

# Rezoning Application: RZ-STD 23-0729

Zoning Hearing Master Date: October 16, 2023

BOCC Land Use Meeting Date: December 12, 2023



**Hillsborough  
County Florida**

Development Services Department

## 1.0 APPLICATION SUMMARY

Applicant:	Danays Acosta Benitez, Dynasty Pools and Spas	
FLU Category:	LI	
Service Area:	Urban	
Site Acreage:	0.94585	
Community Plan Area:	Town N' Country	
Overlay:	None	

### Introduction Summary:

The applicant of the property at 5822 Barry Road would like to rezone it from AI to M with proposed retractions to limit the uses and square footage to Contractor's Office with Open Storage, Accessory Customer Display/Showroom, and maximum allowable 20,000 gross square footage.

Zoning:	Existing	Proposed
District(s)	AI	M-R
Typical General Use(s)	Agricultural Industrial	Manufacturing
Acreage	0.94585	0.94585
Density/Intensity	N/A DU per GA/ FAR: NA	NA DU per GA /FAR: 0.75
Mathematical Maximum*	N/A DU/ FAR: NA	NA DU / FAR: 0.71

\*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	AI	M
Lot Size / Lot Width	43,560 SqFt /150'	20,000 SqFt / 100'
Setbacks/Buffering and Screening	<ul style="list-style-type: none"> <li>North: 50'</li> <li>East: 15'</li> <li>West: 15'</li> <li>South: 50'</li> <li>Buffering: 30'/C abutting zoning district M</li> </ul>	<ul style="list-style-type: none"> <li>Front: 30'</li> <li>Sides: LDCSec. 6.01.01 Endnote 10 &amp; 11</li> <li>Rear: LDCSec. 6.01.01 Endnote 10 &amp; 11</li> <li>Buffering: South: 30'/C East abutting AI: 30'/C</li> </ul>
Height	50'	110'

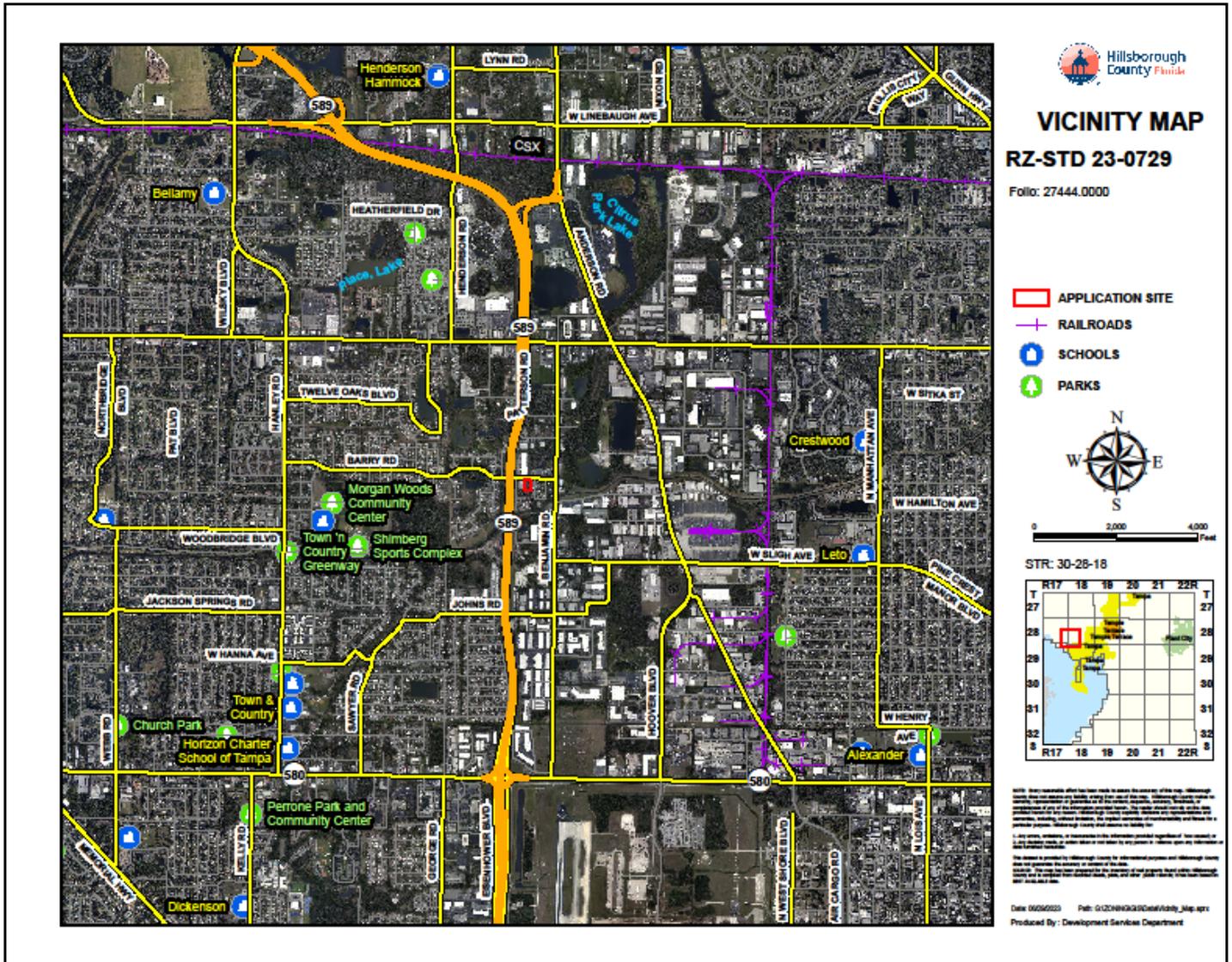
### Additional Information:

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

<b>Planning Commission Recommendation:</b> Consistent	<b>Development Services Recommendation:</b> Approvable with restrictions
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## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map

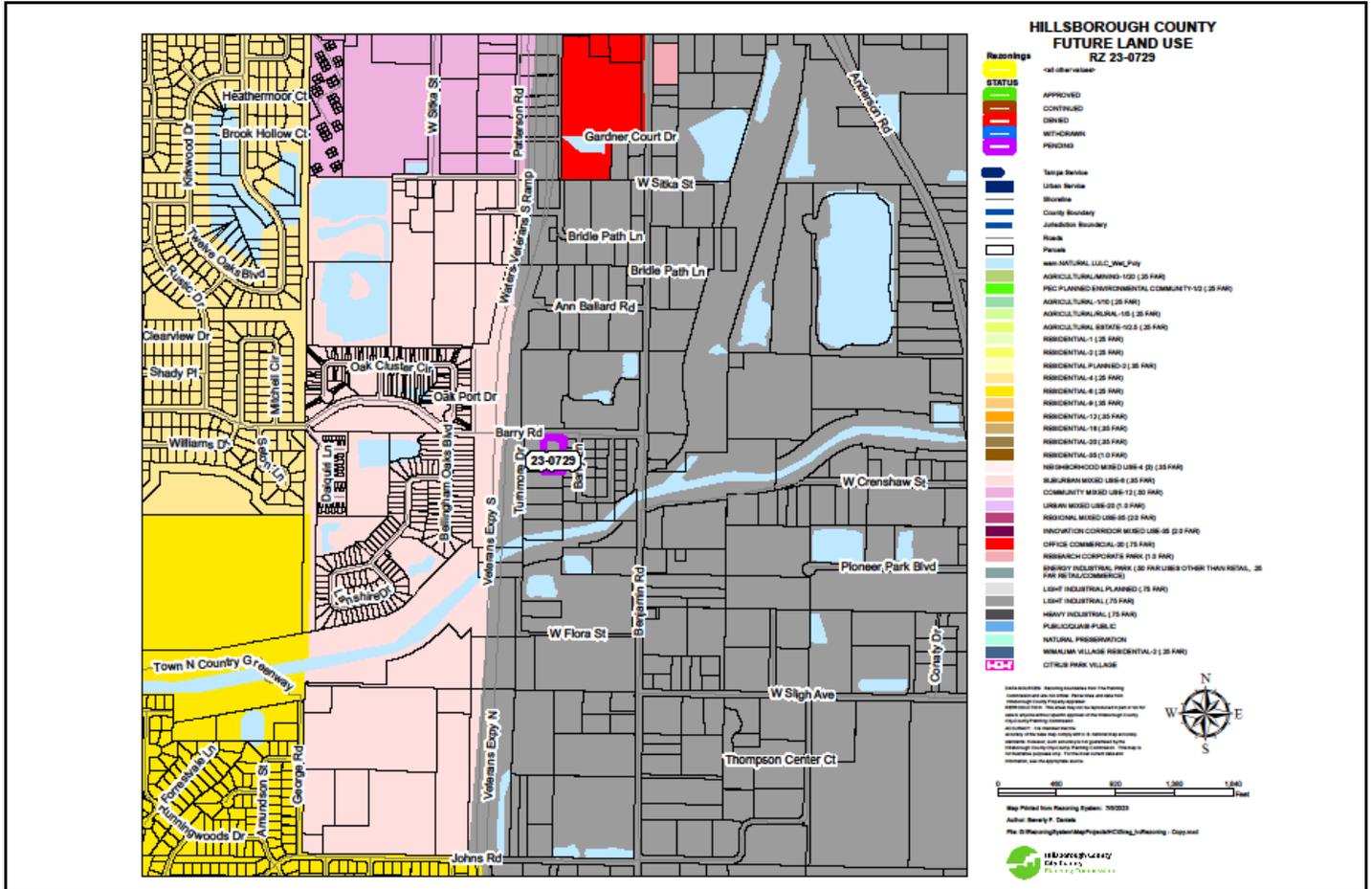


#### Context of Surrounding Area:

The site is located east of Veterans Expressway in an area which is comprised of a mixture of warehouse and residential uses. A portion of the eastern property line abuts a vacant residential lot owned by the applicant of the subject parcel.

2.0 LAND USE MAP SET AND SUMMARY DATA

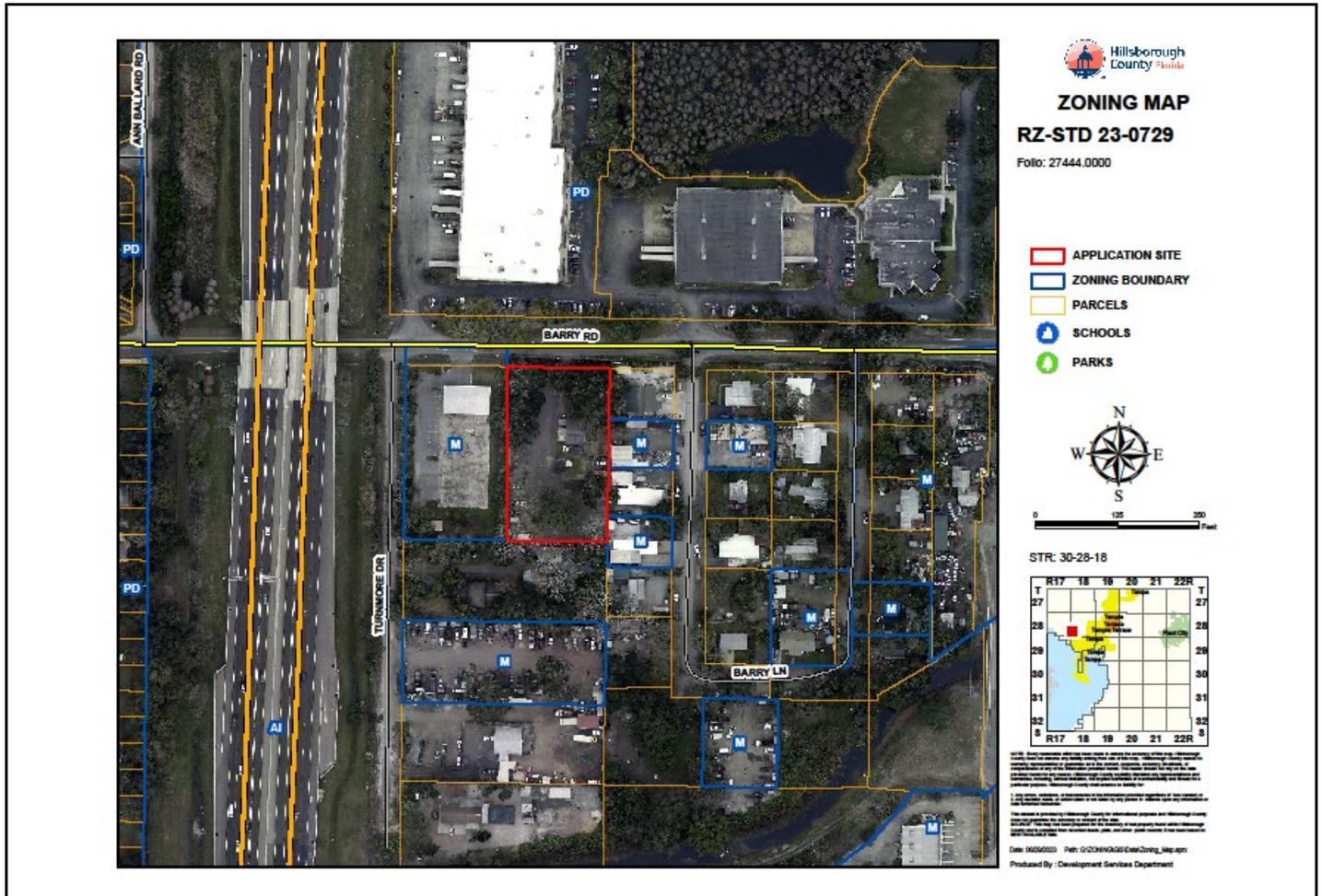
2.2 Future Land Use Map



Subject Site Future Land Use Category:	LI
Maximum Density/F.A.R.:	NA / 0.75
Typical Uses:	<p>Processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials, warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use<sup>xxvii</sup>), offices, research/corporate parks as the predominant uses and subordinate uses or services such as hotels, motels, restaurants, suburban scale retail establishments, and recreational facilities. Free standing suburban scale neighborhood commercial uses are pursuant to locational criteria or 20% of the project’s land area when part of a larger industrial/office park (greater than 300,000 square feet).</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	PD	NA, 0.30	Light Industrial, Office, & Commercial	WAREHOUSE
South	AI	1 DU per acre/NA	Agriculture	SINGLE FAMILY R
East	AI, M	1 DU per acre /NA, NA/0.75	Agriculture, Commercial, Residential	MH, VACANT RESIDENTIAL, MH, MH
West	M	NA/0.75	Commercial	WAREHOUSE C

**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
Barry Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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	152	22	24
Proposed	196	33	39
Difference (+/-)	(+) 44	(+) 11	(+) 15

\*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"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
<b>Transportation</b> <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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Service Area/ Water &amp; Wastewater</b> <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	
<b>Hillsborough County School Board</b> 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 checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Impact/Mobility Fees</b>				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
<b>Planning Commission</b> <input type="checkbox"/> Meets Locational Criteria <input checked="" 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"/> Consistent <input type="checkbox"/> Inconsistent	<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	

**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**

The immediate adjacent properties are zoned PD to the north, M to the west, AI to the south, and both M and AI to the east. The site is surrounded by a mixture of residential uses and warehouses. The subject site is surrounded by LI

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Future Land Use (FLU) categories which permits processing, manufacturing, wholesale, subordinate, suburban retail, and neighborhood commercial uses.

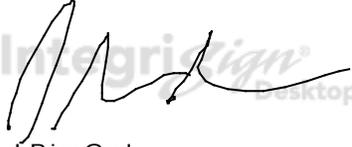
The site is located within the Urban Service Area's Water and Wastewater Service Area; therefore, the subject property should be served by the County.

## 5.2 Recommendation

Based on the above considerations and the applicant's proposed restrictions regarding limited uses to Contractor's Office with Open Storage, Accessory Customer Display/Showroom, and maximum allowable 20,000 gross square footage of the restricted uses in order to address access issues to Barry Road raised by transportation, staff finds the proposed M 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. To limit allowable uses to Contractor's Office with Open Storage and Accessory Customer Display/Showroom Uses; and,
2. To limit the maximum allowable gross square-footage (g.s.f.) of the above uses to a maximum of 20,000 g.s.f.

<p><b>Zoning Administrator Sign Off:</b></p>	 <p>J. Brian Grady Fri Oct 6 2023 15:02:07</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 a 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

**APPLICATION NUMBER: RZ-STD 23-0729**

ZHM HEARING DATE: October 16, 2023

BOCC LUM MEETING DATE: December 12, 2023

Case Reviewer: Carolanne Peddle

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**9.0 FULL TRANSPORTATION REPORT (see following pages)**

## AGENCY REVIEW COMMENT SHEET

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TO: Zoning Technician, Development Services Department

DATE: 9/9/2023

*Revised: 10/06/2023*

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA: NWH

PETITION NO: RZ 23-0729

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- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to the listed or attached restrictions.
- This agency objects for the reasons set forth below.

### **PROPOSED RESTRICTIONS**

The parcel shall be permitted to develop under the Manufacturing (M) zoning district with the following restrictions:

- 1) Use of the property shall be limited to Contractor's Office with Open Storage uses and Accessory Customer Display/Showroom Uses; and,
- 2) The above uses shall be limited to a maximum of 20,000 g.s.f.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone a +/- 0.92 ac. parcel from Agricultural Industrial (AI) to Manufacturing (M).

Consistent with the Development Review Procedures Manual (DRPM), the applicant was not required to submit a trip generation or site access analysis to process this request. Staff has prepared the below comparison of the maximum trip generation potential of the subject property under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Information shown below is based upon data from the Institute of Transportation Engineer's Trip Generation Manual, 11<sup>th</sup> Edition. Since there is no ITE land use code for the a contractor's office with show room, staff examined other available use codes which were anticipated to be a close match with that component of the proposed use. Staff notes that a furniture store is likely to be close in nature to a display area for a contractor (in this case the end user is a pool builder). Staff noted that the highest peak rate for furniture stores (LUC 890) is 0.52 trips per 1,000 g.s.f., vs. the 1.93 trips per 1,000 g.s.f. in the highest peak hour for LUC 180. As such, staff believes the analysis prepared below represents a conservative analysis of likely maximum trip generation potential.

Staff had previously objected to the case based on the inclusion of all "M" district uses, which can include very high trip intensive uses including but not limited to fast food with drive through uses. Given that the project will be unable to meet access spacing requirements, and that there is likely insufficient right-of-way available in which to construct a turn lane which would be required by a higher intensity use, staff worked with the applicant to customize the restrictions to accomplish the uses sought by the applicant, while providing additional room for their proposed business to potentially grown in the future. With these restrictions, staff believes that the applicant's proposed development will be able to obtain the necessary Section 6.04.02.B Administrative Variance (AV) and/or Design Exception (DE) approvals needed to obtain site/construction plan approval. These remaining issues will be dealt with through the

site/construction plan process, as is the case with all other Euclidean zoned projects (which are not required to seek AV/DE approvals concurrent with Euclidean zoning petitions.

**Existing Zoning:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AI, 32,016 s.f. Agricultural Manufacturing Uses (ITE LUC 254)	152	22	24

**Proposed Zoning:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
M, 20,000 s.f. Contractor’s Office with Open Storage and Display Area (ITE LUC 180)	196	33	39

**Trip Generation Difference:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>(+) 44</b>	<b>(+) 11</b>	<b>(+) 15</b>

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

Barry Rd. is a 2-lane, publicly maintained, substandard collector roadway. The roadway is characterized by +/- 20 feet of pavement in average condition. In the vicinity of the project site, the right-of-way width is approximately +/- 76 feet. There are a +/- 5-foot-wide sidewalks present along portions of the north side of Barry Rd. in the vicinity of the proposed project. There are no bicycle facilities along the roadway in the vicinity of the proposed project.

**SITE ACCESS AND CONNECTIVITY**

It is anticipated that access to the site will be from Barry Rd. Staff notes that vehicular and pedestrian cross access would likely also be required pursuant to Sec. 6.04.03.Q. of the LDC.

Given access spacing along Barry Rd. in vicinity of the proposed project, and the subject property’s available frontage and configuration, staff believes the restrictions proposed in the applicant’s modified narrative represents a supportable level of intensification of the subject site.

May 14, 2023 Aerial



December 15, 2022 Aerial



Streetview showing speed table and problematic access location and design.



**ROADWAY LEVEL OF SERVICE (LOS) INFORMATION**

Level of Service (LOS) information for adjacent roadway section(s) is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Barry Rd.	Hanley Rd.	Benjamin Rd.	D	C

Source: Hillsborough County 2020 Level of Service 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
Barry Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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
	Choose an item.	Choose an item. 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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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:		

## Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
<b>Transportation</b>	<b>Objections</b>	<b>Restrictions Requested</b>	<b>Additional Information/Comments</b>
<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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	



**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> October 16, 2023  <b>Report Prepared:</b> October 4, 2023	<b>Petition: STD 23-0729</b>  <b>5822 Barry Road</b>  <i>South of Barry Road, east of the Veterans Expressway and Turnmore Drive, and west of Benjamin Road</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use</b>	<b>Light Industrial (0.75 FAR)</b>
<b>Service Area</b>	<b>Urban</b>
<b>Community Plan</b>	<b>Town N' Country</b>
<b>Request</b>	Agricultural Industrial (AI) to Manufacturing (M) to allow for commercial use
<b>Parcel Size</b>	0.94 ± acres (40,656 square feet)
<b>Street Functional Classification</b>	Turnmore Drive- <b>Local</b> Barry Road- <b>County Collector</b> Benjamin Road- <b>County Collector</b> Veterans Expressway- <b>State Principal Arterial</b>
<b>Locational Criteria</b>	N/A
<b>Evacuation Zone</b>	C



## **Context**

- The 0.94 ± acre subject property is located south of Barry Road, east of the Veterans Expressway and Turnmore Drive, and west of Benjamin Road.
- The site is located within the Urban Service Area and limits of the Town and Country Community Plan.
- The subject site, including the surrounding parcels, are recognized under the Light Industrial (LI) Future Land Use category. Typical allowable uses within the LI Future Land Use category include processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials, warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use), offices, research/corporate parks as the predominant uses and subordinate uses or services such as hotels, motels, restaurants, suburban scale retail establishments, and recreational facilities. Free standing suburban scale neighborhood commercial uses are pursuant to locational criteria or 20% of the project's land area when part of a larger industrial/office park (greater than 300,000 square feet). Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The subject site, including parcels to the south, northeast, southeast, and southwest, are zoned Agricultural Industrial (AI). PD zoning developed with a non-residential use is to the north of the subject site. LI zoning is present to the west, further to the south, and several parcels to the east and within the neighborhood.
- A single-family mobile home presently occupies the subject site. The mobile-home is non-conforming with the Light Industrial (LI) Future Land Use designation. Since 2018, several nearby parcels have requested a rezone to Manufacturing (M) which is similar to the applicant's request. The proposed "M" Zoning District is found abutting the subject site's west, and eastern boundaries. There are several other pockets of "M" zoning observed within the neighborhood.
- The applicant is requesting to rezone the subject site from Agricultural Industrial (AI) to Manufacturing (M) to allow for commercial uses.

## **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**

#### ***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.*

**Policy 8.2:** *Each potential use must be evaluated for compliance with the goals, objectives, and policies of the Future Land Use Element and with applicable development regulations.*

### **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 16.2:** *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 16.10:** *Any density increase shall be compatible with existing, proposed, or planned surrounding development. 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.*

**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.*

**Economic Development: Industrial and Heavy Commercial Uses, Research Corporate Parks and Tourist/Leisure Industries**

*A healthy, stable economy contributes to the economic well-being of all Hillsborough County residents and makes possible a sound tax base sufficient to achieve the County’s Comprehensive Plan. Desirable economic growth will contribute to, and be characterized by: full, productive, stable employment; high economic returns (wages and benefits) on individual labor effort; a minimal rate of poverty; and cost containment of basic living expenses for all residents.*

*Strategies that generally enhance desirable economic growth include:*

- *encouraging the retention, expansion or attraction of export-base businesses—firms that provide goods or services to markets beyond the Tampa Bay metropolitan area. These traditionally include many manufacturers, but may also include services, such as, financial service firms, universities, certain health services and tourism. Universities represent an ideal export-based firm—they not only sell four-year degrees to students from outside the metropolitan area, but they require their customers to purchase four years of food, lodging and other living expenses. This strategy may extend to key members of a significant industry cluster.*
- *stimulating the development of import-substitution businesses—often smaller, sometimes home-based, firms that may fill an important “missing link” in the local economy, or may help lower costs by providing a less expensive, or more accessible, neighborhood supplier.*
- *providing better educational and work-force training to optimize the opportunities and productivity of the local work force.*

- offering more affordable options for transportation, day care, medical, housing and energy to low income communities, thereby improving their economic well-being, while creating a more reliable workforce and a greater consumer base.

*To maximize Hillsborough County’s economic potential while minimizing land use conflicts, it is advisable to identify specific, strategic geographic areas best suited to accommodate businesses chosen for their contribution to desirable economic growth and then provide incentives to encourage such businesses in these “economic development areas”.*

**Objective 26:** *The County shall identify specific target industry clusters, target industries, and target businesses; shall establish corresponding “economic development areas” and shall provide incentives for the location of desirable economic growth in these areas.*

**Policy 26.5:** *Non-industrial land uses shall be restricted or prohibited in the industrial land use categories, and economic development areas will be preserved for employment centers, except as provided in Policy 26.6.*

**Policy 26.6:** *In industrial land use categories, up to twenty percent (20%) of the project land area, when part of larger industrial developments (those industrial and/or office parks greater than 300,000 square feet total) may be considered for certain retail, service and tourist-related uses; generally, the amount of commercial uses permitted in this type of development will not exceed the maximum square footage shown in the chart with locational criteria. Retail activities may also be considered in industrial areas as freestanding uses if it is demonstrated to serve the greater industrial area, pursuant to the provisions of the suburban-scale Locational Criteria.*

## **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.*

## **LIVABLE COMMUNITIES ELEMENT**

### **1.0 Community and Special Areas Studies**

#### **Town and Country Community Plan**

#### **III. Vision Statement**

*We the People of Town 'N Country cherish our location next to Tampa Bay and advocate the creation of town centers that serve as a community gathering places. We support the expansion of protected lands, seek better connectivity in our trail networks, and endorse the creation of recreational opportunities for young and old alike.*

*We encourage redevelopment of our older commercial centers and desire a strong business sector that contributes to the community and provides meaningful employment opportunities. We support non-residential construction in a pedestrian friendly, new urban design that contributes to*

*the community's sense of place. We would like to see a reduction in traffic congestion, an increase in transit service and will take steps to improve the appearance and safety of our primary roadways.*

*We want the property values of our homes and businesses to increase. We desire proactive enforcement of housing and commercial codes. We are committed to strengthening our community and business associations to work together on furthering our common goals.*

*We will continue to be an urban community with citizens who have a strong sense of civic pride and are committed to improving our way of life.*

## **V. Strategies**

*The citizens of Town 'N Country have outlined the following strategies to accomplish their goals:*

### **9. Strengthen/Empower Community And Business Associations**

- Encourage creation of new associations in unrepresented area*
- Strengthen existing associations by providing greater support and responsibility*
- Encourage homeowners associations to educate residents on residential codes*
- Strengthen the Greater Town 'N Country Chamber of Commerce*
- Encourage the Chamber to use the County's Economic Development Department and Small Business Resource Center for assistance*
- Establish a Community Advisory Committee to support plan implementation*

### **Staff Analysis of Goals, Objectives and Policies:**

**The 0.94 ± acre subject property is located south of Barry Road, east of the Veterans Expressway and Turnmore Drive, and west of Benjamin Road. The site is located within the Urban Service Area and the limits of the Town and Country Community Plan. The applicant is requesting to rezone the subject site from Agricultural Industrial (AI) to Manufacturing (M) to allow for commercial uses.**

**Due to the presence of Manufacturing (M) zoned parcels in the immediate area, the proposed zoning is compatible with the surrounding area and meets the intent of Objective 1 and Policy 1.4 of the Future Land Use Element. The neighborhood has a few residential uses with mobile homes that are non-conforming with the Light Industrial (LI) Future Land Use category. It is anticipated that the non-conforming mobile homes within the LI category will be phased out. The proposed rezoning is consistent and maintains the light industrial character of the area.**

**The proposed rezoning meets the intent of Objective 8 and Policies 8.1 and 8.2 which require proposed land uses to meet the intent of the Future Land Use Map designations and the goals objectives and policies of the Comprehensive Plan. The subject site's Future Land Use category is Light Industrial (LI) and uses in the Manufacturing (M) zoning district are permitted in the LI category as defined in Appendix A of the FLUE. The LI plan category typically allows uses such as processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials. Other uses allowed are warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use), offices, research/corporate parks as the predominant uses and subordinate uses or services such as hotels, motels, restaurants, suburban scale retail establishments, and recreational facilities. Free standing suburban scale neighborhood**

commercial uses are pursuant to locational criteria or 20% of the project's land area when part of a larger industrial/office park (greater than 300,000 square feet). Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

The request meets the intent of Objective 16 and Policies 16.2 and 16.3 regarding the protection of adjacent land uses through various buffering and mitigation measures. The subject site is zoned Agricultural Industrial (AI). A PD approved for non-residential uses is to the north of the site. To the south, northeast, southeast, and southwest is AI zoning. "M" zoning is found to the west, further to the south and several parcels to the east and within the neighborhood. Overall, the proposed rezoning to manufacturing (M) is consistent with the development pattern of the neighborhood and brings the property closer to compliance with LI Future Land Use. Therefore, the request meets the intent of Policy 16.10 and 17.7 of the FLUE. The proposed rezoning also meets the intent of Objective 26, Policies 26.5 and 26.6 that seek to restrict non-conforming uses in industrial and employment areas for securing longer term economic development. Manufacturing is a permitted use in the Light Industrial Future Land Use category and the proposed rezoning therefore conforms to the desired land use pattern.

The applicant's request is consistent with the Town and Country Community Plan as it encourages the redevelopment of existing neighborhoods and helps with business development in areas that are predominantly non-residential.

Overall, the proposed rezoning would allow for development that is consistent with the Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*. The rezoning request is compatible with the existing development pattern found in the surrounding area.

#### **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 23-0729

<all other values>

Rezonings  
STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

- Tampa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels

- WATER NATURAL LULC\_We\_Poly
- AGRICULTURAL/MINING-1/20 (.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 (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.75 FAR)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASH-PUBLIC
- 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 rezoning map is for informational purposes only. It is intended that the ACCURACY of the map is not guaranteed by the Hillsborough County City-County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.

Map Printed from Rezoning System: 7/5/2023  
 Author: Beverly F. Daniels  
 File: G:\Rezoning\System\MapProjects\HC\Rezoning\_Copy.mxd

