

Hillsborough County City-County Planning Commission

Memorandum

March 19, 2024

To: Board Members, Board of County Commissioners

From: Andrea Papandrew, AICP, Planning Commission staff

Re: Initial Consideration of HC/CPA 24-11, a Privately Initiated Comprehensive Plan Text Amendment to expand the Urban Service Area boundary

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 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;
- Additional data may be requested if necessary to provide for an adequate review.

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



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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 south of State Road 672 and east of West Lake Drive.
- 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.
- 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. Additionally, a sign shall be posted at the following locations: (1) Southeast quadrant of the West Lake Drive and Hidden Breeze Drive intersection; (2) Looking east on Balm Road at the Clement Pride Boulevard intersection; Photos of the signs at the specific locations should be submitted into the record.

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 Andrea Papandrew, AICP at (813) 665-1331 or Melissa Lienhard, AICP at (813) 547- 4364.

Attachments: Application and map



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: See Pre-Application Meeting Notes

(Signature of Planning Staff) (Date)

STEARNS WEAVER MILLER

By: Jane T. Cremer / 12/29/23

(Signature of property owner/agent representative) (Date)

Property Owner/Applicant Information

Astin Strawberry Property Management, LLC

Name(s)

4408 Mud Lake Road

Address

Plant City

City

FL

State

33567-2426

Zip Code

agent: jcremer@stearnsweaver.com

Email Address

agent: (813) 223-4800

Phone Number

Agent/Representative Information

Jacob T. Cremer - Stearns Weaver Miller

Name(s)

PO Box 3299

Address

Tampa

City

FL

State

33601-3299

Zip Code

jcremer@stearnsweaver.com & cwalden@stearnsweaver.com (813) 223-4800

Email Address

Phone Number

Jurisdiction in which proposed Comprehensive Plan Amendment is located:

- Unincorporated Hillsborough County
- City of Tampa
- City of Temple Terrace
- City of Plant City

Type of request (check all that apply):

- Future Land Use Map Amendment**
 - Small-Scale Map Amendment (<10 acres)
 - Regular Map Amendment (>10 acres)
 - Urban Service Area Boundary Change
- Text Amendment (Goals, Objectives, and Policies of the Comprehensive Plan)**
 Goal/Objective/Policy No. Expansion of Urban Service Area Boundary

Description of Property (for map amendments only):

Property Information		Future Land Use Designation		
Folio Number	Address	Acres	Adopted	Requested

Total acres: _____

Map Amendments Only:

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

Yes No

Unincorporated Hillsborough County Plan Amendments Only:

Is the subject site located within the Urban Service Area (USA)?

Yes No

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):

Please see attached Written Statement.

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: _____

No

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

Please see attached Written Statement.

For Office Use Only:

Plan Amendment No.: _____

Date Received: _____

Received by: _____

Memorandum of Understanding

Between
Hillsborough County City-County Planning Commission
and
Stearns Weaver Miller

Applicant/Authorized Representative (Print): By: Jacob T. Cremer
Jacob T. Cremer, Authorized Agent

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.

(Signature of property owner/agent representative) (Date)

**COMPREHENSIVE PLAN AMENDMENT
(Text Amendment to Expand Urban Service
Area Boundary)**

**Applicant:
ASTIN STRAWBERRY PROPERTY
MANAGEMENT, LLC**

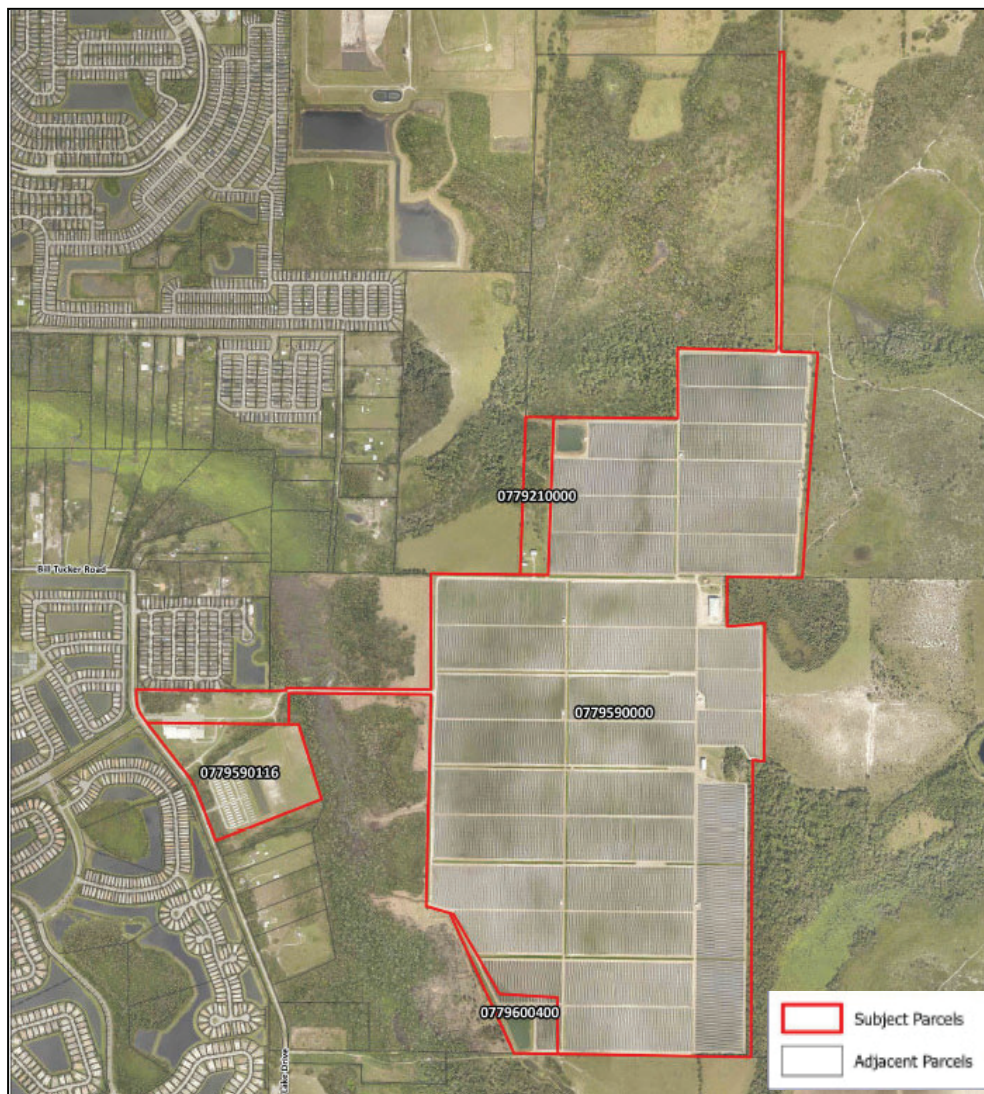
**Submitted by:
Jacob T. Cremer, Esquire
Nicole Neugebauer, Esquire
David M. Smith, Director of Development and Zoning
Stearns Weaver Miller
401 East Jackson Street, Suite 2100
Tampa, Florida 33602
(813) 223-4800**

January 2, 2024

NARRATIVE

This application is a request to expand the Urban Service Area (“USA”) boundary for approximately +/- 551.03 acres of real property identified by folio number 077921.0000, 077959.0000, 077959.0116, 077960.0400 (the “**Property**”). The Property is on the eastern boundary of the USA and within the northern edge of the Wimauma Village Residential-2 (“**WVR-2**”) Future Land Use category. There is a pending companion Comprehensive Plan Future Land Use Map Amendment application to change the Property’s Future Land Use category to RES-4. The Property is generally located east of West Lake Drive, north of Sun City Center Blvd (State Road 674), south of Balm Road (State Road 672) and west of Balm Wimauma Road, as depicted below.

General Location

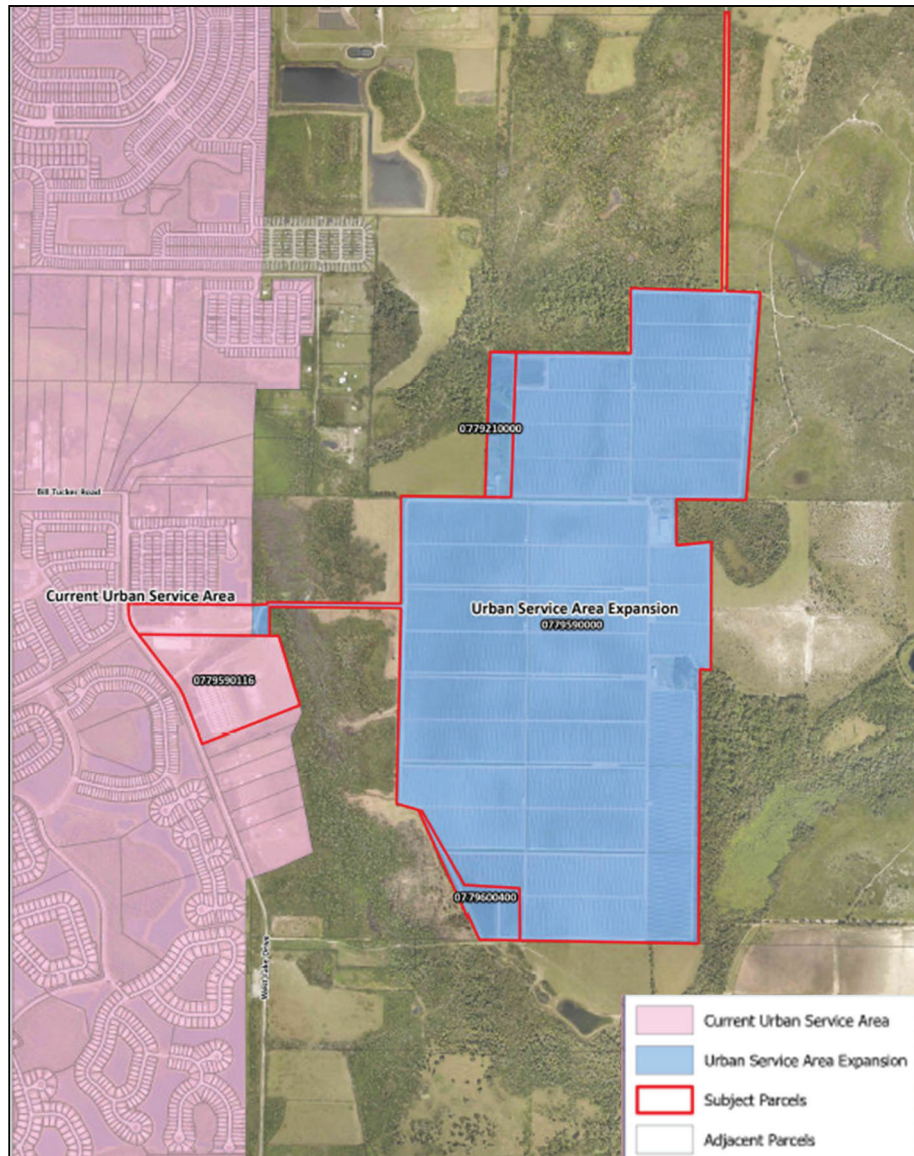


The current zoning for the Property is Agricultural Rural (“**AR**”). Currently, the Property is used as a working strawberry farm and associated uses. The Property is not located within the Coastal High Hazard Area. The Property is currently a working agricultural use but due to

governmental preservation efforts, the Property has become an island. The governmental preservation actions and encroaching urban development has made the Property not viable for long term working agriculture.

I. Request:

This is a request to expand the USA boundary for a limited portion of the Property between the USA boundary and government preservation and mitigation lands. The existing USA boundary and proposed expansion area are depicted below:



This request is unique because the Property is surrounded by government preservation and mitigation bank uses' and is a very limited expansion of the USA. The request responds to Planning Commission statements that the USA must be expanded to accommodate future population growth projected in the County. Given the limited opportunities existing in the County for thoughtfully planned master planned single-family home communities, the proposed USA expansion area and

companion RES-4 map amendment address these needs. Additionally, given the Property's location and context, neither the Wimauma or Balm Community Plans are negatively impacted nor the preservation goals of the County. The map below provides the Property's location in connection with the government preservation lands:



Policy 2.2 in the Comprehensive Plan provides criteria for consideration of applications to expand the USA boundary. Each criterion and a discussion of consistency with the criterion is below:

- **The expansion is adjacent and contiguous to the established Urban Service Area.**

Response: The Property abuts the USA boundary.

- **The expansion would be an extension of an existing suburban/urban development pattern and/or has a functional relationship to development within the Urban Service Area.**

Response: The subject property is currently surrounded by County-owned preservation property or the Bull Frog Creek Mitigation Bank, except where the Property abuts RES-4. The area abutting the RES-4 property is developed with the Valencia Del Sol and Valencia Lakes Community which is part of the DG Farms Development of Regional Impact (“**DRI**”).

- **Expansion of the Urban Service Area would result in development that would be compatible with its surroundings.**

Response: The abutting land uses are principally environmental lands acquired by the County for preservation or as environmental mitigation lands to mitigate development impacts on other lands. The preservation and mitigation lands are compatible with residential development. The other lands abutting the Property are developed with residential uses, which is consistent and compatible with the requested USA expansion and companion RES-4 map amendment application.

- **Public water and sewer service exists within ¼ mile of the site.**

Response: The adjacent subdivision has water and sewer and is within 800 feet of the Property’s contact with existing USA.

- **There is adequate capacity for infrastructure (including transportation, schools, parks, fire/EMS and sheriff’s office) in place or planned to serve development within the expansion area. All improvements needed to support the proposed expansion of the Urban Service Area with adequate public facilities shall be included by amendment into the Capital Improvements Element that is financially feasible.**

Response: Adequate capacity exists to support the expansion.

- **Expansion of the urban service area would include full cost recovery to the County for the services needed by the new development.**

Response: The unique location of the proposed USA expansion limits potential County service costs and those costs are expected to be covered by current connection and impact fees upon development. The Applicant will work with Planning Commission and County staff to agree upon the meaning of full cost recovery and what information must be provided to assess criteria compliance.

- **The expansion would not adversely impact environmental, natural, historical or archaeological resources, features or systems to a degree that is inconsistent with the Plan.**

Response: The Property requesting the USA expansion is currently farm land that is surrounded by County-owned preservation lands or the Bull Frog Creek Mitigation property. Development of the Property in an expanded USA will not adversely impact environmental, natural, historical or archaeological resources, features or systems to a degree that is inconsistent with the Comprehensive Plan.

- **Data is available to support the need for additional land within the Urban Service Area to provide for the projected population or economic development needs within the planning horizon of the Comprehensive Plan. The data methodology utilized shall be consistent with that used as the basis for the Comprehensive Plan.**

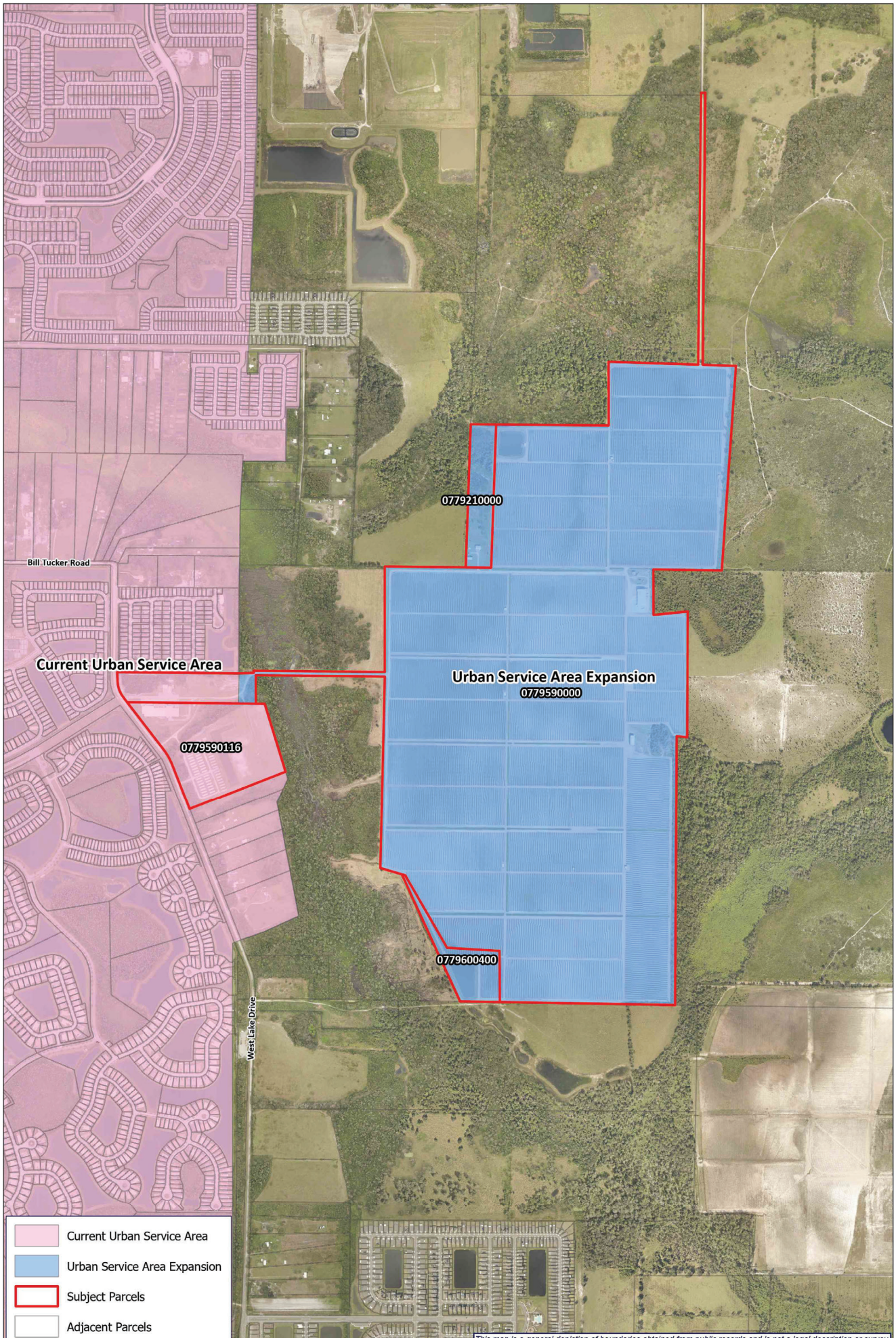
Response: Recent Planning Commission studies have found expansion of the USA is warranted in order to accommodate the projected population increase.

- **The expansion of the Urban Service Area would not conflict with any other goals, objectives or policies of the Comprehensive Plan and is consistent with the County's adopted build out plan or long term vision as outlined in Policy 11.2, if applicable.**

Response: The proposed USA expansion would not conflict with the goals, objectives and policies of the Comprehensive Plan and is consistent with the long term vision build-out plan.

- **The expansions of 20 acres or greater shall include a mixed use development pattern that decreases the transportation impacts of the project; all other expansions should result in a mixed use development pattern when considered with the existing and/or planned land uses within ¼ mile of the project site.**

Response: The context of the proposed expansion is consistent and complements the goals, objectives, and policies of the Comprehensive Plan since the expansion and RES-4 Future Land Use designation can provide for development that includes community-based agriculture, residential, and residential support uses. These types of uses are appropriate given the government preservation lands surrounding the Property and the Wimauma Village Plan's goal of focusing commercial uses in the Wimauma Village Center.



Bill Tucker Road

Current Urban Service Area

Urban Service Area Expansion
0779590000

0779590116

0779600400

West Lake Drive

- Current Urban Service Area
- Urban Service Area Expansion
- Subject Parcels
- Adjacent Parcels

This map is a general depiction of boundaries obtained from public records and is not a legal description or survey.

Urban Service Area



Astin Map Amendments
Hillsborough County, Florida

STEARNS WEAVER MILLER
14

MIAMI | FORT LAUDERDALE | TAMPA | TALLAHASSEE | CORAL GABLES

TITLE:

PROJECT:

Map Date: Dec-28-2023 By: S Halphen

