

**Rezoning Application:** RZ STD 25-1350**Zoning Hearing Master Date:** 01/26/2026**BOCC Land Use Meeting Date:** 03/10/2026**Hillsborough  
County Florida**

Development Services Department

## 1.0 APPLICATION SUMMARY

Applicant: Todd Pressman

FLU Category: RES-4

Service Area: Urban

Site Acreage: 2.58 acres +/-

Community Plan Area: Brandon

Overlay: None

Request: Rezone from ASC-1 to BPO-R



### Introduction Summary:

The applicant is requesting to rezone the subject property from ASC-1 (Agricultural, Single-Family Conventional) to BPO-R (Business, Professional Office with Restrictions). The proposed restrictions include additional screening/buffering requirements, limiting the total building area to 15,000 square feet, maximum height restrictions, and a set of design requirements to ensure a residential appearance.

Zoning:	Existing	Proposed
District(s)	ASC-1	BPO-R
Typical General Use(s)	Single-Family Residential/Agricultural	Offices, Professional Services
Acreage	2.58 +/-	2.58 +/-
Density/Intensity	1 dwelling unit / acre	0.13 FAR
Mathematical Maximum*	2 dwelling units	15,000 square feet

\*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	ASC-1	BPO-R
Lot Size / Lot Width	1 acre / 150'	7,000 sq ft / 70'
Setbacks/Buffering and Screening	Front: 50' Sides: 15' Rear: 50'	Front: 30' Side (North): 30' Type B Buffer Side (South): 20' Type B Buffer Rear (West): 20' Type B Buffer
Height	50'	23' / 1-story

### Additional Information:

PD Variation(s)	None requested as part of this application.
Waiver(s) to the Land Development Code	None requested as part of this application.

### Planning Commission Recommendation:

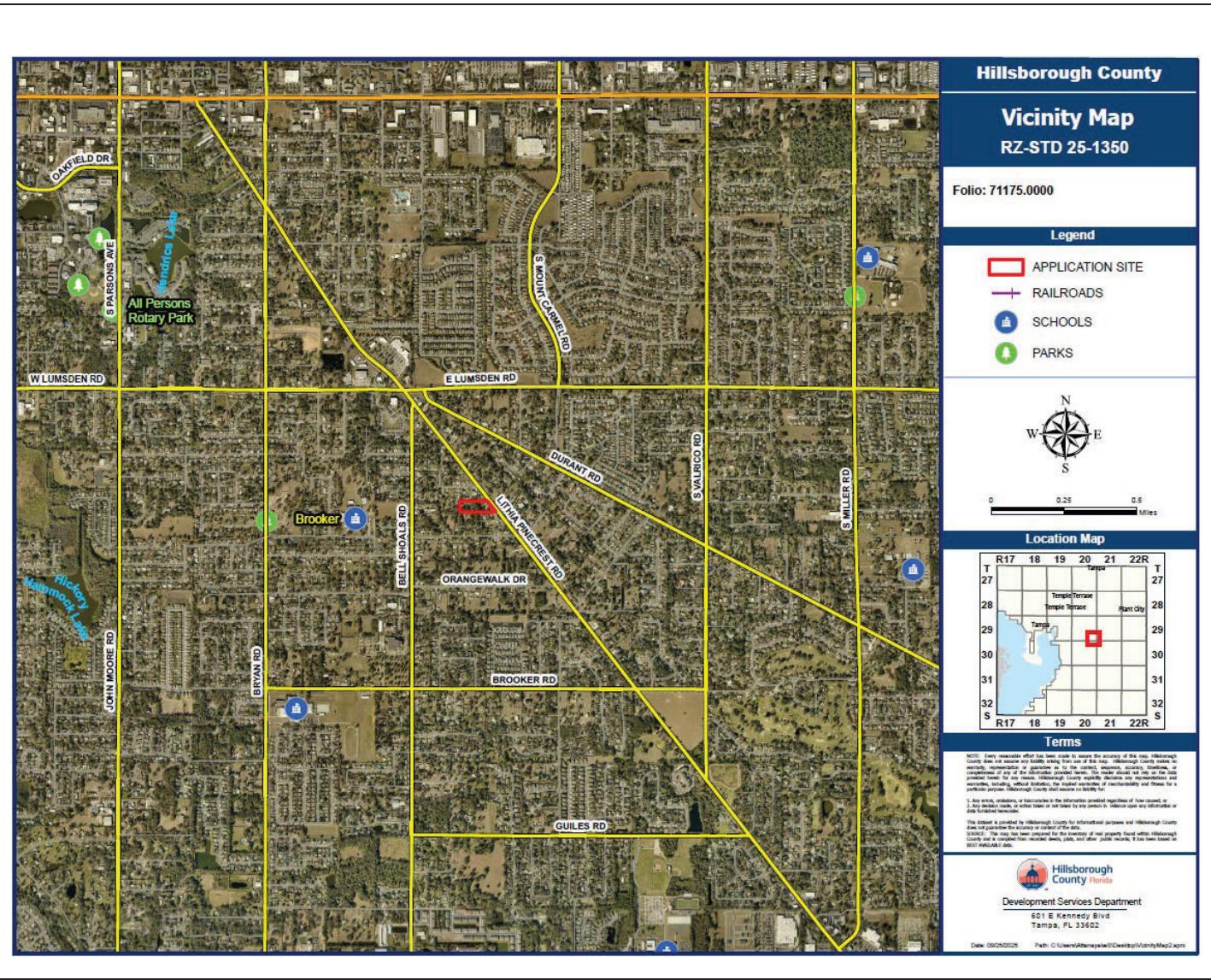
Inconsistent

### Development Services Recommendation:

Supportable, with Restrictions

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map

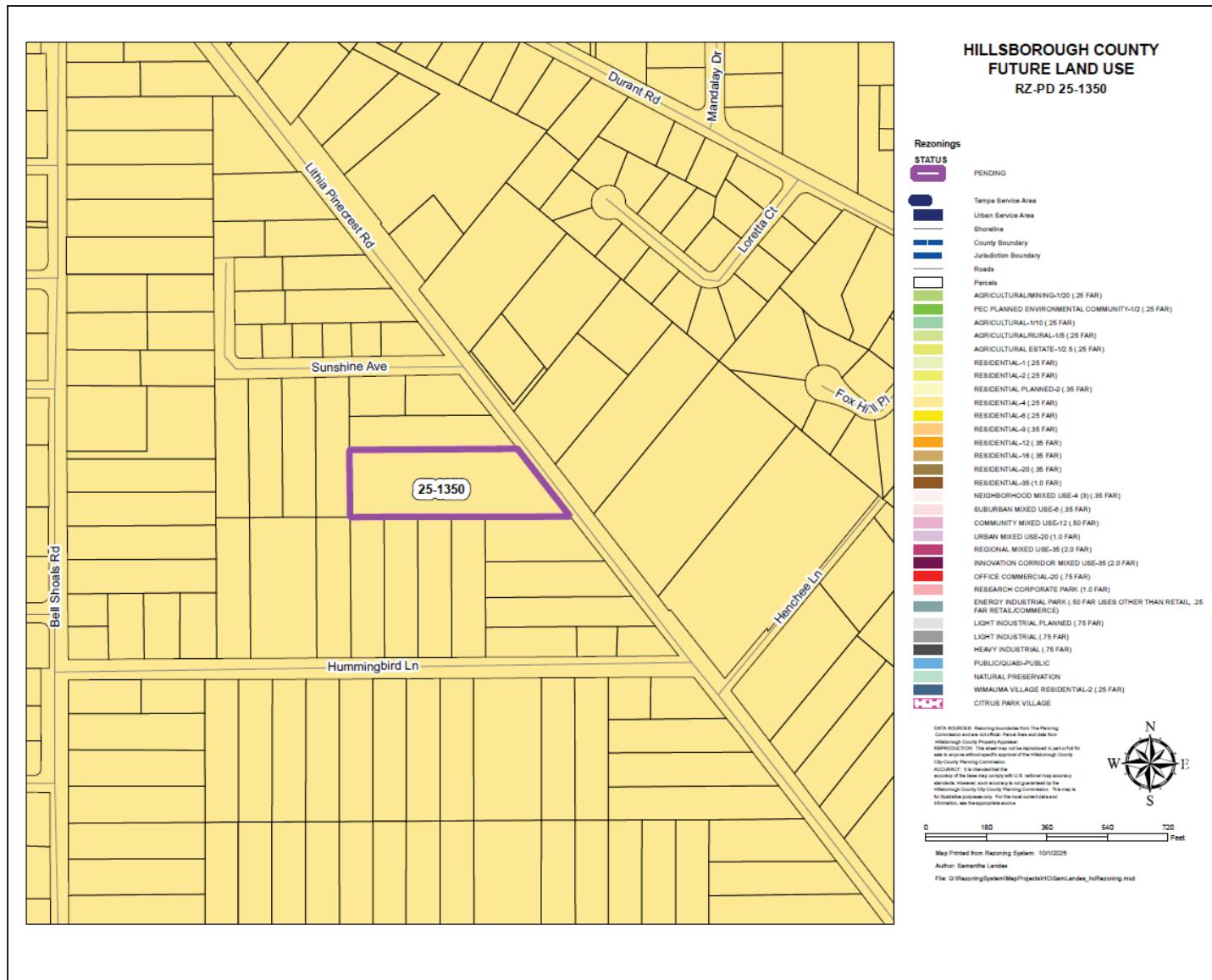


### Context of Surrounding Area:

The property is located in the greater Brandon area. The surrounding area is largely occupied by single-family residential developments zoned ASC-1, RSC-4, or RSC-3. Along arterial roads such as Lithia Pinecrest Road and E Lumsden Road are institutional, office, and commercial uses.

## 2.0 LAND USE MAP SET AND SUMMARY DATA

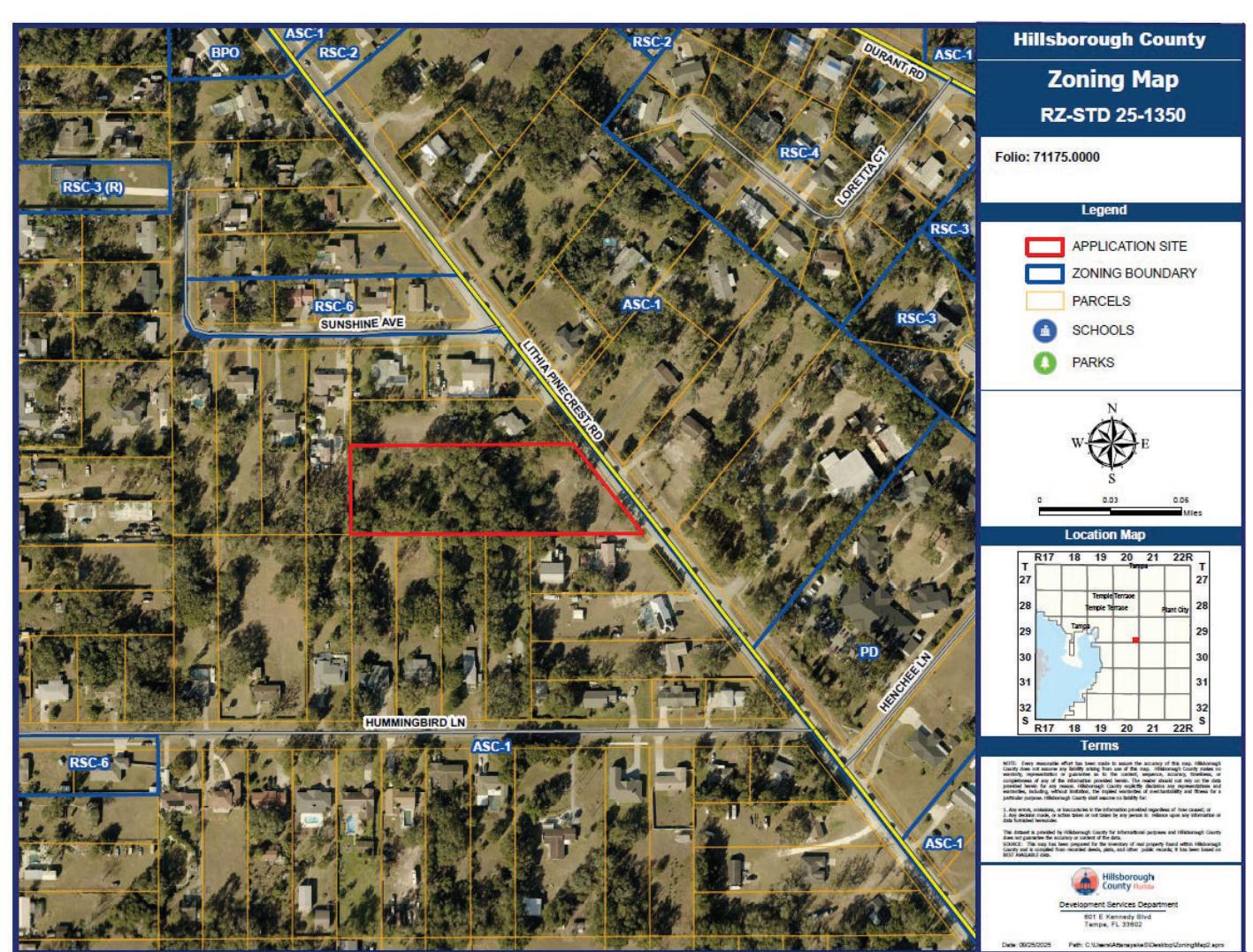
## 2.2 Future Land Use Map



Future Land Use Category:	RES-4 (Residential-4)
Maximum Density/F.A.R.:	4 DU / GA; Neighborhood commercial, office or multi-purpose projects up to 175,000 sq ft or 0.25 FAR, whichever is less intense.
Typical Uses:	Agricultural, residential, neighborhood commercial, office uses and multi-purpose projects.

## 2.0 LAND USE MAP SET AND SUMMARY DATA

## 2.3 Immediate Area Map



## Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	ASC-1	1 DU / GA	Agricultural, Single-Family	Single-Family Residential
South	ASC-1	1 DU / GA	Agricultural, Single-Family	Single-Family Residential
East	ASC-1	1 DU / GA	Agricultural, Single-Family	Single-Family Residential and Church
West	ASC-1	1 DU / GA	Agricultural, Single-Family	Single-Family Residential

**APPLICATION NUMBER:** RZ-STD 25-1350

ZHM HEARING DATE: January 26, 2026

BOCC LUM MEETING DATE: March 10, 2026

Case Reviewer: Michelle Montalbano

## **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)

N/A

## 3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Lithia Pinecrest Rd .	County Arterial - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" 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 type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	18	1	2
Proposed	936-671	61-44	95-64
Difference (+/-)	+918-653	+60-43	+93-62

Connectivity and Cross Access <input checked="" type="checkbox"/> 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 <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

## 4.0 ADDITIONAL SITE INFORMATION &amp; AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable:				
□ Wetlands/Other Surface Waters				<input type="checkbox"/> Potable Water Wellfield Protection Area
□ Use of Environmentally Sensitive Land				<input type="checkbox"/> Significant Wildlife Habitat
Credit				<input type="checkbox"/> Coastal High Hazard Area
□ Wellhead Protection Area				<input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor
□ Surface Water Resource Protection Area				<input type="checkbox"/> Adjacent to ELAPP property
				<input type="checkbox"/> Other _____
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
<b>Transportation</b>				
□ Design Exc./Adm. Variance Requested	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
□ Off-site Improvements Provided				
<b>Service Area/ Water &amp; Wastewater</b>				
☒ Urban <input type="checkbox"/> City of Tampa	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
☐ Rural <input type="checkbox"/> City of Temple Terrace				
<b>Hillsborough County School Board</b>				
Adequate <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	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A				
<b>Impact/Mobility Fees</b>				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
<b>Planning Commission</b>				
□ Meets Locational Criteria <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
☒ Locational Criteria Waiver Requested				
□ Minimum Density Met <input type="checkbox"/> N/A				

## 5.0 IMPLEMENTATION RECOMMENDATIONS

### 5.1 Compatibility

The property is accessed by Lithia Pinecrest Road, currently a 2-lane roadway which is designated for a future 4-lane enhancement per the Hillsborough County Corridor Preservation Plan. The immediate vicinity is occupied by single-family residences, multi-family (community residential home) and institutional uses. Across Lithia Pinecrest Road are two churches zoned ASC-1, and a Community Residential Home permitting a maximum of 60 residents by PD 24-1212. The closest BPO zoned property is approximately 1,000 feet north of the subject property.

The applicant has proposed a set of design criteria to create an office project with residential appearance for the development to not appear out of character with the surrounding area. The BPO zoning district would allow a maximum building area of 22,477 square feet and a maximum height of 50 feet, which could result in a product that is out of scale when compared to the existing development pattern. Therefore, the applicant has proposed to limit the scale of development to a maximum of 15,000 square feet and limiting the building height to 1-story and 23-feet (28' including mechanical equipment or architectural embellishments) in building height. The proposed increased 30-foot-wide buffer with Type B screening along the northern property line would add mitigation to transition from the adjacent residential use to office use. These restrictions also provide for a scale and design that would be comparable to the other non-single-family, institutional uses in the vicinity of the parcel that also front onto Lithia Pinecrest Road.

Due to the above considerations, the request would result in a project which is compatible with the surrounding area and development pattern.

### 5.2 Recommendation

Staff finds the rezoning request **supportable**, subject to the applicant's proposed restrictions.

## 6.0 PROPOSED RESTRICTIONS

The applicant has proposed the following restrictions:

1. A 30-foot wide Type B buffer shall be required along the north property line.
2. The maximum floor area of all structures shall be 15,000 square feet.
3. The maximum height shall be 1-story / 23-feet. Architectural embellishments and/or mechanical equipment shall be limited to an additional 5-feet in height.
4. The design of the principal building shall conform to the following requirements to create a residential appearance:
  - a. If developed with a flat roof, the roof line shall be defined with a cornice, a minimum twelve (12) inches in height and with a minimum projection of two (2) inches. If developed with a pitched roof, the roof shall have a minimum pitch of 3/12.
  - b. Windows shall include at least one of the following features: canopies, awnings, shutters or trims. These features shall be permitted to be combined. Decorative shutters, if provided, shall be made of wood, metal or copolymer material and shall not be scored into the stucco.
  - c. Facades shall be clad in cement stucco bands, stucco, wood or vinyl slats, or brick. Exterior finish materials may only be combined horizontally, with the visually heavier material below the lighter material. The relative visual weight of materials shall be in the following order (heaviest to lightest): stone, brick, stucco, wood or vinyl slats.
  - d. Changes between different finishes/materials shall be defined by a horizontal band/trim/accent.
  - e. The building facades shall be architecturally uniform. Architectural elements shall be applied in a universal and consistent manner on all sides.
  - f. Paint shall not constitute a finish.
  - g. All building entrances, other than rear or side service entrances on the rear or side of the building, shall be defined with architectural enhancements such as, but not limited to, recessed doors, arches, transoms, sidelights, or porticos consistent with the architectural style of the structure. All entrances should have a trim consistent with the general design.
  - h. Windows shall be provided on all sides of the building at a minimum rate of one window per 20 feet of exterior wall length or fraction thereof. Glass blocks shall not contribute to the minimum window requirement.

Zoning Administrator Sign Off:	
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### **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.

**APPLICATION NUMBER:** RZ-STD 25-1350

ZHM HEARING DATE: January 26, 2026

BOCC LUM MEETING DATE: March 10, 2026

Case Reviewer: Michelle Montalbano

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## **7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS**

Not applicable.

## **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: 11/08/2025

REVISED 01/16/2026

REVIEWER: Sarah Rose, Senior Planner

AGENCY/DEPT: Transportation

PLANNING AREA: Brandon

PETITION NO: RZ 25-1350

This agency has no comments.

This agency has no objection.

This agency has no objection, subject to the listed or attached conditions.

This agency objects for the reasons set forth below.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone one parcel totaling +/- 2.65 acres from Agricultural Single Family Conventional - 1 (ASC-1) to Business Professional Office - Restricted (BPO-R). The restriction proposed by the applicant would require that all office structures be residential in appearance, limit the building height to a single story, reduce the maximum Far to 15,000sqft, and provide a 30ft type-B buffer along the northern property line. The site is located +/- 300ft south-east of the intersection of Sunshine Ave. and Lithia Pinecrest Rd. The Future Land Use designation of the site is Residential – 4 (R-4).

### **Trip Generation Analysis**

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff have 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, 12th Edition.

#### Approved Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
ASC-1, Single Family Detached (ITE 210) 2 Units	18	1	2

#### Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips

		AM	PM
BPO, Medical/Dental Office (ITE 720) 112,000sqft	412-371	36-33	39-34
BPO, Copy, Print, and Express Ship Store (ITE Code 920) 6 4,000sqft	*450-300	17-11	45-30
<del>BPO, Small Office Building (ITE 712) 5,086sqft</del>	74	8	11
<b>Total</b>	<b>936-671</b>	<b>61-44</b>	<b>95-64</b>

\*Estimated by Staff. ITE Trip Generation Manual 12<sup>th</sup> Edition does not provide 24 trip counts for this use.

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>+918-653</b>	<b>+60-43</b>	<b>+93-62</b>

## TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Lithia Pinecrest Rd., a 2-lane, undivided, substandard, rural county-maintained arterial roadway. The roadway is characterized by +/- 12-foot-wide travel lanes. There are +/- 4-foot-wide paved shoulders on both sides of the roadway and +/- 5-foot-wide sidewalks along the south-western side of the roadway. The roadway lies within a +/- 100-ft right-of-way. Pursuant to the Hillsborough County Corridor Preservation Plan, Lithia Pinecrest Rd. is designated for a future four lane enhancement.

## SITE ACCESS

It is anticipated that the site will have access to Lithia Pinecrest Rd.

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 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).

Staff notes that 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. As such, staff have no objection to this request.

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

#### **ROADWAY LEVEL OF SERVICE (LOS) INFORMATION**

The roadway level of service provided for Lithia Pinecrest Rd. is for information purposes only.

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

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



# Hillsborough County City-County Planning Commission

Plan Hillsborough  
[planhillsborough.org](http://planhillsborough.org)  
[planner@planc.com.org](mailto:planner@planc.com.org)  
813 – 272 – 5940  
601 E Kennedy Blvd  
18<sup>th</sup> floor  
Tampa, FL, 33602

## Unincorporated Hillsborough County Rezoning Consistency Review

<b>Hearing Date:</b> January 26, 2026	<b>Case Number:</b> RZ 25-1350
<b>Report Prepared:</b> January 14, 2026	<b>Folio(s):</b> 71175.0000
	<b>General Location:</b> West of Lithia Pinecrest Road, north of Hummingbird Lane, and east of Bell Shoals Road
<b>Comprehensive Plan Finding</b>	<b>INCONSISTENT</b>
<b>Adopted Future Land Use</b>	Residential-4 (4 du; 0.25 FAR)
<b>Service Area</b>	Urban
<b>Community Plan(s)</b>	Brandon
<b>Rezoning Request</b>	Rezoning from Agricultural Single-family Conventional (ASC-1) to Business Professional Office (BP-O)
<b>Parcel Size</b>	+/- 2.58 acres
<b>Street Functional Classification</b>	Lithia Pinecrest Road – <b>County Arterial</b> Bell Shoals Road – <b>County Collector</b> Hummingbird Lane – <b>Local</b>
<b>Commercial Locational Criteria</b>	Does not meet; waiver requested
<b>Evacuation Area</b>	None

**Table 1: COMPARISON OF SURROUNDING PROPERTIES**

<b>Vicinity</b>	<b>Future Land Use Designation</b>	<b>Zoning</b>	<b>Existing Land Use</b>
<b>Subject Property</b>	Residential-4	ASC-1	Vacant
<b>North</b>	Residential-4	ASC-1 + RSC-6	Single-Family Residential + Public/Quasi-Public
<b>South</b>	Residential-4	ASC-1	Single-Family Residential
<b>East</b>	Residential-4	ASC-1 + PD + RSC-3	Public/Quasi-Public + Single-Family Residential + Multi-Family
<b>West</b>	Residential-4	ASC-1 + RSC-6	Single-Family Residential

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

The ± 2.58-acre subject site is located west of Lithia Pinecrest Road, north of Hummingbird Lane, and east of Bell Shoals Road. The site is in the Urban Service Area (USA) and is within the limits of the Brandon Community Plan, specifically in the Garden Estates Character District. The applicant is requesting to rezone from Agricultural Single-family Conventional (ASC-1) to Business Professional Office (BP-O).

The site is in the Urban Service Area where, according to Objective 1.1 of the Future Land Use Section (FLUS), 80 percent of the county's growth is to be directed. Policy 3.1.3 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." According to the Hillsborough County Property Appraiser, the site is currently designated as vacant. The site is bordered by single-family residential uses to the north, west and south, as well as across Lithia Pinecrest Road to the east. Also, to the east there are public/quasi-public uses, including a church, and a multi-family use operating as a children's shelter. Further north across Lithia Pinecrest Road there is an additional public/quasi-public use consisting of another church. While the site is located within the Urban Service Area and is consistent with FLUS Objective 1.1, the proposal to rezone the property from ASC-1 to BP-O would not be consistent with the intent of FLUS Policy 3.1.3. Given the site is surrounded primarily by single-family residential development, the introduction of the BP-O zoning district would not be considered compatible with the existing residential character of the area. The introduction of the BP-O zoning district in this location would establish non-residential uses immediately adjacent to established

single-family homes, which would create a sharp contrast in use and character of the area. Additionally, as this is a standard rezoning request, a site plan demonstrating potential buffers and screening to aid in the transition of uses is not provided or required at this stage. In the absence of such mitigation features between the existing residential and the proposed office use, this request conflicts with the intent of the Comprehensive Plan to ensure that new development is compatible with and maintains the character of existing development.

Per Objective 2.2, Future Land Use categories outline the maximum level of intensity or density, and range of permitted land uses allowed in each category. Table 2.2 contains a description of the character and intent permitted in each of the Future Land Use categories. The site is in the Residential-4 (RES-4) Future Land Use category, which allows for the consideration of agricultural, residential, neighborhood commercial, office uses and multi-purpose projects. The maximum building area square footage that be considered for the site is 28,096 square feet ( $2.58 \text{ acres} \times 43,560 \text{ sq ft} = 112,384 \text{ sq ft} \times 0.25 \text{ FAR} = 28,096 \text{ sq ft}$ ). As the language states, the proposed uses are allowed and therefore, the proposal meets Objective 2.2 and the associated policies.

The Comprehensive Plan requires that all development meet or exceed the land development regulations in Hillsborough County (FLUS Objective 4.1, FLUS Policy 4.1.1 and FLUS Policy 4.1.2). However, at the time of uploading this report, Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request.

The proposed rezoning does not meet the intent of FLUS Objective 4.4 and FLUS Policy 4.4.1 that require new development to be compatible to the surrounding neighborhood. The surrounding land use pattern in this area is predominantly single-family residential, with limited public/quasi-public uses such as churches and community serving facilities. The proposed BP-O zoning district is not compatible with the surrounding development of the property. The applicant has proposed a restriction on the rezoning that the office structure will remain residential in appearance and will include a 30-foot buffer along the northern property line. Additionally, the height will be restricted to a maximum of 23 feet or 1-story, and the maximum structure square footage will be 15,000 square feet. While staff recognize these restrictions are a positive step toward enhancing visual compatibility, the underlying office use remains inconsistent with the existing residential nature of the area. Although the proposed use is consistent with the intent and allowable uses within the RES-4 Future Land Use category, the request overall remains incompatible with the surrounding development pattern and fails to provide an appropriate transition between the residential developments and the proposed office use.

The subject site does not meet Commercial Locational Criteria (CLC) as established by Objective 4.7 and its associated policies of the Future Land Use Section (FLUS). The closest qualifying intersection is approximately 2,400 feet from the subject site at Lithia Pinecrest Road and Bell Shoals Road. FLUS Policy 4.7.10 outlines that the Board of County Commissioners may grant a waiver to the intersection criteria for the location of commercial uses outlined in FLUS Policies 4.7.2 and 4.7.6. The waiver would be based on the compatibility of the use with the surrounding area and would require a recommendation by the Planning Commission staff. An applicant must submit a waiver request documenting unique circumstances or specific findings that detail how the proposed commercial or office use furthers the other goals, objectives and policies of the Comprehensive Plan. The Board of County Commissioners may reverse or affirm the Planning Commission staff's recommendation through their normal review of rezoning petitions. Financial hardships may not constitute justification for a waiver. In this case, the applicant submitted a waiver request detailing that the site proposed for BP-O is compatible because there have been drastic changes of uses along this segment of Lithia-Pinecrest Road away from residential

uses. However, staff finds that the majority of the surrounding area remains primarily residential in nature. Accordingly, staff recommend that the board deny the waiver request, as the applicant has not adequately demonstrated how the proposed rezoning would further the goals and policies of the Comprehensive Plan. FLUS Policy 4.7.9 emphasizes that locational criteria are not the only factors to be considered for approval of a neighborhood serving commercial or office use. Other key considerations such as land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of affected roadways and other policies of the Comprehensive Plan and zoning regulations carry more weight in the approval of the potential neighborhood-serving commercial use. The locational criteria would only designate locations that could be considered, and in no way guarantees the approval of a particular use. Given the compatibility concerns of the subject site with the adjacent single-family residential uses, staff concludes that the proposed development is not suitable for this location.

FLUS Objective 3.2 and Policy 3.2.4 require community plans throughout the county to be consistent with the Comprehensive Plan. The subject site lies within the limits of the Brandon Community Plan, which establishes a vision for long-term development and preservation of the Brandon area. Goal 6 of the plan emphasizes the importance of guiding both development and redevelopment to ensure compatibility with existing structures and to preserve neighborhood character. This goal also outlines distinct Character Districts to guide appropriate uses and development throughout the community. The subject site is located within the Garden Estates Character District, which consists predominantly of single-family homes with lot sizes of at least half an acre. In this district, demand for neighborhood serving uses like childcare and Adult Day Care is minimal. As a result, special uses should be located at intersections and would not be deemed compatible unless they meet the locational criteria for a neighborhood serving commercial use. The applicant's request to rezone the property to BP-O would introduce a use that is inconsistent with the existing single-family residential pattern of the Garden Estates Character District. Approval of this request would conflict with the intent and principles of the Brandon Community Plan, which prioritize compatibility and neighborhood preservation.

Overall, staff finds that the proposed use is allowable in the Residential-4 (RES-4) Future Land Use category, however, it is not compatible with the existing development pattern found within the surrounding area and does not support the vision of the Brandon Community Plan. The proposed Standard Rezoning would not allow for development that is consistent with the Goals, Objectives and Policies of the Future Land Use Section and the Livable Communities Element of the *Unincorporated Hillsborough County Comprehensive Plan*.

### **Recommendation**

Based upon the above considerations and the following Goals, Objectives and Policies, Planning Commission staff finds the proposed Standard Rezoning **INCONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

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### **Staff Identified Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan* Related to the Request:**

#### **FUTURE LAND USE SECTION**

##### ***Urban Service Area***

**Objective 1.1:** Direct at least 80% of new population growth into the USA and adopted Urban expansion areas through 2045. Building permit activity and other similar measures will be used to evaluate this objective.

### **Relationship to the Future Land Use Map**

**Goal 2:** Ensure that the character, compatibility and location of land uses optimize the combined potential for economic benefit, fiscal sustainability, protection of natural resources and maintaining viable agriculture. Ensure density and intensities are maintained through the Future Land Use Map.

**Objective 2.1:** The Future Land Use Map is a regulatory tool governing the pattern of development in unincorporated Hillsborough County through the year 2045.

**Policy 2.1.1:** The Future Land Use Map shall identify Future Land Use categories, summarized in Table 2.2 and further described in Appendix A, that establish permitted land uses and maximum densities and intensities.

### **Future Land Use Categories**

**Objective 2.2:** The Future Land Use Map (FLUM) Shall identify Land Use Categories, summarized in table 2.2 of the Future Land Use Element.

**Policy 2.2.1:** 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 uses are routinely acceptable anywhere within that land use category.

### **Compatibility**

**Policy 3.1.1:** Restrict incompatible land uses to protect established and planned neighborhoods and communities by utilizing planning principles that limit commercial development in residential Future Land Use categories. Commercial and mixed-use in residential Future Land Use categories shall be limited to neighborhood serving guided by the commercial locational criteria in Objective 4.7.

**Policy 3.1.2:** Gradual transitions of intensities and densities 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. Screening and buffering used to separate new development from the existing, lower-density community should be designed in a style compatible with the community and allow pedestrian penetration. In rural areas, perimeter walls are discouraged and buffering with berms and landscaping are strongly encouraged.

**Policy 3.1.3:** 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.

### **Community Planning**

**Objective 3.2:** Hillsborough County is comprised of many diverse communities and neighborhoods. The comprehensive plan is effective in providing an overall growth management strategy for development within the entire County. Strategies shall be developed that ensure the longrange viability of its communities through a community and special area studies planning effort.

**Policy 3.2.4:** The County shall assist the Hillsborough County City-County Planning Commission in developing community plans for each planning area that are consistent with and further the Goals, Objectives and Policies of the Comprehensive Plan. The community plans will be adopted as part of the Comprehensive Plan in the Livable Communities Element. These community-specific policies will apply in guiding the development of the community. Additional policies regarding community planning and the adopted community plans can be found in the Livable Communities Element.

### **Development**

**Policy 4.1.1:** 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 4.1.2:** 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.

**4.1.6:** 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 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.

### **Neighborhood/Community Development**

**Objective 4.4:** Neighborhood Protection – Enhance and preserve existing neighborhoods and communities. Design neighborhoods which are related to the predominant character of their surroundings.

**Policy 4.4.1:** Any density or intensity increases shall be compatible with existing, proposed or planned surrounding development. Development and redevelopment shall be integrated with the adjacent land uses through:

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

**Objective 4.7:** To meet the daily shopping and service needs of residents, only neighborhood-serving commercial uses will be permitted within land use categories that are primarily residential or agricultural in nature. Intensive commercial uses (uses allowed within the Commercial Intensive zoning district) shall not be considered neighborhood-serving commercial. Such developments do not require a Future Land Use Map Amendment to a non-residential category provided they meet the criteria established by the following policies and all other Goals, Objectives and Policies in the Comprehensive Plan. The frequency and allowance of neighborhood-serving commercial uses will be different in the Urban Service Area than in the Rural Area due to the population density, scale and character of the areas.

**Policy 4.7.1:** In the Urban Service Area, locational criteria must be met to allow neighborhood-serving commercial uses in the following primarily residential land use categories:

- Residential Planned -2 (RP-2)
- Residential - 2 (RES-2)
- Residential - 4 (RES-4)
- Neighborhood Mixed Use-4(3) (NMU-4(3))
- Neighborhood Mixed Use-6 (NMU-6)
- Residential - 6 (RES-6)
- Suburban Mixed Use-6(SMU-6)
- Residential - 9 (RES-9)
- Residential - 12 (RES-12)
- Residential - 16 (RES-16)
- Residential - 20 (RES-20)
- Residential - 35 (RES-35)
- Any rural Future Land Use categories in the Urban Service Area

**Policy 4.7.2:** In the above land use categories, neighborhood-serving commercial uses, including office uses, can be considered to the maximum FAR permitted in each Future Land Use category in the following locations:

- 50% of the site must front along a roadway with a context classification of suburban commercial, suburban town or urban general context classification in the Hillsborough County Context Classification Map or the Florida Department of Transportation Context Classification Map; or
- Within 1,000 feet of the intersection of roadways both functionally classified as a collector or arterial per the Hillsborough County Functional Classification Map. At least 75% of the subject property must fall within the specified distance (1,000 feet) from the intersection. All measurements should begin at the edge of the road right-of-way. The land area within this distance, as measured along both roadways, makes a quadrant (see graphic).

**Policy 4.7.9:** The locational criteria are not the only factors to be considered for approval of a neighborhood-serving commercial or office use. Considerations such as land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of affected roadways and other policies of the Comprehensive Plan and zoning regulations carry more weight in the approval of the potential neighborhood-serving commercial use. The locational criteria would only designate locations that could be considered, and in no way guarantees the approval of a particular use.

**Policy 4.7.10:** The Board of County Commissioners may grant a waiver to the intersection criteria for the location of commercial uses outlined in Policies 4.7.2 and 4.7.6. The waiver would be based on the compatibility of the use with the surrounding area and would require a recommendation by the Planning Commission staff. An applicant must submit a waiver request documenting unique circumstances or

*specific findings that detail how the proposed commercial or office use furthers the other goals, objectives and policies of the Comprehensive Plan. The Board of County Commissioners may reverse or affirm the Planning Commission staff's recommendation through their normal review of rezoning petitions. Financial hardships may not constitute justification for a waiver.*

*The square footage requirements under Policy 4.7.6 cannot be waived. Waivers are required for all Major Modifications to Planned Developments requesting new or additional commercial that do not meet Commercial Locational Criteria.*

## **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.*

- **3.** *Implement Brandon Character Districts to protect established neighborhoods and historic patterns of development.*
- **4.** *Consistent with the Brandon Character Districts Map, develop design guidelines for the Brandon Character Districts to address at a minimum building height, density and intensity, building types, bulk, mass, parking location, access, frontage, setbacks, buffers, landscape, streetscape and signage. Consistent with the general design characteristics listed in the Brandon Community Plan document, develop specific standards for adoption into the Land Development Code.*
- **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.*
  - **E.** *Garden Estates – Usually adjacent to "Suburban" districts or agriculturally zoned properties including a few small working farms. These areas consist predominantly of single-family homes with lot sizes of at least half-acre. They may retain agricultural zoning including related horse and farm animal ownership rights, giving the feel of a semi-rural lifestyle. Blocks may be large and the roads irregular to accommodate existing site conditions such as flag lots or large, grand oak trees. Although located within the Urban Service Area, homes may have been constructed with private wells and septic systems so that County water may or may not be available in these areas. Demand for neighborhood serving uses like Childcare and Adult Day Care is minimal. As a result, special uses should be located at intersections and would not be deemed compatible unless they meet the locational criteria for a neighborhood serving commercial use in the Land Development Code.*

# HILLSBOROUGH COUNTY FUTURE LAND USE

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