

**Rezoning Application:** RZ-STD 23-0443

**Zoning Hearing Master Date:** October 16, 2023

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

**1.0 APPLICATION SUMMARY**

**Applicant:** A Investments Development Corp.

**FLU Category:** Residential-1 (RES-1)

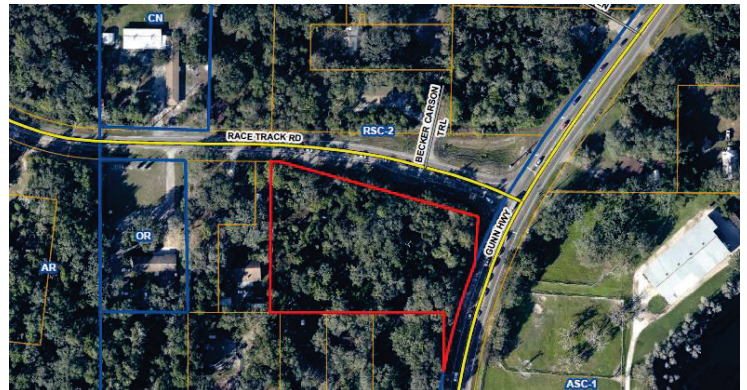
**Service Area:** Rural

**Site Acreage:** 2.32 MOL

**Community  
Plan Area:** Keystone-Odessa

**Overlay:** None

**Request:** Rezone from Residential – Single-Family Conventional (RSC-2) to Commercial Neighborhood Restricted (CN-R)



**Introduction Summary:**

The existing zoning is Residential – Single-Family Conventional (RSC-2) which permits Single-Family Residential (Conventional Only) pursuant to the development standards in the table below. The proposed zoning is Commercial – Neighborhood Restricted (CN-R) which allows Restricted Neighborhood Commercial, Office and Personal Services uses pursuant to the development standards in the table below. The applicant has offered limitations that restrict the uses to professional office and low intensity commercial uses.

	Existing	Proposed
District(s)	RSC-2	CN-R
Typical General Use(s)	Single-Family Residential (Conventional Only)	Restricted Neighborhood Commercial, Office and Personal Services
Acreage	2.32 MOL	2.32 MOL
Density/Intensity	1 du/ga (FLU RES-1)	0.20 F.A.R.
Mathematical Maximum*	2 units	20,211 sf

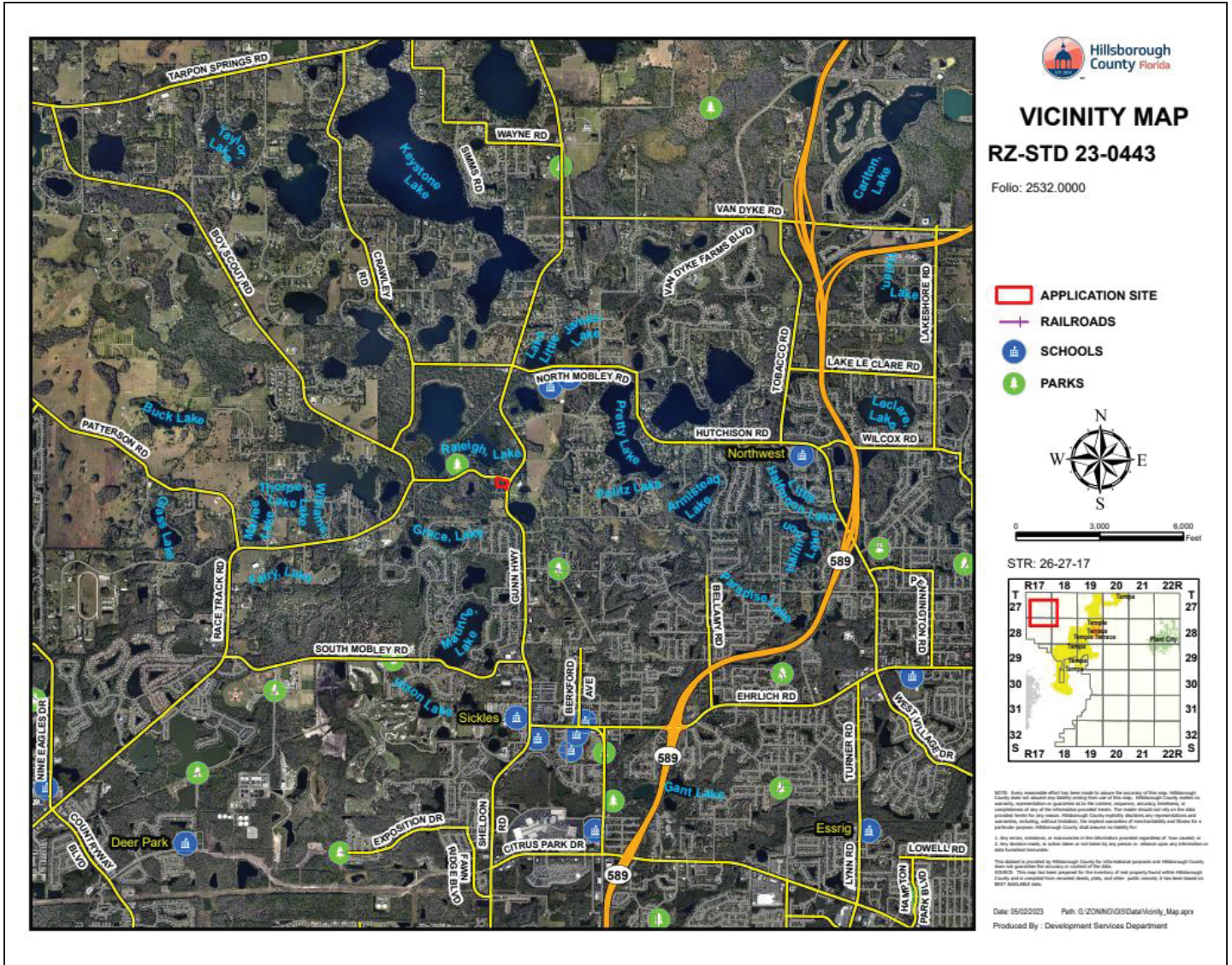
\*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	RSC-2	CN-R
Lot Size / Lot Width	21,780 sf / 100'	7,000 sf / 70'
Setbacks/Buffering and Screening	25' Front 25' Rear 10' Sides	30' Front Buffer Rear Buffer Sides
Height	35'	35'

<b>Planning Commission Recommendation:</b> Inconsistent	<b>Development Services Recommendation:</b> Not Supportable
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

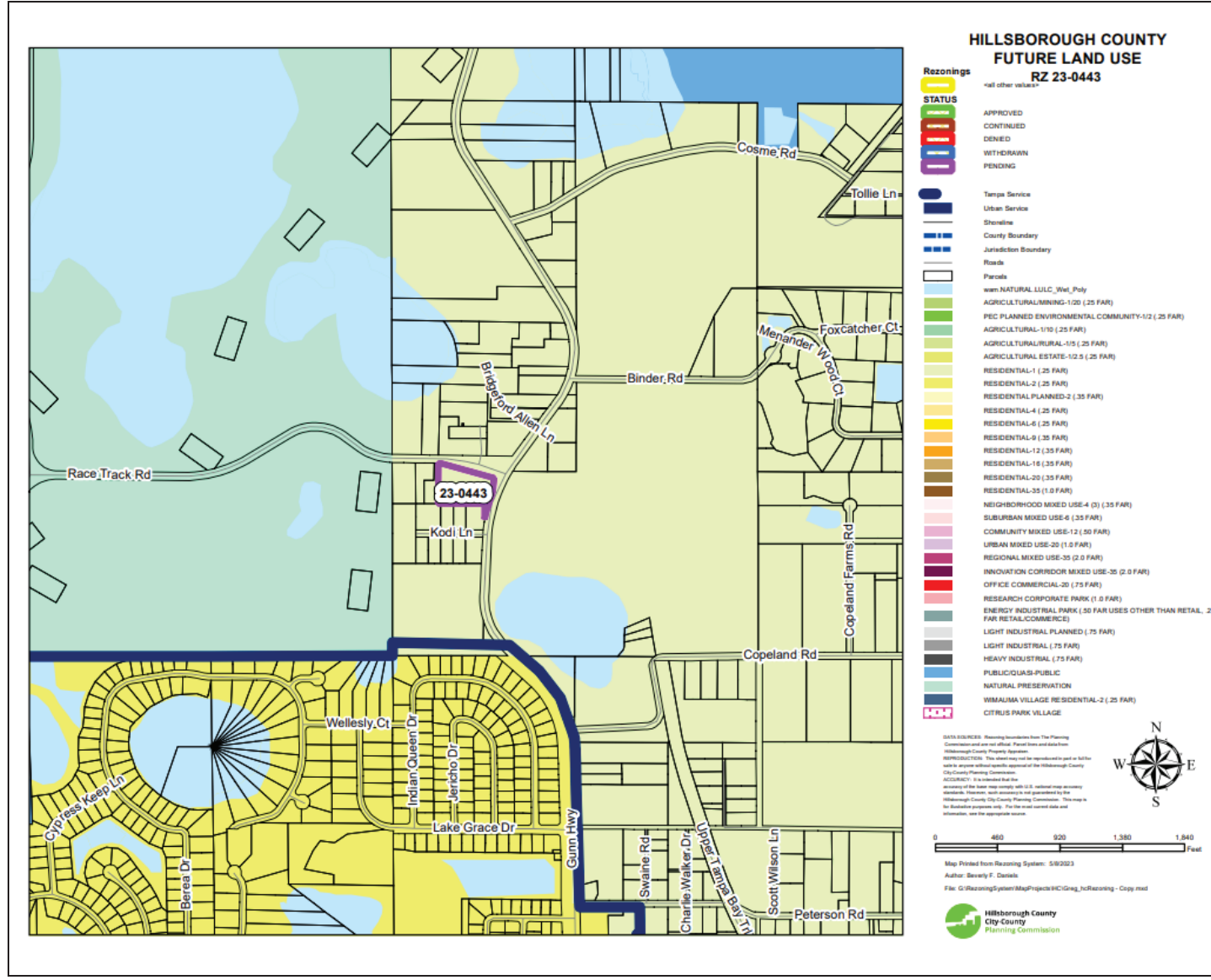


**Context of Surrounding Area:**

The area consists of single-family residential, agricultural, institutional, and commercial. The subject parcel is directly adjacent to single-family residential zoned RSC-2 to the south and west. To the east across Gunn Highway is a Tree Farm with single-family residential zoned ASC-1. To the north across Race Track Road is single-family residential zoned RSC-2. Further west on Race Track Road is a Church zoned CN and single-family residential with a doctor's office zoned OR (Office Residential).

2.0 LAND USE MAP SET AND SUMMARY DATA

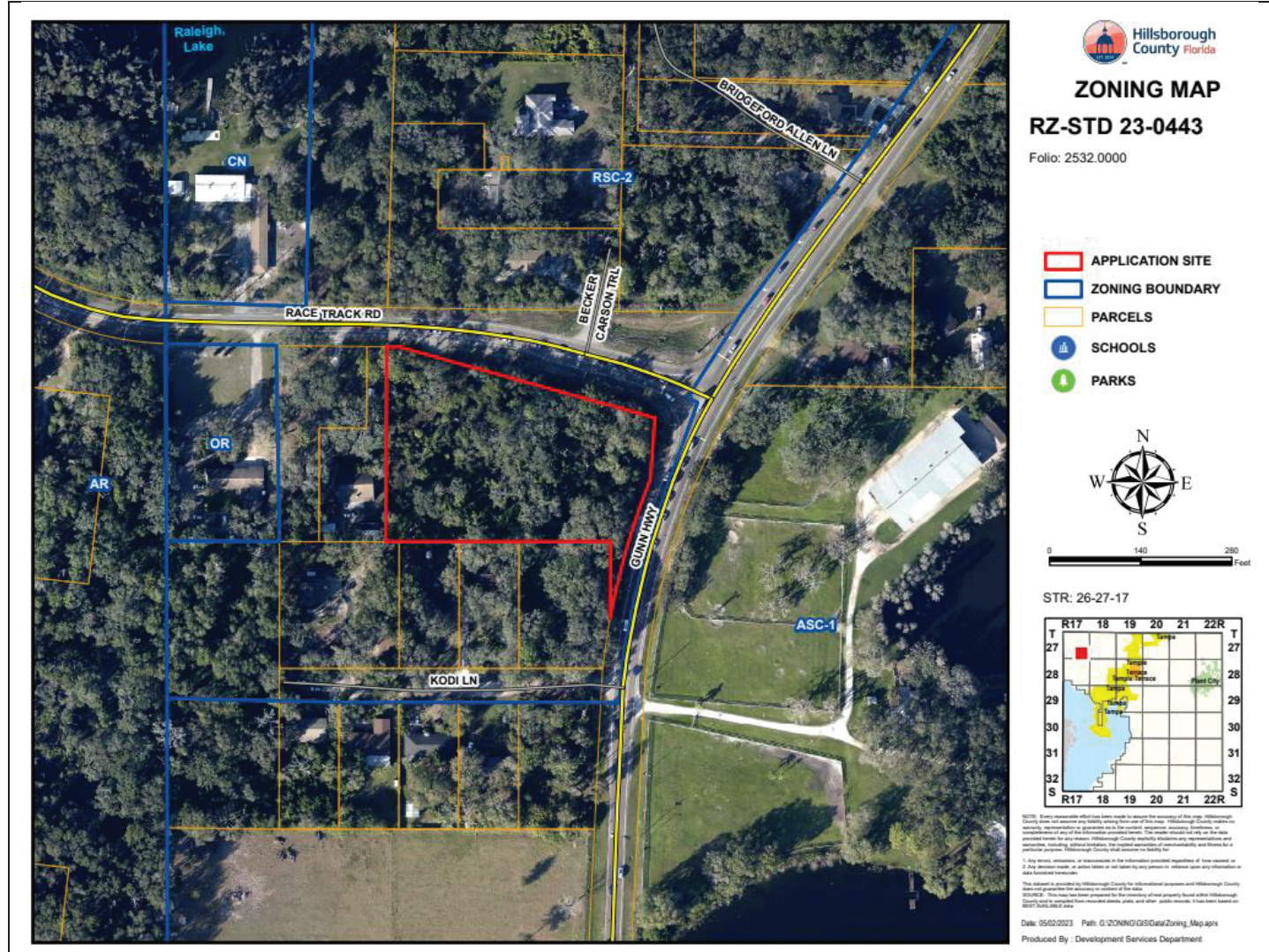
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-1 (RES-1)
Maximum Density:	1.0 dwelling unit per gross acre / 0.25 F.A.R.
Typical Uses:	Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RSC-2	1 du / gross acre (FLU RES-1)	Single-Family Residential (Conventional Only)	Single-Family Residential
South	RSC-2	1 du / gross acre (FLU RES-1)	Single-Family Residential (Conventional Only)	Single-Family Residential, Vacant
East	ASC-1	1 du / gross acre	Single-Family Residential/Agricultural	Single-Family Residential/Agricultural
West	RSC-2	1 du / gross acre (FLU RES-1)	Single-Family Residential (Conventional Only)	Single-Family Residential

**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
Race Track Road	County Collector - Urban	2 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 type="checkbox"/> Other
Gunn Hwy	County Arterial - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

**Project Trip Generation**  Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	19	2	3
Proposed	358	37	41
Difference (+/-)	+339	+35	+38

\*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:	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	No Wetlands Present
Environmental Services	<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: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input checked="" type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <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				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
<b>Transportation</b> <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	See Staff Report.
<b>Service Area/ Water &amp; Wastewater</b> <input type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input checked="" type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<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	There is a water main located adjacent to the subject site.
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
<b>Planning Commission</b> <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 checked="" 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	

## 5.0 IMPLEMENTATION RECOMMENDATIONS

### 5.1 Compatibility

The approximate 2.32-acre vacant parcel is zoned RSC-2 (Residential – Single-Family Conventional). The subject parcel is located at the southwest corner of Race Track Road and Gunn Highway. The area consists of single-family residential, agricultural, institutional, and commercial. The subject parcel is directly adjacent to single-family residential zoned RSC-2 to the south and west. To the east across Gunn Highway is a Tree Farm with single-family residential zoned ASC-1. To the north across Race Track Road is single-family residential zoned RSC-2. Further west on Race Track Road is a Church zoned CN and single-family residential with a doctor's office zoned OR (Office Residential). The subject property is designated Residential-1 (RES-1) on the Future Land Use map.

The Keystone-Odesa Community plan outlines the desired commercial character for commercial development outside the designated rural activity center at Gunn Hwy and North Mobley Road. These desired characteristics include development to be small in scale (building size and FAR), uses specifically geared to service the agricultural and equestrian interests in the area and rural building design. To address compliance the applicant has offered the following restrictions:

1. The uses proposed to be allowable on this parcel area as follows:
  - a) Agricultural stand, temporary or permanent
  - b) General business retail and goods RESTRICTED to western wear clothing
  - c) Animal hospital/Veterinary Clinic without Crematoriums
  - d) Health Practitioner's Office
  - e) Medical Offices or Clinics with Scheduled or Emergency Services by Physicians
  - f) Professional Office
  - g) Professional Services

The CN zoning to the west was zoned prior to the adoption of Comprehensive Plan and the Community Plan. The OR zoning district to the west was approved after adoption of the Keystone-Odesa Community Plan and permits proposed uses e, f, and g. Consistent with the desired characteristics, the OR zoning district limits the scale of the building by restricting the maximum square feet to the existing footprint of the residence (2750 square feet) and the requires the building to maintain a residential appearance with no commercial display windows or storefront type of building. The subject property will be subject to compliance with the Keystone Odesa Rural Development Standards as outlined in LDC Section 3.08.00. The subject regulations include limitations on building size (maximum 7500 square feet) and building design standards to provide for compliance with the goals, objectives and policies of the Keystone-Odesa Community Plan. However, the scale/intensity of the development under the CN zoning district with a permitted FAR of .20 is not consistent with the surrounding development pattern and other similar situated commercial zoning districts approved outside of the of the rural activity center. A similar situated parcel (PD 19-1451) at the intersection of Gunn Hwy and Lutz Lake Fern Road (T-intersection, surrounded by agricultural/residential uses/zoning districts) was approved for professional/medical offices uses with a maximum FAR of 0.12. Furthermore, while the intersection of Gunn Hwy and Van Dyke Road has developed much more intensely with regards to range of uses, the maximum FAR for the zoning districts are all below .20. Staff notes the zoning districts as this intersection (Gunn/Van Dyke) were approved prior to adoption of the Community Plan and LDC regulations. With respect to the proposed uses, the retail goods use with sales restricted to western wear clothing raises enforceability concerns with being able to effectively ascertain what is or isn't "western wear clothing".

Based on the above considerations staff finds the requested CN-R zoning district INCOMPATIBLE with the existing zoning and development pattern in the area.


**5.2 Recommendation**

Based on the above considerations, staff finds the request NOT SUPPORTABLE. As noted, the applicant has offered the following restrictions:

The uses proposed to be allowable on this parcel area as follows:

- a) Agricultural stand, temporary or permanent
- b) General business retail and goods RESTRICTED to western wear clothing
- c) Animal hospital/Veterinary Clinic without Crematoriums
- d) Health Practitioner’s Office
- e) Medical Offices or Clinics with Scheduled or Emergency Services by Physicians
- f) Professional Office
- g) Professional Services

**Zoning Administrator Sign Off:**



J. Brian Grady  
Mon Oct 9 2023 13:11:55

**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.



## 6.0 FULL TRANSPORTATION REPORT (see following pages)

### AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department  
REVIEWER: Alex Steady, AICP  
PLANNING AREA/SECTOR: Keystone Odessa/Northwest

DATE: ~~7/11/23~~ Revised 10/04/2023  
AGENCY/DEPT: Transportation  
PETITION NO.: STD 23-0443

- This agency has no comments.
- This agency has no objection.
- This agency objects for the reasons set forth below.

### PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone one parcel totaling +/- 2.31 acres from Residential Single Family Conventional – 2 (RSC-2) to Commercial Neighborhood - Restricted (CN-R). The use of the property is offered by the applicant to be restricted to an agricultural stand (temporary or permanent), General business retail and goods restricted to western wear clothing, Animal hospital/Veterinary Clinic without Crematoriums, Health Practitioner's Office, Medical Offices, or Clinics with Scheduled or Emergency Services by Physicians, Professional Office, or Professional Services. The site is located on the southeast corner of the intersection of Race Track Road and Gunn Highway. The Future Land Use designation of the site is Residential-1 (RES-1).

### 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 not identify any concerns that would require a more detailed staff report be filed. 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. As such, staff has no objection to this request.

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.

### *Trip Generation Analysis*

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, 11<sup>th</sup> Edition.

**Approved Zoning:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-2, 2 Single Family Dwelling Units (ITE Code 210)	19	2	3

**Proposed Zoning:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
CN-R, 5,000 sf Medical-Dental Office Building (ITE Code 720)	106	16	17
CN-R, 5,000 sf Veterinarian Clinic (ITE Code 640)	108	18	17
CN-R, 10,000 sf Small Office Building (ITE Code 712)	144	17	21
Total Trips	358	37	41

**Trip Generation Difference:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+339	+35	+38

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

The site has a frontage on Race Track Road and Gunn Highway. Race Track Road is a 2-lane, substandard, undivided, Hillsborough County maintained, collector roadway. Race Track Road lies within a range of +/- 65 feet to +/-179 feet of Right of Way in the vicinity of the project. Race Track does not have sidewalks on either side of the roadway within the vicinity of the project. Gunn Highway is a 2-lane, substandard, undivided, Hillsborough County maintained, arterial roadway. Gunn Highway lies within a range of +/- 90 feet to +/-114 feet of Right of Way in the vicinity of the project. Gunn Highway does not have sidewalks on either side of the roadway within the vicinity of the project.

**HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN**

Race Track Road is included as a 2 lane enhanced roadway in the Hillsborough County Corridor Preservation Plan (CPP). Sufficient right of way will be required to be preserved for the planned improvement at the time of plat/site/construction plan review. Gunn Highway is not included in the CPP.

**ROADWAY LEVEL OF SERVICE**

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
RACE TRACK RD	S MOBLEY	GUNN HWY	C	D
GUNN HWY	VAN DYKE RD	S MOBLEY	D	F

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



**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> October 16, 2023	<b>Petition: RZ 23-0443</b>
<b>Report Prepared:</b> October 4, 2023	<b>Folio 2532.0000</b> <i>West of Gunn Highway and south of Racetrack Road</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding</b>	<b>INCONSISTENT</b>
<b>Adopted Future Land Use</b>	<b>Residential-1 (1 du/ga; 0.25 FAR)</b>
<b>Service Area</b>	<b>Rural</b>
<b>Community Plan</b>	<b>Keystone Odessa</b>
<b>Request</b>	Rezoning from Residential Single-Family Conventional-2 (RSC-2) to Commercial Neighborhood with restrictions (CN-R)
<b>Parcel Size (Approx.)</b>	2.32 +/- acres
<b>Street Functional Classification</b>	Gunn Highway – <b>County Arterial</b> Racetrack Road– <b>County Collector</b>
<b>Locational Criteria</b>	Meets
<b>Evacuation Area</b>	None



## **Context**

- The 2.32 +/- subject site is located directly west of Gunn Highway and south of Racetrack Road.
- The site is in the Rural Area and within the limits of the Keystone Odessa Community Plan.
- The site has a Future Land Use designation of Residential-1 (RES-1), which allows for consideration of up to 1 dwelling unit per gross acre and a maximum Floor Area Ratio (FAR) of 0.25. Typical uses in the RES-1 include farms, ranches, residential uses, rural scale neighborhood commercial uses, offices and multi-purpose projects. Commercial, office and multi-purpose uses are required to meet locational criteria for specific land uses. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The subject site is surrounded by RES-1 on all sides. Further west is designated Natural Preservation (N) and further south Residential-2 (RES-2).
- The subject site is currently vacant. Single family and vacant uses are interspersed north, west, and south of the subject site. Agricultural uses exist east of the subject site across Gunn Highway as well as further south. There are a mix of public institutional uses further west of the subject site that include a church and a park. The area is residential in nature with notable agricultural uses that extend further south, east, and northeast.
- The subject site is zoned Residential Single-Family Conventional-2 (RSC-2). In the general vicinity, the site is surrounded by RSC-2 zoning to the north, west and south. Agricultural, Single-Family Conventional (ASC-1) zoning is located to the east and Agricultural Rural (AR) zoning is located further west. There is one parcel of Commercial Neighborhood (CN) and one parcel of Office Residential (OR) zoning to the west of the subject site.
- The applicant requests to rezone the subject site from Residential Single-Family Conventional-2 (RSC-2) to Commercial Neighborhood with restrictions (CN-R).

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

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

## **FUTURE LAND USE ELEMENT**

### ***Rural Area***

***Objective 4:*** *The Rural Area will provide areas for long term, agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment, with the goal that no more than 20% of all population growth within the County will occur in the Rural Area.*

### ***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 the 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: locational criteria for the placement of non-residential uses as identified in this Plan, limiting commercial development in residential land use categories to neighborhood scale; 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.

**Objective 17: Neighborhood and Community Serving Uses** Certain non-residential land uses, including but not limited to residential support uses and public facilities, shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner to be compatible to the surrounding residential development pattern.

**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 22.2:** *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.*

**Policy 22.7:** *Neighborhood commercial activities that serve the daily needs of residents in areas designated for residential development in the Future Land Use Element shall be considered provided that these activities are compatible with surrounding existing and planned residential development and are developed in accordance with applicable development regulations, including phasing to coincide with long range transportation improvements.*

*The locational criteria outlined in Policy 22.2 are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the potential neighborhood commercial use in an activity center. The locational criteria would only designate locations that could be considered, and they in no way guarantee the approval of a particular neighborhood commercial or office use in a possible activity center.*

**Community Design Component (CDC)**

**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.*

**5.0 NEIGHBORHOOD LEVEL DESIGN**

**5.1 COMPATIBILITY**

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

**Policy 12-1.4:** *Compatibility may be achieved through the utilization of site design techniques including but not limited to transitions in uses, buffering, setbacks, open space and graduated height restrictions, to affect elements such as height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture.*

**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: KEYSTONE ODESSA**

**Residential**

*The established rural pattern of residential development will be continued and the intrusion of suburban style residential development will be as defined by the Keystone-Odessa Rural Development Standard adopted in the County’s Land Development Code which provides for:*

- *maintaining low-density residential development of a minimum of one unit per 5 acres consistent with the comprehensive plan (unless otherwise permitted);*
- *discouraging plan amendments to densities higher than 1 du/5ga*

**Commercial**

*Keystone-Odessa Rural Activity Center*

*The Keystone-Odessa community desires to have uses that are geared to serving the daily needs of area residents, in a scale and design that complements the character of the community. It is the desire of the community to encourage transfer of development rights for some of the currently approved unbuilt commercial within the community planning area and to direct new commercial to the intersection of Gunn Highway and North Mobley Road with the community plan boundary, and to other eligible receiving areas in Hillsborough County.*

*The intersection at Gunn Highway and North Mobley Road is recognized as a rural activity center by the community, and designed to serve the majority of the community’s daily shopping needs such as groceries, post office, animal supplies, etc. To ensure that the area is developed in compliance with the Keystone-Odessa Community Plan this area has been defined as an overlay district within the County’s land development code.*

**Other Commercial**

*The desired rural commercial character for the Keystone-Odesa community includes uses which:*

- are small in scale; (both in square footage for individual structures and in the FAR);*
- are specifically geared to serve the agricultural and equestrian interests in the area;*
- are designed using an architectural style which reflects a rural vernacular with metal or wood shake roofs; and,*
- have exterior walls constructed of natural materials (vs. a “franchise architecture” appearance).*

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

The 2.32 +/- acre subject site is located directly west of Gunn Highway and south of Racetrack Road. The site is in the Rural Area and within the limits of the Keystone Odesa Community Plan. The applicant requests to rezone the subject site from Residential Single-Family Conventional-2 (RSC-2) to Commercial Neighborhood with restrictions (CN-R).

The subject site is in the Rural Area, which is intended for long term, agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment. On September 27<sup>th</sup>, 2023, the applicant submitted a list of restricted uses that include health practitioners’ offices, medical offices, professional offices, professional services and clinics with emergency services. These restricted uses are not consistent with the rural character intended for the Rural Area and would allow for suburban and urban encroachment. Therefore, the proposal is inconsistent with Objective 4 of the Future Land Use Element (FLUE).

According to FLUE Objective 9 and Policy 9.2, all development proposals must meet or exceed all local, state and federal land development regulations. At the time of uploading this report, Transportation comments were not yet available and thus were not taken into consideration for analysis of this request.

The proposed rezoning does not meet the intent of FLUE Objective 16 and associated policies relating to neighborhood protection. The subject site is surrounded by single family residential dwellings and vacant residential land. There is also a church located northwest of the subject site that is zoned as Commercial Neighborhood (CN). It serves as a non-residential support use within a residential area and is compatible with the surrounding area. The applicant is proposing to rezone the property to a Euclidean zoning district, therefore there is no way to ensure the mitigation of adverse impacts to surrounding uses or the gradual transition between different land uses. A Planned Development (PD) for this type of proposal may be more feasible in meeting the criteria established by Objective 16 and Policies 16.1, 16.2, 16.3, and 16.5. The proposed rezoning would allow for adverse impacts on the established neighborhood adjacent to the subject site and is therefore inconsistent with the aforementioned policy directions.

FLUE Objective 17 and Policy 17.7 establish guidance on non-residential uses located within residential areas. Such uses shall be located and designed in a manner that is compatible with the surrounding residential development pattern. New developments must mitigate adverse noise, visual, odor, and vibration impacts created by new development upon all adjacent land uses. The proposed restrictions that include office and emergency medical clinic uses conflict with the direction of this Objective and Policy. The application’s Euclidean rezoning request limits the ability to ensure that adverse impacts will not be created next to the established residential uses in the area.



According to FLUE Objective 22 and Policy 22.2, the subject site meets Commercial Locational Criteria (CLC) and would limit commercial development to 20,000 square feet. It is within the required 660 feet from the closest qualifying intersection of Gunn Highway and Racetrack Road. Although the site meets CLC, FLUE Policy 22.7 asserts that locational criteria are not the only factors to be used in determining the approval of a proposed use. Considerations involving land use compatibility, adequacy and availability of public services are some of the factors that carry more weight than the locational criteria in the approval of the potential neighborhood commercial use. The proposed office and medical clinic restrictions would still allow for a range of incompatible commercial uses directly adjacent to single family residences. Similarly, the applicant has not submitted any mitigation measures to help remedy adverse impacts. The proposed rezoning is therefore inconsistent with the aforementioned objective and policies.

Objective 12-1 and Policy 12-1.4 of the Community Design Component (CDC) discuss how new development shall be compatible with the established character of the surrounding area. The development pattern and character near the intersection of Gunn Highway and Racetrack Road mainly contains single family residential dwellings, vacant residential land, pastureland, a park and a church. Goal 17 of the CDC encourages commercial developments that enhance the County's character. Objective 17-1 and Policy 17.1-4 seek to facilitate patterns of development that are organized and purposeful. Adding a CN use amongst the existing development pattern would not be consistent with this policy direction.

The subject site does not meet the intent of the Keystone Odessa Community Plan. The Plan emphasizes the desire for rural commercial uses outside of the Rural Activity Center to be specifically geared towards serving the agricultural and equestrian interests in the area. The subject site is located outside of the Rural Activity Center (the intersection at Gunn Highway and North Mobley Road). The applicant's proposed office and medical uses are inconsistent with the rural commercial character outlined in the Community Plan.

Overall, staff finds that the proposed rezoning to Commercial Neighborhood with use restrictions would allow for commercial development that is inconsistent with the Rural Area and with the vision of the Keystone Odessa Community Plan. The proposed rezoning would allow for development that is inconsistent with the Goals, Objectives, and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

#### **Recommendation**

Based upon the above considerations, Planning Commission staff finds the proposed rezoning **INCONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

# HILLSBOROUGH COUNTY FUTURE LAND USE

RZ 23-0443

Rezonings  
STATUS

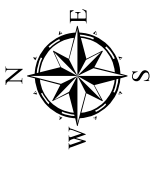
- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

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

- WATER NATURAL LULC\_Wet\_Poly
- 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/QUASIPUBLIC
- 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. The information on this map is for informational purposes only. It is intended that the information on this map be used in conjunction with the official records of Hillsborough County Planning Commission.

ACCURACY: It is intended that the information on this map be used in conjunction with the official records of Hillsborough County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.



Map Printed from Rezoning System: 5/6/2023  
 Author: Beverly F. Daniels  
 File: G:\Rezoning\System\MapProjects\HC\Rez\ReZoning - Copy.mxd

