

ORDINANCE NO. 21-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, AMENDING ORDINANCE 92-5, AS AMENDED, THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 5, DEVELOPMENT OPTIONS, RELATING TO PLANNED VILLAGE; AMENDING ARTICLE 6, DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS, RELATING TO TEMPORARY VENDORS, FLEXIBLE MARKET SPACE, FARMER'S MARKET (TEMPORARY VENDOR), FOOD TRUCK (TEMPORARY VENDOR), COMMUNITY GARDEN, LIVE-WORK UNITS (WITHIN AN RP-2 PLANNED VILLAGE OR WIMAUMA VILLAGE NEIGHBORHOOD), COMMUNITY FARM; AMENDING ARTICLE 12, DEFINITIONS (WITHIN RP-2 AND/OR WVR-2), RELATING TO COMMUNITY GARDEN, COMMUNITY FARM, FARMERS MARKET, FOOD TRUCK, FLEXIBLE MARKET SPACE, LIVE-WORK UNIT, ACTIVE OPEN SPACE, ACTIVE RECREATION, NEIGHBORHOOD GREEN, NEIGHBORHOOD CENTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Hillsborough County, Florida, is authorized under Chapters 125, 162, 163, 177 and 380, Florida Statutes, to enact zoning and other land development regulations to protect the health, safety, and welfare of the citizens of Hillsborough County, Florida; and

WHEREAS, Sections 163.3201, 163.3202, 163.3204, 163.3211 and 163.3213, Florida Statutes, empower and require the Board of County Commissioners to implement adopted comprehensive plans by the adoption of appropriate land development regulations and specify the scope, content and administrative review procedures for said regulations; and

WHEREAS, Hillsborough County Ordinance 92-5, as amended, is the Hillsborough County Land Development Code (the "Land Development Code"); and

WHEREAS, the Hillsborough County City-County Planning Commission held a public meeting on July 19, 2021 regarding the proposed amendments to the Land Development Code; and

WHEREAS, in accordance with Section 125.66, Florida Statutes, the Board of County Commissioners has held duly noticed public hearings on the proposed amendments to the Land Development Code on August 5, 2021 and October 14, 2021, and has reviewed and considered all comments received during said public hearings, including the staff comments and reports; and

WHEREAS, adoption of this ordinance will further the protection of the health, safety and welfare of the citizens of Hillsborough County, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THIS 14th DAY OF OCTOBER, 2021:

- Section 1.** This Ordinance is enacted to carry out the purpose and intent of and exercise the authority set out in the Local Government Comprehensive Planning and Development Regulation Act of 1985, Sections 163.3161 through 163.3215, Florida Statutes, as amended.
- Section 2.** The Land Development Code is hereby amended as set forth in Exhibit "A", attached hereto and incorporated herein by reference, with deleted text marked as struck-through, and added text marked as underlined. Except as specifically amended herein, the Land Development Code, Ordinance 92-5, as amended, remains in full force and effect.
- Section 3.** If any section, paragraph, phrase, or word of this Ordinance is for any reason held to be unconstitutional or invalid, such holding shall not affect the remaining portions hereof and it shall be construed to have been the legislative intent to pass this Ordinance without such unconstitutional or invalid part.
- Section 4.** This Ordinance shall take effect upon the effective date of Hillsborough County Comprehensive Plan Amendment HC/CPA 20-11.

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

I, CINDY STUART, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an ordinance adopted by the Board at a duly noticed public hearing held on October 14, 2021, as the same appears of record in Minute Book ___ of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this ____ day of _____, 2021.

CINDY STUART, CLERK OF CIRCUIT COURT

By: _____
Deputy Clerk

APPROVED BY COUNTY ATTORNEY
By: Cameron S. Clark
Approved as to Form and Legal Sufficiency.

EXHIBIT "A"

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The existing text of Part 5.04.00 is replaced with the following text:

PART 5.04.00 - PLANNED VILLAGE^[2]

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 (RP-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 (PD) rezoning. The PD rezoning shall clearly demonstrate compliance with the RP-2 criteria that meets the Planned Village's intent established within the Comprehensive Plan and the following Land Development Code regulations. These regulations and other portions of the Land Development Code shall be cited and referred to as the "Code."

This portion of the 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 RP-2 areas shall include a mixture of residential Neighborhoods, non-residential uses to serve the Neighborhood, open space, preservation lands, agricultural uses, civic uses, and recreational uses (consistent with the Balm Community Plan in the Livable Communities Element of the Comprehensive Plan). The RP-2 areas shall be a collection of Neighborhoods that have been designed with a range of housing types and lot sizes.

To achieve densities greater than 1 dwelling unit per 5 gross acres, projects shall provide enhanced Neighborhood design 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 within the RP-2 Future Land Use Category which includes the Balm Village Plan Area and North Village Plan Area as shown in Figure 5.04-1.

In addition to the standards provided herein, development within these RP-2 areas shall be required to meet all other applicable sections of the Code. Where any provision of the RP-2 regulations conflicts with any other standards or regulations of the Code, Part 5.04.00 of the Code shall prevail.

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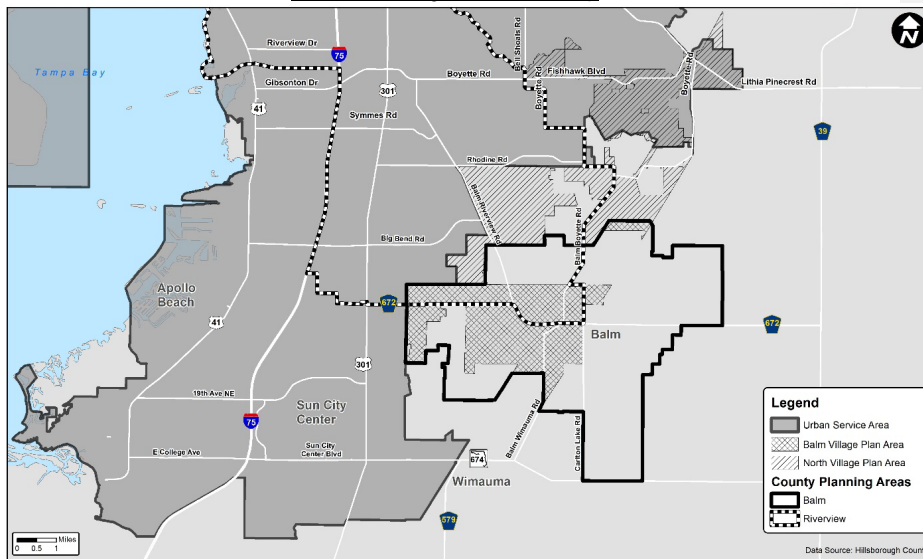
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Specifically, the standards of this section shall apply to new residential/mixed use development requesting a gross density greater than 1 unit per 5 acres (Planned Village) as of October 14, 2021 and associated non-residential development. These standards 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 PDs, previously approved Planned Villages, previously approved subdivisions, and/or any project with unexpired preliminary site development approval as of October 14, 2021. Minor and Major Modifications to previously approved Planned Villages within the applicable area shall be evaluated for consistency with these regulations and shall comply to the greatest extent possible. In applications where only a portion of the previously approved Planned Village is proposed for modification, these regulations shall apply to the portion of the project subject to the modification.

Figure 5.04-1
RP-2 Plan Designation Areas Map



Sec. 5.04.03. Design Rules and Other Requirements

A. Form

1. Overall Physical Form: The Neighborhood shall be designed to include various housing types and lot sizes and a Neighborhood Center(s). Larger lots or buffers/screening shall be provided on the perimeter to provide a transition and to screen the Neighborhood.

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Non-residential uses may be included in the Neighborhood and shall be integrated with the residential development area. At the time of rezoning, the site plan will be evaluated for compatibility with surrounding uses and prevailing rural character of the Balm Village Plan Area and North Village Plan Area.

2. Neighborhood Centers: The Neighborhood Center(s) shall be designated inside or on the periphery of the Neighborhood. The minimum acreage of each Neighborhood Center shall be at least 1.5 percent of the gross acreage of the Neighborhood and shall be included for gross density residential calculations. Neighborhood Center acreage which exceeds 1.5 percent of the Neighborhood's gross acreage, unless associated with a Community Benefit, shall not be used for gross density calculations. The land counting towards a Neighborhood Center acreage requirement shall exclude right of way for roadways, Alleys, Pedestrian Thoroughfares and Multi-Use Trails. When developed, Non-enclosed uses, such as community gardens and flexible market space, shall contribute a maximum of 50 percent of the minimum Neighborhood Center acreage.
 - a. Neighborhood Center(s) shall be developed in a block pattern. The following criteria shall be met:
 - i. Each block shall have a maximum block perimeter of 1,800 feet.
 - ii. All lands designated as the Neighborhood Center(s) shall be located within a block.
 - iii. Block faces shall be formed by a roadway, Pedestrian Thoroughfare and/or Multi-Use Trail. For the purposes of these regulations, Pedestrian Thoroughfares shall be a minimum of 25 feet in width and consist of a minimum 8 foot wide publicly accessible sidewalk.
 - iv. At least one block face shall be formed by a roadway.
 - v. When a Pedestrian Thoroughfare is constructed, landscaped areas shall be provided on both sides of the sidewalk at the discretion of the developer and approved by County staff. The surface of the sidewalk shall consist of pavers or other similar materials. Amenities such as benches, planters, and/or ornamental or shade trees shall be provided within the Pedestrian Thoroughfares.
 - vi. Use of Pedestrian Thoroughfares as a block face shall be subject to staff review and approval at the time of plat/site/construction plan review. Staff review shall be based on land use context, abutting property ownership, anticipated traffic volumes, and other vehicular and pedestrian safety considerations.
 - vii. Adjustments to these requirements (due to environmental features, existing roadways, utilities, existing easements, and other site constraints) and/or to propose a modified form that meets or exceeds the intent of these regulations can be requested and will be evaluated at the time of initial rezoning or subsequent zoning modification.

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- viii. All uses constructed within the Neighborhood Center must be located within a fully constructed and compliant block.
 - ix. All transportation facilities providing connectivity or constituting a required block face shall be maintained by the public or otherwise located within a public access easement.
 - x. Notwithstanding anything in the Code to the contrary, vehicular access shall only be permitted where consistent with Section 6.04.07 and 6.04.03.I, unless otherwise approved through the 6.04.02.B. administrative variance process.
- b. Neighborhood Center(s) uses shall include one or more of the following non-residential uses:
- i. Retail uses: retail uses permitted in the CN (Commercial, Neighborhood) zoning district except where not permitted in this Code, food truck courts, and flexible market space.
 - ii. Office uses: professional services, business services, medical offices/clinics without emergency services, personal services, and/or health practitioner offices.
 - iii. Other Neighborhood serving or support uses: publicly accessible parks (to be maintained by HOA), government/public use facilities, public or private schools, community gardens, flexible market space, churches/synagogues, childcare facilities, general indoor recreational uses. Public schools shall be permitted to be located within or external to a Neighborhood Center and shall be subject to the review in accordance to the interlocal agreement between Hillsborough County and the Hillsborough County School Board. Private and charter schools shall comply with Land Development Code Sections 6.11.88 (Schools) and 6.03.13 (Private and Charter Schools Vehicle Circulation, Queuing and Parking). For a public and/or private school to be located within a Neighborhood Center and contribute to the minimum size requirement, development in the required block form shall be provided to create a compact, pedestrian-oriented development.
 - iv. Uses Not permitted: gas stations including convenience stores with gas, and drive-thrus are not permitted in the Neighborhood Center.
- c. Parking: All on-site parking serving Neighborhood Center uses shall be located to the rear and/or sides of the principal buildings/use. Notwithstanding the above, one row of angled parking spaces adjoining the principal building shall be permitted.
- d. When a Neighborhood Center use is adjacent to a non-Neighborhood Center use within the Neighborhood, buffering and screening per Land Development Code Section 6.06.06 and Part 6.11.00 shall not be required. Any fences or walls used for required screening shall comply with the requirements found in this Code. Uses within

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the Neighborhood Center are not required to provide buffers and screening between uses.

3. Residential development form shall have options based on housing types and lot sizes provided:
 - a. Residential development made up of 1/2 acre or greater lot sizes for the entirety of residential development as described in Section 5.04.04.B.
 - b. Residential development made up of lot types less than of 1/2 acre shall follow the following criteria:
 - i. Residential development located within a quarter-mile radius (measured via straight line distance) of the Neighborhood Center boundary is referred to in these regulations as Internal Residential development. Internal Residential development shall be provided in a pedestrian-oriented development form and shall be located within a block. Residential development located outside of quarter-mile radius from the Neighborhood Center boundaries is not subject to block size requirements.
 - ii. Each block shall have a maximum block perimeter of 2,640 feet.
 - iii. Block faces shall be formed by a roadway, Pedestrian Thoroughfare and/or Multi-Use Trail. For the purposes of these regulations, a Pedestrian Thoroughfare shall be a minimum of 25 feet in width and consist of a minimum 8 foot wide publicly accessible sidewalk.
 - iv. At least one block face shall be formed by a roadway.
 - v. When a Pedestrian Thoroughfare is constructed, landscaped areas shall be provided on both sides of the sidewalk at the discretion of the developer and approved by County staff. The surface of the sidewalk shall consist of pavers or other similar materials. Amenities such as benches, planters, and/or ornamental or shade trees shall be provided within the Pedestrian Thoroughfares.
 - vi. Use of a Pedestrian Thoroughfare as a block face shall be subject to staff review and approval at the time of plat/site/construction plan review. Staff review shall be based on land use context, abutting property ownership, anticipated traffic volumes and other vehicular and pedestrian safety considerations.
 - vii. Adjustments to these requirements (due to environmental features, existing roadways, utilities, existing easements, and other site constraints) and/or to propose a modified form that meets or exceeds the intent of these regulations can be requested and will be evaluated at the time of initial rezoning or subsequent zoning modification.

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- viii. All Internal Residential development must be located within a fully constructed and compliant block.
 - ix. All transportation facilities providing connectivity or constituting a required block face shall be maintained by the public or otherwise located within a public access easement; and,
 - x. Notwithstanding anything in the Code to the contrary, vehicular access shall only be permitted where consistent with Section 6.04.07 and 6.04.03.I. unless otherwise approved through the 6.04.02.B. administrative variance process.
4. Connectivity: Neighborhoods are to be connected externally and interconnected internally to provide connections between residential, open space and Neighborhood Center uses.
- a. Where a Neighborhood Center abuts an external project boundary, the PD site plan shall identify locations where future connectivity (such as stub outs), as established by the block patterns, is anticipated to be extended into and continued by adjacent properties that are undeveloped or otherwise will redevelop, except where otherwise precluded by environmentally sensitive areas that cannot otherwise be mitigated as approved by the appropriate regulatory agency(ies). Alternatively, an approved PD shall provide sufficient flexibility on the PD site plan and within the zoning conditions to allow for future connection into the facilities by others within a designated area corresponding with the potential location of future required access, without further modification to the PD or consultation with the underlying landowner. Such connections shall be subject to compliance with Section 6.04 of the LDC.
 - b. The Neighborhoods shall include through roadways at least every 1,320 feet. Where possible, through roads should be planned to run adjacent to Neighborhood Centers.
 - c. Gates and Emergency Access. Vehicular, pedestrian, and Multi-Use Trail 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 by the general public, including guardhouses and gatehouses. This regulation does not prohibit entry features for Neighborhoods if they do not restrict vehicular or pedestrian access by the general public, nor shall it be construed to require the County to accept entry features within County owned rights-of-way. Gates shall only be permitted where necessary for required emergency access facilities and shall meet the requirements of Section 6.02.01.H. and/or Section 6.03.01.D. as applicable.
- B. Mixture of Housing Types and Lot Sizes
- 1. Housing Types.
 - a. Balm Village Plan Area: Each Neighborhood shall be developed with at least three different housing types from the list below, unless providing only 1/2 acre or greater

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lot sizes. When providing at least three different housing types, no less than 20 percent should be provided of each housing type. The proposal of different lot sizes for the same Housing Type shall not be counted separately. The proposal of different garage accesses (front or rear) for the same Housing Type shall not be counted separately. Housing types are detached units. Alternately, Neighborhoods may be developed entirely with Type 1 and/or Type 2 Housing Types. Housing Type locations shall be provided on the general rezoning site plan.

- b. North Village Plan Area: Each Neighborhood shall contain at least three different housing types from the list below, unless providing only 1/2 acre or greater lot sizes. When providing at least three different housing types, no less than 10 percent should be provided of each housing type. The proposal of different lot sizes for the same Housing Type shall not be counted separately. The proposal of different garage accesses (front or rear) for the same Housing Type shall not be counted separately. Housing types are detached units. Alternately, Neighborhoods may be developed entirely with Type 1 and/or Type 2 Housing Types. Housing Type locations shall be provided on the general rezoning site plan.

Table 5.04-2
Housing Types

HOUSING TYPE	LOT SIZE	MINIMUM LOT WIDTH
<u>Type 1: Estate Lots</u>	<u>1 acre min</u>	<u>150 feet</u>
<u>Type 2: Single-Family Residential Detached (front-loaded)</u>	<u>21,780 sq. ft. (1/2 acre) – 43,559 sq. ft.</u>	<u>100 feet</u>
<u>Type 3: Single-Family Residential Detached (front-loaded)</u>	<u>10,000 sq. ft. – 21,779 sq. ft.</u>	<u>75 feet</u>
<u>Type 4: Single-Family Residential Detached (front or rear-loaded)</u>	<u>6,000 – 9,999 sq. ft.</u>	<u>60 feet</u>

C. 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 Code to be eligible for the density increase. Hillsborough County staff shall review a project’s eligibility to use Community Benefit options based on Table 5.04-1. Community Benefits exceeding the minimum required in Table 5.04-1 by 100% may count as two benefits as approved by the Board of County Commissioners.

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Table 5.04-1
Community Benefits

<p>Proposed Neighborhoods requesting (50) fifty or more residential units shall conduct at least two public meetings and shall notify all registered Neighborhood, Homeowner and Civic Associations within the Community Planning Area as defined within the Livable Communities Element to discuss the utilization of Community Benefit Options. These meetings shall occur within the defined Community Plan boundary. One meeting shall occur prior to the application submittal. A second meeting shall occur after an application is submitted but prior to the letter of notice mailing deadline. Proof of each meeting, in the form of an affidavit, shall be provided that identifies the date, location, and timing of each meeting, as well as a list of Associations contacted and meeting minutes. This information shall be submitted to County staff by the Proof of Letter of Notice deadline.</p>
<p>The number of required Community Benefits are as follows:</p> <ul style="list-style-type: none"> • At least two benefits shall be offered for developments less than 50 acres (for projects that are aggregating). • At least three benefits shall be offered for developments less than 100 acres but equal to or greater than 50. • At least four benefits shall be offered for developments less than 160 acres but equal to or greater than 100. • At least five benefits shall be offered for developments less than 320 acres but equal to or greater than 160. • At least six benefits shall be offered for developments greater than 320 acres.
<p style="text-align: center;">Tier 1: Community Benefits Priority List</p> <p>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.</p>
<p>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.</p>
<p>2) Buffering/screening: Provide 25% more trees and shrubs (round up to nearest whole number) within the buffer area beyond the minimum found in Table 5.04-4 as part of the rezoning.**</p>
<p>3) Contribution to a Balm Community Plan Goal: 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, high speed internet access or other contributions. The requirement for the fulfillment of the proposed contribution shall be identified during the rezoning review ****</p>
<p>4) Large lot development All housing types shall consist of Type 2 or larger lots (Per Table 5.04-2) minimum and maximum housing type not required.** The required block perimeter requirements shall not be required within a quarter mile of the Neighborhood Center. The location of Type 2 or larger lots shall be provided in the general rezoning site plan</p>
<p>5) Land dedication and conveyance to the County for land within the Neighborhood to be used for any type of recreational use (includes General Recreational Use for indoor/outdoor, Passive Recreation, and/or Regional Recreation Use defined by the Code provided property is publicly owned) and public civic/community uses (such as, but not limited to, community centers, libraries, fire or police stations). Park lands shall be a minimum 10 acres in size while other public civic/community uses shall be a minimum 2 acres in size. Final approval will be made by the BOCC. The required time for the conveyance of land to the County shall be identified during the rezoning review.*** and **</p>
<p>6) Construction of on-site Neighborhood Center uses (limited to those uses defined in Section 5.04.03) within the minimum required Neighborhood Center acreage at a ratio of 42 sq. ft. per housing unit utilizing</p>

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30 percent of the proposed units. Construction shall comply with applicable Section 5.04.03 Design Rules.*
Tier 2
7) Contribute to off-site Neighborhood Center (nodal development): Construct off-site non-residential of at least 42 square feet per proposed dwelling unit utilizing 30 percent of the proposed unit count. The development and uses must follow this Code including uses, block sizes, buffering/screening. Off-site construction is to occur in nodes as part of the Balm Community Plan or as agreed upon by County staff and in compliance with the Code. The proposed off-site square footage (and existing if present) 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 off-site non-residential uses shall be part of the subject PD rezoning as a non-contiguous portion.*
8) Designate additional on-site land: 50% to 75% above the minimum 1.5% of the gross project acreage required for Neighborhood Center for uses as permitted Section 5.04.03). Additional acreage beyond the minimum 1.5% of the gross project acreage shall not be used for density calculations. **
9) Construct multi-use trail: Consistent with Hillsborough County 2019 Greenways and Trails Master Plan or Community Plan or construct at least two connections to an adjacent County trail system. Within the project, the connections shall be constructed per the multi-use standard as found within the Hillsborough County Transportation Technical Manual, be publicly accessible, and be at least a half mile in length within the project. Such trail connections shall connect the Trail to Neighborhood Centers, or connect to other trails found in the Long-Range Transportation Plan with approval from Parks and Recreation, Community Infrastructure Planning, and other appropriate reviewing agencies, as applicable.**
10) Land dedication for ELAPP or TDR utilization: Removing density from the Rural Service Area. The applicant provides at least 10 percent of gross site acreage.***
11) Four or more different housing types: (Per Section 5.04.03.B) No less than 20 percent and no more than 40 percent shall be provided of each housing type).The location of each housing type shall be provided in the general rezoning site plan.**

*These community benefits shall require that at least 50% of required 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 required 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 identified/demonstrated on the general site plan of the rezoning application.

*** These community benefits 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.

D. Neighborhood Center Development (on-site and off-site)

1. New Neighborhoods with a PD rezoning are not required to construct non-residential uses as part of Neighborhood Center(s) when residential units are constructed, but are required to provide space for Neighborhood Center(s) to be shown on the general rezoning site plan. On-site, Neighborhood Center uses can be constructed in the required Neighborhood Center as residential units are constructed as a Community Benefit as specified in Table 5.04-1.
2. Neighborhood Center uses can be developed off-site (Nodal Development) as a Community Benefit (utilizing Table 5-04-1). Development of Neighborhood Centers must follow Section 5.04.03 In such cases Nodal Development is to be located within a two (2) mile walking or driving travel distance of 50 percent of the gross Neighborhood area. Neighborhood Center(s) uses shall include one or more of the following:

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- a. Retail uses: retail uses permitted in the CN (Commercial, Neighborhood) zoning district except where not permitted in this Code, food truck courts, and flexible market space.
 - b. Office uses: professional services, business services, medical offices/clinics without emergency services, personal services, and/or health practitioner offices.
 - c. Uses Not permitted: Gas stations including convenience stores with gas, and drive-thrus are not permitted in the Neighborhood Center.
3. Notwithstanding anything within Section 6.04.03.Q. or 6.02.01.A. to the contrary, in addition to any of the requirements therein, a minimum of one access or cross access connection shall be provided between the off-site Neighborhood Center and each project frontage. Exceptions may be made where such access/cross access does not comply with Section 6.04.07 access spacing standards or where otherwise necessary to avoid an on-site or off-site environmental feature. Connections not otherwise required per 6.04.03.Q. may seek relief through the waiver process at the time of initial rezoning or subsequent zoning modification. Connections required by 6.04.03.Q. must also seek relief through the process specified within Section 6.04.02.B. Such connections shall be constructed concurrent with the initial increment of the commercial development.
- E. Non-residential Building Design
1. The following building design requirements shall apply to all non-residential buildings located on-site in the Neighborhood or off-site as Nodal 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. All 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 follow Section 5.04.03 of this Code.
 - d. All non-residential buildings (excluding agricultural structures, churches, and schools) shall incorporate the design features in Table 5.04-3. For required Roofs 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.

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Table 5.04-3: Non-residential building elements

Architectural Elements	Design Features
<u>Roofs</u> ¹	<u>Dormers, steeples, cupolas</u>
<u>Façades (includes windows and other elements)</u> ²	<u>Covered porches, columns, decorative column brackets, arcades, recessed entryways, porticos, pilasters, gingerbread gables, shutters, awnings, porch roofs, mullions</u>

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

² Blank walls shall not exceed 40 percent of a principal frontage. At least 60 percent of the horizontal length of each façade along roadways and/or parking areas shall be comprised of elements, to break-up blank walls, such as porches, doors, recessed entryways, arcades, porticos and/or pilasters. Windows, shutters, transoms, and awnings must not make up the entirety of the 60 percent of the horizontal length of each façade to be reviewed by County staff. Horizontal banding and other predominately horizontal elements shall not contribute towards satisfaction of this requirement.

F. Perimeter Buffering and Screening

1. Buffer Widths and Screening: To enhance the outward appearance and create visual compatibility with the surrounding character of the Neighborhood, either buffers with screening or larger lots shall be required around the entire perimeter boundary of the Neighborhood.
 - a. Buffers and screening shall be provided around the entire perimeter of the site as listed in Table 5.04-4, which provides buffering and screening options. Within the buffer area, the developer shall provide screening if required. Sidewalks and Multi-use Trails may be provided within 100' or 250' wide buffers. All plant species shall be selected from the Hillsborough County Development Services Department Approved Tree and Hedge Materials List as applicable. There are several circumstances where there are additional buffer width and screening requirements than those listed in Table 5.04-4 as follows:
 - i. Number of buffer width transitions: The developer shall limit the number of different buffer width transitions found in Table 5.04-4 on any one side of the perimeter of a Neighborhood. The intent of the buffer is to provide compatibility.
 - ii. Primary access: There are additional buffering requirements along a Neighborhood boundary line that abuts a external roadway where the Neighborhood's primary access point(s) is on the same external roadway. There are three buffering and screening options: (1) A 250-foot wide buffer with screening requirements outlined in Table 5.04-4 shall be required along a Neighborhood boundary when utilizing smaller housing types (Type 3, Type 4). (2) No buffer width and screening shall be required with the Type 1 Housing Type (Estate Lots) along the Neighborhood boundary line. (3) 25' buffer widths and screening from Table 5.04-4 shall be provided where Type 2 Housing Types are

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provided along the Neighborhood boundary line. Stormwater facilities may be permitted within this 250-foot wide buffer.

- iii. Scenic Roadways: There are three buffering and screening options where the Neighborhood boundary line is adjacent to a Scenic Roadway. (1) A 250-foot wide buffer with no required screening shall be required. (2) No buffer width and screening shall be required with the Type 1 Housing Type (Estate Lots) along the Neighborhood boundary line. (3) 25' buffer widths and screening from Table 5.04-4 shall be provided where Type 2 Housing Types are provided along the Neighborhood boundary. If Neighborhood Center is located along the Neighborhood property line adjacent to a Scenic Roadway, a 25-foot wide buffer with screening shall not be permitted.
 - iv. ELAPP Lands: A 250-foot wide buffer with no required screening shall be required where the Neighborhood boundary line is directly adjacent to ELAPP-acquired property or separated from ELAPP-acquired property by a roadway of 50 feet or less in right-of-way width ("shared boundary"). The intent of the buffer is to provide for compatibility between new development and ELAPP-acquired property and provide adequate space to: 1) safely conduct necessary land management activities (e.g. prescribed burns) on ELAPP-acquired property; 2) protect the adjacent Neighborhood from potential wildfire and limit smoke impacts from prescribed burns; and 3) reduce the potential for activities that would be incompatible with the appropriate maintenance of ELAPP-acquired property including, but not limited to, illegal dumping and unauthorized access from the adjacent Neighborhood . The buffer width may be reduced in certain segments based on a recommendation from the Conservation and Environmental Lands Management Department that a reduced buffer would be adequate to ensure compatibility; however, under no circumstance shall the width of the buffer at any one point be less than 100 feet from the shared boundary.
 - v. Neighborhood Centers: Where a Neighborhood Center is located along a Neighborhood's boundary which abuts an external roadway, a 25-foot wide buffer with landscaping shall be permitted between the Neighborhood Center and abutting external roadway. The landscaping provided shall include the tree and shrub plantings required for 25-foot wide buffers per Table 5.04-4. The remainder of this property line, if any, shall be buffered and screened in accordance with Table 5.04-4. If this Neighborhood boundary is as described in a.ii above, the remainder of this property line shall be buffered and screened in accordance with a.ii.
- b. Additional buffering and screening standards are as follows:
- i. The developer is encouraged to preserve existing native / Florida Friendly vegetation within the required buffer area to the when possible. Preservation of existing native/Florida Friendly vegetation may count towards required buffer

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plantings. To count towards required buffer plantings the preserved vegetation must be consistent in size, quantity, and quality of the required buffer plantings.

- ii. For all required buffers, where there are preserved wetlands and wetland setbacks, the screening requirement of Table 5.04-4 shall not be required in the segment of the buffer where the wetland and wetland setbacks occur.
 - iii. Existing trees and vegetation may be utilized to meet the buffering/screening requirements of Table 5.04-4 if consistent in size and quality of required buffer plantings. One existing tree or shrub will be equivalent to two required trees or shrubs respectively.
 - iv. Trees may be grouped, staggered, or clustered for flexibility in the design and placement of required trees.
 - v. 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.
 - vi. Monument signs may be allowed in the buffer area in accordance with the Code.
 - vii. Access/cross-access, sidewalks or Multi-Use Trail stub-outs and/or connections shall be permitted across all buffer areas regardless of width.
 - viii. Any required tree and/or shrub plantings shall be located on the outward fence side not on the inward fence side internal to the Neighborhood.
 - ix. All buffers shall be platted as separate tracts to be owned and maintained by the Homeowners' Association or similar entity.
- c. Larger Lots: The Single-Family Residential Detached - Front Loading (Type 2 Housing Type) may be used to reduce the required buffer width to 25' per Table 5.04-4. Estate Lots (Type 1 Housing Type) do not have a required buffer width or screening requirements. Perimeter lots shall not supersede required buffer widths along ELAPP lands above and/or a Scenic Roadways found in Sec.6.06.03.1 of the Code.

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Table 5.04-4: Buffering/Screening Options

<u>Buffering/Screening Options (per 100 Linear 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>No berm or fence</u>	<u>3</u>	<u>4</u>	<u>25</u>	<u>Stormwater ponds are permitted</u>
<u>100</u>	<u>6' high fence/wall or 3' high berm with 3' high double evergreen hedge row on top of berm</u>	<u>3 in two staggered rows</u>	<u>4 in two staggered rows between shade trees</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 on top of 3' high berm and shrubs or 5' high berm with 3' high double evergreen hedge row on top of berm</u>	<u>5 in two staggered rows</u>	<u>7 in two staggered rows between shade trees</u>	<u>33 with 6' high fence/wall or continuous double row</u>	<u>Stormwater ponds are not permitted</u>
<u>25</u>	<u>Provide Type 2 lots abutting this buffer. If abutting an external roadway, fencing per Section 5.04.03.G in addition to the required plantings shall be provided within the buffer. This alternative is not available for Neighborhood boundaries which abut ELAPP acquired properties or Scenic Roadways.</u>	<u>3</u>	<u>4</u>	<u>Continuous double row</u>	<u>Stormwater ponds are not permitted</u>

G. Fences and Walls

1. All fences and walls with the Neighborhood and/or off-site Nodal development 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. Masonry columns with spanning members comprised of metal, wood, concrete, or other similar materials. 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 at least four feet apart. The base and columns shall be

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encased in brick or stone and the spanning members shall have a maximum opacity of 50 percent.

- c. Green or black chain link fencing is permitted, however attaching of slats or other nonvegetative screening to the fence shall be prohibited.
- d. Fences and walls shall not be placed within a Scenic Corridor easement as described in Land Development Code Section 6.06.03.1 (Scenic Roadways).

H. Active Open Space

1. All Neighborhoods are required to provide Active Open Space.
 - a. A minimum of 2.5 percent of the gross acreage of the Neighborhood shall provide active open space. Such areas shall be designated and identified on the general site plan during the rezoning process. This minimum active open space acreage shall not be removed for density calculations. Any active open space acreage provided above the minimum 2.5% shall be removed for density calculations.
2. Types of active Open Space shall include the following:
 - a. Community Farms;
 - b. Active recreational areas (to include, but not be limited to playfields, courts, and skateparks) not located within a Neighborhood Center;
 - c. Passive recreation areas (to include, but not limited to, walking paths, equestrian trails, off-road bicycle paths, tot lots, plazas, and greens) not located within a Neighborhood Center. When such passive recreation areas are located around a stormwater facility or natural lake, only the acreage of the recreation area shall be included in the active open space acreage.
 - d. Community Gardens not located within a Neighborhood Center;
 - e. Community Gathering Places;
3. The following shall not count towards the active Open Space minimum acreage requirement:
 - a. Public or private Golf Courses;
 - b. HOA-only amenity areas (pools, clubhouse, recreation center);
 - c. Stormwater Management facilities;
 - d. Naturally occurring and manmade lakes;
 - e. Perimeter buffers and as required per Section 5.04.03.F of this Code; or

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- f. Environmentally Sensitive Areas as defined in the Future of Hillsborough Comprehensive Plan.

I. Lighting (Dark Sky lighting standards)

1. Lighting shall be in accordance with Section 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. An exterior lighting plan prepared by a professional licensed by the State of Florida to prepare lighting plans or a full-time employee of an electric utility shall be provided for all developments meeting the applicability criteria established under Section 6.10.00.
 - c. Additionally, exterior lighting, including temporary or special events lighting, shall not blink, flash or oscillate.

J. Other Transportation Requirements

1. Roads internal to the site shall meet Hillsborough County Transportation Technical Manual (TTM) standards to the greatest extent possible.
2. Roadway facilities providing access to new development are required to bring substandard roadways up to County standards pursuant to Section 5.04.04 of this Code.
3. Public and private road rights-of-way may contain preserved or planted vegetation, including trees, provided the proper permits are obtained and the preserved or planted vegetation is in accordance with the landscaping standards of the Transportation Technical Manual and Development Review Procedures Manual.
4. Alleys. Notwithstanding anything in the LDC to the contrary, Alleys when utilized may be publicly maintained or, if private, shall be publicly accessible. Additionally:
 - a. Alley rights-of-way shall be a minimum of 20 feet in width for one-way Alleys and a minimum of 26 feet in width for two-way Alleyways;
 - b. Both ends of an Alley shall connect with a roadway if the Alley accommodates only one-way traffic or the alley accommodates two-way traffic but is longer than 150 feet;
 - c. Alleys shall only provide a secondary means of access to abutting residential property and are not intended for general vehicular traffic circulation (i.e. each use accessed via an Alleyway must have primary frontage onto a roadway or Pedestrian Thoroughfare); and,

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- d. Use of Alleys for commercial traffic must be considered through the waiver process at the time of initial zoning or subsequent zoning modification.

Sec. 5.04.04. – Substandard Roadways

A. Terminology.

For purposes of this section, the term TTM shall mean the latest edition of the Hillsborough County Transportation Technical Manual for Subdivision and Site Development Projects.

B. General Requirement.

1. Developments with vehicular access to an existing substandard public or private roadway may be required to make improvements to the public and private roadway network.
2. For the purposes of this section, a public or private roadway shall be considered substandard if one or more of the following Essential Elements are not met:
 - a. Lane Widths, i.e. width of the travel lane and any auxiliary lanes serving the site shall be in accordance with the minimum TTM width requirements;
 - b. Presence of Curb, i.e. whether an urban roadway section has the required curbing per the TTM;
 - c. Presence of Stabilized Shoulders, i.e. whether a rural roadway section has the minimum required shoulders per the TTM;
 - d. Elements of Roadside Safety, i.e. whether clear zone and/or clear recovery standards are met or otherwise mitigated;
 - e. Presence of Bicycle Facilities, i.e. whether a rural roadway section has the minimum width for bicycle facilities (5-foot wide paved shoulders), or whether an urban roadway section has the minimum width for bicycle lanes (7-foot wide buffered bicycle lanes), as required per the TTM. Multi-purpose trails may be considered to satisfy this minimum Essential Element. Two-way cycle tracks (separated from the travel lanes via raised curbing) may be considered through the Design Exception process.
 - f. Ability to Accommodate Sidewalk Facilities, i.e. whether a roadway has the ability to accommodate pedestrian facilities (e.g. a sidewalk or multi-purpose pathway) within the roadway corridor, in minimum widths consistent with required TTM standards. Multi-purpose trails may be considered to satisfy this minimum Essential Element.
3. For the purposes of this section, a public or private roadway shall not be considered substandard if the roadway complies with the Essential Elements listed above but does not comply with a Non-Essential Element of the Typical Section. Examples of non-essential elements include, but are not limited to, width of the right-of-way, ditch slopes,

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width of existing sidewalk facilities, type of bicycle facilities (i.e. traditional bicycle lane vs. buffered bicycle lane), type of curb, etc.

C. Scope of Required Improvements.

1. Where a development constructs a vehicular access to a substandard public or private roadway, the developer may be required to improve the public and private roadway network, such that a path of travel exists between each project driveway and a public roadway complying with all Essential Elements. Generally, this shall mean that the public and private roadway network will be improved between each driveway and the nearest roadway meeting minimum Essential Element standards; however, nothing herein shall be construed to prevent a developer from improving a longer stretch of roadway if they prefer to do so.
2. Gated or otherwise restricted vehicular connections providing access solely for emergency vehicles shall not trigger the substandard roadway requirement.
3. Where improvements are required, the developer shall improve the roadway to current County standards for the applicable Typical Section, as found within the TTM or otherwise required herein, unless otherwise approved in accordance with the Section 6.04.02.B. Administrative Variance process or TTM Design Exception process as outlined in the TTM.
4. Where sufficient right-of-way exists to allow a developer to improve the substandard public or private roadway network, the developer shall comply with all Essential Elements listed within Section 5.04.05.B above. Additionally, the following Additional Element shall apply:
5. Location of Required Sidewalk Facilities, i.e., when a sidewalk is required consistent with Section 6.02.08 or 6.03.02 of this Code, such sidewalk shall be physically located in accordance with the applicable TTM Typical Section to the greatest extent possible.
6. Where insufficient right-of-way exists or there are additional constraints (e.g., lack of stormwater facilities to accommodate required drainage), Section 6.04.02.B. Administrative Variances or TTM Design Exceptions may be considered provided:
 - a. The Administrative Variance and Design Exception are processed concurrently with a Planned Development zoning application or Planned Development zoning modification; and,
 - b. Where insufficient right-of-way exists along a project's public or private roadway frontages, the developer shall provide sufficient right-of-way along such frontage(s) where necessary.
7. For the purposes of this section, nothing herein shall be construed as requiring a developer to construct sidewalk improvements not otherwise required pursuant to Sections 6.02.08 or 6.03.02 of this Code. However, to the extent that the developer

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proffers construction of additional pedestrian facilities, such facilities shall be located consistent with the applicable Typical Section, except as otherwise described herein.

8. The County Engineer shall be authorized to grant TTM Design Exceptions to existing and proposed roadways at the time of plat/site/construction plan review for a development, provided such Design Exception only authorizes a deviation to a Non-Essential Element.
9. Notwithstanding the above, a sidewalk shall not be considered substandard or non-compliant if an existing or future sidewalk facility does not comply with locational requirements, provided such deviation is the minimum necessary to avoid a utility pole, landscape feature, or other obstruction within the right-of-way.

D. Exceptions.

1. Notwithstanding anything herein to the contrary, Section 6.04.02.B. Administrative Variances and TTM Design Exceptions causing non-compliance with an Essential Element may be considered (regardless of whether there is sufficient right-of-way) where:
 - a. The County Engineer makes an explicit finding that such Administrative Variance or Design Exception is necessary to protect or otherwise furthers the public health, safety and welfare and the BOCC makes an explicit finding that such Administrative Variance or Design Exception meets Vision Zero goals or is otherwise appropriate;
 - b. A multi-purpose trail is proposed in lieu of required sidewalks and bicycle facilities; or,
 - c. A Design Exception is necessary to transition the design of an existing roadway corridor.

E. Timing of Required Improvements.

A substandard roadway shall be improved prior to or concurrent with the phase of development which takes access to the substandard roadway.

Article XII – Definitions

Part 12.01.00 – Definitions

Community Garden (RP-2/WVR-2):

A community garden is an unenclosed use located within a Neighborhood Center or elsewhere of an RP-2 Planned Village or WVR-2 Neighborhood, which is dedicated to small scale urban agriculture and gardened by residents or the general public. It may be publicly or privately owned and managed.

Community Farm (RP-2/WVR-2)

A passive, bona fide agricultural use located within the Open Space of an RP-2 Planned Village or WVR-2 Neighborhood that shall be integrated and compatible with the proposed development. A community farm may be publicly or privately owned and operated.

Farmers Market (RP-2/WVR-2)

A temporary, outdoor vendor use occurring only in the Flexible Market Space within the Neighborhood Center of an RP-2 Planned Village or WVR-2 Neighborhood and regulated as a type of Temporary Vendor in accordance with Land Development Code 6.11.101.02 (Temporary Vendors).

Food Truck (RP-2/WVR-2)

A large, motorized vehicle or trailer, equipped to cook, prepare, serve, and/or sell food within Flexible Market Space within the Neighborhood Center of an RP-2 Planned Village or WVR-2 Neighborhood and regulated as a type of Temporary Vendor in accordance with Land Development Code Section 6.11.101.02 (Temporary Vendors)

Flexible Market Space (RP-2/WVR-2)

An improved privately owned property located within the Neighborhood Center of an RP-2 Planned Village or WVR-2 Neighborhood for the purpose of staging temporary uses. Uses may include Farmer’s Market, Food truck(s), neighborhood fairs, circus/carnivals, and other uses identified as Temporary.

Live-Work Unit (RP-2/WVR-2)

A single building located in an RP-2 Planned Village, Wimauma Village Neighborhood or the Wimauma Village Downtown which integrates one residence and a non-residential use, as permitted in Section 6.11.48, which is primarily operated by the live/work occupant.

Active Open Space (RP-2)

Open space areas within an RP-2 Planned Village which are not located within a Neighborhood Center that may include a community farm use, community garden, community gathering place, active recreation or passive recreation.

Active Recreation (RP-2/WVR-2)

A type of Open Space within an RP-2 Planned Village not restricted to residents-only which provides for structured recreational activities for teams or individuals, or which provide active facility sites for non-organized play, requiring specialized development and management which may restrict general use of the park or facility. Examples include, but are not limited to, soccer fields, softball/baseball fields, basketball courts, tennis/pickleball courts, skate parks and swimming pools.

Neighborhood Green (WVR-2)

A type of passive open space within the Wimauma Village Residential neighborhood, located at the intersection of streets and bounded by streets on all sides. Such areas to be provided with walks, lawns, trees, benches and ornamental structures such as fountains.

Neighborhood Center (RP-2/WVR-2)

The acreage of an RP-2 Planned Village or Wimauma Village Neighborhood developed as a block, compilation of blocks or part of a larger block allowing specified Neighborhood Center uses which are primarily non-residential.

Article VI – Special and Conditional Uses

Sec. 6.11.101.02. – Temporary Vendors

Temporary vendors located on private property shall conform with the following requirements. Approval of a Conditional Use zoning permit is not required.

A. Site Requirements

1. Except as noted below, temporary vendors shall be permitted only on parcels zoned for commercial or office uses, excluding parcels zoned O-R:

a. Temporary vendors sponsored by non-profit organizations shall also be permitted on parcels owned by the organization in residential or agricultural zoning districts.

b. Farmer’s Markets and, Food Truck(s), as defined by the Land Development Code, shall be permitted in accordance with these requirements as a Temporary Vendor when located in the Flexible Market Space of a Neighborhood Center located within a RP-2 Planned Village or WVR-2 Neighborhood.

2. Multiple vendors shall be allowed to occupy a parcel concurrently.

3. If located on a developed parcel, the vendor shall not obstruct vehicle driveways.

4. Restroom facilities shall be available for use by vendor employees and patrons. Alternatively, portable toilets may be utilized on the host parcel.

5. All elements of the temporary vendor use, including but not limited to merchandise, vehicles and structures, shall maintain a ten-foot setback from all property lines.

6. Building permits shall be obtained for all structures in accordance with the requirements of the Florida Building Code.

B. Operational Requirements

1. All employee and patron vehicles shall be parked on the host parcel, unless otherwise stated in the RP-2 Planned Village or Wimauma Village Neighborhood regulations. Parking in road rights-of-way shall be prohibited. The vendor activity shall not interfere with safe traffic movement on adjacent streets.

2. One recreational vehicle shall be permitted on the parcel for sales and security purposes.

3. Sales shall be limited to the hours between 7:00 a.m. and 10:00 p.m., unless otherwise stated in the RP-2 Planned Village or Wimauma Village Neighborhood.

4. All trash and debris shall be removed nightly.

5. Permits shall be obtained by a licensed contractor for all electric connections.

6. Signage for temporary vendors is allowed upon compliance with the following; (i) pennant/banners may be displayed at a height of no more than 18 feet; (ii) temporary banners shall not exceed one square foot per ten square feet of a vehicle/cart or temporary tent footprint; (iii) shall be on parcels non-residentially zoned; (iv) shall be attached to poles designed expressly for that purpose or attached to a vehicle/cart or temporary tent; (v) pennants/banners that are frayed, torn or otherwise in disrepair are prohibited; (vi) a sign permit is not required; and (vii) external illumination is authorized.

7. Except for a pennant/banner sign as described above, no other freestanding signs of any kind are permitted.

8. If a tent or canopy is utilized, a tent permit shall be obtained from the Hillsborough County Fire Marshal.

9. The vendor shall possess a current Hillsborough County occupational license for a "retail sales peddler" valid at the proposed vendor location. The license shall be kept on site during business hours and shall be made available for review by Hillsborough County upon request.

10. The vendor shall possess a food permit from the Florida Department of Agriculture if selling any food other than legumes in the shell (parched, roasted or boiled) and fresh fruits and vegetables. The permit shall be kept on site during business hours and shall be made available for review by Hillsborough County upon request.

11. The vendor shall possess a valid lease from the property owner. The lease shall be kept on site during business hours and shall be made available for review by Hillsborough County upon request.

C. Failure to comply with any of the above standards or requirements may result in Code Enforcement action, including fines, against the property owner.

Sec. 6.11.130 – Flexible Market Space

1. This use shall be located only within an RP-2 or Wimauma Village Neighborhood Planned Development.
 - a. This use shall be located within a Neighborhood Center.
2. The maximum size shall be one acre, which shall include the sales areas and any on-site parking.
3. One Flexible Market Space shall be permitted per Planned Development.
4. Uses permitted include temporary vendors (including Farmers Markets and Food Trucks), Neighborhood Fairs and Circus/Carnivals.
 - a. A Conditional Use Permit for a Neighborhood Fair and Circus/Carnival shall be required.
 - b. When operating a Neighborhood Fair, per Land Development Code Section 6.11.11, the temporary sale and consumption of alcoholic beverages is licensed by the State and shall occur no more than six times within a 12-month period. A Temporary Alcoholic Beverage

- Sales Sign-off/Verification application will be needed. No “wet zoning” of the subject property is required.
- c. If the site will provide more than six events with a Temporary Alcoholic Beverage permit within a 12-month period, a permanent “wet zoning” of the property will be required.
 5. The Flexible Market Space shall provide permanent public restroom facilities.
 6. The use of temporary vendors in the Flexible Market Space shall comply with the following:
 - a. The temporary vendors shall utilize the Flexible Market Space a minimum of 4 times but no more than 12 times per year. It shall be the responsibility of the Flexible Market Space property owner to ensure compliance with this regulation.
 - b. Temporary vendor signage for the Flexible Market Space shall be in accordance with Land Development Code Section 6.11.101.02.
 - c. Notwithstanding LDC Section 6.11.101.02, Temporary Vendors shall operate only on Fridays, Saturdays and/or Sundays, from 7:00 AM to 10:00 PM.
 - d. Unless otherwise stated, Temporary Vendors shall operate with the setbacks and requirements provided in Land Development Code 6.11.101.02.
 7. Neighborhood Fairs shall operate in compliance with the setback and other requirements provided in Land Development Code Section 6.11.64.
 8. Circus/Carnivals shall operate in compliance with the setback and other requirements provided in Land Development Code Section 6.11.26.
 9. To ensure stormwater drainage, public utilities, accessibility and parking requirements in accordance with Land Development Code Part 6.05.00 are met, a flexible Market Space shall be reviewed through the Site Development process.
 10. The surface of the Flexible Market Space and its on-site parking shall be constructed with a durable and dustless surface, including, but not limited to asphalt, cement or equivalent improvement. No slag, rock, pea gravel or other loose type of material shall be used. In making a determination as to the suitability of an equivalent improvement, the Administrator shall find that such improvement: (a) provides a safe and permanent surface, suitable for the quantity and quality of the use; (b) provides a surface which will accept permanent delineation of parking spaces, aisles, accessways and maneuvering areas; (c) provides surface that will not contribute to erosion or sedimentation, either on-site or off-site; and, (d) provides a surface that meets the design standards of Hillsborough County.
 11. Should the site provide electrical service, permits shall be obtained by a licensed contractor for all electrical connections.
 12. Building permits shall be obtained for any structures to be utilized.
 13. If a tent or canopy is used, a tent permit shall be obtained from the Hillsborough County Fire Marshal.
 14. For the purposes of buffering and screening, a Flexible Market Space use shall be considered a “Group 5” use.

Sec. 6.11.131 – Farmer’s Market (temporary vendor)

1. This use shall be located only within an RP-2 Planned Village or Wimauma Village Neighborhood Planned Development.
2. This use shall be located within a Neighborhood Center’s Flexible Market Space.

3. Sales shall be limited to fresh fruit and vegetables, foods processed from fruit and vegetables (such as but not limited to cider, jams, jellies, relishes, pickles, syrups), honey, plants, flowers and trees.
4. The sales of general merchandise or crafts shall not be permitted.
5. A current Hillsborough County occupational license for retail sales at the proposed location shall be required when produce not grown on the parcel is sold.
6. If food other than fresh fruits and vegetables will be sold, a current food permit from the Florida Department of Agriculture shall be required.
7. Notwithstanding Land Development Code Section 6.11.101.02, Farmers Markets (when not operated as part of a Neighborhood Fair) shall operate in accordance with the Flexible Market Space's frequency, day and time requirements for temporary vendors.
8. The use of a Farmer's Market in connection with a Neighborhood Fair shall comply with the setback and other requirements provided in Land Development Code Section 6.11.64.

Sec. 6.11.132 – Food Truck (temporary vendor)

1. This use shall be located only within an RP-2 Planned Village or Wimauma Village Neighborhood Planned Development.
2. This use shall be located within a Neighborhood Center's Flexible Market Space.
3. Notwithstanding Land Development Code Section 6.11.101.02, Food Trucks (when not operated as part of a Neighborhood Fair) shall operate in accordance with the Flexible Market Space's frequency, day and time requirements for temporary vendors.
4. The use of Food Trucks in connection with a Neighborhood Fair shall comply with the setback and other requirements provided in Land Development Code Section 6.11.64.

Sec. 6.11.133 – Community Garden

1. This use shall be located only within an RP-2 Planned Village or Wimauma Village Neighborhood Planned Development.
2. When located within an RP-2 Planned Village or Wimauma Village Neighborhood's Neighborhood Center, the Community Garden shall be a maximum 1 acre in size. This size shall include the garden area, buffer area if required and any on-site parking if required.
3. When located outside of an RP-2 Planned Village or Wimauma Village Neighborhood's Neighborhood Center, the Community Garden shall not exceed 3 acres in size. This size shall include the garden area, buffer area if required and any on-site parking if required.
4. Community Gardens may be improved with the following, but not be limited to, signage, benches, tool sheds, garden plots, and educational materials and exhibits. Any structures shall follow the Land Development Code's Accessory Structure setbacks.
5. The open storage of any materials, soil, mulch, compost or the like shall not be permitted.
6. A community garden may not be utilized in lieu of the Community Gathering Place requirement per Policy 16.15 of the Unincorporated Hillsborough County Comprehensive Plan Future Land Use Element.
7. On-site sales of produce is not permitted.

8. Community Gardens depicted on a site plan not located within a Neighborhood Center may be up to 3 acres in size and shall at a minimum utilize a 10 foot buffer and type A screening when located adjacent to a residentially zoned lot or residential use.
9. For the purposes of buffering and screening, a Community Garden use shall be considered a "Group 6" use.

Sec. 6.11.134 – Live-Work Units (within an RP-2 Planned Village or Wimauma Village Neighborhood)

1. These requirements shall apply to Live/Work units within RP-2 Planned Village.
2. Permitted non-residential uses within a Live/Work unit include: PC: Uses permitted include art gallery or studio, home-based business, personal service (no laundry or dry cleaning), photography studio, or professional service use. The storage of any materials related to the non-residential use outside (enclosed or open) shall not be permitted.
3. Live/Work units shall contribute to density.
4. A two or three story structure shall be utilized. One-story structures are not permitted for the Live/Work unit use.
5. Live/Work units shall be occupied by the primary operator of the Live/Work unit's non-residential use.
6. The Live/Work unit shall allow for a maximum of two employees or two independent contractor's who do not reside in the Live/Work unit. The Live/Work unit may have additional off-site employees who do not work in or live in the Live/Work unit.
7. If a two-story unit is used, permitted non-residential uses shall occur within the entirety of the first floor of the unit and account for a maximum of 50% of the overall structure's square footage. The residential use shall occur within the entirety of the second floor of the unit.
8. If a three-story unit is used, permitted non-residential uses shall occur within the entirety of the first floor only. The second floor may be utilized for permitted non-residential uses or the residential use. The third floor shall be utilized the residential use only. Non-residential uses shall account for no more than 50% of the overall structure's square footage. No more than one residential unit shall be permitted within a three-story live/work unit.
9. In the Wimauma Village Neighborhood, the Live/Work Lot Type per Table 3.24.01 shall be utilized, unless otherwise stated. When located in a Wimauma Village Neighborhood's Neighborhood Center, no additional setback due to height is required.
10. For the purposes of buffering and screening, the live/work unit shall be considered a multi-family use.
11. Resident parking shall be provided.
12. Notwithstanding Land Development Code Section 6.05.02.E., customer/employee parking shall be provided at a parking standard of 1.5 spaces per each Live/Work unit. For the purposes of this regulation, employee parking is to accommodate employees of the Live/Work unit's non-residential use who are not the primary operators and who do not live within the Live/Work unit.

- a. The use of compact parking shall be limited to a maximum of 20% of the total required customer/employee parking.
- b. Customer/Employee disabled parking shall be provided in accordance with Land Development Code Section 6.05.02.J. (Disabled Parking).

13. Should surface parking be utilized for some or all resident parking and for some or all customer/employee parking, each space shall be delineated with markings to designated individual parking spaces for residents and for customers/employees. All surface parking shall be located to the rear or side of the Live/Work units.

14. Alternatively, on-street parking to accommodate some or all customer/employee parking may be provided and shall be located directly in front of the live/work units. Such spaces shall be designated for Live/Work customer parking only.

Sec. 6.11.135 – Community Farm

1. This use shall be located only within the Open Space of an RP-2 Planned Village or Wimauma Village Neighborhood Planned Development.
2. The size of the farm may be no more than 50 percent of the open space of the RP-2 Planned Village or WVR-2 Neighborhood and this calculation shall be all encompassing of farming use.
3. The Community Farm shall permit a maximum of one single-family residential use in connection with the care, operation and maintenance of the community farm. This residential use shall be included in the project's maximum density.
4. A community farm may be publicly or privately owned.
5. Prohibited uses include the following: packing houses, labor camps and agricultural manufacturing.
6. Open storage shall be permitted in accordance with Land Development Code Section 6.11.123 (Open Storage in Agricultural Districts).
7. Agricultural Stands shall be allowed when in accordance with Land Development Code Section 6.11.09 (Agricultural Stands).
8. No sales, with the exception of an Agricultural Stand, shall be permitted on the community farm.