



BOARD OF COUNTY COMMISSIONERS AGENDA MEMORANDUM

COMMISSION DISTRICT: 2

FILE NO.: PDD19-7370

DATE: 4/25/23/19

SUBJECT: ZONING AMENDMENT (CONSENT) – River Landing MPUD Master Planned Unit Development – Zephyr Egg Company – A Substantial Modification to Rezone from A-C Agricultural Zoning District and MPUD Master Planned Unit Development District to MPUD Master Planned Unit Development District to Allow 1,999 Single-Family Detached/Attached/Multi-Family Dwelling Units, 250,000 Square Feet of Commercial/Retail, and 150,000 Square Feet of Office on Approximately 801 Acres (Board of County Commissioners Meeting May 21, 2019; 1:30 p.m.; NPR)

REFERENCE: (Continued from the May 7, 2019 BCC Meeting in DC) Land Development Code Section 402.2, Zoning Amendment – MPUD; Section 522 – MPUD Zoning District

THRU: Don L. Rosenthal, M.B.A., CPM, Assistant County Administrator (Development Services)

FROM: Nectarios Pittos, AICP, Planning and Development Director

RECOMMENDED BOARD ACTION:

Adopt the MPUD substantial modification subject to the attached rezoning conditions of approval. Authorize the Chairman to execute one original of the Resolution provided and direct the Board Records Department to distribute as set forth below under the Distribution section. The Planning Commission (PC) heard and approved the proposed request at the March 28, 2019 PC Meeting.

BACKGROUND SUMMARY/ALTERNATIVE ANALYSIS:

Proposed is a substantial modification request to rezone the subject parcels from A-C Agricultural and MPUD Master Planned Unit Development to MPUD Master Planned Unit Development to allow 1,999 dwelling units (including single-family detached, single-family attached, and multi-family dwellings); 250,000 square feet of commercial/retail; and 150,000 square feet of office on approximately 801 acres.

The lead planner and author of this document is Tammy Snyder, Planner II.

The proposed development is located on the west side of Morris Bridge Road, north and south of the SR 56 Extension, north of the future Oldwoods Avenue Extension, approximately one mile north of the Hillsborough County line, in Sections 25 and 30, Township 26, Ranges 20 and 21.

Commission District:	The Honorable Mike Moore
Project Name:	River Landing MPUD
Applicant:	Zephyr Egg Company
Zoning District:	A-C Agricultural and MPUD Master Planned Unit Development
Proposed Zoning District:	MPUD Master Planned Unit Development
Future Land Use Classification:	RES-3 (Residential – 3 du/ga)
Proposed Future Land Use Classification:	PD Planned Development
Water/Sewage:	Pasco/Pasco

Flood Zone:	A, AE, and X
No. of Dwelling Units:	1,999
Type of Dwelling Units:	Single-Family Detached, Single-Family Attached (Townhomes), Multi-Family
Non-Residential Square Feet:	250,000 Commercial/Retail, 150,000 Office
Roads/Access:	SR 56 Extension (Public) Morris Bridge Road (Public) Oldwoods Extension (Public – Future)

The two A-C Agricultural parcels currently retain their original zoning designation.

On December 15, 1992, the Board of County Commissioners (BCC) approved a conditional use for a portion of the property for a Class I mine in an A-C Agricultural Zoning District (CU92-20).

On September 7, 2010, the BCC approved a rezoning from A-C Agricultural Zoning District to an MPUD Master Planned Unit Development to allow 1,999 dwelling units and continued the variance request to the September 21, 2010 BCC hearing at 1:30 p.m. in New Port Richey (Petition No. RZ-6924).

On September 21, 2010, the BCC approved a variance from the Land Development Code (LDC), Section 618.12, Cross-access/frontage/reverse-frontage roads to relieve the applicant/developer of the provision to construct one or more minimum 24 foot wide paved interconnects connecting the property to neighboring properties, projects, travel lanes, and roadways.

FINDINGS OF FACT:

1. The applicant is also seeking a corresponding Comprehensive Plan amendment, CPAL18-19, for a change in the Future Land Use (FLU) from RES-3 (Residential – 3 du/ga) to PD Planned Development which was heard and approved by the Local Planning Agency (LPA) on February 21, 2019.
2. Presently, the subject site is vacant/unimproved.
3. The surrounding zoning district and current/future land use is as follows:

	Future Land Use	Zoning District	Existing Use
North:	RES-6 (Residential 6 - du/ga) RES-9 (Residential 9 - du/ga)	A-R Agricultural/Residential R-4 High Density Residential R-MH Mobile Home District	Single-family Detached; Mobile Homes; Pastureland/Farmland
South:	RES-1 (Residential – 1 du/ga)	A-R Agricultural/Residential	Single-family Detached; Mobile Homes; Pastureland/Farmland; Wetlands
East:	PD (Planned Development)	A-C Agricultural	Vacant; Wetlands

West:	RES-3 (Residential – 3 du/ga)	MPUD (Master Planned Unit Development)	Vacant; Wetlands
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4. The project area is located in the South Market and Urban Service Areas.
5. The Parks, Recreation and Natural Resources Department has evaluated the park land level of service standards in the Comprehensive Plan and the projected population within and around the River Landing MPUD. Based on this evaluation and analysis, the Department has identified a park land level of service deficiency for this area, which will be exasperated by the projected population within the River Landing MPUD. While the County originally had plans to expand the committed park acreage in the adjacent Wyndfields MPUD into the planned collocated High School site in River Landing, the School Board subsequently declined to purchase the River Landing site for a High School, and the River Landing MPUD has stated that they are unable to accommodate additional park acreage within the former High School site. As result, the park land in the Wyndfields MPUD will likely need to be converted into a smaller community sized park, and there will continue to be a level of service deficiency in the area for a larger district or regional sized park. Accordingly, approval of the River Landing MPUD without additional district or regional park acreage will force the County to have to address this identified deficiency at the time the Two Rivers project goes through the rezoning process, utilizing land within Two Rivers, or other land within the service area. The Planning and Development Department and/or the Parks, Recreation, and Natural Resources Department have notified the Two Rivers landowners of this identified deficiency, and the Planning and Development Department has placed notations in the PDD file for Two Rivers to ensure that this deficiency is addressed at the time the Two Rivers project seeks a rezoning. By approval of this Finding of Fact, the Board of County Commissioners hereby directs the Planning and Development Department and/or the Parks, Recreation, and Natural Resources Department to address this deficiency in the Two Rivers rezoning, unless the Parks, Recreation and Natural Resources Department affirmatively states that this level of service deficiency has been addressed in some other manner.
6. The proposed request is consistent with the Pasco County LDC, Chapter 400, Subsection 402.2 Zoning Amendment - MPUD Master Planned Unit Development, and with the applicable provisions of the Pasco County Comprehensive Plan.

PLANNING COMMISSION ACTION: (3/28/19)

The Planning Commission unanimously approved the item on the Consent Agenda.

BOARD OF COUNTY COMMISSIONER ACTION: (5/21/19)

The BCC unanimously approved the item on the Consent Agenda.

FISCAL IMPACT/COST/REVENUE STATEMENT:

Funding is not required for this recommendation.

DISTRIBUTION:

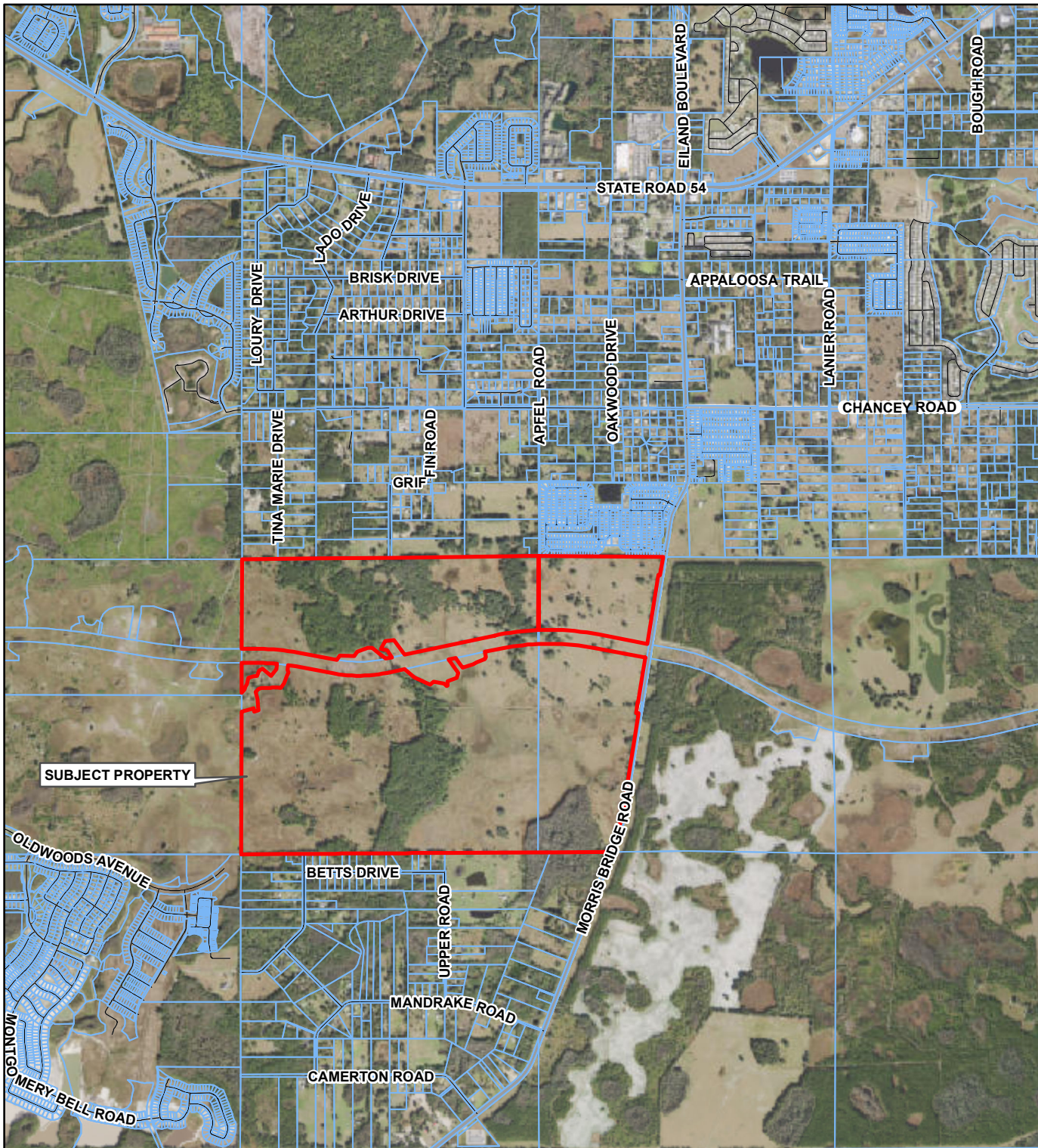
Board Records Department to distribute as set forth below:

1. Retain One Original

ATTACHMENTS:

1. Location, Zoning, FLU
2. Resolution
3. Exhibits A, B, C – Legal, Conditions, Master Plan
4. Project Summary – Transportation
5. Public Notice

DLR/NP/DH/ts/PDD19-7370 Agenda River Landing MPUD



RZ-7370 A-C & MPUD TO MPUD

25-26-20-0000-00100-0000
25-26-20-0000-00100-0010
25-26-20-0000-00100-0020
30-26-21-0000-00200-0000
30-26-21-0000-00200-0020

ZEPHYR EGG COMPANY/
RIVER LANDING MPUD
P O BOX 2679
ZEPHYRHILLS, FL 33539

PHYSICAL LOCATION:
NW & SW SIDES OF THE INTERSECTION
OF SR 56 & MORRIS BRIDGE RD

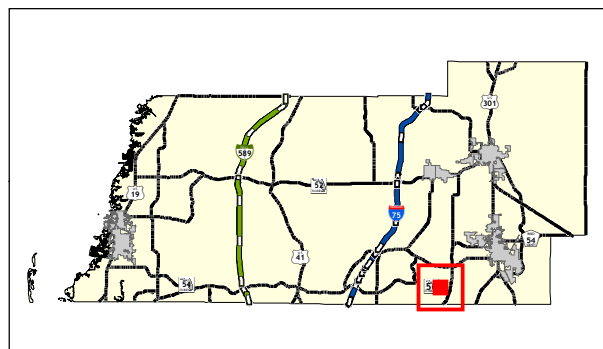
TAZ-330 & 338
COMMISSION DISTRICT: 2

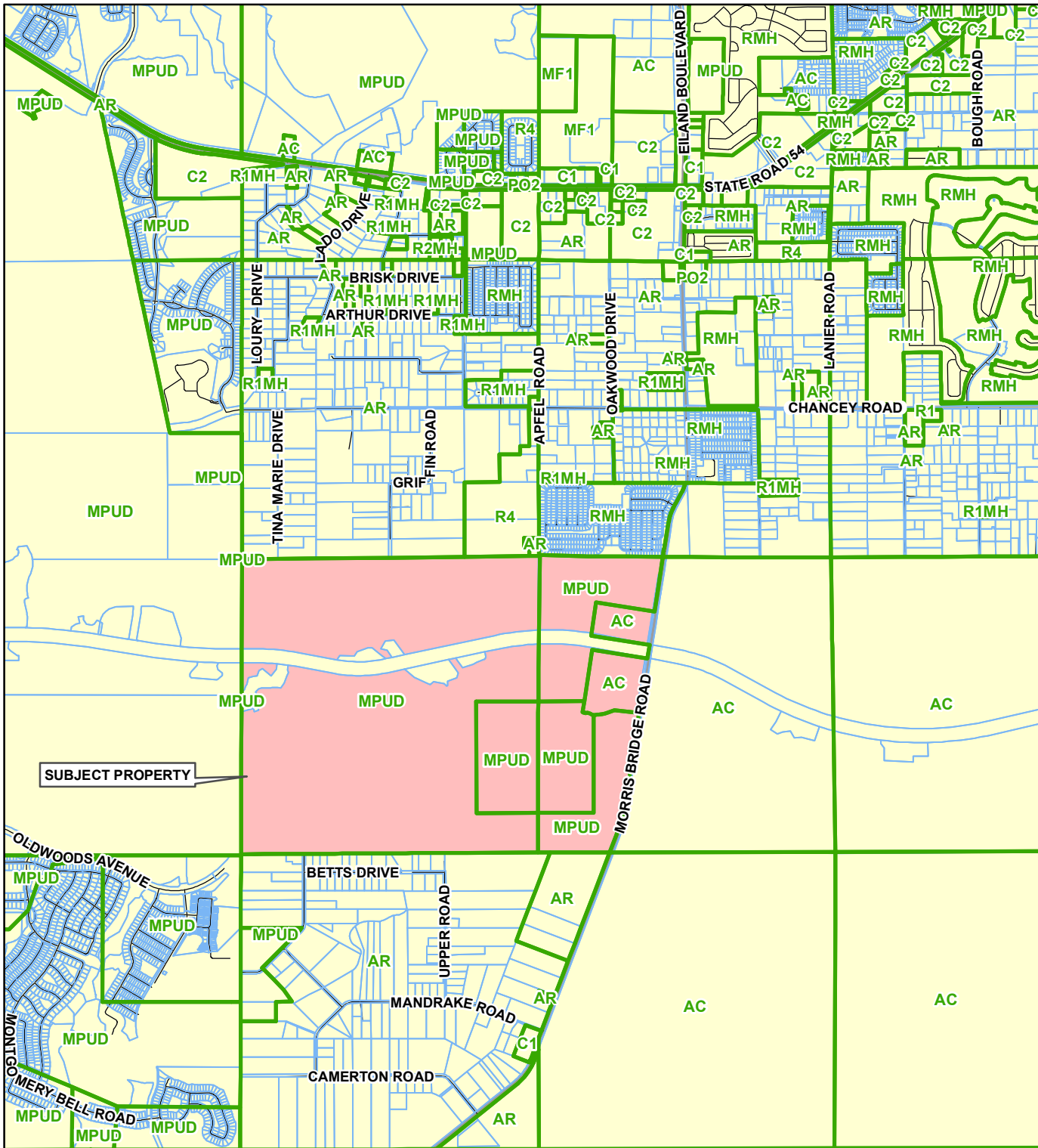
SUBJECT PROPERTY



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RZ-7370 A-C & MPUD TO MPUD

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 25-26-20-0000-00100-0020
 30-26-21-0000-00200-0000
 30-26-21-0000-00200-0020

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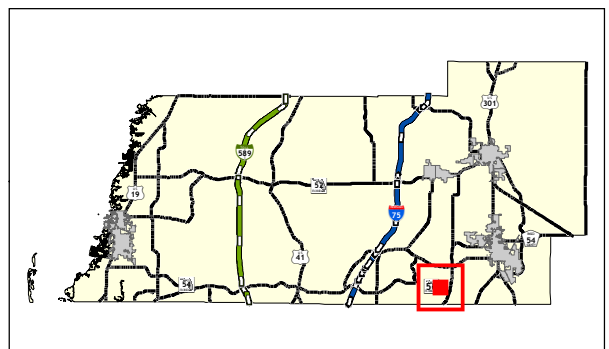
TAZ-330 & 338
 COMMISSION DISTRICT: 2

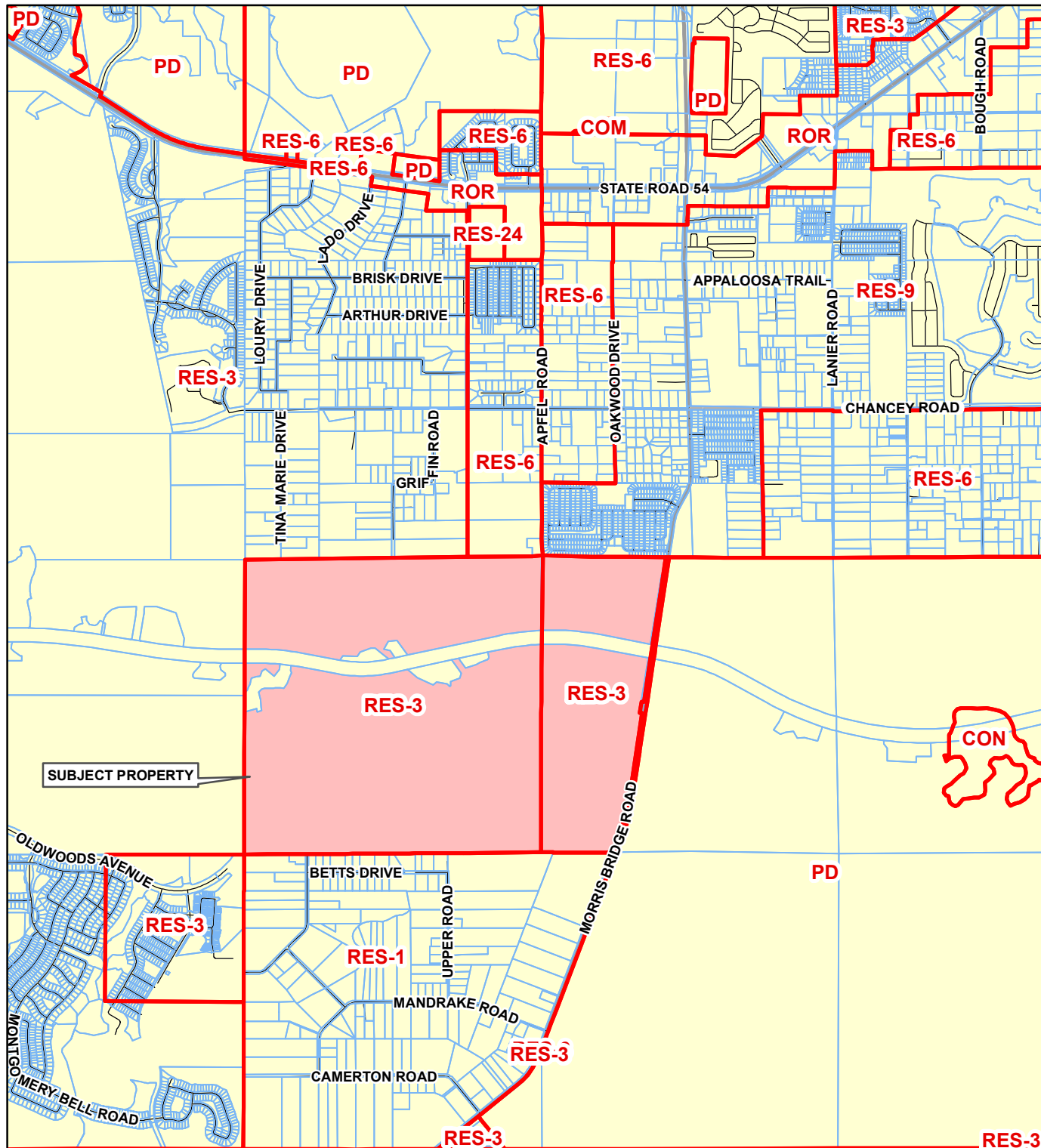
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 EXISTING ZONING



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RZ-7370 A-C & MPUD TO MPUD

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 30-26-21-0000-00200-0000
 30-26-21-0000-00200-0020

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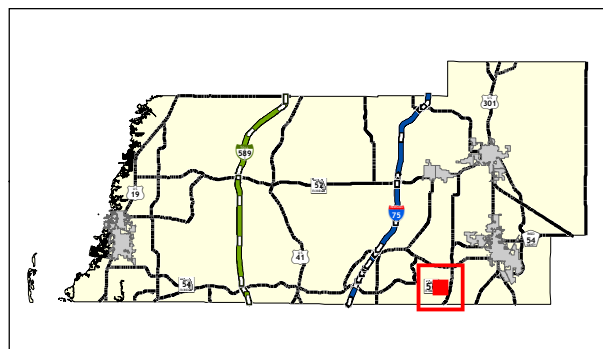
TAZ-330 & 338
 COMMISSION DISTRICT: 2

SUBJECT PROPERTY
 FUTURE LAND USE 2025



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BY THE BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 19-52RZ

**RESOLUTION AMENDING ZONING
CLASSIFICATION OF PROPERTY
DESCRIBED IN REZONING PETITION
NO. 7370 FROM AN A-C
AGRICULTURAL ZONING DISTRICT
AND MPUD MASTER PLANNED UNIT
DEVELOPMENT DISTRICT TO MPUD
MASTER PLANNED UNIT
DEVELOPMENT DISTRICT**

WHEREAS, the Board of County Commissioners of Pasco County, after due public notice, held a public hearing on May 7, 2019, on Rezoning Application No. 7370; and

WHEREAS, the Board of County Commissioners has heard the presentation and evidence of the applicant and individuals in opposition to and in favor of the application; and

WHEREAS, the Board of County Commissioners has reviewed the report and recommendations of the Planning Commission and the recommendation of the County staff and does hereby adopt the following findings of fact:

FINDINGS OF FACT

1. Proposed is a substantial modification request to rezone the subject parcels from AC (Agricultural) and MPUD Master Planned Unit Development to MPUD Master Planned Unit Development to allow 1,999 dwelling units (including single-family detached, single-family attached, and multi-family dwellings); 250,000 square feet of commercial/retail; and 150,000 square feet of office on approximately 801 acres.

2. The proposed development is located on the west side of Morris Bridge Road, north and south of the SR 56 Extension, north of the future Oldwoods Avenue Extension, approximately one mile north of the Hillsborough County line, in Sections 25 and 30, Township 26, Ranges 20 and 21.

3. The two A-C Agricultural parcels currently retain their original zoning designation.

4. On December 15, 1992, the Board of County Commissioners (BCC) approved a conditional use for a portion of the property for a Class I mine in an A-C Agricultural Zoning District (CU92-20).

5. On September 7, 2010, the BCC approved a rezoning from A-C Agricultural Zoning District to an MPUD Master Planned Unit Development to allow 1,999 dwelling units and continued the variance request to the September 21, 2010 BCC hearing at 1:30 p.m. in New Port Richey (Petition No. RZ-6924).

6. On September 21, 2010, the BCC approved a variance from the Land Development Code (LDC), Section 618.12, Cross-access/frontage/reverse-frontage roads to relieve the applicant/developer of the provision to construct one or more minimum 24 foot wide paved interconnects connecting the property to neighboring properties, projects, travel lanes, and roadways.

7. The applicant is also seeking a corresponding Comprehensive Plan amendment, CPAL18-19, for a change in the Future Land Use (FLU) from RES-3 (Residential – 3 du/ga) to PD (Planned Development) which was heard and approved by the Local Planning Agency (LPA) on February 21, 2019.

8. Presently, the subject site is vacant/unimproved.

9. The surrounding zoning districts, existing land uses, and future land uses are as follows:

	<u>Zoning District</u>	<u>Existing Use</u>	<u>Future Land Use</u>
North:	A-R (Agricultural/Residential) R-4 (High Density Residential) R-MH (Mobile Home District)	Single-family Detached; Mobile Homes; Pastureland/Farmland	RES-6 (Residential 6 - du/ga) RES-9 (Residential 9 - du/ga)
South:	A-R (Agricultural-Residential)	Single-family Detached; Mobile Homes; Pastureland/Farmland; Wetlands	RES-1 (Residential – 1 du/ga)
East:	A-C (Agricultural)	Vacant; Wetlands	PD (Planned Development)
West:	MPUD (Master Planned Unit Development)	Vacant; Wetlands	RES-3 (Residential – 3 du/ga)

10. The project area is located in the South Market and Urban Service Areas.

11. The Parks, Recreation and Natural Resources Department has evaluated the park land level of service standards in the Comprehensive Plan and the projected population within and around the River Landing MPUD. Based on this evaluation and analysis, the Department has identified a park land level of service deficiency for this area, which will be exasperated by the projected population within the River Landing MPUD. While the County originally had plans to expand the committed park acreage in the adjacent Wyndfields MPUD into the planned collocated High School site in River Landing, the School Board subsequently declined to purchase the River Landing site for a High School, and the River Landing MPUD has stated that they are unable to accommodate additional park acreage within the former High School site. As result, the park land in the Wyndfields MPUD will likely need to be converted into a smaller community sized park, and there will continue to be a level of service deficiency in the area for a larger district or regional sized park. Accordingly, approval of the River Landing MPUD without additional district or regional park acreage will force the County to have to address this identified deficiency at the time the Two Rivers project goes through the rezoning

process, utilizing land within Two Rivers, or other land within the service area. The Planning and Development Department and/or the Parks, Recreation, and Natural Resources Department have notified the Two Rivers landowners of this identified deficiency, and the Planning and Development Department has placed notations in the PDD file for Two Rivers to ensure that this deficiency is addressed at the time the Two Rivers project seeks a rezoning. By approval of this Finding of Fact, the Board of County Commissioners hereby directs the Planning and Development Department and/or the Parks, Recreation, and Natural Resources Department to address this deficiency in the Two Rivers rezoning, unless the Parks, Recreation and Natural Resources Department affirmatively states that this level of service deficiency has been addressed in some other manner.

12. The proposed request is consistent with the Pasco County LDC, Chapter 400, Subsection 402.2 Zoning Amendment - MPUD Master Planned Unit Development, and with the applicable provisions of the Pasco County Comprehensive Plan.

WHEREAS, the Board of County Commissioners has taken into consideration other factors relevant to the decision as to whether the zoning classification should be approved for the subject property.

WHEREAS, a description of the real property is attached hereto as Exhibit A and is made part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida, in regular session duly assembled with a quorum present and voting, this 21ST day of May, 2019 that the zoning classification of the following described real property is hereby amended to an MPUD Master Planned Unit Development, subject to the conditions and master plan for the River Landing MPUD as set forth in Exhibits B and C attached hereto and made part hereof.

DONE AND RESOLVED this 21ST day of May, 2019.

BOARD OF COUNTY COMMISSIONERS
PASCO COUNTY, FLORIDA



Paula S. O'Neil

PAULA S. O'NEIL, Ph.D., CLERK
& COMPTROLLER

Ronald E. Oakley

RONALD E. OAKLEY, CHAIRMAN

APPROVED
IN SESSION

MAY 21 2019

PASCO COUNTY
BCC

EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION: RIVER LANDING

DESCRIPTION: (AS PROVIDED BY GEOPPOINT SURVEYING)

ALL OF SECTION 25 TOWNSHIP 26 SOUTH, RANGE 20 EAST AND ALL LYING WEST OF MORRIS BRIDGE ROAD IN SECTION 30,

TOWNSHIP 26 SOUTH, RANGE 21 EAST PASCO COUNTY, FLORIDA.

LESS AND EXCEPT ALL LANDS DEEDED TO PASCO COUNTY BY SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS

BOOK 9430, PAGE 276 OF THE PASCO COUNTY, FLORIDA, PUBLIC RECORDS.

EXHIBIT B

CONDITIONS OF APPROVAL

**RIVER LANDING
MASTER PLANNED UNIT DEVELOPMENT
CONDITIONS OF APPROVAL
REZONING NO. 7370
ORIGINAL PETITION NO. 6924**

Master Development Plans

1. Development shall be in accordance with the plans and information submitted August 30, 2018 for the MPUD (the "Project"); the Land Development Code (LDC); and the Comprehensive Plan unless otherwise stipulated or modified herein. The original MPUD Master Planned Unit Development (MPUD) conditions of approval and Master Plan, Rezoning Petition No. 6924, as approved by the Pasco County Board of County Commissioners (BCC) on September 21, 2010 are hereby superseded by Rezoning Petition No. 7370.

Instructions

2. The developer(s) shall submit, within 45 days of the BCC approval, or prior to the first preliminary development plan (PDP)/preliminary site plan (PSP) submittal, whichever occurs first, four sets of the approved MPUD Plan, one reduced 8½" X 14" MPUD master plan, and one electronic copy to the Planning and Development Department (PDD), for review and approval that addresses all applicable conditions set forth and the following specific instructions. Without the submittal and approval of the revised MPUD plans, PDPs (PDP)/preliminary site plan (PSP)s will not be accepted for review.
 - a. Revise the master plan to indicate the conceptual interconnect between the northwest portion of this project with the proposed community park site on Wyndfields MPUD.

Environmental

3. The developer has submitted an environmental/habitat study completed in August, 2018, which has been reviewed by County staff and the following conditions shall apply:
 - a. Prior to construction plan/construction site plan approval the applicant/developer shall:
 - (1) Complete a Southeastern American kestrel breeding season survey in accordance with Florida Fish and Wildlife Conservation Commission (FFWCC) survey guidelines, unless proposed construction start does not coincide with the recognized breeding season for this species. A copy of this survey shall be sent to the PDD and the FFWCC for further review.
 - (2) Complete a Florida Sandhill crane breeding season survey in accordance with the FFWCC survey guidelines, unless proposed

construction start does not coincide with the recognized breeding season for this species. A copy of this survey shall be sent to the PDD and the FFWCC for further review. If breeding birds are found on-site, additional protection measures shall be implemented with FFWCC prior to initiation of construction during the breeding season.

- (3) Complete a Sherman's fox squirrel breeding season survey in accordance with FFWCC survey guidelines. A copy of this survey shall be sent to the PDD and the FFWCC for further review.
4. If during construction activities any new evidence of the presence of previously undocumented State or Federally protected plant and/or animal species is discovered for which prior surveys, permits or County/FFWCC coordination has not been conducted, Pasco County and applicable agencies shall be notified within two (2) working days of the plant and/or animal species found on the site. All work in the affected area shall come to an immediate stop until all pertinent permits have been obtained, agency written authorization to commence activities has been given, or unless compliance with state and federal guidelines can be demonstrated.
5. The developer shall complete a Gopher Tortoise survey in accordance with the FFWCC survey guidelines. A copy of this survey shall be sent to the PDD and the FFWCC prior to construction plan/construction site plan approval.
6. Prior to the issuance of the Site Development Permit, the developer shall submit to the PDD a copy of the Environmental Resource Permit.

Open Space/Buffering

7. The developer shall create a mandatory homeowners'/property owners'/condominium owners'/ merchants' association(s) in the form of a nonprofit corporation(s) registered with the Secretary of State, State of Florida, or, if approved by the BCC, a Community Development District(s) (CDD(s)). This Association(s) or CDD(s) shall, when taken collectively, encompass the entire boundaries of the MPUD Master Planned Unit Development except for any real property to be conveyed to the County or the District School Board of Pasco County (School Board). The developer(s) shall convey in fee simple to the association(s) or the CDD(s), for ownership and maintenance, all open space, drainage areas, common areas, landscape areas, wetland areas, buffer areas, preservation/conservation areas, and other special purpose areas unless the said area(s) is/are required to be dedicated to another governmental entity. Recreation areas and neighborhood parks shall be conveyed to the association(s) as well, but only to the CDD(s) if such special power pursuant to Section 190.012(2), Florida Statutes, is consented to by the County. All such conveyances shall be for a value that does not exceed the fair market value of the land. Prior to platting the first unit or phase, applicable homeowners'/property owners'/condominium owners'/merchants' association or CDD documents, including Articles of Incorporation with proof of being filed with the Secretary of State, State of Florida, restrictive covenants, and all exhibits, shall be submitted to the Engineering Services Department for review along with copies of instruments to be used to convey in fee simple the above-mentioned areas to the said association(s) or the CDD(s) for

such phase(s). Impact fee credits for improvements or dedications shall go to the association or the CDD that funded such improvements as applicable. Notwithstanding such requirements for the mandatory homeowners'/property owners'/condominium owners'/merchants' association(s) and open space, the County acknowledges that any parcel within the MPUD that is developed for multi-family may include retention/detention ponds, landscape buffers, and recreation areas within such parcel boundary and such ponds and recreation areas are not required to be conveyed as a separate parcel(s) to an association or a CDD.

8. The neighborhood parks as depicted on the master plan have not been reviewed or approved for consistency with the Land Development Code (LDC), Section 905.1, Neighborhood Parks. Neighborhood park greenspace greater than or equal to one-half acre may be counted toward the neighborhood park acreage requirement; however, this does not alleviate the developer from providing the required neighborhood park total acreage, or the requirements from the LDC.
9. The developer/builder shall provide the appropriate number of trees per lot pursuant to the table located in the LDC, Section 905.2.D.2.a. If the developer/builder is unable to provide the appropriate number of trees on the lot due to easement(s) or other constraints as determined by the County Administrator or designee, then the developer/builder may plant the tree(s) in common area(s). If trees are proposed to be moved to a location within any County rights-of-way, a Street Tree Plan submittal and review per LDC requirements will be necessary. If common area is not available, then the developer/builder shall pay into the tree mitigation fund at the rate of \$50.00 per inch, but not to exceed \$500.00 for each residential unit, or \$500.00 for each 2,000 square feet of the first floor building area for non-residential development, pursuant to Resolution 08-284.
10. The developer shall convey to the County a drainage easement over the main New River channel and such other related stormwater conveyance systems as may be installed on the subject property at the time of the first PDP/PSP submittal to the County for any phase adjacent to New River for the purpose of the right but not the obligation of maintaining natural drainage and the free flow of stormwater, and other related surface waters. This easement shall also contain a right of ingress and egress to perform maintenance activities related thereto for Pasco County and/or agents of Pasco County and necessary equipment. The County acknowledges that it has surveyed the channel, provided a legal description of the same to Applicant/developer for its approval and that the easement area for the drainage easement over the New River channel lies necessarily within a Category I wetland that is subject to the jurisdiction of SWFWMD and the U.S. States Army Corps of Engineers (the "Corps"). The County shall ensure that the County, in undertaking any activities within the easement area permitted by the subject easement, complies with all applicable law concerning the subject wetlands and that the County, through its actions, does not cause a violation of any applicable rules or regulations of SWFWMD or the Corps, or any permits issued to Applicant/developer or other developers within the MPUD. It is expressly understood and agreed that the applicant/developer will reserve onto itself rights of ownership of the easement not to be inconsistent with the easement rights granted in the easement to the County. The terms and conditions of the easement, and the area burden by such easement, shall be subject to the reasonable approval by applicant/developer and the County.

Transportation/Circulation

Access Management

11. Applicant/developer has provided an access management analysis (that the County has approved), which has determined that the site access improvements that are required to service the first 400 single-family residential units (or equivalent) in the first two phases of development (one north of S.R. 56 and one south of S.R. 56) are those set forth on the exhibit entitled "Phase I Access Improvements" that is attached hereto as Exhibit "A" (but specifically excluding those turn lane improvements being undertaken by FDOT as shown on such exhibits). Prior to construction site plan approval for the 401st single-family residential unit (or its equivalent) and thereafter at each PDP/PSP, applicant/developer shall provide an additional access management analysis for each phase of development. Based on such additional access management analysis, the County Engineer, or designee, may also require site-specific internal or external intersection improvements. Intersection improvements shall be in accordance with the LDC and Access Management Standards, as amended.
12. Except as approved by the County and DOT (as to any access to SR 56), other than the accesses shown on the MPUD, access to any commercial out-parcels shall be provided from internal drives or parking areas.

Dedication of Right-of-Way

13. Street connections and rights-of-way to adjoining areas, as shown on the Master Plan, shall be provided to give access to such areas and/or to provide for proper traffic circulation as determined necessary at the time of the applicable PDP/PSP approval. Those streets that are required to ensure adequate traffic flow to and through the land are to remain public and shall not be gated.
14. In the case of private streets, dedication and maintenance shall be the responsibility of an appropriate entity other than the County. Pasco County will not be responsible for the maintenance of any private streets.
15. Vehicular-access rights along the rear of all double-frontage lots that abut roads within or adjoining the Project shall be dedicated to Pasco County concurrent with final record platting for each phase of any increment or where no plat is required, prior to final site plan approval.
16. Subject to the provisions of the LDC, Section 901.2.J. (Transportation-Corridor Management; Dedication-Rough Proportionality), the developer(s) shall convey, at no cost to the County, (a) 80 feet of right-of-way for the extension of Oldwoods Boulevard through the MPUD, (b) 78 feet of right-of-way for the New River Extension and, (c) 100 feet of right-of-way from the centerline of construction of Morris Bridge Road from the southern boundary to the northern right-of-way line for S.R. 56, and 83 feet of right-of-way from the northern right-of-way line for S.R. 56 to the northern boundary of the project, all as depicted on the approved Master Plan (Pasco County Corridor Preservation Table as amended, located in the Comprehensive Plan, Transportation Element, for arterial/collector and major intersection right-of-way requirements). The conditions do not require the construction of Oldwoods Boulevard through the MPUD

except for that portion of Oldwoods Boulevard lying between the Loop Road that is south of S.R. 56 and Morris Bridge Road (the "Oldwoods Segment"). The Oldwoods Segment shall be a site access improvement to be undertaken by applicant/developer at no cost to the County and is not fee creditable. The Oldwoods Segment shall be constructed in phases as needed to serve adjacent development. The County shall accept ownership and maintenance of the Oldwoods Segment upon the completion of Oldwoods Boulevard from the western boundary of the MPUD to the Oldwoods Segment by parties other than applicant/developer. Subject to the provisions of the following paragraph concerning the drainage/retention, wetland, and floodplain mitigation facilities of Oldwoods Boulevard, Applicant/developer is not responsible for the design, permitting or construction of any phase of Oldwoods Boulevard other than the Oldwoods Segment.

In addition, the developer shall, at no cost to Pasco County, design, construct, provide, and obtain any and all permits required by any local, State, or Federal agency for appropriate and sufficient drainage/retention, wetland, and floodplain mitigation facilities on the developer's property or at another site acceptable to the County to mitigate all impacts associated with the initial and future planned roadway; i.e., in the current County Comprehensive Plan Transportation Element or Metropolitan Planning Organization Long-Range Plan, improvements of Oldwoods Boulevard, New River Road, and Morris Bridge Road within or adjacent to the boundaries of the developer's property including, but not limited to, mitigation for initial and future lanes of travel, shoulders, frontage roads, sidewalks, multimodal paths, medians, permanent slope easements (once grade of roadway is set) and other roadway appurtenances. The required drainage/retention, wetland, and floodplain mitigation facilities shall be determined at the time of stormwater-management plan review for the portion(s) of the Project adjacent to Oldwoods Boulevard, New River Road, or Morris Bridge Road, and this paragraph of this condition shall expire after such stormwater-management plans have been approved, unless such facilities are required pursuant to a development agreement approved pursuant to the LDC, Section 406.3. All stormwater-management plans, reports, or calculations for the developer's project shall include a detailed scope of design and permitting parameters and a signed and sealed certification that such plans, reports, or calculations comply with this condition. Developer's obligation to construct any improvements or facilities shall expire if no construction plans for the portion of Oldwoods Boulevard, New River Road or Morris Bridge Road, respectively, have been completed as of the date of approval of the stormwater-management plan for the portion(s) of the Project adjacent to such respective roads; however, developer's obligation to dedicate/convey such land as required by this condition shall not expire and nothing herein shall limit applicant/developer's obligation to build the portion of New River Road or the Oldwoods Segment as otherwise expressly set forth in these conditions.

To the extent that any of the conditions of this approval constitute monetary or property exactions that are subject to *Nollan v. California Coastal Comm'n*, 483 U.S. 825 (1987), and *Dolan v. City of Tigard*, 512 U.S. 374 (1994), the applicant/owner, and successors and assigns (a), agrees that there is a nexus and rough proportionality between such conditions and the impacts of this project/development, and that such conditions are necessary to ensure compliance with the criteria of the LDC and Comprehensive Plan that are applicable to this approval, and (b) waives any claims based on such conditions. This agreement/waiver was entered into voluntarily, in good faith, for valuable consideration, and with an opportunity to consult legal counsel, but does not affect the applicant/owner's ability to seek variances, administrative remedies, or modifications of

the conditions of this approval through applicable processes in the LDC, and does not affect the applicant/owner's ability to bring an action pursuant to Section 70.45, Florida Statutes.

Design/Construction Specifications

17. The developer has submitted an Archaeological/Historical Survey, which was reviewed and found acceptable by Pasco County on January 27, 2006. Although no archaeological sites eligible for the National Register of Historic Places were found, the following statement shall be placed on all future site plans:

“If, during construction activities, any evidence of historic resources including, but not limited to, aboriginal or historic pottery, prehistoric stone tools, bone or shell tools, historic trash pits, or historic building foundation, are discovered, work shall come to an immediate stop, and the Florida Department of Historic Resources (State Historic Preservation Officer) and Pasco County shall be notified within two working days of the resources found on the site.”
18. The following information shall be shown on all PDPs/PSPs and construction plans/construction site plans that include or about the New River Extension: location (by State plane coordinates), centerline, right-of-way width, and proposed cross section. Notwithstanding any other provision of this conditions to the contrary, applicant/developer shall only be required to construct the extension of New River Road from S.R. 56 north to the northernmost point of access to adjacent development proposed within the MPUD and the County (or parties other than applicant/developer) shall be responsible for the design, permitting and construction of the remainder of New River Road within the MPUD. Applicant/developer shall use a design speed of 35 mph for the extension of New River Road as shown on the Master Plan.
19. The timing and phasing analysis submitted by the applicant assumes the following land uses: 1,999 single-family detached dwelling units, 250,000 square feet of retail and 150,000 square feet of office. Subject to exchanges permitted by the LUEM (as hereinafter defined), any development of land use(s) that generate(s) greater traffic impacts than those assumed shall require an updated Timing and Phasing Analysis utilizing a methodology approved by the County. The PC, BCC, or County Administrator or designee, as applicable, may impose additional conditions on the applicant or developer based on the updated County-approved Timing and Phasing Analysis.
20. The entire project must be platted by, or if platting is not required, all building permits must be issued by December 31, 2035 or an updated timing and phasing analysis utilizing a methodology approved by Pasco County shall be required. Additional conditions based upon the updated timing and phasing analysis may be imposed by the County.
21. The applicant/developer has submitted a Master Roadway Plan (MRP) attached hereto as Exhibit “B”, which has been approved by the PDD. The MRP sets forth the proposed road network and typology for all major streets and roads within the Project, the required right-of-way widths, roadway cross sections, number of lanes, intersection geometry, design speed, required interconnects, and the alignment of certain roads thereon. All

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streets and roads in the Project shall comply with the MRP and cross sections set forth therein. By its approval of the MRP, the PDD also granted certain alternative standards for the Project's street typology (sizes, right-of-way widths, and on-street parking). The MRP may be modified administratively by the County Administrator and Development Administrator or designee and shall not constitute an amendment to the MPUD.

22. The developer may submit an overall pedestrian/bike path plan to the PDD for approval prior to approval of the first PDP/PSP, which provides a path circulation in accordance with the LDC, as amended, or an alternative method acceptable to the PDD, and in compliance with the handicapped provisions of Section 336.045, Florida Statutes, or other applicable law. In the absence of an approved pedestrian/bike path plan, compliance with the LDC is required.
23. Unless otherwise approved by the PDD Director or designee, Applicant/developer shall provide an interconnection from the Mixed Use parcel in the northwest corner of the MPUD (lying north of S.R. 56 and west of New River) to the proposed community park within Wynfields MPUD, but such interconnect may be gated such that only residents within such Mixed Use parcel may have access to and from the park from the Mixed Use parcel. The County acknowledges that some or all of such Mixed Use parcel may be gated.
24. As provided in Chapter 190, Florida Statutes, and subject to the BCC's separate approval, the CDD is hereby authorized to undertake the funding and construction of any of the projects, whether within or outside the boundaries of the CDD that are identified within this rezoning approval. Further, any obligations of the developer contained in this approval may be assigned to a CDD, homeowners'/property owners' association, or other entity approved by the County. However, such CDD shall not be authorized to levy assessments on any property either owned or to be owned by the County or School Board (Public Properties) that are located within the boundary of the CDD. All applicable documents pertaining to the undertaking of funding and construction by the CDD shall reflect the following:
 - a. Public Properties shall not be considered benefited properties and shall not be assessed by the CDD.
 - b. No debt or obligation of such CDD shall constitute a burden on any Public Property.

Utilities/Water Service/Wastewater Disposal

25. A Master Utility Plan for the entire development shall be submitted to the Utilities Services Branch for review and approval prior to or concurrent with submittal of the first construction plan/construction site plan. This utility plan shall show, at a minimum, the following:
 - a. Trunk sewer lines and lift stations.
 - b. Main potable water lines and non-potable water lines, if applicable.

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- c. Sewage treatment facility locations, including discussion of the proposed method of treatment and the feasibility of a non-potable water system for irrigation.
 - d. Method of lighting for all nonlocal roads shall be submitted at the time of record plat submittal for each unit or phase.
 - e. A Master Utility Plan shall include *AutoCAD* and PDF electronic files and hydraulic analysis for the water, wastewater, and reclaimed water systems and shall be in conformance with the Utilities Services Plan guidelines implemented by the Utilities Services Branch.
26. Prior to the first construction plan/construction site plan approval, the developer(s) and the County shall enter into a Utilities Service Agreement.
27. The developer(s) shall construct all water and wastewater facilities within the development to current County standards. A complete set of instructions may be obtained from the Utilities Services Branch.
28. In consideration of Pasco County's agreement to provide potable water and/or reclaimed water to the subject property, the developer(s)/owner(s) and its successors and assigns, agree to the following:
- a. In the event of production failure or shortfall by Tampa Bay Water (TBW), as set forth in Section 3.19 of the Interlocal Agreement creating TBW, and then only for so long as such a production failure or shortfall exists, the developer(s)/owner(s) shall transfer to the County any and all Water Use Permits or water-use rights the developer(s)/owner(s) may have to use or consume surface or ground water within the subject property, provided that the same are not needed to continue any existing agricultural uses on the subject property, in which case, such transfer shall not be required as long as such agricultural uses are active.
 - b. Prior to the developer(s)/owner(s) selling water, Water Use Permits, or water-use rights, the developer(s)/owner(s) shall notify Pasco County, and Pasco County shall have a right of first refusal to purchase such water, Water Use Permits, or water-use rights.

Land Use

29. The Project allows for the following level of development and potential uses:

The maximum amount of development shall be as follows unless otherwise allowed by the Land Use Equivalency Matrix attached hereto as Exhibit "C" (the "**LUEM**") (as hereinafter defined):

- 1,999 single-family detached dwelling units
- 250,000 square feet of retail; and
- 150,000 square feet of office

Mixed Use and Residential Potential Uses.

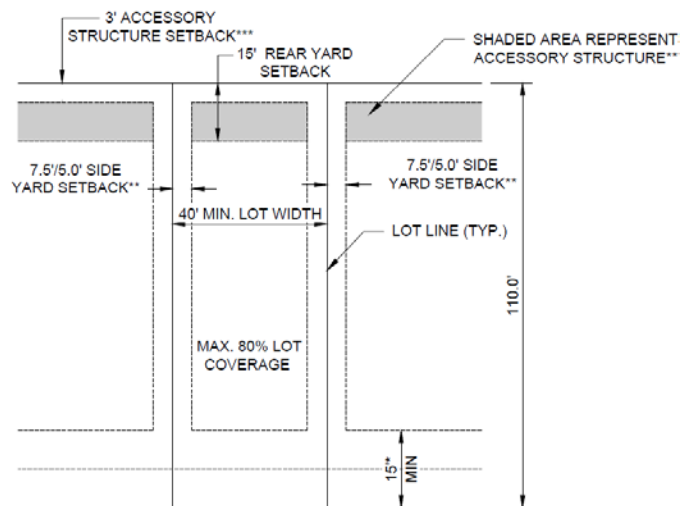
- a. **Mixed Use:** Uses include all permitted uses in the C-2 General Commercial Zoning District of the LDC, all permitted uses in the PO-2 Professional Office Zoning District, retail, professional services, office (including administrative, medical and professional, medical facilities and clinics), entertainment (including theaters), civic, cultural, restaurants, hotels/motels, single-family (attached and detached) residential and multi-family residential, including without limitation, vertically mixed-use, urgent care facilities, hospitals and free-standing emergency rooms, animal kennels/overnight pet facilities, adult congregate living facilities (including assisted living facilities, independent care facilities, and other residential treatment and care facilities), daycare, churches, public service and educational facilities (private, charter, and traditional public schools and colleges/universities), support commercial/retail and services, and permanent and temporary retail and service kiosks. In addition to the other listed retail and office uses set forth in the previous sentence, nothing herein shall prohibit applicant/developer from seeking conditional use or special exception permits as allowed in the C-2 General Commercial Zoning District or the PO-2 Professional Office Zoning District of the LDC.
- b. **Residential:** Single-family attached (townhouses) and detached units, and multi-family units.

Residential areas within the Project may include "garage apartments" or "guest suites" under the following terms and conditions:

- Not more than 100 garage apartments/guest suites shall be permitted within the MPUD.
- Garage apartments and guest suites shall be accessory units and shall not be considered separate residential units for purposes of the MPUD Entitlements.
- Garage apartments and guest suites may be constructed as part of the original home construction or as a post-construction addition.

- For-sale lots in the Project (attached or detached product) may have either a garage apartment or a guest suite, but in no instance may they have both.
- Garage apartments and guests suites may have a kitchen, in addition to other typical amenities, such as a living area, bathroom, and, bedroom(s). However, if a garage apartment or guest suite has a kitchen (with range and/or stove top), living area, bathroom and bedroom, they shall be assessed the multi-family rate for mobility fee and impact fee purposes, unless otherwise waived or lowered by the LDC.
- Garage apartments and guests suites shall be served by the same water meter and electric meter as the primary residence.
- Garages with garage apartments or guest suites may NOT be sold as separate dwelling units independent of the primary residence through a lot split, subdivision or other conveyance.

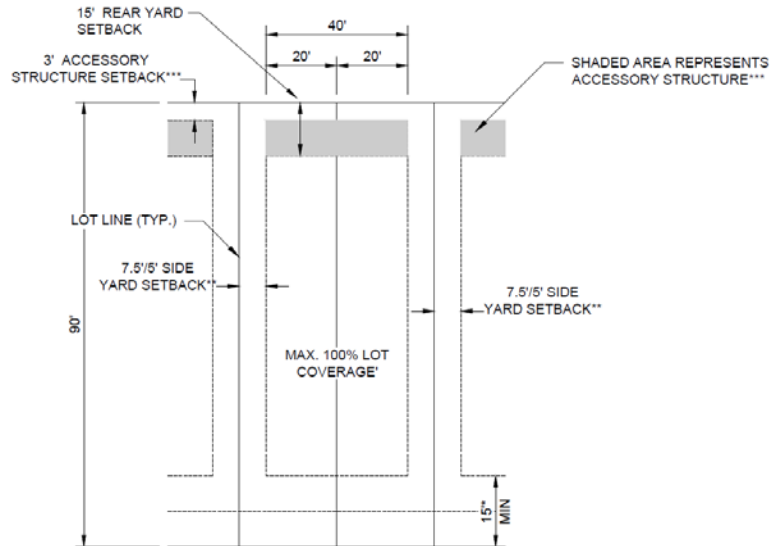
a. Single-Family Detached



- (1) Minimum Lot Width of 40 Feet
- (2) Minimum Lot Depth of 110 Feet
- (3) Minimum Front-Yard Setback of 15 Feet – Principal Structure*; 20 Feet - Front-Loaded Garage measured from the Property Line
- (4) Minimum Side-Yard Setback of 7.5 Feet** and ***
- (5) Minimum Rear-Yard Setback of 15 Feet – Principal Structure*; 3 Feet – Accessory Structure
- (6) Maximum Height of 35 Feet

- (7) Maximum Lot Coverage of 60 Percent — Principal Structure; 20 Percent - Accessory Structure

b. Single-Family Attached (Villa)

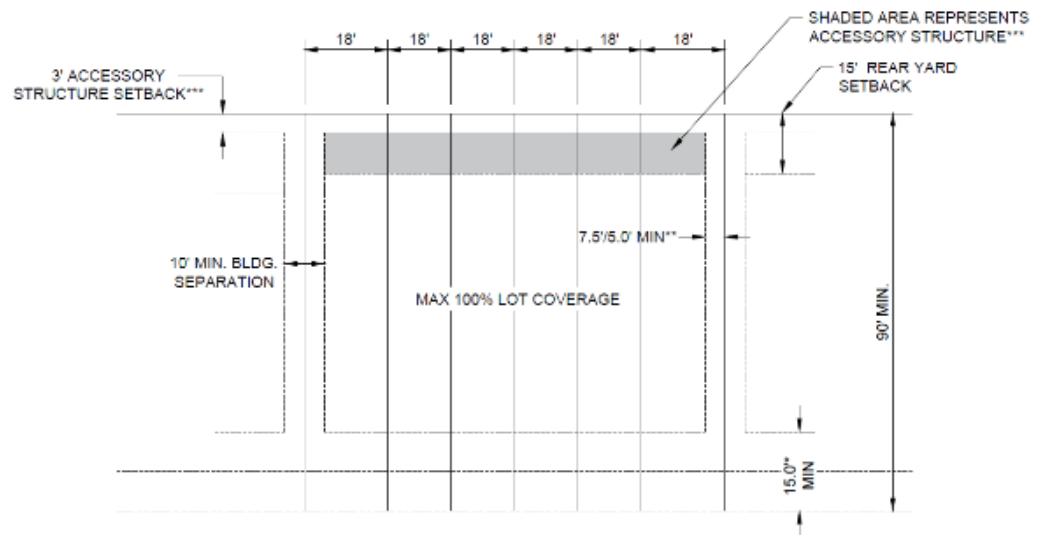


- (1) Minimum Lot Width of 20 Feet
- (2) Minimum Lot Depth of 90 Feet
- (3) Minimum Front-Yard Setback of 15 Feet – Principal Structure*; 20 Feet - Front-Loaded Garage measured from the Property Line
- (4) Minimum Side-Yard Setback of 7.5 Feet** and ***
- (5) Minimum Rear-Yard Setback of 15 Feet – Principal Structure*; 3 Feet – Accessory Structure
- (6) Maximum Height of 35 Feet
- (7) Maximum Lot Coverage of 100 Percent — Principal and Accessory Structure (subject to setback requirements)

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c. Single-Family Attached (Townhouse)

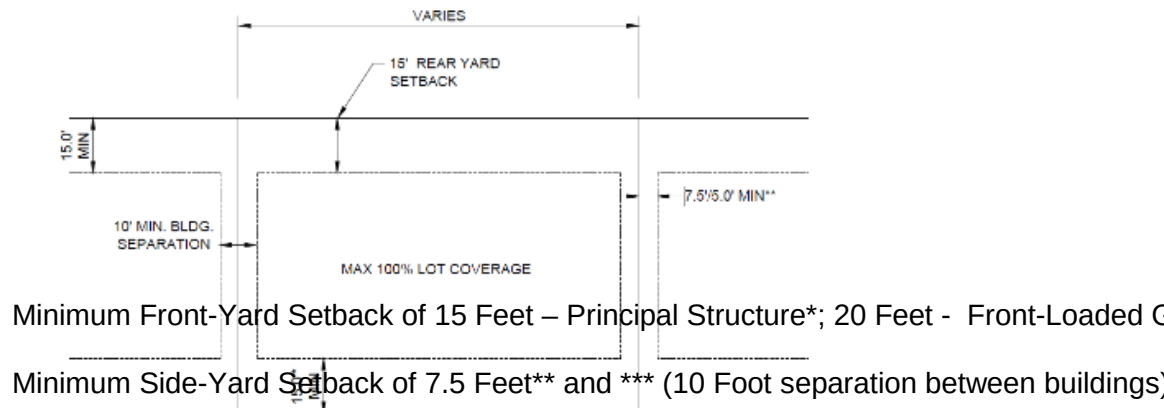


- (1) Minimum Lot Width of 18 Feet
- (2) Minimum Lot Depth of 90 Feet
- (3) Minimum Front-Yard Setback of 15 Feet – Principal Structure*; 20 Feet - Front-Loaded Garage measured from the Property Line
- (4) Minimum Side-Yard Setback of 7.5 Feet** and ***
- (5) Minimum Rear-Yard Setback of 15 Feet**
- (6) Maximum Height of 45 Feet
- (7) Maximum Lot Coverage of 100 Percent — Principal and Accessory Structure (subject to setback requirements)

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d. Multi-Family



- (1) Minimum Rear-Yard Setback of 15 Feet**
- (2) No Maximum Height
- (3) Maximum Lot Coverage of 100 Percent — Principal Structures (subject to setback requirements)
- (4) Land considered for the neighborhood park requirements or used for stormwater retention/detention shall be a minimum of 20 feet from the rear of the structure and a minimum of 15 feet from the side of the structure.
- (5) Unless the LDC has less stringent requirements or the PDD approves an alternative standards request, the applicant/developer shall provide two parking spaces per unit and each parking stall shall only be required to be 18-feet in depth provided that design features such as curbing shall prevent parked vehicles from extending more than two (2) feet into any landscape or buffer area or reduce an abutting sidewalk width to less than five (5) feet.
- (6) Multi-family setbacks are measured from the perimeter of the overall multi-family parcel and do not require a minimum separation between each building.

* On corner lots where there is more than one front, one front-yard setback may be reduced to 10 feet.

** LDC Section 603.9.A – Where the buffers are located within easements for residential or multifamily developments the applicable minimum side or rear yard shall be increased by the width of the required/provided buffer easement, or the applicable side or rear yard setback, as set forth above shall be measured from the landscape buffer easement line.

*** Side-yard setbacks may be reduced from 7.5 feet down to a minimum of 5 feet subject to compliance with LDC Section 902.2.K.2.b. Single family detached and 2-unit

townhomes (twin villa) unit types are permitted 4 foot/8 foot side yard setbacks with 12 foot minimum building separation. Air conditioning systems shall be permitted within the side yard containing the 8 foot side yard setback, and shall not be permitted within the side yard containing the 4 foot side yard setback.

30. Special Residential Landscaping/Buffering Along S.R. 56 Frontage- Unless otherwise approved by the PDD with the applicable PDP, the developer shall construct a six-foot-high masonry wall or comparable six-foot-high buffer with combined berms and landscaping along any single-family residential use(s) abutting/adjacent to SR 56 to be constructed concurrently with the construction of each applicable abutting/adjacent parcel(s). In any event, the width of the landscape buffer along the S.R. frontage shall be 10' wide based on previous S.R. right-of-way dedication/conveyance. If multi-family or commercial, then the landscape buffer shall be a 10' wide Type A buffer.
31. The dimensional standards for the Mixed Use portion of the Project are as follows:

a. Setbacks

Setbacks are required from external Project boundaries only and are inclusive of any required landscape buffer tracts (except for multi-family residential tracts).

Minimum Front Yard Setback of: 10 Feet from internal accessways or roadways/ 20 Feet from external roadways*

Minimum Side Yard Setback of: 20 Feet if adjacent to residential/0 Feet if adjacent to non-residential

Minimum Rear Yard Setback of: 20 Feet if Adjacent to Residential/0 Feet if Adjacent to non-residential

* Front yard setbacks shall be applicable for all frontage on S.R. 56.

b. Landscaping/Buffering

i. Along S.R. 56 Frontage- Unless otherwise approved by the PDD with the applicable PDP, the developer shall construct a six-foot-high masonry wall or comparable six-foot-high buffer with combined berms and landscaping along any single-family residential use(s) abutting/adjacent to SR 56 to be constructed concurrently with the construction of each applicable abutting/adjacent parcel(s). In any event, the width of the landscape buffer along the State Road frontage shall be a minimum of 10' wide based on previous State Road right-of-way dedication/conveyance. If multi-family or commercial, then the landscape buffer shall be a minimum 10' wide Type A buffer.

ii. Along Morris Bridge Frontage - 10' Wide Type A Buffer.

ii. Internal Commercial adjacent to internal Residential - Type B Buffer.

iii. No landscape buffer required between commercial or office tracts.

iv. Along West boundary - 10' Wide Type A Buffer.

- c. Maximum Building Lot Coverage/Lot Sizes: 75% (with no minimum lot sizes within the non-residential portions of the Mixed-Use areas).

- d. Residential within the Mixed-Use Area: Any residential within the Mixed-Use areas shall be constructed to the Residential standards outlined above.
31. The landscape buffers are to be located within tracts for residential and easements for multiple-family developments, and cannot be counted toward the minimum setback requirements. The applicable side- or rear-yard setback shall be measured from the landscape buffer easement or tract line. In order to maximize the Project's design and layout, the minimum setbacks listed above can be modified by the County Administrator or designee at the time of the PSP/PDP review without necessitating a modification to the MPUD.
 32. Land uses and entitlements may be exchanged by applicant/developer in accordance with the LUEM. In the event a land use is permitted by these conditions, but is not specifically listed in the LUEM, a trip use equivalency may be provided to document that the trip generation of the proposed permitted land use is the same (equal to or less than) as a land use in the LUEM. The trip generation shall be based on the p.m. peak hour rates contained in the ITE trip generation manual, 10th ed. Land use exchange requests shall be submitted to the Planning and Development Administrator or designee for verification as to implementation and administrative approval in accordance with the LUEM and shall not be considered an amendment to the MPUD.
 33. Recreation-center development standards shall be in accordance with the C-1 Neighborhood Commercial District.
 34. The total aggregate number of dwelling units for River Landing MPUD Master Planned Unit Development shall not exceed 2,400 units.
 35. Notwithstanding any other condition hereof, office entitlements may not be exchanged in accordance with the LUEM without the prior approval of the PDD Administrator or designee.
 36. The maximum density or square footage set forth above is not a vested right and is subject to reduction based on, or as a result of, applicable County ordinances and resolutions.
 37. Parcels may be developed out of numerical sequence and in multiples as long as the parcels being developed do not rely upon infrastructure construction of future parcels.
 38. The developer(s) may designate, on the Master Development Plan, a site or sites which do not exceed a total of four acres, to be used for recreational vehicle storage for the exclusive use of River Landing MPUD Master Planned Unit Development residents. The site(s) must obtain PSP approval prior to development and be owned by the mandatory homeowners'/property owners'/ condominium owners'/merchants' association or CDD.
 39. For single-family attached products, the developer may utilize one model center per product type which can exceed the ten percent maximum allowed model center lots per the LDC.

40. Interim silvicultural and/or agricultural activities shall be permitted until commencement of development for that portion of the proposed development. Seasonal temporary uses pursuant to Section 530.9 LDC may be allowed with subsequent approval, pursuant to the County's Miscellaneous Permit process for temporary events.

Procedures

41. A disclosure statement regarding the construction of Oldwoods and New River Road, and the ultimate widening of S.R. 56 to 6 lanes, shall be included in all sales contracts for residential sales within portion of the MPUD that abut such roadways. This disclosure shall include the future roadway's number of lanes and construction timing, if applicable. The developer(s) of any single family residential phases abutting S.R. 56 shall also provide written disclosures to their homebuyers that (a) they are purchasing a residence that may receive noise from vehicles or construction equipment from S.R. 56, and this noise may increase over time as traffic volumes on S.R. 56 increase, or as S.R. 56 is widened or expanded, and (b) other than the buffer required by condition 30.b, no sound-wall or other form of noise mitigation will be provided by the developer, the County or FDOT to mitigate the effect of sound emanating from S.R. 56, or any expansion or widening thereof. The developer(s) of such phases shall provide a copy of the written disclosure to the County concurrent with their associated record plat.
42. Unless required elsewhere within the conditions of approval, all conveyances shall occur at record plat or the issuance of the first CO where a record plat is not required or within 90 days of the County's request, whichever occurs first. All conveyances shall include access easements, be in a form acceptable to the Real Estate Division, and be free and clear of all liens and encumbrances, including exemption from all covenants and deed restrictions.
43. The developer(s) shall submit and obtain approval of a Large-Scale Plan Amendment to add uses not previously approved or to reduce open-space or preservation/conservation areas. A plan amendment is also required if there is a cumulative increase in density or intensity of ten percent or more in the number of average daily trips as defined by the Institute of Traffic Engineers.
44. Unless otherwise approved by the Assistant County Administrator for Public Safety, or designee the development shall be included into a Pasco County Municipal Fire Service Taxing Unit to provide fire protection. The developer(s) shall submit a petition for inclusion into the Pasco County Municipal Fire Service Taxing Unit at the time of record plat submission, or when no plat is required, prior to the issuance of the first Building Permit. In no case shall a Building Permit be issued until the Assistant County Administrator for Public Safety, or designee has received such a petition.
45. A PDP/PSP must be approved for an entire increment (bubble), if any, prior to any phased construction plan/construction site plan approval. A PSP must also be approved for each multiple-family (non-fee simple), recreational vehicle, or commercial increment in its entirety prior to any phased construction site plan approval.
46. PDP/PSP submittals shall include a detailed breakdown of the individual plan approvals, including the plan name and increment or phase designation as it relates to the Master Development Plan, acreage of the site, total number of units, or gross floor area ratio of

commercial space which have received PDP/PSP approval, construction plan/construction site plan approval, and/or record plat approval.

47. If a PDP/PSP for the entire MPUD is not submitted and approved by December 31, 2035, subject to any statutory or County-wide extensions issued subsequent to the approval of these revised conditions of approval, the conditions of approval for those portions of the MPUD that do not have (unexpired) PDP or PSP approval shall expire. If the MPUD expires, a new MPUD must be applied for and approved by the BCC, and the conditions of approval shall be in accordance with the Comprehensive Plan and LDC in effect at that time.
48. An extension of time limit for approval as identified above shall be processed as a substantial modification approved by the BCC.
49. In addition to complying with the above conditions, no further plan approvals will be granted until such time as the acknowledgment portion of the **BCC approved document** is completed (including notarization) and received by the PDD after the BCC action.
50. All conditions of this MPUD approval are material to the BCC approval. Accordingly, the conditions are not severable. In the event any section, subsection, sentence, clause, or provision of these conditions or the rezoning resolution is challenged and declared illegal, invalid, or in violation of any statutory or constitutional requirement by a body with jurisdiction to make such determination, the remainder of the conditions and MPUD approval shall be suspended until such time that the BCC modifies the MPUD conditions of approval to address the illegal or invalid provision, provided that such suspension shall not exceed nine months in duration. However, such determination shall not affect the validity of 1) MPUD entitlements that have received plat, Building Permit, or CO approval; or 2) any MPUD mitigation committed to or performed as of the date the determination is made, unless such approvals or mitigation are specifically declared to be illegal, invalid, or unenforceable. Requests for BCC-approved modifications to the MPUD or the MPUD conditions of approval shall not be considered challenges and decisions by the BCC regarding any modification or the like shall not have the effect of suspending the conditions and the MPUD approval under any circumstances.
51. Uses within this MPUD that are not permitted by the existing RES-3 Future Land Use Classification (which specifically permits all of the approved residential uses), shall not be effective until the corresponding PD (Planned Development) Land Use Classification change is effective.

EXHIBITS

- A - Phase I Access Improvements
- B - Master Roadway Plan (MRP)
- C - Land Use Equivalency Matrix (LUEM)

River Landing MPUD Substantial Modification (RZ 7370)

OWNER'S ACKNOWLEDGMENT:

The owner acknowledges that they have read, understood, and accepted the above-listed conditions of approval. **Do not sign this document until a final disposition from the BCC regarding this Petition has been received.**

Date

Signature

Print Name

Title

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____
(date), by _____ (name
of corporation acknowledging) a _____
(State or place of incorporation) corporation, on behalf of the corporation. He/she is personally
known to me or who has produced _____ (type of
identification) as identification.

Seal:

NOTARY

EXHIBIT

PHASE I ACCESS IMPROVEMENTS

<u>Intersection</u>	<u>Access Type</u>	<u>Movement</u>	<u>Turn Lane Required(1)</u>	<u>FDOT Plans</u>
Loop Road and SR 56	Directional Median Opening	EBL	405'	617'
		EBR	430'	-
		WBL	505'	618'
		WBR	430'	-
SR 56 and Project Access L/M	Full Median Opening	EBL	505'	618'
		EBR	430'	-
		WBL	505'	619'
		WBR	430'	-
		NBL	195'	-
		SBL	195'	-
SR 56 and Project Access O	Full Median Opening	EBR	430'	-
		WBL	505'	619'
		NBL	195'	-

(1) See Table 7 of the Timing & Phasing Analysis dated January, 2019.

EXHIBIT ____

LAND USE EQUIVALENCY MATRIX

CONVERSION FROM:	Single Family (DU's)	Retail (KSF)	Office (KSF)	Townhomes (DU's)	Multi-Family (DU's)	Medical Office (KSF)	Mini-Warehouse (KSF)
Single-Family (DU's)	-	0.1586	0.7771	1.6097	2.0488	0.2605	5.3027
Retail (KSF)	6.3054	-	4.9000	10.1500	12.9182	1.6428	33.4353
Office (KSF)	1.2868	0.2041	-	2.0714	2.6364	0.3353	6.8235

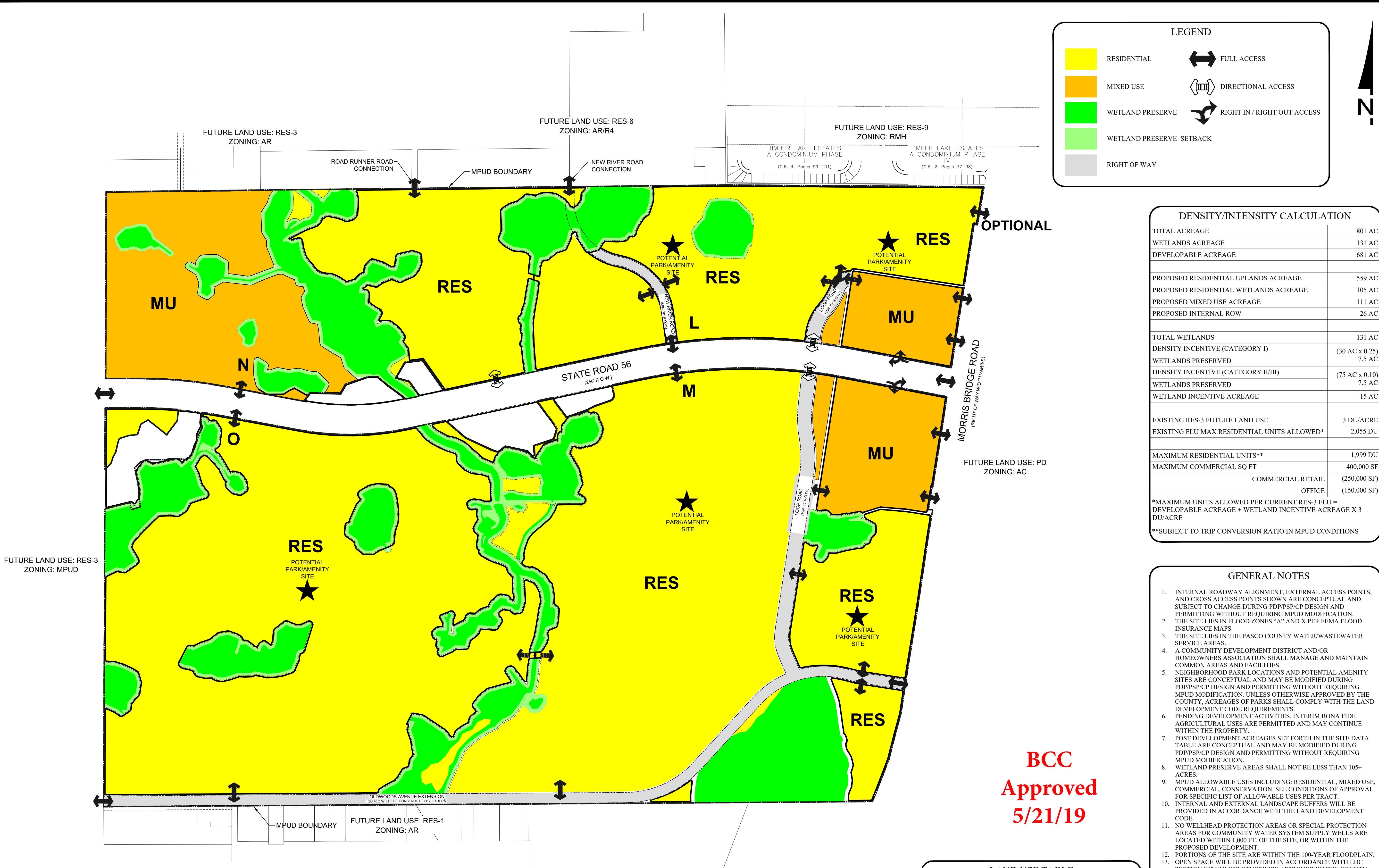
(1) Source - ITE Trip Generation Manual, 10th Edition (Gross Trips)

(2) Example: Convert Single Family to Retail

$$1 \text{ DU} = 1 \times 0.1586 = 0.1586 \times (1,000 \text{ sq ft of retail}) = 158.6 \text{ sq ft}$$

EXHIBIT C
MASTER PLAN

T:\Project\685-01 River Landing\Drawings\Exhibits\685-01-E14 MPUD Master Plan\Current Plans\685-01-E140102.dwg
3/29/2018 8:30:28 AM



**BCC
Approved
5/21/19**

SITE DATA	
WETLANDS	105± ACRES
RESIDENTIAL TRACTS	559± ACRES
MIXED USE TRACTS	111± ACRES
RIGHT-OF-WAY	26± ACRES (LESS S.R. 56)
TOTAL SITE ACREAGE	801± ACRES

WETLAND DATA		
WETLANDS CAT.	PRE-DEVELOPMENT	POST-DEVELOPMENT
CATEGORY I	31± ACRES	30± ACRES
CATEGORY II & III	100± ACRES	75± ACRES
TOTAL	131± ACRES	105± ACRES

LAND USE TABLE	
EXISTING FUTURE LAND USE	RES-3
PROPOSED FUTURE LAND USE	PD - PLANNED DEVELOPMENT
EXISTING ZONING	MASTER PLANNED UNIT DEVELOPMENT (MPUD) & AGRICULTURAL (AC)
PROPOSED ZONING	MASTER PLANNED UNIT DEVELOPMENT (MPUD)

- GENERAL NOTES**
- INTERNAL ROADWAY ALIGNMENT, EXTERNAL ACCESS POINTS, AND CROSS ACCESS POINTS SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE DURING PDP/PSP/CP DESIGN AND PERMITTING WITHOUT REQUIRING MPUD MODIFICATION. THE SITE LIES IN FLOOD ZONES "A" AND X PER FEMA FLOOD INSURANCE MAPS.
 - THE SITE LIES IN THE PASCO COUNTY WATER/WASTEWATER SERVICE AREAS.
 - A COMMUNITY DEVELOPMENT DISTRICT AND/OR HOMEOWNERS ASSOCIATION SHALL MANAGE AND MAINTAIN COMMON AREAS AND FACILITIES.
 - NEIGHBORHOOD PARK LOCATIONS AND POTENTIAL AMENITY SITES ARE CONCEPTUAL AND MAY BE MODIFIED DURING PDP/PSP/CP DESIGN AND PERMITTING WITHOUT REQUIRING MPUD MODIFICATION. UNLESS OTHERWISE APPROVED BY THE COUNTY, ACRES OF PARKS SHALL COMPLY WITH THE LAND DEVELOPMENT CODE REQUIREMENTS.
 - PENDING DEVELOPMENT ACTIVITIES, INTERIM BONA FIDE AGRICULTURAL USES ARE PERMITTED AND MAY CONTINUE WITHIN THE PROPERTY.
 - POST DEVELOPMENT ACRES SET FORTH IN THE SITE DATA TABLE ARE CONCEPTUAL AND MAY BE MODIFIED DURING PDP/PSP/CP DESIGN AND PERMITTING WITHOUT REQUIRING MPUD MODIFICATION.
 - WETLAND PRESERVE AREAS SHALL NOT BE LESS THAN 105± ACRES.
 - MPUD ALLOWABLE USES INCLUDING: RESIDENTIAL, MIXED USE, COMMERCIAL, CONSERVATION. SEE CONDITIONS OF APPROVAL FOR SPECIFIC LIST OF ALLOWABLE USES PER TRACT.
 - INTERNAL AND EXTERNAL LANDSCAPE BUFFERS WILL BE PROVIDED IN ACCORDANCE WITH THE LAND DEVELOPMENT CODE.
 - NO WELLHEAD PROTECTION AREAS OR SPECIAL PROTECTION AREAS FOR COMMUNITY WATER SYSTEM SUPPLY WELLS ARE LOCATED WITHIN 1,000 FT. OF THE SITE, OR WITHIN THE PROPOSED DEVELOPMENT.
 - PORTIONS OF THE SITE ARE WITHIN THE 100-YEAR FLOODPLAIN.
 - OPEN SPACE WILL BE PROVIDED IN ACCORDANCE WITH LDC SECTION 905 UNLESS OTHERWISE APPROVED BY THE COUNTY.
 - APPROXIMATE SITE ELEVATIONS RANGE FROM 70 TO 83.
 - NO CRITICAL LINKAGES EXIST ON SITE.
 - NO SCHOOL SITES OR FIRE STATIONS ARE PROPOSED ON SITE.
 - EXISTING EASEMENTS WERE IDENTIFIED AS SHOWN. PROPOSED EASEMENTS/COMMON AREA TRACTS SHALL BE DETERMINED AT PRELIMINARY SITE PLAN SUBMITTAL.
 - THE DEVELOPER OF THE RIVER LANDING MPUD IS ONLY RESPONSIBLE FOR CONSTRUCTION OF THE NEW RIVER ROAD CONNECTION FROM SR 56 NORTH TO THE NORTHERN MOST ACCESS POINT WITHIN THE DEVELOPMENT SERVING ADJACENT PHASES OF DEVELOPMENT. THE DEVELOPER IS NOT RESPONSIBLE FOR WETLAND IMPACTS ASSOCIATED WITH THE ROADWAY.

LEGEND

	RESIDENTIAL		FULL ACCESS
	MIXED USE		DIRECTIONAL ACCESS
	WETLAND PRESERVE		RIGHT IN / RIGHT OUT ACCESS
	WETLAND PRESERVE SETBACK		
	RIGHT OF WAY		

DENSITY/INTENSITY CALCULATION	
TOTAL ACREAGE	801 AC
WETLANDS ACREAGE	131 AC
DEVELOPABLE ACREAGE	681 AC
PROPOSED RESIDENTIAL UPLANDS ACREAGE	559 AC
PROPOSED RESIDENTIAL WETLANDS ACREAGE	105 AC
PROPOSED MIXED USE ACREAGE	111 AC
PROPOSED INTERNAL ROW	26 AC
TOTAL WETLANDS	131 AC
DENSITY INCENTIVE (CATEGORY I)	(30 AC x 0.25) 7.5 AC
WETLANDS PRESERVED	7.5 AC
DENSITY INCENTIVE (CATEGORY II/III)	(75 AC x 0.10) 7.5 AC
WETLANDS PRESERVED	7.5 AC
WETLAND INCENTIVE ACREAGE	15 AC
EXISTING RES-3 FUTURE LAND USE	3 DU/ACRE
EXISTING FLU MAX RESIDENTIAL UNITS ALLOWED*	2,055 DU
MAXIMUM RESIDENTIAL UNITS**	1,999 DU
MAXIMUM COMMERCIAL SQ FT	400,000 SF
COMMERCIAL RETAIL	(250,000 SF)
OFFICE	(150,000 SF)
*MAXIMUM UNITS ALLOWED PER CURRENT RES-3 FLU = DEVELOPABLE ACREAGE + WETLAND INCENTIVE ACREAGE X 3 DU/ACRE	
**SUBJECT TO TRIP CONVERSION RATIO IN MPUD CONDITIONS	

WALDROP ENGINEERING

CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS

9432 CAMDEN FIELD PARKWAY RIVERVIEW, FL 33578
P: 813-443-5252 F: 813-443-5255 EMAIL: info@waldropengineering.com

MASTER PLANNED UNIT DEVELOPMENT

RIVER LANDING

CLIENT: TAYLOR MORRISON OF FLORIDA, INC.

MASTER SITE PLAN

PLAN REVISIONS

NO.	DATE	REVISION
1	01/08/2019	REVISED PER COUNTY COMMENTS

SCALE IN FEET

0 200 400 800

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

SET NUMBER: 685-01-E14

SHEET: 2

PROJECT SUMMARY

RIVER LANDING

Timing & Phasing Analysis

STUDY TRIGGER – Amend the existing MPUD for the property.

PROPOSED LAND USE –

Single Family	- 1,999 Dwelling Units
Retail	- 250,000 SF
Office	- 150,000 SF

BUILD OUT DATE – 2035

TIMING AND PHASING RESULTS – The following summarizes the results of the Timing & Phasing Analysis.

- Morris Bridge Road from SR 54 to SR 56 may exceed the adopted V/C ratio.
- SR 56 from Meadow Pointe Boulevard to Morris Bridge Road may exceed the adopted V/C ratio.

PLANNED IMPROVEMENTS – Based on Pasco County 2040 Cost Affordable Plan, the improvements planned within the vicinity of the project area as follows:

- SR 56 is currently under construction as a 4-Lane divided roadway from Meadow Pointe Boulevard to US 301. It is anticipated to be open in June, 2019.

- SR 54 is currently under construction from the Zephyrhills Bypass to Morris Bridge Road as a 4-Lane divided roadway.
- Zephyrhills Bypass is proposed to be constructed from River Glen Boulevard to Eiland Boulevard in fiscal year 2027/2028.
- SR 54 and Morris Bridge Intersection Improvements are currently under construction.
- Morris Bridge Road and Chancey Road Intersection Improvements are budgeted for fiscal year 2019/2020.
- US 301 from County Line Road to SR 56 is proposed to be widened in fiscal year 2018/2019.
- US 301 from SR 56 to SR 39 is proposed to be widened to 4-lane divided roadway in fiscal years 2031-2040.
- Oldwoods Avenue is to be extended from Wyndfields Boulevard to Morris Bridge Road as a 2-Lane Roadway in fiscal years 2026-2030.
- Wyndfields Boulevard is to be extended from County Line Road to Overpass Road as a 2/4 lane roadway in fiscal years 2026-2030.
- River Glen Road is to be extended from SR 56 to SR 54 as a 2-lane roadway in fiscal years 2026-2030.
- Chancey Road is to be extended from SR 581 to Morris Bridge Road as a 4-lane roadway in fiscal years 2026-2030.
- Zephyrhills Bypass is to be extended from SR54 to US 301 as a 4-lane roadway in fiscal years 2020-2025.

ACCESS MANAGEMENT RESULTS – An Access Management Analysis was conducted from Phase I of the project (400 single family homes). The analysis indicates that all movements within each of the project accesses will operate within the adopted delay and V/C ratio criteria.

CONCLUSION – With the planned improvements within the vicinity of the project the roadway segments should operate at the adopted V/C and delay criteria.

Tampa Bay Times

Published Daily

STATE OF FLORIDA) ss
COUNTY OF Pasco County

Before the undersigned authority personally appeared **Jean Mitotes** who on oath says that he/she is **Legal Clerk** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: PDD19-042** was published in **Tampa Bay Times: 3/15/19**, in said newspaper in the issues of **Baylink Pasco**

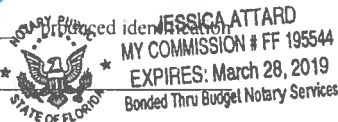
Affiant further says the said **Tampa Bay Times** is a newspaper published in Pasco County, Florida and that the said newspaper has heretofore been continuously published in said Pasco County, Florida, each day and has been entered as a second class mail matter at the post office in said Pasco County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

Signature of Affiant

Sworn to and subscribed before me this 03/15/2019.

Signature of Notary Public

Personally known _____
Type of identification produced _____



NOTICE OF PUBLIC HEARINGS ON REZONING PROPERTIES LOCATED IN PASCO COUNTY

PUBLIC NOTICE is hereby given that the Pasco Co Planning Commission (PC) will hold a public hearing on Thu, Mar 28, 2019, at the West Pasco Govt Ctr (WPGC), Board Rm, 8731 Citizens Dr, New Port Richey (NPR), FL, at 1:30 pm, & that the Pasco Co Board of Co Commissioners (BCC) will hold a public hearing on Tue, May 7, 2019, at the Historic Pasco Co Courthouse, Board Rm, 2nd Floor, 37918 Meridian Ave, Dade City (DC), FL, at 1:30 pm to consider applications for rezoning pursuant to the provisions of the Pasco Co Land Dev Code, Chapter 400. All hearings will be conducted at the stated time or as soon thereafter as is practical on the following application:

1. Zephyr Egg Co./River Landing MPUD (#7370) petition for a rezoning from an A C Agricultural & MPUD Master Planned Unit Development District to a MPUD Master Planned Unit Development District for a par loc on the NW & SW sides of SR 56 & Morris Bridge, Wesley Chapel, FL.

PUBLIC NOTICE is hereby given that the Pasco Co PC will hold a public hearing on Thu, Mar 28, 2019, at the WPGC, Board Rm, 8731 Citizens Dr, NPR, FL, at 1:30 pm, & that the Pasco Co BCC will hold a public hearing on Tue, June 4, 2019, at the Historic Pasco Co Courthouse, Board Rm, 2nd Floor, 37918 Meridian Ave, DC, FL, at 1:30 pm to consider applications for rezoning pursuant to the provisions of the Pasco Co Land Dev Code, Chapter 400. All hearings will be conducted at the stated time or as soon thereafter as is practical on the following application:

2. Iafrate Properties, LLC/Grande Oaks MPUD (#7351) petition for a rezoning from a A C Agricultural, A-R Agricultural Residential, & C 2 General Commercial District to a MPUD Master Planned Unit Development District for a par loc at the SW cor of the Inter of SR 52 & Prospect Rd extdg Sly to Williams Cemetery Rd (aka 34985 Prospect Rd, DC, FL)

Any person desiring to appeal any decision made by the BCC or PC w/respect to any matter considered at any meeting or hearing will need a record of the proceedings & may need to ensure that a verbatim record of the proceedings is made which includes the testimony & evidence upon which the appeal is to be based.

Information concerning applications will be on file & available for examination in the office of the Pasco Co Planning and Dev Dept, WPGC, 8731 Citizens Dr, NPR, FL.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact either the Pasco County Customer Service Center, 8731 Citizens Drive, New Port Richey, FL 34654, (727) 847-2411 (V) or the Pasco County Risk Management Office, 7536 State Street, New Port Richey, FL 34654, (727) 847-8028 (V) at least 7 days before the public hearing, or immediately upon receiving this notification if the time before the public hearing is less than 7 days; if you are hearing or voice impaired, call 711.

March 15, 2019

PDD19-042

755436