

Rezoning Application: RZ STD 24-1180**Zoning Hearing Master Date:** 01/14/2025**BOCC Land Use Meeting Date:** 03/11/2025**Hillsborough
County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Hartford LLC

FLU Category: R-6

Service Area: Urban

Site Acreage: 3.01 acres +/-

Community Plan Area: Greater Palm River

Overlay: None

Special District: None

Request: Rezone from ASC-1 to AS-1-R

**Introduction Summary:**

The applicant is requesting to rezone two parcels (folios 47350.0200 and 47349.0100) from ASC-1 (Agricultural, Single Family Conventional) to AS-1-R (Agricultural, Single Family with Restrictions). The request is to accommodate an existing sod installation company after Code Enforcement issued a zoning Notice of Violation (CE23010633). The proposed restrictions are in regard to existing structures in required buffer areas and transportation access concerns.

Zoning:	Existing	Proposed
District(s)	ASC-1	AS-1-R
Typical General Use(s)	Single-Family Residential/Agricultural	Single-Family Residential/Agricultural
Acreage	3.01 +/-	3.01 +/-
Density/Intensity	1 dwelling unit per acre / 0.25 FAR	1 dwelling unit per acre / 0.25 FAR
Mathematical Maximum*	3 dwelling units / 32,796 sq ft	3 dwelling units / 32,796 sq ft

*number represents a pre-development approximation

Development Standards:	Existing	Proposed	
District(s)	ASC-1	AS-1-R	
Lot Size / Lot Width	1 acre / 150'	1 acre / 150'	
Setbacks/Buffering and Screening	50' Front (Along Hartford St and S 78 th St) 15' Sides	<u>Landscaping Contractor's Nursery:</u> 50' Front (Along Hartford St. and S 78 th St) 20' Type B Buffer Sides (North, South, East) 15' Type B Side (West)	<u>Other AS-1 Uses:</u> 50' Front (Along Hartford St. and S 78 th St) 15' Sides
Height	50'	50'	

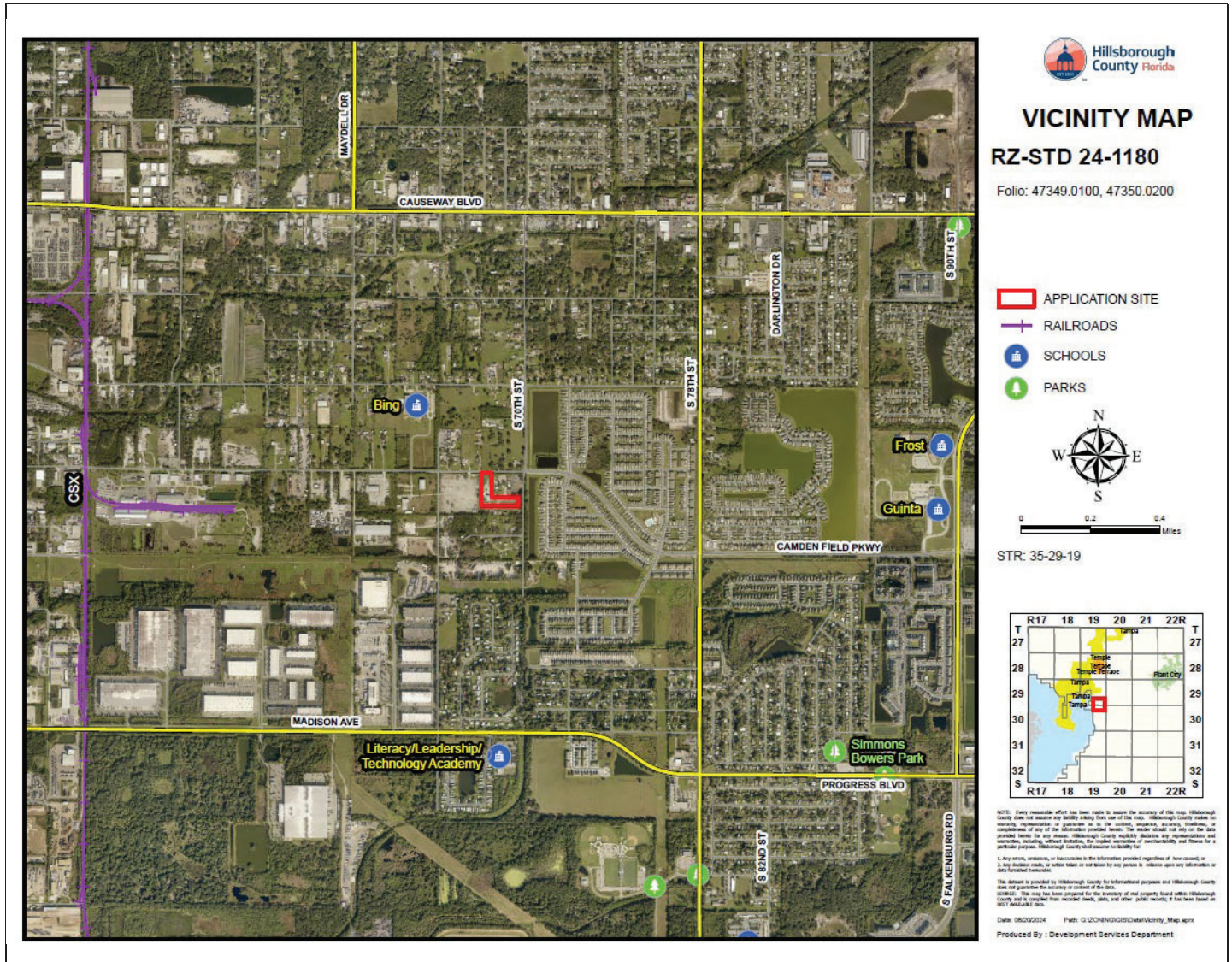
Additional Information

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:
Inconsistent**Development Services Recommendation:**
Approvable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

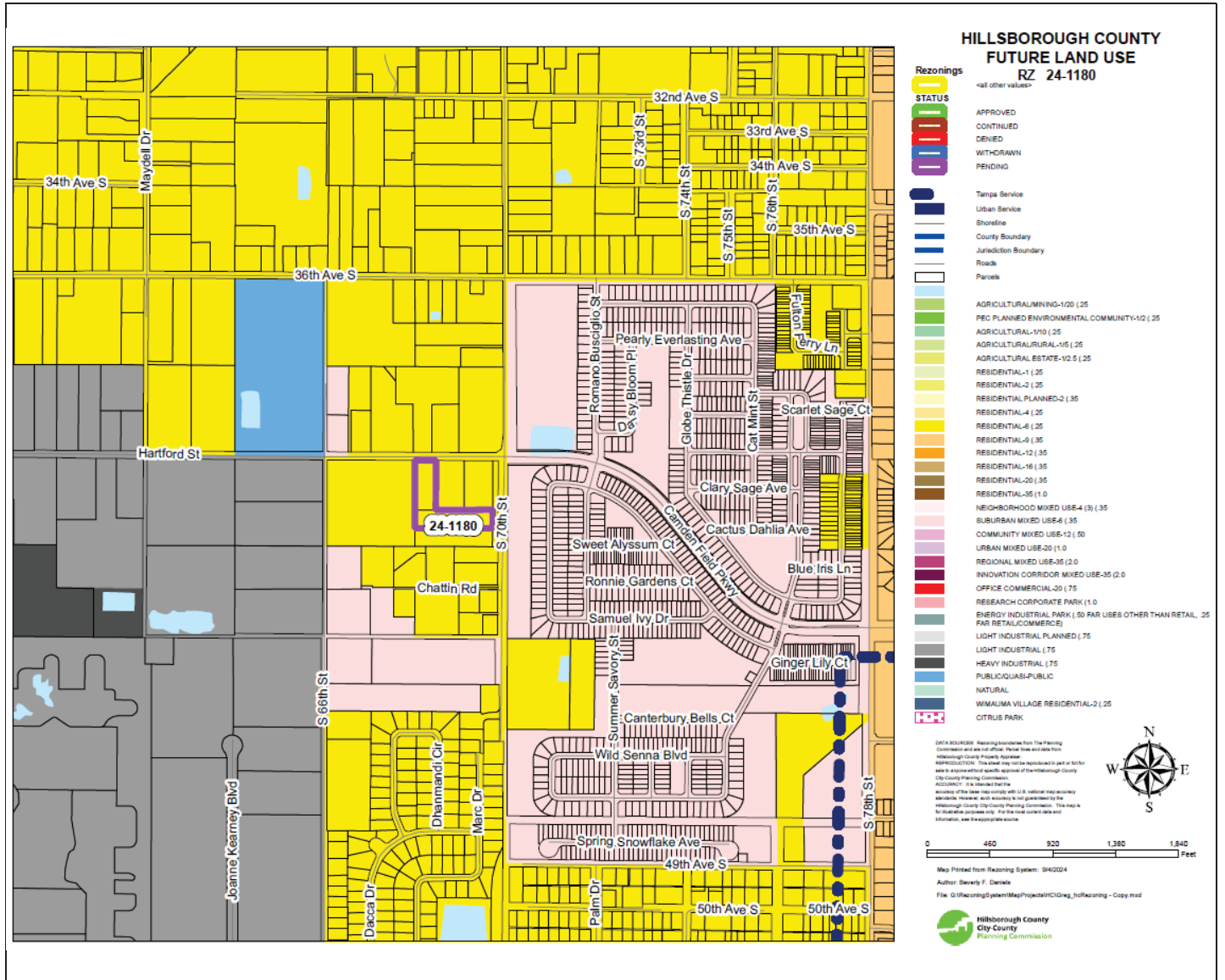


Context of Surrounding Area:

The parcel is located Greater Palm River Area, approximately two miles west of I-75, in a neighborhood with mixed uses, such as industrial, agricultural, and residential uses. To the west of the rezoning site is along Hartford St. is an industrial corridor. The rezoning site is located within a transition area between the industrial zone and the residential development to the east.

2.0 LAND USE MAP SET AND SUMMARY DATA

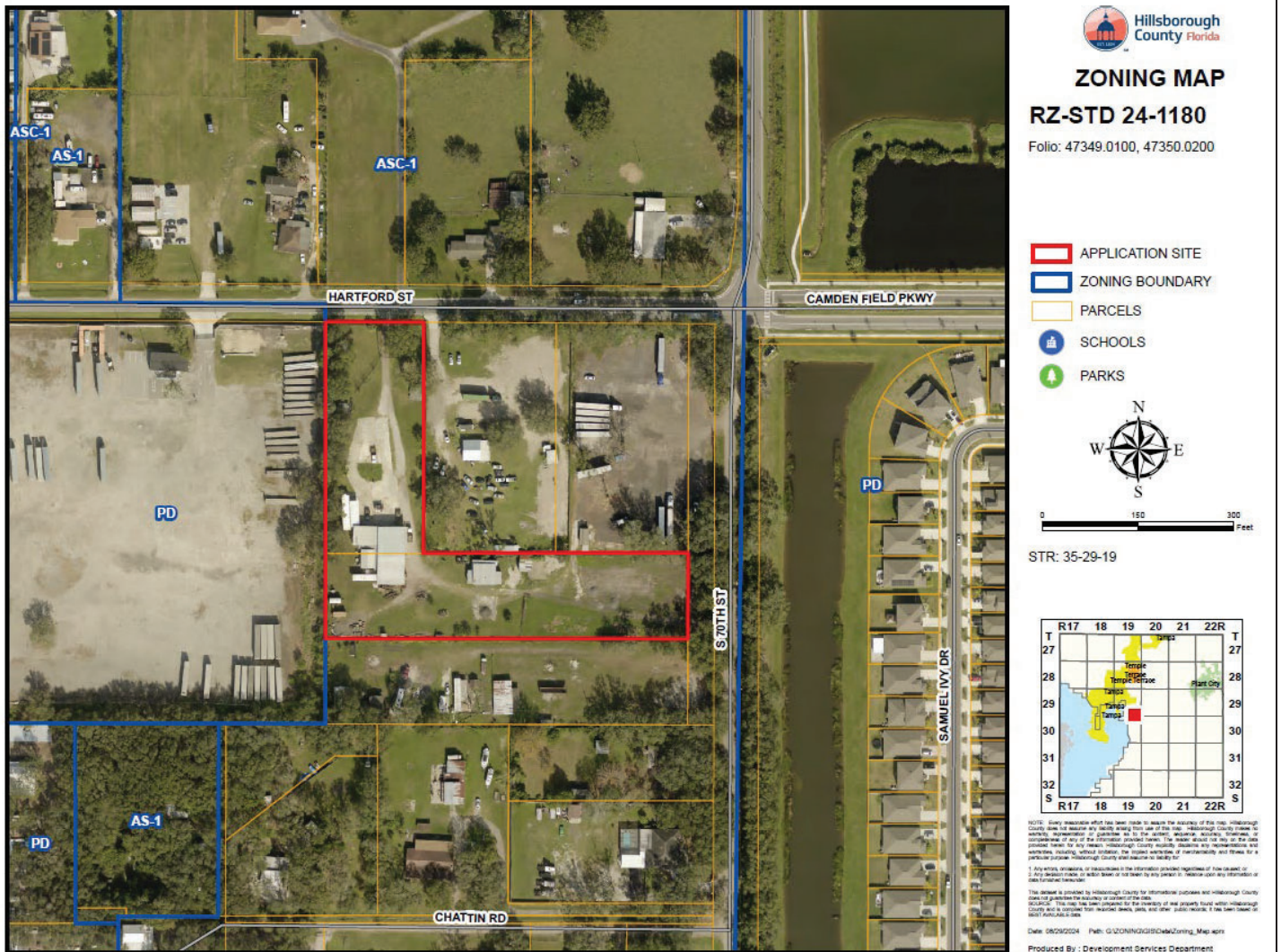
2.2 Future Land Use Map



Future Land Use Category:	R-6 (Residential-6)
Maximum Density/F.A.R.:	6 DU / GA or 0.25 FAR
Typical Uses:	Agricultural, residential, neighborhood commercial, office uses, multi-purpose projects and mixed-use development.

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	ASC-1	1 DU / GA or 0.25 FAR	Agricultural, Single-Family Residential	Single-Family Residence
South	ASC-1	1 DU / GA or 0.25 FAR	Agricultural, Single-Family Residential	Vacant (per Property Appraiser)
East	PD 05-1947 (PRS 22-1267)	4.7 DU / GA	Single-Family Residential	Stormwater Retention
	ASC-1	1 DU / GA or 0.25 FAR	Agricultural, Single-Family Residential	Vacant Parcels (per Property Appraiser)
West	PD 18-1055	0.27 FAR (Flex)	Construction Office with Open Storage, Manufacturing Uses	Equipment Storage

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
Hartford St	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other (TBD)
S 70th St.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other (TBD)

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	28	3	3
Proposed	324	55	64
Difference (+/-)	+296	+52	+61

*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 type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Service Area/ Water & Wastewater <input type="checkbox"/> Urban <input checked="" 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 checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The subject site is a total of 3.01 acres and consists of two parcel folios which are currently occupied by a sod installation company. The immediate vicinity is occupied by agricultural, residential, institutional, and industrial uses.

The property is accessed by Hartford St, a collector roadway. To the north of the site across Hartford St is a single-family residence zoned ASC-1. To the east of the site is a single-family residential development zoned PD 05-1947. A collector roadway, S 70th Street, and a stormwater retention pond buffer the use from the single-family residences. To the direct south is a property categorized as vacant by the Property Appraiser and zoned ASC-1. Two parcels zoned ASC-1 are adjacent the site to the north/east. It appears based on aerial photos both parcels were previously used for open storage, which is non-conforming use in ASC-1. In 2022 one of these parcels received a Notice of Violation from Code Enforcement for the open storage of tractor trailers (Case #CE22002693). Based on aerial photography from October 14th, 2024, and the Property Appraiser's records, each parcel is now vacant.

To the immediate west of the rezoning site is an approximate 9.31-acre parcel approved for manufacturing uses by PD 18-1055. The property is presently used as a tractor trailer leasing site.

After the rezoning, the site shall be subject to a Site Development Review and be required to meet the standards for Landscaping Contractor's Nurseries in LDC Section 6.11.109 for the sod installation company. The standards in LDC Section 6.11.109 are designed to address compatibility and limit the use's possible negative impact on adjacent agricultural districts. Some of these standards include: a minimum of 51% of the land area of the site must be devoted to the growth, and or/significant increase in value of plants; the retail sale of plants is prohibited; all trucks and equipment closer than 200 feet to a property boundary must be shielded from public view with hedges or trees; and the open storage and/or maintenance of vehicles on site shall be limited 20% of the entire site. The permitted open storage is restricted to equipment, materials, and other hardware utilized by the landscaping contractor.

The Landscaping Contractor's Nursery Use is also subject to the buffering and screening standards of a Group 5 use in LDC Section 6.05.06.A. Currently, it appears a metal accessory structure on the property occupies the required 20' buffer abutting an ASC-1 zoned property to the north. The applicant is proposing a restriction to comply with the required buffering/screening by moving the metal structure out of the required buffer and/or setback area following the rezoning.

The applicant is not restricting the district to only a Landscaping Contractor's Nursery use. Other allowable uses in AS-1, such as single-family residential or agriculture will be permitted, subject to AS-1 development standards, if the sod installation company ceases operation.

Transportation Review Staff has no objections to the rezoning request, subject to the proposed restriction which limits the permitted access point.

Due to the above considerations, staff finds the AS-1-R rezoning request compatible with the zoning districts, uses, and development pattern of the surrounding area.

5.2 Recommendation

Staff finds the request **approvable**, subject to the proposed restrictions.

6.0 PROPOSED CONDITIONS

The applicant is proposing the following restrictions:

1. Vehicular project access to Hartford St. shall be restricted to a maximum of one access connection. The access shall be designed as a Shared Access Facility with the adjacent folio # 47350.0300. The site/construction plan approval shall include design elements as determined by Hillsborough County and including but not limited to the recording of construction/access easements, to allow for the future construction of access from folio 47350.0300 to the Shared Access Facility if folio # 47350.0300 is rezoned and/or developed with non-residential or multi-family uses.
2. For a Landscape Contractor Nursery use, the accessory structures on the north property line of the lot identified as folio # 047349.0010 will be moved or removed in order to provide a 20 ft Type B buffer, if the adjacent parcel remains in the ASC-1 zoning district; and to comply with AS-1 side yard setback requirements for any use.

Zoning Administrator Sign Off:

J. Brian Grady

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: 01/05/2025

REVIEWER: Sarah Rose, Senior Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: GPR/Central

PETITION NO: RZ 24-1180

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This agency has no comments.

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This agency has no objection.

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

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This agency objects for the reasons set forth below.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone two parcels totaling +/- 3.03 acres from Agricultural Single Family Conventional (ASC-1) to Agricultural Single Family - 1 – Restricted (AS-1-R). The applicant is proposing to restrict the number of access points to Hartford St to one, which shall be designed as a shared access facility with the adjacent parcel to the east under Folio No. 47350.0300. The site is located +/- 750 feet east of the intersection of S. 66th Street and Hartford. The Future Land Use designation of the site is Residential-6 (R-6).

It is the applicant's stated intent that the subject site will be utilizing the use of a landscape contractor's nursery which is a conditional use permitted under the AS-1 zoning district as outlined in section 6.11.109 of the Land Development Code.

The site currently has an open violation with Code Enforcement for a variety of issues, including an accessory use without primary use and outside open storage. Staff notes that once the applicant has obtained the proper zoning designation, they will be required to come through the site/construction review process, during which they will be required to comply with sidewalk, substandard road and any other applicable requirements.

Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations,

utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
ASC-1, Single Family Detached (ITE Code 210) 3 Units	28	3	3

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AS-1, Landscape Contractor's Nursery (ITE Code 180) 32,997sqft	324	55	64

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+296	+52	+61

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Hartford St and S 70th St. Hartford St is a substandard 2-lane, undivided, County maintained, Rural Collector roadway. The roadway is characterized by +/- 10 ft wide travel lanes, no bike lanes or sidewalks on either side of the roadway in the vicinity of the proposed project, within +/- 60 ft of the right of way.

S 70th St is a substandard 2-lane, undivided, County maintained, Rural Collector roadway. The roadway is characterized by +/- 16 ft of pavement in average condition, no sidewalks or bike lanes on either side of the roadway in the vicinity of the proposed project, and within +/- 65 ft of the right of way.

SITE ACCESS

It is anticipated that the subject parcel under Folio No. 47349.0100 will take access to S 70th St. Under the proposed restriction, the subject parcel under Folio No. 47350.0200 will have a singular access to Hartford St. which shall be designed as a shared access facility with the adjacent parcel to the east under Folio No. 47350.0300.

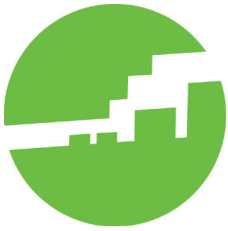
Generally, for projects with a Euclidean zoning designation, a project's potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough 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 are non-binding and will have no regulatory value at the time of plat/site/construction plan review.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Hartford St and S 70th St are not a regulated roadways and are not included in the 2020 Hillsborough County Level of Service (LOS) Report. As such, no LOS information for this roadway can be provided



**Hillsborough County
City-County
Planning Commission**

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

Unincorporated Hillsborough County Rezoning Consistency Review	
Hearing Date: January 14, 2025 Report Prepared: January 3, 2025	Case Number: RZ 24-1180 Folio(s): 47349.0100 & 47350.0200 General Location: South of Hartford Street and west of South 70 th Street
Comprehensive Plan Finding	INCONSISTENT
Adopted Future Land Use	Residential-6 (6 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan(s)	Greater Palm River
Rezoning Request	Rezoning from Agricultural Single Family Conventional (ASC-1) to Agricultural Single Family (AS-1) to allow a landscape contractor's nursery
Parcel Size	3.03 ± acres
Street Functional Classification	Hartford Street – County Collector South 70 th Street – County Collector
Commercial Locational Criteria	Does not meet; waiver request not submitted
Evacuation Area	D

Table 1: COMPARISON OF SURROUNDING PROPERTIES			
Vicinity	Future Land Use Designation	Zoning	Existing Land Use
Subject Property	Residential-6	ASC-1	Vacant Land
North	Residential-6	ASC-1 + AS-1 + PD + RSC-6	Single Family Residential + Vacant Land + Light Commercial
South	Residential-6 + Suburban Mixed Use-6	ASC-1 + PD + RSC-6	Vacant Land + Single Family Residential + Two Family Residential
East	Residential-6 + Suburban Mixed Use-6	ASC-1 + PD	Single Family Residential + Vacant Land + Public/Quasi-Public/Institutions
West	Residential-6 + Light Industrial + Heavy Industrial	PD + CI + M + AI	Heavy Industrial + Public/Quasi-Public/Institutions + Light Industrial

Staff Analysis of Goals, Objectives and Policies:

The 3.03 ± acre subject site is located south of Hartford Street and west of South 70th Street. The site is in the Urban Service Area and within the limits of the Greater Palm River Community Plan. The applicant is requesting a rezoning from Agricultural Single Family Conventional (ASC-1) to Agricultural Single Family (AS-1) to allow a landscape contractor's nursery.

The site is in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the County's growth is to be directed. Policy 1.4 requires all new development to be compatible with the surrounding area, noting that "compatibility does not mean "the same as" Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development." The site is currently vacant . Vacant land is also directly east and south as well as further north of the subject site. Light industrial, heavy industrial and public/quasi-public/institutional uses are to the west. Single-family uses extend to the south, north across Hartford Street and to the east across South 70th Street. In the list of proposed uses, which was uploaded into Optix on December 11, 2024, the applicant proposed open storage as an accessory use. The site would be subject to the conditional use requirement in Land Development Code (LDC) Section 6.11.109. This requires additional buffering/screening and operational standards to lessen the impact to the nearby residential properties. The purpose of the open storage is an accessory use to the landscaping contractor's nursery, but it would only allow open storage of vehicles, materials, etc. used for the landscaping business. Section 6.11.109 also requires the open

storage not take up more than 20% of the site. Commercial Intensive (CI) zoning district uses like open storage may not be considered in residential Future Land Use categories, as this category only allows for neighborhood serving commercial uses. Per the Definitions Section of the Comprehensive Plan, neighborhood serving commercial uses include those uses permitted by the Commercial Neighborhood (CN) and Commercial General (CG) zoning districts, not the uses permitted by Commercial Intensive (CI) zoning, which includes the use of open storage.

FLUE Objective 7, FLUE Objective 8 and each of their respective policies establish the Future Land Use Map (FLUM) as well as the allowable range of uses for each Future Land Use category. The character of each land use category is defined by building type, residential density, functional use and the physical composition of the land. The integration of these factors 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 within the land use designation. Appendix A contains a description of the character and intent permitted in each of the Future Land use categories. The site is in the Residential-6 (RES-6) Future Land Use category. The RES-6 Future Land Use category allows for the consideration of residential, suburban scale neighborhood commercial, office uses, multi-purpose projects and mixed use development. Non-residential uses are required to meet Commercial Locational Criteria. Because the applicant is requesting a rezoning to AS-1 with open storage in a residential Future Land Use category, the request is inconsistent with the uses expected in this category.

The Comprehensive Plan requires that all development meet or exceed the land development regulations in Hillsborough County (FLUE Objective 9, FLUE Policy 9.1 and FLUE Policy 9.2). 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 proposal does not meet the intent of FLUE Objective 16 and its accompanying policies 16.1, 16.2, 16.3, 16.5 and 16.10 that require new development to be compatible to the surrounding neighborhood. Goal 12 and Objective 12-1 of the Community Design Component (CDC) of the FLUE require new developments to recognize the existing community and be designed to relate to and be compatible with the predominant character of the surrounding area. In this case, the surrounding land use pattern is of mixed uses but comprised mostly of single-family residential uses. The proposed rezoning does not align with the character of the surrounding area and present compatibility concerns given the nature of the area, which is inconsistent with FLUE Objective 16 and its accompanying policies related to neighborhood protection. FLUE Policy 16.2 states that 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. There should be a gradual transition of intensities between the different land uses given the residential uses around the subject site. FLUE Policy 16.5 directs development of higher intensity non-residential land uses to be restricted to locations external to established and developing neighborhoods. The transition to AS-1 would cause development that is not compatible with the surrounding area and would be inconsistent with the aforementioned policy direction.

The subject site does not meet Commercial Locational Criteria (CLC). According to FLUE Policy 22.2, a site in the RES-6 Future Land Use category must be within 900 feet of a qualifying intersection that includes a two-lane roadway. The closest qualifying intersection to the subject site is Causeway Boulevard, a four-lane State Principal Arterial roadway and South 78th Street, a two-lane County Arterial roadway. The distance from the subject site and the closest qualifying intersection is roughly 7,000 feet as opposed to the required 900 feet, and therefore the site does not meet CLC. FLUE Policy 22.7 notes that meeting

Commercial Locational Criteria is not the only factor to be taken into consideration when granting approval for an application. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of affected 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 commercial use. Commercial Locational Criteria only designates locations that could be considered, and they in no way guarantee the approval of a particular non-residential use. The 900-foot measurement requirement demonstrates the scale of development expected for the Rural Area and the proposed rezoning would not be in scale with the area. In addition, per FLUE Policy 22.8, an applicant may submit a request to waive the CLC criteria. The applicant did not provide a CLC waiver for the proposed rezoning. This site is located approximately 7,000 feet away from the nearest major intersection with significant compatibility concerns, and therefore is inconsistent with FLUE Objective 22 and its accompanying policies.

The site is within the limits of the Greater Palm River Community Plan. Goal 5a of the Community Plan is about Planning and Growth to promote and provide for opportunities for compatible well designed public use, residential, and business growth and jobs. The eighth strategy under Goal 5a is to support well designed, compatible densities and intensities at appropriate locations. As previously mentioned above, Comprehensive Plan policy direction emphasizes that there should be a gradual transition of intensities between the different land uses given the residential uses around the subject site. Rezoning the subject site would cause development that does not align with the strategy as there are residential developments to the north, south and east.

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

Recommendation

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

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

FUTURE LAND USE ELEMENT

Urban Service Area

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

Policy 1.4: Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility

include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

Land Use Categories

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

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

Relationship to Land Development Regulations

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

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

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

Neighborhood/Community Development

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

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

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

- a) the creation of like uses; or
- b) creation of complementary uses; or

- c) mitigation of adverse impacts; and
- d) transportation/pedestrian connections

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

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

Community Design Component (CDC)

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

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

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

7.0 SITE DESIGN

7.1 DEVELOPMENT PATTERN

GOAL 17: Develop commercial areas in a manner which enhances the County's character and ambiance.

OBJECTIVE 17-1: Facilitate patterns of site development that appear purposeful and organized.

Policy 17-1.4: Affect the design of new commercial structures to provide an organized and purposeful character for the whole commercial environment.

LIVABLE COMMUNITIES ELEMENT: GREATER PALM RIVER COMMUNITY PLAN

Planning and Growth/Economic Development

Goal 5a: Planning and Growth – to promote and provide for opportunities for compatible well designed public use, residential, and business growth and jobs

Strategies

8. Support well designed, compatible densities and intensities at appropriate locations.

