



**BOARD OF COUNTY COMMISSIONERS
AGENDA MEMORANDUM**

COMMISSION DISTRICT: 5

FILE NO.: PDD19-7335

DATE: ~~10/30~~**12/10/18**

SUBJECT: ZONING AMENDMENT (CONSENT) – Factory Direct Marine & Recreational Vehicle (RV) MPUD Master Planned Unit Development – Patriot Bank - A Rezoning Request From C-2 General Commercial District and MF-1 Multiple-Family Medium Density District to an MPUD Master Planned Unit Development District to Allow 50,000 Square-Feet of Commercial Development on Approximately 7.72 Acres and a Variation From the Land Development Code, Section 905.2.D.5, Perimeter Landscape Buffering and Screening (Board of County Commissioners (BCC)): 11/27/18; 1:30, p.m., DC)

REFERENCE: Land Development Code (LDC) 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 C. Pittos, AICP, Planning and Development Director

RECOMMENDED BOARD ACTION:

Adopt the MPUD rezoning request 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 the proposed request at the August 23, 2018, and recommended approval to the BCC.

BACKGROUND SUMMARY/ALTERNATIVE ANALYSIS:

Proposed is a rezoning request from C-2 General Commercial District and MF-1 Multiple-Family Medium Density District to an MPUD Master Planned Unit Development to allow for up to 50,000 square feet of commercial development.

The applicant is also proposing a variation from the LDC Section 905.2.D.5, Perimeter Landscape Buffering and Screening, whereby the applicant wishes to deviate from the requirement to provide a Type 'A' landscape buffer abutting the Commercial Zoning District to the north and a Type 'B' buffer to the south.

- The LDC specifies that variations from this Code may be reviewed and approved by the BCC and PC during the public hearing held on any application for an MPUD zoning amendment. Variations shall be allowed where the BCC specifically finds, in the particular case, that the proposed variation meets or exceeds the intent of this Code.
 - The intent and purpose of the perimeter landscape buffering and screening is to provide landscape buffering and screening to provide for an aesthetically pleasing developed environment and separation between uses and intensities where appropriate.

- The LDC, Section 905.2.B.2.c(2) allows a redevelopment project the ability to provide landscaping to the “maximum possible that can be accommodated given the existing conditions on site.” Therefore, the applicant is simply memorializing this by way of the conditions of approval (condition no. 6) in order to avoid delay/confusion when the site plan for the project is submitted.
- Due to existing conditions, buffers along the north side of the existing building, along the south side of the existing parking lot and along the north and south side of the existing asphalt are not able to be provided. The site currently contains a building and associated infrastructure that will not be disturbed or removed during the redevelopment of the property. The applicant will provide landscaping to the maximum extent possible that can be accommodated on the site. This will be determined during the Preliminary Site Plan review of the development project.

The lead planner and author of this document is Corelynn Howell, Senior Planner, Current Planning.

The property is located on the west side of U.S. Highway 19, approximately 300 feet north of Beacon Woods Drive in Hudson, Florida and contains approximately 7.72 acres (Parcel ID No. 04-25-16-0010-00000-0040).

Commission District:	The Honorable Jack Mariano
Project Name:	Factory Direct Marine & RV MPUD
Applicants’ Names:	Patriot Bank
Existing Zoning District:	C-2 General Commercial / MF-1 Medium Density Multiple-Family
Proposed Zoning District:	MPUD Master Planned Unit Development
Existing Future Land Use Classification:	RES-12 (Residential 12 du/ga) / ROR (Retail/Office/Residential)
Proposed Future Land Use Classification:	PD (Planned Development)
Water/Sewage:	Pasco/Pasco
Flood Zone:	“AE” and 0.2% Annual Chance Flood Hazard
Non-Residential Square-Footage:	50,000
Acreage:	7.72, approximately
Roads/Access:	Hays Road

On February 22, 1977, the Board of County Commissioners approved a rezoning on a portion of the subject property, approximately .86 acres, from an MF-1 Multiple-Family Medium Density District to a C-2 General Commercial District (Rezoning Petition No. 8). The remaining subject property has an original zoning of MF-1 and C-2.

FINDINGS OF FACT:

1. Presently, the subject site contains a vacant bowling alley building with associated infrastructure.
2. The applicant proposes to redevelop the property using the existing building and infrastructure. There exists an abandoned building that is approximately 38,000 square feet in size, and asphalt pavement on the front two-thirds of the property. The proposed use will include the boat and RV sales/display and offices within the existing building and product display on the remaining paved and unpaved portion of the subject parcel.

3. The existing building will undergo minor remodeling efforts, but will remain intact from a structural and size standpoint under the current conditions. The existing building is a single story, block and metal frame building.
4. All common components not deeded or dedicated to the County will be owned and maintained by the owner of the subject property or another entity other than Pasco County.
5. The surrounding zoning district and current/future land use is as follows:

	Future Land Use	Zoning District	Existing Use
North	RES-12 (Residential 12 - du/ga) / ROR (Retail/Office/Residential)	MF-1 Multiple-Family Medium Density / C-2 General Commercial	Commercial
South	RES-12 (Residential 12 - du/ga) / ROR (Retail/Office/Residential)	R-4 Single-Family Residential / MF-1 Multiple-Family Medium Density / C-2 General Commercial	Commercial
East	ROR (Retail/Office/Residential)	C-2 General Commercial	U.S. Highway 19
West	RES-9 (Residential 9 - du/ga)	MF-1 Multiple-Family Medium Density	First Isle / Single-Family Residential

6. On July 11, 2018, the subject request was found to be exempt from Timing and Phasing (Section 901.12.C.1 of the LDC) as the highest and best use of the proposed use would result in a gross trip increase of less than 50 peak trips, a.m. or p.m. whichever is higher. Access Management Analysis and Substandard Road review shall be performed at the time of Preliminary Site Plan/Preliminary Development Plan review, if applicable.
7. The subject property is a portion of the Gulf Breeze Manor PD (Planned Development) (CPAL18-05) which is being processed concurrently with the MPUD.
8. 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. Further, the Board finds that the proposed variation from LDC Section 905.2.D.5. referenced above meets or exceeds the intent of the Code.

PLANNING COMMISSION ACTION: (8/23/18)

Approved Staff Recommendation

The item was heard on the Consent Agenda for the Planning Commission; therefore, there was no discussion

BOARD OF COUNTY COMMISSIONER ACTION: (11/27/18)

Approved Staff Recommendation and Approved Variation Request

FISCAL IMPACT/COST/REVENUE STATEMENT:

Funding is not required for this recommendation.

DISTRIBUTION:

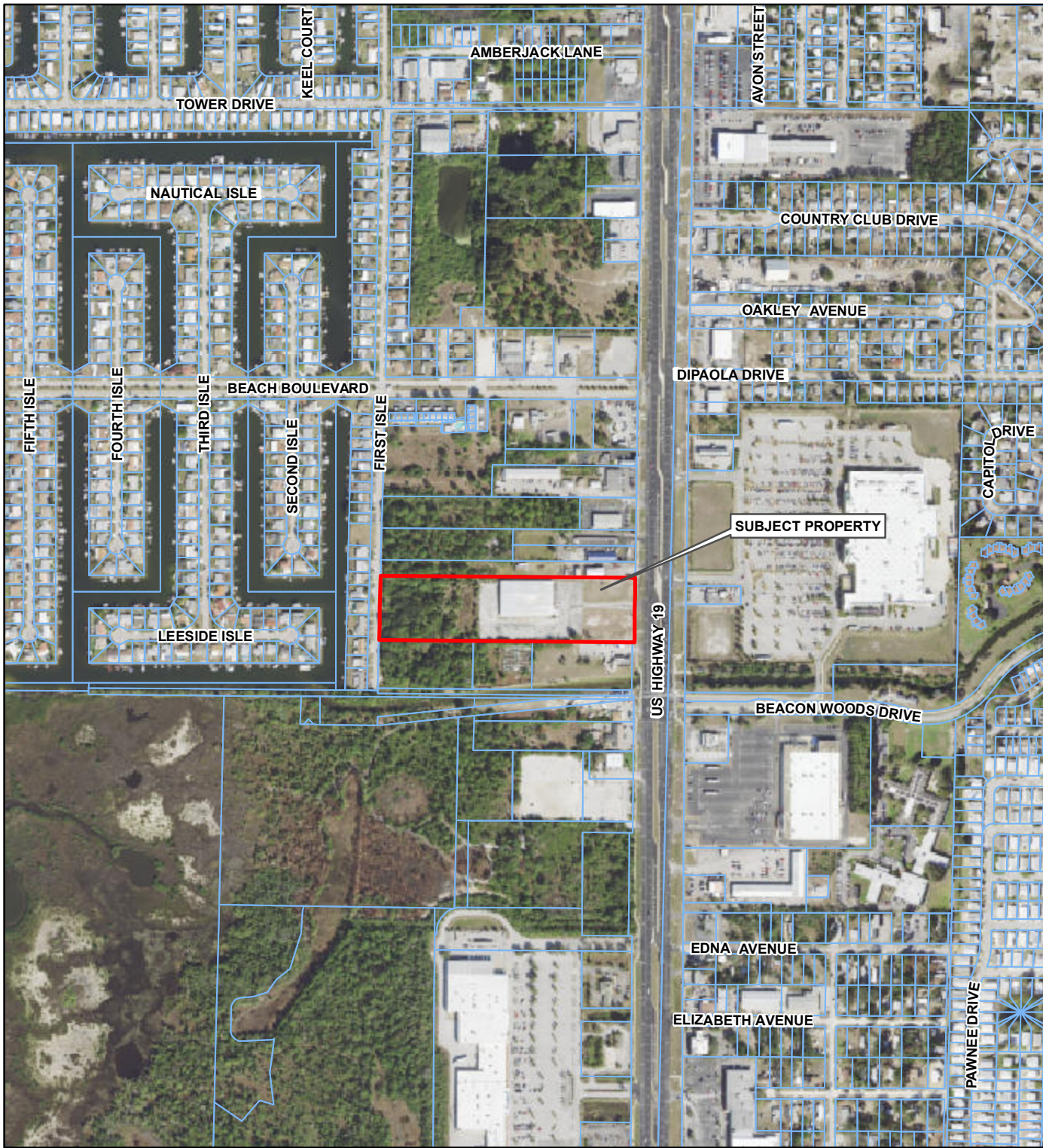
Board Records Department to distribute as set forth below:

1. Retain one original.

ATTACHMENTS:

1. Location Map
2. Resolution
3. Exhibits A, B and C
4. Project Summary - Transportation
5. Public Notice

DH/NCP/DLR/CH/PDD18-7335 PC Agenda Memo Factory Direct Marine Boat & RV MPUD



**RZ-7335
C-2 & MF-1 TO MPUD**

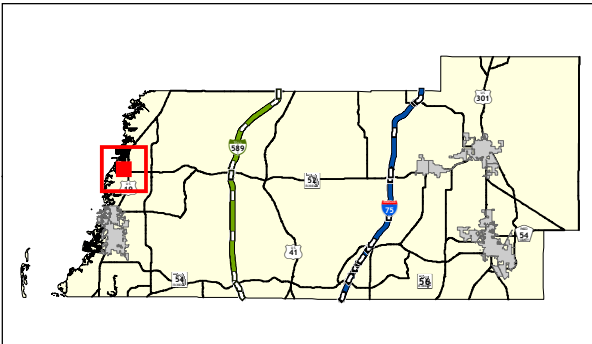
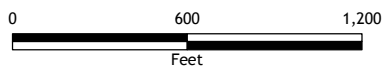
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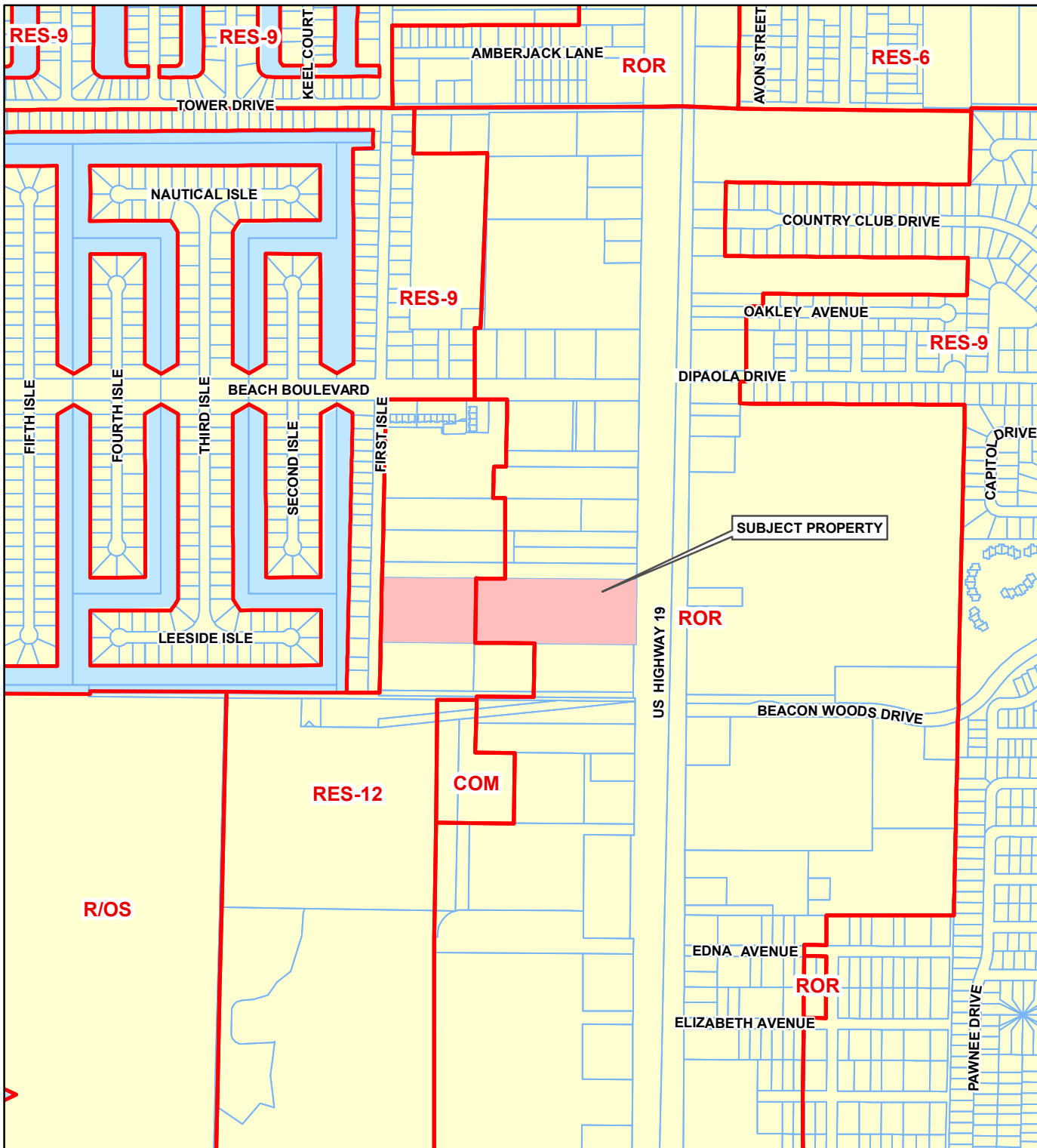
**PATRIOT BANK/FACTORY
DIRECT MARINE & RV MPUD
1815 LITTLE RD
TRINITY, FL 34655**

**PHYSICAL ADDRESS:
12529 US HWY 19**

**TAZ-28
COMMISSION DISTRICT: 5**

 **SUBJECT PROPERTY**





**RZ-7335
C-2 & MF-1 TO MPUD**

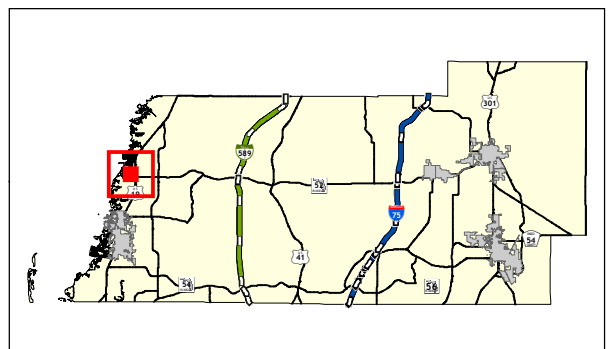
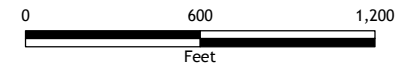
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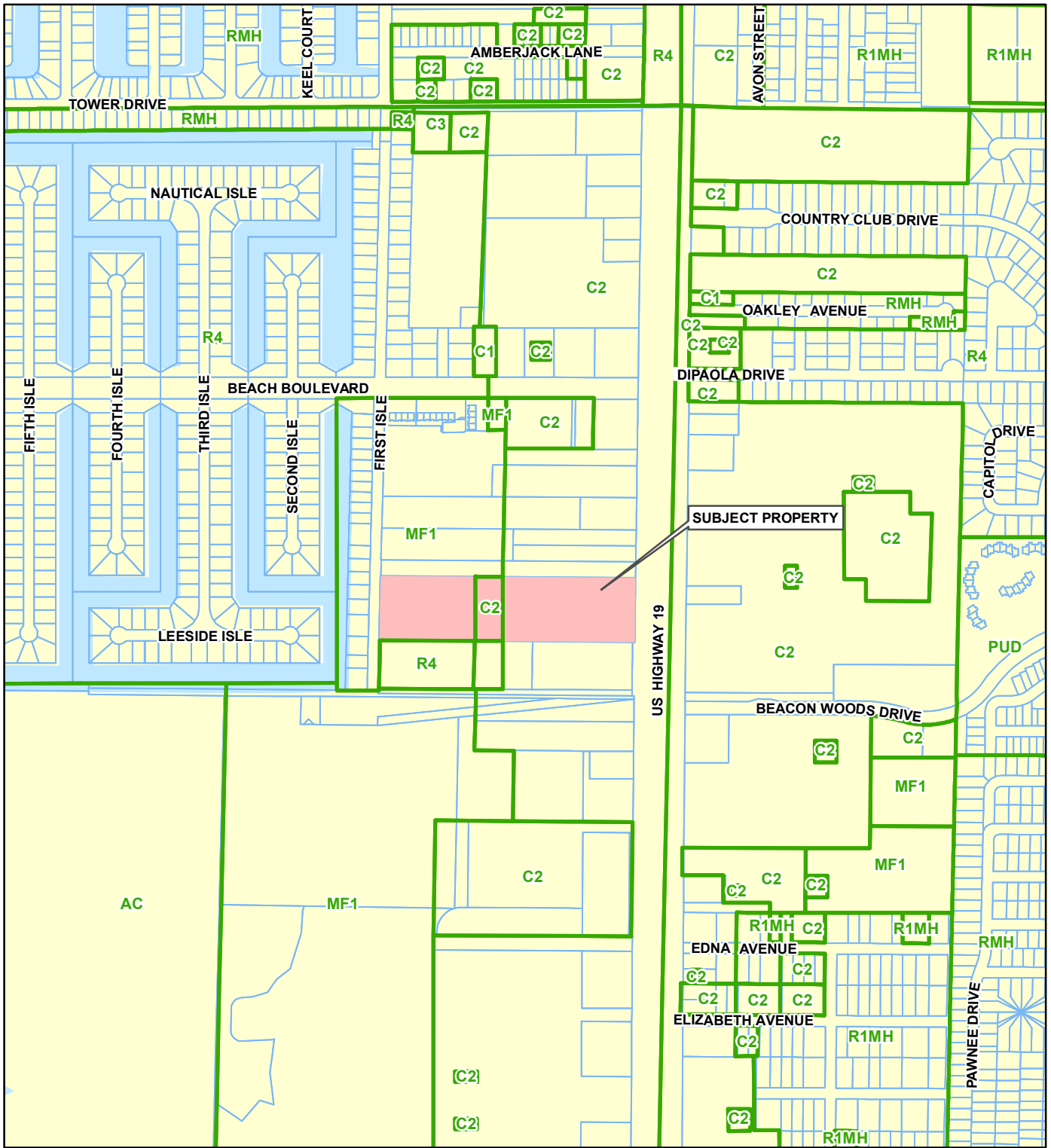
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**PHYSICAL ADDRESS:
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**TAZ-28
COMMISSION DISTRICT: 5**

- SUBJECT PROPERTY**
- FUTURE LAND USE 2025**





**RZ-7335
C-2 & MF-1 TO MPUD**

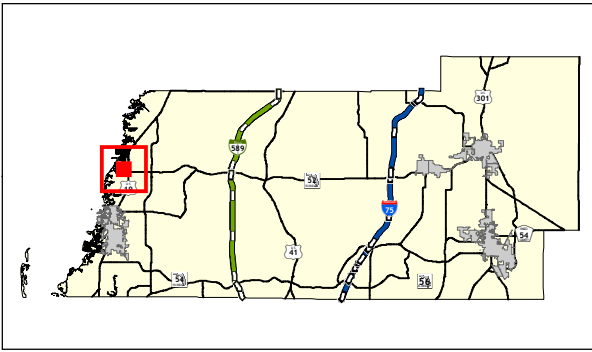
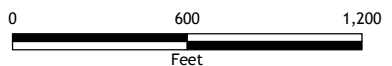
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**PATRIOT BANK/FACTORY
DIRECT MARINE & RV MPUD
1815 LITTLE RD
TRINITY, FL 34655**

**PHYSICAL ADDRESS:
12529 US HWY 19**

**TAZ-28
COMMISSION DISTRICT: 5**

SUBJECT PROPERTY
EXISTING ZONING



**RESOLUTION AMENDING ZONING
CLASSIFICATION OF PROPERTY
DESCRIBED IN REZONING PETITION
NO. 7335 FROM C-2 GENERAL
COMMERCIAL AND MF-1 MEDIUM
DENSITY MULTIPLE-FAMILY ZONING
DISTRICTS TO AN MPUD MASTER
PLANNED UNIT DEVELOPMENT**

WHEREAS, the Board of County Commissioners of Pasco County, after due public notice, held a public hearing on November 27, 2018, on Rezoning Application No. 7335; 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:

1. Proposed is a rezoning request from C-2 General Commercial and MF-1 Medium Density Multiple-Family Zoning Districts to an MPUD Master Planned Unit Development to allow for up to 50,000 square feet of commercial development on 7.72 acres.

2. The applicant is also proposing a variation from the LDC Section 905.2.D.5, Perimeter Landscape Buffering and Screening, whereby the applicant wishes to deviate from the requirement to provide a Type 'A' landscape buffer abutting the Commercial Zoning District to the north and a Type 'B' buffer to the south.

- The LDC specifies that variations from this Code may be reviewed and approved by the BCC and PC during the public hearing held on any application for an MPUD zoning amendment. Variations shall be allowed where the BCC specifically finds, in the particular case, that the proposed variation meets or exceeds the intent of this Code.
 - The intent and purpose of the perimeter landscape buffering and screening is to provide landscape buffering and screening to provide for an aesthetically pleasing developed environment and separation between uses and intensities where appropriate.

- § The LDC, Section 905.2.B.2.c.(2) allows a redevelopment project the ability to provide landscaping to the “maximum possible that can be accommodated given the existing conditions on site.” Therefore, the applicant is simply memorializing this by way of the conditions of approval (condition no. 6) in order to avoid delay/confusion when the site plan for the project is submitted.
- § Due to existing conditions, buffers along the north side of the existing building, along the south side of the existing parking lot and along the north and south side of the existing asphalt are not able to be provided. The site currently contains a building and associated infrastructure that will not be disturbed or removed during the redevelopment of the property. The applicant will provide landscaping to the maximum extent possible that can be accommodated on the site. This will be determined during the Preliminary Site Plan review of the development project.

3. The property is located on the west side of U.S. Highway 19, approximately 300 feet north of Beacon Woods Drive in Hudson (Parcel ID No. 04-25-16-0010-00000-0040).

4. On February 22, 1977, the Board of County Commissioners approved a rezoning on a portion of the subject property, approximately .86 acres, from an MF-1 Medium Density Multiple-Family Zoning District to a C-2 General Commercial Zoning District (Rezoning Petition No. 8). The remaining subject property has an original zoning of MF-1 and C-2.

5. Presently, the subject site contains a vacant bowling alley building with associated infrastructure.

6. The applicant proposes to redevelop the property using the existing building and infrastructure. There exists an abandoned building that is approximately 38,000 square feet in size, and asphalt pavement on the front two-thirds of the property. The proposed use will include the boat and RV sales/display and offices within the existing building and product display on the remaining paved and unpaved portion of the subject parcel.

7. The existing building will undergo minor remodeling efforts, but will remain intact from a structural and size standpoint under the current conditions. The existing building is a single story, block and metal frame building.

8. All common components not deeded or dedicated to the County will be owned and maintained by the owner of the subject property or another entity other than Pasco County.

9. The surrounding zoning district and current/future land use is as follows:

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East	ROR (Retail/Office/Residential)	C-2 General Commercial	U.S. Highway 19
West	RES-9 (Residential 9 - du/ga)	MF-1 Medium Density Multiple-Family	First Isle / Single-Family Residential

10. On July 11, 2018, the subject request was found to be exempt from Timing and Phasing (Section 901.12.C.1 of the LDC) as the highest and best use of the proposed use would result in a gross trip increase of less than 50 peak trips, a.m. or p.m. whichever is higher. Access Management Analysis and Substandard Road review shall be performed at the time of Preliminary Site Plan/Preliminary Development Plan review, if applicable.

11. The subject property is a portion of the Gulf Breeze Manor PD (Planned Development) (CPAL18-05) which is being processed concurrently with the MPUD.

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. Further, the Board finds that the proposed variation from LDC Section 905.2.D.5. referenced above meets or exceeds the intent of the Code.

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 27th day of November, 2018, 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 Factory Direct Marine & Recreational Vehicle (RV) MPUD as set forth in Exhibits B and C attached hereto and made part hereof.

DONE AND RESOLVED this 27th day of November, 2018.



ATTEST:

Handwritten signature of Paula S. O'Neil in blue ink.

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

BOARD OF COUNTY COMMISSIONERS
PASCO COUNTY, FLORIDA

Handwritten signature of Ronald E. Oakley in blue ink.

CHAIRMAN

APPROVED
IN SESSION
NOV 27 2018
PASCO COUNTY
BCC

EXHIBIT A
LEGAL DESCRIPTION

EXHIBIT A

RZ-7335

The Ind ref to herein below is sit in the Co of Pasco, St of FL, & is desc as fol:

A por of Lots 4, 5, 6, & 7, Gulf Breeze Manor, as shown on plat rec in PB 4, Pg 65 Pub Rec of Pasco Co, FL, more partic desc as fol:

Com at the platted SE cor of Lot 4 of said Gulf Breeze Manor; th N89°16'35"W, 32' alg the platted S bdry line of said Lot 4 to the W r/w line of US 19 as now estab; th cont N89°16'35"W, 1,164.33' alg said S bdry line to the SW cor of said Lot 4; th N01°33'27"E, 290.8' alg the E r/w line of 1st Isle as now estab to the NW cor of said Lot 7; th S89°21'27"E, 1,161.53' alg the N bdry line of said Lot 7 to the W r/w of US 19 as now estab; th S01°00'00"W, 292.42', Sec 04, T25S, R16E, Pasco Co, FL.

EXHIBIT B
CONDITIONS OF APPROVAL

**FACTORY DIRECT MARINE & RV
MASTER PLANNED UNIT DEVELOPMENT
CONDITIONS OF APPROVAL
REZONING PETITION NO. 7335**

Master Development Plans

1. Development shall be in accordance with the plans and information submitted May 11, 2018; the Land Development Code (LDC); and the Comprehensive Plan unless otherwise stipulated or modified herein.

Environmental

2. The developer shall complete a Gopher Tortoise Survey in accordance with the current FFWCC survey guidelines. A copy of this survey shall be sent to Planning and Development (PDD) for further review and approval by the County Biologist and the FFWCC prior to preliminary development plan/preliminary site plan approval. The developer shall provide the issued gopher tortoise relocation permit and the after action report prior to issuance of the hard copy Site Development Permit.
3. If during construction activities any evidence of the presence of State or Federally protected plant and/or animal species is discovered, Pasco County and applicable agencies shall be notified within two 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.
4. A copy of the Southwest Florida Management District (SWFWMD) Environmental Resource Permit (ERP) shall be sent to the Zoning and Site Development prior to issuance of the Site Development Permit.

Open Space/Buffering

5. Unless otherwise determined at the PDP/PSP review, a minimum landscape buffer of 25-feet shall be provided adjacent to any residential uses with landscape plantings equivalent to a Type "B" buffer. Landscaping adjacent to any residential uses and within the 25-foot landscape buffer shall be doubled. Buffers may be shared between non-residential uses in accordance with Section 905.2.D.c of the LDC, except from existing light industrial or heavy industrial uses.
6. A 10-foot landscape buffer is not feasible along the north side of the existing building and along the south side of the existing parking lot, and a 25-foot landscape buffer consisting of Type 'B' landscape buffer plantings is not feasible along the north and south side of the existing asphalt. Due to existing conditions, buffers in these areas shall be provided to the maximum extent possible that can be accommodated on the site without impacting the existing building or asphalt.

Transportation/Circulation

Access Management

7. The access points shown on the master plan are conceptual only. Permanent placement of each access point shall be determined at the time of review with the corresponding PSP/PDP and shall meet established access-management criteria. Based on the corresponding PSP/PDP, the Planning Commission (PC), Board of County Commissioners (BCC), or County Administrator, or designee, may impose additional conditions on the applicant/developer.

Dedication of Right-of-Way

8. Cross-Access connections to adjoining areas shall be provided to give access to such areas and/or to provide for proper traffic circulation as determined necessary at the time of PSP approval. Those streets that are required to ensure adequate traffic flow to and through the land shall not be gated or blocked in any manner.
9. Subject to the provisions of the LDC, Section 901.2.J. (Transportation-Corridor Management; Dedication-Rough Proportionality), the developer(s) shall preserve, at no cost to the County, 10-feet of right-of-way from the existing right-of-way line for U.S. Highway 19, if required, to achieve a total of 235 feet of right-of-way for U.S. Highway 19 (Pasco County Corridor Preservation Table as amended, located in the Comprehensive Plan, Transportation Element, for arterial/collector and major intersection right-of-way requirements). For purposes of this condition, the term "preserve" shall mean to limit the area to those interim uses allowed by Section 901.2.F. of the Land Development Code (LDC). The applicant/developer shall be allowed to utilize this 10-foot right-of-way preservation area in accordance with Section 901.2.F.2 or 901.2.F.3 of the LDC.
10. 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

11. 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.

12. If the property to the north and south has an approved PDP/PSP, then prior to PDP/PSP submittal for Factory Direct Maine & RV MPUD development, the developer(s) shall supply evidence that it has coordinated with the developer(s) and engineer(s)/surveyor(s) of the adjoining parcels to identify and provide the location of the required interconnecting roadway [such interconnecting roadways do not include the collector/arterial/vision roadways as depicted on the approved master plan]. The following information shall be shown on all PDPs/PSPs and construction plans/construction site plans that include or abut the interconnecting roadway: location (by State plane coordinates), centerline, right-of-way width, cross section, elevation of centerline, grade, and centerline geometry (tangent bearing/curve geometry) to provide a seamless continuation of this road at property lines.

Utilities/Water Service/Wastewater Disposal

13. 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.
 - 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.
14. Prior to the first construction plan/construction site plan approval, the developer(s) and the County shall enter into a Utilities Service Agreement.
15. 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.
16. 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

17. The commercial dimensional standards shall be in accordance with regulations for C-2 General Commercial Zoning District of the Pasco County LDC
18. The commercial uses shall be in accordance with those permitted uses for C-2 General Commercial Zoning District of the Pasco County LDC (except for those uses specifically listed in Section 522 of the LDC and those specific uses listed within the Subarea Policy for Gulf Breeze Manor).
19. The maximum floor area shall not exceed 50,000 square feet of gross floor area, including out-parcels. The minimum floor area shall not be less than 2,000 square feet.
20. The maximum 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.
21. 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.

Procedures

22. 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.
23. 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.

24. 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.
25. A PDP/PSP must be approved for an entire increment (bubble) prior to any phased construction plan/construction site plan approval. An increase in dwelling units within increments is allowed without modification to the master plan as long as there is a corresponding decrease and the total maximum number of entitlements is not increased as approved for the MPUD. 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.
26. 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.
27. If a PDP/PSP for the entire MPUD is not submitted and approved within six years of the original approval date by the BCC or from the last substantial modification (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.
28. An extension of time limit for approval as identified above shall be processed as a substantial modification approved by the BCC.
29. 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.
30. 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.

- 31. If the corresponding PD (Planned Development) Land Use Classification change is found not to be in compliance by the Florida Department of Economic Opportunity or otherwise challenged by a third party, this MPUD shall be null and void.
- 32. This MPUD shall not be effective until the corresponding PD (Planned Development) Land Use Classification change is effective.

OWNER(S)/DEVELOPER(S) ACKNOWLEDGMENT:

The owner/developer 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.**

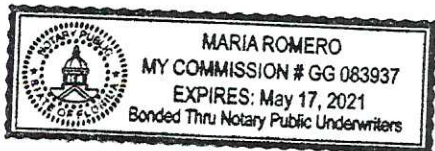
12/12/18 *[Signature]*
Date Signature

David B. Key
Print Name
Market President
Title

STATE OF FLORIDA
COUNTY OF pasco

The foregoing instrument was acknowledged before me this 12th of December 2018 (date), by David B. Key (name of corporation acknowledging) a Market President (State or place of incorporation) corporation, on behalf of the corporation. He is personally known to me or who has produced _____ (type of identification) as identification.

Seal:

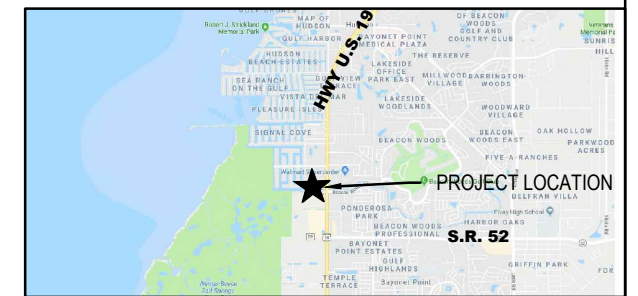
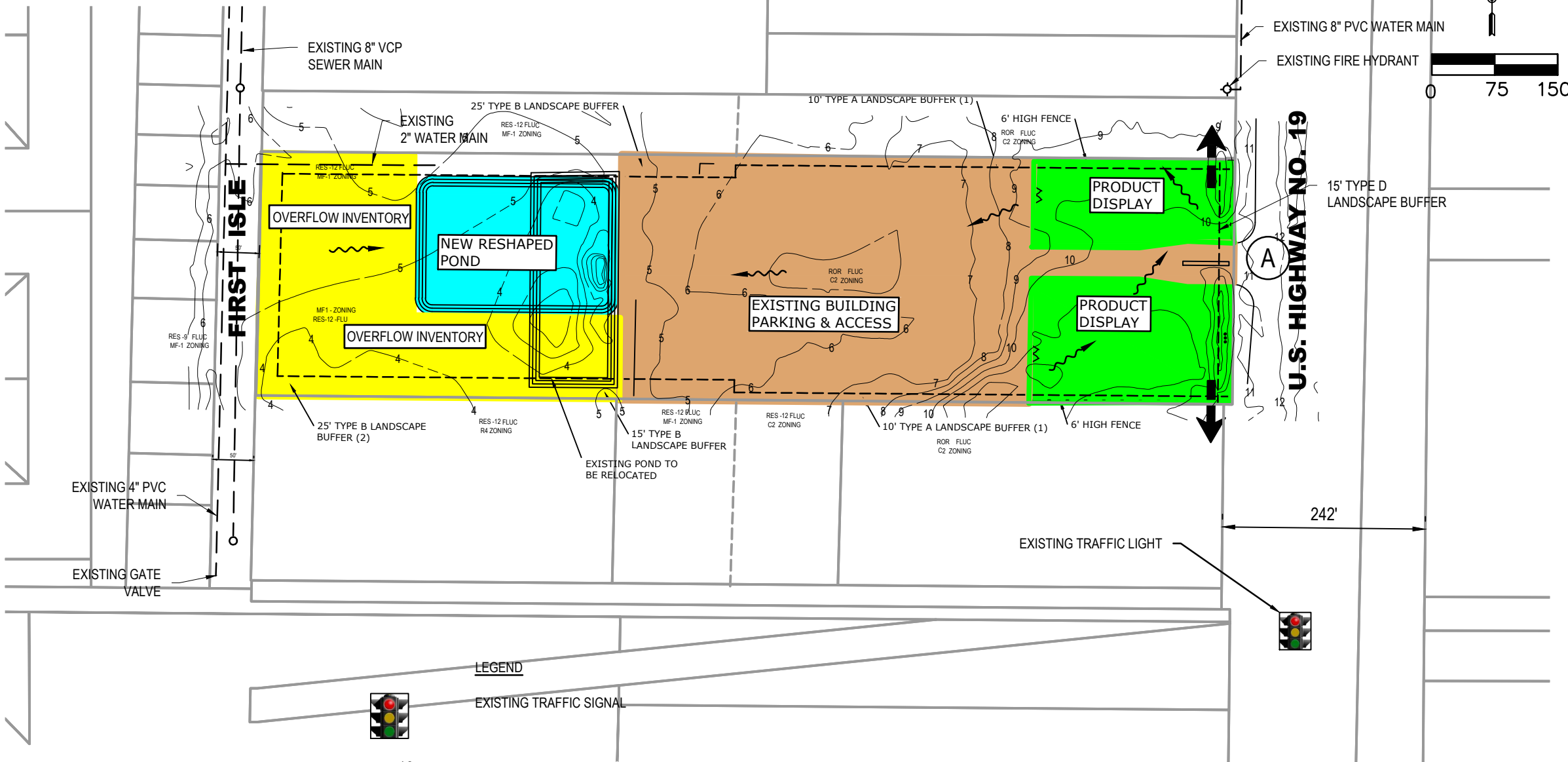


[Signature]
NOTARY

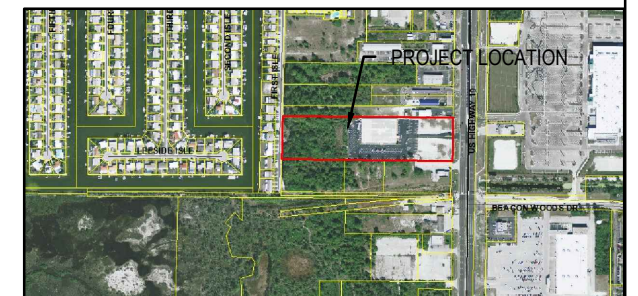
EXHIBIT C
MASTER PLAN

EXHIBIT A FACTORY DIRECT MARINE & RV MPUD MASTER PLAN

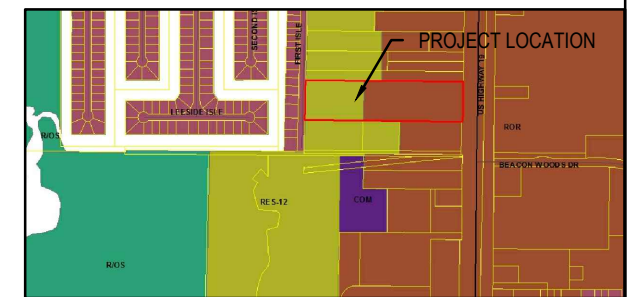
MAY 09, 2018



LOCATION MAP



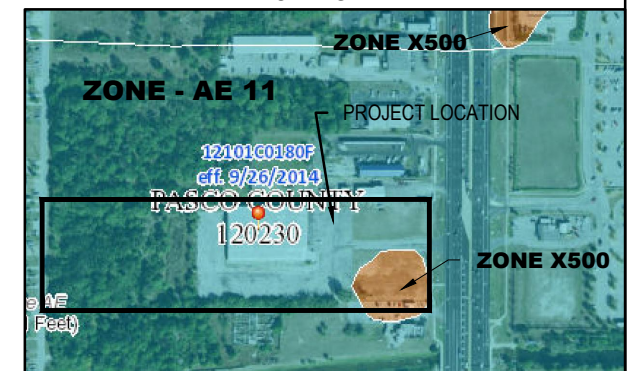
AERIAL MAP



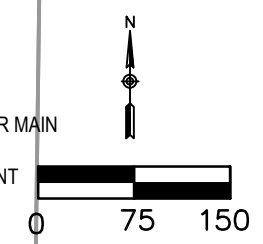
FUTURE LAND USE MAP



ZONING MAP



FEMA MAP



U.S. HIGHWAY NO. 19

242'

LEGEND

- EXISTING TRAFFIC SIGNAL
- EXISTING CONTOURS
- DRAINAGE FLOW DIRECTION
- PROPERTY LINE
- ACCESS
- EXISTING STORM WATER FACILITY
- CONCEPTUAL INTERCONNECT
- EXISTING LANDUSE
- EXISTING ZONING

LANDUSE TABLE

COMMERCIAL = 7.72 AC
BUILDING SIZE = 50,000 S.F.
MAX PROPOSED FAR = 0.17
MAX ALLOWED FAR = 0.27

POST-DEVELOPED WETLANDS

CATEGORY	ACREAGE
CATEGORY I	0
CATEGORY II	0
CATEGORY III	0

LEGAL DESCRIPTION
 SEE ENCLOSED SIGNED AND SEALED BOUNDARY SURVEY PREPARED BY BENCHMARK SURVEYS, INC.

UTILITY COMPANIES
 WATER AND WASTEWATER
 PASCO COUNTY UTILITIES
 19420 CENTRAL BLVD.
 LAND O' LAKES, FLORIDA 34637
 TELEPHONE: (813) 235-6189
 ELECTRICITY
 WITHLACOCOCHEE RIVER ELECTRIC COOP.
 12013 HAYS RD.
 SPRINGHILL, FLORIDA
 TELEPHONE: (727) 888-9465
 FIRE SERVICE
 PASCO COUNTY FIRE RESCUE
 4111 LAND O'LAKES BLVD., SUITE 208
 LAND O'LAKES, FLORIDA 34639
 TELEPHONE: (727) 847-8102

PROFESSIONAL TEAM
ENGINEERING & PLANNING
 REGENCY DESIGN & ENGINEERING, INC.
 9400 RIVER CROSSING BOULEVARD,
 SUITE 102
 NEW PORT RICHEY, FLORIDA 34655
 TELEPHONE: (727) 375-1155
SURVEYING
 BENCHMARK SURVEYS, INC.
 2149 SUGARBUSH DR.
 HOLIDAY, FLORIDA 34690
 TELEPHONE: (727) 847-5544

REVISION

DATE	REV. NO.	REVISION

NOTES:
 1.) 10' LANDSCAPE BUFFER IS NOT FEASIBLE ALONG THE NORTH SIDE OF EXISTING BUILDING AND ALONG SOUTH SIDE OF EXISTING PARKING LOT. BUFFERS IN THESE AREAS WILL BE INSTALLED TO THE LIMITS FEASIBLE WITHOUT IMPACTING THE EXISTING BUILDING OR ASPHALT
 2.) 25' LANDSCAPE BUFFER IS NOT FEASIBLE ALONG THE NORTH AND SOUTH SIDE OF THE EXISTING ASPHALT BUFFER IN THESE AREAS WILL BE INSTALLED TO THE LIMITS FEASIBLE WITHOUT IMPACTING EXIST ASPHALT.
 3.) WATER AND SEWER LINES SHOWN HERE WERE OBTAINED FROM PASCO COUNTY UTILITIES ATLAS MAY NO. 049.

BCC APPROVED
11/27/18
REGENCY
 Design & Engineering, Inc.

9400 RIVER CROSSING BOULEVARD, SUITE 102 NEW PORT RICHEY, FLORIDA
 34655 727-375-1155 EXT. 1 - FAX 727-375-1156
 CERTIFICATE OF AUTHORIZATION NO. 28366