

COMMERCIAL LOCATIONAL CRITERIA  
PROPOSED PLAN AMENDMENTS

**Neighborhood Commercial -Locational Criteria**

**Objective 22:** Locational criteria for neighborhood serving commercial uses shall be implemented to locate and scale new commercial development in nodes consistent with the character of the surrounding areas, the accessibility of the site, and the availability of public facilities.

**Policy 22.1:**

The neighborhood commercial locational criteria established in this Objective shall only apply within the following residential and industrial future land use categories:

**Rural Agriculture:**

- Agricultural/Mining -1/20 (AM-1/20)
- Agricultural - 1/10 (A-1/10)
- Agricultural/Rural - 1/5 (AR-1/5)

**Rural Residential:**

- Agricultural Estate-1/2.5 (AE-1/2.5)
- Residential-1 (RES-1)
- Residential-2 (RES-2)
- Residential Planned-2 (RP-2)
- Planned Environmental Community – 1/2 (PEC 1/2)

**Residential:**

- Residential-4 (RES-4)

- Residential-6 (RES-6)
- Residential - 9 (RES-9)
- Residential -12 (RES-12)
- Residential -16 (RES-16)
- Residential-20(RES-20)
- Residential-35 (RES-35)

**Industrial:**

- Light Industrial Planned (LI-P)
- Light Industrial (LI)
- Heavy Industrial (HI)
- Research/Corporate Park (RCP)

**Mixed-Use:**

- Neighborhood Mixed Use-4 (3)(NMU-4(3))
- Suburban Mixed Use-6 (SMU-6)

**Policy 22.2:**

The locational criteria for neighborhood serving commercial uses in specified land use categories will:

- a. provide a means of ensuring appropriate neighborhood serving commercial development without requiring that all neighborhood commercial sites be designated on the Future Land Use Map;
- b. establish a maximum square footage for each proposed neighborhood serving commercial intersection node to ensure that the scale of the development is generally consistent with surrounding character; and
- c. establish maximum frontages for neighborhood serving commercial uses at intersections ensuring that adequate access exists or can be provided while preventing strip commercial.

**Policy 22.3:**

Neighborhood serving commercial uses shall meet the following provisions:

- a. *Location:* Neighborhood serving commercial uses established as part of this Objective must be located at the intersection of arterials and collectors, or at the intersection of an arterial or collector with a *major local roadway* (as defined in this Plan). Three way, or “T” intersections are considered full intersections for locational purposes. The following maps/documents shall be used to verify intersection characteristics:

- i. Hillsborough County Functional Classification Map
  - ii. Long Range Transportation Plan (Cost Feasible Plan/Map). The five-year transportation Capital Improvement Program, or MPO Transportation Improvement Program shall be used as a guide to phase the development to coincide with the ultimate roadway size as shown on the adopted Long Range Transportation Plan.
- b. *Roadway characteristics*: At least 2 lanes of traffic are required on both roadways.
- c. *Maximum size per business/tenant*: The maximum allowable size per establishment (excluding grocery stores) shall be 20,000 sq. ft. Grocery stores shall not exceed 50,000 square feet and shall not exceed one per quadrant. Several businesses/tenants may locate in a neighborhood commercial node if the maximum building size noted below is met.
- d. *Maximum building size per quadrant (T intersections assume three quadrants)*. If more than one building is proposed in a quadrant, the maximum building size shall be applied to all buildings within the same quadrant (cumulative). See FLUE Appendix A for additional size restrictions per land use category.
- Industrial categories: 30,000 sq. ft.
  - Rural-Agriculture and Rural Residential Land Use Categories: 40,000 sq. ft.
  - Residential categories allowing less than 4 units per acre and NMU-4: 110,000 sq. ft.
  - Residential categories allowing 4 dwelling units per acre or more and SMU categories: 175,000 sq. ft.
- e. *Maximum distance from intersection*: Neighborhood commercial uses do not have to locate at the corner but are required to stay within 1,000 ft from the qualifying intersection, measured from the intersection of the right-of-way lines. Sites may extend beyond the prescribed distance if at least 75% of the site frontage is within the 1,000-foot distance.
- f. *Minimum separation between nodes*: (measured from the center of the intersections and following a common vehicular path) One (1) mile if both locations front roadways classified as Urban General; two (2) miles in all other locations.

**Policy 22.4:**

Large mixed use projects (over 160 acres and 500 dwelling units), except in RP-2, may contain neighborhood serving commercial uses that do not meet locational criteria as long as they:

- a. do not exceed 20% of the project acreage (if not mixed vertically with residential uses),
- b. are integrated into and located internal to the mixed-use development,
- c. do not front on external roadways, and
- d. are appropriately scaled with other uses within the project.

**Policy 22.5:**

The Land Development Code (LDC) shall be amended to establish a new *Neighborhood Commercial – Low Intensity* zoning district to accommodate neighborhood commercial uses. The Planned Development district shall also be offered as an option, as long as the development meets the purpose and intent of Objective 22 and the Neighborhood Commercial-Low Intensity zoning district.

- a. The district shall be based on the Neighborhood Commercial zoning district but eliminate uses which typically draw customers from other neighborhoods (e.g., auto-oriented uses) and specify which uses would not be appropriate for Rural/Agricultural areas.

- b. The LDC shall establish a list of uses and specify their appropriate locations. Office uses shall only be allowed as secondary uses and located to serve as a transition between commercial and residential developments.
- c. The new zoning district shall establish site design standards such as setbacks, height, signage, lighting, and buffer requirements.
- d. The new zoning district shall incorporate standards for pedestrian circulation and street network spacing appropriate to the context.
- e. The Land Development Code shall include building form design standards for neighborhood commercial development to reflect the desired character of the area (rural, suburban, urban) and pedestrian scale.
  - Along roadways classified as Urban General or Suburban, buildings must be oriented to the street, while parking and utilities must be located behind the building.
  - The most intense land uses shall be clustered and oriented toward the intersection, while providing less intense uses, such as offices, professional services or specialty retail (i.e., antiques, boutiques) toward the edges of the node.
  - Require safe pedestrian and vehicular connections to surrounding residential developments. While direct connections to existing residential developments may be opposed by the residents, pedestrian connections must be optimized through the public realm. New developments shall provide such pedestrian connections and cross-access.
  - Encourage and incentivize the provision of housing (especially affordable housing) above ground level commercial uses.
  - Require adequate setbacks, buffers and screening between commercial and residential uses.

**Policy 22.6:**

The approval of a rezoning application to locate neighborhood commercial within a residential land use category is not guaranteed. The review of such request must consider the following factors:

- a. compatibility (as defined in Policy 1.4 of the Future Land Use Element and in the Definitions section of this Plan),
- b. adequacy and availability of public services,
- c. multi-modal connectivity between the site and surrounding neighborhoods,
- d. adverse impacts on environmentally sensitive areas and other significant natural systems as described and required within the Conservation and Aquifer Recharge Element and the Coastal Management Element of the Comprehensive Plan
- e. consistency with the Community Vision Plans contained in the Livable Communities Element,
- f. consistency with the County's mobility goals and proposed phasing to coincide with long range transportation improvements, and
- g. consistency with other policies of the Comprehensive Plan and zoning regulations

**Policy 22.7:**

No waivers shall be granted to the requirements established within this Objective.

**Policy 22.8:**

Existing neighborhood commercial developments are not required to meet the neighborhood commercial locational criteria unless proposing a site or building expansion that would be inconsistent with the purpose and intent of this Objective.

Proposed developments not meeting the locational criteria may request a future land use map amendment to a commercial or mixed-use category that allows consideration for the proposed scale of development.

**COMMERCIAL REDEVELOPMENT AND INFILL**

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**Policy 25.4**

Office uses may be permitted within residential future land use categories on parcels that are ~~is~~ unsuitable or undevelopable for residential development. The rezoning must be to a site plan-controlled district or to a zoning district restricting uses to residential scale office. Sites which may be unsuitable or undevelopable may include but are not limited to: parcels altered due to the acquisition of adjacent land for public purposes or natural features (rivers, lakes or preservation areas) either of which may isolate a parcel, or if existing development has isolated a parcel along a roadway shown on the adopted Long Range Transportation Plan. Parcels must be five usable acres or less. However, all parcels under five usable acres may not qualify for consideration of this provision.

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**Policy 26.6:**

In industrial land use categories, up to twenty percent (20%) of the project land area, when part of larger industrial developments (those industrial and/or office parks greater than 300,000 square feet total) may be considered for certain neighborhood retail and service uses; generally, the amount of commercial uses permitted in this type of development will not exceed the maximum square footage stated in Objective 22 (Commercial Locational Criteria). Retail activities may also be considered in industrial areas as freestanding uses if it is demonstrated to serve the greater industrial area, pursuant to the provisions of the Locational Criteria <sup>xix</sup>.

## COMPREHENSIVE PLAN DEFINITIONS

**Commercial Uses** - Activities within land areas which are predominantly connected with the sale, rental and distribution of products, or performance of services.

**Community Activity Centers** - These activity centers designate Transportation Analysis Zone (TAZ) locations for existing and future major regional employment clusters that have more than 1,000 regional commercial or service employees and/or locations around fixed guideway transit stations. It is anticipated that these locations will emphasize a focal point for surrounding neighborhoods that will include a variety of public facilities and services including commercial and office development, integration of viable residential neighborhoods and the redevelopment of areas within the activity center appropriate for higher intensity uses. It is anticipated that regional shopping centers, major office and employment areas, higher educational facilities and professional sports and recreation complexes exist or will develop in higher concentrations. Higher residential densities can also be considered for these areas as services and facilities become available to provide the necessary infrastructure. Existing viable low density residential uses found within or adjacent to the Community Primary Activity Centers should be protected through policies of the Comprehensive Plan. Ultimate limits of the Primary Community Activity Center shall be coordinated with fixed-guideway transit plans (such as rail or bus rapid transit) where applicable and determined by a Special Area Plan and/or Multimodal District analysis.

**Community Serving Commercial/Community Commercial** - Commercial development and uses of a greater intensity than neighborhood serving commercial uses. Uses include, but are not limited to, general and intensive retail, wholesale, warehousing, and office uses, and major auto or commercial vehicle sales, service, and repair. The intensity of community serving commercial shall be as provided for in the criteria and development standards for community serving commercial uses. Agriculturally oriented community serving commercial uses include farm machinery sales, service, and repair.

**Compatibility**- Defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following- height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

**Established Neighborhood** - A neighborhood where platted, or otherwise divided, lands have been at least eighty percent developed and occupied without substantial deterioration since such development.

**Major Local Roadway** - To assist in determining the amount of commercial development that can be considered in accordance with the locational criteria contained in the plan, the term "major local" will generally refer to local streets (those not shown on the MPO 2015 Long Range Transportation Plan) which have the following characteristics- The roadway will connect at least two or more collector or higher roadways and/or be a primary access road to at least 500 dwelling units from a collector or arterial roadway, (as defined in this Element) . Final determination of the status of a major local road will be made during the review of a request for rezoning.

**Mixed or Multiple Use** - The mixture of more than one land use within a single building, or within a single project in separate buildings, such uses planned in a coordinated manner under a single master development plan. Land uses, which when combined constitute mixed or multiple uses, exclude parks, golf courses, schools, and public facilities (fire stations, utility substations, etc.). Land uses, which when combined within a single project constitute mixed or multiple uses include residential, commercial, office and industrial uses.

**Neighborhood** - An integrated area related to the larger community of which it is a part and consisting primarily of residential districts.

**Neighborhood Serving Commercial/Neighborhood Commercial** - Retail commercial and office development serving the daily needs of one or several contiguous neighborhoods. Developments are typically small,

compared to community and regional-serving commercial, and include convenience goods and personal services.

**Office** - A structure for conducting business, professional, or governmental activities in which the showing or delivery from the premises of retail or wholesale goods to a customer is not the typical or principal activity.

**Regional Activity Center** - This designation refers to the high concentration of government centers, high intensity commercial uses and potential high density residential development that will emphasize the Central Business District of Tampa as the central core of the Tampa Bay Region, as well as the Westshore Area with its major office and employment areas and the University of South Florida area with its higher educational facilities.

**Regional Serving Commercial/Regional Commercial:** Commercial development and uses of a greater intensity than community serving commercial uses. Uses serve an entire metropolitan area and may include, but are not limited to, regional retail, wholesale, warehousing, and office uses, shopping malls, retail outlets, light industrial, and major auto or commercial vehicle sales, service, and repair.

**ZONING CODE**

S&ME recommends creating a FLUM-Zoning correlation table, so it is clear which districts are typically consistent with each FLU category.

The following table shows a comparison of the uses that are allowed in CN currently to the uses we propose to allow in the new CN-L district, which would help implement the CLC. In addition to uses, the new district would also include design standards for neighborhood commercial nodes.

Table of Allowable Uses in Zoning Districts

Key: P = Permitted. C = Conditional Use, permitted pursuant to standards of Article VI (no public hearing required unless specified in applicable section) and the procedures of Section 10.01.00. ;b\$\\b; = Special Use, noticed public hearing required and subject to standards of Article VI. Reviewed pursuant to Section 10.02.00. A = Accessory use, permitted pursuant to Article VI. N = Potentially permitted pursuant to Section 6.11.65. CNR = Conditional Use/No Review, permitted without prior zoning review subject to requirements of Part 6.11.00. Blank = Prohibited.

	<b>CN-L</b>
<b>Residential Uses</b>	
Apartments, Commercial	C
Dwelling, Multi-family [PER FLUM DENSITY]	C
Family Day Care Home	P
<b>Cultural/Institutional Uses</b>	
Churches and Synagogues (300 seats or less)	C
Churches and Synagogues (301 seats or more)	C
Libraries	P
Pre-K, Day Care, Child Care and Child Nurseries	C
Schools, Private and Charter (K—12)	P
Schools, Public (K—12) <sup>5</sup>	P
<b>Neighborhood, General and High Intensity Business and Commercial</b>	
Adult Care Centers	C
Apparel and Shoe Store	P
Appliance Stores, Small	P
Art Supply Store	P
Automated Teller (ATM)	A
Automotive Supply Store	P
Bank/Credit Union	P
Bicycle Sales	P
Bicycle Repair	C
Blueprint [SEE PRINTING SERVICES]	--
Book/Stationary Store, New and Used	P
Brew Pub	C
Camera/Photography Store	P
Convenience store without gas pumps	P
Drug Stores	P
Dry Cleaners, Small	P
Electric/Electronic Repair, Small	P



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	<b>CN-L</b>
Florist Shop	P
Food Product Stores: Bakery, Candies & Nuts, Dairy, Delicatessens, Meat Seafood and Produce	P
Free-Standing Taverns, Bars, Lounges, Nightclubs and Dance Halls	C
General Business, Such as Retail Goods and Stores	P
Grocery Stores	P
Hardware Store	P
Jewelry Store	P
Kennels [PET DAY CARE]	C
Laundries (Self-Serve)	P
Liquor Store	P
Locksmith	P
Mail and Package Services	P
Mail Order Pickup Facilities	P
Medical Marijuana Dispensing Facility	P
Microbrewery	C
Motor Vehicle Repair, Neighborhood	C
News Stand	P
Novelty and Souvenir Shop	P
Optician/Optical Supplies	P
Pet Shop	P
Photography Studio	P
Printing Services	P
Restaurants (Eating Establishment)	P
Shopping Centers	P
Specialty Food Store	P
Sporting Goods Store	P
Supermarket	P
Tobacco Shop	P
Travel Agencies	P
Vehicle Parts Sales	C
Watch, Clock, Jewelry Repair	P
<b>Office and Professional Services</b>	
Animal Hospital/Veterinary Clinic, Small, Without Accessory Crematoriums	C
Barber, Beauty Shop	P
Business Services	P
Diagnostic Centers, which Provide Radiology, Medical Screening and Testing Services	P
Employment Services	P
Family Support Services	P
Freestanding Emergency Room	C
Health Practitioner's office	P
Medical Offices or Clinics with Scheduled or Emergency Services by Physicians	P

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PROPOSED PLAN AMENDMENTS**

	<b>CN-L</b>
Personal Services	P
Professional Office	P
Professional Services	P
<b>Outdoor, Passive and Recreational Uses</b>	
Public Parks & Recreation Facilities	P
Private Skateboard Ramps	P
Recreational Use, Passive	P
Swimming Pools	C
<b>Neighborhood and General Public Service and Emergency Service Uses</b>	
Components of Wastewater Systems	C
Components of Water Systems	C
Electricity Substations	C
Fire Stations	C
Public Service Facilities	C
Public Use Facilities	C

Endnotes:

<sup>1</sup> Separate Alcohol Beverage Special Use Permit required.

<sup>2</sup> Permitted only in HI (Heavy Industrial) Comprehensive Plan Category.

<sup>3</sup> Reviewed and permitted in accordance with the design standards of Article VI at site development/building permit review, unless separation requirement is not met. In such cases, a noticed public hearing is required.

<sup>4</sup> Permitted subject to review according to Public Facility Siting Policy.

<sup>5</sup> Permitted subject to review procedures of Interlocal Agreement with School Board.

<sup>6</sup> In Planned Development (PD) districts approved after October 1, 2005, wireless communication facilities are permitted only if expressly allowed by the conditions of approval, except as otherwise permitted by Sections 6.11.29.A., B.

<sup>7</sup> A special use permit is required if the project does not conform to the requirements of Section 6.11.39 or if the project is located in the suburban or urban land use categories.

<sup>8</sup> Special Use permit reviewed in accordance with the procedures of Section 10.02.00 may be required under certain circumstances as described in Section 6.11.11.

<sup>9</sup> Permitted subject to Section 2.02.06 (Additional Location Restrictions for Sexually Oriented Businesses) and Ordinance 06-25.

<sup>10</sup> Permitted without Special Use review subject to the requirements of Section 6.11.117 provided the support tower for the WECS does not exceed 10 feet in height as measured from point of installation at grade or, when applicable, point of installation on rooftop.

<sup>11</sup> Subject to the residence determined legally nonconforming.

<sup>12</sup> Restricted to entertainment/sporting facilities as defined by this Code. All other regional recreational uses prohibited.

<sup>13</sup> Permitted subject to compliance with Section 6.11.03. and Section 6.11.127.

<sup>14</sup> A minimum lot size of 7,000 square feet is required in addition to all other requirements of Section 6.11.02.

<sup>15</sup> Allowed only if parcel is developed with an owner-occupied single family detached unit.