

Rezoning Application: RZ-STD 23-0552

Zoning Hearing Master Date: September 18, 2023

BOCC Land Use Meeting Date: November 07, 2023

**Hillsborough County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant:	Mike Schlechter	
FLU Category:	R-1	
Service Area:	Rural	
Site Acreage:	5.4 +/-	
Community Plan Area:	East Rural	
Overlay:	None	

Introduction Summary:

The applicant is requesting to rezone the property from the existing AR (Agricultural Rural) district to the proposed CI (Commercial, Intensive) district with restrictions to the use, setbacks, and hours of operation to accommodate additional inventory and storage of equipment. The property is located on the corner of Rain Frog Land and W state Road 60.

Zoning:	Existing	Proposed
District(s)	AR	CI-R
Typical General Use(s)	Agricultural	Commercial, Intensive
Acreage	5.41	5.41
Density/Intensity	1 DU per 5 GA/ FAR NA	DU per GA: NA/ FAR 0.30
Mathematical Maximum*	1 DU per GA/ GFA: NA	DU: NA / GFA: 70,697.88

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	AR	CI-R
Lot Size / Lot Width	217,000 SqFt /150'	20,000 SqFt / 100'
Setbacks/Buffering and Screening	50' Front 50' Rear 25' Sides	30' Front 10' & 11' Rear 10' & 11' Sides
Height	50'	50'

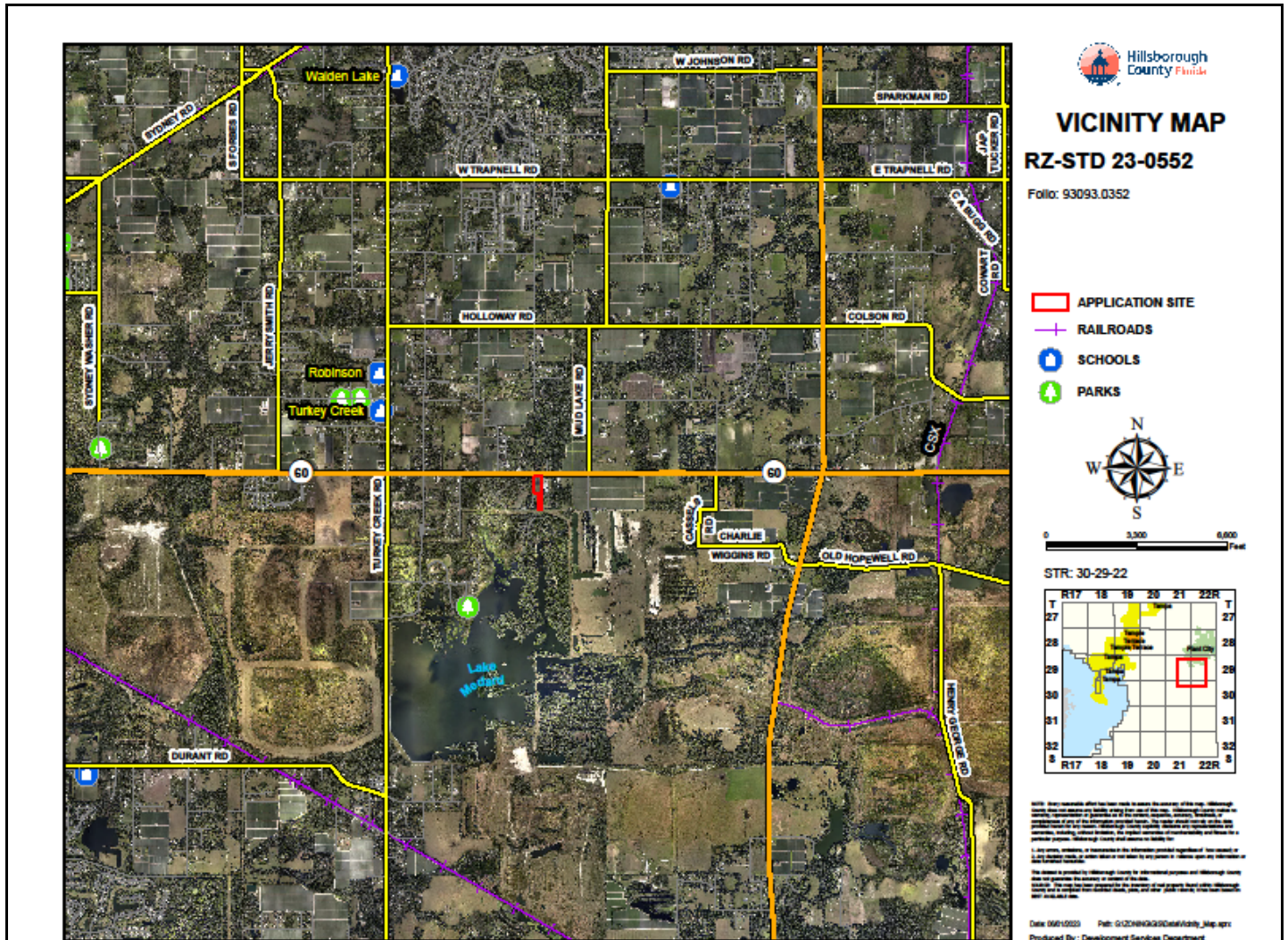
Additional Information:

PD Variation(s)	NA
Waiver(s) to the Land Development Code	NA

Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable with restrictions
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

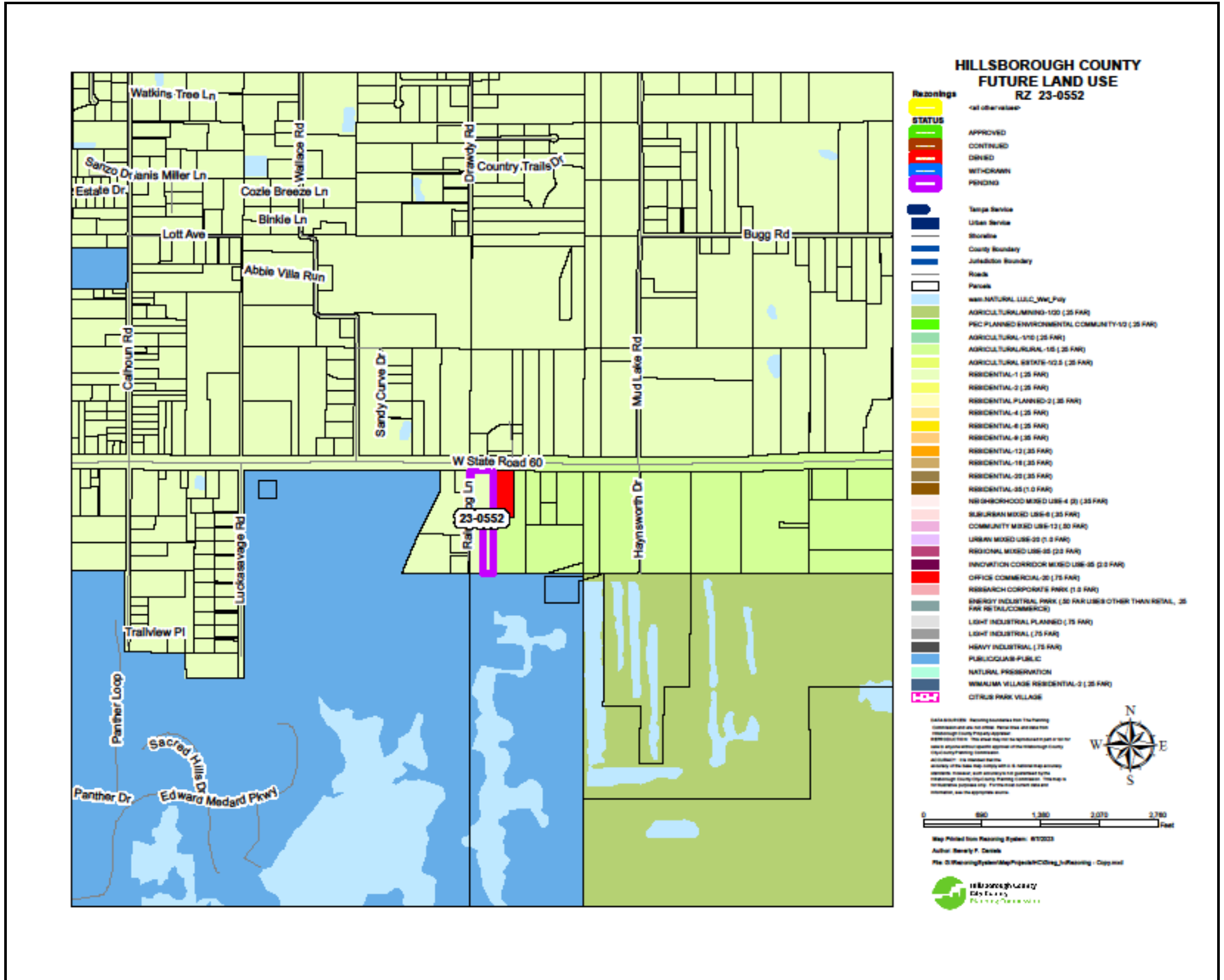


Context of Surrounding Area:

The subject parcel is separated from the North by W State Road 60 and to the West by Rain Frog Lane. The properties surrounding the parcel from the North, West, and South are all under residential uses. The property to the East which is owned by the applicant of the subject parcel is under the use of sales, rental and service of new or used farm, garden and turf equipment.

2.0 LAND USE MAP SET AND SUMMARY DATA

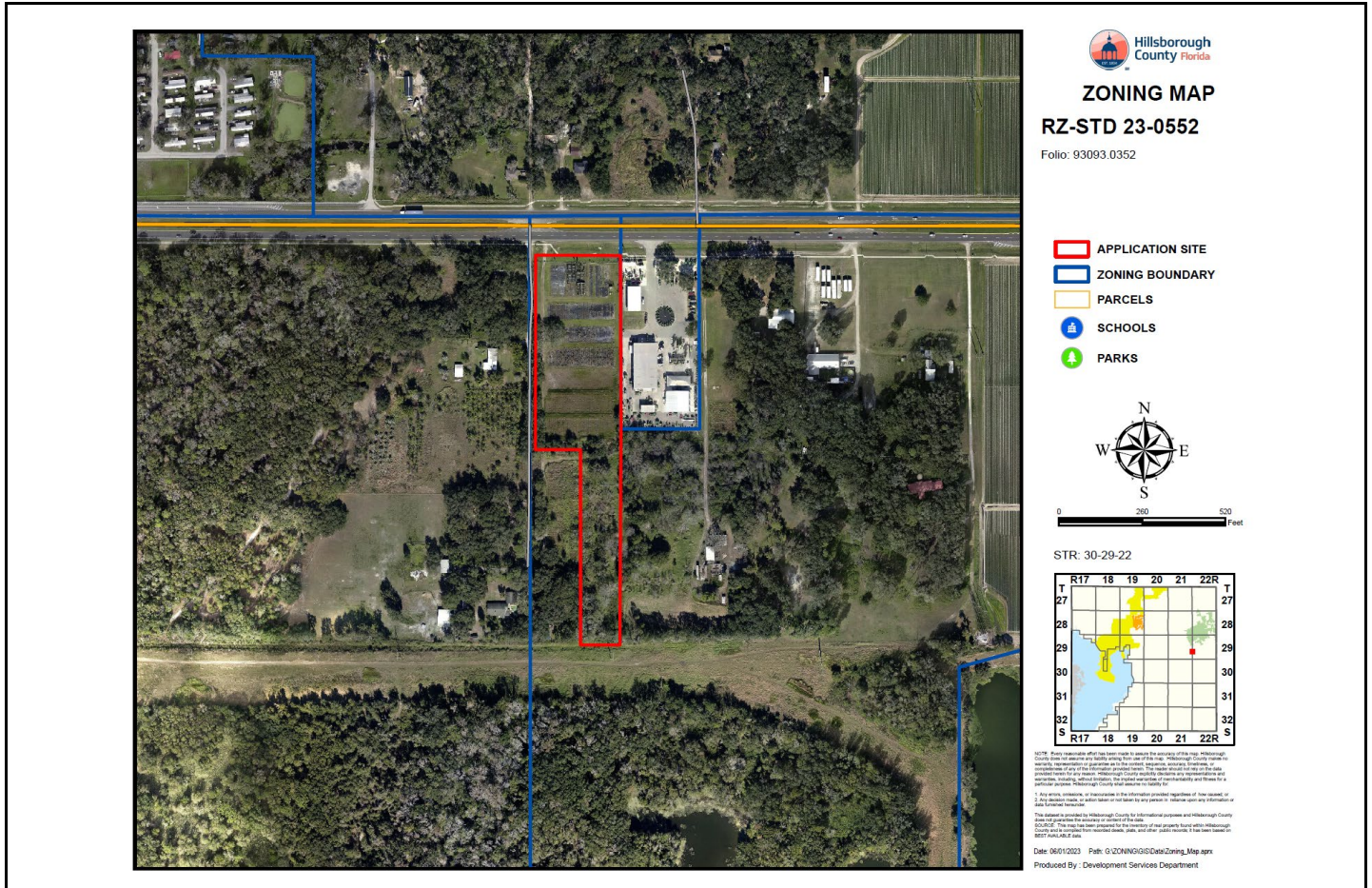
2.2 Future Land Use Map



Subject Site Future Land Use Category:	R-1
Maximum Density/F.A.R.:	1 per 5 acres / 0.25
Typical Uses:	<p>Farms, ranches, residual uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects.</p> <p>Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.</p>

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	AS-1	1/NA	Agriculture, Single Family	SINGLE FAMILY R
South	AR	1/NA	Agriculture, Single Family	SINGLE FAMILY R, 8700 STATE
East	CI, AR	NA/0.30, 1/NA	Accessory Retail, Automotive Supply Store, Agriculture, Single Family	AUTO SALES C, VACANT RESIDENTIAL
West	AR	1/NA	Agriculture, Single Family	SINGLE FAMILY R, MH

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 OF STAFF REPORT)

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
SR 60	FDOT Principal Arterial - Rural	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 type="checkbox"/> Other

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	9	1	1
Proposed	420	42	42
Difference (+/-)	+411	+41	+41

*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		None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
N/A	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 checked="" type="checkbox"/> Yes <input 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 checked="" 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 checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input checked="" 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	See report.
Service Area/ Water & Wastewater <input type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input checked="" type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<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	
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	NA
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 type="checkbox"/> N/A <input type="checkbox"/> Density Bonus Requested <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility


The immediate adjacent properties are zoned AR to the south, west, east, and AS -1 to the north separated by W State Road 60. From the west the parcel is separated from residential parcels by Rain Frog Road. As the road is less than 50 feet in width a required 20-foot buffer with type B screening is required in accordance with LDC Sec. 6.06.06. The northern most adjacent parcel to the east of the subject parcel is zoned CI, owned by the applicant with the use of sales, rental and service of new or used farm, garden and turf equipment. Furthermore, the site is bordered by a mixture of residential uses. To mitigate compatibility issues with the residential properties the applicant has proposed restrictions on the use, setbacks, and hours of operation. Additionally, the subject site is surrounded by R- 1, AR, and OC-20 Future Land Use (FLU) categories which permits residential, community & neighborhood commercial, office, farms, ranches, and multi-purpose uses.

5.2 Recommendation

Based on the above considerations and proposed restrictions, staff finds the proposed CI zoning district is compatible with the existing zoning districts and development pattern in the area. Therefore, staff finds the request Approvable.

6.0 PROPOSED RESTRICTIONS

1. Hours of operation for the subject parcel will be limited to: Monday thru Friday from 8 am to 5 pm and Saturday from 8 am to 12 pm. The business will be closed on Sundays
2. The proposed building will be placed along the eastern side of the property with a minimum of 140-foot distance from the residential properties west of Rain Frog Lane.
3. Use shall be restricted to "sales, rental and service of new or used farm, garden and turf equipment"

<p>Zoning Administrator Sign Off:</p>	 <p>J. Brian Grady Fri Sep 8 2023 08:17:16</p>
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SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.
Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

8.0 PROPOSED SITE PLAN (FULL)

N/A

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Development Services Department

DATE: 9/07/2023

REVIEWER: Richard Perez, AICP

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: EAST RURAL

PETITION NO: RZ 23-0552

- This agency has no comments.
- This agency has no objection.
- This agency objects for the reasons set forth below.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone the +/- 4.45-acre subject parcel from Agricultural Rural (AR) to Commercial Intensive (CI) with the use restricted to “sales, rental and service of new or used farm, garden and turf equipment”. The applicant is proposing additional restrictions on hours of operation and building placement. The future land use designation is Residential 1 (R-1).

Since the proposed applicant seeks a Euclidean zoning district, no transportation analysis is required to process this request per the development review procedures manual.

SITE ACCESS

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 Section staff did not identify any concerns that would require a more detailed staff report be filed. Staff notes that, regardless of this review, 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

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
SR 60	TURKEY CREEK RD	CR 39	D	C

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
SR 60	FDOT Principal Arterial - Rural	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 type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
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Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
N/A	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 type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See report.

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**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: September 18, 2023 Report Prepared: September 6, 2023	Petition: RZ 23-0552 2903 West State Road 60 <i>Southeast Corner of West State Road 60 and Rain Frog Lane</i>
Summary Data:	
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Residential-1 (1 du/ga; 0.25 FAR)
Service Area	Rural Area
Community Plan	N/A
Request	Rezoning from Agricultural Rural (AR) to Commercial Intensive (CI) to allow for the sales, rental, and service of new or used farm, garden, and turf related equipment.
Parcel Size	5.45 ± acres (237,402 sq. ft.)
Street Functional Classification	West State Road 60 - State Principal Arterial Rain Frog Lane - Local Haynesworth Drive – Local
Locational Criteria	Does not meet; waiver request submitted.
Evacuation Zone	None



Context

- The 5.45 ± acre subject property is located on the southeast corner of West State Road 60 and Rain Frog Lane.
- The site is located within the Rural Area and is not located within the limits of a community plan.
- The subject property is located within the Residential-1 (RES-1) Future Land Use category, which can be considered for a maximum density of up to 1 dwelling unit per gross acre and a maximum consideration of up to 0.25 Floor Area Ratio (FAR). The RES-1 Future Land Use category designates areas for rural residential uses. Typical uses within RES-1 include but are not limited to, farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects.
- The subject site has a Future Land Use category designation of Residential-1 (RES-1). The area directly west and north of the property is also designated as RES-1. Directly east, there are the Office Commercial-20 (OC-20) and Agricultural/Rural-1/5 (AR-1/5) Future Land Use categories. To the south, there is Public/Quasi Public (P/QP). Further southeast is Agricultural/Mining-1/20 (AM-1/20).
- The subject site is currently vacant. To the east there are additional vacant uses accompanied by heavy commercial uses. The areas directly west of the site have a single-family residential land use designation, there is additional single family residential and vacant uses north past West State Road 60. South of the subject site are public/quasi-public institutional uses.
- The site is currently zoned as Agricultural Rural (AR). The AR zoning district extends to the east, south, and west. Also to the east of the subject site is Commercial Intensive (CI) zoning. North of the site is Agricultural, Single-Family-1 (AS-1).
- The applicant is requesting a rezoning of Agricultural Rural (AR) to Commercial Intensive (CI) to allow for the sales, rental, and service of new or used farm, garden, and turf related equipment.

Compliance with Comprehensive Plan:

The following Goals, Objectives, and Policies apply to this rezoning request and are used as a basis for a consistency finding.

FUTURE LAND USE ELEMENT

Rural Area

Rural areas will typically carry land use densities of 1 du/5 ga or lesser intense designations. The One Water Chapter outlines relevant language related to water, wastewater and septic in the Rural Area. Within the rural area there are existing developments that are characterized as suburban enclaves or rural communities. These are residential developments which have a more dense development pattern and character, usually 1 or 2 du/ga. These enclaves are recognized through the placement of land use categories that permit densities higher than 1 du/5 acres. New development of a character similar to the established community will be permitted to infill in a

limited manner, but not be permitted to expand into areas designated with lower land use densities. Rural communities, such as Lutz, Keystone and Thonotosassa will specifically be addressed through community-based planning efforts. These communities, and others like them, have historically served as centers for community activities within the rural environment.

Objective 4: The Rural Area will provide areas for long term, agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment, with the goal that no more than 20% of all population growth within the County will occur in the Rural Area.

Policy 4.1: Rural Area Densities Within rural areas, densities shown on the Future Land Use Map will be no higher than 1 du/5 ga unless located within an area identified with a higher density land use category on the Future Land Use Map as a suburban enclave, planned village, a Planned Development pursuant to the PEC ½ category, or rural community which will carry higher densities.

Relationship To Land Development Regulations

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

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

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

Neighborhood/Community Development

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

Policy 16.1: Established and planned neighborhoods and communities shall be protected by restricting incompatible land uses through mechanisms such as: a) locational criteria for the placement of non-residential uses as identified in this Plan, b) limiting commercial development in residential land use categories to neighborhood scale; c) requiring buffer areas and screening devices between unlike land uses.

Policy 16.2: Gradual transitions of intensities between different land uses shall be provided for as new development is proposed and approved, through the use of professional site planning, buffering and screening techniques and control of specific land uses.

Policy 16.3: Development and redevelopment shall be integrated with the adjacent land uses through:

- a) the creation of like uses; or
- b) creation of complementary uses; or
- c) mitigation of adverse impacts; and
- d) transportation/pedestrian connections

Policy 16.5: Development of higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials and to locations external to established and developing neighborhoods.

Neighborhood and Community Serving Uses

Objective 17: Certain non-residential land uses, including but not limited to residential support uses and public facilities, shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner to be compatible to the surrounding residential development pattern.

Commercial Locational Criteria

Objective 22: To avoid strip commercial development, locational criteria for neighborhood serving commercial uses shall be implemented to scale new commercial development consistent with the character of the areas and to the availability of public facilities and the market.

Policy 22.1: The locational criteria for neighborhood serving non-residential uses in specified land uses categories will:

- provide a means of ensuring appropriate neighborhood serving commercial development without requiring that all neighborhood commercial sites be designated on the Future Land Use Map;
- establish a maximum square footage for each proposed neighborhood serving commercial intersection node to ensure that the scale of neighborhood serving commercial development defined as convenience, neighborhood, and general types of commercial uses, is generally consistent with surrounding residential character; and
- establish maximum frontages for neighborhood serving commercial uses at intersections ensuring that adequate access exists or can be provided.

Policy 22.2: The maximum amount of neighborhood-serving commercial uses permitted in an area shall be consistent with the locational criteria outlined in the table and diagram below. The table identifies the intersection nodes that may be considered for non-residential uses. The locational criteria is based on the land use category of the property and the classification of the intersection of roadways as shown on the adopted Highway Cost Affordable Long Range Transportation Plan. The maximums stated in the table/diagram may not always be achieved, subject to FAR limitations and short-range roadway improvements as well as other factors such as land use compatibility and environmental features of the site. In the review of development applications consideration shall also be given to the present and short-range configuration of the roadways involved. The five-year transportation Capital Improvement Program, MPO Transportation Improvement Program or Long Range Transportation Needs Plan shall be used as a guide to phase the development to coincide with the ultimate roadway size as shown on the adopted Long Range Transportation Plan.

Policy 22.7: *Neighborhood commercial activities that serve the daily needs of residents in areas designated for residential development in the Future Land Use Element shall be considered provided that these activities are compatible with surrounding existing and planned residential development and are developed in accordance with applicable development regulations, including phasing to coincide with long range transportation improvements. The locational criteria outlined in Policy 22.2 are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the potential neighborhood commercial use in an activity center. The locational criteria would only designate locations that could be considered, and they in no way guarantee the approval of a particular neighborhood commercial or office use in a possible activity center.*

Policy 22.8: *The Board of County Commissioners may grant a waiver to the intersection criteria for the location of commercial uses outlined in Policy 22.2. The waiver would be based on the compatibility of the use with the surrounding area and would require a recommendation by the Planning Commission staff. Unique circumstances and specific findings should be identified by the staff or the Board of County Commissioners which would support granting a waiver to this section of the Plan. The Board of County Commissioners may reverse or affirm the Planning Commission staff's recommendation through their normal review of rezoning petitions. The waiver can only be related to the location of the neighborhood serving commercial or agriculturally oriented community serving commercial zoning or development. The square footage requirement of the plan cannot be waived.*

Agriculture-Retention

Objective 30: *Recognizing that the continued existence of agricultural activities is beneficial, the county will develop, in coordination with appropriate entities, economic incentives to encourage and expand agricultural activities.*

Policy 30.5: *Agriculture related commercial uses more intensive or heavy than neighborhood serving commercial, may be considered in the rural land use categories, provided it meets applicable policies of the comprehensive plan. These uses are not subject to the locational criteria for neighborhood serving commercial uses.*

4.1 RURAL RESIDENTIAL CHARACTER

Goal 7: *Preserve existing rural uses as viable residential alternatives to urban and suburban areas.*

Objective 7-1: *Support existing agricultural uses for their importance as a historical component of the community, their economic importance to the County and for the open space they provide.*

4.3 COMMERCIAL CHARACTER

Goal 9: *Evaluate the creation of commercial design standards in a scale and design that complements the character of the community.*

Community Design Component

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

GOAL 12: *Design neighborhoods which are related to the predominant character of the surroundings.*

OBJECTIVE 12-1: *New developments should recognize the existing community and be designed in a way that is compatible (as defined in FLUE policy 1.4) with the established character of the surrounding neighborhood.*

Staff Analysis of Goals, Objectives, and Policies:

The 5.45 ± acre subject property is located on the southeast corner of West State Road 60 and Rain Frog Lane. The site is located within the Rural Area and is not located within the limits of a Community Plan. The subject site's Future Land Use category on the Future Land Use Map (FLUM) is Residential-1 (RES-1). The applicant is requesting a rezoning from Agricultural Rural (AR) to Commercial intensive (CI) to allow for the sales, rental, and service of new or used farm, garden, and turf related equipment.

The Future Land Use Element permits new development within the Rural Area that is similar in character to the existing community. Objective 4 of the Future Land Use Element (FLUE) of the Comprehensive Plan notes that 20% of the growth in the region will occur within the Rural Service Area without the threat of urban or suburban encroachment. FLUE Policy 4.1 characterizes the Rural Area as low-density, large lot residential. The subject site is within the Rural Area and the proposed rezoning of the parcel from AR to CI is similar in character to the surrounding area as there is existing CI zoning to the east of the subject site.

The applicant is the owner of the adjacent property to the subject site, which is a John Deere dealership. The intention of the rezoning is to rezone the subject site for commercial uses that are similar to those already in use adjacent to the site. Objective 9 of the FLUE states that all existing and future land development regulations shall be made consistent with the Comprehensive Plan. Policies 9.1 and 9.2 allow for approving zoning that is consistent with the Comprehensive Plan and developments that meet the regulations established by Hillsborough County.

FLUE Objective 16 emphasizes the need for new developments to preserve, protect, and enhance existing neighborhoods and communities. Policy 16.1 restricts incompatible land uses through mechanisms such as locational criteria for non-residential uses and limiting development in residential land use categories to neighborhood scale. This Policy also requires buffer areas between unlike land uses. Policy 16.5 addresses the restriction of higher intensity non-residential land uses adjacent to established neighborhoods, to collectors and arterials, and to locations external to established and developing neighborhoods. The subject site is situated directly adjacent to single-family residential uses, and is located on West State Road 60, an arterial roadway. Objective 17 of the FLUE allows for certain non-residential land uses to be located and designed in a manner that is compatible to the surrounding residential development pattern. The proposed rezoning reflects a development pattern that is consistent with the surrounding area.

FLUE Objective 22 establishes Commercial Locational Criteria (CLC) for neighborhood serving commercial uses. Policy 22.1 states that non-residential uses provide a means to ensure appropriate neighborhood serving commercial development be consistent with the

surrounding residential character. It also emphasizes the need for a maximum square footage for each proposed neighborhood serving commercial intersection node to ensure that the scale of neighborhood serving commercial development, defined as convenience, neighborhood, and general types of commercial uses, is consistent with the surrounding residential uses. Policy 22.2 asserts that the maximum amount of neighborhood serving commercial uses permitted in an area shall be consistent with the locational criteria outlined in the table and diagram located in the FLUE. Policy 22.7 states that neighborhood commercial activities that serve the daily needs of residents in areas designated for residential development must be compatible with surrounding existing development. The proposed rezoning is consistent with this policy direction. The subject site is in the RES-1 FLU category and it does not meet locational criteria. It is located nearly 1900 feet from the nearest qualifying intersection node of West State Road 60 and Mud Lake Road and therefore does not meet Commercial Locational Criteria (CLC). Therefore, per FLUE Policy 22.8, the applicant is required to submit a waiver request.

The applicant submitted a waiver request into Optix on July 28, 2023. The applicant states that the proposed use is neighborhood-serving. FLUE Objective 30 states that the county will recognize the continued existence of agricultural activities as beneficial and will encourage and expand agricultural activities in coordination with appropriate entities. Policy 30.5 argues that agricultural related commercial activities uses may be more intensive than traditional neighborhood serving commercial uses. Thus, proposed uses may be considered in the rural area as long as they meet applicable policies of the comprehensive plan. Agricultural related commercial uses within the rural area are not subject to the locational criteria for neighborhood serving commercial uses. Therefore, a CLC waiver request was not needed. Planning Commission staff's main concern with the proposed rezoning was compatibility as it may be too intense to be adjacent to existing single-family residential uses. However, after various discussions with County staff, the applicant submitted a Conditions of Approval (COA) into Optix on September 1, 2023, in which the applicant agreed to limited hours of operation. The proposed site would be open Monday thru Friday from 8 am to 5 pm, and on Saturdays from 8 am to 12 pm. The business will be closed on Sundays. The applicant also agreed to restrict the proposed use to solely "sales, rental and service of new or used farm, garden and turf equipment". Planning Commission staff believes that the applicant has sufficiently addressed our concerns.

Overall, the proposed rezoning would allow for development that is consistent with the Goals, Objectives, and Policies of the Unincorporated Hillsborough County Comprehensive Plan.

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE RZ 23-0552

Rezonings

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

Tampa Service

Urban Service

Shoreline

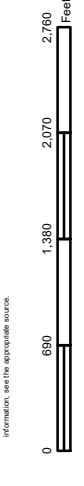
County Boundary

Jurisdiction Boundary

Roads

Parcels

- AGRICULTURAL MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.25 FAR)
- AGRICULTURAL ESTATE-1/2.5 (.25 FAR)
- RESIDENTIAL-1 (.25 FAR)
- RESIDENTIAL-2 (.25 FAR)
- RESIDENTIAL PLANNED-2 (.35 FAR)
- RESIDENTIAL-4 (.25 FAR)
- RESIDENTIAL-6 (.25 FAR)
- RESIDENTIAL-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)
- OFFICE COMMERCIAL-20 (.75 FAR)
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.60 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.75 FAR)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE



DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The information shown on this map is for informational purposes only. It is not intended to be used as a basis for any legal action or to be used for any other purpose. The accuracy of the information shown on this map is not guaranteed by the Hillsborough County City/County Planning Commission. This map is for illustrative purposes only. For the most current data and information, visit the appropriate website.

Map Printed from Re zoning System: 6/7/2023
 Author: Beverly F. Daniels
 File: G:\Re zoning\System\Map\Projects\HIC\Reg_Ln\Re zoning - Copy.mxd

