**Rezoning Application:** 

PD MM 23-0614

**Zoning Hearing Master Date:** 

October 16, 2023

**BOCC Land Use Meeting Date:** December 12, 2023



**Development Services Department** 

### 1.0 APPLICATION SUMMARY

Applicant: Town Center Brandon Development

Associates, LLC

FLU Category: UMU-20

Service Area: Urban

Site Acreage: 2.58 Acres +/-

Community Plan Area: Brandon

Overlay: None

Location: Town Center Blvd. / Gornto Lake Rd. Folio: 7178.0150



### Introduction Summary:

**History:** The subject parcel is currently zoned IPD-2 90-0029 most recently modified by PRS 98-0424. The development would allow up to 260 multi-family units on Parcel B and 120,000 of commercial use on Parcel A. Currently, Parcel A is undeveloped.

**Current Request:** The applicant is requesting to develop a portion of Parcel A (proposed Parcel D) with a 77-unit 100% affordable multi-family development through funds awarded by the Hillsborough County "Hope" program in conjunction with an Affordable Housing Density Bonus.

Zoning:	Existing	Proposed	
District(s)	IPD	IPD	
Typical General Use(s)	120,000 SF of Commercial limited uses per PD conditions	Reduce Commercial entitlements on Parcel A from 120,000 to 104,029. Approval is being requested to allow an affordable housing project on proposed Parcel D, which would be entitled to 15,971 SF of commercial development.	

Development Standards:	Existing	Proposed
District(s)	IPD-2	IPD-2
Lot Size / Lot Width	N/A	N/A
Setbacks/Buffering and Screening	Per PD	50' Setback and 5' Type "A" Screening 70' Setback and 10' Type "A" Screening
Height	50′	50′

Additional Information:			
DD Variation(s)	LDC Part 6.06.00 (Landscaping/Buffering)		
PD Variation(s)	LDC Part 6.05.00 (Parking/Loading)		
Waiver(s) to the Land Development Code	LDC Sec. 6.01.01 (2:1 Height regulation) LDC Section 6.01.01, Endnote 8 (schedule of district standards) to eliminate the requirement for an additional 2 feet of setback for every 1 foot of structure height over 20'		

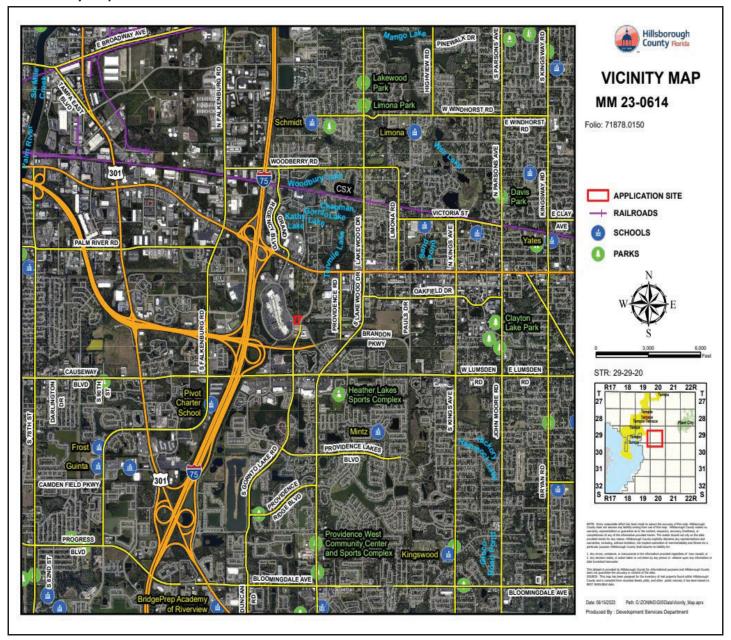
Planning Commission Recommendation:	Development Services Recommendation:		
Consistent	Approvable, subject to proposed conditions		

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### 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map



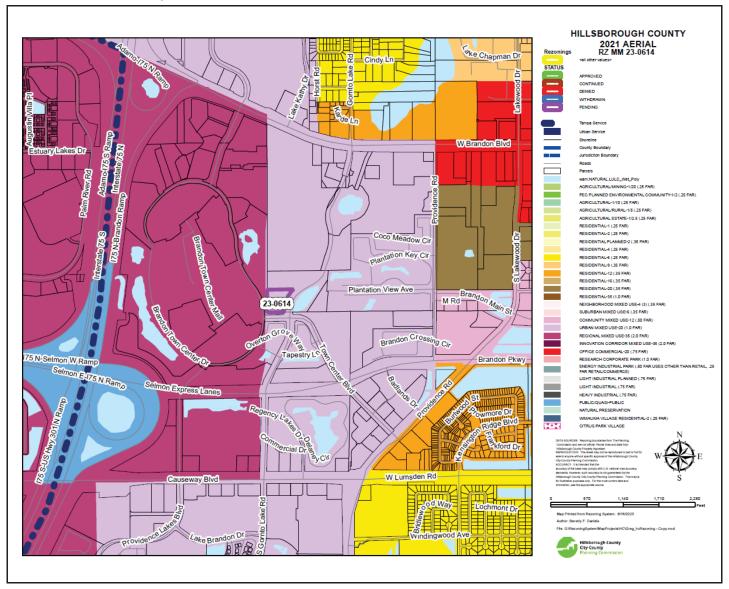
### Context of Surrounding Area:

The surrounding area includes the Brandon Mall to the west across Brandon Town Center Drive, existing multi-family development to the south and southeast across Town Center Blvd., vacant land to the north, and vacant land and multi-family development to the east across Gornto Lake Road.

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### 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.2 Future Land Use Map



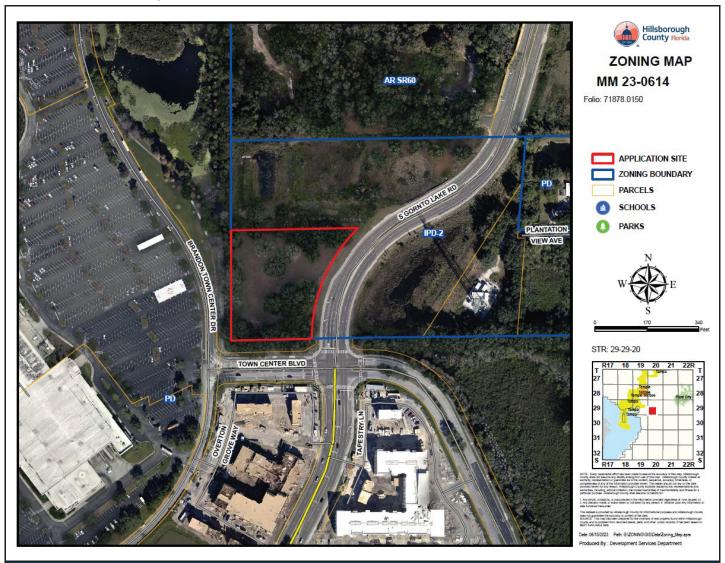
Subject Site Future Land Use Category:	Urban Mixed Use - 20 (UMU-20)	
Maximum Density/F.A.R.:	20.0 DU / Acre FAR: 1.0	
Typical Uses:	Residential, regional scale commercial uses such as a mall, office, and business park uses, research corporate park uses, light industrial, multipurpose, and clustered residential and/or mixed-use projects at appropriate locations	

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### 2.0 LAND USE MAP SET AND SUMMARY DATA

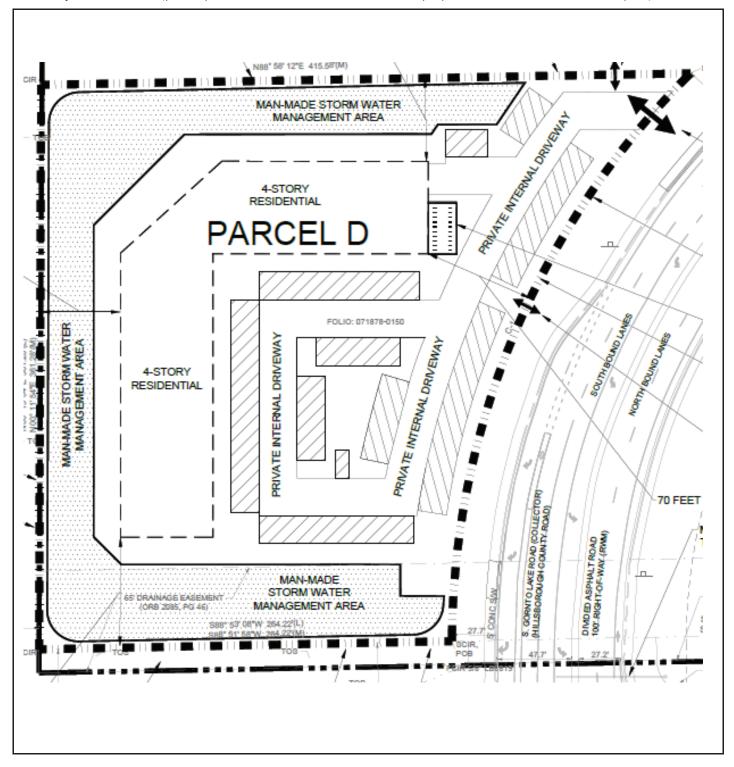
### 2.3 Immediate Area Map



Adjacent Zonings and Uses						
Location:	Location:  Zoning:  Maximum  Density/F.A.R.  Permitted by Zoning  District:		Allowable Use:	Existing Use:		
North	IPD 93- 0003	Per PD	20,000 SF Commercial/Interim Agricultural	Cemetery		
South	PD 82-0421	UMU 1.0 FAR RMU 2.0 FAR	General Commercial, Regional Mall, Multi-Family	Multi-Family		
East	IPD-290- 0029	Per PD	Service and Emergency Uses	Utility Tower		
West	PD 82-0421	General Commercial, Regional Mall, Multi- Family	General Commercial, Regional Mall, Multi-Family	Regional Mall		

### 2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Proposed Site Plan (partial provided belowfor size and orientation purposes. See Section 8.0 for full site plan)



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# 3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9 OF STAFF REPORT)

Adjoining Roadways (check if applicable)				
Road Name	Classification	Current Conditions	Select Future Improvements	
S Gornto Lake Rd.	County Collector - Urban	4 Lanes  ☐ Substandard Road  ☐ Sufficient ROW Width	<ul><li>☐ Corridor Preservation Plan</li><li>☐ Site Access Improvements</li><li>☐ Substandard Road Improvements</li><li>☐ Other</li></ul>	
Town Center Blvd.	Private	2 Lanes ☐ Substandard Road ☑ Sufficient ROW Width	☐ Corridor Preservation Plan ☐ Site Access Improvements ☐ Substandard Road Improvements ☐ Other	

<b>Project Trip Generation</b> ☐ Not applicable for this request						
	Average Annual Daily Trips A.M. Peak Hour Trips P.M. Peak Hour Trips					
Existing	7,498 294 290					
Proposed	427 42 43					
Difference (+/-)	-7,071	-252	-247			

<sup>\*</sup>Trips reported are based on net new external trips unless otherwise noted.

Connectivity and Cross Access    Not applicable for this request					
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding	
North		None	None	Meets LDC	
South		None	None	Meets LDC	
East	Х	None	None	Meets LDC	
West		None	None	Meets LDC	
Notes:					

<b>Design Exception/Administrative Variance</b> Not applicable for this request					
Road Name/Nature of Request Type Finding					
N/A Choose an item. Choose an item.					
Notes:					

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### 4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	⊠ Yes □ No	☐ Yes ⊠ No	☐ Yes ☐ No	
Natural Resources	☐ Yes ⊠ No	☐ Yes ☐ No	☐ Yes ☐ No	
Conservation & Environ. Lands Mgmt.	⊠ Yes □ No	☐ Yes ⊠ No	☐ Yes ☐ No	
Check if Applicable:	☐ Potable W	Vater Wellfield Pro	tection Area	
☐ Wetlands/Other Surface Waters	☐ Significant	t Wildlife Habitat		
☐ Use of Environmentally Sensitive Land	_	igh Hazard Area		
Credit		ourban/Rural Scen	ic Corridor	
☐ Wellhead Protection Area	-	to ELAPP property		
☐ Surface Water Resource Protection Area	☐ Other	,		
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation	∇ v	□ Va a	N v	PD Variation for
☐ Design Exc./Adm. Variance Requested	⊠ Yes □ No	☐ Yes ☑ No	⊠ Yes □ No	reduced parking
☐ Off-site Improvements Provided		I INO		requested.
Service Area/ Water & Wastewater				
⊠Urban □ City of Tampa	⊠ Yes □ No	☐ Yes ☑ No	☐ Yes ⊠ No	
□Rural □ City of Temple Terrace		I INO	I INO	
Hillsborough County School Board				
Adequate ⊠ K-5 ⊠ 6-8 ⊠ 9-12 □ N/A	⊠ Yes	□Yes	☐ Yes	
Inadequate ☐ K-5 ☐ 6-8 ☐ 9-12 ☐ N/A	□ No	⊠ No	⊠ No	
Impact/Mobility Fees:  Mobility: \$2,710 * 39 units = \$105,690 \$3	,225 * 38 uni	ts = \$122,550		
<b>Parks:</b> \$1,126 * 40 units = \$45,040 \$1	,368 * 25 un	its = \$ 34,200 \$1,	,555 * 12 un	its = \$ 18,660
<b>School:</b> \$1,645 * 40 units = \$65,800 \$3	,891 * 37 un	its = \$143,967		
<b>Fire:</b> \$249 * 77 units = \$19,173				
Total Multi-Family = \$555,080				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission				
☐ Meets Locational Criteria     ⊠N/A	⊠ Yes	☐ Inconsistent	□Yes	
☐ Locational Criteria Waiver Requested	□No		□ No	
$\square$ Minimum Density Met $\square$ N/A				

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### 5.0 IMPLEMENTATION RECOMMENDATIONS

### 5.1 Compatibility

The subject property is located at the intersection of Town Center Blvd and Gornto Lake Rd. South and is within the Brandon Community Planning area. The applicant is requesting a Major Modification to Interstate Planned Development (IPD-2 90-0029) to allow for a 77-unit (via the affordable housing density bonus) 100% affordable housing development with HOPE funds awarded from Hillsborough County. The current zoning for the property is Interstate Planned Development-2 (IPD-2), with additional IPD-2 zonings located to the north and east. The areas directly to the west and south of the property are zoned as Planned Development (PD). Further north, there are Agricultural Rural (AR) zonings, as well as pockets of IPD-2 and PD to the northeast.

Development of the site meets the Comprehensive Plan requirements for the Affordable Housing Development density bonus, specifically, the criteria defined in the Housing Element Policy 1.3.1/1.3.2. The applicant has signed a Land Use Restriction Agreement that ensures the site will be used for affordable housing until 2076, exceeding the required minimum of 30 years.

The site is located within the Hillsborough County Urban Service Area; therefore, the subject property should be served by Hillsborough County Water and Wastewater Service which does not guarantee water or wastewater service or a point of connection. The developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements

Given the above, staff finds the proposed modification to be compatible with the surrounding properties and in keeping with the general development pattern of the area and staff has not found any compatibility issues related to the request.

### 5.2 Recommendation

Based on the above considerations, staff recommends approval of the request subject to conditions.

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### 6.0 PROPOSED CONDITIONS

**Approval** - Approval of the request, subject to the conditions listed below, is based on the revised general site plan submitted September 27, 2023.

Prior to certification, the following conditions shall be met:

- 1. A note placed on the face of the plan shall indicate that this project is deed-restricted.
- 2. FAR reduction calculations for the remaining Parcel A are to be added to the data table.
- 3. The developer shall revise the Site Plan Site Data Table Proposed Off-Street Parking to state "88 spaces" at a rate of "1.18 space per dwelling unit" with a note stating "\* per PD Conditions of Approval".
- 1. The approval shall be for a maximum of 260 multi-family units on Parcel B and 120,000 104,029 square feet of commercial uses on Parcel A. Additionally, passenger train stations, unmanned cable television switching facilities, unmanned telephone switching facilities, radiotelephone communication facilities, and radio/television transmitting and receiving facilities shall be permitted on Parcels A and C.
- 2. Parcel D shall allow (multi-family) development, consisting of 77 multi-family dwelling units with a maximum of 90.2 multi-family dwelling units / 35 units per acre if developed in compliance with the Affordable Housing Density Bonus provision of the Hillsborough County Comprehensive Plan) If not developed in compliance with the Affordable Housing Density Bonus provision of the Hillsborough County Comprehensive Plan, the project shall be limited to a maximum of 51/ units (20 units per acre).
- 3. Development in excess of 51 units shall require compliance with the Affordable Housing Density bonus provisions in the Hillsborough County Comprehensive Plan Housing Section Policy 1.3.2, which includes the following:
  - 3.1 The units shall remain affordable for a minimum of 30 years.
  - 3.2 The bonus shall be memorialized in a Development Order as well as a deed restriction, Land Use Restriction Agreement, or other mechanism as determined by the County Attorney's Office.
  - A minimum of 15 units (20% of the total number of units proposed) shall be deemed affordable to households making 100% or less AMI. A minimum of 7 units (50% of required affordable units) shall be set aside for incomes at 60% or below AMI. The distribution of affordable units shall be:
    - 39 units set aside for households earning 50% or less of the area median income ("AMI"),
    - 38 units at 80% or less of the AMI.
- 4. <u>Development Standards for Parcel D shall be as follows:</u>

<u>4.1</u>	Minimum building front yard setback:	<u>70'</u>
	Minimum building North side yard setback:	50'
	Minimum building South side yard setback:	65'
	Minimum building rearyard setback:	50'
	Maximum building height:	50' (4 stories)
	Maximum Building Coverage:	40%
	Maximum Impervious Surface Area:	75%

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4.2 The project is not subject to the 2 additional feet of building setback per 1 additional foot of building height over 20 feet found in the Land Development Code (LDC) Part 6.01.01 footnote 8.

- 5. <u>Buffering/Screening: 10' Type A Buffer/Screening east perimeter; 5' Type A Buffer/Screening north, south, and</u> west perimeters.
- 2. 6. The multi-family uses shall be limited to the residential uses and accessory uses in IPD-2 except the following:

Fraternities and Sororities Life care treatment facility Recreational vehicle park Mobile home

- 3. 7. Commercial uses shall be limited to the following as permitted in the O-R, C-N, C-G, and C-I districts by the November 10, 1994, Land Development Code: retail goods, (excluding open or enclosed flea markets); banking, business, employment, professional, personal and recreation services; health services including nursing, convalescent, and extended care facility uses; repair and miscellaneous services; bus passenger terminals (no maintenance); off-street parking; transportation activities, excluding airport related activities, heliports, helistops, and freight train terminals; display meeting tents; membership organizations; neighborhood fairs; publishing and printing; recyclable household goods facilities, both permanent structures and truck trailers; rental and leasing of light equipment; and rental and leasing of domestic vehicles.
- 4. 8. Radiotelephone communication facilities and radio/television transmitting and receiving facilities shall be subject to the criteria of Sections 2.03.17 and/or 6.11.24 of the 1997 Land Development Code, as applicable, except that in no case shall Special Use review be required. Said facilities shall be limited in height to 200 feet, but may be allowed up to 300 feet if collocation opportunities are provided and subject to approval by the FAA and Hillsborough County Aviation Authority.
- 5. 9. The maximum height of buildings for parcels A, B, and C shall be 50 feet or 3 stories whichever is more restrictive.
- 6. 10. The developer shall be required to utilize public water and public sewer and shall pay all costs to connect for service delivery. The developer shall submit to the Planning and Growth Management Department, prior to Construction Plan or Final Plat approval, evidence of commitment from the county Department of Water and Wastewater Utilities to provide public water and public sewer services, and evidence of agreement to pay necessary costs to enable the County to provide water and public sewer services delivery.
- 7. 11. Development of the project shall be in accordance with all applicable Environmental Protection Commission regulations.
- 8. 12. The number of the access point(s) may be a total of two from the east (inclusive of the access road from the east) and two from the west-but shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code. The design and construction of curb cuts are subject to approval by the Hillsborough County Public Works Department. Final design, if approved by Hillsborough County, may include: left turn lanes, acceleration lane(s), and deceleration lane(s).
  - 8.1 12.1 The applicant shall provide internal access to any existing or future out parcels on the site.
  - 8.2 12.2 The development shall be limited to a maximum of two (2) median openings on the North/South Brandon Corridor once said corridor is four (4) lanes, if approved by the County

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based on the County's Access Management Regulations. The northernmost median opening shall be located at the northern portion of the property and shall accommodate the extension of the East/West Roadway. A southern opening shall be located approximately at the midpoint between the aforementioned northern access and the existing intersection of Brandon Town Center Road "B". The southern median, if approved, shall be limited to a directional median opening at such time as the roadway is extended beyond the northern boundary of the property. Additionally, the southern median opening shall be designed such that it does not conflict with the future of southbound left turning movement from the North/South Roadway onto Brandon Town Center Access Road "B". The design shall consider storage, lane length, taper, and deceleration lanes.

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- 12.3 Parcel D shall have one restricted right-in/right-out access on S. Gornto Lake Rd.
- Parking shall be provided at a minimum rate of 1.14 parking space per affordable multi-family dwelling unit utilizing up to 25% compact parking spaces. Additionally, the developer will be required to construct 40 covered and secured bicycle parking spaces which meet the location and design criteria found within Sec. 6.05.02.P. of the LDC. In the event, any or all of the affordable units convert to market rate housing or affordable housing for households of greater than the 80% area median income, then parking shall be provided consistent the LDC, Section 6.05.02 minimum parking rate.
- 14. The developer shall establish and maintain in operation of a dedicated on-site passenger van service for the project affordable housing residents' transportation needs.
- 15. Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere within the project and along the project boundary consistent with the LDC.
- 16. Construction access shall be limited to those locations shown on PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.
- 9. 17. Proof of cross access agreements for the multi-family on Parcel B, to the adjacent parcel to the north, with whom the multi-family portion of the site will be sharing access, shall be provided by the developer, prior to Site Development approval.
- 10. 18. The developer shall dedicate to Hillsborough County, prior to site development approval or upon request from the County, to coincide with roadway improvements, whichever comes first, right-of-way up to a maximum of 128 feet in width for the North/South Brandon Corridor to accommodate a four-lane divided urban roadway. The right-of-way shall be consistent with the IP-D standards for a four-lane divided roadway provided that the right-of-way width shall be consistent with the width of the right-of-way for that portion of the North/South Brandon Corridor which has already been constructed to the south of the project. The developer shall construct two lanes of the north south road commensurate with development. The road shall be completed to the northern boundary of the project prior to Certificate of Occupancy of any adjacent development.
- 11. 19. The east/west roadway which intersects with Providence Road shall connect to the North/South Brandon Corridor. Prior to Certificates of Occupancy for any development on an adjacent site, the east/west roadway, which intersects with Providence Road, shall connect to the eastern edge of <a href="the-right-of-way">the-right-of-way</a> for the proposed North/South Brandon Corridor, as shown on the site plan.
- 12. Development must be in accordance with all applicable regulations in the Hillsborough County Land Development Code, and in accordance with all other applicable regulations and ordinances.

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- 20. If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above-stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
- 21. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Development Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
- 22. In accordance with LDCSection 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, recertification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.
- 13. 23. Within ninety days of approval of PRS 98 0424 BR PD-MM 23-0614 by the Hillsborough County Board of County Commissioners, the developer shall submit to the County Planning and Development Services Management Department a revised General Development Plan for certification which shall reflect all the conditions outlined above and the Land Development Code (LDC). Subsequent to certification of the plan, if it is determined the certified plan does not accurately reflect the conditions of approval and requirements of the LDC, said plan will be deemed invalid and certification of a revised plan will be required.
- 14. 24. Effective as of February 1, 1990, this development order/permit shall meet the concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities in place at the time of application for subsequent development orders or permits to allow issuance of such development orders or permits.

**Zoning Administrator Sign-Off:** 

J. Brian Grady
Mon Oct. 9 2023 08:27

Mbn Oct 9 2023 08:27:45

SITE, SUBDIVISION, AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtaining all necessary building permits for on-site structures.

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### 7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

The Site was owned by the County as part of the County's overall holdings within IPD 90-0029. The Applicant was awarded an RFP by the County for the purpose of developing the 77-unit affordable housing development and became the owner of the Site. The County remains the owner of the balance of the IPD 90-0029 folios.

The proposed major modification to the existing IPD will require a reduction to the commercial entitlements to allow the development of one (4) four-story 77-unit multifamily residential apartment building. The subject site is vacant, with no existing development that would conflict with this reduction in commercial entitlements as is the parent parcel site from which it is derived. Hillsborough County owns Parcel A which is utilized for drainage retention, and Parcel D (the subject site) was purchased from the County pursuant to an RFP which was awarded to the Applicant. Originally, 120,000 s.f. of commercial entitlements was permitted for Parcel A, but the proposal is to reduce that s.f. to 104,029 s.f. to ensure no additional trips are generated by the overall development by way of the proposed 77 affordable units.

The Applicant requests a waiver from the 2:1 height regulation of LDC Section 6.01.01. Specifically, the Applicant requests 50' tall buildings with a 50' distance from the north and west boundary lines, where 60' would otherwise be required. On the south, the setback is 65' and on the east, the setback is 70'. The 10' reduction from the north and west setbacks is de minimus in nature and is necessitated by the irregular shape of the Site. Where the Applicant is able to provide a greater setback it has done so, as evidenced by the south and east setbacks.

The applicant has also requested variations from the Land Development Code, Parts 6.05.00 (Parking and Loading), and 6.06.06 (Landscaping/Buffering). The applicant's requests and justifications for variations are found to meet the applicable criteria of LDC Part 5.03.06.C.6.a.1-4.

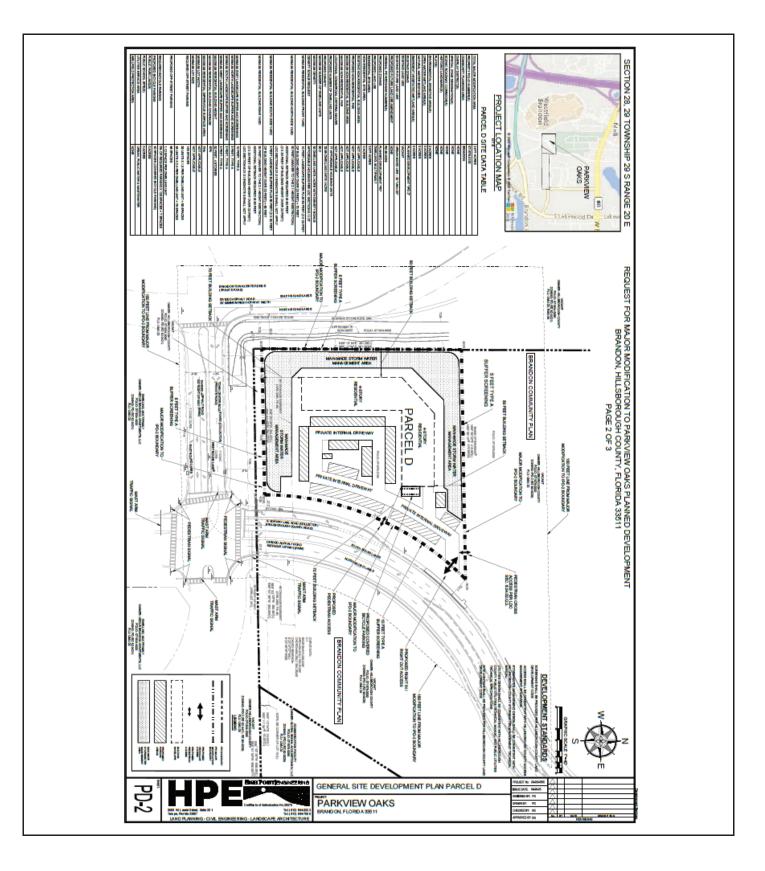
### **Variations Requested**

**Variation #1:** The applicant is requesting a variation to Hillsborough County LDC Section 6.06.06 Landscaping and Buffering Requirements which requires the perimeter of the subject site to have a 10-foot wide Type "A" buffer. The Applicant requests a variation to allow a 5' Type A buffer/screening area on the north, west, and south boundaries.

**Variation #2:** The applicant submitted a PD Variation, requesting a reduction in the required parking rate and applicability of 25% compact parking spaces for the proposed affordable housing use. The applicant is proposing 89 parking spaces in lieu of the 135 spaces that are required per Code. Transportation staff has reviewed the variation request and found it approvable subject to the inclusion of 40 covered and secured bicycle parking spaces and provisions for an onsite passenger service for the residents' transportation needs.

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### 8.0 PROPOSED SITE PLAN (FULL)



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# 9.0 FULL TRANSPORTATION REPORT (see following pages)

### AGENCY REVIEW COMMENT SHEET

REVIEW	ng Technician, Development Services Department (ER: Richard Perez, AICP NG AREA: BR / Central	DATE: 10/04/2023 AGENCY/DEPT: Transportation PETITION NO: PD 23-0614
	This agency has no comments.	
	This agency has no objection.	
X	This agency has no objection, subject to the listed or attack	hed conditions.
	This agency objects for the reasons set forth below.	

### CONDITIONS OF ZONING APPROVAL

- 1. The project shall have one restricted right-in/right-out access on S. Gornto Lake Rd.
- 2. Parking shall be provided at a minimum rate of 1.14 parking space per affordable multi-family dwelling unit utilizing up to 25% compact parking spaces. Additionally, the developer will be required to construct 40 covered and secured bicycle parking spaces which meet the location and design criteria found within Sec. 6.05.02.P. of the LDC. In the event, any or all of the affordable units convert to market rate housing or affordable housing for households of greater than the 80% area median income, then parking shall be provided consistent the LDC, Section 6.05.02 minimum parking rate.
- 3. The developer shall establish and maintain in operation of a dedicated on-site passenger van service for the project affordable housing residents' transportation needs.
- 4. Notwithstanding anything shown in the PD site plan or in the PD conditions to the contrary, pedestrian access shall be allowed anywhere within the project and along the project boundary consistent with the LDC.
- 5. Construction access shall be limited to those locations shown on PD site plan which are also proposed vehicular access connections. The developer shall include a note in each site/construction plan submittal which indicates same.

### Other Conditions

• Prior to PD Site Plan Certification, the developer shall revise the Site Plan Site Data Table Proposed Off-Street Parking to state "88 spaces" at a rate of "1.18 space per dwelling unit" with a note stating "\* per PD Conditions of Approval".

### PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to modify PD 90-0029 to allow a 4-Story, 77-unit multi-family affordable housing development on a +/- 2.58-acre parcel. The subject property is currently entitled to 15,971sf of commercial uses.

The site is located at the northwest corner of S. Gornto Lake Rd. and Town Center Blvd. The Future Land Use designation of the site is UMU-20.

### Trip Generation Analysis

The applicant submitted a trip generation and site access analysis as required by the Development Review Procedures Manual (DRPM). Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition.

Staff notes that the trip generation analysis was based on ITE Land Use Code 223 which encompasses all types of affordable housing units, i.e. townhouses, low-rise, mid-rise and high-rise apartments, and is the most trip intense affordable housing land use code.

**Approved Zoning:** 

Approved Zoning.			
Zoning, Lane Use/Size	24 Hour	Total Peak Hour Trips	
<u> </u>	Two-Way Volume	AM	PM
PD: 6,000sf Gas Station w/ Convenience (ITE 945)	3,914	340	328
PD: 6,000sf Fast Food Rest-Drive Thru (ITE 934)	2,804	268	198
PD: 3,971sf (1-Tunnel) Carwash (ITE 948)	780*	78*	78
Gross Trips	7,498	608	604
Internal Capture	N/A	0	0
Pass-by Trips	N/A	314*	314
Net External Trips	7,498	294	290

<sup>\*</sup>Estimated by staff as ITE Trip Generation/OTIS software does not provide data for this these periods.

**Proposed Zoning:** 

Zoning, Lane Use/Size	24 Hour	Total Peak Hour Trips	
C,	Two-Way Volume	AM	PM
PD: 77 Units Affordable Housing (ITE 223)	427	42	43

**Trip Generation Difference:** 

Zoning, Lane Use/Size	24 Hour	Total Peak Hour Trips	
	Two-Way Volume	AM	PM
Difference	-7,071	-252	-247

The proposed rezoning would generally result in a decrease of trips potentially generated by development of the subject site by -7,071 average daily trips, -252 AM peak hour trips, and -247 p.m. peak hour.

### TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

S. Gornto Lake Rd. is a 4-lane, divided, urban collector roadway maintained by the County with +/-12-foot travel lanes, bicycle lanes and sidewalks on both sides encompassed within a +/-100-foot right of way.

The segment of S.Gornto Lake Rd. in front of the subject site is not included in the Hillsborough County Corridor Preservation Plan.

Town Center Blvd. is a private divided, urban local roadway serving as the entrance to the Brandon Town Center Mall. The roadway consists of +/-11-foot lanes, sidewalks on both sides, a landscaped median and no bicycle lanes with +/-100 feet of right of way.

### SITE ACCESS

The project proposes one restricted right-in/right-out access connection to S. Gornto Lake Rd.

Cross access is not proposed to the north as the property consists of substantial wetlands and stormwater retention areas.

The applicant's traffic engineer conducted a site access analysis that found no site access improvements warranted at the projects access connection or at the next closest median opening turn lane to the north of the site on Gornto Lake Rd.

### REQUESTED PD VARIATION – OFF-STREET PARKING

The applicant submitted a PD Variation, requesting a reduction in the required parking rate and applicability of 25% compact parking spaces for the proposed affordable housing use. The Land Development Code requires 1.5 parking spaces per 1-room multifamily dwelling unit and 2.0 parking spaces for 2 or more room multifamily dwelling units. As such, the project's 39 single room dwelling units and 38 two or more room dwelling units would require 135 parking spaces. The applicant is proposing parking at a rate of 1.143 spaces per unit (for all 77 units).

The 5th Edition of the Institute of Transportation Engineer's Parking Generation Manual provides data indicating a 95% confidence interval ranging from 0.89 to 1.09 and the 85<sup>th</sup> percentile of 1.33 with the specific finding of 1.33 spaces per dwelling applicable to general urban/suburban settings like the subject property.

Staff has reviewed the ITE data and recommends approval the request, subject to conditions. These conditions include the applicant's proposed 40 covered and secured bicycle parking spaces and the provision of an on-site passenger van service for the project's residents to assist with trips to daily needs. Staff also notes that the project is comprised of all affordable units split between 80% or less area median income households and 50% or less area median income households. Additionally, 20% of the units are dedicated to special needs households.

# **LEVEL OF SERVICE (LOS)**

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service					
Roadway	From	То	LOS Standard	Peak Hr Directional LOS	
GORNTO LAKE RD	SR 60	TOWN CENTER BLVD	D	С	
TOWN CENTER BLVD	BRANDON TOWN CENTER	PROVIDENCE RD	E	С	

Source: 2020 Hillsborough County Level of Service (LOS) Report





Unincorporated Hillsborough County Rezoning			
Hearing Date: October 16, 2023  Report Prepared: October 4, 2023	Petition: MM 23-0614  No Street Number (Folio: 71878.0150)  Northeast of the Town Center Boulevard and Brandon Town Center Drive Intersection		
Summary Data:			
Comprehensive Plan Finding	CONSISTENT		
Adopted Future Land Use	Urban Mixed Use-20 (20 du/ga; 1.0 FAR)		
Service Area	Urban Service Area		
Community Plan	Brandon		
Request	Major Modification (MM) to Interstate Planned Development 90-0029 to allow for a 77-unit affordable housing development.		
Parcel Size	2.58 ± acres		
Street Functional Classification	Gornto Lake Road South– County Collector Town Center Boulevard- Local		
Locational Criteria	N/A		
Evacuation Zone	Е		



### Context

- The 2.58 ± acre subject site is located northeast of the Town Center Boulevard and Brandon Town Center Drive Intersection.
- The site is located within the Urban Service Area and the limits of the Brandon Community Plan.
- The subject property is located within the Urban Mixed Use-20 (UMU-20) Future Land Use category, which can be considered for a maximum density of 20 dwelling units per acre and a maximum intensity of 1.0 FAR. The UMU-20 Future Land Use category shall be urban in intensity and density of uses. Typical uses of UMU-20 include residential, regional scale commercial uses such as a mall, office and business park uses, research corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed-use projects at appropriate locations.
- UMU-20 surrounds the subject site directly to the north, east and south. West of the site
  is the Residential Mixed Use-35 (RMU-35). Further west and southwest is Public/Quasi
  Public (P/QP). Further northeast and southeast is the Residential-12 (RES-12) and further
  east are the Community Mixed Use-12 (CMU-12), Residential-20 (RES-20), and Office
  Commercial-20 (OC-20) Future Land Use categories.
- The subject site currently has public/quasi-public/ institution uses and is surrounded by additional public/quasi-public/ institution uses to the north and east. The area directly west of the subject site is vacant. South from the site past Town Center Boulevard are multifamily uses, additional multi-family uses are found further east. In addition, further east there are public communications/ utility uses. Add in light commercial surrounding the site to the west.
- The subject site is currently zoned as Interstate Planned Development-2 (IPD-2).
   Additional IPD-2 zonings exist to the north and east. Directly west and south of the subject site are Planned Development (PD) zonings. Further north is Agricultural Rural (AR) zonings, as well as pockets of IPD-2 and PD further northeast as well.
- The applicant is requesting a Major Modification to Interstate Planned Development (IPD-2) to allow for 77 affordable housing development units.

### **Compliance with Comprehensive Plan:**

The following Goals, Objectives and Policies apply to this rezoning request and are used as a basis for a consistency finding.

### **FUTURE LAND USE ELEMENT**

### Urban Service Area (USA)

**Objective 1:** Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of this Plan. Within the Urban Service Area, Hillsborough County will not impede agriculture. Building permit activity and other similar measures will be used to evaluate this objective.

### Policy 1.2:

Minimum Density All new residential or mixed use land use categories within the USA shall have a density of 4 du/ga or greater unless environmental features or existing development patterns do not support those densities. Within the USA and in categories allowing 4 units per acre or greater, new development or redevelopment shall occur at a density of at least 75% of the allowable density of the land use category, unless the development meets the criteria of Policy 1.3.

**Policy 1.4:** Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

### Land Use Categories

**Objective 8:** The Future Land Use Map will include Land Use Categories which outline the maximum level of intensity or density and range of permitted land uses allowed and planned for an area. A table of the land use categories and description of each category can be found in Appendix A.

**Policy 8.1:** The character of each land use category is defined by building type, residential density, functional use, and the physical composition of the land. The integration of these factors sets the general atmosphere and character of each land use category. Each category has a range of potentially permissible uses which are not exhaustive, but are intended to be illustrative of the character of uses permitted within the land use designation. Not all of those potential use are routinely acceptable anywhere within that land use category.

### Relationship To Land Development Regulations

**Objective 9:** All existing and future land development regulations shall be made consistent with the Comprehensive Plan, and all development approvals shall be consistent with those development regulations as per the timeframe provided for within Chapter 163, Florida Statutes. Whenever feasible and consistent with Comprehensive Plan policies, land development regulations shall be designed to provide flexible, alternative solutions to problems.

**Policy 9.1:** Each land use plan category shall have a set of zoning districts that may be permitted within that land use plan category, and development shall not be approved for zoning that is inconsistent with the plan.

**Policy 9.2:** Developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County, the state of Florida and the federal government unless such requirements have been previously waived by those governmental bodies.

### **Neighborhood/Community Development**

**Objective 16: Neighborhood Protection** The neighborhood is a functional unit of community development. There is a need to protect existing neighborhoods and communities and those that will emerge in the future. To preserve, protect and enhance neighborhoods and communities, all new development must conform to the following policies.

**Policy 16.1:** Established and planned neighborhoods and communities shall be protected by restricting incompatible land uses through mechanisms such as:

- a) locational criteria for the placement of non-residential uses as identified in this Plan.
- b) limiting commercial development in residential land use categories to neighborhood scale:
- c) requiring buffer areas and screening devices between unlike land uses;

**Policy 16.2:** Gradual transitions of intensities between different land uses shall be provided for as new development is proposed and approved, through the use of professional site planning, buffering and screening techniques and control of specific land uses.

**Policy 16.3:** Development and redevelopment shall be integrated with the adjacent land uses through:

- a) the creation of like uses; or
- b) creation of complementary uses; or
- c) mitigation of adverse impacts; and
- d) transportation/pedestrian connections

**Policy 16.8:** The overall density and lot sizes of new residential projects shall reflect the character of the surrounding area, recognizing the choice of lifestyles described in this Plan.

**Policy 16.10:** Any density increase shall be compatible with existing, proposed or planned surrounding development. Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as". Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

### Residential-Targeted Groups and Incentives

**Objective 20**: The County shall encourage new development and redevelopment of residential housing for special target groups of people. The provisions specified within the Housing Element of the Comprehensive Plan shall be applied with respect to the following policies.

**Policy 20.1:** The provision of affordable housing shall be given high priority consideration by Hillsborough County. By 2009, development incentives shall be explored and implemented by Hillsborough County that will increase the housing opportunities for very low, low-income households and workforce housing that are consistent with and further the goals, objectives and policies within the Housing Element.

**Policy 20.2:** Density bonuses will be utilized as an incentive to encourage the development of more affordable housing. These density bonuses are outlined in the Housing Element.

### Community Design Component

### 4.2 SUBURBAN RESIDENTIAL CHARACTER

**GOAL 8**: Preserve existing suburban uses as viable residential alternatives to urban and rural areas.

### **5.1 COMPATIBILITY**

**GOAL 12:** Design neighborhoods which are related to the predominant character of the surroundings.

**OBJECTIVE 12-1:** New developments should recognize the existing community and be designed in a way that is compatible (as defined in FLUE policy 1.4) with the established character of the surrounding neighborhood.

### HOUSING SECTION

### Affordable Housing Density Bonus

**Objective 1.3:** Density bonuses will be utilized as an incentive to encourage the development of more affordable housing.

**Policies 1.3.1:** The maximum level of residential density and/or the maximum retail commercial Floor Area Ratio (FAR) permitted in each land use category may be increased, with project specific approval by the Board of County Commissioners and without requiring a Comprehensive Plan amendment, when the purpose for the increase is to provide moderate, low, very low, or extremely low-income affordable housing. Such an increase in density and/or Floor Area Ratio shall be part of an official request to rezone the subject parcel.

**Policy 1.3.2:** In order to qualify for use of the Affordable Housing Density Bonus, the project shall meet the following criteria:

- a. The site shall be wholly located within the Urban Service Area.
- b. The site shall be in one of the residential or commercial Future Land Use categories as indicated in Table 1: Allowable Densities and Intensities for the Provision of Affordable Housing. The density bonus does not change the Future Land Use Map designation.
- c. The site shall be serviced by public water and sewer and have access to public streets.
- d. The units shall remain affordable for a minimum of 30 years.
- e. The bonus shall be memorialized in a Development Order as well as a deed restriction, Land Use Restriction Agreement, or other mechanism as determined by the County Attorney's Office.
- f. For projects that are proposed to be a mix of market rate and affordable units: The affordable units must be developed within the same project site as any market rate units provided; the affordable units shall not be transferred to a different site.
- g. Units shall be equitably and evenly distributed by location, type, and construction.
- h. A minimum 20% of the total number of units proposed shall be deemed affordable to households making 100% or less Area Median Income. The distribution of affordable units shall be as follows for properties greater than one acre:
- i. A minimum fifty percent (50%) of affordable units shall be set aside for incomes at 60% or below Area Median Income,
- ii. The remaining affordable units not to exceed fifty percent (50%) shall be set

aside for incomes at 100% or below Area Median Income.

i. To encourage residential infill and appropriate scale of transition, properties

### **LIVABLE COMMUNITIES ELEMENT- Brandon Community Plan**

**Goal 4:** Preserve Brandon's family-friendly small-town qualities by promoting and enhancing the sense of place and community.

Goal 6: Re-establish Brandon's historical, hospitable, and family oriented character through thoughtful planning and forward-thinking development practices by concentrating density in certain areas to preserve the semi-rural lifestyle of other areas. Attempt to buffer and transition uses in concentric circles where possible with most intense uses in an area at a node (intersection) and proceeding out from there. Create a plan for how areas could be developed and redeveloped for the future. Each of these areas would have potential for different building heights, parking configurations, fencing, buffering, landscape requirements, special use limitations, and design standards. These standards apply to new construction on infill property, redevelopment of undesirable areas and renovation of existing buildings. The primary consideration of all changes should be compatibility with existing structures to ensure neighborhood preservation.

- **5.** General design characteristics for each Brandon Character District are described below. The design characteristics are descriptive as to the general nature of the vicinity and its surroundings and do not affect the Future Land Use or zoning of properties in effect at the time of adoption of the Brandon Community Plan. Any proposed changes to the zoning of property may proceed in accordance with the Land Development Code.
- **a.** Urban Center -- This area contains the most intense land uses and includes regional shopping areas and the State Road 60 Overlay District. Commercial and mixed-use developments will be encouraged with varying building heights between 3-10 stories.
- **b**. Urban General, including Brandon Main Street Mixed use building types immediately adjacent to the Urban Center District designed to accommodate retail, offices and dwellings including row houses, town houses and multi-family housing. This district will contain a tight network of streets and blocks with wide sidewalks, consistent street tree planting and buildings 2-5 stories set close to the building setback line. Property within the Brandon Main Street (BMS) zoning districts shall be governed by the Brandon Main Street Development Regulations as set forth in the Land Development Code.

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

The 2.58 ± acre subject site is northeast of the Town Center Boulevard and Brandon Town Center Drive intersection. The subject site is located in the Urban Service Area (USA). It is located within the limits of the Brandon Community Plan. The subject site is designated as Urban Mixed Use-20 (UMU-20) on the Future Land Use Map. The applicant is requesting a Major Modification (MM) from Interstate Planned Development (IPD 90-0029) to allow for a 77-unit affordable housing development. Part of this application includes a density bonus for affordable housing.

The proposal meets the intent of Objective 1 and Policies 1.2 and 1.4 of the Future Land Use Element of the Comprehensive Plan (FLUE) by providing a residential use within the USA where 80 percent of future growth is to be directed. The proposal with the affordable housing density bonus would meet the 75% allowable density for new development within the USA of Policy 1.2 and it would also meet the compatibility requirements of Policy 1.4 as the character of the area contains a wide variety of uses. The subject site currently has a public/quasi-public/institution. Additional public/quasi-public uses exist to the north and east. Directly west of the subject site the area is vacant, to the south past Town Center Boulevard there are multi-family uses, and additional multi-family uses can be found further east, as well as public communications/utility uses.

Per Policy 1.3.1 of the Housing Section, the affordable housing density bonus would allow for the maximum level of residential density in each land use category to be increased. In order to qualify for the bonus, certain criteria per Policy 1.3.2 must be met. The applicant has submitted a narrative stating how the project will meet the criteria. The site is wholly within the USA and the UMU-20 Future Land Use category which is indicated in Table 1 of Policy 1.3.1. The applicant states that the site will be served by Hillsborough County water and sewer. The subject site will have access to Gornto Lake Road South and Town Center Boulevard which are public streets. The applicant has agreed to keep the units affordable for a minimum of 30 years. The applicant will agree to memorialize the bonus in a Development Order as well as a deed restriction, Land Use Restriction Agreement, or other mechanism as determined by the County Attorney's Office. Thus, meeting the criteria of a, b, c, and d. The applicant has also stated that a mix of market rate and affordable units are not being requested nor will they be transferred to a different site. Therefore, all units will be affordable and meet criteria f, q and h. The ± 2.58 -acre property will provide all units at or below 80% Average Median Income (AMI) per criterion i.

Per FLUE Objective 8, the Future Land Use categories outline the maximum level of intensity or density and range of permitted land uses allowed in each category. UMU-20 allows a maximum consideration of up to 1.0 FAR, or up to 20.0 dwelling units/gross acre. Currently, on the subject site of  $\pm$  2.58 acres (2.58 x 20) only 51 dwelling units are allowed. Per Table 1 in Policy 1.3.1 of the Affordable Housing Density Bonus, within the UMU-20 category the density increase allows for maximum consideration of up to 35.0 dwelling units per gross acre. The addition of an affordable housing bonus would allow for the subject site to be considered for a maximum of up to 90 dwelling units. Therefore, the density of the proposal is consistent with Objective 8.

FLUE Objective 9 and Policy 9.2 require that all developments be consistent with the Comprehensive Plan and meet all Land Development Regulations in Hillsborough County. The applicant will comply with Hillsborough County Land Development Code (LDC) Section 6.11.07 Affordable Housing Development to develop the property into a four story-77-unit dwelling.

Planning Commission staff did receive comments from the Affordable Housing Department. The department is the technical expert that guides staff in determining if a proposed development meets the criteria for an affordable housing project. The Affordable Housing Department has submitted a memo stating that the project is eligible for the Affordable Housing Density Bonus per the Hillsborough County Comprehensive Plan criteria under Policy 1.3.2. The memo states that the units deemed affordable to households shall remain affordable for a minimum of 30 years. The distribution of

### affordable units shall be:

- 39 units set aside for households earning 50% or less of the area median income ("AMI")
- 38 units set aside for households earning 80% or less of the area median income ("AMI")

The proposed rezoning meets the intent of the Neighborhood Protection Policies of FLUE Objective 16 and its accompanying Policies 16.1, 16.2, 16.3, 16.8 and 16.10 The development pattern of the surrounding area shows several multi-family residential units. The Major Modification (MM) rezoning would reflect a development pattern that is consistent with the character of the surrounding area.

Objective 20 of the FLUE encourages new development and redevelopment of residential housing for special target groups. Policy 20.1 recommends giving high priority consideration to affordable housing provisions that increase housing opportunities for very low, low-income households and workforce housing that are consistent with and further the goals, objectives, and policies within the Housing Section. The proposed project will provide a housing opportunity that is attainable and affordable, as well as consistent with the development pattern of the surrounding area. Policy 20.2 encourages the usage of density bonuses as a means to incentive the development of more affordable housing. The proposed Major Modification is aligned with this policy direction.

The Community Design Component (CDC) in the Future Land Use Element provides guidance on residential developments. Goal 8 encourages the preservation of existing suburban uses as viable residential alternatives to urban and rural areas. Goal 12 and Objective 12-1 seek to facilitate patterns of development that are both compatible and related to the predominate character of their surroundings. A rezoning to allow the development of affordable housing units would be consistent with policy direction.

The subject site meets the intent of Goals 4 and 6 of the Brandon Community Plan. The subject site is within the "Urban Center" character district of the planning area and is being proposed as a four-story building. The project also is promoting and enhancing the sense of place and community. Thus, the rezoning is following the direction of this policy and aligned with both goals 4 and 6, therefore, rezoning to a Major Modification (MM) to allow for an affordable housing development would be consistent with this goal.

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

### **Recommendation**

Based upon the above considerations, the Planning Commission staff finds the proposed Major Modification **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*, subject to the conditions proposed by the Development Services Department of Hillsborough County

# HILLSBOROUGH COUNTY

# FUTURE LAND USE RZ MM 23-0614

CONTINUED

WITHDRAWN PENDING DENIED

Jurisdiction Boundary County Boundary Urban Service

Tampa Service

AGRICULTURAL/MINING-1/20 (.25 FAR)

wam.NATURAL.LULC\_Wet\_Poly

PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR) AGRICULTURAL/RURAL-1/5 (.25 FAR) AGRICULTURAL-1/10 (.25 FAR)

AGRICULTURAL ESTATE-1/2.5 (.25 FAR) RESIDENTIAL-1 (.25 FAR) RESIDENTIAL-2 (.25 FAR)

RESIDENTIAL PLANNED-2 (.35 FAR) RESIDENTIAL-4 (.25 FAR)

RESIDENTIAL-6 (.25 FAR)

RESIDENTIAL-12 (.35 FAR) RESIDENTIAL-9 (.35 FAR)

NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR) SUBURBAN MIXED USE-6 (.35 FAR)

COMMUNITY MIXED USE-12 (.50 FAR) URBAN MIXED USE-20 (1.0 FAR)

INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR) REGIONAL MIXED USE-35 (2.0 FAR)

RESEARCH CORPORATE PARK (1.0 FAR) OFFICE COMMERCIAL-20 (.75 FAR)

ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)

LIGHT INDUSTRIAL PLANNED (.75 FAR) LIGHT INDUSTRIAL (.75 FAR)

HEAVY INDUSTRIAL (.75 FAR)

PUBLIC/QUASI-PUBLIC

WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR) NATURAL PRESERVATION

CITRUS PARK VILLAGE

Map Printed from Rezoning System: 6/16/2023 Author: Beverly F. Daniels

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