

Rezoning Application: RZ STD 24-0862
Zoning Hearing Master Date: 08/19/2024
BOCC Land Use Meeting Date: 10/08/2024

1.0 APPLICATION SUMMARY

Applicant: Todd Pressman
FLU Category: SMU-6
Service Area: Urban
Site Acreage: 1.06 acres +/-
Community Plan Area: Seffner Mango
Overlay: None
Special District: None
Request: Rezone from CG to CI-R



Introduction Summary:

The applicant is requesting to rezone a portion of property from CG (Commercial, General) to CI (Commercial, Intensive) with restrictions. The proposed restriction is to limit the allowable use to open storage of domestic vehicles in conjunction with a towing company. The property is currently split zoned, with the approximate 130' to the rear being zoned AS-1. The proposal is to rezone the front +/- 1.06 acres to CI-R, leaving northern half of the parcel zoned AS-1 and CG. The proposed CI-R zoned area will align with the dimensions of the two abutting eastern lots and their platted lots.

Zoning:	Existing	Proposed
District(s)	CG	CI-R
Typical General Use(s)	General Commercial, Office and Personal Services	Intensive Commercial, Office and Personal Services
Acreage	1.06 +/-	1.06 +/-
Density/Intensity	0.27 FAR	0.30 FAR
Mathematical Maximum*	12,466.9 square feet	13,851.2 square feet

*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	CG	CI-R
Lot Size / Lot Width	10,000 sf / 75'	20,000 sf / 100'
Setbacks/Buffering and Screening	30' Front (South) 0' Sides 0' Rear	30' Front (South) 0' Sides 0' Rear
Height	50'	50'

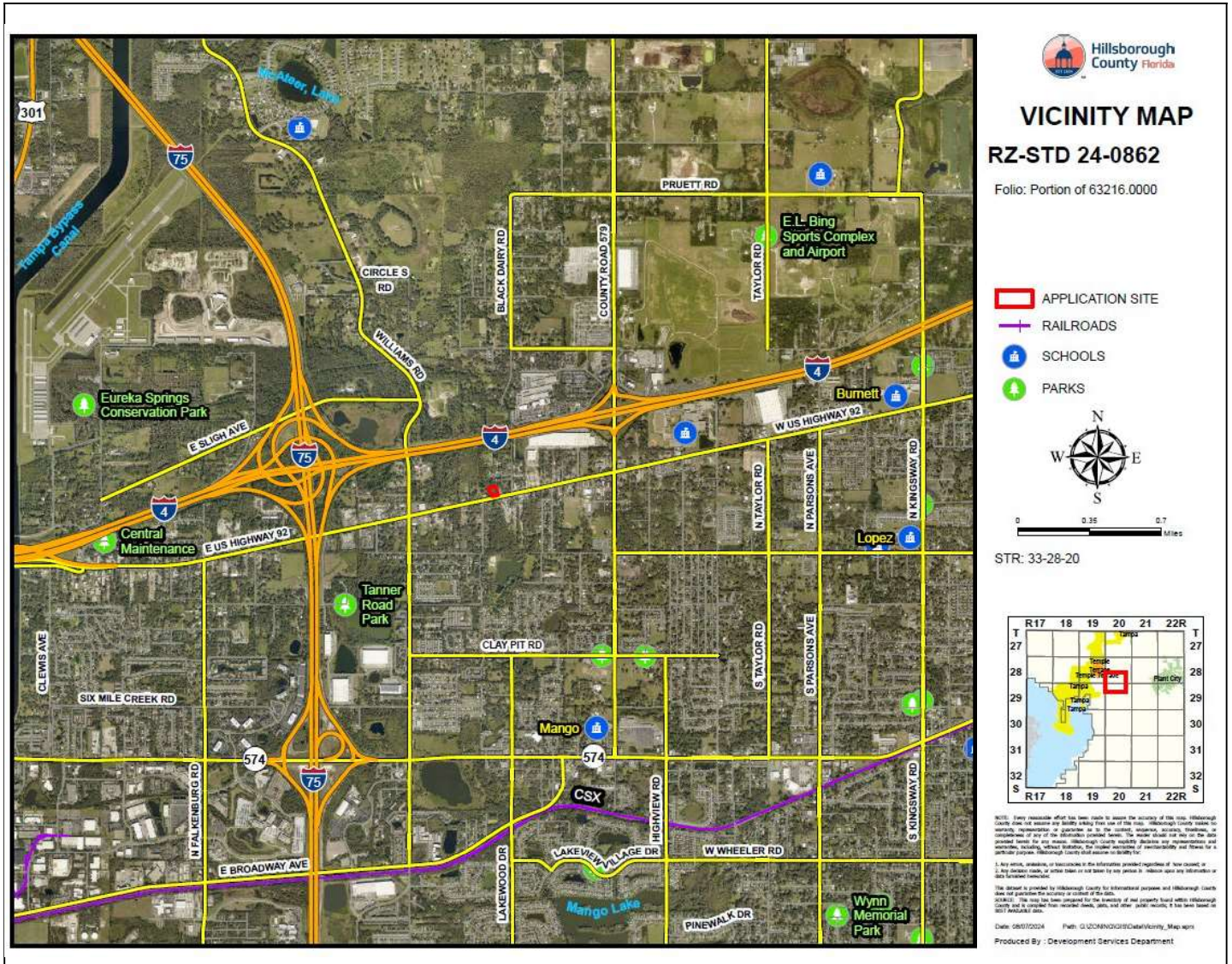
Additional Information:

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

Planning Commission Recommendation: Consistent	Development Services Recommendation: Not supportable
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

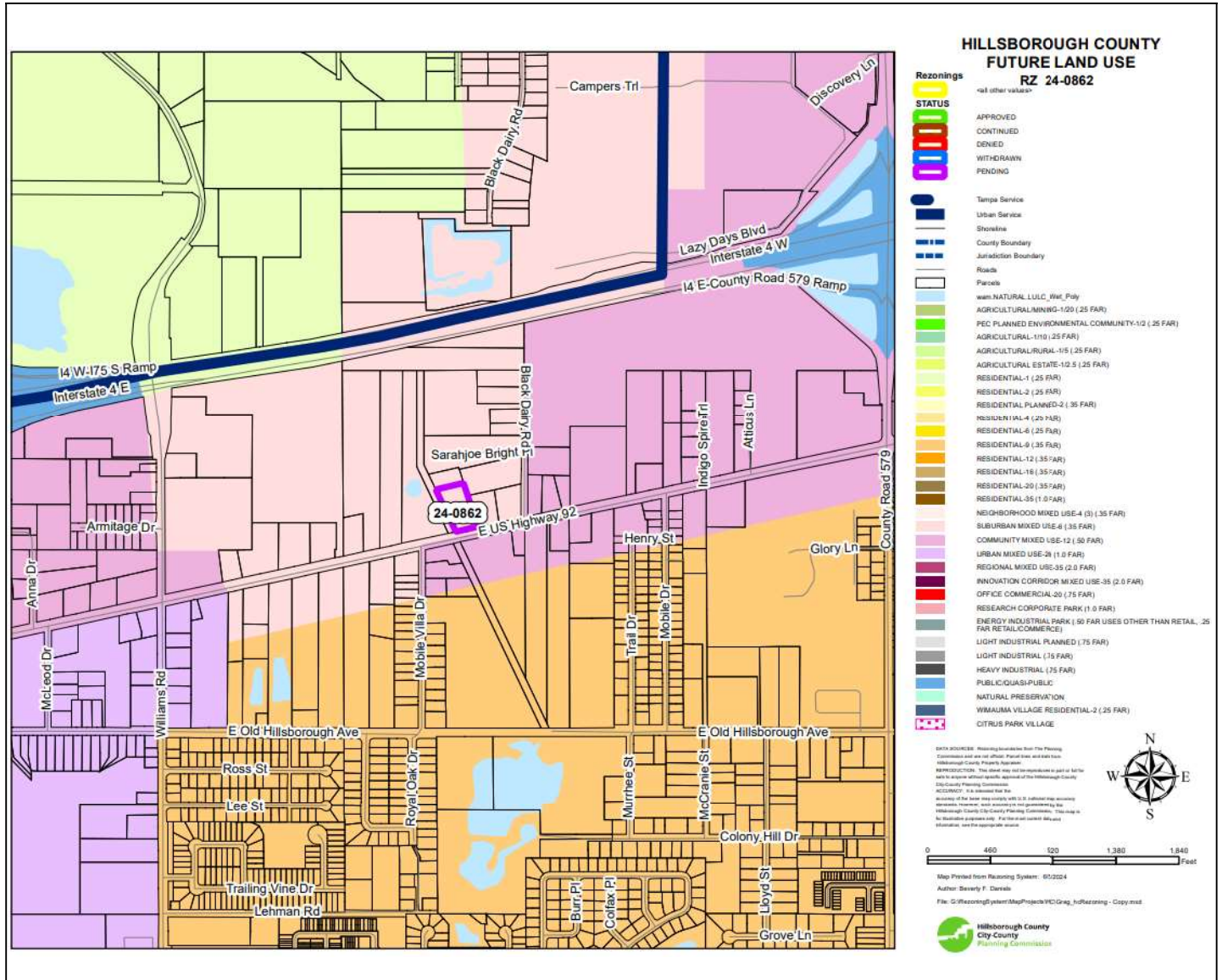


Context of Surrounding Area:

The property is located in Seffner, just west of County Line Road 579 and along US Highway 92. The property is located along a commercial corridor with various general and intensive commercial uses. Off the main roads are residential developments of various zoning districts. Further to the north and west of the site are larger properties with agricultural zoning districts.

2.0 LAND USE MAP SET AND SUMMARY DATA

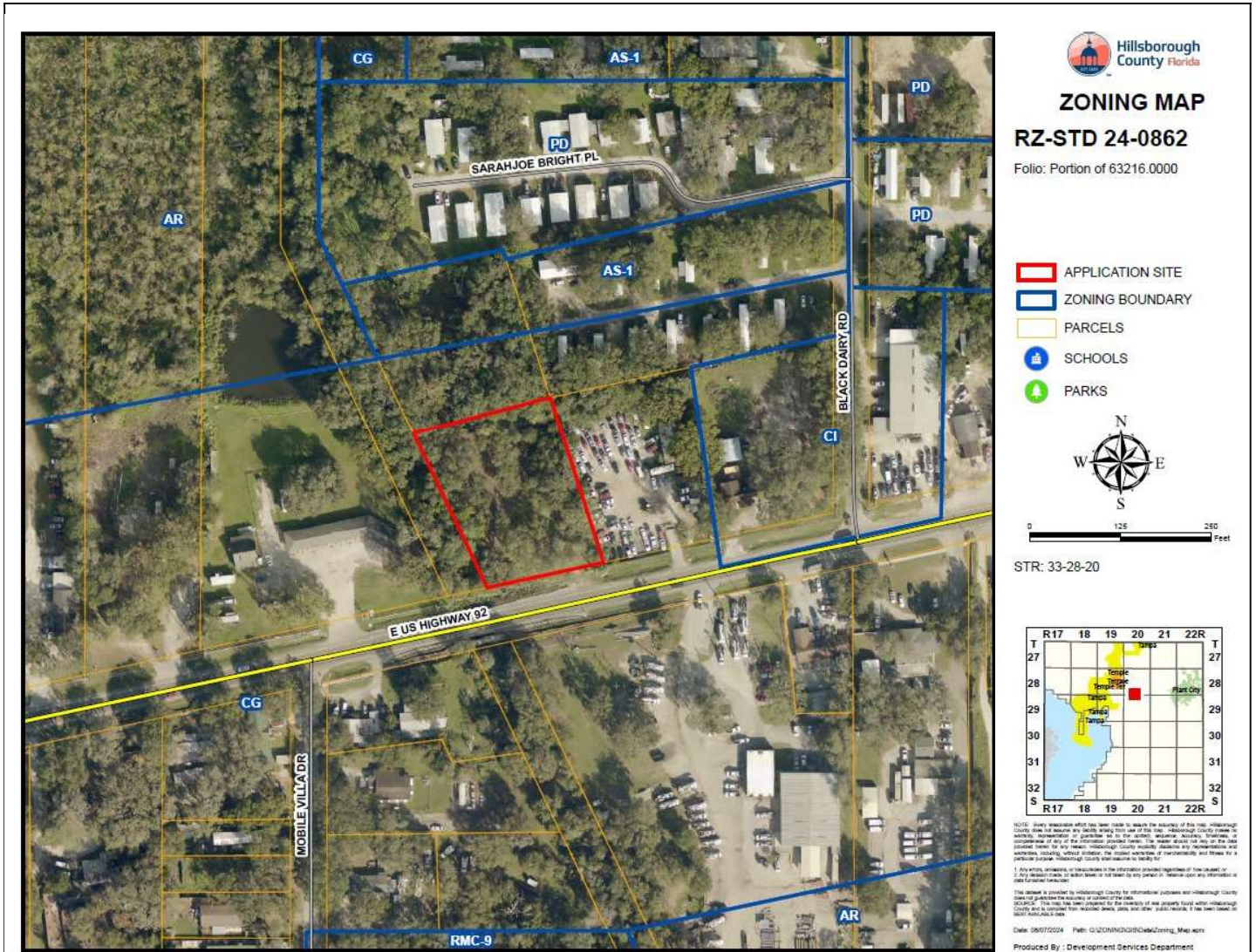
2.2 Future Land Use Map



Future Land Use Category:	SMU-6 (Suburban Mixed Use-6)
Maximum Density/F.A.R.:	6 DU/GA 0.25 FAR: suburban scale neighborhood commercial 0.35 FAR: office uses, research corporate park uses, multipurpose, and mixed uses 0.5 FAR: light industrial uses
Typical Uses:	Residential, suburban commercial, offices, research parks, light industrial, multi-purpose, clustered residential, mixed-use

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	CG	0.27 FAR	General Commercial	Vacant
South	CG	0.27 FAR	General Commercial	Warehousing
East	CG	0.27 FAR	General Commercial	Vehicle Salvage/Storage
West	CG	0.27 FAR	General Commercial	Public Lands

2.0 LAND USE MAP SET AND SUMMARY DATA

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

N/A

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
E. US Highway 92	FDOT Arterial - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other (TBD)

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	4,694	452	464
Proposed	34	2	3
Difference (+/-)	-4,660	-450	-461

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

Connectivity and Cross Access <input checked="" type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input checked="" type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	See full report.
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input 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"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See agency report.

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The applicant is proposing to rezone a portion of the property located along US Hwy 92 in Seffner. Approximately 1.06 acres of the total 2.03-acre lot is requested to be rezoned from CG to CI-R. The parcel is currently split zoned CG and AS-1, but the AS-1 area will not be rezoned in this proposal. The proposed restriction is to limit the allowable use to the depositing and open storage of domestic vehicles in conjunction with a towing company. The parcel is currently classified as vacant, but aerials show the land may be in use, as the land was recently cleared.

The property is located along a commercial strip of US Hwy 92. The surrounding zoning districts are mainly CG and CI, occupied by various commercial uses. Neighboring the project to the west is a CG zoned parcel currently occupied by a vehicle salvage use, and further west a CI zoned property with an open storage use. To the east is a small strip of vacant public lands, and then a motel zoned CG. Along US Hwy 92 are several CI zoned properties or PD's allowing commercial intensive uses.

To the rear of the full parcel are mobile home residential properties zoned AS-1 and PD 82-0436. The portion of the parcel being rezoned to CI-R will not directly neighbor these residential dwellings. The area abutting the residential properties will remain AS-1 and CG zoned, and the proposed open storage use will not be permitted in that area.

Transportation staff has objections to the rezoning request, in part due to comments received from FDOT regarding the property's anticipated access to US Hwy 92. County staff notes additional information is necessary to determine if the proposal can be supported, which the applicant did not provide. See transportation staff's report for their rational for objection.


5.2 Recommendation

Staff finds the rezoning request **not supportable**.

6.0 PROPOSED CONDITIONS

The applicant is proposing the following condition:

1. The use shall be limited to the depositing and open storage of domestic vehicles in conjunction with a towing company. The only exception shall be commercial vehicles parked, stored, and used on the site by the operating towing company.

<p>Zoning Administrator Sign Off:</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

Not applicable.

8.0 PROPOSED SITE PLAN (FULL)

Not applicable.

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 08/09/2024

REVIEWER: Sarah Rose, Senior Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: SM/Central

PETITION NO: RZ 24-0862

This agency has no comments.

This agency has no objection.

This agency has no objection, subject to the listed or attached conditions.

This agency objects for the reasons set forth below.

RATIONAL FOR OBJECTION

1. On August 6th, 2024, the applicant met with Florida Department of Transportation (FDOT) staff and County staff to discuss the applicants proposed use in this application and access to a state-maintained roadway. FDOT staff had several questions, comments, and concerns. Specifically, FDOT staff mentioned that:
 - a. The FDOT driveway spacing requirement for this section of the roadway on US HWY 92 is 440 feet between connections. The project cannot meet minimum spacing standards (staff notes the existing access is located +/-14 feet from the next closest driveway to the east) and any driveway connection would be considered non-confirming. As such, such connection would be considered temporary, and the project would be required to take access from the adjacent property (i.e. to the east) which would require certain stub outs to accommodate this future access configuration.
 - b. FDOT staff has expressed safety and operational concerns regarding the ability of the larger tow truck or car carrier to enter or exit the parcel and requested a conceptual site plan and an AutoTurn analysis. This information was requested to demonstrate that this site has the ability to accommodate the drop-off and pick up of vehicles wholly within the site (staff notes other similar uses in the county have created issues by loading and unloading inventory in adjacent rights of way) and to ensure that the larger vehicles are able to turn around within the site (i.e. without backing out into US Hwy 92).
 - c. FDOT staff expressed concerns about the proximity of the commercial driveway to the existing guard rail and the limited frontage available, both of which may impact the applicant's ability to meet geometric and other requirements for the intended use.
2. County staff has not provided any information to FDOT in order to address these concerns as of the time of the filing of this report. During the above referenced meeting County staff offered to assist the applicant in crafting restrictions which could address some or all of the concerns raised by FDOT staff. The applicant did not take staff up on the offer.

3. County staff notes that the applicant is proposing to rezone to a single use, which FDOT has expressed the above concerns about, which might affect their ability to permit access. Approval of this application could lead to a situation where FDOT is compelled to permit substandard, unsafe or otherwise unacceptable access due to this zoning action removing all other existing permitted uses, some of which would not generate large truck traffic, or otherwise be placed in a position that could result in a regulatory taking.
4. County staff inquired why the applicant was eliminating existing uses approved under the current zoning, such as a Kennel, Gunsmith, Adult Care Center, Barber or Beauty Shop, or Family Support Services, to name a few, which may not be objectionable to FDOT since these uses do not typically involve large truck traffic. The applicant said they would look into the issue with their client but has not offered any explanations/alternatives.
5. Staff notes that regardless of the project's reduction in the maximum trip generation potential of the subject site, trip generation is only one facet, of what constitutes the ability to provide safe access. Given FDOT's request for additional information and expressed concerns, and the applicant's failure to proffer any restrictions which could address FDOT comments, staff has no alternative but to object to the proposed zoning. Staff remains hopeful that if the case is continued, the record can be supplemented with additional information requested by FDOT and/or proposed restriction which would allow staff to support this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a portion of the existing parcel in the amount of +/- 1.07 acres from Commercial General (CG) to Commercial Intensive – Restricted (CI-R). The proposed restriction would allow for open vehicle storage and associated towing operations. The site is located on the north side of E. US Highway 92 and approximately +/- 352 feet west of the intersection of Black Diary Road and E US Highway 92. The Future Land Use designation of the site is Suburban Mixed Use-6 (SMU-6).

County staff notes that based on recent aerial and other photography it appears the site may be in use and/or land was recently cleared. See below photos. Staff searched county records and could not find any evidence that these activities were permitted. Staff notes that even if this use is ultimately approved, the site will be required to be permitted through the site/construction review process to address Land Development Code requirements (LDC) including but not limited to the paving of parking and drive isles, required sidewalks, etc.



Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 11th Edition.

Since ITE does not provide rates for open storage uses, a methodology was developed to allow estimation of trip impacts associated with such use. Specifically, the acreage of the portion of the site dedicated to these uses was multiplied by the maximum allowable floor-area-ratio for the underlying future land use of the site in order to calculate a square-footage value which could then be analyzed as mini-storage uses, which staff believes is the closest analog use currently available from ITE for the proposed use.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CG, Fast Food with Drive Thru (ITE Code 934) 8,000sqft	3,740	357	264
CG, Bank with Drive Thru (ITE Code 912) 9,524sqft	954	95	200
Total	4,694	452	464

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CI-R, Open Storage of Vehicles (ITE Code 151) 23,288sqft	34	2	3

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	- 4,660	-450	-461

Transportation Infrastructure Serving the Site

The site has frontage on E. US Highway 92. E. US Highway 92 is a 2-lane, undivided, FDOT maintained, Urban Arterial roadway. The roadway is characterized by +/- 11 ft wide travel lanes, no bike lanes on either side within the vicinity of the proposed project, and +/- 5 ft wide sidewalk on the south side of the roadway, within +/- 80 ft of the right of way.

Pursuant to the Hillsborough County corridor preservation plan E. US Highway 92 is designated for a future six lane enhancement.

SITE ACCESS

It is anticipated that the site will have access to US 92. As noted in the “Rationale for Objection” section hereinabove, FDOT staff indicated additional information was necessary to review site access; however, the applicant did not provide any additional information or propose any restrictions that might assuage FDOT’s concerns. While many Euclidean zonings are for sites with sufficient frontage and/or can otherwise meet applicable access and other requirements, some sites (such as the subject site) require additional review and discussion in order to determine whether the proposed intensity and/or use(s) are supportable and can be permitted at the time of site/construction plan review.

Staff notes it is unadvisable to approve a zoning which permits only one use on a site which cannot provide a conforming access, and where the applicant has not provided additional information or restrictions to otherwise address the issue, and which may not be able to accommodate large vehicles which are a central feature of similar uses (and where the applicant hasn’t proposed restrictions regarding same).

Without the additional information, FDOT staff was unable to complete its conceptual review and cannot definitively state that the only use the applicant is proposing would be supported.

Roadway Level of service (LOS) INFORMATION

E. US Highway 92 roadway level of service is for information purposes only.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr. Directional LOS
E. US Highway 92	Williams Road	Pine Street	D	C

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



**Hillsborough County
City-County
Planning Commission**

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

Unincorporated Hillsborough County Rezoning Consistency Review	
Hearing Date: August 19, 2024 Report Prepared: August 8, 2024	Case Number: RZ 24-0862 Folio(s): 63216.0000 General Location: North of East US Highway 92, west of Black Dairy Road, south of Interstate 4, and east of Williams Road.
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Suburban Mixed Use-6 (6 du/ga; 0.25/0.35/0.50 FAR)
Service Area	Urban
Community Plan(s)	Seffner Mango
Rezoning Request	Rezone a portion of the parcel from Commercial, General (CG) to Commercial, Intensive - Restricted (CI-R) for vehicle open storage in conjunction with a towing company.
Parcel Size	+/- 2.03 acres (partial rezoning of +/- 1.06 acres)
Street Functional Classification	Black Dairy Road – Local US Highway 92 – State Principal Arterial Interstate 4 – State Principal Arterial
Commercial Locational Criteria	Not applicable

Evacuation Area	Zone C
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Table 1: COMPARISON OF SURROUNDING PROPERTIES			
Vicinity	Future Land Use Designation	Zoning	Existing Land Use
Subject Property	Suburban Mixed Use-6	AS-1 + CG	Vacant
North	Suburban Mixed Use-6	PD	Mobile Home Park
South	Community Mixed Use-12	CG	Light Industrial + Public / Quasi-Public / Institutions
East	Community Mixed Use-12 + Suburban Mixed Use-6	CG	Heavy Commercial + Mobile Home Park
West	Suburban Mixed Use-6	CG	Public / Quasi-Public / Institutions + Light Commercial

Staff Analysis of Goals, Objectives and Policies:

The 1.06 ± acre subject site is located east of Williams Road, west of Black Dairy Road, south of Interstate 4, and north of East US Highway 92. The site is located within the Urban Service Area (USA) and is located within the limits of the Seffner Mango Community Plan.

The applicant is requesting to rezone from Commercial, General (CG) to Commercial, Intensive Restrictive (CI) with a use restriction for vehicle open storage in conjunction with a towing company. The entire parcel (63216.0000) is approximately 2.03 acres; however, the applicant is proposing to rezone only a portion of the parcel, approximately 1.06 acres. The subject property has multiple zoning designations and follows the general zoning pattern of the area. The smaller zoning district in the northern portion of the lot is zoned AS-1 and the southern and larger portion of the lot is zoned CG. The applicant is requesting to rezone a portion of the CG zoning district within the subject site to CI and requesting that the AS-1 portion, and a small portion of the existing CG zoning district to remain. Ultimately, the applicant is proposing one parcel to have three different zoning districts to be located on the subject site.



Adjacent to the subject site's northeastern boundary is a parcel (63218.1000) that has two zoning districts. On the northern portion of this parcel is AS-1 and the southern portion is CG, however, the entire parcel has a current use of a mobile home park. The applicant has proposed the CI rezoning area to not be adjacent to the residential uses to the east and by doing this, it maintains the existing CI zoning pattern to the east. The zoning restriction that is a part of this request is only applicable to the area being rezoned to CI and the areas with CG and AS-1 will have full entitlements that their respective zoning districts would allow.

The subject site is not required to meet Commercial Locational Criteria (CLC) in accordance with Objective 22 of the FLUE. Typical uses within the Suburban Mixed Use-6 category are residential, suburban scale neighborhood commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed-use projects at appropriate locations. Neighborhood Commercial uses shall meet locational criteria or be part of larger mixed use planned development. Office uses are not subject to locational criteria. The applicant is proposing industrial related uses which are not subject to CLC requirements.

The site has a Future Land Use designation of Suburban Mixed Use-6 (SMU-6), which allows for consideration of up to 6.0 dwelling units per gross acre and a maximum Floor Area Ratio (FAR) of 0.25. The SMU-6 Future Land Use is intended to designate areas that are suitable for residential, suburban scale neighborhood commercial, office uses, research corporate park uses, light industrial multi-purpose and clustered residential and/or mixed-use projects at appropriate locations. In addition, neighborhood commercial uses shall meet locational criteria or be part of larger mixed use planned development. Office uses are not subject to locational criteria.

The subject site is in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. This request maintains the neighborhood compatibility by not proposing any CI uses that are adjacent to residential uses and continues the existing historical pattern of the CI zoning districts that are nearby. Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that "Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development."

The Comprehensive Plan requires that all development meet or exceed the land development regulations in Hillsborough County (FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2). However, at the time of uploading this report, Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request.

The proposed rezoning meets the intent of the Seffner Mango Community Plan. Per the Seffner Mango Community Plan, goal 3 is to direct commercial development to the US 92 and Martin Luther King Boulevard corridors with strategies to support that goal by supporting in-fill development and redevelopment within the Urban Service Area and supporting office and light industrial uses along US 92 and Martin Luther King Boulevard between I-75 and CR 579 (Mango Road).

Overall, staff finds that the proposed rezoning is consistent with the intent of the Urban Service Area and the existing development pattern found within the surrounding area and does support the vision of the Seffner Mango Community Plan. The proposed rezoning would allow for development that is consistent with the Goals, Objectives, and Policies in the Unincorporated Hillsborough County Comprehensive Plan. The request is compatible with the existing and planned development pattern found within the surrounding area.

Recommendation

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed major modification **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*, subject to the restrictions proposed by the Development Services Department.

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

FUTURE LAND USE ELEMENT

Urban Service Area

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

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

Land Use Categories

Objective 8: *The Future Land Use Map will include Land Use Categories which outline the maximum level of intensity or density and range of permitted land uses allowed and planned for an area. A table of the land use categories and description of each category can be found in Appendix A.*

Policy 8.1: *The character of each land use category is defined by building type, residential density, functional use, and the physical composition of the land. The integration of these factors sets the general atmosphere and character of each land use category. Each category has a range of potentially permissible uses which are not exhaustive, but are intended to be illustrative of the character of uses permitted within the land use designation. Not all of those potential uses are routinely acceptable anywhere within that land use category.*

Relationship to Land Development Regulations

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

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

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

Neighborhood/Community Development

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

Policy 16.1: *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;*
- 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.*

Objective 17: Neighborhood and Community Serving Uses – *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.*

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

LIVABLE COMMUNITIES ELEMENT: SEFFNER MANGO COMMUNITY PLAN

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

Strategies:

- Establish an overlay district along US 92 to enhance the appearance and value of properties as they develop and redevelop. The overlay district will address aspects of site development such as signage and landscaping, parking and parking lots, street design, the location and appearance of stormwater facilities, and building standards such as height, bulk, design and placement.
- Recognize the commercial character of US 92 and Martin Luther King Boulevard within the Urban Service Area.
- Restrict retail development along US 92 and Martin Luther King Boulevard outside the Urban Service Area to existing commercial zoning districts.
- Support Florida friendly landscaping and encourage native and drought tolerant plant materials.
- Require monument signs when free standing signs are desired, prohibit pole signs. Limit monument signs to a maximum height of fifteen feet (15') with a minimum ten foot (10') setback.
- Improve sidewalks, landscaping and signage and require all new development to provide sidewalks.
- Discourage further strip retail development along those portions of US 92 and Martin Luther King Boulevard that are in the Rural Service Area.
- Support in-fill development and redevelopment within the Urban Service Area.
- Encourage revitalization and redevelopment of older existing commercial areas and uses.
- Support office and light industrial uses along US 92 and Martin Luther King Boulevard between I-75 and CR 579 (Mango Road).
- Support office uses along Martin Luther King Boulevard between CR 579 (Mango Road) and Kingsway Road.
- Illegal non-conforming property that is rezoned for commercial or other nonresidential uses shall be brought into compliance with all applicable Land Development Code requirements and be consistent with Community Plan.
- Establish an overlay district along Martin Luther King Boulevard to establish design standards that will enhance the appearance and value of the development sites. The overlay district will address aspects of site development such as signage and landscaping, parking and parking lots, street design, the location and appearance of stormwater facilities, and building standards such as height, bulk, design and placement.

- Non-residential development at intersections south of US 92 and north of Martin Luther King Boulevard that meet locational criteria as established in the Hillsborough County Comprehensive Plan as of June 18, 2009, for consideration of commercial uses, shall be limited to office uses and child care and places of worship. Buildings shall be residential in appearance with pitched roofs. Metal buildings shall not be allowed.

