

Hillsborough County City-County Planning Commission

Memorandum

Date: August 15, 2022

To: Chair Overman and Members of the Board of County Commissioners

From: Melissa Zornitta, FAICP, Executive Director

Handwritten signature of Melissa Zornitta in black ink.

Re: Historical Future Land Use pattern along County Road 579, south of Pruet Road and north of Sligh Avenue.

At the July 26, 2022, BOCC Land Use meeting, the Board of County Commissioners requested Planning Commission staff conduct research on the historical Future Land Use pattern for the above-referenced area. Attached to this memo are historical maps for reference.

The following are the key takeaways from the research conducted:

- Since the inception of the Comprehensive Plan in 1989, this area of CR 579 has had a density of 4 dwellings units per acre. In 1989, this area had a Future Land Use category of Suburban Density Residential (SDR), which was later replaced with the Residential-4 (RES-4) Future Land Use category in 1994.
- The larger parcels along this corridor are predominately developed with non-residential uses. The larger non-residential parcels along this corridor include Cast Crete, an approximately 25 acre parcel located on the west side of CR 579 and developed with a heavy industrial use, the Hillsborough County Landfill, an approximately 179 acre area on the east side of CR 579 and the Lazy Days RV sales center and campground, an approximately 127 acre area located near Interstate-4.
- On December 21, 1995, the Board of County Commission (BOCC) established a land use policy for development along County Road 579 from Pruet Road south to Interstate-4. The policy established by the BOCC was to waive the Locational Commercial Criteria for neighborhood commercial or office uses that would be consistent with the development pattern in the area. It allowed for some commercial and office uses along CR 579, due to the unique circumstances of the County landfill and the existing non-residential development pattern in the area. It was recognized at the time that the presence of the landfill in this area could present concerns with residential development due to potential well contamination. This policy direction was also



memorialized in the Thonotosassa Community Plan, which is adopted as part of the Livable Communities Element of the Comprehensive Plan.

- This area of CR 579 was once recognized as part of the Urban Expansion Area (see backup maps), which was an area located outside of the Urban Service Area (USA) where growth could potentially occur beyond the 20 year horizon of the Comprehensive Plan. The vision for this area was development in an urban/suburban development pattern rather than the rural pattern it is today. The Expansion Area had specific policies created to regulate how development occurs. These policies included direction for the extension of public infrastructure and established limitations on the use of well and septic tanks. The BOCC amended the Urban Expansion Area concept in December of 1998, removing the Urban Expansion Area in this part of the county to create two distinct areas – the USA and the Rural area. At that time, this area became part of the Rural area.

I hope this brief summary and attachments has helped to give a better understanding of the historical land use pattern along CR 579. We are always available to discuss this further if you have additional questions.

FEBRUARY 21, 1995 - LAND USE MEETING

The Board of County Commissioners of Hillsborough County, Florida, met in Land Use Meeting, scheduled for Tuesday, February 21, 1995, at 9:00 a.m., in the Board Room, County Center, Tampa, Florida.

The following members were present: Chairman Jim Norman and Commissioners Dottie Berger, Phyllis Busansky, Joe Chillura, Chris Hart, Ed Turanchik (arrived at 9:16 a.m.), and Sandra Wilson.

Chairman Norman called the meeting to order at 9:00 a.m., followed by the pledge of allegiance to the flag, and the invocation by Commissioner Hart.

CHANGES TO THE AGENDA - Ms. Paula Harvey, Planning and Development Management Department (PDMD), announced there were no changes to the agenda.

WITHDRAWALS, CONTINUANCES, AND REMANDS

Ms. Harvey pointed out that the following petition had been withdrawn:

PRS 95-0068-N Trammell Crow Company

CONSENT AGENDA - Commissioner Busansky moved approval of the consent agenda, seconded by Commissioner Berger and carried six to zero. (Commissioner Turanchik had not arrived.)

The Clerk of Circuit Court requested approval of warrants issued February 14-20, 1995.

Speed humps installation for Bracken Lane - Recommendation: Approve the installation of speed humps on Bracken Lane, according to recommendation of the Hillsborough County Residential Traffic Control (RTC) Hearing Master.

Speed humps installation for Wallace Road - Recommendation: Approve the installation of speed humps on Wallace Road, according to recommendation of the RTC Hearing Master.

Speed humps installation for Ola Avenue - Recommendation: Approve the installation of speed humps on Ola Avenue, according to recommendation of the RTC Hearing Master.

Speed humps installation for Valley Drive - Recommendation: Approve the installation of speed humps on Valley Drive, according to recommendation of the RTC Hearing Master.

Speed humps installation for Country Lake Drive - Recommendation: Approve the installation of speed humps on Country Lake Drive, according to recommendation of the RTC Hearing Master.

PRS 95-0071 Martha Risinger

The applicant requested a personal appearance before the Board of County Commissioners (Board) to request a fee waiver for a nonconforming use review

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and for an appeal of the review to the Board of Adjustment, in case such action was needed. PDMD staff recommended approval of the request.

DRI #084 Westchase Notification of Proposed Change (NOPC)
1994

PDMD staff recommended that March 21, 1995, be established as the public hearing date for consideration of the proposed change to DRI #084 - Westchase (Thomas Ranch).

DRI #196 TowerMarc Waters Avenue NOPC 1994

PDMD staff recommended that March 21, 1995, be established as the public hearing date for consideration of the proposed change to DRI #196 - TowerMarc Waters Avenue.

STAFF ITEM - Land Use Policy on County Road (CR) 579 - Robert Hunter, Executive Director, Hillsborough City-County Planning Commission (PC) - 9:00 a.m. time certain.

Ms. Harvey stated the request by the PC was to review with the Board proposed land use policies on CR 579. Mr. Stephen B. Griffin, PC staff, reviewed the PC's recommendations regarding land use issues along CR 579. During the Comprehensive Plan update, the PC requested that a study of the land use categories along CR 579 be performed. The study was initiated in response to a request by area residents for a change in land use from Residential to Light Industrial or Heavy Commercial. Staff had met with the community and affected property owner, researched data, and analyzed the change with existing land uses and existing land use category. Mr. Griffin outlined the results of the study and recommended that the existing residential land use category be retained and that a policy be established by the Board to waive the Neighborhood Commercial locational criteria along CR 579 between Pruett Road and Sligh Avenue.

At the December 12, 1994, meeting the PC adopted a resolution, which proposed to retain the Residential-4 land use category and requested that the Board waive the locational criteria for Neighborhood Commercial, Commercial, or Office rezonings that would be consistent with the kind of development patterns in the area, and would allow for some commercial and office uses along CR 579 and Pruett Road, due to the unique circumstances of the County landfill and the traffic along CR 579 and another nonresidential land use in that area, primarily borrow pits. Mr. Griffin and Ms. Lorraine Duffy, PC staff, responded to questions regarding the alternatives outlined in the report, the PC's survey to the residents, the waiver of the locational criteria, and the ability of property owners to secure financing for homes in that area.

Public comment: Those in support of the change to industrial use and in opposition to the PC's recommendation were: Mr. Chuck Matson, 100402 Williams Road, Thonotosassa, president, Thonotosassa Chamber of Commerce; Attorney Michael Peterson, of Molloy, James, Peterson, representing the group

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that proposed the change to Industrial, introduced aerials, photographs, and a videotape of the area, and stated the staff's recommendation did not address the long-range impact and concluded that residential development was not viable in that area. Others in opposition to the PC's recommendation were: Mr. Mike Murphy, 3911 Obispo Street, member, Thonotosassa Chamber of Commerce; Mr. Sonny Smith, 6322 Highway 579 North; Ms. Margaret Wheeler, 12407 Kelso Road, Thonotosassa; and Mr. Ralph Hughes, Cast Crete, whose comments focused on the PC's survey, which he felt should not have been used.

Those in support of the PC's recommendation to address the Board were: Ms. Cam Oberting, Taylor Road Civic Association; Mr. Richard Bennett, secretary, Greater Thonotosassa Civic Association, who did not concur with the portion of the staff's recommendation to waive the locational criteria; Ms. Annie Sutton, president, Seffner/Thonotosassa Council for Community Affairs; Dr. Lillian Marcus-Stark, 6305 Eureka Springs Road, president, Greater Thonotosassa Civic Association; Mr. John Manzonelli, vice president, Lazy Daze RV center; and Ms. Pat Rogers, 12422 Palm Tree Drive, Thonotosassa, read a letter into the record by Berta Lee Moyer, and also expressed her opposition to the industrial zoning.

Commissioner Turanchik moved the PC's recommendation, seconded by Commissioner Berger. Commissioner Chillura commented that alternative two, seemed more compatible with the residents' request. Ms. Duffy said that alternative was an amendment to the Comprehensive Plan land use category and was not a recommendation by the PC. Alternatives two and three would have required a one-year amendment process, would have allowed more intense development than the Neighborhood Commercial being recommended, and would have required that a more intense use be hooked up to public water and sewer, which was not available in that area. Commissioner Turanchik commended the PC staff for the good job they had done with the recommendation. Commissioner Hart expressed concern that the recommendation was a short-term look at the corridor. Commissioner Chillura requested that the minutes reflect he would not support the motion because he believed the testimony he heard more closely mirrored alternative number two and because he felt that buffering could be achieved with good design and site planning, not with zoning. The motion carried five to two, with Commissioners Chillura and Hart voting no.

Chairman Norman called a recess at 11:03 a.m. and reconvened the meeting at 11:20 a.m.

REGULAR AGENDA

Reconsideration of RZ 94-0179-S denied by the Board on October 25, 1994.

Application Number:	RZ 94-0179-S
Applicant:	Karen R. Sysk
Current Zoning:	AS-1
Request:	C-G
Size:	1.14 acres ±
Utilities:	public water

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Location: public sewer
S/S of State Road (SR) 674, 750 feet west of
Kenilworth Avenue

RECOMMENDATIONS:

PDMD: Denial
Planning Commission: Did not object
Zoning Hearing Master (ZHM): Denial
(Previously opened for Oral Argument)

Ms. Harvey outlined the item, which was a request to rezone to general commercial district on property a little over an acre. The purpose of the rezoning was to request an allowable use for a used vehicle sales lot. She updated the Board on the status of the application and said that the circumstances had changed since original review by the ZHM. Ms. Duffy explained that based on Board approval in October of the 2015 Comprehensive Plan (Plan), the property had achieved consistency with the Plan and she recommended approval of the request. Chief Assistant County Attorney John Wall commented that the Board had the ability to approve the reconsideration, based on the information obtained by Ms. Duffy, or the issue could be remanded to the ZHM for another hearing. **Commissioner Busansky moved approval of the commercial zoning, given the new information.** Ms. Karen Sysk, 11718 Fife Avenue, Tampa, representing the property owner requested the Board's consideration. **The motion was seconded by Commissioner Hart and carried seven to zero.**

(Note: The above Board action reversed the ZHM recommendation for denial.)

Application Number: RZ 95-0005-C
Applicant: Thomas Berch
Current Zoning: RSC-6 and ASC-1
Request: O-R
Size: 1.23 acres ±
Utilities: Private water
Septic tank
Location: Southwesterly side of Lithia Road, 200 feet
southeasterly of Oakwood Avenue

RECOMMENDATIONS:

PDMD: Denial
Planning Commission: Did not object
Zoning Hearing Master: Denial
ORAL ARGUMENT

Ms. Harvey outlined the request. The purpose of the rezoning was to allow the existing residential structure on the property to continue to be used as residential, and to incorporate office uses on the property within the same structure. The Board had extended the timeframe of the hearing from the previous meeting to allow Mr. Berch the opportunity to meet with staff about whether the intended use of the property would qualify as a home occupation. Based on that review, it was staff's perspective that the property would not

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qualify as a home occupation. Staff recommended denial of the application. Mr. Thomas Berch explained that the business required people coming and going from the property. That volume was not heavy but it was necessary. He presented photographs of the property and explained the uses in the surrounding area. The business was a very low impact type of business. Mr. Berch responded to questions by Commissioner Turanchik regarding the adjacent neighbors. Commissioner Turanchik felt that staff's recommendation had been correct, by definition; however, what Mr. Berch was trying to accomplish was minimal and, moved to grant the waivers with the stipulation there would be no sign on the property advertising the business, and that the office in the house be limited to 200 square feet. The motion was seconded by Commissioner Chillura. Commissioner Chillura stated a small sign was allowed under home occupation and, if controlled, should not create a problem. The motion carried seven to zero.

Chairman Norman called a recess at 11:40 a.m. and reconvened the meeting at 1:33 p.m.

PUBLIC HEARING - VACATION OF RIGHTS-OF-WAY, EASEMENTS, AND PLATS - Time certain 1:30 p.m.

Petition by Robert and Marian Henderson to vacate the platted 15-foot easement lying 7.5 feet on each side of the common lot line between Lots 4 and 5, Block 3 of Tropical Acres Unit No. 5. Staff recommended approval. (R95-038)

Petition by Ranch Road Grove Partnership to vacate that certain easement granted to Hillsborough County and recorded in O.R. 5373, page 430. Also, that the Chairman execute the Quit-Claim Deed in conjunction with the resolution. A copy of the subject resolution and Quit-Claim Deed had been offered as evidence. Staff recommended approval. (Documents of file in BOCC Records.) (R95-039)

Assistant County Attorney Vincent Marchetti read the above petitions for vacations into the record. Chairman Norman called for public comment; there was no response. Commissioner Busansky moved approval, seconded by Commissioner Berger and carried four to zero. (Commissioners Chillura, Hart, and Turanchik were out of the room.)

PUBLIC HEARINGS - 1:30 p.m.

PRS 95-0053-C

Daniel C. Hardy

The applicant requested a personal appearance before the Board to request a minor modification to final conditions for PD 85-0350. PDMD staff recommended approval of the request, subject to conditions.

Ms. Harvey stated the purpose of the amendment was to allow for an additional access point to the east in order that the property, approved for 100,000 square feet of warehousing be developed in conjunction with an additional piece of property to add more warehousing. Staff requested that condition

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6.4 relative to height of structures be changed from 12 to 14 feet. The applicant had concerns with new condition 6.11 regarding the developer meeting the requirements of the Fire Department; however, staff felt that was a standard condition and recommended that that condition remain within the body of the new conditions. Staff recommended approval of the changed plan development. Chairman Norman called for public comment; there was no response. Commissioner Busansky moved approval, seconded by Commissioner Berger and carried five to zero. (Commissioners Chillura and Turanchik were out of the room.)

PRS 95-0057-N

Westfield Development Corporation

Attorney Keith Bricklemyer, representing the applicant, requested a personal appearance before the Board to request minor modifications to final conditions for RZ 92-0311. PDMD staff recommended approval of the request, subject to conditions (on file in BOCC Records.)

PRS 95-0058-N

Westfield Development Corporation

Attorney Bricklemyer, representing the applicant, requested a personal appearance before the Board to request minor modifications to final conditions for PD 92-0311. PDMD staff recommended approval of the request, subject to conditions (on file in BOCC Records.)

Ms. Harvey described the above two developments. The request for PRS 95-0057-N--La Scala, was to be allowed to access the project to the east. Presently the conditions or site plan did not accommodate an additional access point and the rules of construction in the Land Development Code (LDC) required that additional access points be brought to the Board. Secondly, there was a request for reduction in the allowable lot size on La Scala to have a minimum of 5,000 square-foot lots, where currently the requirement was that there be a minimum half acre upland of lots to be developed in that project. Also requested was for deletion of the reservation of right-of-way for Tobacco Road on the west side of the project; and for the deletion of several transportation conditions--one of which affected a left turn lane improvement into the old access on La Scala.

The North Hills project had requested a change to the minimum lot size requirement along the west property line. Currently, the requirement was that the minimum lot width for the lots along the west property line be 100 feet wide. North Hills requested along its west property line the allowability of 5,000 square-foot lots by virtue of the fact that all the development, except for the west property line was currently allowed to have 5,000 square-foot lots, which was part of the initial rezoning approval. Neither project had requested an increase in the overall allowability of density. North Hills had an overall allowability of two units per acre and the La Scala project had the allowability of one unit per acre. The changes described were within those perimeters. Staff recommended approval of the changed conditions. (Documents on file in BOCC Records.)

Attorney Bricklemyer representing the applicant, Westfield Development

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Corporation, stated the proposed request was to combine two approved projects into one unified plan of development and, in doing so, it was requested that the conditions of approval for each project be revised to accommodate that consolidation. His presentation included graphics, maps, as well as a thorough explanation of the request for compatibility internally to the projects in terms of lot sizes. La Scala was the only project for which a change in lot size was being requested. The request was consistent with the Plan. The change was to achieve flexibility in lot sizes to respond to the market place. Mr. Toxey Hall, Heidt and Associates, presented and illustrated calculations indicating that smaller lots resulted in a larger amount of open space on the property. Attorney Brickleyer outlined several meetings that had been held by the developer with the community and offered a compromise with regard to the lot size, which was to keep the 5,000 square-foot lots that had already been approved on the North Hills side and to limit La Scala to 6,000 square feet. That change to the application would amend condition 6.6 to provide for a minimum lot size in the La Scala portion of the project to 6,000 feet. Another issue discussed at the community meetings was that of a proposed buffer along the eastern boundary of North Hills where it abutted Sierra Pines Boulevard, a private road that serviced properties in Pasco County. He emphasized that the North Hills property, as currently approved, made no change to the eastern property boundary, and suggested that since Westfield Development Corporation was making no request to change that particular portion of the plan, it not be modified.

Public Comment: The following persons addressed the Board with presentations and comments in opposition: Mr. Larry Padgett, 2611 West Lutz-Lake Fern Road; Ms. Norma Middlecamp, secretary, Keystone Civic Association, borrow pit committee; Mr. David Barnes, 19213 Blount Road; Ms. Bonnie Hoffman, 3626 Berger Road; Mr. Robert Exler, 19111 Gunn Highway, Odessa, member Keystone Civic Association; Mr. William Middlecamp, treasurer, Keystone Civic Association, borrow pit committee; Ms. Carol Atchison, 1804 Van Dyke Road; Ms. Gay Townsend, 19905 Longleaf Drive, Lutz; and Mr. Steven Morris, 18520 Wayne Road, Odessa.

Following rebuttal by Attorney Brickleyer, Commissioner Busansky felt that the perception of a rural community was larger size lots along its boundaries and more clustering internally. Attorney Brickleyer agreed to amend condition 6.6 to provide 6,000 instead of 5,000 square-foot lots and to have the abutting lots on the north boundary as half acre lots. Staff responded to questions by Commissioners Berger, Busansky, and Hart regarding lot sizes. Commissioner Busansky felt there was not an increase in density, or in the numbers; therefore, she moved approval with the conditions. Commissioner Berger seconded the motion. (The motion was subsequently withdrawn.) Attorney Marchetti suggested that a condition be placed within the modification to a maximum number of lots not to exceed 220 lots for the entire project. Attorney Brickleyer agreed to limit the La Scala portion of the project to the currently approved 220 units. Commissioner Busansky included that amendment to the motion. Commissioner Wilson requested input from Mr. Padgett, who commented that the lot sizes should be increased along the complete perimeter of the project. Attorney Brickleyer said that request would be unacceptable. The North Hills project had already been

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approved and a change to that project was not being requested. Further conversation was held relative to the lot sizes on the entire perimeter of the project, transportation, traffic analysis, and access on the property. Commissioner Busansky viewed the issue as a major modification, and withdrew the motion. Commissioner Chillura suggested a continuance in order for the developers to address the concerns expressed. Attorney Brickleyer agreed to continue the item to attempt to deal with the perimeter lots. Commissioner Busansky moved for a continuance to March 21, 1995, at 1:30 p.m. The motion was seconded by Commissioner Hart and carried six to zero. (Commissioner Turanchik was out of the room.)

Chairman Norman called a recess at 3:15 p.m. and reconvened the meeting at 3:33 p.m.

PRS 95-0059-C

Living Water Church of Tampa, Inc.

Attorney Anita Bing, representing the applicant, requested a personal appearance before the Board to request minor modifications to final conditions for RZ 84-0176. PDMD staff recommended approval of the request, subject to conditions.

Ms. Harvey outlined the request to amend the plan development on the north side of Interstate 4, west of Chelsea Street. The requested change would delete the commercial area provided in the plan development, decrease the office space to 32,520 square feet, and increase the square footage associated with the church and the related uses to 86,080 feet. The only issue of concern addressed by staff was the continued use of a septic system for the church and related uses. The original approval allowed for the use of the septic system until February 1998 and staff did not propose to change that, which was subject to approval by the Health Department. To the extent that the Health Department would issue the permits for additional capacity on that septic system, staff would not object. Staff recommended approval of the changes. Chairman Norman called for public comment; there was no response. Commissioner Turanchik moved approval, seconded by Commissioner Wilson and carried six to zero. (Commissioner Busansky was out of the room.)

DRI #105

Sunforest

Notification of a proposed change to a previously approved development order. PDMD staff recommended the Board find that the proposed change did not constitute a substantial deviation to the approved development order for Sunforest DRI. Staff further recommended approval in accordance with the resolution and any amended language proposed by the County Attorney's Office.

Ms. Shirley Gersholowitz, PDMD staff, reported that the intent of the amendment was to extend the buildout by two years. Staff and the reviewing agencies found that said action would not constitute a substantial deviation and recommended approval of the resolution. Commissioner Turanchik so moved, which was seconded by Commissioner Hart. Chairman Norman called for public comment. Attorney Enola Brown, of Annis, Mitchell, Cockey, Edwards, and Roehn, representing the petitioner, presented petitions in support of the

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notification of the proposed change. The motion carried six to zero. (Commissioner Busansky was out of the room.) (R95-040)

DRI #144

Sunway

Notification of a proposed change to a previously approved development order. PDMD staff recommended the Board find that the proposed change did not constitute a substantial deviation to the approved development order for Sunway DRI. Staff further recommended approval in accordance with the resolution and any amended language proposed by the County Attorney's Office. (Documents on file in BOCC Records.)

Ms. Gersholowitz stated the request was an extension of time--staff wanted to ensure the time extension would not change the value of the contribution by the developers. She entered changed language into the record to Section IV.B.c(2) as follows: "The developer shall increase the proportionate share amount so that, in the event there is an increase in the cost of the improvements incurred by FDOT because of the extension of phasing dates the proportionate share will fund the same percentage of the cost of such improvements as would have been funded by the proportionate share amount set forth in the original development order." Staff recommended approval of the development order amendment with the revised language. Chairman Norman called for public comment. Attorney Brown representing the petitioner submitted petitions in support. Commissioner Turanchik moved staff's recommendation, seconded by Commissioner Hart and carried six to zero. (Commissioner Busansky was out of the room.)

COMMISSIONERS' ITEMS

Hillsborough River Greenways Task Force - Time Certain 2:30 p.m. - Addressed later in the meeting.

Plantation Homeowners - Time Certain - 3:30 p.m.

Commissioner Turanchik stated the Plantation Subdivision had been faced with a problem that was not unusual for subdivisions in Hillsborough County and it was not clear how that problem should be dealt with--some homes in the subdivision were in deteriorated conditions; however, were not found in violation of the Code. Said conditions detracted from the quality of the community. Mr. Tom Jones, 4508 View Ridge Way, property manager, Plantation Homeowners, Incorporated, gave an overview of the situation in the community and presented photographs to show the poor upkeep by some property owners, which caused for poor aesthetics and a decrease in property value in the community. He presented his findings of the low standards upheld in the County, based on County codes. Commissioner Turanchik moved to request that staff evaluate the current Code and options for dealing with the kinds of issues that Mr. Jones brought up and whether there were different options of dealing with them. Chairman Norman stated he would like to see homeowners associations be able to govern themselves and that the County Attorney's Office might look at opportunities for helping those associations to deal with internal rules. Commissioner Turanchik included that request in the

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motion. Mr. Kevin McConnell, Community and Housing Development, stated he would return with a report, based on the Board's guidance. Commissioner Turanchik, based on the complex issues, requested staff to provide the report within six months and that Mr. McConnell research the number of issues he had brought forward in the last four years to the Administrator's attention that also needed additional input, such as people operating businesses in neighborhoods, and running compressors all night long, and commercial trucks in the neighborhood. **The motion carried seven to zero.**

STAFF ITEMS

Land Use Policy on CR 579 - Robert Hunter, Executive Director, Hillsborough City-County Planning Commission - Time Certain 9:00 a.m. **Addressed earlier in the meeting.**

COUNTY ATTORNEY'S ITEMS

COUNTY ATTORNEY REPORT REGARDING SIERRA CLUB VERIFIED COMPLAINT CHALLENGING LAKE RUTH RANCH REZONING (RZ 94-0016-N) -- County Attorney's report and recommended response to Sierra Club's verified complaint challenging Lake Ruth Ranch rezoning (RZ 95-0016-N). The Sierra Club's complaint asserted that the zoning action was inconsistent with the Plan, pursuant to Section 163.32145, Florida Statutes. The County Attorney believed the Board's rezoning action was well founded, and recommended a response accordingly.

Assistant County Attorney Jeanie Hanna stated a verified complaint had been filed by the Sierra Club, pursuant to Chapter 163, Florida Statutes. The Sierra Club alleged that the rezoning was inconsistent with the Plan. No other aspect of the rezoning was at issue. The verified complaint was a procedural prerequisite to a lawsuit on the matter being brought in circuit court. Chapter 163 allowed the local government 30 days to respond to the filing of a verified complaint. No specific form of a response was required. Staff's role was to report and to make a recommendation to the Board on the matter for consideration and action. Staff advised that discussion be limited, because the act was done in anticipation of litigation. Staff had reviewed the complaint, consulted with the staff of the PC, who had originally reviewed the rezoning for compliance with the Plan, consulted with staff of PDMD, and had carefully reviewed the record of the public hearing. It was the opinion of the County Attorney's staff that the Board's rezoning action was based upon competent substantial evidence, as required by law. The PC staff had stated at the public hearing and had since reiterated that the rezoning as approved was consistent with the Plan. The PC was the local planning agency responsible for reviewing proposed rezonings to determine consistency with the Plan and, as such, had reviewed the Sierra Club's verified complaint and determined that among its various deficiencies, the complaint was based upon the incorrect assumption about which Plan provisions even applied to the rezoning. The developer's attorney had reviewed the verified complaint and had raised serious questions about, not only the substance of the complaint, but also whether the Sierra Club had standing to bring the action--concerns which were shared by the County Attorney's Office. After careful consideration to the verified complaint, the record of the

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public hearing, the PC's position, County staff's comments, and the developer's concerns, the County Attorney's Office was of the opinion that the Lake Ruth Ranch rezoning was consistent with the Plan and that the Sierra Club's complaint was not well founded. In case of actual litigation on the issue, it was felt that the County was well positioned and legally on firm ground; therefore, it was recommended that the Board accept and adopt the report and take no further action on the matter.

Attorney Joel Tool representing US Home Corporation, concurred with the County Attorney's recommendation. The developer was fully prepared and would actively participate in any litigation, if the Sierra Club elected to file the complaint. Attorney Tom Reese, Sierra Club, pointed out that the Growth Management Act authorized any adversely affected person to challenge a development order. The Board had the statutory duty to reconsider its decision when a verified complaint was filed regarding inconsistencies with the adopted Plan. He felt the PC had used the Plan as it existed, before the Board's amendments pursuant to the order of the Governor and Cabinet. The rezoning occurred after the Plan was amended and the Statute was clear that all development orders had to be consistent with the currently adopted Plan, which was not the Plan the PC staff had used to review the rezoning. It was also believed that before the amendment, there were provisions to the Plan that were not observed, concerning interior design issues. The evidence was also clear that there was inadequate school capacity. Attorney Reese addressed issues regarding significant habitat and wetland.

Attorney Hanna stated there was no statutory duty to reconsider the rezoning. The only statutory duty was for the Board to respond to the complaint. It was the opinion of the County Attorney's Office that the complaint was deficient and should not change action by the Board. An appropriate response to the complaint would be no response at this point. No action was taken.

Hillsborough River Greenways Task Force - Time Certain 2:30 p.m.

Commissioner Turanchik stated in 1992 the Board had approved the idea of the establishment of a greenway from the upper Hillsborough River, from Fletcher Avenue to the Polk and Pasco County lines. The Board had also approved a motion to use the cattle ranch proceeds from the Cone Ranch toward that effort. The upper Hillsborough Greenways Task Force had been created, which consisted of 35 organizations and 62 representatives from the public/private sector, environmental groups, citizens corporations, government agencies, et cetera, who had worked to put together a recommendation and report. The task force had worked for a long time and presented 20 issues, some of which were difficult and some of which had been controversial; however, there was consensus on said issues among the 35 organizations.

Mr. Tom Dyer, vice president, Two Rivers Ranch; chairman, Greenways Task Force, outlined the various committees on which he was a member and explained that the charge of the task force was to develop a sustainable plan for the upper Hillsborough basin area. After its inception, the task force received a matching grant from the U.S. Fish and Wildlife Foundation. Beyond that, funding had been received from the State, CF Industries, and West Coast

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Regional Water Supply Authority. The strategy in funding and the process were to involve those entities and organizations that were attempting to develop site projects in the basin to join with the task force in trying to develop an effective plan to accomplish that. The task force was divided into three working committees, each of which had a specific assignment. He felt a model program and a model plan had been developed. The plan and process would be dependent upon the review, approval, and concurrence of the Board, and the other 35 organizations that participated in the planning process. Mr. Dyer requested that County staff--planning, utilities, County Attorney's Office, and Parks and Recreation Department--review the 300-page analysis and return to the Board with a recommendation of concurrence and support in order for the task force to move forward into implementation of the many issues being addressed. He outlined the various issues in which the task force had been involved, as well as proposed projects for 1995-96.

Mr. Dyer also requested that staff review those recommendations that were in conflict with current statutes, rules, regulations, or ordinances. A major issue was how to vest, protect, and implement the regional plan. Also requested was that the Board reinvest in the task force in the amount of \$60,000 for the next 18 months--a percentage of participation out of revenue being generated through a private sector initiative on County owned land. It was important that commitment for additional funding be made before March 15, 1995, prior to when the U.S. Wildlife and Fish Foundation considered the task force's matching grant request. Mr. Dyer responded to questions concerning prioritizing the projects. Commissioner Berger, for the record, announced that she had resigned from Two Rivers Ranch, and Crystal Springs Recreational Preserve on November 1. Commissioner Hart moved that the booklet presented by Mr. Dyer be referred to the County Administrator for a recommendation within two weeks, which should include the funding requested. The motion was seconded by Commissioner Turanchik, and carried six to zero. (Commissioner Chillura was out of the room.)

Commissioner Turanchik moved that Hillsborough County's Utilities Department work with West Coast Regional Water Supply Authority to specifically evaluate the sponge concept and come up with recommendations toward implementing it. The motion was seconded by Commissioner Busansky and carried six to zero. (Commissioner Chillura was out of the room.)

COMMISSIONERS' ITEMS

Plantation Homeowners (Turanchik) - TIME CERTAIN 3:30 p.m. - Addressed earlier in the meeting.

STAFF ITEMS

Land Use Policy on County Road 579 - Robert Hunter, Executive Director, Hillsborough City-County Planning Commission - Time Certain 9:00 a.m. Addressed earlier in the meeting.

TUESDAY, FEBRUARY 21, 1995

COUNTY ATTORNEY'S ITEMS

COUNTY ATTORNEY REPORT REGARDING: SIERRA CLUB VERIFIED COMPLAINT CHALLENGING LAKE RUTH RANCH REZONING (RZ 94-0016-N) -- County Attorney's report and recommended response to Sierra Club's verified complaint challenging Lake Ruth Ranch rezoning (RZ 95-0016-N). The Sierra Club's complaint asserted that the zoning action was inconsistent with the Plan, pursuant to Section 163.32145, Florida Statute. The County Attorney believed the Board's rezoning action was well founded, and recommended a response accordingly. **Addressed earlier in the meeting.**

There being no further business, the meeting was adjourned at 4:52 p.m.

READ AND APPROVED: _____

Jim D.
CHAIRMAN

ATTEST:

RICHARD AKE, CLERK

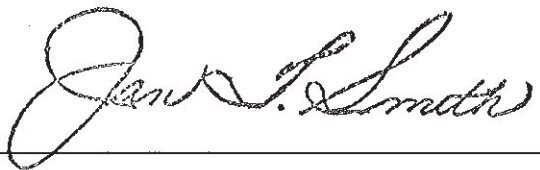
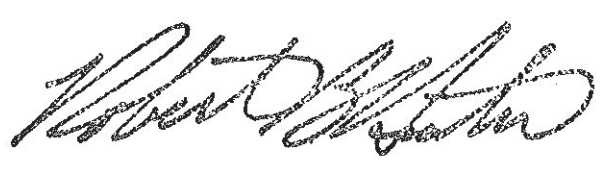
By: _____

Michael Ake
Deputy Clerk

pgs

RESOLUTION

ITEM: Alternative Land Use Options along County Road 579

AYE	NAY	ABSENT	DATE:
			December 12, 1994
X			
X			
		X	
X			
	X		
X			
X			
X			
		X	Robert B. Hunter, Executive Director
			On motion of <u>Mr. Lee</u> Seconded by <u>Mr. English</u>
			The following resolution was adopted:

Jan T. Smith
Chairman
 Warren J. Weathers
Vice-Chairman
 W. C. Meriwether
Member-at-Large
 Judith A. Breuggeman
 Edward D. Dees
 Michael M. English
 Robert A. Lang
 Thomas A. Lee
 Demetria L. Merritt
 Laura Swain

Robert B. Hunter, AICP
 Executive Director

WHEREAS, the Hillsborough County City-County Planning Commission, has developed a long-range comprehensive plan for unincorporated Hillsborough County entitled the *Future of Hillsborough*, pursuant to the provisions of Chapter 75-390, Laws of Florida, as amended by Chapter 163.3161 et. seq., Florida Statutes, as amended; and

WHEREAS, the Board of County Commissioners of Hillsborough County has adopted the *Future of Hillsborough* as the comprehensive plan for unincorporated Hillsborough County by Ordinance 89-28, as amended; and

WHEREAS, the Hillsborough County City-County Planning Commission has received a public request regarding the land uses along County Road 579, south of Pruett Road and north of Sligh Avenue for a possible change in land use category from a residential category to an industrial or commercial land use category; and

WHEREAS, the staff review indicates that the existing residential land use category is the most appropriate category for County Road 579, south of Pruett Road and north of Sligh Avenue and that non-residential land uses can be considered by the Board of County Commissioners.

RESOLUTION

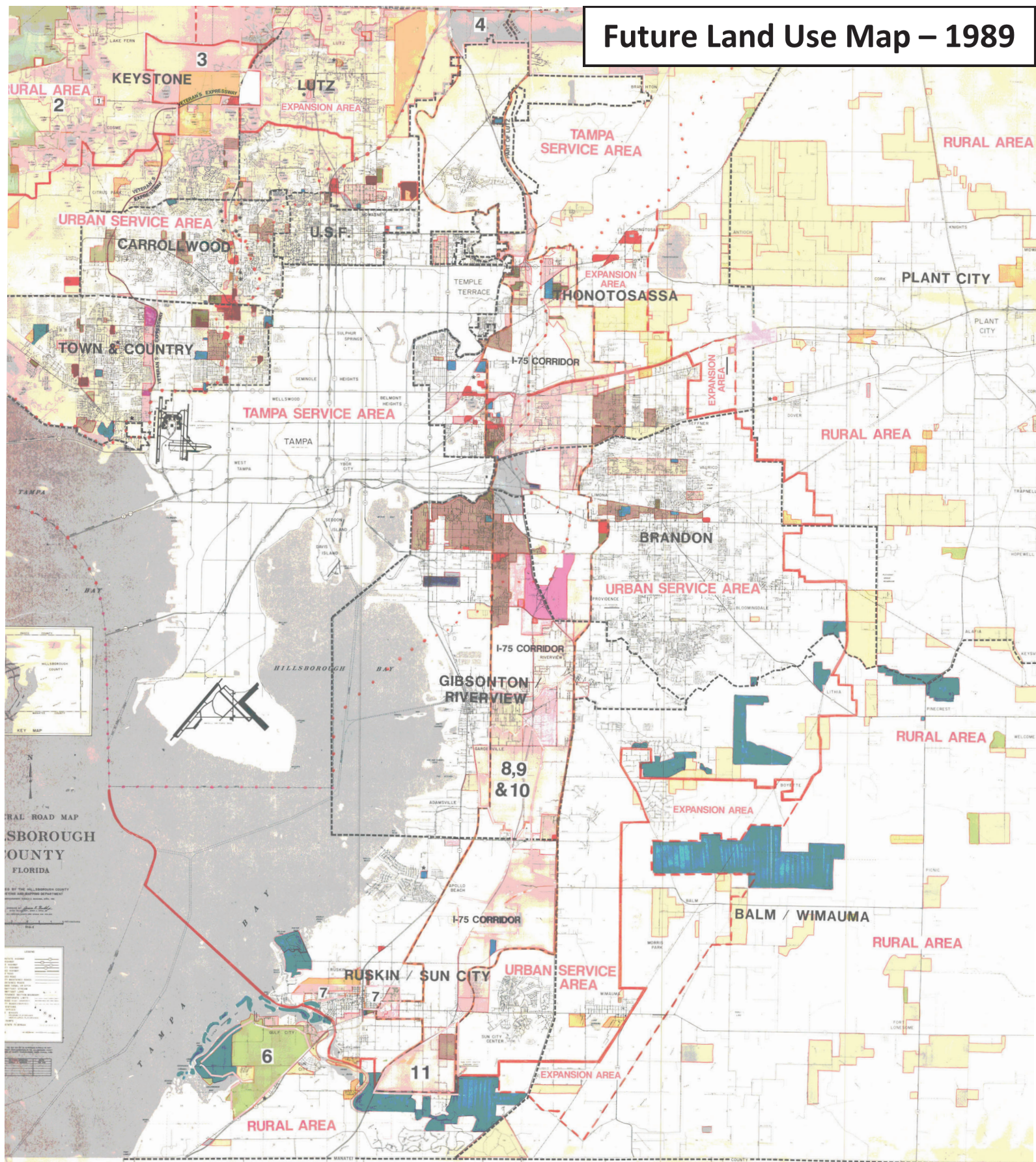
PAGE 2

Alternative Land Use Options along County Road 579

NOW THEREFORE BE IT RESOLVED, that the Hillsborough County City-County Planning Commission, recommends to the Board of County Commissioners to establish the following policy of waving the locational criteria for neighborhood commercial uses as provided in the *Future of Hillsborough* comprehensive plan along County Road 579, south of Pruett Road and north of Sligh Avenue;

The Board of County Commissioners recognizes that unique circumstances exist along County Road 579 adjacent to the County landfill and finds that special consideration is warranted for adjacent land uses. Accordingly, in this area the Board may consider waiving the locational criteria of the Comprehensive Plan for "neighborhood serving commercial and office uses" on planned development rezoning request for properties fronting on County Road 579 south of Pruett Road, and north of Sligh Avenue. The Planning Commission in two (2) years shall report on the land use and zoning changes that have taken place along County Road 579.

Future Land Use Map – 1989



FUTURE OF HILLSBOROUGH UNINCORPORATED COUNTY

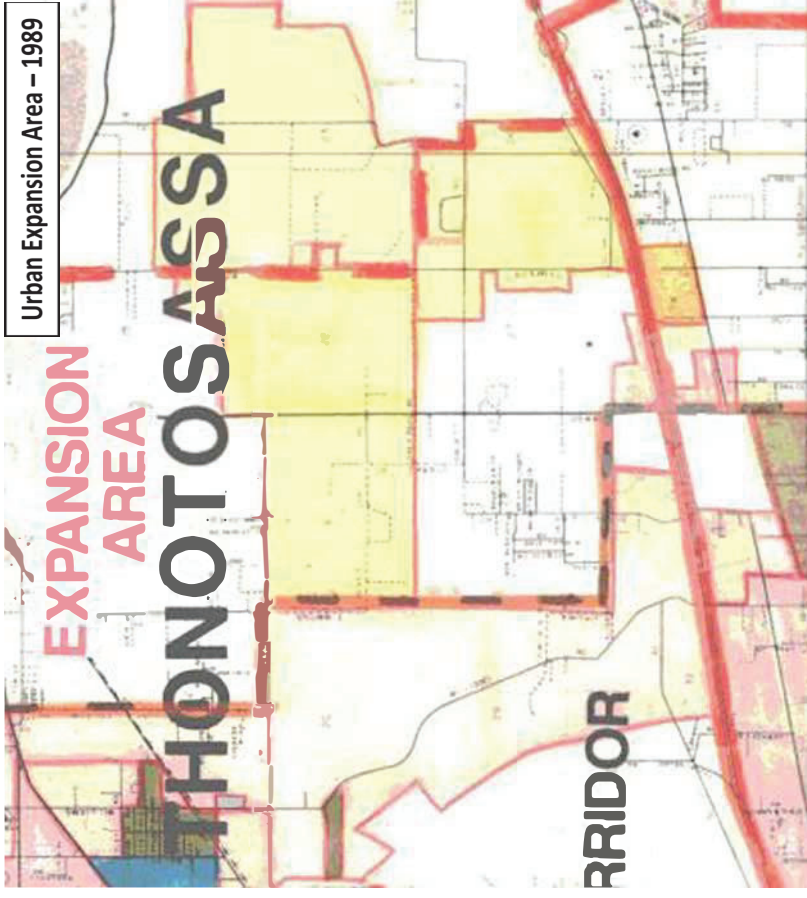
<p>LEGEND</p> <ul style="list-style-type: none"> — I-75 CORRIDOR ■ URBAN SERVICE AREA ■ EXPANSION AREA ■ TAMPA SERVICE AREA ■ STATE ORDER — LINE ADJUSTMENT 	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> <ul style="list-style-type: none"> ■ AGRICULTURAL/MINING-1/20 (.25 FAR) ■ AGRICULTURAL-1/10 (.25 FAR) ■ AGRICULTURAL/RURAL-1/5 (.25 FAR) ■ AGRICULTURAL ESTATE-1/2.5 (.25 FAR) ■ RESIDENTIAL-1 (.25 FAR) ■ RESIDENTIAL-4 (.25 FAR) ■ RESIDENTIAL-6 (.25 FAR) ■ RESIDENTIAL-9 (.35 FAR) ■ RESIDENTIAL-12 (.35 FAR) ■ RESIDENTIAL-20 (.35 FAR) </td> <td style="width: 50%;"> <ul style="list-style-type: none"> ■ REGIONAL MIXED USE-20 (1.0 FAR) ■ REGIONAL MIXED USE-35 (2.0 FAR) ■ OFFICE COMMERCIAL-0 (.75 FAR) ■ RESEARCH CORPORATE PARK (1.0 FAR) ■ LIGHT INDUSTRIAL PLANNED (.5 FAR) ■ POLIC/SEMI-PUBLIC ■ NATURAL PRESERVATION </td> </tr> </table>	<ul style="list-style-type: none"> ■ AGRICULTURAL/MINING-1/20 (.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-4 (.25 FAR) ■ RESIDENTIAL-6 (.25 FAR) ■ RESIDENTIAL-9 (.35 FAR) ■ RESIDENTIAL-12 (.35 FAR) ■ RESIDENTIAL-20 (.35 FAR) 	<ul style="list-style-type: none"> ■ REGIONAL MIXED USE-20 (1.0 FAR) ■ REGIONAL MIXED USE-35 (2.0 FAR) ■ OFFICE COMMERCIAL-0 (.75 FAR) ■ RESEARCH CORPORATE PARK (1.0 FAR) ■ LIGHT INDUSTRIAL PLANNED (.5 FAR) ■ POLIC/SEMI-PUBLIC ■ NATURAL PRESERVATION
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GENERAL ROAD MAP OF HILLSBOROUGH COUNTY, FLORIDA

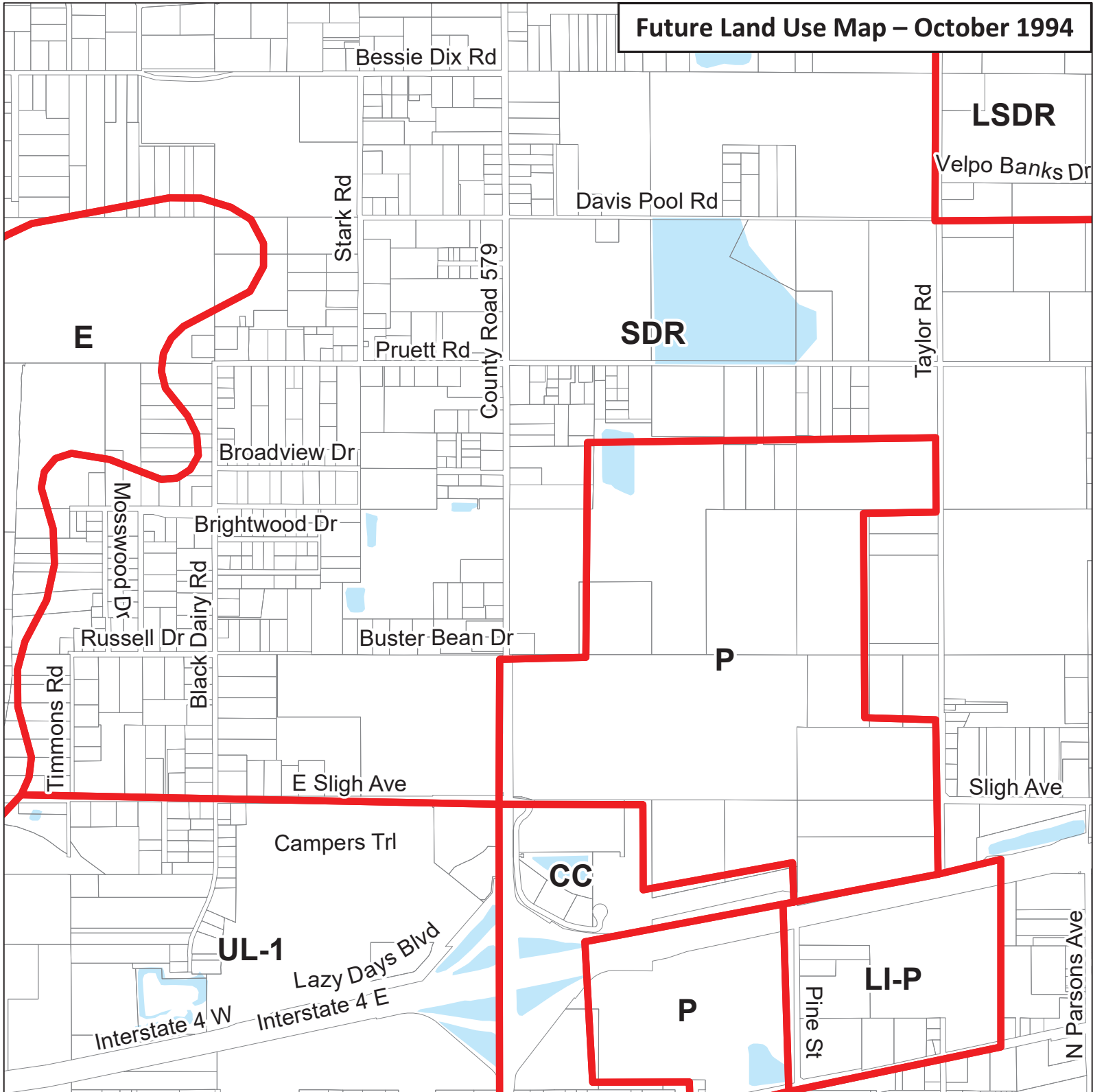
BY THE HILLSBOROUGH COUNTY ENGINEERING DEPARTMENT

DATE: 1989

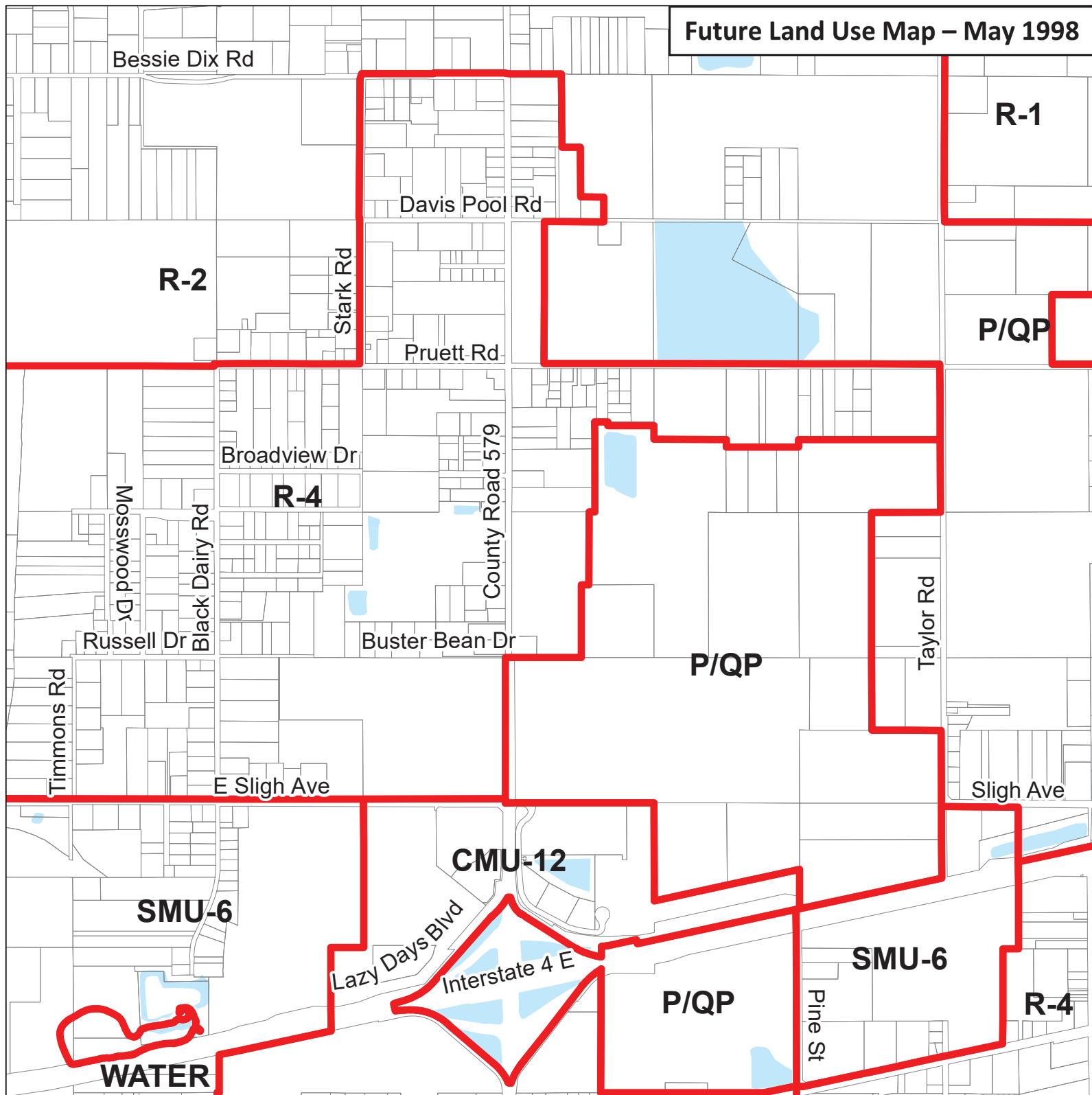
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Future Land Use Map – October 1994



Future Land Use Map – May 1998



Future Land Use Map – 2010

