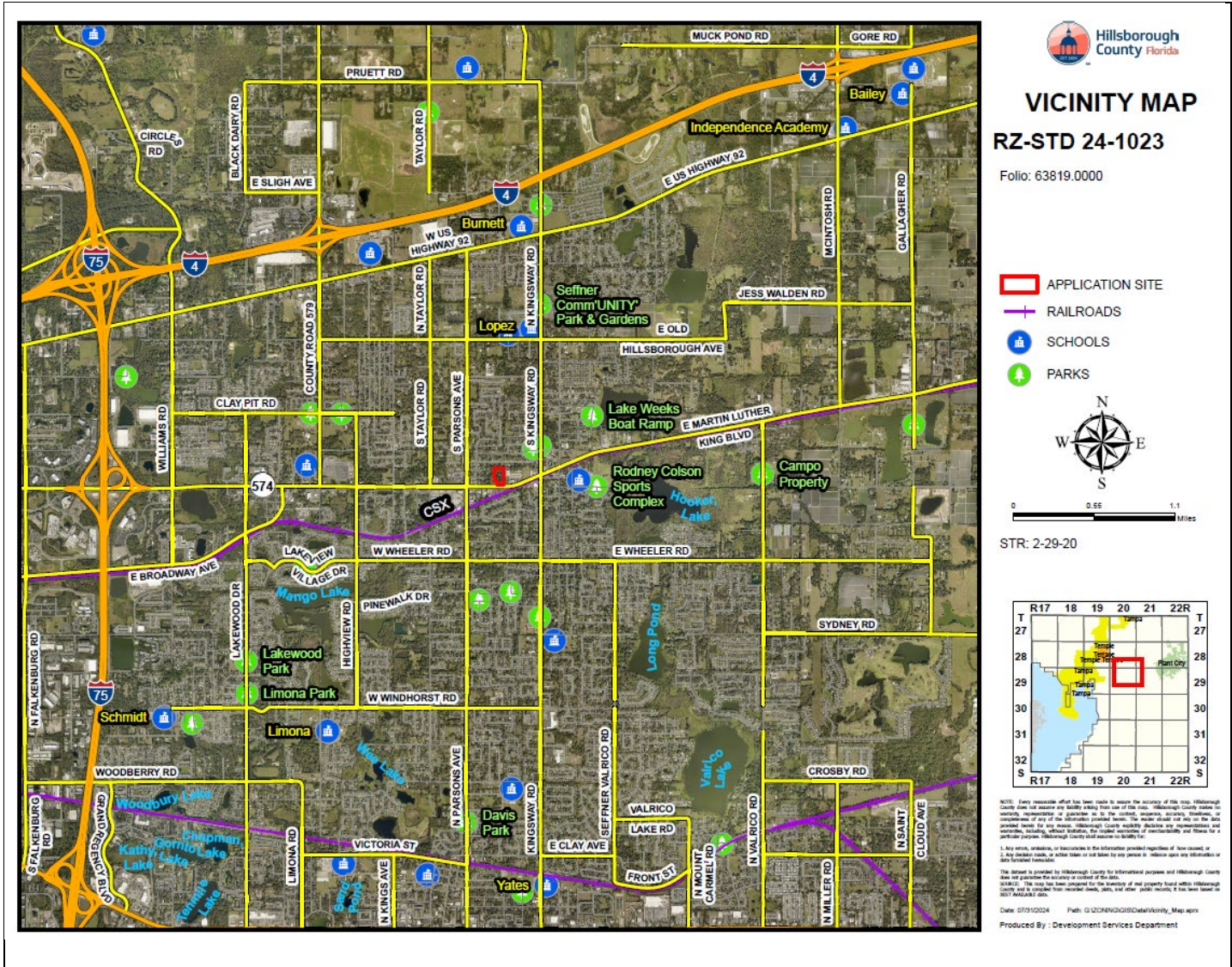
PD Variation(s)	None requested as part of this application.
Waiver(s) to the Land Development Code	None requested as part of this application.

Planning Commission Recommendation:
 Inconsistent

Development Services Recommendation:
 Approvable, subject to conditions

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

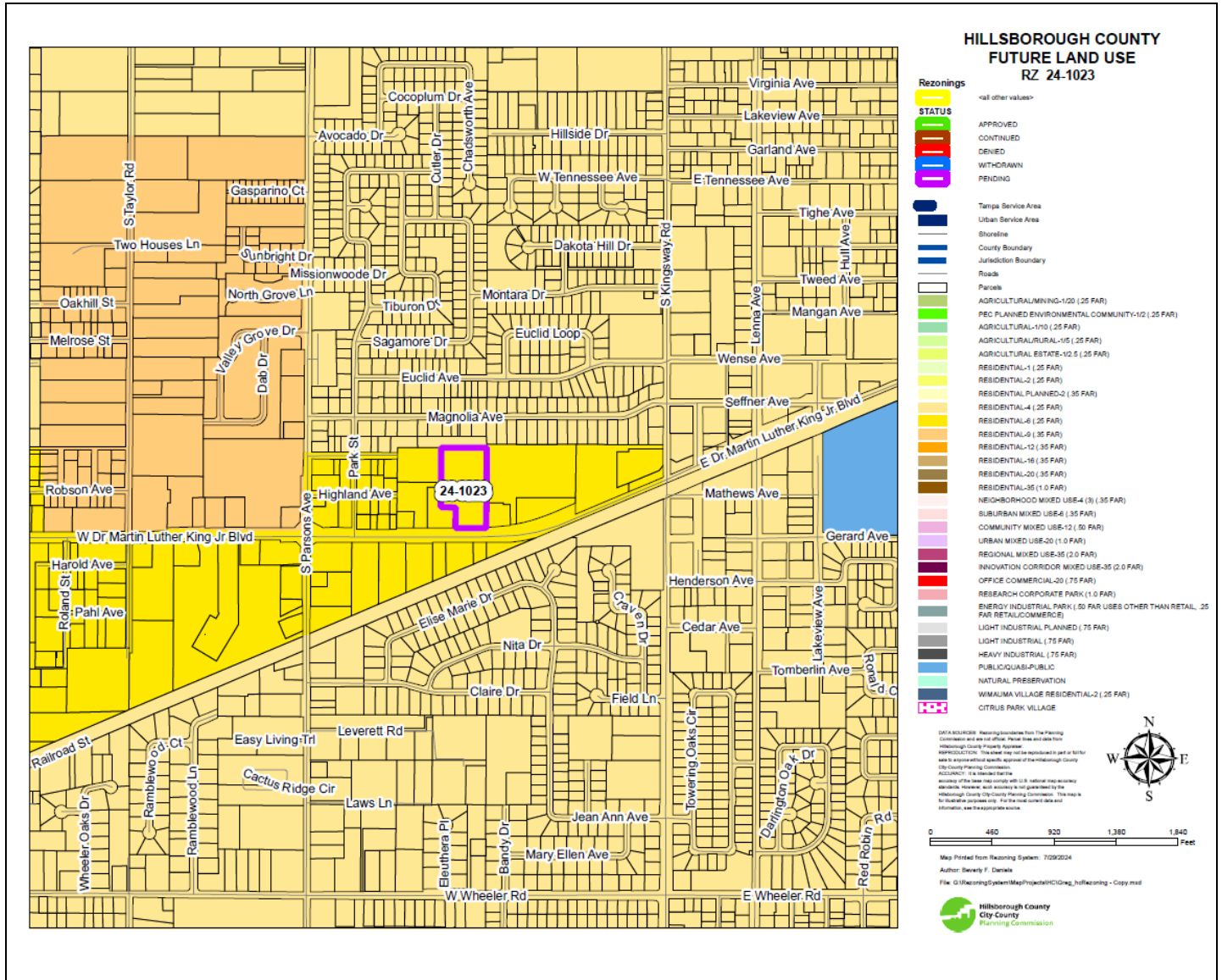


Context of Surrounding Area:

The property is located in Seffner, west of Interstate 75. The property fronts on the W Martin Luther King Jr. Blvd. in a commercial corridor with light commercial uses zoned CG or CN. Off the main roads are established single-family residential developments zoned RDC-6, RSC-6, RSC-4, or Planned Developments allowing similar development standards.

2.0 LAND USE MAP SET AND SUMMARY DATA

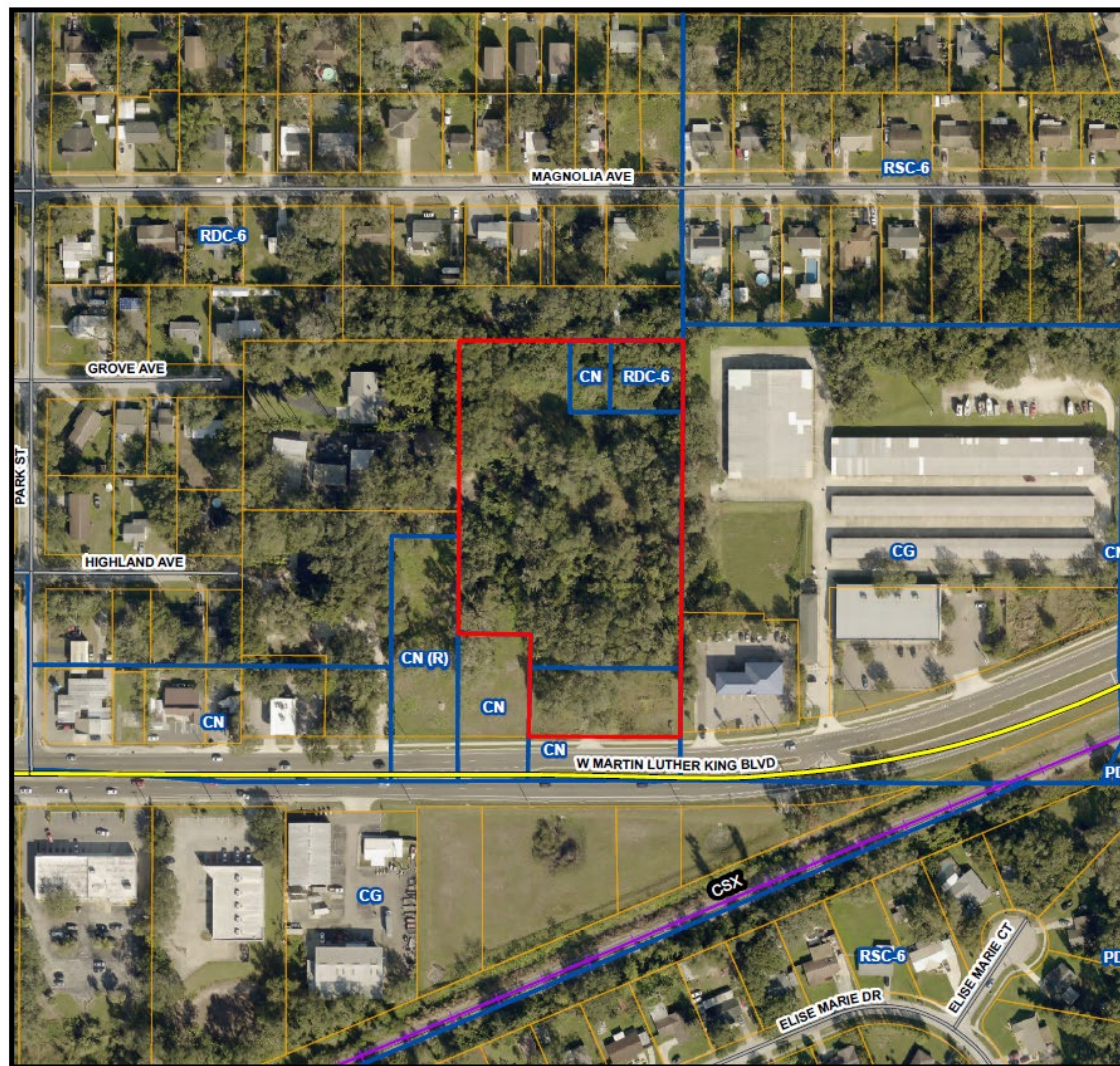
2.2 Future Land Use Map



Future Land Use Category:	Residential-6 (R-6)
Maximum Density/F.A.R.:	6 DU / GA or 0.25 FAR
Typical Uses:	Residential, suburban commercial, offices, multi-purpose, mixed-use development

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Hillsborough County Florida
ZONING MAP
RZ-STD 24-1023
 Folio: 63819.0000

- APPLICATION SITE
- ZONING BOUNDARY
- PARCELS
- S SCHOOLS
- P PARKS

0 160 320 Feet

STR: 2-29-20

NOTES: Users responsible when they have been made aware of the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map. Hillsborough County makes no warranty, representation or guarantee as to the accuracy, reliability, timeliness, or completeness of any of the information provided herein. The reader should not rely on the data provided herein for any major decision-making, including any representation and warranties, including, without limitation, the issuance, revocation, or non-issuance of any permit or other action by Hillsborough County that requires a liability for a particular purpose. Hillsborough County shall assume no liability for any errors, omissions, or inaccuracies in the information provided hereon, or for any use of the information or other data in any manner or for any purpose or for any other use. This document is provided by Hillsborough County for informational purposes and Hillsborough County does not guarantee the accuracy or content of the data. HILLSBOROUGH COUNTY WILL NOT BE LIABLE FOR ANY DAMAGES, INCLUDING BUT NOT LIMITED TO, DIRECT, INDIRECT, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, ARISING FROM OR OUT OF THE USE OF THIS INFORMATION, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGE.

Date: 07/31/2024 Path: G:\ZONING\GIS\Zoning_Map.aprx
 Produced By: Development Services Department

Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RDC-6	6 DU / GA	Single-Family and Two-Family Residential	Vacant
South	CG	0.25 FAR	General Commercial	Vacant FDOT owned land
East	CG	0.25 FAR	General Commercial	Minor Vehicle Repair, Mini Warehousing
West	CN	0.20 FAR	Neighborhood Commercial	Vacant
	RDC-6	6 DU / GA	Single-Family and Two-Family Residential	Plant Nursery, Single-Family Residential

2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.0 for full site plan)

N/A

3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
W Martin Luther King Blvd	FDOT Arterial - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other (TBD)

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	3,044	287	220
Proposed	546	92	107
Difference (+/-)	-2,498	-195	-113

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

Connectivity and Cross Access <input checked="" type="checkbox"/> 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 <input checked="" type="checkbox"/> 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:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
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: <ul style="list-style-type: none"> <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:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> 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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A	See staff report.
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 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	Connection to County water and wastewater required.
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input 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 checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See agency report.

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant is requesting to rezone approximately 4.2 acres of property in Seffner to from CN and RDC-6 to CI-R. The parcel is currently vacant. The surrounding area is occupied by light commercial uses, zoned either CN or CG, or single-family residential uses zoned RDC-6. In the nearby vicinity there are no CI zoned properties. However, the restriction allowing only Contractor’s Offices with Open Storage prohibits the more intensive uses permitted in the CI district that would be incompatible with the area. Contractor’s offices without Open Storage are permitted in the CG district, the accessory open storage however invokes the CI zoning district.

To the east are CG zoned properties occupied by mini-warehouses and a minor vehicle repair shop. Neighboring to the west along W MLK Jr. Blvd. are two CN zoned properties which are currently vacant. Also neighboring to the west is an RDC-6 zoned property occupied by a Plant Nursery, which has an approved Non-Conforming Use permit for the otherwise prohibited use due to the business predating the applicable zoning code. There is another RDC-6 zoned property occupied by a single-family home to the west, which based on aerial photos is also associated with the Plant Nursery. Bordering the rezoning site directly to the north is a vacant strip of land zoned RDC-6 approximately 85 feet in width. Abutting that property to the north is a single-family residential area zoned RDC-6 and RSC-6.

The applicant is proposing restrictions for additional buffering and screening than is required in the CI district. For the primary use, this includes a 30-foot buffer over the required 20-foot buffer where the site neighbors residentially zoned properties, and a 6-foot vinyl fence enclosing the site with Type B tree plantings every 10 feet, rather than every 20 feet (using existing forestation and/or proposed tree plantings). This also exceeds the additional screening requirements for accessory open storage (a solid six foot high fence/wall or 75% opaque vegetation) when in view of a street and/or in view from a residentially zoned district. The proposed restrictions also include architectural standards requiring the office development to be residential in appearance to better blend in with the surrounding area.

Transportation review staff have no objections to the rezoning request.

The rezoning request is associated with Comprehensive Plan Amendment CPA 24-22 running concurrently with the rezoning. The proposed Suburban Mixed Use-6 FLU permits the proposed CI use, whereas it is prohibited in the current Residential-1 FLU. Planning Commission staff found the rezoning request inconsistent due to the current R-1 FLU and other compatibility concerns.

Staff finds the adjacent zoning/development pattern, the required buffering and screening, and the proposed use restrictions provide appropriate mitigation for any potential impacts of the rezoning. Subject to the proposed restrictions, Development Services staff finds the CI-R rezoning request approvable.

5.2 Recommendation

Due to the above considerations, staff finds the CI-R rezoning request **approvable**, subject to the proposed restrictions.

6.0 PROPOSED CONDITIONS

The applicant is proposing the following restrictions:

1. Permitted uses shall be limited to Contractor’s Offices with Open Storage. The maximum FAR shall be 0.30.
2. Buildings shall be residential in appearance through the following architectural features:
 - a. Faux residential style shingle rooflines.
 - b. Faux residential style windows, shutters, or awnings. On the building’s rear and side building facades there shall be such windows every 50 feet.
 - c. Building finish on the rear and three sides shall be a combination of faux brick or stone on the lower half and bandings and/or ribbed painted, colored metal on the upper half. The front structure will be blocked and framed out to provide a higher level of reticulation and architectural features with enhanced landscaping.
3. The project site shall be completely enclosed by a 6 foot high opaque vinyl fence.
4. Buffering and screening shall be provided in accordance with the Land Development Code, unless otherwise stated. A 30-foot buffer adjacent to residential zonings and/or uses shall be provided. Existing forestation shall stay in place where it exceeds code, elsewhere shall be screened with Type B standard evergreen trees placed 10 feet apart.

Zoning Administrator Sign Off:	
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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 building permits for on-site structures.

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

Not applicable.

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: 09/09/2024

REVIEWER: Sarah Rose, Senior Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: SM/Northeast

PETITION NO: RZ 24-1023

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

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone one parcel totaling +/- 4.26 acres from Residential Duplex Conventional (RDC-6) and Commercial Neighborhood (CN) to Commercial Intensive Restricted (CI-R). The proposed restriction would allow for a contractor's office and open storage. The site is located +/- 1,115 feet east of the intersection of S Parson Ave and W Martin Luther King Blvd. The Future Land Use designation of the site is Residential-6 (R-6).

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, 11th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CN, Fast Food with Drive Thru (ITE Code 934) 6,011sqft	2,804	268	198
RDC-6, Single Family Detached Housing (ITE Code 210) 21 Units	240	19	22
Total	3,044	287	220

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CI-R, Contractor's Office with Open Storage (ITE Code 180) 55,670sqft	546	92	107

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	-2,498	-195	-113

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on W Martin Luther King Blvd. W Martin Luther King Blvd is a 4-lane, divided, FDOT maintained, Urban Arterial roadway. The roadway is characterized by +/- 11 ft wide travel lanes, +/- 5 ft wide bike lanes, and +/- 5 ft wide sidewalks, within +/- 80 ft of the right of way.

SITE ACCESS

It is anticipated that the site will have access to W Martin Luther King Blvd., which is an FDOT facility.

Generally, for projects with a Euclidean zoning designation, a project's potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review. Given the limited information available as is typical of all Euclidean zoned properties and/or non-regulatory nature of any conceptual plans provided, Transportation Review Section staff did review the proposed rezoning to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff's opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements).

Transportation Review Section staff directed the applicant to meet with FDOT to obtain formal comments specific to the proposed rezoning as is standard procedure. The applicant did not meet with FDOT, but general comments were submitted into the record by FDOT staff. Transportation Review Section staff did not identify any concerns that would require a more detailed staff report be filed. FDOT did not have comments regarding this application.

Staff notes that the developer/property owner will be required to comply with all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review. As such, staff has no objection to this request.

Staff notes that any plans or graphics presented as a part of a Euclidean zoning case is non-binding and will have no regulatory value at the time of plat/site/construction plan review.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

The roadway level of service provided for W. Martin Luther King Blvd is for information purposes only.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr. Directional LOS
W. Martin Luther King Blvd	Parsons Ave	Kingsway Road	D	F

Source: [2020 Hillsborough County Level of Service \(LOS\) 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
W Martin Luther King Blvd	FDOT Arterial - Urban	4 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other (TBD)

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	3,044	287	220
Proposed	546	92	107
Difference (+/-)	-2,498	-195	-113

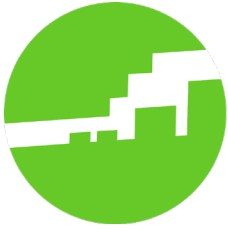
*Trips reported are based on net new external trips unless otherwise noted.

Connectivity and Cross Access <input checked="" type="checkbox"/> 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 <input checked="" type="checkbox"/> 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

Transportation	Objections	Conditions Requested	Additional Information/Comments
<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 type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	



**Hillsborough County
City-County
Planning Commission**

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

Unincorporated Hillsborough County Rezoning Consistency Review	
<p>Hearing Date: October 15, 2024</p> <p>Report Prepared: October 3, 2024</p>	<p>Case Number: RZ 24-1023</p> <p>Folio(s): 63819.0000</p> <p>General Location: North of Martin Luther King Jr. Boulevard, south of Magnolia Avenue, east of Parsons Avenue and west of South Kingsway Road</p>
Comprehensive Plan Finding	INCONSISTENT
Adopted Future Land Use	Residential-6 (6 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan(s)	Seffner-Mango
Rezoning Request	Rezoning from Residential-Duplex Conventional (RDC-6) and Commercial Neighborhood (CN) to Commercial Intensive-Restricted (CI-R) to allow for Contractor Offices and Open Storage
Parcel Size	4.25 ± acres
Street Functional Classification	<p>Martin Luther King Jr. Boulevard – State Principal Arterial</p> <p>Magnolia Avenue – Local</p> <p>Parsons Avenue – County Arterial</p> <p>North Kingsway Road – County Collector</p>

Commercial Locational Criteria	Not applicable
Evacuation Area	D

Table 1: COMPARISON OF SURROUNDING PROPERTIES			
Vicinity	Future Land Use Designation	Zoning	Existing Land Use
Subject Property	Residential-6	RDC-6 + CN	Vacant Land + Single Family Residential
North	Residential-4	RDC-6 + RSC-6 + PD	Single Family Residential + Public/Quasi-Public/Institutions
South	Residential-6 + Residential-4	CN + CG + RSC-6	Vacant Land + Multi-Family Residential + Single Family Residential + Public/Quasi-Public/Institutions
East	Residential-6 + Residential-4	CG + CN + PD	Agricultural + Single Family Residential + Vacant Land + Public/Quasi-Public/Institutions
West	Residential-6 + Residential-9	RDC-6 + BPO + CG + PD	Public/Quasi-Public/Institutions + Educational + Agricultural

Staff Analysis of Goals, Objectives and Policies:

The 4.25 ± acre subject site is located north of Martin Luther King Jr. Boulevard, south of Magnolia Avenue, east of Parsons Avenue South and west of South Kingsway Road. The site is in the Urban Service Area and is located within the limits of the Seffner-Mango Community Plan. The applicant is requesting a rezoning from Residential-Duplex Conventional (RDC-6) and Commercial Neighborhood (CN) to Commercial Intensive-Restricted (CI-R) to allow for Contractor Offices and Open Storage. It should be noted that the subject property has a currently submitted Comprehensive Plan Map Amendment in cycle (HC/CPA 24-22). At the Board of County Commissioner briefing for this privately initiated plan amendment on June 12, 2024, the Board did not direct staff to process the rezoning application and plan amendment

application concurrently. Therefore, each of these applications are being processed independently and are not dependent on one another.

The 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. Policy 1.4 requires all new development to be compatible with the surrounding area, noting that "compatibility does not mean "the same as" Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development." The site currently has vacant land. Light industrial uses and heavy commercial uses are to the immediate east. Agriculture, light commercial uses and single-family residential are located to the west. To the north is single-family residential and duplexes. To the south across Martin Luther King Jr. Boulevard is light commercial, public/quasi-public/institutional uses and a CSX railroad Right of Way. Commercial Intensive (CI) zoning district uses like open storage may not be considered in residential Future Land Use categories, as this category only allows for neighborhood serving commercial uses. Per the Definitions Section of the Comprehensive Plan, neighborhood serving commercial uses include those uses permitted by the Commercial Neighborhood (CN) and Commercial General (CG) zoning districts, not the uses permitted by Commercial Intensive (CI) zoning.

FLUE Objective 7, FLUE Objective 8 and each of their respective policies establish the Future Land Use Map (FLUM) as well as the allowable range of uses for each Future Land Use category. 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 set 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 within the land use designation. Appendix A contains a description of the character and intent permitted in each of the Future Land use categories. The site is in the Residential-6 (RES-6) Future Land Use category. The RES-6 Future Land Use category allows for the consideration of residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed use development. Non-residential uses shall meet established locational criteria for specific land use. Because the applicant is requesting a rezoning to CI(R) in a residential Future Land Use category, the request is inconsistent with the uses expected in this category.

The Comprehensive Plan requires that all development meet or exceed the land development regulations in Hillsborough County (FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2). Transportation had no objections to the proposal.

The proposal does not meet the intent of FLUE Objective 16 and its accompanying policies 16.1, 16.2, 16.3, 16.5 and 16.10 that require new development to be compatible to the surrounding neighborhood. Goal 12 and Objective 12-1 of the Community Design Component (CDC) of the FLUE require 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 this case, the surrounding land use pattern is comprised mostly of single-family residential uses with scattered light commercial uses along Martin Luther Kind Jr. Boulevard. Directly to the north and directly adjacent to the subject property are single family residential homes and duplexes. The proposed rezoning to allow contractor offices with open storage does not align with the character of the surrounding area and present compatibility concerns given the nature of the area, which is inconsistent with FLUE Objective 16 and its accompanying policies related to neighborhood protection. The northern boundary of the subject property is approximately 600 feet from Martin Luther King Jr. Boulevard, a state principal arterial roadway and encroaches into the established neighborhood to the north, which is inconsistent with FLUE Policy 16.5. This policy direction calls for development of higher

intensity non-residential land uses to be restricted to locations external to established and developing neighborhoods.

The site is within the limits of the Seffner-Mango Community Plan. Goal 2 of the Community Plan seeks to enhance the community character and ensure quality residential and non-residential development. The rezoning and proposed use would allow for development that is not consistent with the Comprehensive Plan as CI uses are not permitted in Residential Future Land Use categories. Therefore, the request is not consistent with the vision of the Seffner-Mango Community Plan.

Overall, staff finds that the proposed use is not an allowable use in the RES-6 category, is not compatible with the existing development pattern found within the surrounding area and does not support the vision of the Seffner-Mango Community Plan. The proposed rezoning would allow for development that is not consistent with the Goals, Objectives, and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

Recommendation

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed rezoning **INCONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

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

FUTURE LAND USE ELEMENT

Urban Service Area

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

Policy 1.4: Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

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.

Relationship to Land Development Regulations

Objective 9: All existing and future land development regulations shall be made consistent with the Comprehensive Plan, and all development approvals shall be consistent with those development regulations as per the timeframe provided for within Chapter 163, Florida Statutes. Whenever feasible and consistent with Comprehensive Plan policies, land development regulations shall be designed to provide flexible, alternative solutions to problems.

Policy 9.1: Each land use plan category shall have a set of zoning districts that may be permitted within that land use plan category, and development shall not be approved for zoning that is inconsistent with the plan.

Policy 9.2: Developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County, the state of Florida and the federal government unless such requirements have been previously waived by those governmental bodies.

Neighborhood/Community Development

Objective 16: Neighborhood Protection – The neighborhood is the functional unit of community development. There is a need to protect existing, neighborhoods and communities and those that will emerge in the future. To preserve, protect, and enhance neighborhoods and communities, all new development must conform to the following policies.

Policy 16.2: 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.

Policy 17.7: New development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses.

Community Design Component (CDC)

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

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

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

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

2. Goal: *Enhance community character and ensure quality residential and nonresidential development.*

Strategies:

- *Prohibit "flex" provisions within and into the Seffner-Mango Community Plan Area.*
- *Support in-fill and redevelopment within the Urban Service Area while providing for compatibility with existing uses.*

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