

Rezoning Application: 23-0588
Zoning Hearing Master Date: February 20, 2024
BOCC Land Use Meeting Date: April 9, 2024

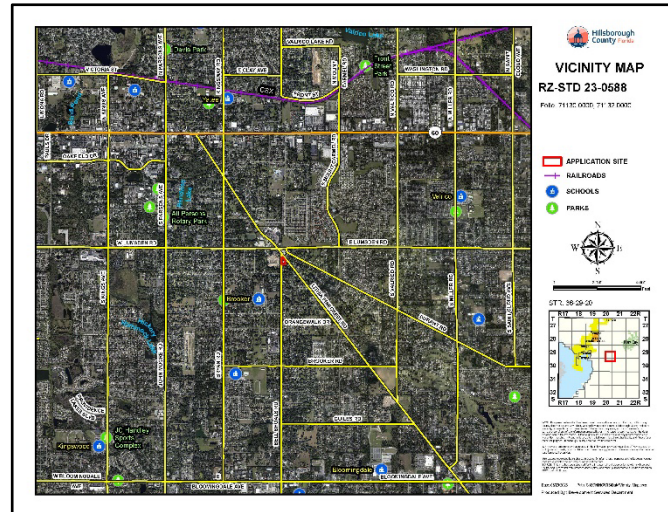


**Hillsborough
County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: David Wright/ TSP Companies, Inc
FLU Category: Residential - 4 (Res-4)
Service Area: Urban
Site Acreage: 1.02 +/-
Community Plan Area: Brandon
Overlay: None
Request: Rezone from **Commercial Neighborhood - Restricted (CN -R)** and **Agricultural Single Family Residential – Conventional (ASC-1)** to **Commercial Neighborhood - Restricted (CN -R)**



Request Summary:

The request is to rezone from the existing Commercial Neighborhood - Restricted (CN -R) and Agricultural Single Family Residential – Conventional (ASC-1) to Commercial Neighborhood - Restricted (CN -R). The proposed zoning for CN permits development limited to retail uses and personal services in freestanding buildings or small shopping centers to serve residential neighborhoods, on lots containing a minimum of 7,000 square feet (sq. ft). The applicant has proposed restricting site uses, limiting project access, restricting shared access connection, and additional buffering and screening to mitigate and address Transitions, compatibility, and transportation concerns.

Zoning:

	Current CN-R Zoning	Current ASC-1 Zoning	Proposed CN-R Zoning
Uses	Commercial Neighborhood with Restrictions	Agricultural - Single-Family Conventional (ASC-1)	Commercial Neighborhood - Restricted
Acreage	0.43 +/- Acres (ac)	0.64 +/- ac	1.02 +/- ac
Density / Intensity	0.20 F.A.R.	1 du / 1 ac (43,560 sq ft)	0.20 F.A.R.
Mathematical Maximum*	3,746 sq ft CN-R uses	0 du	8,886 sq ft

* Mathematical Maximum entitlements may be reduced due to roads, stormwater and other improvements.

Development Standards:

	Current CN-R Zoning	Current ASC-1 Zoning	Proposed CN-R Zoning
Density / Intensity	2,100 sq ft CN-R uses	1 du / 1 ac (43,560 sq ft)	0.20 FAR / 0.43 ac (3,746 sq ft)
Lot Size / Lot Width	7,000 sq ft / 70'	1 ac (43,560 sq ft) / 150'	7,000 sq ft / 70'
Setbacks/Buffering and Screening	30' (15' Scenic Corridor Buffer) - Front (East) 30' – Front (North & West) 20' Buffer with Type A Screening – Rear (South)	50' – Front (West) 15' – Sides (North & South) 50' Rear (East)	30' (15' Scenic Corridor Buffer) - Front (East) 30' – Front (North & West) 20' Buffer with Type A Screening – Rear (South)
Height	35'	50'	35'

Additional Information:

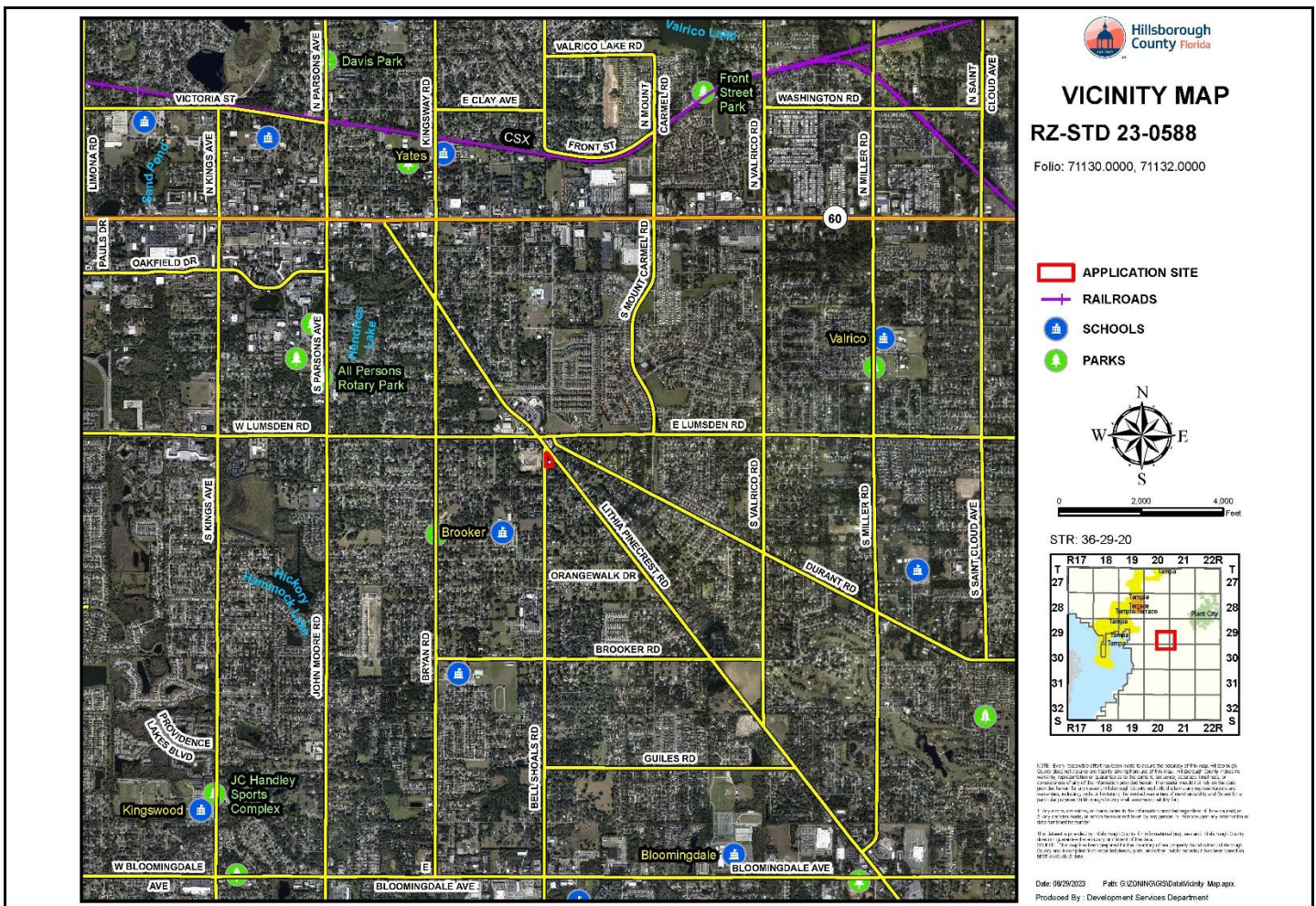
PD Variations	N/A
Waiver(s) to the Land Development Code	None

Additional Information:

Planning Commission Recommendation	Consistent
Development Services Department Recommendation	Approvable

2.0 LAND USE MAP SET AND SUMMARY DATA

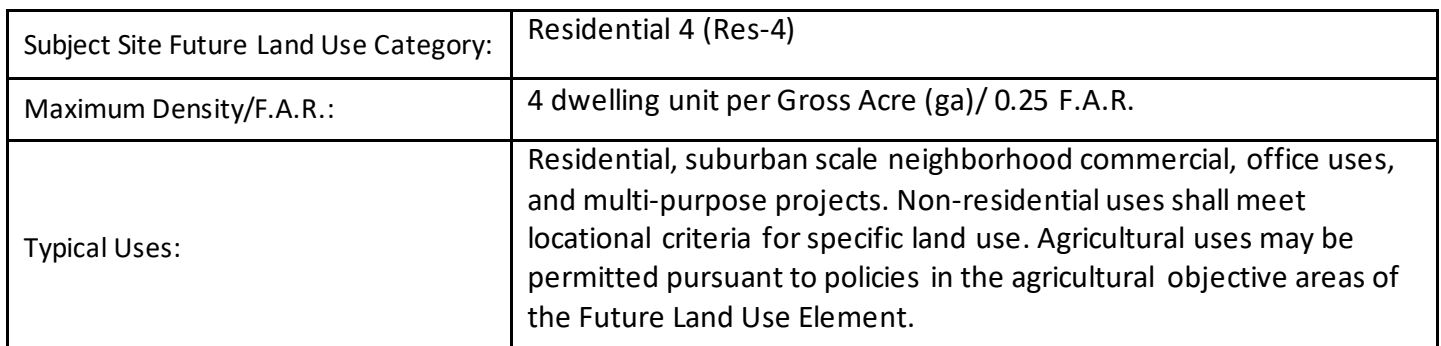
2.1 Vicinity Map



Context of Surrounding Area:

The site is located in an area comprised of commercial, agricultural, and single-family residential uses. The subject site is surrounded and within the Res-4 FLU category which permits commercial, agricultural, and single-family residential uses. The adjacent properties are zoned PD 89-0081 to the west, CN to the north, PD 07-0209 and BPO to the east and ASC-1 and BPO to the south.

2.2 Future Land Use Map



Adjacent Zonings and Uses				
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
South	Agricultural - Single-Family Conventional (ASC-1)	1 du/ 1 ac	Single-Family Residential Conventional /Agricultural	Agricultural - Single-Family
	Business Professional, Office (BPO)	0.20 F.A.R	Office	Vacant
East	N/A	N/A	Street	Street (Lithia Pinecrest Rd)
	PD 07-0209	0.25 FAR	Commercial and Office	Residential
	Business Professional, Office (BPO)	0.20 F.A.R.	Office	Vacant
West	N/A	N/A	Street	Street (Bell Shoals Rd)
	PD 89-0081	0.27 F.A.R.	General Commercial, Office, and Community Residential Home	Retail, Community Residential Home

2.0 LAND USE MAP SET AND SUMMARY DATA

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

Not Applicable

APPLICATION NUMBER: RZ STD 23-0588

ZHM HEARING DATE: February 20, 2024

BOCC LUM MEETING DATE: April 9, 2024

Case Reviewer: Isis Brown

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
Bell Shoals Rd.	County Collector - Rural	Choose an item. Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
Lithia Pinecrest Rd.	County Arterial - Urban	Choose an item. Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD

Project Trip Generation ☐ Not applicable for this request

Existing	Existing	Existing	Existing
Proposed	Proposed	Proposed	Proposed
Difference (+/-)	Difference (+/-)	Difference (+/-)	Difference (+/-)

*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		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance ☒ Not applicable for this request

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY			
Environmental:	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Review at time of development
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	This agency has no comments.
Check if Applicable: <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area </div> <div> <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____ </div> </div>			
Public Facilities:	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	See Agency's staff review
Utilities Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees N/A			
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of mixture of uses. The subject site is vacant and located within the Res-4 FLU category which permits commercial, agricultural, and single-family residential uses.

The adjacent properties are zoned PD 89-0081 to the west (approved for commercial, office and 160-bed community residential home), CN to the north, PD 07-0209 to the east (approved for commercial and office uses), and ASC-1 and BPO to the south. The subject site meets commercial location criteria. However, the Planning Commission Staff have expressed compatibility concerns regarding potential impacts of commercial uses including drive-thru uses directly adjacent to single-family residential on the south side and lack of adequate assurances regarding mitigation of those impacts. The Land Development code requires a 20-foot buffer, with a six-foot wall, fence or hedge, with 10-foot evergreen trees planted on 20-foot centers along the southern boundary adjacent to the ASC-1 zoned parcel. As noted herein, the proposed combined 1.02-acre parcels would permit a maximum building size of approximately 8,886 square feet. The northern triangle shaped parcel of this rezone is configured at the apex of the intersection of Bell Shoals Road and Lithia Pinecrest Road, and therefore requires a 30-foot building setback along the other project boundaries. Lithia Pinecrest Road is designated as a scenic corridor, which requires additional buffering (15 feet) and tree plantings as required by Part 6.06.03.I of the Land Development Code. The southern parcel (folio: 71132.0000) of this rezone is directly adjacent to single-family residential uses. To address the lots size, transition and compatibility concerns, the applicant has proposed the following site restrictions:

1. Restrict the suburban scale neighborhood commercial uses to the following listed less intense uses: Electric/Electronic Repair (small), Florist Shop, Locksmith, Mail and Package Services, Mail Order Office, News Stand, Optician/Optical Supplies, Photography Studio, Printing Services, Specialty Food Store, Travel Agencies, Watch/Clock/Jewelry Repair, Barber/Beauty Shop, Business Services, Restaurant without drive-up facilities, Coffee Shop without drive-up facilities, Food Trucks, Family Support Services, Medical Office, Professional Office, Professional Services.
2. Prohibit drive-throughs.
3. Screening and buffering, if required in accordance with the LDC, along the south property line of Folio 71132.0000 (i.e. 20-foot buffer with Type B screen) shall include a 6-foot wall, subject to the provisions in restriction #4.
4. Vehicular project access to Bell Shoals Road shall be restricted to a maximum of one access connection to/from folios 71130.0000 and 71132.0000. The access shall be designed as a Shared Access Facility with the adjacent folio 71133.0000. If buffering and screening is required adjacent to folio 71133.0000 at the time of site/construction plan review for folios 71130.0000 and 71132.0000, the site/construction plan approval shall include those design elements necessary, as determined by Hillsborough County and including but not limited to the recording of construction/access easements, to allow for the future construction of access from folio 71133.0000 to the Shared Access Facility if folio 71133.0000 is rezoned and/or developed with uses that would no longer require buffering and screening between the parcels.

Therefore, staff finds that size and depth of the subject parcel located at the apex of the intersection of Bell Shoals Road and Lithia Pinecrest Road, with required buffering/screening, setbacks, Vehicular project access and maximum building size, would create a zoning/development pattern that is consistent with the existing zoning and development pattern in the area.

5.2 Recommendation


Based on the above considerations, staff finds the request approvable, with the following restrictions:

1. Restrict the suburban scale neighborhood commercial uses to the following listed less intense uses: Electric/Electronic Repair (small), Florist Shop, Locksmith, Mail and Package Services, Mail Order Office, News Stand, Optician/Optical Supplies, Photography Studio, Printing Services, Specialty Food Store, Travel Agencies, Watch/Clock/Jewelry Repair,

Barber/Beauty Shop, Business Services, Restaurant without drive-up facilities, Coffee Shop without drive-up facilities, Food Trucks, Family Support Services, Medical Office, Professional Office, Professional Services.

2. Prohibit drive-throughs.
3. Screening and buffering, if required in accordance with the LDC, along the south property line of Folio 71132.0000 (i.e. 20-foot buffer with Type B screen) shall include a 6-foot wall, subject to the provisions in restriction #4.
4. Vehicular project access to Bell Shoals Road shall be restricted to a maximum of one access connection to/from folios 71130.0000 and 71132.0000. The access shall be designed as a Shared Access Facility with the adjacent folio 71133.0000. If buffering and screening is required adjacent to folio 71133.0000 at the time of site/construction plan review for folios 71130.0000 and 71132.0000, the site/construction plan approval shall include those design elements necessary, as determined by Hillsborough County and including but not limited to the recording of construction/access easements, to allow for the future construction of access from folio 71133.0000 to the Shared Access Facility if folio 71133.0000 is rezoned and/or developed with uses that would no longer require buffering and screening between the parcels.

Zoning Administrator Sign Off:


J. Brian Grady
Fri Feb 9 2024 11:46:23

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 obtain all necessary building permits for on-site structures.

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

8.0 PROPOSED SITE PLAN (FULL)

Not Applicable

9.0 FULL TRANSPORTATION REPORT (see following pages)**AGENCY REVIEW COMMENT SHEET**

TO: Zoning Technician, Development Services Department

DATE: 10/13/2023

Revised: 2/8/2024

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: Brandon/Central

PETITION NO.: RZ 23-0588

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This agency has no comments.

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This agency has no objection.

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This agency objects for the reasons set forth below.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone two parcels totaling +/- 1.02 acres from Agricultural Single-Family Conventional – 1 (ASC-1) and Commercial Neighborhood (CN/R) to Commercial Neighborhood (CN/R). The existing CN/R The site is located on the south side of the intersection of Lithia Pinecrest Road and Bell Shoals Road. The Future Land Use designation of the site is Residential-4 (RES-4). The existing CN/R zoning was approved with the following two restrictions:

1. Commercial development of the subject property shall include a 20-foot buffer with Type B screening along the south property line. Screening shall be a 6-foot masonry wall; and,
2. The proposed commercial uses shall be restricted to Electric/Electronic Repair (small), Florist Shop, Locksmith, Mail and Package Services, Mail Order Office, News Stand, Optician/Optical Supplies, Photography Studio, Printing Services, Specialty Food Store, Travel Agencies, Watch/Clock/Jewelry Repair, Barber/Beauty Shop, Business Services, Restaurant without drive-thru, Coffee Shop without drive-thru facilities, Food Trucks, Family Support Services, Medical Office, Professional Office, Professional Services.

The applicant is proposing the following restrictions for the new CN/R zoning:

1. Restrict the suburban scale neighborhood commercial uses to the following listed less intense uses: Electric/Electronic Repair (small), Florist Shop, Locksmith, Mail and Package Services, Mail Order Office, News Stand, Optician/Optical Supplies, Photography Studio, Printing Services, Specialty Food Store, Travel Agencies, Watch/Clock/Jewelry Repair, Barber/Beauty Shop, Business Services, Restaurant without drive-up facilities, Coffee Shop without drive-up facilities, Food Trucks, Temporary Vendors, Family Support Services, Medical Office, Professional Office, Professional Services.
2. Prohibit drive-throughs.
3. Require a 20-foot buffer with Type B screening including a 6-foot wall along the south property line of folio 71132.0000.
4. Vehicular project access to Bell Shoals Road shall be restricted to a maximum of one access connection to/from folios 71130.0000 and 71132.0000. The access shall be designed as a Shared Access Facility with the adjacent folio 71133.0000. If buffering and screening is required adjacent to folio 71133.0000 at the time of site/construction plan review for folios 71130.0000 and 71132.0000, the site/construction plan approval shall include those design elements necessary, as determined by Hillsborough County and including but not limited to the recording

of construction/access easements, to allow for the future construction of access from folio 71133.0000 to the Shared Access Facility if folio 71133.0000 is rezoned and/or developed with uses that would no longer require buffering and screening between the parcels.

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. 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.

Approved Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CN/R, 4,682 sf Coffee/Donut Shop without Drive-Through Window (ITE LUC 936)	4,360 (est.)	436	151
ASC-1, 1 single-family detached dwelling unit (ITE LUC 210)	9	1	1
Subtotal:	4,369	437	152

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CN/R, 4,682 sf Coffee/Donut Shop without Drive-Through Window (ITE LUC 936)	4,360 (est.)	436	151
CN/R, 6,425 sf Fast-Food without Drive-Through Window (ITE LUC 933)	2,897	278	214
Subtotal:	7,257	714	365

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 2,888	(+) 277	(+) 213

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Lithia Pinecrest Rd. and Bell Shoals Rd. Lithia Pinecrest Road is a 2-lane, divided, Hillsborough County maintained, arterial roadway with +/- 11-foot travel lanes. Lithia Pinecrest lies within a range of +/- 100 feet and +/- 105 feet of right-of-way in the vicinity of the project. Lithia Pinecrest Rd. has sidewalks, bike lanes, and curb and gutter on both sides of the roadway within the vicinity of the project.

Bell Shoals Rd. is a 2-lane, undivided, substandard, Hillsborough County maintained, collector roadway with +/- 11-foot travel lanes. Bell Shoals Rd. lies within +/- 80 feet of right-of-way in the vicinity of the project. Bell Shoals Rd. does not have sidewalks, bike lanes or curb and gutter on the eastern side of the roadway within the vicinity of the project.

HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN

Lithia Pinecrest Rd. is shown as a 4-lane road in the Hillsborough County Corridor Preservation Plan. Bell Shoals Rd. is shown as a 2-lane enhanced road in the Hillsborough County Preservation Plan. Additional right-of-way may need to be preserved on the subject property for the planned improvements. This will be determined at the time of plat/site/construction plan review.

SITE ACCESS

Generally, for projects with a Euclidean zoning designation, a project's potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review. Given the limited information available as is typical of all Euclidean zoned properties and/or non-regulatory nature of any conceptual plans provided, Transportation Review Section staff did review the proposed rezoning and restrictions to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff's opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements).

Transportation Section staff did identify concerns regarding future project access and the need for the parcel to the south of the subject site to be able to utilize the access within the subject zoning (instead of having its own access, which could not meet access spacing requirements). These concerns were subsequently addressed via the proposed restrictions. Staff notes that, regardless of this review, the developer/property owner will be required to comply with all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review.

Staff notes that any plans or graphics presented as a part of a Euclidean zoning case is non-binding and will have no regulatory value at the time of plat/site/construction plan review.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

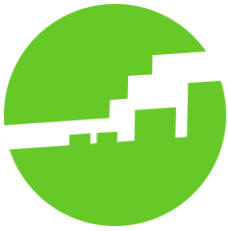
Level of Service (LOS) information for adjacent roadway segments is reported below.

Roadway	From	To	LOS Standard	Peak Hr Directional LOS
Lithia Pinecrest Rd.	Lumsden Rd	Bloomingdale Ave.	D	F
Bell Shoals Rd.	Bloomingdale Ave.	Lithia Pinecrest Rd.	D	C

Source: [*2020 Hillsborough County Level of Service \(LOS\) Report*](#)

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**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: February 20, 2023 Report Prepared: February 8, 2024	Petition: RZ 23-0588 1010 and 1111 Lithia Pinecrest Road <i>South of the Lithia Pinecrest Road and Bell Shoals Road intersection</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Residential-4 (4 du/ga; 0.25 FAR)
Service Area:	Urban
Community Plan:	Brandon
Requested Zoning:	Agricultural Single Family Conventional-1 (ASC-1) and Commercial Neighborhood-Restricted (CN-R) to Commercial Neighborhood-Restricted (CN-R)
Parcel Size (Approx.):	1.01 acres +/- (43,995 square feet)
Street Functional Classification:	Lithia Pinecrest Road – Arterial Bell Shoals Road - Collector
Locational Criteria:	Yes
Evacuation Zone:	N/A



Context

- The approximately 1.01 +/- acre subject site is located on the west side of Lithia Pinecrest Road and east side of Bell Shoals Road. The subject site is in the Urban Service Area and is within the limits of the Brandon Community Plan, specifically in the Suburban Character District.
- The subject site's Future Land Use classification is Residential-4 (RES-4). Typical uses of the RES-4 Future Land Use include residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects. Non-residential uses are required to meet Commercial Locational Criteria for specific land uses. The subject site meets Commercial Locational Criteria as it is within the 900 foot distance from a qualifying intersection node at Lithia Pinecrest Road and Bell Shoals Road.
- The RES-4 Future Land Use category surrounds the subject site on all sides. Further north along Lumsden Road are the Residential-9 (RES-9) and Residential-6 (RES-6) Future Land Use categories.
- The subject site is currently vacant and zoned as Commercial Neighborhood-Restricted (CN-R) and Agricultural Single-Family Conventional-1 (ASC-1). Single family residential lots with ASC-1 zoning are located directly south of the subject site. To the southeast are a mixture of light commercial and single-family residential uses with Business Professional Office (BPO) uses. There are Planned Development (PD) zoning districts to the west that are a mixture of light commercial Uses and vacant land. To the east is also a mixture of light commercial, vacant, and single-family residential uses.
- The applicant is requesting to rezone the subject site from Commercial Neighborhood-Restricted (CN-R) and Agricultural Single-Family Conventional-1 (ASC-1) to Commercial Neighborhood-Restricted (CN-R). The proposed restrictions are as follows:
 1. Restrict the suburban scale neighborhood commercial uses to the following listed less intense uses: Electric/Electronic Repair (small), Florist Shop, Locksmith, Mail and Package Services, Mail Order Office, News Stand, Optician/Optical Supplies, Photography Studio, Printing Services, Specialty Food Store, Travel Agencies, Watch/Clock/Jewelry Repair, Barber/Beauty Shop, Business Services, Restaurant without drive-up facilities, Coffee Shop without drive-up facilities, Food Trucks, Family Support Services, Medical Office, Professional Office, Professional Services.
 2. Prohibit drive-throughs.
 3. Vehicular project access to Bell Shoals Road shall be restricted to a maximum of one access connection to/from folios 71130.0000 and 71132.0000. The access shall be designed as a Shared Access Facility with the adjacent folio 71133.0000. If buffering and screening is required adjacent to folio 71133.0000 at the time of site/construction plan review for folios 71130.0000 and 71132.0000, the site/construction plan approval shall include those design elements necessary, as determined by Hillsborough County and including but not limited to the recording of construction/access easements, to allow for the future construction of access from folio 71133.0000 to the Shared Access Facility if folio 71133.0000 is rezoned and/or developed with uses that would no longer require buffering and screening between the parcels.

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 1.4: 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.

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 16.5:

Development of higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials and to locations external to established and developing neighborhoods.

Policy 17.7: New development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses.

Commercial Locational Criteria

Objective 22: To avoid strip commercial development, locational criteria for neighborhood serving commercial uses shall be implemented to scale new commercial development consistent with the character of the areas and to the availability of public facilities and the market.

Policy 22.1: The locational criteria for neighborhood serving non-residential uses in specified land uses categories will:

- 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;
- establish a maximum square footage for each proposed neighborhood serving commercial intersection node to ensure that the scale of neighborhood serving commercial development defined as convenience, neighborhood, and general types of commercial uses, is generally consistent with surrounding residential character; and
- establish maximum frontages for neighborhood serving commercial uses at intersections ensuring that adequate access exists or can be provided.

Policy 22.2: The maximum amount of neighborhood-serving commercial uses permitted in an area shall be consistent with the locational criteria outlined in the table and diagram below. The table identifies the intersection nodes that may be considered for non-residential uses. The locational criteria is based on the land use category of the property and the classification of the intersection of roadways as shown on the adopted Highway Cost Affordable Long Range Transportation Plan. The maximums stated in the table/diagram may not always be achieved, subject to FAR limitations and short range roadway improvements as well as other factors such as land use compatibility and environmental features of the site.

In the review of development applications consideration shall also be given to the present and short-range configuration of the roadways involved. The five year transportation Capital

Improvement Program, MPO Transportation Improvement Program or Long Range Transportation Needs Plan 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.

Community Design Component

4.3 COMMERCIAL CHARACTER

GOAL 9: *Evaluate the creation of commercial design standards in a scale and design that complements the character of the community.*

Policy 9-1.2: *Avoid "strip" development patterns for commercial uses.*

7.0 SITE DESIGN

7.1 DEVELOPMENT PATTERN

GOAL 17: *Develop commercial areas in a manner which enhances the County's character and ambiance.*

OBJECTIVE 17-1: *Facilitate patterns of site development that appear purposeful and organized.*

Policy 17-1.4: *Affect the design of new commercial structures to provide an organized and purposeful character for the whole commercial environment.*

LIVABLE COMMUNITIES ELEMENT: Brandon Community Plan

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.*

d. Suburban - *Primarily residential area of single-family detached homes with side and perimeter yards on one-quarter acre or less. Mixed-use is usually confined to certain intersection locations. This district has a wide range of residential building types: single-family detached, single-family attached and townhouses. Setbacks and street canopy vary. Streets typically define medium-sized blocks. New development/redevelopment would be required to build internal sidewalks and connect to existing external sidewalks or trails.*

Staff Analysis of Goals, Objectives and Policies

The approximately 1.01-acre subject site is located directly south of the Lithia Pinecrest Road and Bell Shoals Road intersection. The subject site is located in the Urban Service Area. It is located within the limits of the Brandon Community Plan. The subject site's Future Land Use classification on the Future Land Use Map (FLUM) is Residential-4 (RES-4). The applicant is requesting to rezone the subject site from Planned Development (PD) and Commercial Neighborhood-Restricted (CN-R) to Commercial Neighborhood-Restricted (CN-R). The proposed restrictions are as follows:

1. Restrict the suburban scale neighborhood commercial uses to the following listed less intense uses: Electric/Electronic Repair (small), Florist Shop, Locksmith, Mail and Package Services, Mail Order Office, News Stand, Optician/Optical Supplies, Photography Studio, Printing Services, Specialty Food Store, Travel Agencies, Watch/Clock/Jewelry Repair, Barber/Beauty Shop, Business Services, Restaurant without drive-up facilities, Coffee Shop without drive-up facilities, Food Trucks, Family Support Services, Medical Office, Professional Office, Professional Services.
2. Prohibit drive-throughs.
3. Vehicular project access to Bell Shoals Road shall be restricted to a maximum of one access connection to/from folios 71130.0000 and 71132.0000. The access shall be designed as a Shared Access Facility with the adjacent folio 71133.0000. If buffering and screening is required adjacent to folio 71133.0000 at the time of site/construction plan review for folios 71130.0000 and 71132.0000, the site/construction plan approval shall include those design elements necessary, as determined by Hillsborough County and including but not limited to the recording of construction/access easements, to allow for the future construction of access from folio 71133.0000 to the Shared Access Facility if folio 71133.0000 is rezoned and/or developed with uses that would no longer require buffering and screening between the parcels.

According to Appendix A of the Future Land Use Element (FLUE) the intent of the Residential-4 (RES-4) Future Land Use category is to designate areas that are suitable for low density residential development. Commercial Neighborhood (CN) uses are subject to Commercial Locational Criteria. The subject site is surrounded by RES-4 on all sides and the area is a mixture of vacant land, single-family residential, and light commercial uses.

The subject site is located in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that *"Compatibility does not mean 'the same as.' Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development."* The applicant is proposing the zoning district of Commercial Neighborhood (CN), which could potentially include more intensive uses such as fast food with drive-thrus or gas stations directly adjacent to single-family residential on the south side. The applicant has proposed restrictions to the proposed CN rezoning to achieve compatibility with the surrounding area. By restricting the intensity of the proposed uses, the request meets the intent of FLUE Policy 1.4 by restricting the site to uses that are compatible with adjacent single-family residential and will not allow for intense uses such as drive-thrus or gas stations.

The proposed rezoning meets the intent of the Neighborhood Protection policies that modify FLUE Objective 16. The development pattern of the surrounding area includes commercial uses to the north of the Lithia Pinecrest Road and Bell Shoals Road intersection, as well as residential lots along Lithia Pinecrest Road. The applicant will be providing the required buffering and screening per the Land Development Code along the south property line until such time the property to the south is redeveloped. If the southern property develops as a non-residential use, buffering and screening may not be required. As such, a restriction has been added that requires a shared access between the two parcels. The applicant has also proposed compatible commercial uses that do not include drive-thru uses. The proposed rezoning also meets Commercial Locational Criteria as per Objective 22 and Policy 22.2 of the Future Land Use Element as it is within the 900-foot distance from the nearest qualifying node of Lithia Pinecrest Road and Bell Shoals Road.

The Community Design Component provides guidance on commercial developments. Goal 17 encourages developments that improve the ambiance of commercial development in the county. Objective 17-1 and Policy 17.1-4 seek to facilitate patterns of development that are organized and purposeful. Planning Commission staff are supportive of the proposed restrictions that the applicant has provided and concur that the proposed development meets the intent of Goal 17 of the CDC.

The subject site is in the Suburban Character District of the Brandon Community Plan. The area anticipates a range of primarily residential uses while commercial uses may be considered at intersection nodes. A rezoning to CN-R with the proposed restrictions in place is located at a qualifying intersection node, respects the transition to single-family residential to the south through buffering and screening and will maintain the existing suburban character of the surrounding area.

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 rezoning **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*, subject to the restrictions proposed by the Development Services Department.

HILLSBOROUGH COUNTY
FUTURE LAND USE

RZ 23-0588

Rezonings

<all other values>

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

- Tampa Service Area
- Urban Service Area
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels

- AGRICULTURAL/MINING-1/20 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL/RURAL-1/5 (.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-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 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)
- REGIONAL MIXED USE-35 (2.0 FAR)
- INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)
- OFFICE COMMERCIAL-20 (.75 FAR)
- RESEARCH CORPORATE PARK (1.0 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/QUASH-PUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. This map is intended to provide a general overview of the proposed rezoning and is not intended to be used for any legal purposes. It is intended that the rezoning be approved by the Hillsborough County City-County Planning Commission. This map is for illustrative purposes only. For the most current data and information, use the appropriate source.



Map Printed from Rezoning System: 6/29/2023
Author: Beverly F. Daniels
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