



**BOARD OF COUNTY COMMISSIONERS  
AGENDA MEMORANDUM**

**COMMISSION DISTRICT:**

**FILE NO.:** PDD21-7506

**DATE:** 2/9/21

**SUBJECT:** ZONING AMENDMENT (REGULAR) – Trust #7541207 Land Trust Service Corporation, Trustee– Change in Zoning from an A-R Agricultural-Residential District, A-C Agricultural District and a C-2 General Commercial District to a C-2 General Commercial District and an I-1 Light Industrial Park District – Northcentral Pasco County – on the Northeast Corner of the Intersection of Interstate 75 and Blanton Road – Containing Approximately 89.074 Acres (PC 1/7/21, 1:30 p.m.; DC Hybrid Virtual Meeting; BCC: 2/9/21, 1:30 p.m.; DC Hybrid Virtual Meeting; Continued from PC: 12/10/20, 1:30 p.m.; DC Hybrid Virtual Meeting and BCC 1/12/21, 1:30 p.m.; DC Hybrid Virtual Meeting)

**THRU:** Sally Sherman, Assistant County Administrator (Development Services)

**FROM:** Nectarios C. Pittos, AICP, Planning and Development Director

**RECOMMENDED BOARD ACTION:**

Adopt the Zoning Amendment. Authorize the Chairman to execute one original of the resolution provided and direct Board Records to distribute, as set forth under the Distribution section below.

**BACKGROUND SUMMARY/ALTERNATIVE ANALYSIS:**

Petition No. 7506 in the name of Trust #7541207 Land Trust Service Corporation, Trustee has been filed for a change in zoning from an A-R Agricultural-Residential District, an A-C Agricultural District and a C-2 General Commercial District to a C-2 General Commercial District and an I-1 Light Industrial Park District. The parcel of land is located on the northeast corner of the intersection of Interstate 75 and Blanton Road (Parcel I.D. No.: 02-24-20-0000-00400-0000), containing approximately 89.074 acres.

The lead planner for this project and author of this memo is Christina Acosta.

The surrounding zoning districts and land uses are as follows:

	<b>ZONING DISTRICT</b>	<b>FUTURE LAND USE</b>	<b>EXISTING USE</b>
<b>NORTH</b>	A-G Agricultural; C-2 Highway Commercial ( <i>Hernando County Zoning Districts</i> )	Conservation; Rural ( <i>Hernando County FLU Designations</i> )	Sertoma Youth Ranch Campground; McClendon Lake
<b>EAST</b>	A-C Agricultural; A-R Agricultural Residential AR-5 Agricultural-Residential	AG (Agricultural); EC (Employment Center); AG/R (Agricultural/Rural .2 du/ga)	Single-Family Dwellings; FDOT-Owned Property; Blanton United Methodist Church

	ZONING DISTRICT	FUTURE LAND USE	EXISTING USE
<b>SOUTH</b>	A-C Agricultural	EC (Employment Center); RES-1 (Residential – 1 du/ga)	Undeveloped Agricultural Land; Wetlands; Single-Family Dwellings
<b>WEST</b>	A-C Agricultural	MU (Mixed Uses); EC (Employment Center); AG/R (Agricultural/Rural .2 du/ga)	Interstate 75; Wetlands

**FINDINGS OF FACT:**

1. The subject site is currently undeveloped and contains approximately 89.07 acres. The owner/applicant proposes to develop the southern 14.66 acre portion of the property in conformance with the C-2 General Commercial District standards for development and the northern 74.41 acre portion of the property in conformance with the I-1 Light Industrial Park District Standards for Development.
2. The applicant has volunteered to record deed restrictions on the property stating the following:

On the C-2 General Commercial District portion of the parcel, the following restrictions shall be imposed: a.) C-2 General Commercial District permitted uses shall not exceed 140,000 square feet. b.) Multi-family apartments shall be prohibited. c.) There shall be no auto towing services and connected storage of vehicles on the property. d.) There shall be no yard trash disposal facilities on the property. e.) There shall be no construction and demolition debris disposal facilities on the property. f.) Truck stops shall be prohibited g.) Pasco County hold harmless indemnity.

On the I-1 Light Industrial Park District portion of the property, the following restrictions shall be imposed: a.) I-1 Light Industrial Park District uses shall not exceed 500,000 square feet. b.) There shall be no auto towing services and connected storage of vehicles on the property. c.) There shall be no yard trash disposal facilities on the property. d.) There shall be no construction and demolition debris disposal facilities on the property. e.) There shall be a 25-foot setback along parcel 02-24-20-0000-00200-0000 which shall remain as a natural, undisturbed area, except as necessary for fence installation and maintenance, tying property to grade and installation/maintenance of any required landscape buffer pursuant to LDC 905.2, as amended. f.) Unless otherwise approved at the time of preliminary plan approval, the following development standards shall apply to the Property: (1) The architectural design of building facades facing Interstate-75 shall include windows at ground level and/or at clerestory and shall not include overhead doors. (2) Outside storage of any materials, supplies, or products shall not be permitted in the front of any structure. When outside storage is exposed to Interstate-75, these areas shall be screened to a height at least one foot higher than the highest material being screened. (3) Loading docks, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the primary building using screening walls of compatible material, style, and color. The wall shall be one foot higher than the largest object being screened. An opaque gate with the same height as the wall shall be included where access is needed. g.) Pasco County hold harmless indemnity.

3. On April 9, 2019, the applicant met with staff for a pre-application meeting to discuss the requirements of the subject rezoning and associated preliminary site plan review.
4. In accordance with LDC Section 305.1.A, a neighborhood meeting to discuss the subject request was held on February 25, 2020.
5. Access to the property is from Blanton Road, a County-maintained arterial road with 66 feet of right-of-way (varies).
6. The subject site is located in Flood Zones "A" and "X" and development is subject to the requirements of the Land Development Code (LDC), Section 1104, Flood Damage Prevention.
7. The surrounding area is characterized by residential uses and agricultural pursuits.
8. The subject area has Future Land Use classifications of EC (Employment Center) and AG (Agricultural) under the Comprehensive Plan.
9. On December 8, 2020, the Board of County Commissioners, (BCC) voted to adopt Comprehensive Plan Amendment CPAL 20(06) amending the Future Land Use of the subject site from EC (Employment Center) and AG (Agricultural) to IL (Industrial-Light) and COM (Commercial). If the subject rezoning is approved, it shall not take effect until the appeal period for the companion Comprehensive Plan Amendment has ended.
10. The subject site is within the North Market Area which is envisioned as a predominantly rural area with activity centers, employment nodes, and village centers at strategic locations. Development should be concentrated in clusters or nodes with a balance of mutually supportive uses (Policy FLU 8.1.5). The property will further the vision and mission of the North Market Area as it is well-suited for commercial and industrial land uses with its extensive frontage on Interstate 75 located at an interchange and would create employment opportunities for Pasco County.
11. The subject site is located in the Northeast Pasco Rural Protection Overlay District (LDC, Section 604). Although no design standards for commercial development have been adopted for this district, the lack of standards does not preclude the property from developing commercial and the current EC (Employment Center) Future Land Use classification has always envisioned commercial development within the District. The property will still serve as an ideal site for a target industry due to its proximity to the I-75 Interchange and Blanton Road, one of the only arterial roadways and employment nodes within the Northeast Rural Area.
12. Blanton Road is considered a scenic roadway (LDC Section 604.4 B.1) and all development abutting Blanton Road will be subject to LDC Section 604.4.C, Corridor and Building Buffer and Screening Standards.
13. On October 21, 1986, the BCC approved Petition No. 3471 for a change in zoning from an A-R Agricultural-Residential District to a C-2 General Commercial District with a specific use to allow a billboard on the subject site.

14. A site inspection was conducted by the Natural Resources division on November 16, 2020 and the following comment was received:
- a. The applicant shall provide a 100% gopher tortoise burrow survey conducted according to FFWCC guidelines. The applicant shall provide the issued FFWCC gopher tortoise relocation permit and the final action report prior to issuance of the site development permit.
15. On May 10, 2005, the BCC adopted the Corridor Preservation Tables in the Transportation Element of the Comprehensive Plan necessitating the preservation of right-of-way along certain roadways. The tables require a corridor preservation width of 166 feet for Blanton Road and 400 feet for Interstate 75 for future road improvements.
16. Subject to the LDC, Section 901.2.J (Transportation-Corridor Management; Dedication-Rough Proportionality), the owner/applicant may be required to convey, at no cost to Pasco County, up to 83 feet of right-of-way from the centerline of construction of Blanton Road and 200 feet from the roadway centerline for Interstate 75. The required width is based on the Pasco County Corridor Preservation Table as amended, located in the Comprehensive Plan, Transportation Element, for arterial/collector and major intersection right-of-way requirements. Consistent with Resolution No. 19-136, the County Administrator or Designee may administratively approve an alternative standard, utilizing the ROW Preservation Width Standards for non-state County collector and arterial roadways.
17. In accordance with the LDC Section 901, a Timing and Phasing Analysis (T&P 2019-00031) for the proposed development was performed by the applicant's consultant, Raysor Transportation Consulting and approved with conditions by County staff on December 3, 2019. The Timing and Phasing Analysis document is attached and incorporated herein (Attachment 3).
18. Blanton Road is considered to be a substandard road. The applicant has been approved for an Alternative Standard from LDC Section 901.4.F.1.b Substandard Roadway Analysis and Mitigation, to pay a proportionate fair share amount to improve Blanton Road to County standards from the eastern limits of the required site access turn lane to McCann Lane (ALTSTD-2020-00102). The fair share payment amount was determined to be \$21,930.
19. In accordance with the Interlocal Agreement between Pasco County and Hernando County, the Planning and Development Department (PDD) has requested a review of the subject request from Hernando County and has received the following comments:
- a. Developer should be advised: Warning: Special Truck Restriction - "No Thru Trucks on CR 541.
  - b. There are three floodplain areas and three flow paths that cross the site. Floodplains should be mitigated or preserved so that there is no adverse impact to the floodplain.
20. The LDC, Section 403, requires that owners/applicants submit a preliminary site plan or preliminary development plan, as applicable, for review and approval prior to development or redevelopment of the property.

- 21. The proposed request is consistent with the LDC, Chapter 400, Permit Types and Applications; Section 402.1.E, Zoning Amendments, Review Considerations; and the applicable provisions of the County's Comprehensive Plan.
- 22. The subject rezoning shall not take effect until the deed restrictions referenced in Finding of Fact Number 2 is recorded and delivered to the County.
- 23. On June 30, 2020, the BCC adopted Resolution 20-182 Adopting Rules and Procedures for Pasco County Public Meetings Conducted Both in Person and Through Communications Media Technology ("Hybrid Virtual Meetings"). In accordance with the Hybrid Virtual Meetings Resolution, the applicant has waived any right to cross-examination of witnesses and has waived the right to challenge the validity, adequacy or constitutionality of the Hybrid Virtual Meeting Order or the Hybrid Virtual Meeting proceeding.

**PLANNING COMMISSION ACTION:**

Approval of PDD Recommendation

**BOARD OF COUNTY COMMISSIONERS ACTION:**

Approved

**OWNER'S/APPLICANT'S ACKNOWLEDGMENT:**

The owner/applicant acknowledges that he has read, understood, and accepted this Zoning Petition Review Report. **(Do not sign until you receive a copy of this petition with the Board of County Commissioners' results.)**

FEB 12, 2021  
(Date)

Land Trust Service Corporation, Trustee  
Trust No. 75412017 dated 1/18/17

By: [Signature] President

MARK WARD Printed Name

STATE OF FLORIDA  
COUNTY OF POLK

It is expressly understood and agreed between the parties and all successors and assigns that this instrument is executed by the Trustee, not personally, but as Trustee in exercise of authority conferred upon such Trustee. No personal liability or responsibility is assumed by or shall be enforceable against said Trustee, either express or implied.

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 2/12/2021 (date) by MARK WARD (name of person acknowledging), who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

Seal:



[Signature]