



**Hillsborough County  
City-County  
Planning Commission**

**Hillsborough County: Land Development Code Amendment- 21-0288  
(RP-2)**

Meeting Date	July 19, 2021
Meeting Type	<b>Public Hearing</b>
Staff Planner	Jay Collins, <a href="mailto:collinsj@plancom.org">collinsj@plancom.org</a> 813.582.7335
Action Necessary	Yes
Attachments	(A) Resolution, (B) Proposed and Current Code Language RP-2, (C) Explanation of Changes

**Summary Information**

This publicly initiated text amendment to the Unincorporated Hillsborough County Code of Ordinances proposes to revise and add development standards to the Residential Planned-2 (RP-2) Future Land Use Category.

The Planning Commission is required to review Land Development Regulations for consistency with the adopted Unincorporated Hillsborough County Comprehensive Plan in accordance with Chapter 163.3194(2) Florida Statutes, and Chapter 97-3581 Laws of Florida, and provide findings to the Hillsborough County Board of County Commissioners.

The proposed text amendment seeks the following changes to the Land Development Code:

- Revise and add standards to the Residential Planned-2 Future Land Use Category


This text amendment at the request of the BOCC, broadly addresses development within the Future Land Use Category through the establishment of standards for Planned Development (PD) zoning districts within the RP-2 Future Land Use Category. The Land Development Code amendment is the companion to the Comprehensive Plan Text Amendment for the RP-2 Future Land Use Category.

**Recommendation**

Staff recommends the Planning Commission approve the attached resolution finding the proposed Hillsborough County Land Development Code Amendment 21-0288 language proposing to revise and add development standards to the Residential Planned-2 Future Land Use Category **CONSISTENT** with the *Future of Hillsborough* Comprehensive Plan and forward this recommendation to the Hillsborough County Board of County Commissioners.

## Proposed Language

See Attachment B for full proposed language and a full strikethrough of the existing language.

Final Review		
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## Attachment A

Resolution



**Hillsborough County  
City-County  
Planning Commission**

**Resolution**

Item: Hillsborough County: Land Development Code Amendment- 21-0288 - (RP-2)

	AYE	NAY	ABSENT	DATE: July 19, 2021
Nigel M Joseph, Chair				Nigel Joseph Chair
Cody Powell, Vice-Chair				
Derek L Doughty, PE, Member-at-Large				
Steven Bernstein				
Giovanny Cardenas				
John Dicks				
Vivienne Handy				
Karen Kress, AICP				
Evangeline Linkous, PhD				
Michael Maurino				
Melissa E Zornitta, AICP Executive Director				Melissa E. Zornitta, AICP Executive Director
On motion of _____ Seconded by _____				
The following resolution was adopted:				



WHEREAS, the Hillsborough County City-County Planning Commission, in accordance with the Laws of Florida developed a long-range comprehensive plan for Unincorporated Hillsborough County entitled the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* on July 12, 1989, by Ordinance 89-28, pursuant to the provisions of Chapter 163, Part II, Florida Statutes and Chapter 97-351, Laws of Florida, as amended; and

WHEREAS, the Hillsborough County City-County Planning Commission received a text amendment to the Hillsborough County Land Development Code and

WHEREAS, Hillsborough County City-County Planning Commission staff reviewed Hillsborough County Land Development Code Text Amendment 21-0288 – (RP-2) that proposes to revise and add development standards to the Residential Planned-2 Future Land Use Category; and

WHEREAS, the Hillsborough County City-County Planning Commission reviewed the proposed Hillsborough County Land Development Code text amendment, considered existing/future development patterns and community facilities, as well as

**Plan Hillsborough**  
[planhillsborough.org](http://planhillsborough.org)  
[planner@plancom.org](mailto:planner@plancom.org)  
 813-272-5940  
 601 E Kennedy Blvd  
 18<sup>th</sup> Floor  
 Tampa, FL, 33602

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the adopted goals, objectives and policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* as follows:

### **Future Land Use Element**

**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.*

### **Community Design Component**

#### **5.3 Rural**

**GOAL 14:** *Provide standards within the land development code for development in the rural areas, which allow for developments of a specifically rural character.*

#### **8.2 Livable communities next steps**

**GOAL 20:** *Provide for the implementation of Livable Communities Considerations.*

**Policy 20-7.1:** *Amend the Land Development Code to implement this element.*

### **Livable Communities Element**

#### *Balm Community Plan*

**Goal 1:** *The Balm community seeks to maintain and preserve the rural and agrarian characteristics, atmosphere, and quality of life established by long standing community residents, which include leisurely activities, strong neighborhood ties, faith based organizations, and rural low density land use designations.*

#### **The County will...**

- *Continue to maintain rural Future Land Use Map designations that are compatible with the existing rural character and level of development in Balm. Specifically, maintaining the Comprehensive Plan definition of rural densities in the Rural Area as 1 unit per 5 acres or less. The County will not designate any further Residential Planned-2 (RP-2) land use*

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*categories unless due to split land uses on one parcel, consistent with Future Land Use Element policies.*

**Goal 6:** *The community seeks the creation of a pedestrian friendly Village(s) that includes a diverse mix of uses meeting their daily needs.*

**Community members recommend...**

- *Village(s) locations are those areas that meet locational criteria. Preferred locations are: at the intersection of Balm Road and Balm Wimauma Road (near the existing Post Office), and/or at the intersection of Balm Boyette Road, County Road (CR) 672 and Shelley Lane (near Balm Civic Center).*
- *Village(s) uses be limited to “commercial neighborhood” serving uses, such as, but not limited to: a country store, bed and breakfast inn, beauty parlor/barber shop, cafes/diners and community facilities including parks, schools, libraries, places of worship.*
- *Pedestrian links between Village(s) and adjacent uses. (e.g. trails, sidewalks, etc.)*

**The County will...**

*Implement existing Future Land Use Element policies calling for countywide Rural Design Guidelines to foster the rural environment, reinforce its character, and distinguish it from the more urban environment.*

WHEREAS, Planning Commission staff determined that Hillsborough County Land Development Code Amendment 21-0288 – (RP-2) is consistent with the goals, objectives and policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

NOW, THEREFORE, BE IT RESOLVED, that the Hillsborough County City-County Planning Commission finds Hillsborough County Land Development Code Amendment 21-0288 – (RP-2) **CONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* and forwards it to the Board of County Commissioners for its consideration.

## Attachment B

Proposed Code Language RP-2

Full Underline

**PROPOSED REGULATIONS: July 6, 2021**

**PART 5.04.00 - PLANNED VILLAGE<sup>[2]</sup>**

**Footnotes:**

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**Editor's note**— Ord. No. 09-62, Item K, adopted October 26, 2009, effective February 1, 2010, amended the title of Part 5.04.00 to read as herein set out. Prior to inclusion of said ordinance, Part 5.04.00 was entitled, "Village." See also the Table of Amendments.

**Sec. 5.04.01. - Purpose and Sub-Plan Designation Areas**

The purpose of this section is to implement the Comprehensive Plan policies for the Residential Planned-2 Future Land Use Category and to describe what is desired in the area. Projects with a proposed density in excess of 1 dwelling unit per 5 gross acres shall require approval of a Planned Development - RP-2 (PD-RP-2) rezoning that clearly demonstrates compliance with the Planned Village criteria established within the Comprehensive Plan and the following Land Development Code regulations.

This portion of the Land Development Code includes rules for the Balm Village Plan Area and North Village Plan area, as shown in Figure 5.04-1. These areas intend to provide regulations to balance growth and rural character while providing improvements in supporting infrastructure and services.

The Residential Planned-2 (RP-2) areas within the Balm Community Plan (referred to as the Balm Village Plan Area) shall include a mixture of residential Neighborhoods, Neighborhood serving uses, open space, preservation lands, agricultural uses, civic uses, recreational uses, and a mixed-use village center in downtown Balm (shown as part of the Balm Community Plan in the Livable Communities Element of the Comprehensive Plan). The Balm Village Plan Area shall be a collection of Neighborhoods that have been designed with a range of housing types and lot sizes conducive to multimodal accessibility.

To achieve densities greater than 1 dwelling unit per 5 gross acres, projects shall provide enhanced Neighborhood design, open space, and benefits to the community not found or required in typical developments in exchange for a greater density.

**Sec. 5.04.02. – Applicability**

The standards within this section shall apply to development outside the Urban Service Area and within the Balm Village and North Village sub-plan areas of the Residential Planned-2 (RP-2) land use category, as shown in Figure 5.04-1.

Specifically, the standards of this section shall apply to new residential/mixed use development requesting a gross density greater than 1 unit per 5 acres (Planned Village) as of <date of adoption>. These standards apply to the Balm Village Plan Area for properties that are 160 acres or more in size (or under 160 acres when aggregating in accordance with the *Future of Hillsborough* Comprehensive Plan). The standards also apply to the North Village Plan Area for properties of 50 acres or more (or under 50 acres when aggregating in accordance with the *Future of Hillsborough* Comprehensive Plan). These provisions shall not apply to public schools, previously approved planned developments, previously approved subdivisions, and/or any project with unexpired preliminary site development approval as of <date of adoption>.

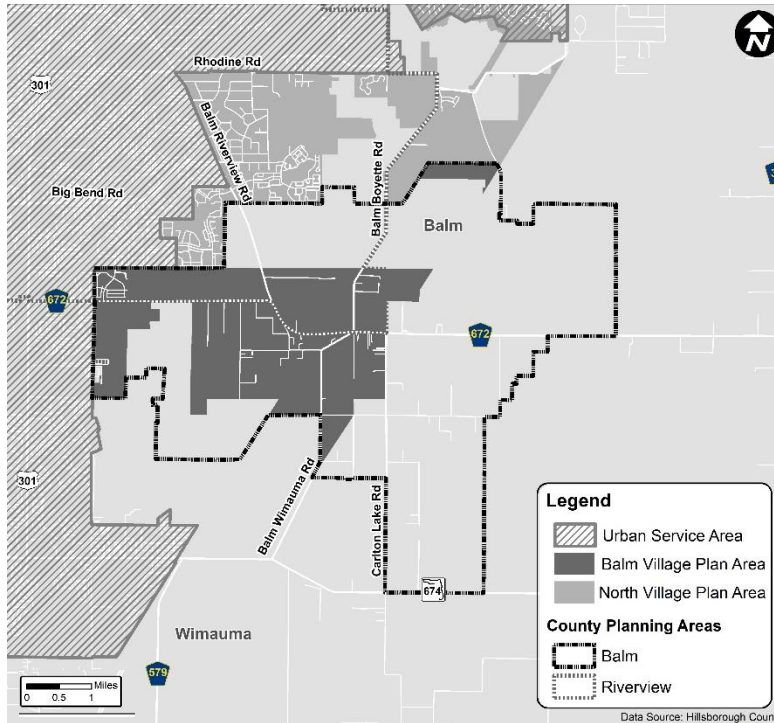
In addition to the standards provided herein, development within RP-2 shall be required to meet all other applicable sections of the Land Development Code. Where any provision of the RP-2 regulations conflicts



with any other standards or regulations of the Land Development Code, Part 5.04 of the Land Development Code shall prevail.

Minor and major modifications to pre-existing Planned Developments and/or Planned Villages within the applicable area shall be evaluated for consistency with these regulations to the greatest extent possible. In applications where only a portion of the pre-existing Planned Development and/or Planned Village is proposed for minor or major modification, these regulations shall only apply to the portion of the project subject to the modification.

Figure 5.04-1  
RP-2 Sub Plan Designation Areas Map



Design exceptions related to transportation and mobility standards required in Section 5.04.04.H.3 and Buffering/Screening in Section 5.04.04.E, are discouraged and shall be reviewed as part of the PD process.

### Sec. 5.04.03 – Definitions

Definition of terms used in the following sections are as follows:

Neighborhood refers to the entirety of the project per the Planned Development site plan.

Neighborhood Center refers to the portion of the Neighborhood devoted to one or more of the uses defined in Sec. 5.04.04.A.2(a) of this Code.

Non-residential use(s) refers to other features of the Neighborhood that are not residential dwelling units, such as open space, stormwater ponds, agricultural and neighborhood-serving uses

Residential development refers to the portion of the Neighborhood primarily devoted to dwelling units.

Scenic Corridor refers to public roadways that provide unique and extraordinary vistas of man-made or natural features or as otherwise defined in the Comprehensive Plan.

Village Centers refer to off-site developments (see Figure 5.04.2) containing commercial and/or neighborhood-serving uses.

#### Sec. 5.04.04. – Design Rules

##### A. Form

1. Physical Form: The Neighborhood shall be designed to include various housing styles and lot sizes and a Neighborhood Center or centers. Housing style and lot sizes shall be context sensitive and shall be determined by relative location to the Neighborhood Center. The design of the Neighborhood shall also take into consideration the provision of open space within and/or around the perimeter of the Neighborhood, requiring larger lots or buffers/screening on the perimeter to provide a transition. If there are smaller lots in the interior, they shall be screened. Other non-residential uses may be included in the Neighborhood(s) and shall be integrated with the residential development area. The site plan will be evaluated for compatibility with surrounding uses and prevailing rural character of the Balm Village Area.
2. Neighborhood Form: The Neighborhood shall be designed so that at least 40 percent of the housing units are within a five-minute walking distance (i.e. no more than a quarter mile radius measured via straight line measurement) from the perimeter of a Neighborhood Center.
  - a) Neighborhood Centers shall be designated inside of the Neighborhood or on the periphery of the Neighborhood near the right of way at the entrance of the Neighborhood. Multiple Neighborhood Centers may be provided within a single Neighborhood. Neighborhood Centers shall include one or more of the following, which can be defined as neighborhood-serving uses: parks (public and/or private, to be maintained by HOA if private) government/public service uses, public or private schools, community gardens, food truck courts, farmers markets, churches, residential support services (i.e. daycares), general indoor recreational uses, neighborhood-oriented retail uses, professional office, co-working space, and/or health practitioner office(s).
    - i. The acreage of the Neighborhood Center shall be at least 1.5% of the gross acreage of the development. Non-enclosed uses, such as community gardens, parks, food truck courts, and farmer’s markets, which are part of a larger Neighborhood Center, shall contribute a maximum of 50% of the requirement (not including required parking areas that serve the non-enclosed uses).
    - ii. Neighborhood Center uses shall be developed in a block pattern with a maximum block length of 900 feet. Non-enclosed Neighborhood Center portions shall have no minimum block length. Adjustments to these requirements due to environmental features and/or to propose a modified form that meets or exceeds the intent of these regulations can be evaluated at the time of rezoning.
    - iii. Building design for enclosed uses within the Neighborhood Center shall be in compliance with Section 5.04.04.D.3.
    - iv. Public schools shall be permitted to be located within or external to a Neighborhood Center and shall be subject to the review and approval by the Hillsborough County School Board. For a public and/or private school to be classified as a Neighborhood Center use, the building form and arrangement of the school and the residential uses within a quarter mile radius of the perimeter of the Neighborhood Center shall be demonstrated to create a compact, pedestrian-oriented development.
  - b) Residential development located within a quarter-mile radius (measured via straight line distance) of the Neighborhood Center boundary shall be in a compact, pedestrian-oriented development form. Residential development shall occur in a block pattern with each block framed by public streets on at least three sides. The maximum length of any interior block face

shall be 900 feet. Adjustments to these requirements due to environmental features and/or to propose a modification form that meets the intent of these requirements can be evaluated at the time of rezoning.

- 3. Connectivity: Neighborhoods shall be interconnected and connect to adjacent Neighborhoods, Village Centers, and other developments external to the Neighborhood when possible. Flexibility for connections shall be provided to preserve on-site environmental resources and preservation areas. Internal connections should occur through streets and multimodal connections.

**B. Residential Densities**

Community Benefits: To encourage public/community benefits, projects may qualify for a density increase above the base permitted density of 1 unit per 5 gross acre (unless otherwise specified by existing zoning) to a maximum permitted density of 2 units per gross acre by providing Community Benefits as outlined in Table 5.04-1. The Community Benefits provided must exceed the minimum development standards as required within the 5.04.00 Planned Villages Land Development Code to be eligible for the density increase. Hillsborough County staff shall determine a project's eligibility to use community benefit options.

Table 5.04-1  
Community Benefits

<u>Proposed Neighborhoods including (50) fifty or more residential units shall conduct at least one public meeting and shall notify all registered neighborhood groups within the Community Planning Area as defined within the Livable Communities Element to discuss the utilization of Community Benefit Options. This meeting shall occur within the defined Community Plan boundary and occur prior to the application submittal. Proof of the meeting in form of an affidavit shall be provided that identifies the date, location, and timing of the meeting, as well as a list of Neighborhood associations contacted, and meeting minutes.</u>
<u>At least two benefits shall be offered for developments less than 50 acres.</u>
<u>At least three benefits shall be offered for developments less than 100 acres but equal to or greater than 50.</u>
<u>At least four benefits shall be offered for developments less than 160 acres but equal to or greater than 100.</u>
<u>At least five benefits shall be offered for developments less than 320 acres but equal to or greater than 160.</u>
<u>At least six benefits shall be offered for developments greater than 320 acres.</u>
<b><u>Tier 1: Community Benefits Priority List</u></b> <b><u>(For projects under 100 acres, at least one community benefit must be provided from Tier 1. For projects greater than 100 acres, at least two community benefits must be provided from Tier 1).</u></b>
<b><u>1) Mobility Fee Alternative Satisfaction Agreement (MFASA), in which, subject to the requirements of the Mobility Fee Program Ordinance, the developer may offer to construct, pay for, or contribute, a qualified capital improvement or right-of-way contribution to a mobility facility in the mobility network in order to satisfy its mobility fee obligation. The proposed improvement or contribution must be approved by the BOCC.</u></b>
<b><u>2) Buffering/screening: Provide 25% additional landscaping portions of the screening above the minimums found in Table 5.04-2.**</u></b>
<b><u>3) Provision of half-acre or greater lot sizes along the Neighborhood's perimeter entirety and at least 50 percent of non-perimeter lots within the Neighborhood at lot sizes greater than 6,000 square feet, where permitted relative to the distance from the Neighborhood Center.**</u></b>

<p><b>4) Large lot development</b> All housing types shall consist of Type 3 or larger lots (Per Table 5.04-2) minimum and maximum housing type not required.** Neighborhood Center distance requirement shall be waived</p>
<p><b>5) Land dedication:</b> Public parks and public civic/community uses (community centers, libraries, fire or police stations) to be approved by County staff based on the use and location. The applicant shall demonstrate at the time of rezoning that the County Agency is accepting the land dedication for the use to be constructed within 5 years of the rezoning.***</p>
<p><b>6) Land dedication and connecting infrastructure</b> (water, sewer and transportation infrastructure for internal site improvements including but not limited to roads, sidewalks, and trails) to Hillsborough County Public Schools for school purposes (if approved by Hillsborough County Public Schools and Hillsborough County). This Community Benefit requires completion of the school siting process as part of or before the rezoning application as outlined in the Interlocal Agreement for School Facilities Planning, Siting and Concurrency.</p>
<p><b>7) Construct on-site neighborhood-serving uses</b> (limited to those defined in Section 5.04.04.A2(a)) within the required Neighborhood Center acreage at 42 sq. ft. per housing unit utilizing 30 percent of the proposed units. Non-enclosed uses (e.g. open air market, plaza space, park space) shall contribute a maximum of 37.5% of the square footage.*</p>
<p><b>Tier 2</b></p>
<p><b>8) Contribute to nodal development:</b> Construct off-site non-residential use of at least 42 square feet per proposed dwelling unit utilizing 30 percent of the proposed unit count. Must construct in Downtown Balm or within the commercial nodes as agreed upon by County staff following Section 5.04.04.D2 depicted on (Figure 5.04-2). As part of this benefit, the applicant must construct vehicular, bicycle and/or pedestrian connections to existing, proposed or envisioned adjacent Neighborhood. If a new project overlaps with the commercial nodes on Figure 5.04-2, at least 1 acre of commercial must be provided. The off-site square footage cannot exceed the maximum FAR permitted on the off-site parcel(s) or exceed the square footage permitted under the Locational Criteria Comprehensive Plan Policies. The applicant shall demonstrate during the rezoning process that the connections can be completed by the applicant and completion of such connections shall be done by the time 50% of the off-site commercial receives Certificates of Occupancy. The off-site commercial shall be part of the subject PD rezoning as a non- contiguous portion.*</p>
<p><b>9) Designate additional on-site land</b> above the 1.5% of the site required for a Neighborhood Center (limited to those provided in Section 5.04.04.A2(a)).**</p>
<p><b>10) Construct additional multimodal connections</b> that are above what is required per this Code. Connections to include publicly accessible vehicle, bicycle, and pedestrian connections such as separated bicycle facilities, trails, or local roadway connections which are to connect to existing commercial development. Must include at least two connections and be publicly accessible along the right-of-way.**</p>
<p><b>11) Construct at least two connections to an adjacent County trail system.</b> Within the project, the connections must be at least 12 feet in width and be at least a half mile in length. If relevant, construct trail as part of Balm Community Plan or connect to other trails found in the Long-Range Transportation Plan.**</p>
<p><b>12) Rear load lot development</b> 50% or more Type 4 lots (Per Table 5.04-2) shall be rear loaded**</p>
<p><b>13) Project site built using green or conservation building program</b> such as LEED Neighborhood Development or other program approved by the County to be determined at the PD phase. Must be reviewed by a LEED certified staff member.</p>
<p><b>14) Land dedication for ELAPP or TDR utilization</b> removing density from the Rural Service Area. At least 10 percent of gross site acreage.***</p>
<p><b>15) Four or more different housing types</b> (Per Section 5.04.04.C – no less than 10 percent and no more than 40 percent shall be provided of one housing style included in design rules).**</p>
<p><b>16) Contribution to a Balm Community Plan Goal:</b> Benefit shall directly or indirectly make a contribution towards furthering a defined goal within the Balm Community Plan as exhibited in the Livable Communities Element, this benefit may include agricultural, transit, internet access or other contributions.****</p>

\*Projects using this community benefit shall require that at least 50% of on-site or off-site square footage shall receive a Certificate of Occupancy prior to the final plat approval of more than 75% of the residential units. 100% of the on-site or off-site square footage shall receive a Certificate of Occupancy prior to the final plat approval of more than 90% of the residential units.

\*\*Compliance with these community benefits shall be demonstrated on the general site plan of the rezoning application.

\*\*\*Projects using this community benefit shall require written agreement/acceptance by the receiving entity of the dedicated land to provide assurances at the time of rezoning the benefit will be provided. Additionally, documentation of the conveyance of that land to the receiving entity required prior to final plat approval.

\*\*\*\*Benefit may be used more than once if offering multiple benefits satisfying or furthering distinct Community goals.

C. Mixture of Housing Types and Lot Sizes

1. Housing Types.

- a) Balm Village Plan Area: Each Neighborhood shall contain at least three different housing types from the list below. No less than 20 percent should be provided of one housing type. Only one or two housing types are required if the Neighborhood comprises Type 1 or Type 2 housing types.
- b) North Village Plan Area: Each Neighborhood shall contain at least three different housing types from the list below. No less than 10 percent should be provided of one housing type. Only one or two housing types are required if the Neighborhood comprises Type 1 or Type 2 housing types.

Table 5.04-2  
Housing Types

<u>HOUSING TYPE</u>	<u>LOT SIZE</u>	<u>MINIMUM LOT WIDTH</u>	<u>REQUIRED LOT ARRANGEMENT</u>
<u>Type 1: Estate Lots</u>	<u>1 acre min</u>	<u>150 feet</u>	<u>Perimeter or Internal to site</u>
<u>Type 2: Single-Family Residential (front-loaded)</u>	<u>½ acre – under 1 acre</u>	<u>100 feet</u>	<u>Perimeter or Internal to site</u>
<u>Type 3: Single-Family Residential (front-loaded)</u>	<u>10,000 sq. ft. – ½ acre</u>	<u>75 feet</u>	<u>Internal to site</u>
<u>Type 4: Single-Family Residential (front or rear-loaded)</u>	<u>6,000 – 9,999 sq. ft.</u>	<u>60 feet</u>	<u>Internal to site</u>
<u>Type 5: Single-Family Residential (rear-loaded)</u>	<u>5,000 – 5,999 sq. ft.</u>	<u>50 feet</u>	<u>Internal to site</u>

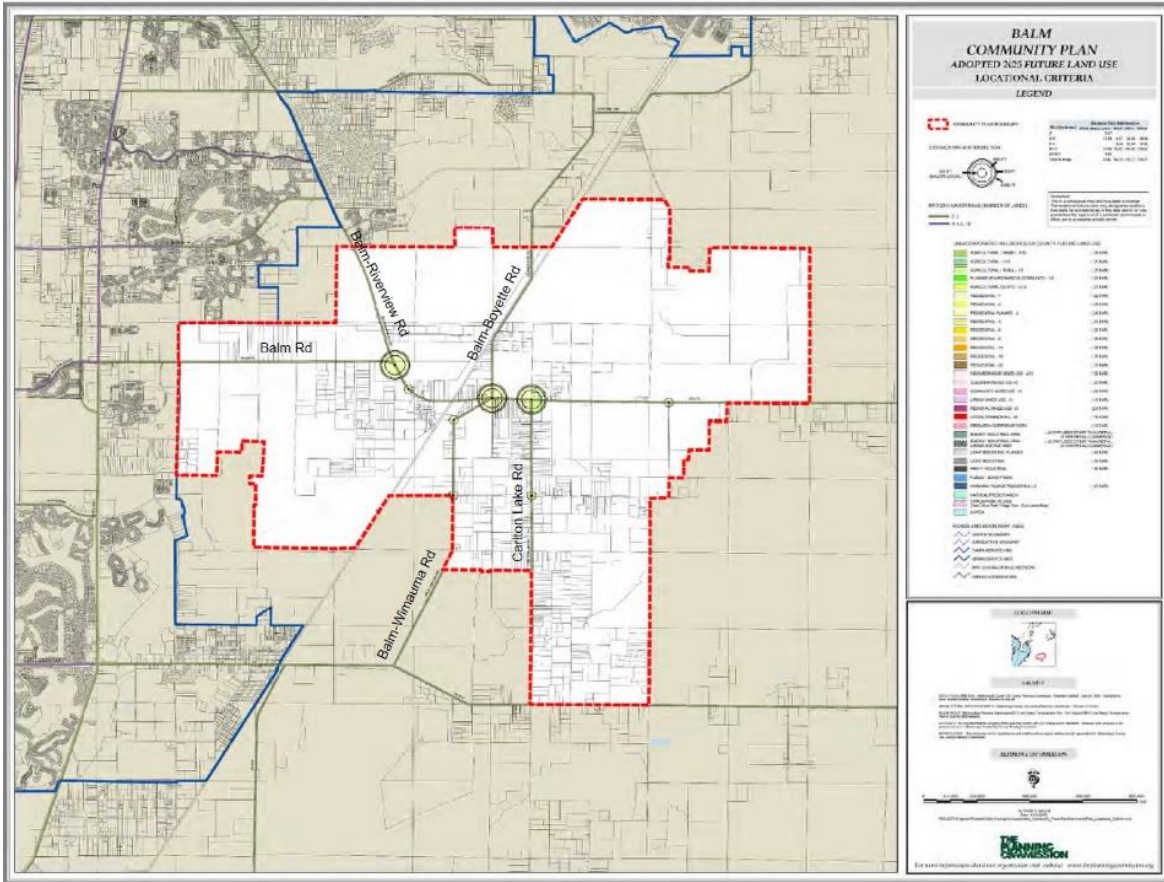
D. Commercial Requirements

- 1. New Neighborhoods are not required to provide commercial uses. However, on-site, neighborhood-oriented commercial uses can be a part of the Neighborhood Center, as specified in Section 5.04.04.A2. Additionally, on-site commercial uses can be proposed as a Community Benefit as specified in Table 5.04-1. If a new Neighborhood overlaps with one of the commercial nodes identified in Figure 5.04-2, at least 1 acre shall be reserved for on-site land for a Village Center, office uses, or other neighborhood-oriented uses to be counted as a community benefit.
- 2. If the applicant constructs commercial as part of a community benefit (utilizing Table 5.04-1), community commercial shall be within five (5) miles travel distance of 50 percent of the project area and neighborhood-oriented commercial uses shall be within one and one-half (1 ½) miles travel distance of the project area. The commercial shall be within 900 feet of the nodes identified in Figure 5.04-2, as defined by the *Future of Hillsborough* Comprehensive Plan and with County Staff

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approval. If on-site non-residential uses are provided, they shall be connected to the Neighborhood by local streets and pedestrian facilities.

Figure 5.04-2  
Balm Village Sub-Plan Commercial Nodes



3. The following building design requirements apply to all non-residential buildings including on-site Neighborhood Centers and off-site nodal development associated with Village Centers (as provided as a Community Benefit) within the same Planned Development.
  - a) All non-residential buildings (excluding agricultural structures, churches, and schools) shall be limited to two stories in height (not to exceed 35').
  - b) Non-residential buildings (excluding agricultural structures, churches, and schools) shall have metal or shake-style shingle roofs with a minimum pitch of four to 12 and a maximum pitch of eight to 12. Mansard roofs shall not be permitted. They shall be externally clad with brick, stone, wood slats or vinyl slat-style siding. Stucco cladding shall not be permitted.
  - c) Parking shall be limited to one aisle of parking, with spaces located on both sides of the drive aisle between the principal building(s) and the street rights-of-way.
  - d) All non-residential buildings (excluding agricultural structures, churches, and schools) shall incorporate the design features in Table 5.04-3 and follow the Lighting standards presented in Sec. 5.04.04.H1 of this Code. For required Roofs and Windows Architectural Elements, at least one of the specified design features shall be utilized on all elevations facing roadways and/or parking areas, unless otherwise specified. Additionally, all windows shall have mullions. For required Façades Architectural Element, at least two of the specified design features shall be utilized on all elevations facing roadways and/or parking areas, unless otherwise specified.

Table 5.04-3: Non-residential building elements

<u>Architectural Elements</u>	<u>Design Features</u>
<u>Roofs</u> <sup>1</sup>	<u>Dormers, steeples, cupolas, intersecting roof lines</u>
<u>Windows</u> <sup>2</sup>	<u>Shutters, awnings, porch roofs, mullions</u>
<u>Façades</u> <sup>2</sup>	<u>Covered porches, columns, decorative column brackets, arcades, recessed entryways, porticos, pilasters, gingerbread gables</u>

<sup>1</sup> At least one design feature shall be utilized for every 50 feet of roof length along adjacent roadways and/or parking areas.

<sup>2</sup> At least 60 percent of the horizontal length of each façade along roadways and/or parking areas shall be comprised of windows, shutters, transoms, awnings, porches, doors, recessed entryways, arcades, porticos and/or pilasters. Horizontal banding and other predominately horizontal elements shall not contribute towards satisfaction of this requirement.

E. Buffering and Screening

1. To enhance the outward appearance and create visual compatibility with the surrounding character of the Neighborhood site either (a) buffer with screening or (b) larger lots shall be required around the entire perimeter under the following conditions:
  - a) Buffer with Screening: Table 5.04-4 provides buffering and screening options which shall be required around the entire perimeter of the site, unless providing larger lots or except where to allow for the placement of site access or connections to adjacent Neighborhoods and Neighborhood Centers. The buffering/screening shall contribute to the perimeter open space requirement outlined in Section 5.04.04.G of this Code. Within the buffer area, the developer shall provide screening and may install landscaped berms, fences and, if applicable, pedestrian pathways. All species shall be selected from the Hillsborough County, Division of Natural Resources approved species lists as applicable.
    - i. Buffering and screening shall be provided in accordance with Article VI of this Code, except that in lieu of Screening Standard A, fences or walls conforming with the requirements of Section 5.04.04.F
    - ii. A 250-foot wide buffer shall be required where the Neighborhood property line is adjacent to ELAPP acquired or approved to be acquired properties.
    - iii. The required buffer shall be platted as a separate tract(s), and shall be dedicated as a conservation easement, to be accepted and recorded by the Hillsborough County Board of County Commissioners. They shall be owned and maintained by the Homeowner’s Association or similar entity.
    - iv. The developer is encouraged to preserve existing native / Florida Friendly vegetation within the required buffer area to the greatest extent possible. Existing trees and vegetation may be utilized to meet the buffering/screening requirements of Table 5.04-4 on a 2:1 basis. The buffer shall not be required where preserved wetlands and wetland setbacks are proposed.
    - v. Trees may be grouped, staggered, or clustered for flexibility in the design and placement of required trees, however trees shall be placed such that no gap exceeds 30 lineal feet.
    - vi. Berms are permitted, but not required. If installing berms, they may consist of an undulating height and alignment with a side slope of 3:1 maximum, so long as the berm height meets the minimum specified in Table 5.04-4. The berms shall have a minimum flat top of 5’ in width. Berms shall not be constructed through areas of preserved

- vegetation or within the dripline of existing trees to remain. Berms shall not drain onto neighboring yards and cause undue pooling of water. Runoff shall be directed into appropriate drainage easements or facilities. Berms may be located in required buffer areas; however, the landowner shall remain liable for any repair or replacement to the berm if damage occurs while performing activities in the easement.
- vii. Monument signs shall be permitted in the buffer area adjacent to Neighborhood driveways and are permitted within the buffer.
  - viii. Should an approved project be developed in phases, all screening required along the perimeter shall be included in Phase 1 of the preliminary plat.
- b) Larger Lots: The use of Estate Lots (Type 1) and Single-Family residential (Type 2) may be used as an alternative to the buffer and may count towards the project perimeter requirement. Type 2 lots that abut major roadways must use the 25' buffer width requirements found in Table 5.04-4. Such lots shall provide a minimum yard setback of 50-feet from the project perimeter for each individual lot to act as the perimeter buffer yard. Accessory structures, accessory dwellings, and pools shall not be located within the minimum project perimeter buffer yard. The entire perimeter buffer yard width shall be platted as an easement within the Type 1 and/or Type 2 lots located on the perimeter, allowing for the installation and maintenance of the screening by the Homeowner's Association or similar entity. The required buffer shall be located within the easement. Perimeter lots shall not supersede required buffer widths along a Scenic Corridor.

Table 5.04-4: Buffering/Screening Requirements

<u>Buffering/Screening Requirements (per 100 Lineal Feet or Fraction Thereof)</u>					
<u>Buffer Width (ft)</u>	<u>Hedge /Fence Required</u>	<u>Shade Tree</u>	<u>Ornamental Tree</u>	<u>Shrubs</u>	<u>Notes</u>
<u>250</u>	<u>none</u>	<u>2</u>	<u>3</u>	<u>25</u>	<u>Stormwater ponds are permitted</u>
<u>100</u>	<u>6' high fence/wall or 3' berm with 3' double evergreen hedge row</u>	<u>4</u>	<u>7</u>	<u>33 with 6' high fence/wall or continuous double row</u>	<u>Stormwater ponds are permitted</u>
<u>50</u>	<u>6' high fence/wall and 3' berm and shrubs or 5' berm with 3' double evergreen hedge row</u>	<u>5</u>	<u>8</u>	<u>33 with 6' high fence/wall or continuous double row</u>	<u>Stormwater ponds are permitted with additional landscaping requirements using the 25' buffer widths</u>
<u>25</u>	<u>Provide Type 2 lots and must provide fencing per Section 5.04.04.F if facing a major roadway</u>	<u>6</u>	<u>9</u>		<u>Stormwater ponds are not permitted</u>

F. Fences and Walls

1. All fences and walls in residential and commercial districts that are constructed, owned and/or maintained by the developer or a homeowner's association or similar entity shall be limited to the following design standards and materials:
  - a) Split rail, three-board, four-board, horse wire with single board, or other natural wood fencing, with a minimum spacing of four feet between posts and 12 inches between spanning members.



The base below the spanning members shall be a maximum of two feet in height above ground level.

- b) Walls may be constructed of masonry, brick, or concrete with split face. Masonry columns shall be encased in brick or stone with spanning members comprised of metal, wood, concrete, or other similar materials and having a maximum opacity of 50 percent. The base below the spanning members shall be a maximum of two feet in height above ground level. Columns shall be a maximum of three feet in width and shall be spaced a minimum of eight, and no more than twenty-five (25) feet apart.
- c) Green or black chain link fencing is permitted, however attaching of slats or other nonvegetative screening to the fence shall be prohibited.
- d) A solid wooden (finished side out) having 100% opacity.
- e) Notwithstanding the provisions above, if a fence or wall is located along a Designated Scenic Corridor, the setback of the fence or wall shall be regulated by this Code.

#### G. Open Space

- 1. Perimeter Requirements: See Section 5.04.04.E Buffering and Screening
  - a) Perimeter buffers. Estate lots (Type 1), and/or Single-Family residential lots (Type 2) with landscaping requirements defined in Table 5.04-4 shall be required around the entire perimeter other than where buffering/screening is present per Section 5.04.04.E, or where a Neighborhood Center is present along the perimeter, or except where to allow for the placement of site access or connections to adjacent Neighborhoods.
- 2. Internal Requirements
  - a) A minimum of 2.5% of the gross acreage of the project shall include open space internal to the site. The internal open space is in addition to the acreage of the Neighborhood Center.
- 3. In addition to the open space permitted by the Rural Service Area per the *Future of Hillsborough County Comprehensive Plan*, other types of allowable open space may be provided listed below. Stormwater ponds do not count towards the internal open space requirement, however, items (a) through (e) identified below may be placed adjacent to stormwater ponds and still fulfill the internal open space requirement.
  - a) Agriculture uses (up to 50 percent of the total open space provided). Uses may include cooperative farming and other uses approved by Hillsborough County;
  - b) Active recreational areas (if provided internal to site)
  - c) Passive Recreation (to include, but not limited to, walking paths, equestrian trails, off-road bicycle paths, tot lots, plazas, and greens. Some areas may not be suitable for pedestrian and bicycle paths);
  - d) Community gardens;
  - e) Community gathering places without active recreational components.
- 4. The following shall not count towards the Open Space minimum acreage requirement:
  - a) Golf Courses;
  - b) HOA-only Amenity areas (pools, clubhouse, recreation center);
  - c) Yards that are not perimeter lots;
  - d) Areas within rights-of-way (including medians).

#### H. Lighting (Dark Sky lighting standards).

- 1. Lighting shall be in accordance with Part 6.10.00 of this Code and the following provisions:
  - a) All lighting fixtures shall be constructed and designed to prevent light from emitting upwards toward the dark night sky. All fixtures except for streetlighting fixtures, including security lighting, must be cutoff fixtures. Cutoff fixtures shall project all its light in a downward motion. Canopy lighting fixtures shall be designed to be completely recessed within the canopy.
  - b) Additionally, exterior lighting, including temporary or special events lighting, shall not blink, flash or oscillate.

- c) For nonvehicular areas light fixtures shall be 12 to 15 feet in height in areas such as sidewalks, Walkways, bikeways, parks and trail lighting, and pedestrian facilities such as building connections shall be lit at a maximum 0.2 FC.
- d) For non-residential areas all poles or standards, other than those made of wood, used to support nonexempt outdoor lighting fixtures shall be anodized or otherwise coated to minimize glare from the light source.
  - i. All fixtures must be incorporated into the building or site as an integrated design element through the use of common or complementary style, material, and color.
  - ii. Parking area lighting fixtures shall be required to stagger the heights of light fixtures so that the tallest fixtures are in the center of the parking lot, and the lowest heights are at the perimeter of the parking lot. Outdoor pole lights within all nonresidential projects shall have a maximum height of 18 feet near the center of a parking area and shall decrease to 15 feet or 12 feet at the boundary of the parking area.
  - iii. All exterior lighting shall be extinguished no later than one hour after the close of business, except for wall mounted security lights and parking lot pole lights located nearest to buildings.
  - iv. Illumination of the vertical planes of gas station canopies and other similar structures shall be prohibited.
  - v. Wall packs on buildings may be used at entrances to a building or to light potentially unsafe areas. They should not be intended to draw attention to the building or provide general building or site lighting. Wall packs shall be fully shielded, cutoff type fixtures with concealed light sources. The lighting must be directed downward.
  - vi. Loading/unloading docks shall only be illuminated by fixtures which feature full cutoff design and shall be affixed to an outside building wall or pole.
  - vii. All outdoor lighting fixtures not mounted on buildings (i.e. ground based) shall be located a minimum of ten 10 feet from a property line or right-of-way line and should be no closer than 2 feet from any required perimeter or streetscape buffer.

I. Transportation (Mobility)

- 1. Access or perceived access into and through the Neighborhood shall not be restricted by gates or other security measures that would inhibit vehicular or pedestrian connectivity and accessibility, including guardhouses and gatehouses. This regulation does not prohibit entry features for Neighborhoods if they do not restrict vehicular access to any person. Gates shall only be permitted internal to the development and shall comply with the County's Land Development Code Article VI.- Emergency Access to Gated Developments.
- 2. Roads internal to the site shall meet Hillsborough County Transportation Technical Manual standards.
- 3. Roadway facilities providing access to new development are required to bring substandard roadways up to County standards. Providing right-of-way is available, no design exceptions will be permitted.
- 4. Developers shall provide sufficient right-of-way for external roadways to accommodate future sidewalks unless otherwise found approvable by the County Engineer and approved by the BOCC.
- 5. Public and private road rights-of-way may contain preserved or planted vegetation, including trees, provided that the preserved or planted vegetation is in accordance with the landscaping standards of the Transportation Technical Manual.
- 6. Residential, non-residential and open space areas of the Neighborhood shall be connected to one another utilizing a pedestrian sidewalk network. Because types and locations of Open Space areas can vary from Neighborhood to Neighborhood, pedestrian access to and within an Open Space area shall be evaluated at the time of rezoning.

## Attachment B Continued

Current Code Language RP-2

Full strikethrough

PART 5.04.00—PLANNED VILLAGE

*Footnotes:*

~~---(2)---~~

*Editor's note—Ord. No. 09-62, Item K, adopted October 26, 2009, effective February 1, 2010, amended the title of Part*

*5.04.00 to read as herein set out. Prior to inclusion of said ordinance, Part 5.04.00 was entitled, "Village."*

*See also the Table of Amendments.*

Sec. 5.04.01.—Generally

The following specific regulations implement the Comprehensive Plan policies for the Residential Planned 2-density Residential Planned Village Land Use Plan Category. Projects with a proposed density in excess of one dwelling unit per five gross acres shall require approval of a PD (Planned Development) rezoning that clearly demonstrates compliance with the Planned Village criteria established within the Comprehensive Plan and the following land development regulations:

(Ord. No. 00-21, § 2, 5-18-00; Ord. No. 09-62, Item K, 10-26-09, eff. 2-1-2010)

Sec. 5.04.02.—Design Rules

The Planned Village shall have a minimum project size of 160 acres, unless aggregated with an adjacent development as provided by Comprehensive Plan Policy 33.3, and shall conform with the following requirements:

**A.**—Utilities

The development shall be on a central sewers system which is served by an Advanced Wastewater Treatment Plant.

**B.**—Assumptions

**1.**—The proposed development shall satisfy the Table of Minimum Requirements for Planned Villages contained within the Comprehensive Plan for Clustering, Neighborhood Retail and Shopping On-Site, Community Commercial On-Site and Open Space. In determining compliance with these requirements, the following assumptions shall be utilized:

**a.**—There are 2.7 persons per household.

**b.**—Demand for neighborhood retail and shopping, as defined by the Comprehensive Plan, is ten square feet per person.

**c.**—Demand for community commercial, as defined by the Comprehensive Plan, is ten square feet per person.

~~2.~~ [Reserved.]

~~3.~~ In lieu of utilizing the above assumptions, a developer may submit for consideration by the Board an alternative set of assumptions which may serve as substitutes provided the alternative assumptions can be clearly demonstrated to the satisfaction of the Board to equal or exceed the validity of the above stated assumptions

**C.** Land Use

The Planned Villages shall be divided between the village proper, open space, and agricultural open space. The agricultural open space is a portion of the total open space.

**D.** Phasing

Prior to the issuance of building permits for more than 75 percent of the residential units, Certificates of Occupancy shall be issued for a minimum of 50 percent of the required on-site neighborhood retail and community commercial floorspace.

Certificates of Occupancy for the remaining on-site neighborhood retail and community commercial floorspace shall be issued prior to the issuance of building permits for more than 95 percent of the residential units. An alternative phasing schedule may be approved by the Board. In the proposed phasing schedule, the developer shall justify any modifications to the above standards based on a realistic market study.

a. Notwithstanding the above, the applicant for a proposed Planned Village less than 320 acres in size may request a waiver of the on-site commercial development requirements, either in whole or in part, by documenting that off-site commercial developments equivalent to the requested waiver in scale (floor space) and intensity (type of use) exist at the time of rezoning or will have received Certificates of Occupancy by the time building permits are issued for 75 percent of the subject village's residential units. In such cases, the off-site commercial developments serving as the basis for the waivers shall not be located within another Planned Village. Additionally, a minimum of 50 percent of the proposed village's project area shall be within one and one-half miles of the off-site developments satisfying the neighborhood retail requirement and within five miles of the off-site developments satisfying the community commercial requirement. The applicant shall be required to submit at the time of rezoning application a scaled survey, signed by a professional surveyor, showing the location, type of use(s) and amount of floorspace in the off-site commercial developments and demonstrating that 50 percent of the proposed village's project area is within the prescribed distances. If the requested waiver is approved, the off-site commercial developments that

serve as the basis of the waiver shall not serve as the basis for waivers that may be sought by other proposed Planned Villages, unless there is sufficient floor space in the off-site developments to separately apportion among the Planned Villages.

**E.**—Location of Uses

- 1.**—On-site commercial and office uses shall be located together to form a single village node. Residential support (child care centers, adult care centers, churches, etc.) uses shall be located within and/or adjacent to the village node(s). Government (schools, parks, government offices/services, etc.) uses shall be required to locate within and/or adjacent to the village node(s) unless other governmental regulations preclude such locations. Such uses shall be oriented so as to primarily serve the interests of the Planned Village. Multi-family development is encouraged to locate within and/or adjacent to the Village node(s). (See Figure 5.1).
- 2.**—Notwithstanding Section E.1 above, development projects which are of such a scale or configuration as to warrant additional nodes may elect to create primary and secondary village node(s). The primary node shall provide the majority of the project with the commercial needs, office, and residential support (within and adjacent to the village node) needs and governmental uses. The secondary node(s) if necessary shall provide the neighborhood retail and residential support needs of those residents within the project who could not be located within one-half mile of the primary node. To the greatest extent possible, the required office square footage shall be contained in the primary village node. However, the secondary node(s) if necessary, may also consist of government uses and minor office uses.
- 3.**—In Planned Villages where on-site commercial development requirements have been eliminated or reduced by waivers pursuant to Section 5.04.02.D.a above, node(s) shall nevertheless be provided in accordance with the above design requirements. In such cases, the node(s) shall be comprised of the remaining on-site commercial development requirement, if any, and community open space in the form of village squares. The land area within the village squares shall meet or exceed the floor space of the commercial waiver. The village squares shall be bounded on all sides by streets and improved with landscaping, walkways, benches, fountains, gazebos and/or similar amenities to encourage and accommodate use by community residents.

**F.**—Arrangement of Uses

- 1.**—Uses provided within the Planned Villages shall be arranged in a compact manner conducive to pedestrian accessibility. In order to assure that a majority of the residents are provided a realistic pedestrian alternative within the village, and to reinforce a compact environment within the village proper, 90 percent of the

~~residential units (excluding agricultural farmhouses) shall be located within one-half mile of a village node as measured from the edge of the village node.~~

~~Together the village node(s) including residential support and governmental uses and 90 percent of the residential units provided within one-half miles of the village node(s) shall be considered the village proper.~~

- ~~2. The residential dwelling units shall be arranged to provide a maximum number of dwelling units that have views across the open spaces surrounding the village. Where there are significant numbers of interior lots, then the design shall incorporate interior open spaces in the form of village greens or natural corridors.~~

**~~G. Compatibility With Adjacent Uses~~**

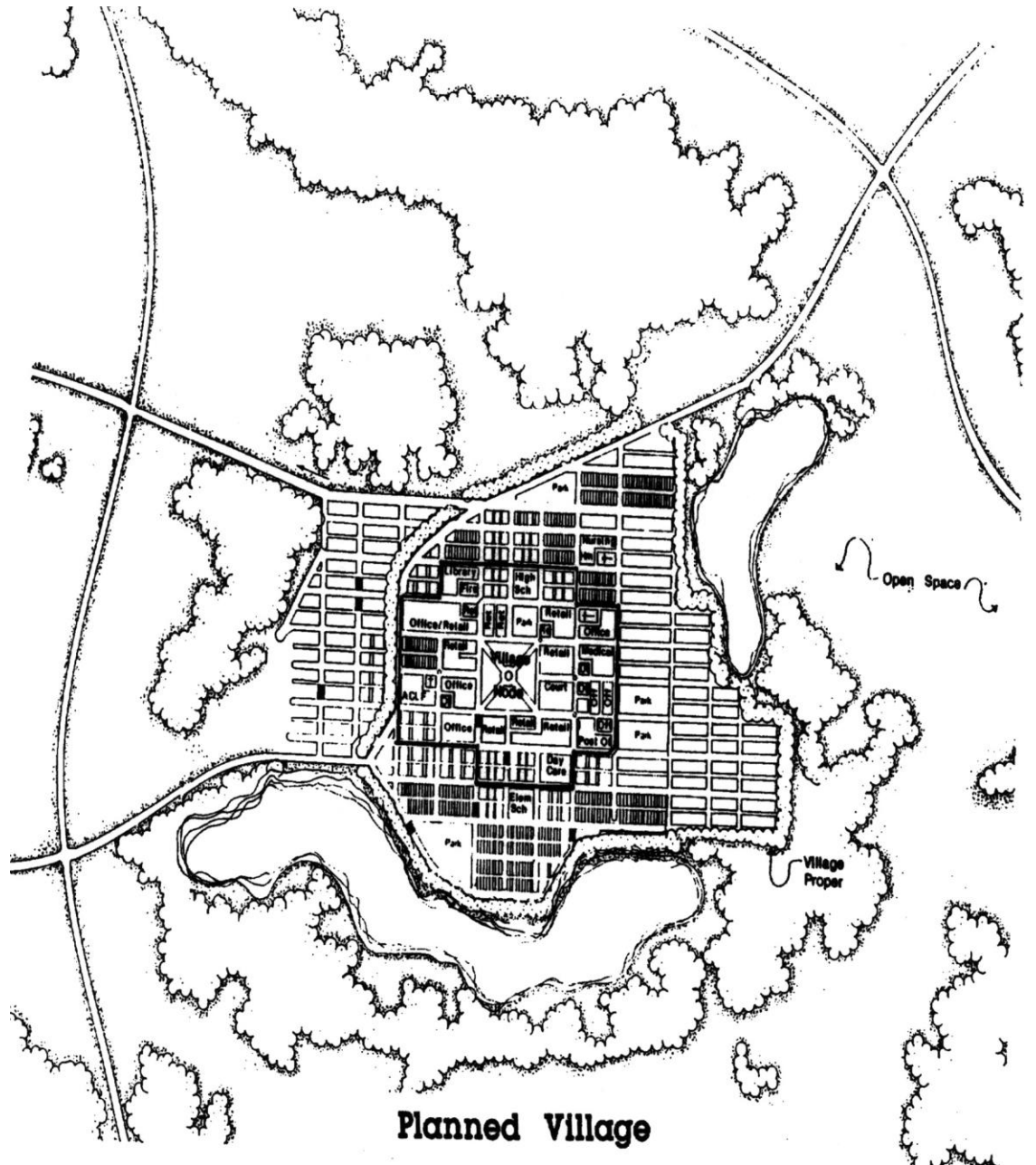
~~To avoid the incompatibility of a higher density village proper being placed adjacent to low density development, an open space buffer of at least 250 feet wide shall surround at least 70 percent of the village proper perimeter. The location of the remaining 30 percent may remain flexible to allow for retrofitting or connecting to other Planned Villages.~~

**~~H. Roads~~**

~~Roads with a maximum width of two lanes (excluding turn lanes, acceleration and deceleration lanes, on street parking, etc.) shall provide the transportation network within the village node(s). Roadways with four lanes or more may be tangential to the village node(s) but shall not be located within the village node(s).~~

**~~I. Recreational Areas~~**

~~A combination of surrounding open space, natural corridors, village greens, or trails shall be available to all residents of the Planned Village for recreation purposes.~~



*Figure 5.1, Planned Village*

(Ord. No. 05-22, § 2, 11-17-05; Ord. No. 09-62, Item K, 10-26-09, eff. 2-1-2010)



## Attachment C

### Explanation of Changes



## **EXPLANATION OF CHANGES SINCE THE JANUARY 2021 DRAFT TO THE JUNE 2021 DRAFT**

This document summarizes the changes from the proposed Land Development Code draft dated 01.20.21, to the changes dated 06.21.21 stemming from additional staff discussion and feedback received during community topic meetings held in April, May, and June 2021, in addition to workshops held in June 2021 with the Board of County Commissioners and the Planning Commission.

*Note: In addition to the below changes, the 06.21.21 drafts include wordsmithing and clarification edits. All proposed regulations are subject to change.*

### **Land Development Code – Section 5.04.00 – Planned Village Updates**

- **Sec 5.04.03.A.2.a)i – Neighborhood Center:** Modified the minimum of a project's gross acreage for a Neighborhood Center from 2.5% to 1.5%.
- **Table 5.04-1 – Community Benefits**
  - Replaced densities associated with each Community Benefit with a required number of Community Benefits based on project acreage.
  - Introduced tiered prioritization of Community Benefits.
  - Buffering/screening: Added measurable percentages to amount of buffering and screening required.
  - On-site non-residential uses: Replaced a minimum Floor Area Ratio with a dedicated sq. ft per housing unit based on a recently completed RP-2 market analysis.
  - Transfer of Development Rights (TDR): Added the utilization of TDRs removing density from the Rural Service Area as a Community Benefit.
  - Balm Community Plan: Added a Community Benefit that would contribute toward furthering a defined goal within the Balm Community Plan.
- **Table 5.04-2 – Housing Types:** Increased the minimum permitted lot width/size from 40 ft/4,000 sq. ft. to 50 ft/5,000 sq. ft. Removed the option to provide single family-attached housing types (townhomes/duplex/triplex/etc..). Modified ranges of housing types.
- **Section 5.04.03.E. – Buffering/Screening Requirements:** Both housing type 1 and housing type 2 may count toward the project perimeter requirement. Modified Table 5.04-4 to reflect 50 ft, 100 ft, and 250 ft buffer widths and corresponding screening requirements.
- **Sec 5.04.03. G – Open Space:** Modified approach to open space. Replaced minimum 40% contiguous open space requirement with greater emphasis on perimeter buffering and screening. Added sub-section for perimeter buffers and internal requirements – a minimum 2.5% of a project's gross acreage must

