



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

January 18, 2024

Nikki Alvarez-Sowles, Esq.
Pasco County Clerk and Comptroller
The East Pasco Governmental Center
14236 6th Street, Suite 201
Dade City, Florida 33523

Dear Nikki Alvarez-Sowles:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Pasco County Ordinance No. 24-04, which was filed in this office on January 12, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

BOARD OF COUNTY COMMISSIONERS

ORDINANCE NO. 24-04

AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE; CHAPTER 100 GENERAL PROVISIONS; SECTION 108.12 ENFORCEMENT; CHAPTER 300 PROCEDURES, SECTION 305 NEIGHBORHOOD MEETING; CHAPTER 400 PERMIT TYPES AND APPLICATIONS, SECTION 403.7 MASS GRADING; SECTION 403.10 LANDSCAPE PLAN; SECTION 407.2. VARIANCES; SECTION 407.5 ALTERNATIVE STANDARDS; CHAPTER 500 ZONING, SECTION 522 MPUD MASTER PLANNED UNIT DEVELOPMENT DISTRICT; CHAPTER 600 OVERLAY AND SPECIAL DISTRICTS, SECTION 604 NORTHEAST RURAL PROTECTION OVERLAY DISTRICT; CHAPTER 800 NATURAL AND CULTURAL RESOURCE PROTECTION; SECTION 805 WETLANDS; CHAPTER 900 DEVELOPMENT STANDARDS, SECTION 901.2 TRANSPORTATION CORRIDOR MANAGEMENT; SECTION 901.6 STREET DESIGN AND DEDICATION; SECTION 904 FIRE PROTECTION; SECTION 907 ON-SITE PARKING, LOADING, STACKING AND LIGHTING STANDARDS; CHAPTER 1000 MISCELLANEOUS STRUCTURE REGULATIONS; SECTION 1002 WIRELESS COMMUNICATIONS FACILITIES; SECTION 1003 GATES, FENCES AND WALLS; CHAPTER 1300 CONCURRENCY AND IMPACT FEES; SECTION 1302.2 MOBILITY FEES; SECTION 1302.3 SCHOOL IMPACT FEES; SECTION 1302.4 PARKS AND RECREATION IMPACT FEES; SECTION 1302.5 LIBRARY IMPACT FEES; SECTION 1302.6 FIRE COMBAT AND RESCUE SERVICE IMPACT FEES; AND OTHER SECTIONS, AS NECESSARY, FOR INTERNAL CONSISTENCY; PROVIDING FOR APPLICABILITY; REPEALER; PROVIDING FOR SEVERABILITY; INCLUSION INTO THE LAND DEVELOPMENT CODE, AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Pasco County, Florida, is authorized under Chapters 125, 162, 163, 177, and 380 Florida Statutes, to enact zoning and other land development regulations to protect the health, safety and welfare of the citizens of Pasco County; and

WHEREAS, Sections 163.3201, 163.3202, 163.3211 and 163.3213, Florida Statutes, empowers and requires the Board of County Commissioners of Pasco County, Florida, to implement adopted Comprehensive Plans by the adoption of appropriate land development regulations and specifies the scope, content and administrative review procedures for said regulations; and

WHEREAS, Section 163.3202, Florida Statutes, provides that certain specified and mandated regulations are to be combined and compiled into a single land development code for the jurisdiction; and

WHEREAS, the Board of Commissioners adopted the restated Pasco County Land Development Code on October 18, 2011 by Ord. No. 11-15; and

WHEREAS, at the time of the adoption of the restated Land Development Code, the Board of County Commissioners contemplated the need to make amendments addressing issues of implementation and internal consistency; and

WHEREAS, the Local Planning Agency conducted a public hearing on November 16, 2023 and found the proposed amendments consistent with the Pasco County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners conducted duly noticed public hearings on

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December 5, 2023 and January 9, 2024, where the Board of County Commissioners considered all oral and written comments received at public hearings, including staff reports and information received during said public hearings and found the proposed amendments consistent with the Pasco County Comprehensive Plan; and

WHEREAS, the citizens of Pasco County were provided with ample opportunity for comment and participation in this amendment process through Horizontal Roundtable and Interested Parties meeting, public meetings and public hearings; and

WHEREAS, in exercise of said authority the Board of County Commissioners of Pasco County, Florida, has determined that it is necessary and desirable to amend the restated Pasco County Land Development Code to implement policy direction and to correct internal inconsistencies.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pasco County, Florida, as follows:

SECTION 1. Authority.

This ordinance is enacted pursuant to Chapter 125 and 163, Florida Statutes, as amended and under the home rule powers of the County.

SECTION 2. Legislative Findings of Fact.

The foregoing Whereas clauses, incorporated herein, are true and correct.

SECTION 3. Applicability and Effect on Existing Development Approvals.

The applicability and effect of this amendment shall be as provided for in Sections 103.1 and 103.2 of the restated Land Development Code.

SECTION 4. Repealer.

Any and all ordinances in conflict herewith are hereby repealed to the extent of any conflict.

SECTION 5. Amendment.

The Pasco County Land Development Code is hereby amended as shown and described in Attachment A, Attached hereto and made part hereof.

SECTION 6. Severability.

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

SECTION 7. Effective Date.

A certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk to the Board by electronic mail within ten (10) days after adoption and shall take effect upon such filing.

ADOPTED with a quorum present and voting this 9th day of January, 2024.

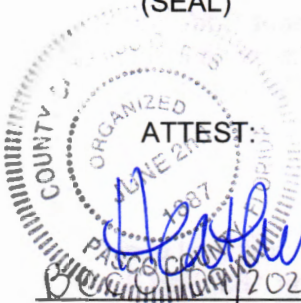
BOARD OF COUNTY
COMMISSIONERS
OF PASCO COUNTY, FLORIDA

APPROVED
IN SESSION

JAN 09 2024

PASCO COUNTY
BCC

(SEAL)



ATTEST:

Nikki Alvarez-Sowles, D.C.

NIKKI ALVAREZ-SOWLES, ESQ

PASCO COUNTY CLERK & COMPTROLLER

Ronald E. Oakley
RONALD E. OAKLEY, CHAIRMAN

Attachment A

CHAPTER 100. GENERAL PROVISIONS

SECTION 101. TITLE

This Code shall be entitled the Pasco County Land Development Code and may be referred to herein as this Code. Whenever a reference is made to this Code or any portion thereof, the reference shall apply to all amendments, corrections, and additions heretofore, now, or hereafter made.

SECTION 102. AUTHORITY AND PURPOSE

102.1. Pursuant to Article VIII, Section I(f), of the Constitution of the State of Florida; the Local Government Comprehensive Plan and Land Development Act, Chapter 163, Part II, Florida Statutes, as amended; and Chapter 125, Florida Statutes, as amended, the County is authorized and required to adopt this Code consistent with the adopted Pasco County Comprehensive Plan.

This Code consists of certain regulatory and administrative ordinances of the County, codified pursuant to the provisions of Sections 125.66, 125.67, and 125.68, Florida Statutes.

102.2. The provisions of this Code shall be construed and implemented to achieve the following intentions and purposes of the Board of County Commissioners (BCC):

- A. To establish the regulations, procedures, and standards for review and approval of all proposed development in the County.
- B. To foster and preserve public health, safety, and welfare and to aid in the harmonious, orderly, and progressive development of the County in accordance with the adopted Comprehensive Plan.
- C. To implement a development review process that is:
 - 1. Efficient, in terms of time and expense;
 - 2. Effective, in terms of addressing the natural resource and public facility implications of proposed development;
 - 3. Equitable, in terms of consistency with regulations and procedures;
 - 4. Equitable, in terms of preservation of the rights of property owners; and
 - 5. Equitable, in the consideration of the interests of the citizens of the County.
- D. To implement the Comprehensive Plan.

SECTION 103. APPLICABILITY

103.1. **Jurisdictional Applicability**

Except where otherwise provided for in this Code, the provisions of this Code apply to all land where any portion is within the jurisdiction of unincorporated Pasco County. Notwithstanding the forgoing, this Code, Section 1302.3, School Impact Fees, shall apply throughout the entire incorporated and unincorporated areas of the County and this Code, Section 1302.6, Fire Combat and Rescue Impact Fees, shall in the County Municipal Services Fire Taxing Unit (MSFTU). Other provisions of this Code may apply to incorporated areas of the County pursuant to an interlocal agreement between the County and a municipality(ies).

103.2. **Applicability**

The provisions of this Code apply to all uses, structures, and development proposed within the County. Where a development approval has been granted for a use, structure, or development, the owner/applicant may proceed with that development approval under the terms of the Code existing at the time of development approval, unless otherwise specified in the text of this Code.

SECTION 104. REQUIRED CONSISTENCY WITH THE COMPREHENSIVE PLAN

This Code is consistent with the Pasco County Comprehensive Plan. Any amendments to this Code must be consistent with the Comprehensive Plan, in effect at the time of any proposed amendment to this Code. An amendment to this Code is consistent with the Comprehensive Plan if it implements the Goals, Objectives, Policies, and strategies and any vision statement contained in the Comprehensive Plan. No development may be approved unless it is determined that the proposed development is consistent with the Comprehensive Plan.

SECTION 105. CONSTRUCTION

105.1. **Coordination with Other Regulations**

- A. The uses, structures, and land within the unincorporated area of Pasco County are subject to all other applicable regulations, whether or not such other provisions are specifically referenced in this Code. References to other regulations or provisions of this Code are for the convenience of the reader and are not exhaustive. The lack of a reference or a cross-reference does not exempt a use, structure, development, or land from those regulations or all other applicable provisions of this Code.
- B. If a provision of this Code requires a greater width or size of a yard, court, or other open space; requires a lower building height or fewer number of stories for a building; requires a greater percentage of lot to be left unoccupied; or otherwise imposes higher standards than those required under another statute or local ordinance or regulation, the regulation adopted under this Code

controls. If the other statute or local ordinance or regulation imposes higher standards, that statute, ordinance, or regulation controls.

105.2. **Rules of Construction**

- A. This Code contains numerous graphics, pictures, illustrations, and drawings in order to assist the reader in understanding and applying this Code. However, to the extent that there is any inconsistency between the text of this Code and any such graphic, picture, illustration, or drawing, the text controls unless otherwise provided in the specific section.
- B. Title and chapter headings and section catch lines in this Code shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any title, chapter, or section hereof.
- C. Words as defined herein, whether within individual sections of this Code or as put forth in Appendix A, Definitions, are specifically incorporated herein and made a part of this Code.
- D. All general provisions, terms, phrases, and expressions contained in this Code shall be liberally construed in order that the true intent and meaning of the BCC may be fully carried out. Terms used in this Code, unless otherwise specifically provided, shall have the meanings prescribed by the statutes of the State for the same terms. Where any provision of this Code imposes greater restrictions upon the use of land than the general provision imposed by this Code, the provision imposing the greater restriction or regulation shall be deemed to be controlling.
- E. Where this Code incorporates by reference a provision of another statute, regulation, guideline, or rule, it shall be deemed to be the most recent applicable version.

105.3. **Rules of Interpretation**

A. **Gender**

Words importing the masculine gender shall be construed to include the feminine and neuter. Words importing the feminine gender shall be construed to include the masculine and neuter.

B. **Number**

A word importing the singular number only may extend and be applied to several persons and things as well as to one person and thing. The use of the plural number shall be deemed to include any single person or thing.

C. **Shall, May**

The word "shall" is mandatory and not discretionary; "may" is permissive.

D. Written or in Writing

The term "written" or "in writing" shall be construed to include any representation of words, letters, or figures, whether by printing or otherwise.

E. Computation of Time

The time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday, or legal holiday, that day shall be excluded.

F. Day

The word "day" shall mean a calendar day unless a working day is indicated.

105.4. **Continuation of Existing Ordinances**

The sections of this Code, insofar as they are substantially the same as legislation previously adopted by the County relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactments.

105.5. **Effect of Repeal or Amendment**

- A. The repeal or amendment of an ordinance shall not revive any ordinance in force before or at the time the repealed or amended ordinance took effect.
- B. The repeal or amendment of any ordinance shall not affect any punishment or penalty finalized before the repeal took effect, nor any suit, prosecution, or proceeding pending at the time of the repeal for an offense committed under the repealed or amended ordinance.

SECTION 106. AMENDMENT OF THIS CODE

106.1. **Purpose**

This Code may be amended from time to time in accordance with the procedures and standards set forth in this section. The purpose of this section is not to relieve particular hardships and not to confer special privileges or rights on any person, but only to make adjustments to the text of this Code that are necessary in light of changed conditions or changes in public policy or that are necessary to implement the Comprehensive Plan or to advance the general welfare of the County.

106.2. An amendment to the text of this Code may be initiated by the BCC.

106.3. **Public Hearings**

Public hearings to consider and adopt amendments to this Code shall be duly noticed in accordance with the general procedures and requirements of Section 125.66, Florida Statutes, and other applicable law. Public hearings to enact emergency ordinances to amend the text of this Code need not comply with the notice

requirements of Section 304, hereof, so long as they comply with the requirements of Section 125.66(3), Florida Statutes. The Local Planning Agency (LPA) shall hold an advertised public hearing to consider the proposed amendment, provided additional hearings may be held at the option of the LPA. The BCC shall hold an advertised public hearing to consider the proposed amendment, provided additional hearings shall be held when required by applicable law and when at the option of the BCC.

106.4. **Recommendation of the LPA**

The LPA shall consider the proposed amendment and provide a recommendation to the BCC addressing consistency with the Comprehensive Plan. The LPA may also provide comments, including recommended changes to the proposed amendment and additional issues to be considered. The County Administrator or designee shall forward the recommendation and comments of the LPA, together with any County staff recommendations, to the BCC for consideration in the public hearing or hearings in which the proposed amendment will be considered.

106.5. **Action by the BCC**

The BCC may:

- A. Determine that the proposed amendment is consistent with the Comprehensive Plan and promotes the public health, safety and welfare and adopt the amendment as proposed, or with such modifications as are necessary ensuring consistency with the Comprehensive Plan and promoting public health, safety and welfare;
- B. Refer the matter back to the LPA for further consideration; or
- C. Determine that the proposed amendment is not consistent with the Comprehensive Plan or does not promote the public health, safety, or welfare and reject the proposed amendment.

SECTION 107. FEES

The BCC is authorized to adopt, by resolution, all necessary fees to administer, implement, and enforce this Code. The said fee resolution may include provisions for consulting assistance as required.

SECTION 108. ENFORCEMENT

- 108.1. Any person who violates any provision of this Code may be prosecuted and punished in the manner provided by law under Section 125.69, Florida Statutes; Chapter 162, Part II, Florida Statutes; Section 1 of the Pasco County Code of Ordinances; and/or as otherwise specifically provided for elsewhere in this Code. Nothing in this Code shall be construed to prohibit the County from enforcing this Code by any means including, but not limited to, issuance of a citation without warning, a summons, an arrest, an action before an enforcement board or special master, a civil action for injunctive relief, a stop work order, demolition, or by any other matter provided for in Chapter 125, Florida Statutes, or the Pasco County Code of Ordinances. Each

violation of this Code shall be a separate offense. Each day that the violation continues shall constitute a separate violation. All costs for enforcement, prosecution, and judicial review may be assessed against the violator of the provisions of this Code on finding by the court that the violations have occurred.

- 108.2. The owner, tenant, or occupant of any land or structure or part thereof, and any architect, builder, contractor, agent, or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of this Code, or any person otherwise responsible as provided elsewhere in this Code, may be held responsible for the violation and be subject to the penalties and remedies provided for in this Code.
- 108.3. The BCC or any aggrieved person may resort to such remedies in law and equity as may be necessary to ensure compliance with the provisions of this Code, including injunctive relief to enjoin and restrain any person violating the said provisions. The County may elect any or all of the available remedies concurrently and the pursuance of one shall not preclude the pursuance of another. The County Attorney is hereby authorized to take whatever legal action is necessary to prevent, abate, or correct violations of this Code.
- 108.4. Any law enforcement official, County Code Enforcement Officer, and the County Administrator or designee is hereby designated as a "Code Enforcement Officer" authorized to issue citations for the County.
- 108.5. County officials authorized to issue development approvals including, but not limited to, Building Permits and Certificates of Occupancy, may withhold such approvals from any person found to be in violation of this Code or in violation of any prior, unexpired, development approval issued in accordance with the provisions of this Code. Such pending development approvals and/or permits may be withheld until compliance with this Code or the development approval occurs. However, any person aggrieved by a decision to withhold a pending development approval and/or permit may appeal such decision to the Planning Commission, pursuant to Section 407.1.
- 108.6. It shall not be a defense to or grounds for dismissal of any action for damages and civil penalties that the County has failed to exhaust its administrative remedies, has failed to serve a notice of violation, or has failed to hold an administrative hearing prior to the institution of a civil action, or that criminal proceedings or other enforcement proceedings are pending. The failure of the County to enforce any requirements of this Code shall not constitute a waiver of the County's right to enforce this Code with respect to that violation or subsequent violations of the same type or to pursue other remedies.
- 108.7. The County's Uniform Fine Schedule, as provided for in Sections 1-11 of the Pasco County Code of Ordinances and as may be amended, is incorporated herein.

- 108.8. In the event a violation of this Code or a permit creates an immediate health hazard or threatens immediate, serious damage to the public health or threatens or causes irreparable injury or damage to aquatic life or property, the County Administrator or designee shall have the power and authority to order immediate cessation of the activities causing such conditions. Any person receiving such an order for immediate cessation of operations shall immediately comply with the requirements thereof. It shall be unlawful for any person to fail or refuse to comply with an order for immediate cessation issued and served under the provisions of this Code. The failure of a permittee or any other appropriate party to comply with an order for immediate cessation issued under this Code or with any requirements, measures, or steps imposed upon the violator through such an order shall be unlawful and shall constitute a violation of this Code.
- 108.9. Any person violating the provision of this Code and causing damage, destruction, or unsafe, dangerous, or unhealthful conditions shall be responsible for:
- A. Correcting such conditions.
 - B. Repairing damage to or replacing destroyed County, public, or County-maintained property.
 - C. Reimbursing the County for the cost of correcting such conditions, repairing, or replacing County or publicly owned or maintained property, where such correction, repair, or replacement by the County is required, provided that prior to undertaking repair or replacement, the County may first make:
 - 1. Demand upon a person responsible for such adverse conditions, damage, or destruction to make appropriate corrections, repairs, or replacement.
 - 2. If such demand is made, the responsible person shall take such action within a reasonable time as determined by the County, based upon the circumstances giving rise to the demand.
 - D. Indemnifying the County for any liability for damages caused by such violation or violations.
- 108.10. Any person failing to implement or carry out development in accordance with this Code or other applicable regulations or approved plans, development permits, applications, conditions, or standards shall be responsible for correcting, repairing, or replacing materials, property, or conditions in order to bring the development into conformity with such regulations, this Code, plans, development permits, applications, conditions, or standards. Any such person shall be deemed in violation of this Code.
- 108.11. Enforcement of any setback or height restrictions set forth in this Code, Chapter 500, Zoning and Section 1003, Gates, Fences, and Walls, shall be barred if enforcement; e.g., notice of violation, citation, complaint, lawsuit, etc., of such violation has not been initiated within one (1) year of the date the violation occurs. This exemption shall not apply to violations involving recreational vehicles, nor to buildings or structures built or placed without required building or zoning permits and/or inspections after January 1,

1995, nor to buildings or structures built or placed upon easements where structures would otherwise be prohibited.

108.12. The following acts and omissions constitute a violation of this Code:

- A. Failing to observe any requirements of this Code.
- B. Failing to perform any act required by this Code.
- C. Failing to perform any act required by this Code in the manner or within the time specified for performance.
- D. Performing an act prohibited by this Code.
- E. Failing to observe any condition of any permit or approval.
- F. Failing to pay required fees.
- G. Failing to comply with a recorded deed restriction that was utilized to secure a county development approval or county mobility fee or impact fee exemption, waiver, or reduction.

CHAPTER 300. PROCEDURES

SECTION 301. APPLICABILITY AND GENERAL PROVISIONS

301.1. Intent and Purpose

The intent and purpose of this section is to provide the procedures and general standards for review of development, development activity and other applications that are submitted to the County for review under this Code. All applications for development approval shall comply with these procedures and the applicable standards of this Code and as may be required by other Federal, State, or local regulation.

301.2. Effect of Overdue Taxes, Liens, and Fines

In addition to the development approval application information required by other parts of this Code, an applicant shall provide, with each development approval application, evidence that all property taxes and other obligations owed to the County related to the property are current. A development approval application that includes property for which there are overdue taxes or other financial obligations to the County shall not be reviewed or processed by the Development Services Branch, except in those cases where approval is a requirement to correct a violation.

301.3. Misrepresentation

If the Board of County Commissioners (BCC), Planning Commission (PC), or County Administrator or designee, makes a final determination that any existing or previously approved development, or portion thereof, was not adequately reviewed for compliance based upon lack of disclosure, or misrepresentation by the applicant, the development shall be subject to additional review for compliance with those regulations, as amended, that were avoided due to the failure to disclose or misrepresentation by the applicant. If such review causes other portions of the development to be redesigned, those areas shall also be reviewed for compliance with applicable provisions of this Code and the Comprehensive Plan in effect at the time the failure to disclose or misrepresentation was discovered.

SECTION 302. DEVELOPMENT APPROVALS REQUIRED

All development approvals required by this Code shall be obtained prior to the commencement of any development activity.

SECTION 303. COMMON PROCEDURES

303.1. **Development Manual**

A development manual for the guidance of persons preparing development approval applications shall be maintained by the Assistant County Administrator for Development Services. Unless otherwise provided in this Code, the development manual shall contain the application forms for all development approvals referenced in this Code and the detailed application procedures and content, including the following:

- A. Dates and deadlines for submitting applications.
- B. Required documents and information to accompany applications.
- C. Review time frames.
- D. Neighborhood notice.
- E. Neighborhood meetings.
- F. Public notice.
- G. Content review.
- H. Application review.
- I. Review of responses to content and compliance reviews.
- J. Such other requirements as may be needed to provide review in an objective, timely, and thorough manner.

It is intended that changes to the Development Manual be made in a collaborative manner with input from all appropriate stakeholders. However, this is not intended to limit the authority of the Assistant County Administrator for Development Services to make appropriate and necessary changes to the Development Manual so as to further the objectives of a responsive and responsible land development review program. All changes to the Development Manual will be identified in a prominent manner on the County website.

303.2. **Authority to File Development Applications**

Unless otherwise specified, an application may only be filed by the owner of the property or an agent of the owner who is specifically authorized by the owner to file such an application with the County.

303.3. **Authority to Access the Property**

The submission of a development approval application shall convey consent and authorization by the owner to County entry onto and inspection of premises, lot, or parcel for any purpose associated with the development request.

303.4. **Fees**

Fees shall be paid according to the fee schedule established by resolution(s) by the BCC.

303.5. **Preapplication Consultation**

A. The purpose of a preapplication consultation is to familiarize the applicant with the provisions of this Code applicable to the proposed development, and to inform the applicant about the development approval application, preparation, and submission. The owner/applicant shall request a preapplication consultation prior to submittal of a development approval application. The applicant shall provide the property identification number, physical address, and contact information, including name, telephone number, and e-mail address, if applicable, when requesting the preapplication consultation. The applicant should come to the consultation prepared to discuss the proposed development in enough detail so that staff can evaluate the proposal and provide helpful feedback to the applicant.

B. A preapplication consultation, with attendance by the owner/applicant, is required prior to the submission and acceptance of any development approval application for:

1. Zoning Amendment
2. Conditional Use
3. Special Exception
4. Preliminary Site Plans (PSPs)
5. Preliminary Development Plans (PDPs)
6. Minor Rural Subdivisions (MRSs)
7. Operating Permits

The requirement for a preapplication consultation may be waived by the County Administrator or designee.

C. The preapplication consultation is optional prior to submission of a development approval application that is not listed above.

303.6. **Application Submittal and Acceptance**

- A. The owner/applicant shall submit a development approval application pursuant to the applicable submittal requirements contained within the Development Manual. A content-review consultation is mandatory for all development approval applications prior to acceptance.
- B. A development approval application shall be accepted when it contains all required information and documents. Incomplete applications will not be accepted for review and shall be returned to the applicant with a list of deficiencies.
- C. Modifications to Submittal Requirements
 - 1. Modifications to application or submittal requirements may be granted in writing by the County Administrator or designee, subject to meeting one (1) or more of the following criteria:
 - a. The information or material that will be obtained from the application or submittal requirement(s) is not relevant to the specific request, or does not materially affect the ability to review compliance with substantive review standards of the this Code;
 - b. The information or material that will be obtained from the application or submittal requirement is readily available from another source in the County's possession;
 - c. The applicant has provided alternate information or material that achieves the same intent and purpose of the application or submittal requirement;
 - d. Modification from the application requirement is required by State or Federal law; or
 - e. The request for modification satisfies specific waiver or deviation criteria set forth elsewhere in this Code.
 - 2. Process
 - a. Notwithstanding the foregoing, where the final decision on a development approval application will be made by the Planning Commission (PC) or BCC, such bodies may require compliance with the application or submittal requirement if the applicable final decision maker determines that the information is required for their determination of the issue.

Final determinations shall be made in writing by the County Administrator or designee. Such determinations may be

appealed pursuant to this Code.

b. Timelines for Zoning and Site Plan Actions

Review procedures and timelines shall be in accordance with Chapter 125.022, Florida Statutes and as specified in the Development Manual.

303.7. **Application Review**

After acceptance, the application shall be routed to the appropriate review agencies. In reviewing applications, reviewing agencies shall take into consideration all the applicable factors identified in this Code when formulating a recommendation or taking action.

A. Sufficient Application

A development approval application shall be deemed sufficient if all required information and documents have been prepared in accordance with professionally accepted standards, the Comprehensive Plan, this Code, and all other applicable rules and regulations. The County Administrator or designee is authorized to take into consideration and request from an applicant any other information which is reasonable and relevant to the formulation of a recommendation or a decision on the matter being reviewed. No application for review shall be deemed sufficient until all required information is provided.

In formulating a recommendation, all of the applicable factors recited in this Code shall be taken into consideration. At any time during the course of review, the County Administrator or designee may provide an applicant with an opinion as to the likelihood of a recommendation of approval or denial by the staff with regard to an application being reviewed. However, such opinion shall be informal only and shall not be binding upon the PC or the BCC. When a development approval application has been deemed to be sufficient, staff review shall be completed, a final determination made, or where required, the development approval application shall be placed on the next available agenda of the appropriate review body. Table 303-5 outlines the development applications requiring public hearings and the bodies responsible for the conduct of those hearings.

B. Deficient Application

If a development approval application is determined to be deficient, the applicant shall be notified in writing with citations to the applicable regulation(s) and a specific request made for additional information that is required to continue or conclude review. The development approval application shall be deemed withdrawn unless the applicant responds, within the allotted timeframe, in one of the following ways:

1. The applicant provides all the information requested.
2. The applicant requests in writing that the application be processed in its present form. In this case, the applicant acknowledges that the

application has been determined to be deficient and that the final determination on the application shall be based on the information submitted, and the applicant waives the right to supplement the application with additional information. The application shall then be processed in its present form.

3. The applicant requests, in writing, an extension of time to provide all the requested information. An extension of time may be granted by the County Administrator or designee. For each application, any and all extensions of time shall not exceed 180 days.

TABLE 303-5

Required Public Hearings for Development Approval Applications

Application	PC	LPA	BCC
Development of Regional Impact (DRI)	X		X
DRI Substantial Amendment (NOPC)	X		X
DRI Non Substantial Amendment (NOPC)			X
DRI Development Order Amendment (no NOPC)			X
DRI Abandonment			X
DRI Recision			X
Zoning Amendment	X		X
MPUD Amendment	X		X
MPUD Substantial Amendment	X		X
Conditional Use	X		X
Special Exception	X		
Conditional Use and Special Exception Revocation			X
Operating Permits (Except Minor Land Excavation)	X		X
Zoning Variance	X		
Alternative Relief	X		
Alternative Standards as Specified in Section 407.5.C and D	X		
Wireless Facilities (Tier III)	X		X
Review of Staff Tier II Wireless Facility Determination			
Appeals of Administrative Determinations	X		
Appeals of Zoning Interpretations			X
Appeals of PC Decisions			X
Development Agreement		X	X

Unified Sign Plan	X		X
Waiver of Specific Distance of 1,000 Feet for On-Premises Consumption of Alcoholic Beverages	X		

303.8. **Ex-Parte Communications**

The BCC and PC, in considering appeals, rezoning, special exceptions, conditional uses, variances, and any other quasi-judicial matter under applicable law, shall act in a quasi-judicial capacity. Pursuant to Section 286.0115, Florida Statutes, a person is not precluded from communicating directly with a member of the BCC or PC (local public official) by application of ex-parte communication prohibitions. However, each decision-making body may establish rules of procedure regarding ex-parte communication. In addition, subject to the standard of review requirements of this Code, local public officials may discuss with any person, the merits of any quasi-judicial action, may read written communications relating to the quasi-judicial action, may conduct investigations and site visits, and may receive expert opinions relating to the quasi-judicial action. Furthermore, pursuant to Section 286.0115(1), Florida Statutes, adherence to the following procedures shall remove any presumption of prejudice arising from ex-parte communications with the local public officials:

- A. The subject of the ex-parte communication and the identity of the person, group, or entity with which the communication took place is disclosed by the local public official and made a part of the record before final action on the matter.
- B. Written communications with the local public official relating to the quasi-judicial action are made a part of the record before final action on the matter.
- C. The existence of investigations, site visits, and expert opinions by the local public official relating to the quasi-judicial action are made a part of the record before final action on the matter.
- D. Disclosures made pursuant to A, B, and C above must be made before or during the public hearing at which a vote is taken on the quasi-judicial matter so that persons who have opinions contrary to those expressed in the ex-parte communication are given a reasonable opportunity to refute or respond to the communication.
- E. The disclosure requirements set forth in A through D above or a local public official's failure to comply with such requirements shall not:
 - 1. Be deemed an essential requirement of the law or this Code;
 - 2. Create any presumption of prejudice or be conclusive evidence of prejudice;
 - 3. Lessen the burden of proof for a party alleging that an ex-parte communication is prejudicial; or
 - 4. Affect the validity of the public hearing or quasi-judicial action, unless the nondisclosure and ex-parte communication are found by a court or

body of competent jurisdiction to be prejudicial and a denial of due process.

SECTION 304. PUBLIC NOTICE REQUIREMENTS

The intent of public notice requirements is to increase the likelihood that citizens are well informed of development approval applications made and to advise them of the opportunity to speak at the public hearing. The applicant is responsible for complying with these public-notice requirements and the applicable statutory requirements.

304.1. **Types of Public Notice**

Forms of notice required for various public hearings may include a mailed notice, published notice provided via a newspaper of general circulation, and posted notice by signs located on the subject property. Neighborhood meetings and neighborhood notices provide additional notice to the public regarding certain types of development applications pursuant to Sections 305 and 306. The public notice requirements for development approval applications are indicated in Table 304-1.

**TABLE 304-1
Required Public Notice for Development Approval Applications**

Application	Mailed	Published	Posted
Administrative Use Permit for the Sale of Alcoholic Beverages **			X
Development of Regional Impact (DRI)	X	X	X
Development Agreement (DA)		X	
DRI Substantial Amendment (NOPC)	X	X	X
DRI Non Substantial Amendment (NOPC)		X	X
DRI Development Order Amendment (no NOPC)		X	
DRI Abandonment	X	X	X
DRI Rescission	X	X	X
Zoning Amendment*	X	X	X
MPUD Substantial Amendment*	X	X	X
MPUD Non-Substantial Amendment**			X
Conditional Use*	X	X	X
Special Exception*	X	X	X
Minor Land Excavation*			
Zoning Variance	X		X
Alternative Relief	X		X
Alternative Standards as Specified in Section 407.5.C and D	X		X
Unified Sign Plan	X	X	X
Wireless Communication Facility (Tier II)	X		
Appeals (see Section 407.1)	X	X	X
Preliminary Site Plan and Substantial Modifications to	X		
Preliminary Development Plan and Substantial Modifications to	X		
Mass Grading and Substantial Modifications to	X		
Vested Rights	X		X
Waiver of Specific Distance of 1,000 Feet for On-Premises Consumption of Alcoholic Beverages	X		X
Comprehensive Plan Map Amendments	X	X	X

*See Sections 305 and 306 for Neighborhood Meeting and Neighborhood Notice Requirements

**Posted notice to occur within two (2) business days of the final written approval

304.2. Public Notice

A. Timing

Where Public Notice is required it shall occur at least thirteen (13) days prior to the hearing.

B. Mailed

Where a mailed notice is required, notice of the date, time, place, and purpose of the public hearings shall also be mailed to those who own property, including entities such as homeowners' associations, local governments, and the District School Board of Pasco County, within 500 feet of the property lines of the land for which the final determination is sought within the RES-3 (Residential 3 du/ga) and higher Future Land Use Classification and within 1,000 feet of the property lines of the land for which the final determination is sought within the AG (Agricultural), AG/R (Agricultural/Residential) and RES-1 (Residential – 1 du/ga) Future Land Use Classifications. In addition, notice shall also be mailed to neighborhoods organizations registered with the County whose members reside within 1,000 feet of the property lines of the land for which the final determination is sought, regardless of whether such organizations own property within such distance. Names and addresses of property owners shall be deemed those appearing on the latest ad valorem tax rolls of Pasco County and the adjacent County, as applicable. For property that is a part of or adjacent to a condominium or manufactured home community, individual owners shall be noticed if located within 500 feet of the project, and for property that is a common tract, appropriate notice shall only need to be sent to the association. The County Administrator or designee may require additional notice to other property owners and neighborhood organizations based upon project design and potential impacts. Where the proposal is internal to an MPUD, the public notice shall be from the boundary line of the proposed internal change, unless the applicant owns all the property to be noticed, then the public notice shall be sent to all property owners within 500 feet which might include properties internal and external to the MPUD. The County Administrator or designee may require additional notice to other property owners and neighborhood organizations based upon project design and potential impacts.

C. Published

In the form required by Sections 125.66 and 163.3184, Florida Statutes, as applicable, notice of the date, time, place, and purpose of the public hearing shall be published in a newspaper of general circulation in the County or by other means authorized by state law.

D. Posted

Where the matter being heard involves a specific parcel of land, a sign purchased through the County shall be erected on the property, providing notice of the date, time, place, and purpose of the public hearing, in such a manner as to allow the public to view the same from one (1) or more streets. In the case of landlocked property, the sign shall be erected on the nearest street right-of-way and include notation indicating the general distance and direction to the property for which the approval is sought. In all cases, the number of signs to be used shall be left to the discretion of the County Administrator or designee provided that the numbers shall be reasonably calculated to adequately inform the public of the purpose of the public hearing. The applicant shall ensure that the signs are maintained on the land until

completion of the final action on the development approval application. The applicant shall ensure the removal of the sign within ten (10) days after final action on the development approval application.

304.3. **Affidavit of Public Notice**

It is the responsibility of the applicant to file the affidavit attesting to notification and provide the supporting documentation no less than seven (7) days prior to the public hearing in the case of development approval applications to be heard before the BCC or PC.

SECTION 305. NEIGHBORHOOD MEETING

305.1. **Intent and Purpose**

The intent and purpose of a neighborhood meeting is to provide an opportunity for early citizen participation in an informal forum in conjunction with development approval applications, and to provide an applicant the opportunity to understand any impacts the neighborhood may experience. These meetings shall provide citizens and property owners with an opportunity to learn about applications that may affect them and to communicate with the applicant to resolve concerns at an early stage of the process. A neighborhood meeting is not intended to produce a complete consensus on all development approval applications, but to encourage applicants to be good neighbors and to allow for informed decision making. The neighborhood meeting shall be conducted after the application is deemed complete for content and at least thirty (30) days prior to the first scheduled public hearing.

At least one (1) neighborhood meeting shall be held and additional neighborhood meetings may be held but are not required. If an applicant fails to hold a required neighborhood meeting, the County shall not schedule that development approval application for consideration before the PC, Local Planning Agency (LPA), or the BCC, whichever occurs first. A neighborhood meeting is mandatory for the following development approval applications:

- A. Zoning Amendments within the four rural areas as depicted on Map 2-13 of the Comprehensive Plan, except when the County Administrator or designee determines that a neighborhood meeting is not required due to the nature of the development application or a lack of existing rural neighborhoods as defined in the Comprehensive Plan.
- B. Land Excavation and Minor Land Excavation
- C. Mining
- D. Construction and Demolition Debris Disposal Facilities
- E. Yard Trash Processing Facilities
- F. Sanitary Landfills
- G. Wireless Communications Facilities (Tier 3)

H. Helipad(s) and/or Airport Landing Facilities

A neighborhood meeting is optional for any development approval application that is not listed above. However, the County Administrator or designee reserves the right to require a neighborhood meeting for any development approval application in contentious matters where opposition is expected due to the nature and or location of the request.

305.2. **Coordination and Notice**

Prior to scheduling the neighborhood meeting, the applicant shall coordinate with the County Administrator or designee.

The notice of the neighborhood meeting shall include the date, time, location, application name and number, and a description and the location of the project and be provided in the following forms:

A. **Mailing**

The applicant shall provide notification by mail according to this Code. The applicant shall mail these notices with proper postage a minimum of thirteen (13) days before the neighborhood meeting. For development applications within the AG (Agricultural), AG/R (Agricultural/Rural) and RES-1 (Residential - 1 du/ga) Future Land Use Classifications, the mailing shall be to all property owners within 1,000 feet of the project boundary. For development applications within the RES-3 (Residential - 3 du/ga) and higher Future Land Use Classifications, the mailing shall be to all property owners within 500 feet of the project boundary. In addition, notice shall also be mailed to neighborhoods organizations registered with the County whose members reside within 1,000 feet of the property lines of the land for which the final determination is sought, regardless of whether such organizations own property within such distance.

B. **Posting**

The applicant shall post a sign that is a minimum size of 24" X 36", a minimum of thirteen (13) days before the neighborhood meeting that meets the requirements of this Code, Section 304.

C. **Rescheduled Meetings**

New public notice consistent with all of the above shall be provided for any rescheduled neighborhood meeting.

305.3. **General Meeting Requirements**

A. **Meeting Time and Location**

The neighborhood meeting shall start between 6:00 p.m. and 7:00 p.m. on a weekday and between 9:00 a.m. and 5:00 p.m. on a weekend, or may be held at a time convenient for residents in the surrounding area. The meeting shall be held within the general area of the subject property.

B. **Meeting Elements**

At the neighborhood meeting, the applicant shall present the following, as applicable:

1. A general concept plan for the entire project. Such plan shall indicate the general location of residential areas, including density and unit types, open space, active or resource-based recreation areas, natural areas (including wetlands, buffers, and flood plains) nonresidential areas (including maximum square footage and maximum height), and proposed nonresidential uses.
2. A plan of vehicular, bicycle, and pedestrian circulation showing the general locations and right-of-way widths of roads, sidewalks, and access points to the external and internal thoroughfare network.
3. Drawings indicating the conceptual architectural theme or appearance and representative building types.

C. **Meeting Summary**

The applicant shall submit to the County, at least twenty-five (25) days prior to the first scheduled public hearing, a summary of the materials presented at the meeting, the issues raised by those in attendance, the suggestions and concerns of those in attendance, a copy of the sign-in sheet, a copy of the neighborhood meeting advertisement, and a copy of the mailed notices sent to property owners, along with the mailing list and proof of mailing.

SECTION 306. NEIGHBORHOOD NOTICE

306.1. **Intent and Purpose**

The intent and purpose of a neighborhood notice is to provide an opportunity for early citizen participation in conjunction with development approval applications. The neighborhood notice shall be provided at least thirty (30) days prior to the issuance of the final determination. Neighborhood notice may be provided prior to application submittal. If an applicant fails to provide the neighborhood notice, the County shall not hold the public hearing or, as applicable, not issue a final determination on the development approval application until the applicant provides the neighborhood notice

and thirty (30) days have elapsed. A neighborhood notice is mandatory for the following development applications:

- A. Zoning Amendments outside the four (4) rural areas as depicted on Map 2-13 of the Comprehensive Plan or in circumstances where the County Administrator or designee determined a neighborhood meeting is not required.
- B. Conditional Use applications that do not require a neighborhood meeting.
- C. Special Exception applications that do not require a neighborhood meeting.
- D. Mass Grading
- E. PSPs
- F. PDPs (Residential or Nonresidential)
- G. Alternative Standards (other than those in 407.5.C and 407.5.D). Notice may be provided in connection with other notice above.

306.2. **General Requirements**

- A. Unless otherwise indicated in Table 304-1, a neighborhood notice shall be provided by the applicant by mail and posting in accordance with the mailing and posting requirements of Sections 304.2.B and D.
- B. Content of the Neighborhood Notice

The neighborhood notice shall contain the following as applicable:

- 1. A general description of the project, including size and/or number of units.
- 2. Date the application was accepted for review.
- 3. Availability to view the application at the County offices where the application was filed.
- 4. Ability to provide comments directed to the County Administrator or designee.

- C. Proof of the Neighborhood Notice

The applicant shall submit a copy of the mailed neighborhood notices sent to the property owners along with the mailing list and proof of mailing to the County Administrator or designee.

SECTION 307. CONTINUANCE PROCEDURES

Continuances for the consideration of any development approval application may be granted by the PC, LPA, or BCC at their discretion. The number of times an application may be continued is at the discretion of the PC, LPA, or BCC as applicable. Applicant-requested continuances shall be in writing and must be received by the County Administrator or designee no later than five (5) days prior to the scheduled meeting. For applicant-requested continuances, the applicant shall renote pursuant to this Code, including publication, if the matter is rescheduled to be heard sixty (60) days or more from the initial meeting date.

SECTION 308. POSTDECISION PROCEDURES

Final determinations shall be in writing. Approvals shall be rendered within ten (10) business days of the final determination action.

A denial determination shall itemize the specific code, provision, or Comprehensive Plan Goal, Objective, or Policy, and/or applicable law used as the basis for denial and shall be rendered within thirty (30) days of the final determination action.

SECTION 309. CONSTRUCTION AND INSPECTION OF IMPROVEMENTS

309.1. **General**

A Florida State registered professional engineer (Engineer) shall be employed to design, inspect, certify, and complete all required improvements associated with the development project, such as clearing, grubbing, earthwork, storm drainage, water, sewer, reuse facilities, embankment, subgrade, base, curbing, asphalt pavement, sidewalks, multiuse trails, lighting, landscaping, signalization, signing, pavement marking, and all other required improvements.

309.2. **Inspection of Improvements**

Prior to the installation of required improvements, the Engineer shall prepare and/or review all necessary shop drawings, material submittals, means, and methods for the installation of the required improvements. The Engineer shall perform all necessary inspections and reviews as he deems necessary to provide certification of completeness and compliance with the approved plans and specifications. The Engineer shall verify that the required testing per the *Pasco County Engineering Services Department Testing Specifications for Construction of Roads, Storm Drainage, and Utilities* shall be provided. The selected Engineer shall certify that all required tests have been performed and that the results of those tests indicate that the tests meet or exceed minimum standards. All failed tests shall be retested with new results shown, using a numbering system which links the tests to the original test. The Engineer shall provide all signed and sealed test reports, including a location map depicting test number locations on a graphical project layout; i.e., master grading plan.

- A. The Engineer shall notify the Project Management Division of the following key activity startups a minimum of five (5) working days in advance:
1. Clearing, grubbing, and tree protection and National Pollutant Discharge Elimination System requirements.
 2. Subgrade stabilization.
 3. Base placement.
 4. Paving.
 5. Final inspection.
- B. In order for the County to participate in a final inspection, the Engineer shall provide a signed and sealed certification of completion and three (3) signed and sealed sets of record drawings along with one (1) disc containing .pdf and .dwg format files. Record drawings shall be signed and sealed by both the Engineer and surveyor on each page and shall accurately depict all conditions "as built."

The acceptable completion of the project shall be subject to the following:

1. Reinspection and completion of punch list items, if any, and payment of reinspection fee to the County.
2. All test reports, signed and sealed with certification of Engineer described above.
3. Utility acceptance.

SECTION 310. PERFORMANCE SECURITY

310.1. **Generally**

Where the BCC allows the posting of performance security to guarantee the installation of improvements, including public streets, drainage, landscaping, utilities, sidewalks and bikeways or private streets, drainage, and landscaping in lieu of actual installation prior to final plat approval, the developer shall provide with the application for final plat approval evidence of security adequate to assure the installation of all required improvements.

310.2. **Required Improvements Agreement**

In connection with the approval of any final subdivision plat where the developer intends to install the required improvements after such approval, a Required Improvements Agreement, in substantial conformance with the model agreement set forth by the County shall be executed.

All Required Improvements Agreements shall be recorded with the approved final subdivision plat.

310.3. **Type of Performance Security**

The type of Performance Security may take any of the following forms subject to the criteria set out below:

- A. Surety Bond to guarantee performance;
- B. Letter of Credit;
- C. Escrow Agreement;
- D. Cash to be held by the Clerk of the Circuit Court; or
- E. A government entity may submit an agreement for the certification, restriction, and assurance of funds for the project.

310.4. **Conformance**

The Performance Security document shall strictly conform to the corresponding exhibit in the Engineering Services Department, *A Procedural Guide for the Preparation of Assurances of Completion and Maintenance* (as may be subsequently amended). Nothing in this section shall prevent the Performance Security document from containing other terms or provisions, so long as any other terms or provisions do not contradict the terms of the exhibits or the intent of this Code.

310.5. **Letter of Credit**

In the event a Letter of Credit is furnished, the following shall apply:

- A. The institution issuing the guarantee document shall be a bank or savings association, unless otherwise approved by the County Administrator or designee and the County Attorney or designee.
- B. The institution shall be: (1) organized and existing under the laws of the State or (2) organized under the laws of the United States and have a principal place of business in the State and (3) have a branch office which is authorized under the laws of the State or of the United States to receive deposits in the State.
- C. The Letter of Credit must provide for draws to be made on it at an office within 100 miles from the County.
- D. The Letter of Credit must be signed by the President or Vice President of the institution, authorized to execute said instruments.
- E. The institution of the Letter of Credit must have and maintain an average financial condition ranking of thirty-five (35) or more from two (2) nationally

recognized financial rating services, compiled quarterly by the Florida Department of Financial Services, unless otherwise approved by the County Administrator or designee and the County Attorney or designee.

- F. The expiration date of the Letter of Credit shall be automatically extended without amendment for one (1) year from the expiration date, unless otherwise authorized in writing by the County Administrator or designee. If the Letter of Credit is not automatically extended for such additional one (1) year period, at least sixty (60) days prior to the expiration date then in effect, the bank or savings association shall notify the County Administrator or designee by registered or certified U.S. Mail, postage prepaid, return receipt requested. This notification shall be sent to The County Engineer, 8731 Citizens Drive, Suite 320, New Port Richey, Florida 34654, or any other address specified in writing by the County Administrator or designee.
- G. The Letter of Credit shall have a provision which allows the County Administrator or designee to collect the funds upon notice that the Letter of Credit will not be automatically extended if the purpose for which the Letter of Credit was issued still exists, unless a substitute Letter of Credit meeting the requirements of this section is provided.

310.6. **Surety Bond**

In the event a Surety Bond is furnished, the following shall apply:

- A. The surety company shall have a currently valid Certificate of Authority issued by the Florida Department of Financial Services, Division of Insurance Agents, and Agency Services, authorizing it to write Surety Bonds in the State.
- B. The surety company shall have a currently valid Certificate of Authority issued by the United States Department of Treasury under the U.S.C. § 9304-9308 of Title 31.
- C. The surety company shall be in full compliance with the provisions of the Florida Insurance Code.
- D. The surety company shall have at least twice the minimum surplus and capital required by the Florida Insurance Code at the time the Surety Bond is issued.
- E. If the bond amount exceeds \$5,000.00, the surety company shall also comply with the following provisions:

The surety company shall have at least the following rating in the latest issue of Best's Key Rating Guide:

Bond Amount	Policy Holder's Rating	Required Financial Rating
\$5,000 to \$1,000,000	A	Class IV
\$1,000,000 to \$2,500,000	A	Class V
\$2,500,000 to \$5,000,000	A	Class VI
\$5,000,000 to \$10,000,000	A	Class VII
\$10,000,000 to \$25,000,000	A	Class VIII
\$25,000,000 to \$50,000,000	A	Class IX
\$50,000,000 to \$75,000,000	A	Class X

310.7. **Effective Period**

The Performance Security shall remain in effect until required improvements are accepted or in the case of private improvements, approved by Pasco County. Required improvements secured by a Performance Security shall be completed within one (1) year of the date of recording of the final plat, unless extended by the BCC.

310.8. **Approval**

A Performance Security provided under this section shall be subject to approval by the BCC.

310.9. **Default**

Where an approved Performance Security has been provided and the required improvements have not been installed according to the terms of the Performance Security instrument or the Required Improvements Agreement the County may, upon ten (10) days written notice to the parties to the instrument, declare the Performance Security to be in default and exercise the County's rights thereunder. Upon default, no further County permits or approval shall be granted for the project until adequate progress toward completion of the remaining, required improvements is shown as determined by the BCC. The BCC shall receive payment in full if the improvements are not completed or an extension has not been granted prior to the expiration of the Performance Security.

310.10. **Default in Subdivisions with Private Improvements**

Where an approved Performance Security has been provided and the required improvements have not been installed according to the terms of the Performance Security instrument, the County may, upon ten (10) days written notice to the parties of the instrument, declare the Performance Security to be in default and exercise the County's rights thereunder. Upon default, no further County permits or approval shall be granted for the project until adequate progress toward completion of the remaining required improvements is shown as determined by the BCC. The County shall have the right, based upon easements granted with the approval, to enter private property to complete the work to the standards approved on the construction drawings and

receive payment in full for the work completed. The County may establish a municipal service benefit unit or special assessment program to complete the required improvements should any short fall be projected to occur.

310.11. **Form, Amount**

Such Performance Security shall comply with all statutory requirements and shall be satisfactory to the County as to form and manner of execution. The amount of such security shall be based upon an estimate by the engineer and surveyor of record, and be subject to the approval of the County Administrator or designee.

The Performance Security shall be equal to the maximum cost, adjusted for inflation during the maximum effective period of the security for the uncompleted portion of the required improvements; provided, however, such amount shall be 125 percent of the current construction costs of such improvements for subdivisions with public improvements and/or 3 private improvements.

310.12. **Partial Release of Security**

A developer, at his option, may apply for a partial release of a portion of the monetary amount provided for in such a document upon a demonstration that a corresponding, specifically-described portion, or phase of approved improvements has been totally completed in the manner specified in this Code. The BCC, at its discretion, may elect to release the portion requested upon the issuance of a Certificate of Completion as to the completed portion or phase provided; however, that it shall be the policy of the BCC not to accept a request for release of a Performance Security for a unit or phase which is not complete, including drainage facilities.

310.13. **Time Limit on the Document**

- A. Unless otherwise approved by the PC or BCC, the applicant agrees to complete construction of all improvements required as a condition of platting within one (1) year from the date that the plat is approved by the BCC. If the applicant fails to complete construction of the improvements within such time period, the County may exercise any of the following nonexclusive remedies:
1. Call the Performance Security;
 2. Revoke the final Certificate of Capacity or concurrency exemption issued for the platted entitlements;
 3. Vacate the plat if no lots have been transferred to Bona Fide Purchasers; or
 4. Immediately cease the issuance of Building Permits and/or Certificates of Occupancy within the plat.

The applicant's signature of the acknowledgement form shall be considered an application for, and consent to, County vacation of the plat pursuant to Section 177.101, Florida Statutes, in the event of a default pursuant to this section. Until such time that construction of such improvements is complete, the applicant agrees to include the following disclosure in all sales literature and sales documents for lots within the plat.

- B. For the purposes of this condition, the term "complete" shall mean that:
1. The improvements have been completed in accordance with the standards set forth in this Code and in accordance with approved plans and specifications;
 2. A Certificate of Completion has been issued by the County Administrator or designee and other appropriate departments of the County; and
 3. The Performance Guarantee has been released by the BCC.
- C. The developer shall provide a Performance Security in accordance with this Code, which shall be valid and in effect until:
1. The improvements have been completed in accordance with standards set forth in this Code and with approved plans and specifications;
 2. A Certificate of Completion has been issued by the County Administrator or designee and other appropriate departments of the County; and
 3. The guarantee has been released by the BCC.
 4. The Performance Security tendered to the BCC shall be valid for a minimum of eighteen (18) months, but may be longer. In the event the improvements are not completed within one (1) year of the effective date of the Performance Security, the developer shall be in default.

The BCC may extend the period for installation at their discretion for good cause.

310.14. **Completion of Improvements**

Upon completion of the approved improvements, the developer shall:

- A. Provide to the County Administrator or designee a certification from an engineer duly registered in the State, that the improvements have been constructed and completed in conformity to the approved plans and specifications;

- B. Provide to the County Administrator or his designee all certified signed and sealed test reports per the most current *"Pasco County Engineering Services Department Testing Specifications for Construction of Roads, Storm Drainage and Utilities"*;
- C. Provide to the County Administrator or designee County-acceptable record drawings; and
- D. Apply for, in writing, along with the certification, the release of the Performance Security to the County Administrator or designee.

310.15. **Release of the Performance Security**

Upon receipt of a Certification of Completion and Application for Release, the County Administrator or designee shall provide a recommendation to the BCC within sixty (60) days as to whether a release should be given, and if the County Administrator or designee is satisfied that everything has been completed in conformance with this Code. The BCC may then release the Performance Security, with or without conditions based upon the circumstances.

310.16. **Tests Required**

In all cases involving Performance Security governed by this section, laboratory test reports shall be submitted to the County Administrator or designee as he deems necessary, to verify completion or construction of improvements in accordance with the requirements or standards. Such tests shall be made by an approved testing laboratory and certified by a Florida registered engineer at the expense of the developer verifying testing completion and that testing of the construction of improvements are in accordance with the requirements and standards of Pasco County.

SECTION 311. DEFECT SECURITY

- 311.1. Prior to the issuance of a Certificate of Completion, the developer shall post security, in an amount equal to fifteen (15) percent of the actual costs of all required improvements, for the purpose of correcting any construction, design or material defects, or failures within public rights-of-way or easements in the development or required off-site improvements. The form and manner of execution of such security shall be subject to the approval of the County Attorney. The effective period for such security shall be thirty-six (36) months following the issuance of a Certificate of Completion. Substitution of principal, sureties, or other parties shall be subject to the approval of the BCC upon recommendation of the County Attorney. Upon default, the BCC may exercise its rights under the Defect Security Instrument and Defect Security Agreement upon ten (10) days written notice to the parties of the instrument.

311.2. Streets; roads; or any other improvements dedicated to the public, as indicated on a plat approved by the County as appropriate under this Code; and intended for County maintenance, shall require completion of a defect security period warranting the improvements to be free from defects and an initial defect security document valid for the entire initial warranty period plus six (6) months; streets, roads, or any other improvements shall not be accepted by the BCC for County maintenance until completion of the warranty period and all other requirements of this section.

311.3. **Defect Security Agreement**

In connection with the approval of any final subdivision plat where the developer intends that the required improvements are to be accepted by the County, a Defect Security Agreement, covering the warranty period of the improvements, in substantial conformance with the model agreement set forth by the County shall be executed.

All Defect Security Agreements shall be recorded with the approved final subdivision plat.

311.4. For streets, roads, and any other improvements dedicated to or approved by the County as appropriate under this Code and intended for County maintenance, the developer shall, upon application for release of the required Performance Security Guaranteeing of a Completion of Improvements document as required in this Code, Section 310, if applicable, provide one (1) of the following documents for the purpose of guaranteeing the workmanship, materials, and maintenance of improvements during any warranty period (defect security document):

- A. A Surety Bond guaranteeing freedom for defects;
- B. Letter of Credit;
- C. Escrow Agreement;
- D. Cash to be held by the Clerk of the Circuit Court; or
- E. A government entity may submit an agreement for the certification, restriction, and assurance of funds for the project.

Any Defect Security document shall be subject to the fee schedule in the Engineering Services Department, *A Procedural Guide for the Preparation of Assurances of Completion and Maintenance* (as may be subsequently amended).

The scope of the area contemplated in the Defect Security document, and subsequently accepted and maintained by the County, shall be indicated as dedicated areas on a County approved plat, or if a plat is not applicable, some other document acceptable to the County Attorney.

In no case shall a Defect Security document be accepted before the commencement of the maintenance period as provided in this section.

311.5. **Defect Security**

The Defect Security document shall strictly conform to the corresponding exhibit in the Engineering Services Department, *A Procedural Guide for the Preparation of Assurances of Completion and Maintenance* (as may be subsequently amended).

In the event of a Letter of Credit is furnished, the following shall apply:

- A. The institution issuing the guarantee document shall be a bank or savings association, unless otherwise approved by the County Administrator or designee and the County Attorney or designee.
- B. The institution shall be:
 - 1. Organized and existing under the Laws of the State; or
 - 2. Organized under the Laws of the United States and have its principal place of business in the State, and
 - 3. Have a branch office which is authorized under the Laws of the State or of the United States to receive deposits in the State.
- C. The Letter of Credit must provide for draws to be made on it at an office within 100 miles from the County.
- D. The Letter of Credit must be signed by the President or Vice President of the institution authorized to execute said instruments.
- E. The institution of the Letter of Credit must have and maintain an average financial condition ranking of thirty-five (35) or more from two (2) nationally recognized financial rating services, compiled quarterly by the Florida Department of Financial Services, unless otherwise approved by the County Administrator or designee and the County Attorney's Office.

311.6. In the event a Surety Bond is furnished, the following shall apply:

- A. The surety company shall have a currently valid Certificate of Authority issued by the Florida Department of Financial Services, Division of Insurance Agents, and Agency Services, authorizing it to write Surety Bonds in the State.
- B. The surety company shall have a currently valid Certificate of Authority issued by the United States Department of Treasury under 31 U.S.C. § 9304-9308.
- C. The surety company shall be in full compliance with the provisions of the Florida Insurance Code.
- D. The surety company shall have at least twice the minimum surplus and capital required by the Florida Insurance Code at the time the Surety Bond is issued.

- E. If the bond amount exceeds \$5,000.00, the surety company shall also comply with the following provisions:

The surety company shall have at least the following rating in the latest issue of Best's Key Rating Guide:

Bond Amount	Policy Holder's Rating	Required Financial Rating
\$5,000 to \$1,000,000	A	Class IV
\$1,000,000 to \$2,500,000	A	Class V
\$2,500,000 to \$5,000,000	A	Class VI
\$5,000,000 to \$10,000,000	A	Class VII
\$10,000,000 to \$25,000,000	A	Class VIII
\$25,000,000 to \$50,000,000	A	Class IX
\$50,000,000 to \$75,000,000	A	Class X

- 311.7. The monetary amount of the Defect Security shall be based on the cost estimate of an engineer duly registered in the State, which has been submitted to and accepted by the County Engineering Services Department using the engineer's own estimate amounts or an estimate established by multiplying the actual unit quantity by the unit costs contained in the Engineering Services Department, *A Procedural Guide for the Preparation of Assurances of Completion and Maintenance* (as subsequently amended), whichever is greater. However, if a developer has a history of having had claims made against posted Performance or Defect guarantees, or a history of noncompliance with the design standards set forth in this Code, the BCC may require an additional ten (10) percent to the amount required in this section.
- 311.8. The developer shall be responsible for maintaining the dedicated improvements during the warranty period. In the event the developer does not maintain the dedicated improvements during the warranty period, the County Administrator or designee shall notify the developer in writing of the areas that require maintenance. The developer shall have sixty (60) days from receipt of the notice to perform the required repairs to the satisfaction of the County Administrator or designee, or be in default of the Defect Security document, unless a longer time is agreed upon between the developer and the County Administrator or designee. The developer shall also be responsible for requesting, in writing, a final inspection from the Project Management Division not before ninety (90) days prior to the termination of the initial Defect Security period. Upon receipt of the request for final inspection, the Project Management Division shall notify the developer in writing providing a list of deficiencies of items to be remedied by the developer before the expiration of the Defect Security period. In the event the developer does not remedy the deficiencies before the expiration of the maintenance period, the developer shall be in default of the Defect Security document.

- 311.9. The BCC may grant an extension of the initial Defect Security period, for a one (1) year term per each extension, provided a Defect Security document is provided by the developer and valid for the entirety plus six (6) months of that extension period. Any extension period Defect Security document shall be subject to the fee schedule in the Engineering Services Department, *A Procedural Guide for the Preparation of Assurances of Completion and Maintenance* (as subsequently amended). In granting an extension, the BCC may consider, but is not limited to, a lesser term, availability of materials, labor, and timeliness of compliance by the County with this section.
- 311.10. Upon remedy to the satisfaction of the County Administrator or designee of all deficiencies listed pursuant to this section, or if no items, but in any case no sooner than the completion of the initial Defect Security period, the County Administrator or designee shall, within sixty (60) days, recommend to the BCC the release of the Defect Security document and acceptance of the indicated streets, roads, and other improvements, if any, by the BCC for County maintenance.
- 311.11. Nothing in this Code shall prevent the BCC from being able to, on its own initiative, release the Defect Security document and accept the streets, roads, or any other improvements for maintenance at any time.

SECTION 312. ACCEPTANCE OF IMPROVEMENTS

- 312.1. Any street, road, or other improvement intended for dedication to the public must be indicated with specificity acceptable to the BCC and formally accepted by the BCC through a plat or other acceptable means. Streets, roads, or other improvements, which are not built to County specifications, private roads; streets; or other improvements; and roads, streets, or other improvements for which an offer of dedication has been made, but where the offer has not been officially accepted by the BCC; shall not be deemed part of the County road system; shall not be the responsibility of the BCC; and shall not be maintained by the County, unless such maintenance is voluntarily assumed by the County pursuant to this Code. The duty and responsibility to maintain such streets and roads or any other improvements shall be that of the developer, his successors in interest, or any entity established to ensure maintenance and the said entity must be acceptable to the County. This section shall not conflict or prevent any road from becoming a County right-of-way pursuant to Section 95.361, Florida Statutes. Emergency repairs by the County on any street, road, or other improvements shall not be deemed a voluntary assumption by the County pursuant to Section 177.081, Florida Statutes, or be deemed to create an obligation upon the County to perform any act of construction or maintenance within such dedicated areas.
- 312.2. Approval of a plat or construction plan by the County as appropriate under this Code shall not be deemed to constitute acceptance for maintenance of streets, roads, and any other areas or improvements shown on the plat, unless such maintenance is voluntarily, specifically, and officially assumed by the BCC. Streets, roads, and any other areas or improvements shall become County maintained only upon an official, voluntary, affirmative act by the BCC specifically assuming maintenance of such improvements pursuant to this Code.

- 312.3. Streets, roads, and any other areas or improvements shall become County maintained only upon an official, voluntary, affirmative act by the BCC specifically assuming maintenance of such improvements. This section shall not conflict or prevent any road from becoming a County right-of-way pursuant to Section 95.361, Florida Statutes. Nothing in this Code shall be construed as creating an obligation of the County for maintenance of any sidewalks, regardless of dedication to the public or voluntary acceptance of maintenance of the rights-of-way that any sidewalk may be within.
- 312.4. Approval of any plat, as appropriate under this Code, shall not be deemed to constitute acceptance of streets, roads, or any other improvements or areas indicated in such plat for County maintenance. Streets, roads, or any other improvements or areas dedicated to the County through a plat or any other means shall not be County maintained, unless accepted in accordance with this section.
- 312.5. Until the acceptance of improvements for County maintenance in accordance with this section, the developer, or his successors in interest, shall have the duty and responsibility for any and all routine and periodic maintenance of any and all streets, roads, or any other improvements made by the developer, dedicated and/or approved or otherwise, including permanent-reference monuments and permanent-control points as required by Chapter 177, Florida Statutes.
- 312.6. Streets, roads, or any other improvements shall be eligible for acceptance by the BCC for County maintenance only if such improvements are built to County specifications. Improvements which are not constructed to County specifications must be built to County specifications prior to becoming eligible for acceptance by the County for County maintenance.

CHAPTER 400. PERMIT TYPES AND APPLICATIONS

SECTION 403. SITE DEVELOPMENT

403.7. Mass Grading

A. Intent and Purpose

The mass grading plan is used when an applicant wishes to clear land and perform grading activities on a site and when only stormwater pipes or retention/detention devices are proposed. The mass grading plan will be reviewed to ensure that the work will be constructed in accordance with the standards of this Code, Section 902.

B. Submittal Requirements

An applicant shall submit required information in the form as specified by the County Administrator or designee.

Plans shall be drawn at a readable scale, signed, and sealed by a Florida Registered Engineer. The application package shall include:

1. Applicant Information
 - a. Proof of Ownership; i.e., copy of deed.
 - b. Agent of Record Letter, if applicable.
 - c. Application fee.
2. General Information to be Shown on Plan
 - a. Pictorially show parcel.
 - b. A legend, title, and number of revision(s); date of preliminary site plan and revision(s); scale of plan; north arrow; acreage in the parcel; and names, mailing addresses, e-mail addresses, and telephone numbers of the developer, owner, surveyor, and engineer.
 - c. Phasing plan, if applicable, designating each phase by number or letter and heavy line border at an appropriate scale. The phasing plan shall be accompanied by a narrative addressing at a minimum:
 - (1) Maximum area of the site to be exposed at any one time;
 - (2) Provisions for the preservation of natural land and water features, vegetation, drainage, and other natural features of the site;

- (3) Provisions for actions to be taken to create or contribute to flooding, erosion, increased turbidity, siltation, or other forms of pollution in a watercourse; and
- (4) Provisions for installation of stabilization/vegetation of the site.

3. Map Information

- a. A location map showing the relationship between the site proposed for development and surrounding developments or lots, including a current aerial photograph, which in no case shall be older than that available from the Property Appraiser's Office, with boundaries of development and roadway layout delineated. The location map shall show all Major County Roads within one (1) mile of the development project.
- b. All existing and planned arterials and collectors (transportation corridors) within the proposed development and within one (1) mile of the proposed development.
- c. Wellhead Protection Areas and Special Protection Areas for all Community Water System supply wells within the proposed development and within 1,000 feet of the proposed development.

4. Existing Site Information to be Shown on Plan

- a. A legal description sufficient to describe the size and location of the parcel.
- b. Existing Streets: The name, location, right-of-way width, and pavement status; i.e., dirt, limerock, concrete, asphalt, etc., of all existing streets, platted or recorded easements, other rights-of-way, and platted streets within 200 feet of the proposed development.
- c. Existing platted or recorded easements or rights-of-way for drainage, pedestrian ways, bridle paths, or bicycle paths, etc., including location, width, design criteria, and purpose within 200 feet of the proposed development.
- d. Configuration of that portion of abutting developments within 200 feet with preliminary site plan approval, preliminary plan, or if platted, with Plat Book and page number shown.
- e. Existing storm sewers, potable water facilities, and sewerage facilities on or abutting the tract within 200 feet.

- f. Other existing structures or uses on site and a statement as to the intended future use.
- g. Existing contours at a maximum of two (2) foot intervals, based on the National Geodetic Vertical Datum of 1929, identifying the tract to be developed and, where practicable, extending a minimum of 100 feet beyond the tract boundary. A note stating the basis of the vertical datum shall be shown on the drawing. After October 1, 2011, the submittal shall be based on the North American Vertical Datum of 1988.
- h. Present use of the property proposed for development.
- i. Future Land Use Classification and zoning district of the parcel proposed for development and that of abutting land.
- j. Dates and reference numbers of rezonings, special exceptions, variances, conditional uses, vested rights, or preliminary plans that have been granted, if applicable.
- k. Approximate location and acreage of natural features, including lakes, marshes or swamps, watercourses, and other jurisdictional areas.
- l. Identify any historic resources on site.
- m. Wetland Delineation/Identification

Provide documentation in the form of a survey, sketch, or aerial that delineates the location of the Categories I, II, or III wetland areas, as defined in the Comprehensive Plan, Chapter 3, Conservation Element, Wetlands, Policy Nos. 1.3.1, 1.3.2, 1.3.3, 1.3.4, and 1.3.5, and provide the acreage for each wetland classification type.
- n. All land within the proposed development which is located in a transportation corridor.
- o. The Base Flood Elevation, where available, and delineation of flood zone(s) shall be superimposed on the preliminary plan in accordance with the latest Flood Insurance Rate Map published by the Federal Emergency Management Agency (FEMA) or latest study as accepted by the FEMA. All development proposals greater than five (5) acres shall include within such proposals Base Flood Elevation data.
- p. Tree data sufficient to enable evaluation in accordance with this Code, Section 802.

- q. The predevelopment, environmental, and hydrological conditions of the site and/or receiving waters and wetlands shall be described in detail, including the following:
- (1) The direction; peak-flow rate; and for closed basins, the volume of predevelopment stormwater runoff.
 - (2) The location of areas on the site where predevelopment stormwater collects or percolates into the ground.
 - (3) A description of all water courses, water bodies, and wetlands on or adjacent to the site or into which stormwater flows.
 - (4) Seasonal high water table elevations.
 - (5) Location of 100-year flood plain or best available information.
 - (6) Description of vegetation.
 - (7) Topography.
 - (8) Soils.
 - (9) Location of drainage basins and subbasins.
 - (10) Rainfall data for the appropriate design storm.
 - (11) Natural Resources Conservation Service (NRCS) curve numbers.

5. Proposed Development

- a. Proposed post-development conditions of the site shall be described in detail, including:
- (1) Areas to be filled, graded, and/or excavated.
 - (2) Areas where vegetation will be cleared or otherwise removed.

- (3) The size and location of nonresidential buildings or other structures. The typical lot layout shall be used to compute the coefficient of runoff.
 - (4) Location of drainage basis and subbasins.
 - (5) NRCS curve numbers.
 - (6) Effect of any proposed open space irrigation systems.
- b. All components of the drainage system and any measures for the detention, retention, or infiltration of water or for the protection of water quality shall be described in detail, including:
- (1) The direction; flow rate; and for closed basins and drainage basins of special concern, the volume of stormwater that will be conveyed from the site, if any, with a comparison to the predevelopment conditions.
 - (2) Detention and retention areas, including plans for the discharge of waters.
 - (3) Areas of the site, if any, to be used or reserved for percolation.
 - (4) A plan for the control of erosion, which describes in detail the type and location of control measures.
 - (5) Any other information which the developer or the County Administrator or designee believes is reasonably necessary for an evaluation of the stormwater management plan.
- c. Tree plan prepared or approved by a Registered Landscape Architect as authorized by Chapter 481, Florida Statutes, as amended, or other type of professional as approved by the County Administrator or designee, demonstrating compliance with this Code, Sections 802 and 905.
- d. Easements (show all proposed; note if none).
- e. Requests for alternative standards or variances shall be filed with the application.
6. Studies and Other Required Submittals

The following submittals may be required based on location within the County and/or development type proposed:

- a. Listed Species Site Survey. If the site is shown on Maps 3-1 in the Comprehensive Plan, as a location for known listed species habitat.
- b. A narrative meeting the requirements of Section 809, Cultural Resources.
- c. Substandard Roadway Analysis pursuant to Section 901.2.
- d. Access Management Application pursuant to Section 901.3.

7. Re-submittal Requirements

Upon the re-submittal of response to comments, the following shall be provided:

- a. Cover-letter addressing each comment
- b. Re-submittal application
- c. Plan(s) revised in accordance with review comments to the extent practicable or provide explanation as to why compliance with review comments is not appropriate.
 - (1) Plans shall be bubbled or clouded showing any revisions, or a detailed description as to the location of the change, or a combination thereof.

C. Standards for Approval

The County Administrator or designee shall not approve any mass grading plans unless the said plans and reports meet the technical requirements of this Code and are consistent with the Comprehensive Plan.

D. Form of Decision

The approval or denial shall be made in writing. The approval shall specify provisions, standards, conditions, or design specifications, which must be met in order to ensure compliance with the standards for approval.

In disapproving a mass grading plan, the County Administrator or designee shall provide reasons for such action, making reference to specific sections of this Code.

E. Effect of Approval

Approval of a mass grading plan shall constitute authority solely for clearing, grading, cut and fill, and the installation of stormwater pipes and retention/detention devices in accordance with the approved plans upon the posting of the hard copy Site Development Placard on the construction site. The hard copy Site Development Placard will be issued upon satisfactorily resolving any conditions of approval. The hard copy Site Development Placard must be posted on site during construction in a location easily visible from the street. In no case may construction requiring other governmental approvals or permits commence until such approvals or permits have been obtained.

F. Time Limit on Approval

Except where project development schedules are established for Developments of Regional Impact and Florida Quality Developments, the following time limits on approvals shall apply:

1. The improvements must commence within two (2) years of the issuance of the approval, and activity shall not lapse for a period exceeding thirty (30) days. The improvements shall be completely installed within one (1) year.
2. An applicant may request a six (6) month extension. Such extension shall be for good cause and must be submitted to the County Administrator or designee at least sixty (60) days prior to expiration of the above time limit.
3. In the event that the developer does not comply with these provisions, all plans for the project shall be deemed void.

CHAPTER 400. PERMIT TYPES AND APPLICATIONS

SECTION 403. SITE DEVELOPMENT

403.10. Landscape Plan

A. Intent and Purpose

Landscape Plans are used to improve the aesthetic appearance of public, commercial, industrial, and residential areas by reducing the visual impact of large building masses; by softening the visual impact of paved surfaces and vehicular-use areas; by screening conflicting uses from one another; and otherwise helping establish a harmonious relationship between the natural and built environment.

B. Applicability

This section shall be applicable to all project sites where only landscape improvements are required.

C. Submittal Requirements

An applicant shall submit required information in the form as specified by the County Administrator or designee. A Landscaping Plan shall be prepared by a Certified Landscape Designer, Landscape Architect registered to practice in the State of Florida, or other authorized individuals as set forth in Chapter 481, Part II, Florida Statutes, as may be amended from time to time. Where landscaping improvements are proposed that may cause incidental engineering improvements requiring engineering solutions, a Florida registered engineer (P.E.) shall sign and seal all applicable sheets.

The application package shall include;

1. Application Information

- a. Proof of Ownership; i.e., copy of the deed.
- b. Agent of Record Letter, if applicable.
- c. Application fee.
- d. Signed and sealed plans drawn at readable scale.

2. General information to be shown on the plans

- a. Pictorially show parcel.
- b. A legend, title, and number of revisions; date of landscape plan and revisions; scale of plan; north arrow; acreage of the parcel; and names, mailing addresses, e-mail addresses, and

telephone numbers of the developer/owner and the licensed individual drawing the plans.

- c. Phasing plan, if applicable, designating each phase by number or letter and a heavy line border at an appropriate scale.

3. Map Information

- a. Location map.

4. Existing information to be shown on plans

- a. Zoning district and use of the subject property and that of adjacent land.
- b. Tree data sufficient to enable evaluation in accordance with the Code, Section 802.
- c. Existing structures or uses on the site and a statement as to their intended future use.

5. Proposed Landscaping and Irrigation

- a. As required per 905.2, and 905.4 of this Code.

6. Studies and Other Required Submittals

- a. To be determined by the County Administrator or designee at the time of review.

D. Standards of Review

The County Administrator or designee shall not approve any landscape plans unless the said plans, specifications, or proposed alternative standard meet the technical requirements of this Code, Section 905.2.

E. Form of Decision

Approval or denial of a landscape plan shall be in writing. The written approval may include conditions as necessary to ensure compliance with this Code.

In disapproving any landscape plans, the County Administrator or designee shall provide reasons for such action, making reference to specific sections of this Code.

F. Effect of Approval

The written approval authorizes the installation of improvements in accordance with the approved landscape plans upon the posting of the hard copy Site Development Placard on the site. The hard copy Site Development Placard will

be issued upon satisfactorily resolving any conditions of approval. In no case may improvements requiring other governmental approvals or permits commence until such approvals or permit have been obtained.

G. Time Limit on Approval

Except where project development schedules are established for Developments of Regional Impact and Florida Quality Developments, the following time limits on approvals shall apply:

1. The improvements must commence within two (2) years of the issuance of the approval, and activity shall not lapse for a period exceeding thirty (30) days. The improvements shall be completely installed within one (1) year.
2. An applicant may request a six (6) month extension. Such extension shall be for good cause and must be submitted to the County Administrator or designee at least sixty (60) days prior to expiration of the above time limit.
3. In the event that the developer does not comply with these provisions, all plans for the project shall be deemed void.

H. Prohibitions

1. Landscape installation shall not commence unless a Site Development Permit authorizing such installation has been obtained from the County, and the procedures established by this Code have been followed by the person requesting approval.
2. No person shall commence, authorize, allow, or complete any installation which does not conform to or abide by the terms and conditions of an approval and to the requirements of this Code.

CHAPTER 400. PERMIT TYPES AND APPLICATIONS

SECTION 407. RELIEF APPLICATIONS

407.2. Zoning Variances

A. General

1. The intent and purpose of this section is to provide limited relief from the requirements of this Code in those cases where strict application of those requirements will create an unnecessary hardship, as distinguished from a mere inconvenience, where the requirements of this Code render the land difficult to use because of some rare and unique physical attribute of the property itself or some other factor unique to the property for which the variance is requested. Except where the Board of County Commissioners (BCC) has specifically delegated variance authority to some other person, body, or entity, or specifically reserved authority to it, the Planning Commission (PC) shall have the authority to hear and issue final determinations on requested variances.
2. Variances may be granted to allow no more than a single lot, parcel, or group of adjoining lots or parcels or signs to depart from the dimensional regulations of this Code regarding the following:
 - a. Required yards, buffers, or setbacks;
 - b. Maximum lot coverage;
 - c. Maximum heights;
 - d. Errors of encroachments; and
 - e. Lot size.
3. Variances may not be granted for any other purposes. Further, variance requests shall not be granted if such variance:
 - a. Allows the expansion or establishment of a use in a zone or district where such use is not permitted by this Code.
 - b. Permits the establishment or expansion of an Administrative Permit without the required approval.
 - c. Establishes a new nonconforming use or expands an existing nonconforming use, except pursuant to Chapter 1200.
 - d. Purports to modify any definition set forth in this Code.

- e. Results in an increase in density above that permitted in the applicable zoning districts.
- f. Will be inconsistent with the Pasco County Comprehensive Plan.
- g. Results in approval of any action which would violate any floodplain management provision of this Code, the National Florida Insurance Program, and/or of the Community Rating System Program.
- h. Purports to allow action or use prohibited by this Code or the Pasco County Code of Ordinances.

B. Application

The variance application shall include all written justification, conceptual plans, site plans, and citations to the applicable authority, and other evidence that is necessary for the PC to determine whether the variance should be granted. References to the Comprehensive Plan, this Code, or other legal authority shall include citations to the specific provision(s) or authority supporting the conclusion. Applications for a variance that affect development site conditions shall be accompanied by conceptual or site plans depicting the proposed development site with the requested variance granted and without the requested variance.

Where a variance is necessary to proceed toward preliminary site plan, preliminary development plan- residential, preliminary development plan - nonresidential, or amendment approval, the variance request must be processed prior to the preliminary site plan, preliminary development plan - residential, preliminary development plan - nonresidential, or amendment.

C. Notice

Notice of the public hearing shall be provided in accordance with this Code, Section 306; however, a mailed notice is only required to be given to the abutting property owners.

D. Criteria for Approval

- 1. The PC shall grant a zoning variance request when it finds, based on the application submitted and the competent substantial evidence presented at the public hearing, that the variance request complies with all of the following:
 - a. The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

- b. The variance is not based on any conditions, including financial, occupational, or ability, which are personal to the applicant as applied to the property involved in the application, except that physical handicaps or disability may be considered where relevant to the request.
- c. The alleged hardship has not been created by any person presently having an interest in the property or was created as a result of a bona fide error.
- d. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.
- e. The proposed variance will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the vicinity.
- f. The variance granted is the minimum variance that will make possible the reasonable use of the property.
- g. The property cannot be put to a reasonable use which complies fully with the requirements of this Code unless the variance is granted.
- h. If applicable, the requested variance satisfies the criteria established in this Code for the requested variance.

In circumstances where a variance is requested for more than one (1) lot or parcel, each lot or parcel shall be required to demonstrate compliance with these standards.

Alternatively, a variance may be issued to correct a bona fide staff error that has been made and has led to construction that does not comply with this Code.

- 2. In addition to the criteria required in Subsection D.1.a-c above, all of the following shall also be met for the approval of a sign variance:
 - a. Signs must be compatible with other nearby signs, other elements of street and site furniture and with adjacent structures. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size, and the size and style of lettering.
 - b. Variance is necessary to relieve practical difficulty and unnecessary hardship, caused by unique physical or

topographic circumstances or conditions of design. The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

- c. The location and placement of the sign will not endanger motorists.
 - d. The sign will not cover or blanket any prominent view of a structure or façade of historical or architectural significance.
 - e. The sign will not unreasonably, significantly, or materially obstruct views of users of adjacent buildings to side yards, front yards, or to open space.
 - f. The sign will not negatively impact the visual quality of a public open space used as a public recreation facility, square, plaza, courtyard, or the like.
 - g. The sign is compatible with building heights of the existing neighborhood and does not impose a foreign or inharmonious element to an existing skyline.
 - h. The sign's lighting will not cause hazardous or unsafe driving conditions for motorists.
 - i. The sign is not a prohibited sign listed in Section 406.1.3 of this Code.
 - j. The sign is not a billboard or off-site sign.
3. The PC shall disregard conclusory statements that are unsupported by justification or evidence that the requested variance complies with the above criteria, and such statements shall not be considered competent, substantial evidence to support the granting of the variance. If the PC determines that there is a lack of competent, substantial evidence demonstrating compliance with the criteria for approval, the PC shall deny the variance request.
 4. In granting any variance, the PC may prescribe appropriate conditions. Violation of such conditions shall be deemed a violation of this Code.

E. Effect of Denial

1. Denial

Whenever the PC has denied an application for a variance, the PC shall not thereafter:

- a. Consider any further application for the same variance of any part of the same property for a period of twelve (12) months from the date of denial by the PC.
- b. Consider an application for any other kind of variance of any part of the same property for a period of six (6) months from the date of denial by the PC.

F. Appeals

Any person aggrieved by a decision of the PC may appeal to the BCC in accordance with this Code.

CHAPTER 400. PERMIT TYPES AND APPLICATIONS

SECTION 407. RELIEF APPLICATIONS

407.5. Alternative Standards

The intent of an alternative standard is to provide design alternatives that meet or exceed the technical or design requirements of this Code or provide relief when no feasible engineering or construction solutions can be applied to satisfy the regulation. The County Administrator or designee is authorized to approve alternative standards with conditions.

- A. Requests for alternative standards may be made in conjunction with the filing of a development application. Alternatively, an application may be filed prior to submittal of an application. In that circumstance, sufficient information shall be submitted to permit a reasoned consideration of the request. Prior to filing a request for alternative standards, any applicant should review Section 303.6.C, Modification to Submittal Requirements. Sufficient information must be provided for the administrative official to make a determination.
- B. The County Administrator or designee shall consider the following criteria when reviewing an alternative standards request. 1 or 2 shall be met and all of 3, 4, and 5 shall be met:
 - 1. The alternative standard meets or exceeds the intent and purpose of the Code requirement at issue.
 - 2. No feasible engineering or construction solutions can be applied to satisfy the regulation.
 - 3. The alternative standard does not adversely affect compliance with other Code provisions, development order(s), or permit(s).
 - 4. The alternative standard is not in conflict with other mandatory substantive requirements of local, State, or Federal law.
 - 5. The alternative standard is consistent with the applicable provisions of the Comprehensive Plan.
- C. Where deviations from Section 901.1 are requested, the Planning Commission (PC) shall hear the request and consider the following criteria at a public hearing duly noticed pursuant to this Code, Section 304:
 - 1. No feasible engineering or construction solutions can be applied to satisfy the regulation; or
 - 2. The proposed alternative standard will maintain or improve collector/arterial roadway capacity and travel times without increasing the number or severity of accidents; or

3. Compliance with the regulation will deny reasonable access.
- D. For alternative standard requests regarding signs, the PC shall consider the request at a public hearing duly noticed pursuant to this Code, Section 304.

1. Purpose and Intent

The purpose of this section is to provide the circumstances where alternative standards may be approved. Granting a request shall meet or exceed the intent to:

- a. Ensure no pole signs or other prohibited sign is erected;
- b. Approve signs which are compatible with other nearby signs, other elements of street and site furniture, and with adjacent structures. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size, and the size and style of lettering;
- c. Ensure the location and placement of the sign will not endanger motorists;
- d. Ensure the sign will not cover or blanket any prominent view of a structure or façade of historical or architectural significance;
- e. Ensure the sign will not obstruct views of users of adjacent buildings to side yards, front yards, or to open space;
- f. Ensure the sign will not negatively impact the visual quality of a public open space as a public recreation facility, square, plaza, courtyard, and the like; and
- g. Ensure the sign's lighting will not cause hazardous or unsafe driving conditions for motorists.

2. Increase in Number of Monument Signs

The intent of this subsection is to provide for allowing an increase from one (1) to two (2) monument signs only when there is a reduction in the overall total sign area on the site. Approval of such a request shall require the PC to affirmatively determine compliance with the following criteria:

- a. The request is consistent with the purpose and intent of this section, as stated in Section 407.5.D.1;
- b. The subject parcel shall have a total combined linear frontage between 590 and 600 linear feet of frontage.

The combined sign structure area and copy area of both proposed monument signs shall not exceed the total sign structure area and copy area as would be allowed for one (1) monument sign on the subject parcel;

- c. The total allowed sign area of all other on-site signage; e.g., wall signs, awnings, etc., shall be reduced by at least thirty-five (35) percent.

3. Increase in Height of a Monument Sign or Size of a Wall Sign

Where an alternative standard is requested to increase the height of a monument sign, or to increase the size of a wall sign, the PC shall affirmatively determine compliance with the following criteria:

- a. The request is consistent with the purpose and intent of this section, as stated in Section 407.5.D.1;
- b. Granting the request reduces the number of signs on the parcel and/or the number of registered billboards in the unincorporated areas of Pasco County. The request must achieve one or more of the following:
 - (1) Removal of one or more unconstructed monument signs on the parcel visible from any right-of-way which the applicant otherwise would have been permitted to erect on the parcel; or
 - (2) Removal of one or more nonconforming signs on the parcel visible from any right-of-way which the applicant otherwise would have been permitted to retain on the parcel; or
 - (3) One or more registered billboards from any parcel in unincorporated Pasco County; or
 - (4) Any combination of the above; and
- c. Granting the request reduces the overall sign structure area visible on the parcel from any right-of-way. The total sign structure area which applicant otherwise would have been permitted to erect or retain on the parcel must be reduced by at least thirty-five (35) percent. For the purposes of calculating the allowable sign structure area in this section, the actual size of registered billboards that are proposed to be removed will be used. All other requirements of Section 406.1 of this Code, including but not limited to, copy/sign structure ratios and required architectural features, must be observed for the proposed sign; and

- d. Granting the request does not result in excessive sign heights. The maximum height for a sign erected pursuant to this alternative standard may not exceed twenty (20) feet, or thirty (30) feet on controlled access roadways, even where a reduction in overall numbers of signs on the property and a reduction in overall sign structure area is achieved; and
- e. Granting the request does not result in the erection of pole signs or any other prohibited structures identified in this Code; and
- f. Granting the request meets or exceeds the stated intent and purpose of:
 - (1) Section 406.1 of this Code; and
 - (2) This subsection. The specific intent and purpose of this subsection is:
 - (a) To allow applicants to combine monument sign height allowances (or to combine wall sign size allowances) in exchange for reducing the overall number and size of monument signs (or wall signs) which are, or may be, erected on the property; and
 - (b) To provide an incentive for property owners to remove nonconforming signs and registered billboards in return for increased flexibility in the height of monument signs or increased size of wall signs; and
 - (c) To give flexibility in height and size to allow signs that are proportionate for the property, but not to approve signs of excessive heights or heights that will be inharmonious or incompatible with its surroundings. The sign should be compatible with building heights of the existing neighborhood and should not impose a foreign or inharmonious element to an existing skyline.
- g. Granting the request does not require Pasco County to compensate for any signage or registered billboards proposed to be removed. The owner(s) of any sign or registered billboard, and landowner(s) where such sign or registered billboard was erected, must provide a written acknowledgement in a form approved by the County Attorney's Office that:
 - (1) The increased height/size of signage obtained through approval of an alternative standard is just compensation,

and is the sole compensation owing pursuant to Section 70.20, Florida Statutes and under any other legal theory available, for any sign and/or registered billboard removed from the property, or any sign which could have been erected but was not; and

- (2) The sign/registered billboard owner and the landowner waive any right to additional compensation under Section 70.20, Florida Statutes, or under any other legal theory available, for any sign and/or registered billboard removed from the property, or which could have been erected but was not; and
- (3) If the sign/registered billboard owner and landowner are not the same entity requesting approval of the alternative standard, the applicant for an alternative standard must agree to defend, indemnify, and hold the County harmless for any claim for compensation by other persons, in a form approved by the County Attorney's Office.

E. Denial of Alternative Standards. Any request for an alternative standard which does not meet the criteria above will be denied, and the applicant shall either:

1. Comply with this Code.
2. For those alternative standards heard by the PC pursuant to Section 407.5.C, a denial may be appealed to the Board of County Commissioners pursuant to this Code, Section 407.1.

F. Effect of Denial

Whenever the PC has denied a request for alternative standards, the PC shall not thereafter:

- a. Consider any further application for the same alternative standard of any part of the same property for a period of twelve (12) months from the date of denial by the PC.
- b. Consider an application for any other kind of alternative standard of any part of the same property for a period of six (6) months from the date of denial by the PC.

CHAPTER 500. ZONING STANDARDS

SECTION 522. MPUD MASTER PLANNED UNIT DEVELOPMENT DISTRICT

522.1. Purpose

The purposes of the MPUD districts are:

- A. To encourage innovations in residential and nonresidential development and redevelopment so that the growing demand for housing in the County may be met by greater variety in type, design, and layout of dwellings to encourage the thoughtful consideration and inclusion of supporting nonresidential uses where appropriate, and to encourage the effective use of open space and recreational areas.
- B. To provide greater opportunities for better housing and recreation for all who are or will be residents of the County by encouraging a more efficient use of land and public services and to reflect changes in the technology of land development so that the economies so secured may inure to the benefit of those who need homes.
- C. To provide for residential cluster options and incentives that are designed to protect the rural character of the County's rural areas.
- D. To encourage more flexible land development which will respect and conserve natural resources such as streams, lakes, floodplains, groundwater, wooded areas, steeply sloped areas, and areas of unusual beauty or importance to the natural ecosystem.
- E. To encourage more efficient, flexible, and controlled employment centers, industrial, commercial, and other development under the MPUD concept.

522.2. General Requirements for MPUDs

- A. Calculation of Density or Intensity
 1. The general, allowable gross density or intensity for an MPUD, a CS-MPUD Conservation Subdivision Master Planned Unit Development, an EC-MPUD Employment Center Master Planned Unit Development, or a Commercial MPUD cannot exceed that determined by the land use classification of the Pasco County Comprehensive Plan.
 - a. For an MPUD or EC-MPUD, the computation of maximum gross density shall be the maximum density allowed by the land use classification applicable to the subject property, multiplied by the proposed developable residential acreage of the project, plus any density incentives as provided in the adopted Comprehensive Plan. Proposed developable residential acreage means that portion of the total site area which will be

developed for residential use, inclusive of street rights-of-way, utility rights-of-way, public and private parks, community facilities, etc. Proposed developable residential acreage does not include any lands within the project which are classified as wetlands, CON (Conservation Lands), or water bodies. The computation for the CS-MPUD is addressed in Section 522.7.

- b. The computation for nonresidential projects, or portions thereof, maximum gross building square footage shall be the sum of the developable nonresidential project acreage multiplied by the maximum floor-area ratio permitted in the applicable land use classification. Proposed nonresidential acreage means the upland portion of the site exclusive of nonmitigated wetlands and natural water bodies. No nonresidential intensity may be transferred from one (1) parcel of land to another when the parcels are physically separated from each other, except by roadways, streams, rivers, or lakes. Along coastal areas, only land above mean high tide may be used in determining acreage size.

2. Blending of Densities

- a. For proposals in which project boundaries encompass more than one residential land use classification (RES-1 [Residential - 1 du/ga], RES-3 [Residential - 3 du/ga], RES-6 [Residential - 6 du/ga], RES-9 [Residential - 9 du/ga], RES-12 [Residential - 12 du/ga], RES-24 [Residential - 24 du/ga]), the County shall consider the blending of densities where an applicant can demonstrate by site plan within residential land use classifications; an equivalency of development rights; improvement in the overall master plan; and consistency with the Goals, Objectives, and Policies in the Comprehensive Plan.
- b. For proposals in which project boundaries encompass more than one (1) rural land use classification (AG [Agricultural], AG/R [Agricultural/Rural], RES-1 [Residential - 1 du/ga] for lots one [1] acre or greater), the County may consider the blending of densities where an applicant can demonstrate by site plan; an equivalency of development rights; improvement in the overall master plan; and consistency with the Goals, Objectives, and Policies in the Comprehensive Plan. In addition, the location of residential development lots shall be arranged in a context-sensitive manner such that they preserve the integrity of the rural community by buffering, setbacks, or a combination thereof to protect and preserve the rural appearance of land when viewed from public roads and from abutting properties.

- c. **Size Requirements.** MPUDs that contain only residential uses must be a minimum of five (5) acres, except where located in the coastal high hazard area where there is no minimum size.

522.3. **Permitted Uses**

When identified and approved on the master plan, the following uses shall be permitted individually or in combination in an MPUD District:

- A. All Residential Uses
- B. Recreational Vehicles and/or Travel Trailers
- C. Parks; playgrounds; schools; day-care centers; churches; government uses; and other, related community facilities.
- D. Professional offices, local convenience, neighborhood, community, and regional shopping facilities in planned centers that are permitted in accordance with the master plan are subject to the following standards:
 - 1. The area, siting, intensity, and nature of such uses shall be governed by the following criteria:
 - a. The MPUD shall include at least ten (10) acres if both residential and nonresidential uses are to be located in the MPUD.
 - b. Size/Use Limitations Table:

	Convenience	Local Neighborhood	Community	Regional
Floor Area (Sq. Ft.)	2,500-30,000	30,001-100,000	100,001-3999,999	400,000 or Greater
Acres in Site (Min.)	0.5	3	10	40
Typical Uses (Not Limited to Examples)	Sale of Convenience Goods, Personal Services, and Day-Care Centers	Sale of Shoppers Goods, Banking Facilities, Business Services, Offices, All Uses in Convenience Commercial, and Professional Service	Junior and Discount Department Stores, Amusement Facilities, Automotive Sales and Service, Automobile Service Stations and Car Wash, Hotels/Motels, and All Uses In Neighborhood Commercial	Major Department Stores, Sale of General Merchandise, and All Uses in Community Commercial

2. Setback, height, and buffering requirements for convenience and neighborhood commercial shall be set forth in the C-1 Neighborhood Commercial Zoning District, unless otherwise approved.
3. Setback, height, and buffering requirements for neighborhood community and regional commercial shall be equivalent to the requirements in the C-2 General Commercial Zoning District, unless otherwise approved.
4. Commercial Uses
 - a. Commercial uses allowed within local convenience and neighborhood centers shall be equivalent to specific C-1 Neighborhood Commercial Zoning District permitted uses, conditional uses, and special exception uses approved at the time of rezoning. Changes in local convenience and neighborhood center uses after rezoning approval shall be approved by the Board of County Commissioners (BCC) upon recommendation by the Planning Commission (PC).
 - b. Commercial uses allowed in community and regional centers shall be equivalent to C-1 Neighborhood Commercial and C-2 General Commercial Zoning Districts permitted uses, conditional uses, and special exception uses approved at the time of rezoning. Changes in community and regional-center conditional or special exception uses after rezoning approval shall be approved by the BCC upon recommendation by the PC.

E. Bed and Breakfast

A bed and breakfast that is permitted in accordance with the master plan is subject to the following standards:

1. The building shall maintain a residential character, style, and appearance.
2. The property shall meet the parking requirements in accordance with this Code, Section 907.1.
3. Use of the property for a bed and breakfast shall meet all applicable building and fire codes.

F. Recreational facilities and structures, including clubhouses, tennis courts, country clubs, pools, and similar uses, when used and designed primarily to serve the residents of the development.

- G. Golf courses, which may be calculated as open space as is hereinafter required, provided the clubhouse and other structures are located over 150 feet from any dwelling structure, and
 - 1. All golf courses must be managed using Pasco County's Best Management Practices for golf courses when adopted and shall provide industry-standard practices for review during the interim.
 - 2. A golf course is subject to the specialized location and buffer requirements of the MPUD.
- H. Marinas, subject to marina siting criteria set forth in the Pasco County Comprehensive Plan.
- I. Industrial
- J. Colleges, Universities, and Schools
- K. Residential-Treatment and Care Facilities
- L. Hospitals, including helipads when located no closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.
- M. Public or private utilities and utility substation, lift station, and other accessory uses, provided there is no open storage of trucks or materials on the site.
- N. Major Utilities

Major utilities that are permitted in accordance with the master plan shall be subject to the following standards:

- 1. All new water or sewer plant structures shall be set back a minimum of 150 feet from any residential structure and be in compliance with State and local regulations and the Master Utility Plan. For purposes of this section, mobile and manufactured homes shall be considered residential structures.
- 2. The reuse of reclaimed water and land application of effluent shall meet the requirements of the Rule 62-610, Florida Administrative Code (FAC), which in addition to other criteria, defines setback distances and minimum system-size requirements.
- 3. All major utility plant sites (where the actual site is located) and polishing ponds shall be enclosed with a minimum six (6) foot-high fence, wall, or other screening approved by the BCC.
- 4. The landscaped buffer, in accordance with a minimum opacity of 0.75, shall be provided on all nonstreet property lines.

5. Vertical storage structures are expressly prohibited within the open space, with the exception of water tanks that have a rural design in keeping with the rural character of the area and that are necessary to serve a public purpose.
 - O. Aircraft landing fields and helicopter pads, subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no aircraft landing field or helicopter pad shall be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools. This use must be requested in the original approval; otherwise, a conditional use will be required.
 - P. Accessory Uses
 - Q. Conditional Use
- Resort condominiums may be allowed subject to the criteria and standards for review for rezoning and conditional uses in this Code, Section 402, and subject to compliance with the notification and requirements for operation criteria in the vacation rental provisions of Section 402.5.B.
- R. Community Gardens, Market Gardens and Community Farms in accordance with this Code, Section 530.23.

522.4. **Development Standards**

A. **Site Design**

Design shall accomplish the following primary objectives through site design:

1. **Compatibility of Use.** Land uses near the periphery of the MPUD, the EC-MPUD, or the Commercial MPUD shall be planned so as to be compatible with neighboring areas. Compatibility may be achieved through design that respects the context of the adjacent uses. Applicants must demonstrate through lot sizes, buffers between uses, or other information as identified by the County Administrator or designee, that the project, as designed, transitions appropriately to adjacent uses or effectively shields adjacent uses in the absence of lot/use compatibility. The County Administrator or designee reserves the right to require additional information for projects where compatibility is not clearly demonstrated.
2. **Residential Setbacks.** The land use standards as enumerated in this Code, Chapter 500, shall be used as the baseline setback for each single-family detached residential housing type. Variations in setbacks from those standards enumerated in this Code, Chapter 500, may be allowed for housing types other than single-family detached where permitted on the master plan. The County may impose standards that

are greater than ordinance requirements where deemed necessary to mitigate a compatibility issue. Proposed urban-design standards of Section 601, Traditional Neighborhood Design, for single-family detached uses, where allowed, shall only be permitted when the project is developed consistent with Section 601.

3. Streets
 - a. Streets should be designed to maximize connectivity within an MPUD or EC-MPUD and surrounding areas.
 - b. Roadways shall comply with the standard roadway typical sections for collectors and arterial roadway facilities as adopted by this Code, unless otherwise approved by the PC.
 - c. Streets shall be designed in accordance with this Code.
4. Parking. All parking shall be landscaped and designed in accordance with this Code.
5. Signage. A master signage plan may be filed and approved with the master plan in accordance with this Code, Section 406.1.
6. Utilities. Utilities shall be located underground to the maximum extent possible.
7. Design for Refuse Disposal Stations. Refuse stations shall be designed to maximize screening and shall be located away from residential areas, including residential areas that are adjacent to the subject site. Refuse disposal stations shall not front streets within the proposed MPUD or EC-MPUD to the maximum extent possible, and in the event that it is unavoidable, must provide a shielding plan that identifies the landscape proposed or wall treatment chosen.
8. Open Space Requirement. There shall be provisions which insure that the open space shall continue as such and be properly maintained. The owner/developer shall indicate ownership and provide for the responsibility for maintenance of such open space land or provide for and establish one (1) or more organizations for the ownership and maintenance of all common open space. In the case of multiple organizations for ownership and maintenance, each organization shall be a nonprofit homeowners' corporation or Community Development District formed pursuant to Chapter 190, Florida Statutes. Where practical, it shall be designed as a contiguous area easily accessible to the residents and preserving natural features.

522.5. **EC-MPUD Standards**

A. **Purpose and Intent**

Within its Comprehensive Plan, Pasco County provides for a variety of mechanisms to encourage economic development, including the creation of employment-generating uses within the following Future Land Use (FLU) Classifications:

1. EC (Employment Center)
2. IH (Industrial - Heavy)
3. IL (Industrial - Light)
4. OF (Office)
5. PD (Planned Development)

The purpose of the EC-MPUD Zoning District is to implement the EC (Employment Center) Land Use Classification of the Pasco County Comprehensive Plan.

The EC (Employment Center) FLU Classification within the Pasco County Comprehensive Plan serves a special purpose within the menu of employment-generating land use classifications inasmuch as the Comprehensive Plan identifies eight (8) distinct areas that include an EC (Employment Center) Land Use Classification. These distinct areas may include a variety of different parcels and landowners, may also include other land use classifications other than the EC (Employment Center) Land Use Classification, and are referred to hereinafter as "employment center areas" (see Exhibit 1: Employment Center Areas). These areas have been specifically identified to support and reinforce the County's growth management vision and economic development goals by focusing on development that provides an economic benefit in terms of employment opportunities and increased tax base within compact and specified employment centers. These employment centers have been designated in an effort to ensure that the lands within the County that have the greatest access to publicly funded infrastructure investments are developed consistent with the growth management vision of the County. Development within these areas is required to contain a certain percentage of one (1) or a combination of the following preferred uses:

1. Target Primary Business
2. Corporate Business Park
3. Industrial Use

A target primary business is defined as a business that is identified by Enterprise Florida as a qualified target industry for the tax refund program or a business that is identified by the Pasco Economic Development Council (PEDC) in the economic development target industry list. A corporate business park may include target primary businesses and/or some industrial uses, but is identified as a separate preferred use in recognition of the desire for the County to permit general (nontarget) "office" uses within employment centers if they are in the form of a corporate business park.

The uses that are described and permitted within the EC-MPUD are regulated to conform to the requirements for the EC (Employment Center)FLU Classification of the Comprehensive Plan. These uses are also permitted within a variety of other zoning districts as provided in these regulations and are not strictly limited to the EC-MPUD.

B. Mix of Uses

1. **Mix of Use Requirement.** Properties developed under the EC-MPUD that are within the EC (Employment Center) FLU Classification of the Pasco County Comprehensive Plan are required to comply with the mix of use requirements of the EC (Employment Center) FLU Classification. The method for determining the mix of use requirements/limitations for an individual application/project site provides some flexibility and is described in this Code, Section 522.5.B.2. The Comprehensive Plan requires that employment center areas shall be designed to accommodate an areawide composite land use mix as described below:

General Use	Minimum	Maximum
Corporate Business Park or Target Primary Businesses or Industrial Uses	55 Percent	75 Percent
Multiple-Family Uses	20 Percent	40 Percent
Support Commercial/Office Uses ¹	5 Percent	20 Percent

¹Support uses within an employment center are limited to only those uses that support the primary businesses and residences located within the employment center and may generally include services, such as restaurants, banks, professional services, dry cleaners, grocery stores (including neighborhood scale markets), service stations, hotels, etc. The size of the support uses are limited by the percentage mix described herein and the scope of the local neighborhood size thresholds and use as described in this Code, Chapter 500, Section 522.2.D.1, or as otherwise determined by this Code during the development review process. Commercial and/or retail uses that are designed to serve a regional purpose, such as theaters, malls, car sales, home improvement centers, and department stores are expressly prohibited within an EC-MPUD. The uses permitted within

the land use mix table designation above may be developed in any sequence.

2. De Minimis Size Parcels. For de minimis sized projects or parcels, the County Administrator or designee may allow an exemption from the mix of use requirements as follows:
 - a. Any parcel of record as of January 26, 2007, with an EC (Employment Center) FLU Classification that is ten (10) acres or less in size may be developed with any of the allowable uses in the EC-MPUD.
 - b. Any parcel of record as of January 26, 2007, with an EC (Employment Center) FLU Classification that is twenty (20) acres or less in size may be developed with up to ninety-five (95) percent industrial, target industry, and/or corporate business park uses. The applicant will not be required to comply with the minimum multiple-family component in the composite mix of uses provided hereinabove.

To the extent that either de minimis option causes a deviation from the composite land use mix when the land use mix distributions are considered for the entire employment center area, then a revision within the Comprehensive Plan to the composite land use mix will be required.

3. Determination of the Mix. If an areawide master plan has not been prepared for the employment center located at the I-75/U.S. 41 intersection, the specific method for determining the land use mix distributions shall not be implemented as a composite land use mix, but shall be implemented as a specific land use mix on a parcel-by-parcel basis using the mix standards as described hereinabove. Except for the employment center located at the I-75/U.S. 41 intersection, the Pasco County Comprehensive Plan requires an areawide composite land use mix for the EC (Employment Center) FLU Classification, which represents the range of uses that are required to be achieved within each employment center area as designated on the FLU map. An applicant within an EC-MPUD has four (4) options to demonstrate that an individual parcel, site, or project meets the mix of use requirement and must demonstrate one of the following:
 - a. That the specific parcel, site, or project provides the mix of uses, as specified in Section 522.5.B.1, based upon the uses proposed in the MPUD Master Plan.
 - b. That the specific parcel, site, or project is consistent with an areawide employment center plan that has been accepted by the BCC and adopted by a special area policy into the Comprehensive Plan consistent with the mix of uses in Section 522.5.B.1.

- c. The applicant may prepare an areawide employment center plan consistent with the community planning process of Section 522.6 and the mix of uses in Section 522.5.B.1, and submit a project master plan consistent with the results of this process.
 - d. The applicant may request that the mix be determined on a first-come, first-served basis by submitting a plan for a single site within a designated employment center area. The site master plan shall be mailed to all affected property owners within forty-five (45) days of the date that the rezoning application is deemed complete. If there are objections by landowners within the employment center area to the site master plan and the applicant has not resolved those objections prior to the PC hearing date, the applicant will need to pursue an alternative option as listed in this section. If there are no objections, then at the time the matter is set for public hearing, the site master plan shall be sent to all affected property owners in addition to the requirements specified in Chapter 300. If there are any objections in writing or at a public hearing that cannot be resolved by the adoption date, the applicant will be required to pursue an alternative option as outlined in Section 522.5.B.2.
4. **Mixed Use Buildings.** Mixed uses and mixed use buildings are also permitted within the EC-MPUD. Where mixed use buildings are proposed, the land use mix for that land area shall be determined based upon the percentage of square footage of each use as a percentage of the total land area for that mixed use structure. The corporate business park "use" by definition is a collection of buildings that meet certain requirements as provided in Section 522.5.D.1.a. All buildings within a corporate business park as defined herein shall be recognized as a corporate business park use and shall not be separated into various uses for the purpose of this section.

C. Compatibility

The EC-MPUD Master Plan may provide a mix of land uses as provided in Section 522.5.B.1. The specific location of different uses within the EC-MPUD District shall be established on the approved master plan.

- 1. **Internal Compatibility.** If applicable (when not under the de minimis size exemption set forth hereinabove, in which case no range of uses is required), the master plan shall demonstrate compliance with the following characteristics:
 - a. That the land uses within the master plan are arranged and designed in a complementary and compatible manner;

- b. That different uses within the proposed parcel, site, or project are effectively buffered to encourage full use and enjoyment of all property within the district;
 - c. That the vehicular circulation system throughout the master plan directs traffic in an efficient and safe manner; and
 - d. That the individual land use components of the master plan are interconnected by safe and convenient pedestrian linkages.
2. External Compatibility. The master plan shall include appropriate development order conditions that accomplish "stepping down" building heights and transitioning land uses; e.g., gradual reduction of intensities and uses to minimize visual and noise impacts on either adjacent residential developments or the Northeast Pasco rural area, where applicable. Such standards that address external compatibility may include adjacent buffers and screening such that the arrangement of uses on site do not unreasonably impair the long-term use of properties adjoining the EC-MPUD District as established by the master plan. The County may require additional buffering, landscape, and screening following the evaluation of compatibility, including special standards to minimize visual and noise impacts when an EC-MPUD is adjacent to the Northeast Pasco rural area.

a. Setback. When a nonresidential or multiple-family use is abutting any property with a residential FLU classification, there shall be an additional building setback required for that use when contiguous to the residential property as follows:

- (1) When any side of a structure equal to or less than thirty-five (35) feet in height abuts the residential property, that portion of the structure(s) shall be set back a minimum of twenty (20) feet from the property line adjacent to such residential land.
- (2) The specific minimum setbacks and other compatibility requirements for structures greater than thirty-five (35) feet in height shall be determined during the rezoning process and shall become a condition of the rezoning action. At a minimum, structures that are greater than thirty-five (35) feet in height shall comply with the following building height, transition zone requirements:

Building Height	Minimum Setback when Adjacent to a Property with a Residential FLU Classification
≤35 Feet	20 Feet
36-45 Feet	50 Feet
46-55 Feet	80 Feet

55-65 Feet	110 Feet
>65 Feet	110 Feet, plus an additional 10 feet for each additional story over 65 feet, plus additional buffering and screening as deemed appropriate to transition from the edge of the EC-MPUD development.

- b. **Building Design.** The side of the building that is facing or backing up to any residential development or residentially zoned property must be treated with the same architectural design standards as the front of the building. Metal buildings shall be located so that they are not visible from residential development, residentially zoned property, and collector/arterial roadways.

D. Description of Uses

- 1. **Preferred Uses.** The preferred uses permitted within the EC-MPUD include any one (1) or a combination of the following: corporate business park, industrial, or target primary business.

- a. **Corporate Business Park.** An office park that provides a collection of office buildings in a campus like setting that permits uses and activities conducted in an office setting generally focusing on business, government, professional, medical, or financial services, but excludes personal-services uses. To qualify as a "corporate business park" for the purposes of meeting the mix of use requirement for an employment center, the park must be consistent with the requirements of this section and consist of one of the following:

- (1) A minimum of at least three (3) multistory office buildings, where the minimum height shall be two (2) stories and the minimum total stories shall be nine (9) stories;
- (2) Two (2) or more buildings with a minimum of four (4) floors each, excluding garage parking; or
- (3) Building(s) of such a size and character as otherwise approved by the BCC which would create a desired corporate business park setting.

A corporate business park may include target primary businesses, but is identified as a separate primary use in recognition of the desire of the County to promote general (nontarget business) "office" uses within employment centers if they are in the form of a corporate business park.

- (4) Accessory uses may occur within the multistory office building and generally have limited-external access or signs. Ancillary uses may generally be permitted as a part of a corporate business park and may count as a part of a corporate business park for the purposes of determining various economic development incentives; however, when these uses are permitted within an EC (Employment Center) FLU Classification, the land area identified for such ancillary uses shall be recognized as "support commercial/office use" for the purposes of determining the required mix of uses under the Comprehensive Plan. Principle uses: administrative and professional offices, including medical clinics, but excluding hospitals; corporate headquarters, including related supporting services and storage; sales and marketing offices; sales and service offices related to electronic equipment, computers, and similar office equipment, including repair incidental to sales and service; data and communication centers, including information processing facilities; research and development facilities, including target business medical research, testing, and pharmaceuticals; business services, such as office supplies, copy/print centers, medical supplies, pharmacies; and travel agencies.
 - (5) Accessory Uses (for a Multistory Corporate Business Park): Ancillary storage; cafeteria; restaurant; bank; health facility; meeting room; off-street parking; on-site day care or facility where children are cared for while parents or guardians are occupied on the premises; other neighborhood, convenience-type amenities for the use of on-site employees; and technical library.
 - (6) Ancillary Uses: college, university, vocational, trade, or business schools; transient accommodations (hotel with on-site conference and catering facilities only); and other support commercial/office uses.
 - (7) Uses not Included. Building, heating, plumbing, landscaping, or electrical contractor and others who perform services off site, but store equipment and materials for perform fabrication or similar work on site; bulk mailing services; mail order house; and urgent care or emergency medical office.
- b. Industrial. In addition to the target primary businesses identified in Section 522.8.D.1.c., an EC-MPUD may also include the specific industrial uses listed below that are also permitted within the County's I-1 Light Industrial Park Zoning District:

- (1) Businesses with related offices and showroom, which manufacture, assemble, process, package, and/or distribute small unit products, such as optical devices, tool and die manufactures, electronic equipment, precision instruments, and toys.
- (2) Wholesale distribution centers, including related offices and showrooms, rail or highway freight transportation, distribution, and associated warehousing, but not to include highway freight transportation and warehousing or the retail sale of gasoline or propane.
- (3) Printing, publishing, engraving, and related reproductive process.
- (4) Ornamental iron manufacturing.
- (5) Building material manufacturing and associated storage.
- (6) Boat manufacturing.
- (7) Distribution plants, beverage bottling, and/or distribution.
- (8) Dairy products manufacturing.
- (9) Furniture, decorating materials, and upholstery manufacturing.
- (10) Garment assembly.
- (11) Laboratories devoted to research, design, experimentation, testing of products or materials, processing, and fabrication incidental thereto.
- (12) Manufacture or assembly of equipment and appliances, electronic instruments, and devices.
- (13) Manufacture of ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas and the manufacturing of glass products.
- (14) Manufacture, compounding, assembling, or treatment of merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feather, felt, fiber, fur, glass, horn, leather, paper, plastics, metals, stone, shell, textiles, tobacco, wax, wood, yarn, and paints.

- (15) Manufacture, compounding, processing, packaging, treatment, and distribution of such products as bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food, and kindred products.
- (16) Manufacture of musical instruments, novelties, rubberstamps or metal stamps, and other small molded rubber products.
- (17) Photographic manufacturing and processing.
- (18) Sign manufacturing, including poles.
- (19) Testing of materials and equipment.
- (20) Light Industrial Flex Space. Flex type or user space that lends itself to a variety of industrial uses as specifically set forth above, including target industries. The single-story building is designed for multiple users, divided in spaces running from front to rear. The proportion of office versus light industrial space in each user space is not determined until the user occupies the space. The space may subsequently be proportioned to accommodate the current occupant or a new occupant's changing needs, provided that an accessory use is not converted to a principle use. The space may include uses, such as manufacturing, light industrial, and scientific research functions. Accessory uses could include offices, warehousing, and wholesale stores. The square footage identified for such uses shall not be considered as "support commercial/offices use" for the purposes of determining the required mix of uses under the Comprehensive Plan.

c. Target Primary Business. A "target primary business" is defined as a business that is identified by Enterprise Florida as a qualified target industry for the tax refund program or a business that is identified by the PEDC in their economic development target industry list, as may be amended from time-to-time. The qualified target industry list may be obtained from the PEDC. The PEDC target industry list includes, but is not limited to, the following:

- (1) Manufacturing
 - (a) Biological Products. Establishments primarily engaged in the production of bacterial and virus vaccines; toxoids; and analogous products, such as allergenic extracts, serums, plasmas, and other blood derivatives for human or veterinary

use, other than in vitro and in vivo diagnostic substances.

- (b) Diagnostic Substances. Establishments primarily engaged in manufacturing in vitro and in vivo diagnostic substances, whether or not packaged for retail sale.
- (c) Electromedical Equipment. Establishments primarily engaged in manufacturing electro-medical and electrotherapeutic apparatus.
- (d) Electronic Connectors. Establishments primarily engaged in manufacturing electronic connectors.
- (e) General Industrial Machinery. Establishments primarily engaged in manufacturing machinery, equipment, and components for general industrial use, and for which no special classification is provided, may also include the manufacturing of amusement park equipment and flexible metal hose and tubing. This industry also includes establishments primarily engaged in producing or repairing machinery and equipment parts, not elsewhere classified, on a job or order basis for others.
- (f) Laboratory Analytical Instruments. Establishments primarily engaged in manufacturing laboratory instruments and instrumentation systems for chemical or physical analysis of the composition or concentration of samples of solid, fluid, gaseous, or composite material.
- (g) Laboratory Apparatus and Furniture. Establishments primarily engaged in manufacturing laboratory apparatus and furniture.
- (h) Optical Instruments and Lenses. Establishments primarily engaged in manufacturing instruments and apparatus that measure an optical property and optically project, measure, or magnify an image, such as binoculars, microscopes, prisms, and lenses.
- (i) Packaging Machinery. Establishments primarily engaged in manufacturing packaging machinery, including wrapping and bottling machinery.

- (j) Process Control devices. Establishments primarily engaged in manufacturing industrial instruments and related products for measuring, displaying (indicating and/or recording), transmitting, and controlling process variables in manufacturing, energy conversion, and public-service utilities.
- (k) Power Transmission Equipment. Establishments primarily engaged in manufacturing mechanical-power transmission equipment and parts for industrial machinery.
- (l) Publishing - Books. Establishments primarily engaged in publishing or in publishing and printing books and pamphlets. Establishments primarily engaged in printing or in printing and binding, but not publishing, books and pamphlets that are classified in Industry 2732.
- (m) Publishing - Periodicals. Establishments primarily engaged in publishing periodicals or in publishing and printing periodicals. These establishments carry on the various operations necessary for issuing periodicals, but may or may not perform their own printing.
- (n) Publishing - Miscellaneous. Establishments primarily engaged in miscellaneous publishing activities, not elsewhere classified, whether or not engaged in printing.
- (o) Pumps and Pumping Equipment. Establishments primarily engaged in manufacturing pumps and pumping equipment for general industrial, commercial, or household use, except fluid-power pumps and motors.
- (p) Semiconductors and Related Devices. Establishments primarily engaged in manufacturing semiconductors and related solid-state devices.
- (q) Speed Changers, Drives, and Gears. Establishments primarily engaged in manufacturing speed changers; industrial high-speed drives, except hydrostatic drives; and gears.

- (r) Surgical and Medical Instruments. Establishments primarily engaged in manufacturing medical, surgical, ophthalmic, and veterinary instruments and apparatus.
 - (s) X-Ray Apparatus and Tubes. Establishments primarily engaged in manufacturing radiographic X-ray, fluoroscopic X-ray, and therapeutic X-ray apparatus and tubes for medical, industrial, research, and control applications or in manufacturing other irradiation equipment, including gamma and beta-ray equipment.
- (2) Medical Research, Testing, and Pharmaceuticals
- (a) Commercial Nonphysical Research. Establishments primarily engaged in performing commercial business; marketing; opinion; and other economic, sociological, and educational research on a contract or fee basis.
 - (b) Commercial Physical Research. Establishments primarily engaged in commercial physical and biological research and development on a contract or fee basis.
 - (c) Medical Laboratories. Establishments primarily engaged in providing professional analytic or diagnostic services to the medical profession or to the patient on prescription of a physician.
 - (d) Medicinals and Botanicals. Establishments primarily engaged in:
 - (i) Manufacturing bulk organic and inorganic medicinal chemicals and their derivatives; and
 - (ii) Processing (grading, grinding, and milling) bulk botanical drugs and herbs.
 - (e) Pharmaceutical Preparations. Establishments primarily engaged in manufacturing, fabricating, or processing drugs in pharmaceutical preparations for human or veterinary use.
 - (f) Testing Laboratories. Establishments primarily engaged in providing testing services, including facilities housing laboratory animals for clinical testing.

- (3) Office (General)
- (a) Computer Integrated Systems Design. Establishments primarily engaged in developing or modifying computer software and packaging or bundling the software with purchased computer hardware (computers and computer peripheral equipment) to create and market an integrated system for specific application.
 - (b) Computer Programming Services. Establishments primarily engaged in providing computer-programming services on a contract or fee basis.
 - (c) Data Processing and Preparation. Establishments primarily engaged in providing computer processing and data preparation services.
 - (d) Information Retrieval Services. Establishments primarily engaged in providing on-line, information retrieval services on a contract or fee basis.
 - (e) Insurance - Accident and Health Insurance (Nonretail). Establishments primarily engaged in underwriting accident and health insurance.
 - (f) Insurance - Fire, Marine, and Casualty Insurance (Nonretail). Establishments primarily engaged in underwriting fire, marine, and casualty insurance.
 - (g) Insurance - Hospital and Medical Service Plans (Nonretail). Establishments primarily engaged in providing hospital, medical, and other health services to subscribers or members in accordance with prearranged agreements or service plans.
 - (h) Insurance - Life Insurance (Nonretail). Establishments primarily engaged in underwriting life insurance.
 - (i) Pension, Health and Welfare Funds. Establishments primarily engaged in managing pension, retirement, health, and welfare funds.
 - (j) Prepackaged Software. Establishments primarily engaged in the design, development, and

production of prepackaged computer software. Important products of this industry include operating, utility, and applications programs.

2. Multiple-Family Residential Uses. Multiple-family residential uses are allowed in an EC-MPUD consistent with the percentage requirements of this section. The purpose of this requirement is to allow for the creation of multiple-family residential use (excluding duplexes) consistent with this Code, Chapter 500, Section 520.
3. Support Commercial/Office Uses. The intent of the support uses within an EC-MPUD is to provide local and neighborhood scale retail and office uses in support of the principal target industry uses and not to provide for regional scale uses, such as malls, theaters, car sales, home improvement centers, and department stores that would potentially serve an even larger area, detracting from the purpose of target industry employment. The support uses proposed as part of the EC-MPUD should be designed to support the needs of the employment generating uses and residents either living or working in the employment center. Support uses shall be permitted consistent with the provisions of this Code, Section 525, C-1 Neighborhood Commercial District. Uses proposed as support uses within an EC-MPUD that are consistent with this Code, Section 526, C-2 General Commercial District, shall be specifically listed and subject to approval by the BCC.

E. Light Industrial Flex Space Supplemental Design Standards

1. Landscaping and Setback Requirements
 - a. Setbacks adjacent to interior or rear property lines shall be not less than thirty-five (35) feet in depth. The first ten (10) feet from the property lines shall be landscaped.
 - b. All required setbacks shall be kept clear of loading areas for supplies, services, and buildings.
 - c. Landscaping required by this subsection shall include, but not necessarily be limited to, the planting of grass, ground cover, flower beds, shrubs, hedges, or trees as provided for in this Code, Section 603. All landscaping shall be maintained in a healthy, growing condition; neat and orderly in appearance; and free of refuse and debris. All planting shall be arranged and maintained so as not to obscure the vision of traffic. Unless otherwise approved by County staff, there shall be no parking of vehicles in the landscaped area.
 - d. All trucks in excess of one (1) ton carrying capacity shall be parked in rear or side yards and screened from view from adjacent properties or any public rights-of-way. No trucks in

excess of one (1) ton carrying capacity may be parked in any street yard regardless of screening.

2. Storage. Outside storage of any materials, supplies, or products shall not be permitted in the front of any structure and shall be properly screened to a height of at least ten (10) feet on all sides. Outside storage shall be limited to the maximum extent possible.
3. Loading. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions should be reasonably incorporated into the overall design of the primary building using screening walls of compatible material, style, color, texture, pattern, trim, or other details and landscaping determined acceptable to the County. The wall shall be one (1) foot higher than the largest object being screened. An opaque gate with the same height as the wall shall be included where access is needed.

522.6. **Areawide Employment Center Planning Process**

A. **Intent**

The areawide employment center planning process is one method for determining the required mix for an individual application/project site as provided in Section 522.5.B.2. The intent of the areawide employment center planning process is to provide an opportunity for public participation of affected property owners, stakeholders, and adjacent property owners to plan for the mix of uses within an employment center area. The areawide employment center planning process is limited to only those areas designated in the Pasco County Comprehensive Plan as employment centers. Only landowners within the specific employment center area under consideration or the County may be an "applicant" pursuing an areawide employment center plan under this section.

B. **Applicability**

The areawide employment center planning process shall serve as one (1) option for reviewing and approving the required mix-of-uses within an EC-MPUD. The purpose of this process is to help facilitate an expedited process to create and/or amend a conceptual plan for an employment center area and to provide an opportunity for the concurrent approval of a proposed development within an EC-MPUD. The County shall process an amendment to the Comprehensive Plan during the next available plan amendment cycle to include the conceptual plan, which will guide the location and mix of uses within an employment center area.

C. **General Elements**

1. Provide an executive summary which outlines the vision and design of the entire employment center at that location.

2. Describe the objectives of the study.
3. Provide a recommended land use plan, and if appropriate, any conditions for development approval, which shall be met by, or imposed upon, development within the study area.

D. Specific Elements

1. The applicant shall provide a map, or series of maps, which illustrate the location of the proposed study area within the County, including political boundaries; e.g., County and municipal boundaries, current ownership patterns, parcel sizes, existing boundaries of the study area and impact area(s), and a legible, recent, full-section aerial photograph (the most recent County Property Appraiser or Planning and Growth Management Department aerial photograph or equivalent) with the boundaries of the study area marked.
2. When a new land use plan is developed for a geographic area for which an areawide employment center plan has previously been adopted, the County shall ensure that the following requirements are met:
 - a. The previously adopted plan shall be fully considered in developing the new plan;
 - b. All persons involved in preparing the adopted plan will be invited to participate in the citizen participation program for preparing the new plan;
 - c. Any conflicts between a proposed new plan and the previously adopted plan will be identified and fully explained during the public participation process and during deliberations of the BCC;
 - d. When a new plan is adopted, the BCC shall take required actions, if any, to amend or replace the previously adopted plan; and
 - e. The BCC shall hold a public hearing to take final action on the application upon review of the application and supporting documentation.
3. An applicant shall include the following information in their submittal:
 - a. Information concerning the surrounding area to demonstrate the relationship of the EC-MPUD District to adjoining, existing and planned uses. The plan must demonstrate compliance with the provisions in Section 522.5.C relating to compatibility; and
 - b. Any plan which requires more than five (5) years to complete shall include a phasing plan as a part of the submittal.

4. Review Process

The applicant shall conduct a minimum of two (2) neighborhood meetings to solicit comment, feedback, and input on the proposed areawide employment center plan. The applicant shall be required to notify all property owners within the employment center area under review in writing pursuant to the applicable notice provisions provided in this Code, Chapter 300, as well as place one (1) advertisement in a newspaper with local circulation. The following is a list of items from the neighborhood workshop that must be submitted to the County prior to the PC:

- a. Identification of where and when the neighborhood workshop was held.
 - b. A copy of the advertisement with the Notice of Publication.
 - c. A copy of the Letter of Notification sent to affected property owners.
 - d. A copy of the sign-in sheet from the neighborhood workshop.
 - e. The questions or concerns asked by the audience and the applicant's response to those issues.
5. During its review, County staff shall distribute copies of the proposal to the PC for study and comment. In considering the plan, County staff shall seek to determine that:
- a. Resulting development will be consistent with the Comprehensive Plan and zoning objectives for the area;
 - b. The parcel is suitable for the proposed uses considering its size, shape, location, topography, existence of improvements, and natural features; and
 - c. The proposed uses will not alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the permitted uses listed in the underlying district.

522.7. **CS-MPUD Standards**

The purpose of the CS-MPUD is to implement the provisions of the Pasco County Comprehensive Plan and create a method of reviewing and approving requests for density bonuses that are permitted under three (3) FLU Classifications, including AG (Agricultural) AG/R (Agricultural/Rural), and RES-1 (Residential - 1 du/ga) for applicants who develop their rural subdivisions as a CS-MPUD.

A. **CS-MPUD Permitted Uses**

The intent of the CS-MPUD is to provide an alternative residential development pattern to large, agricultural lot uses by providing landowners with density incentives in order to encourage the preservation of large amounts of open space and the clustering of residential lots. Unless otherwise approved as part of the MPUD process, permitted uses shall be consistent with those set forth in this Code, Section 505, with the exception that grazing animals shall be limited to one (1) per acre minimum, exclusive of the area required for other uses. Transient accommodations in the form of attached housing may be considered outside of the CS-MPUD open space, provided that the size and design proposed is demonstrated to support recreational uses only and not to serve as large-scale, permanent housing.

B. CS-MPUD Open Space Uses

1. Permitted Uses

Except as limited by Subsection 2 below, permitted uses within CS-MPUD open space may include, but are not limited to, the following when identified and approved on the master plan, none of which shall be considered active recreation, except as set forth in Subsection a, hereof:

- a. Active recreation areas, including neighborhood parks, which do not exceed ten (10) percent of the required minimum CS-MPUD open space or five (5) acres, whichever is less.
- b. Bike paths and trails.
- c. Equestrian uses and trails.
- d. Public and private natural areas and wildlife-management areas if proposed by the applicant.
- e. Restoration and maintenance activities to sustain or enhance the functions of native habitats, where applicable.
- f. Agricultural uses and accessory uses and structures, such as stables, barns, corrals, storage sheds, fences, gates, waterlines, and cattle troughs.
- g. Private hunting or fishing.
- h. Structures shall be limited in CS-MPUD open space to include only uses and structures that support the other permitted uses in the CS-MPUD open space including, but not limited to, accessory agricultural structures and uses set forth above and one (1) caretaker dwelling unit (with permitted accessory structures) for the residence of the owner, operator, or resident

caretaker of agricultural or conservation activity on agricultural open space of forty (40) acres or more.

- i. Minor utilities (nonregional in nature, except those facilities permitted by Subsection I.(4), below).
- j. Golf courses, provided that:
 - (1) They are in compliance with the *Best Management Practices for the Golf Course Maintenance Departments*, published by the Florida Department of Environmental Protection; and *Environmental Principles for Golf Courses in the United States*, published by the Golf Course Superintendents Association of America, with respect to the golf course's design, operation, and maintenance.
 - (2) Only that portion of the golf course that has pervious surfaces in a natural, vegetative state (this does not include fairways, greens, tee boxes, clubhouse, equipment shed or areas, golf-cart barns, and parking areas) may qualify as up to one-third of the CS-MPUD open space uplands required below. Any ponds, lakes, or wetlands shall be counted against the nonupland, open-space requirement below.
- k. Landscape and other buffers and setbacks (excluding any setbacks associated with residential lots) as required in this Code, Section 522.7.D.2, or otherwise required by this Code or the County as part of the approval of the CS-MPUD.
- l. A minimum of fifty (50) percent of the total area of the CS-MPUD open space must be uplands. No more than fifty (50) percent of the CS-MPUD open space may include the following, either singularly or in any combination:
 - (1) Category I, II, or III wetlands.
 - (2) Natural water bodies.
 - (3) Manmade lakes that are designed to function year-round as recreational amenities for the development.
 - (4) Stormwater management systems serving the CS-MPUD or designed to accommodate needs beyond those of the proposed subdivision (regional stormwater facilities) may be located within the CS-MPUD open space, provided that the stormwater systems are unfenced and are surrounded by or adjoin areas that are

improved for use as a recreation area for use by the subdivision residents.

2. Prohibited Uses

The following uses are prohibited within the CS-MPUD open space:

- a. Internal subdivision streets, except this prohibition does not limit the ability for an internal subdivision street to traverse through the CS-MPUD open space where necessary.
- b. Individual residential lots, except for caretaker residence as permitted herein.

3. Lands Ineligible to be Counted as CS-MPUD Open Space

Lands that are encumbered by a previously approved conservation easement or any other previous development condition that preserves the site as open space in perpetuity where those encumbrances were not created through the CS-MPUD rezoning process, are not eligible to be counted as CS-MPUD open space unless the BCC, at its sole discretion, determines that the land will be provided a greater level of protection through the CS-MPUD regulations including, but not limited to, the required CS-MPUD open-space land management plan, and that such protection justifies the inclusion of some or all of the land as CS-MPUD open space.

C. Density Incentives - CS-MPUD

The density incentives to which an applicant is entitled as a matter of right and not subject to County approval or condition for clustering as a CS-MPUD are set forth in the Future Land Use Element Appendix to the Comprehensive Plan and are as follows:

Density			
Open Space Ratio	AG (Agricultural) DU/Gross Acre	AG/R (Agricultural/Rural) DU/Gross Acre	RES-1 (Residential - 1 du/ga) Developable Residential Acre
50 or More	N/A	1 du/2.5 Acres	1 du/1 Acres
50%-60%	1 du/4.5 Acres		
61%-70%	1 du/3.9 Acres		
71%-80%	1 du/3.6 Acres		
More than 80%	1 du/3.3 Acres		

The density incentives contained herein are subject to demonstrated compliance prior to the issuance of each site plan with Section 381.0065, Florida Statutes, and Rule 64E-6.005, FAC, both as amended from time-to-time, concerning the location and design of well and septic systems as well as public water and sewerage systems, and applicable sections of this Code. Rule 64E-6.005(7), FAC, and Section 381.0065, Florida Statutes, presently permit on-site sewage treatment and disposal systems; e.g., septic tanks,

where (a) a sewerage system is not available and (b) certain statutory conditions under Sections 381.0065(4)(a)-(g), Florida Statutes, are met. The minimum area of each lot under Rule 64E-6.005(7), FAC, is "at least ½ acre (21,780 square feet), exclusive of all paved areas and prepared road beds within public rights-of-way or easements and exclusive of surface water bodies." Subject to the limitations above concerning density incentive entitlements, nothing contained herein shall limit the authority of the BCC to otherwise lawfully approve, deny, or condition a CS-MPUD.

D. CS-MPUD - Design Standards

1. General

The purpose of the Pasco County CS-MPUD design guidelines is to preserve the rural character and the viability of agricultural land by creating greater flexibility in the design of residential developments and to provide opportunities for the planning and design of CS-MPUDs to achieve the following objectives:

- a. Create and preserve connected and contiguous open space.
- b. Use site-specific natural features to create a viable residential development design that minimizes the disturbance to the rural landscape, preserves scenic views and existing vistas, and preserves the character of the surrounding area.
- c. Encourage the viability of agricultural land.
- d. Create a network of protected open spaces within an individual subdivision and minimize the total amount of disturbance on a site.
- e. Supplement existing off-site, protected, open space where possible to create a contiguous network of protected open space.
- f. Minimize disturbance to environmentally sensitive areas, protect biological diversity, and maintain environmental corridors.
- g. Facilitate the construction and maintenance of housing, streets, and other infrastructure in a more efficient manner.

2. Master Plan

A master plan shall be submitted in accordance with this Code, Section 402.2. Greater flexibility and creativity in the design of residential developments to preserve on-site environmental resources and preservation areas is permitted through the conservation-subdivision development approval process and as established through

the design criteria and guidelines provided herein. CS-MPUDs and the development plan for CS-MPUDs shall be organized into two components: (1) residential development and (2) CS-MPUD open space.

a. Residential Development

The location of residential development lots shall be configured to meet the following standards in all material respects:

- (1) Residential lots shall be arranged in a contiguous pattern(s), except as necessary to incorporate roads, drainage, and retention to preserve the function, purpose, and integrity of the on-site natural resources and environmental systems to the maximum extent practicable. The purpose of this standard is to insure that residential lots are clustered on the site consistent with the goals of creating a CS-MPUD by providing contiguous open-space areas and clustered development in a manner that is not indicative of suburban development.
- (2) Minimize disturbance to native habitats and other natural features.
- (3) Protect and preserve the rural character and appearance of land when viewed from public roads and from abutting properties.

b. Residential Development Setback and Buffer Requirements

- (1) The residential development shall be set back a minimum of 100 feet from all CS-MPUD property boundary lines (unless contiguous to existing and/or approved urban development) and external road rights-of-way (outside of the subject development). The BCC may approve a setback of less than 100 feet under special circumstances where the applicant demonstrates that the adjacent land-use condition of the property does not warrant that setback to protect the rural landscape.
- (2) A CS-MPUD shall insure and/or provide a landscape buffer and/or setback buffer that is designed to protect and maintain the rural and agricultural character of the surrounding area. It is the intent of CS-MPUD design to utilize the existing landscape and vegetation to the maximum extent practical to protect the natural aesthetic and existing rural views of the area as viewed from adjacent roadways and properties. In cases where

existing vegetation and landscaping do not exist or are not sufficient to protect the views of adjacent properties and roadways, staff reserves the right to require a detailed buffering plan to protect and preserve the viewshed. Such requirements are in lieu of the landscape ordinance.

c. CS-MPUD Open Space

(1) Required Minimum Open Space

A minimum of fifty (50) percent of the gross acreage of the parcel shall be designated as CS-MPUD open space, exclusive of individual lots (excluding any permitted caretaker residence).

(2) Perpetual Easement

CS-MPUD open space shall be preserved in perpetuity through the use of an irrevocable open space or conservation easement or other mechanism that transfers all development rights to the residential development portion of the CS-MPUD and extinguishes all development rights on the CS-MPUD open space. The easement or other mechanism shall be in such form as is deemed acceptable by the County Attorney and shall be recorded at the time of platting for each phase which is subject to development, including both the residential lots and the remaining open space. Each phase shall be in compliance with density and open space provisions as provided herein. Such perpetually restricted open space may be in agricultural uses subject to the limitations within this section.

(3) External Connectedness

Except as otherwise prioritized by Subsection (5) below and when contiguous off-site open space exists, CS-MPUD open space shall be reasonably configured to create or add to a larger, contiguous, off-site network of interconnected open space, particularly ones with existing native wildlife habitats, and opportunities that arise for providing open space that may assist in restoring native wildlife habitats. Whenever opportunities exist to create connections with existing or potential off-site open space, greenways, riverine systems, flow ways, or conservation systems on adjoining parcels, such connections shall be provided. Opportunities for connections will be determined based upon the natural features of the subject property and

adjacent properties, the existence of connected natural systems, or the existence of critical linkages as defined in the Comprehensive Plan.

(4) Internal Connectedness

CS-MPUD open space shall be configured to create connected and integrated open space within the subdivision parcel to the maximum extent practicable and shall be based upon the context-sensitive site design standards and priorities that are provided in Subsection (5) below. CS-MPUD open space shall still be considered connected if it is separated by a roadway or accessory amenity. The configuration of the CS-MPUD open space shall be determined on a case-by-case basis. Nothing herein shall be construed to require a property owner to designate more than the minimum required CS-MPUD open space/open space in the fulfillment of this provision.

(5) Context Sensitive Site Design

Each CS-MPUD shall be designed to address the natural features of the site. In addition to the protection of natural features, each site shall be designed and shall encourage the use of CS-MPUD open space to provide:

- (a) Viewshed protection of existing and public, rural roadways.
- (b) Continuation of agriculture uses.
- (c) Recreation.

(6) Permitted Uses

Permitted uses within the CS-MPUD open space are described in Section 522.7.B.

(7) CS-MPUD Open Space Land Management Plan

- (8) Unless the CS-MPUD open space is maintained as part of an existing, bona fide agricultural use, an open space land management plan for the use and maintenance of the open space shall be submitted and approved as a part of the master development plan approval process. Compliance with said plan shall become a condition of the development order for the rezoning, where applicable, a condition of the subdivision approval, and a condition of the perpetual open space or perpetual

conservation easement. Any amendments to the open space land management plan must be reviewed by County staff and approved by the County biologist. When the CS-MPUD open space includes a portion of an existing, bona fide agricultural use, that portion of the CS-MPUD open space that is agricultural shall not be required to comply with the CS-MPUD open space land management plan. The open space land management plan shall address the following:

- (a) Ownership.
- (b) Baseline environmental assessment of the CS-MPUD open space as required in the CS-MPUD application requirements.
- (c) Detailed action plan addressing the following:
 - (i) Compatibility with the County's study entitled *Assessment of Measures to Protect Wildlife Habitat in Pasco County* and the Pasco County Comprehensive Plan Conservation Element, as amended from time-to-time, provided that the study remains in effect.
 - (ii) Specific responsibilities for the regular and periodic operation and maintenance of open spaces by private entities.
 - (iii) If applicable, plans for restoration of native habitats.
 - (iv) The necessity, purpose, and location of an on-site caretaker, if a caretaker residence is proposed as a permitted use.
 - (v) Performance measures that would include conditions and methods of enforcement of obligations.
- (d) Annual monitoring report shall be submitted to the County to ensure compliance with the open space land management plan.
- (e) Such other requirements as required by the BCC at the time of approval.

d. CS-MPUD - Street Standards

(1) Minimum Street Design Specifications

Street design shall support the rural character of the CS-MPUD. The number of necessary travel lanes is limited to two (2). All streets and multiuse trails shall be designed in accordance with the minimum design specifications for minor rural subdivisions in this Code, Section 901.6, or in accordance with the following minimum specifications, as depicted in Table 1 and Figures 1-4, unless otherwise approved by the BCC.

Table 1: Characteristics of Conservation Subdivision Street Types				
	Road-Open Drainage (Figure 1)	Lane-Open Drainage (Figure 2)	Lane-Closed Drainage (Figure 3)	Multiuse Trail Pavement Not Required (Figure 4)
Function	Collector	Local	Local	N/A
Traffic Lanes	One Travel Lane in Each Direction, 11'	One Dual-Direction Lane, 20'	One Travel Lane in each Direction, 11'	
Parking Lanes	None	None	None	N/A
Multiuse Path	10', One Side	10', One Side	10', One Side	N/A
ROW Width	73'	69'	50'	22'
Pavement Width	22' Plus 6' Stabilized Shoulders	18' Plus 6' Stabilized Shoulders	20' Plus Curb and Gutter	12'-15' (1)
Vehicular Design Speed	30 MPH	20 MPH	20 MPH	N/A
Landscaping Width	Varies (Optional)	Varies (Optional)	7'	N/A
Road Edge Treatment	Open Drainage	Open Drainage	Type F 2' Curb and Gutter	N/A
Planting	Multiple Trees and Shrubs Species Composed in Naturalistic Clusters			N/A

(2) Additional Standards

Design and construction of the street network is limited by the following:

- (a) Only road-open drainage and multiuse trails shall be permitted within the open space.
- (b) Only lane-open drainage and multiuse trails shall be permitted within the residential development.

- (3) Regarding street design elements not specified in the CS-MPUD street standards, final street design and location for all streets shall encourage open-space conservation, pedestrian/bicycle safety, and comfort through the application of minimum standards for vehicles; e.g., roadway widths will be kept to the minimum necessary for vehicular movement in order to achieve this goal.
- (4) Continuation of Street Pattern Between Phases and Developments. The street layout of subsequent phases shall be coordinated with the street system of previous phases and developments.
- (5) Public Safety. The network shall be designed to accommodate all applicable codes pertaining to emergency response, coordinating the design with the intent to maintain the rural character.
- (6) Traffic Calming. Unless otherwise approved by the County, all streets within CS-MPUDs shall be constructed and designed to the vehicular design speed standards provided in Table 1 and shall promote the safety of pedestrians and bicyclists. Traffic calming measures, such as meandering streets, that modify vehicle speeds and support the rural character may be used to promote the pedestrian orientation within CS MPUDs and are encouraged as an alternative to traditional traffic calming methods.

522.8. **MUTRM-MPUD**

A. Intent and Purpose

The intent of a MUTRM-MPUD, or a Mixed-Use Trip Reduction Measures MPUD, is to promote a connected, mixed-use compact development pattern that incorporates multimodal opportunities. The purpose is to reduce automobile dependency and Vehicle Miles Traveled (VMT) through this form of development.

B. Requirements

An MUTRM-MPUD shall be reviewed in accordance with this Code, Section 901.13, Mixed-Use Trip Reduction Measures (MUTRM).

522.9. **Connected City Master Planned Unit Development District**

A. **CC-MPUD**

1. Intent and Purpose

The purpose of the CC-MPUD Zoning District is to implement the Connected City Corridor Overlay authorized by the State's Pilot Program in Senate Bill 1216 and enabled by the Connected City Comprehensive Plan. This promotes the use of advanced technology for economic development and the improved quality of life for current and future residents, business owners, and workforce members.

The intent of this Code is to provide flexible guidance for implementing the Connected City vision, which includes:

- a. People First – CC-MPUD's must consider People First (automobiles last) in providing high levels of connectivity and also facilitating healthy choices by creating enticing streetscapes and social gathering places.
- b. Mix It Up – A mixture of land uses (horizontally or vertically) over time will be encouraged within CC-MPUD's. Shorter distances to a variety of destinations will encourage alternative modes of transportation to become the most viable preferred choice by residents.
- c. Planning for Redevelopment – CC-MPUD's must consider the future evolution of the current application into the next generation of development. The current application must reflect the measures being used to make future redevelopment more affordable.

2. Adherence to Connected City Comprehensive Plan Policies

All CC-MPUD development applications shall be consistent with the intent and policies of the Connected City Comprehensive Plan.

3. Adherence to Master Roadway Plan

The application must demonstrate adherence to the Master Roadway Plan, including the alignment of Primary and Intermediate Roads within and abutting the site and the use of typical sections for construction of roads, alleys and Multipurpose Trails.

4. Adherence to the Alternative Transportation Vision Plan

The application must demonstrate consistency with the Alternative Transportation Vision Plan, as amended, and, as provided in the Connected City Financial plan, including the general location of alternative vehicle crossings and alternative routes via Multipurpose Lanes, Multipurpose Paths and Multipurpose Trails. This will provide additional connectivity through the Connected City.

5. Adherence to the Conceptual Utility Plan

The application must demonstrate adherence to the Conceptual Utility Plan, including the location of major trunk lines.

6. Connected City Transportation Analysis (CCTA)

a. CC Transportation Concurrency

The roadway network adopted in the Master Roadway Plan has been analyzed based on the approved entitlements within the CC-SPA. All CC-MPUDs are therefore exempt from Transportation Concurrency through project build-out(2065) because a comprehensive Timing and Phasing Analysis was completed for the entire CC Pilot Area.

b. CC Transportation Analysis

The CC Transportation Analysis shall be conducted in accordance with this Code, Section 522.9.H Transportation Analysis.

c. CC Traffic Monitoring

See this Code, Sections 603.8.M.8 and 603.10 Connected City Stewardship District.

7. Service Ready Site Acreage

a. The application must reflect the location and acreage of the designated Service-Ready Site Acreage, as defined in this Code, Section 522.9.I, Service Ready Site Acreage, within the project, as applicable. The applicant must also demonstrate how the acreage was derived and how the specific project percentage of the Service-Ready Site acreage within the entire CC-MPUD boundary relates to the total Service Ready Site acreage needs within the entire CC-SPA.

b. Any parcel of record as of January 10, 2017, within the CC-SPA that is forty (40) acres or less in size is not required to provide Service-Ready Site Acreage. However, such parcels may elect to provide SRSA lands to become eligible for Transportation Development Fee Credits.

8. Mix of Uses

a. The CC-SPA allows for all use types, although some uses are prohibited in certain SPA Zones as outlined in the CC-CPA. Each CC-SPA Zone has a specific character that describes the optimal density, intensity and predominant uses. The

application must identify the Zone the project is located in, describe the proposed uses, their location within the project, the form of development, and the magnitude in which they will be developed.

- b. **Mix of Use Requirement.** Properties developed under the CC-MPUD that are within the CC-SPA Overlay are required to comply with the mix of use policies in the CC Comprehensive Plan. These policies encourage CC-MPUDs to provide multiple uses in close proximity that provide greater flexibility of movement from one destination to the next using multiple modes of movement (walking, biking, riding).

- (1) **Mixed Used Measurement Criteria**

- (a) Demonstrate the percentage of development acreage within $\frac{1}{4}$ mile of at least three (3) different use types; and
- (b) Demonstrate the percentage of the development acreage within $\frac{1}{2}$ mile of at least four (4) different use types; and
- (c) Demonstrate the percentage of the development acreage within 1 mile of at least five (5) different use types
- (d) Different use types include but are not limited to residential, office, retail, medical, hotel, industrial, civic, institutional, social gathering places, parks and recreation.

- c. **De Minimis Size Parcels.** Any parcel of record as of January 10, 2017, within the CC-SPA that is forty (40) acres or less in size may be developed with only one use.
- d. **Mixed Use Buildings.** A vertical mixture of uses and home-based businesses are encouraged within the CC-SPA.
- e. **Additional Incentives** are available through use of MUTRM (Land Development Code Section 901.13), TND (Land Development Code Section 601) and TOD (Comprehensive Plan Objective FLU 10.2).

- 9. **Compatibility**

- a. The application shall provide a mix of land uses described in this Code, Section 522.9.A.8. The specific location of different uses within the CC-MPUD shall be established and clearly delineated on the Conceptual Plan.

- b. Internal Compatibility. If applicable (when not under the de minimis size exemption as described in this Code, Section 522.9.A.8.c, in which case no mix of uses is required), the master plan shall demonstrate compliance with the following characteristics:
 - (1) That the land uses within the master plan are arranged and designed in a complementary and compatible manner;
 - (2) That the vehicular circulation system throughout the master plan directs traffic in an efficient and safe manner; and
 - (3) That the individual land use components of the master plan are interconnected by safe and convenient pedestrian and/or alternative transportation linkages.
- c. External Compatibility. The CC-MPUD shall include conditions of approval that demonstrate compatibility with adjacent properties as described in this Code, Section 522.9.Q Landscaping and Buffering.
 - (1) If the adjacent property is a CC-MPUD, the applicant shall follow this Code, Section 522.9.A.9.b above.
 - (2) If the adjacent property is not a CC-MPUD, the applicant is not required to provide a buffer per Table 522.9.Q-3. The applicant shall provide opportunity for future connection to adjacent properties using vehicular connectivity, pedestrian connectivity, or alternative transportation network facilities (Multipurpose Trails), if practical.

10. Connectivity

- a. Connectivity shall be achieved by the implementation of at least 3 of the following:
 - (1) Vehicular Connectivity shall be provided through a cohesive roadway system, providing vehicular connections between neighborhoods and non-residential areas.
 - (2) Pedestrian and Bicycle Connectivity shall be provided through a cohesive alternative transportation system of Multipurpose Lanes, Multipurpose Paths, Multipurpose Trails, sidewalks and bicycle lanes.

- (3) Neighborhood Vehicle Connectivity shall be provided through a cohesive alternative transportation system of Multipurpose Lanes, Multipurpose Paths, and Multipurpose Trails.
- (4) Gigabit speeds, or greater, using Fiber to the Premises (FTTP) and CAT 6 cable or higher within the homes and businesses.

11. Redevelopment

The application shall delineate the portion of the proposed parcel to be planned for redevelopment in the future. The specific entitlements to be graphically allocated to the portion of the parcel planned for redevelopment must be identified by each specific use type (retail, office, multifamily, etc.).

12. Development Fee Credits

The development fee credits within the CC-SPA are outlined in the CC-FP. The specific terms of available credits to the applicant shall be described in the CC-MPUD conditions of approval, development agreement or other development approval granted by the Board of Supervisors.

13. Alternative Transportation

- a. In addition to accommodating automobiles, the application must make safe accommodations for pedestrians, bicyclists, and neighborhood vehicles. Alternative transportation reduces vehicle miles traveled by automobiles while providing multiple choices for movement within the project and between uses resulting in an interconnected system linking all uses.
- b. Typical roadway sections provided in the Master Roadway Plan determined where sidewalks, bike lanes, Multipurpose Paths and Multipurpose Lanes are to be provided.
- c. Additional connections between destinations shall be provided for through the use of Multipurpose Trails. Multipurpose Trails are intended to provide increased capacity to the transportation network and may be a “short-cut” or scenic route from one destination to another.

14. Social Gathering Spaces

- a. The application shall generally describe the location and type of social gathering spaces that will be integrated into the design of the project. These spaces shall be:

- (1) Accessible by at least two of the following: automobile; neighborhood vehicle; bicycle; or foot
- (2) Public or private establishments, including but not limited to parks, schools, libraries, cafes, and book stores; and
- (3) Encouraged to be collocated with schools or other civic uses.

15. Buffering

- a. The application shall describe where landscape buffering and screening will be incorporated into the project to ensure an aesthetically pleasing development environment that provides interest to pedestrians, bicyclists, neighborhood vehicle users, and motorists to provide separation between uses and intensities where described in this Code, Section 522.9.Q Landscaping and Buffering.

16. Building and Parking Standards

- a. The application shall demonstrate how non-residential and multifamily development will accommodate the pedestrian and consider the alternative transportation network user as described in this Code, Section 522.9.R On-Site Parking.
- b. The application shall reflect techniques utilized to minimize the visual impact of parking for non-residential and multifamily development. The minimization of the number of parking spaces is an acceptable technique to reduce the visual impact of parking. Neighborhood vehicle parking shall be allowed as a percentage of overall parking requirements.

B. **CC-Entitled Property**

The provisions of this CC-LDC apply to all land that lies within the jurisdiction of the Connected City Stewardship District (CCSD) boundary in Pasco County and which is zoned CC-MPUD or otherwise becomes a CC Entitled Property as defined in the CCSD, and addressed in this Code, Section 603 Connected City Stewardship District.

C. **General Provisions**

1. Title

These provisions shall be entitled the Connected City Land Development Code and may be referred to herein as the CC-LDC. Whenever a reference is made to the CC-LDC or any portion thereof,

the reference shall apply to all amendments, corrections, and additions, heretofore, nor or hereafter made.

2. Authority and Purpose

- a. Pursuant to Article VIII, Section 1(f), of the Constitution of the State of Florida; the Local Government Comprehensive Plan and the Land Development Act, Chapter 163, Part II, Florida Statutes, as amended; and Chapter 125, Florida Statutes, as amended, the County is authorized and required to adopt this CC-LDC consistent with the adopted Pasco County Comprehensive Plan.

This CC-LDC consists of certain regulatory and administrative ordinances of the County, codified pursuant to the provisions of Sections 125.66, 125.67, and 125.68 Florida Statutes.

- b. The provisions of the CC-LDC shall be construed and applied to implement the post-zoning aspects of the Connected City Pilot Program, including without limitation the following matters:
- (1) To establish regulations, procedures, and standards for review and approval of all proposed development in the Connected City Stewardship District boundary for which a Connected City Master Planned Unit Development (CC-MPUD) Zoning designation has been approved, or for any other property which becomes a CC-Entitled Property as defined in the Connected City Stewardship Ordinance, Section 603 of this Code.
 - (2) To foster and preserve public health, safety, and welfare and to aid in the harmonious, orderly, and progressive development of the Connected City in accordance with the adopted Comprehensive Plan and the CCSD.
 - (3) To implement a development review process that is:
 - (a) Efficient, in terms of time and expense;
 - (b) Effective, in terms of addressing the natural resource and public facility implications of proposed development;
 - (c) Equitable, in terms of consistency with regulations and procedures;
 - (d) Equitable, in terms of preservation of the rights of property owners; and

(e) Equitable, in the consideration of the interests of the citizens of Pasco County.

(4) To implement the Comprehensive Plan provisions applicable to the Connected City, and the terms of the CCSD.

3. Required Consistency with the Comprehensive Plan

This CC-LDC is deemed consistent with the Pasco County Comprehensive Plan, including the provisions applicable to the CCSD. Any amendments to this CC-LDC must be consistent with the Comprehensive Plan in effect at the time of any proposed amendment to this CC-LDC. An amendment to this CC-LDC is consistent with the Comprehensive Plan if it implements the Goals, Objectives, Policies, and strategies and vision statements contained in the Comprehensive Plan.

4. Construction

a. Coordination with Other Regulations

(1) The uses, structures, and land for CC Entitled Properties within the Connected City District boundary are subject to all other applicable regulations, except for local regulations which are inconsistent with the terms of the CC-LDC or the CCSD. References to other regulations or provisions of this Code are for the convenience of the reader and are not exhaustive. The lack of a reference or a cross-reference does not exempt a use, structure, development, or land from those regulations or all other applicable provisions of this Code.

(2) If a provision of this CC-LDC imposes different standards than those required under another local ordinance or regulation, the regulation adopted under the CC-LDC controls.

b. Rules of Construction

(1) The function of the CC-LDC is to define the portions of this Code that will no longer be applicable to parcels within the CC-SPA which have elected to become a CC-Entitled Property, as defined in Sections 522.9.B and 603 of this Code and to provide replacement portions of this Code to effectively support the generalized guidance, recommendations and suggested strategies for implementation.

The portions of this Code that are intended to remain in effect for parcels of land within the CC-SPA that have

elected to become a CC-Entitled Property are as follows:

301.2 – Effect of Overdue Taxes, Liens, and Fines

301.3 – Misrepresentation

303.2 – Authority to File Development Applications

303.3 – Authority to Access Property

303.6.C – Modifications to Submittal Requirements

309.2 – Inspections

310 – Performance Security

311 – Defect Security

402.3 – Conditional Uses

402.4 – Special Exceptions

402.5 – Miscellaneous Uses

403.6 – Fill

404.1 – Minor Land Excavation

404.2 – Land Excavation

404.3 – Mining

404.4 – Construction and Demolition Debris Facilities

404.5 – Land Spreading

404.6 – Yard Trash Processing

406.1 – Signs

406.2 – Billboards

406.3 – Development Agreements

406.4 – Building Permits and Certificates of Occupancy

406.6 – Model Centers

407.2 – Zoning Variances

407.3 – Administrative Variances

407.4 – Alternative Relief

407.6 – Vested Rights

Chapter 500 – Section 522 (CC-MPUD category included)

530.5 – Parking or Storage of Recreational Vehicles

530.7 – Essential Services

530.8 – Accumulation of Debris/Property Maintenance

530.9 – Temporary Uses

530.10 – Junkyards

530.11 – Travel Trailer/Recreational Vehicle Parks and Campgrounds

530.12 – Travel Trailer/RV Subdivisions

530.13 – Waterfront Property

530.14 – Applicability of this Code to the Sale of Alcoholic Beverages

530.15 – Fraternal Lodges and Social and Recreational Clubs

530.16 – Parking and Storage of Commercial Vehicles and Commercial Equipment in Certain Residential Areas Prohibited

530.17 – Reserved

530.18 – Temporary Use of Portable Storage Units

530.19 – Use of Dumpsters in Residentially Zoned Property

530.20 – Temporary/Portable Toilet Facilities

601 – Traditional Neighborhood Development

602 – Villages of Pasadena Hills Stewardship District

700.4 – Conformance with County Policy

700.6 – Consideration of Soil Conditions, Flood Hazards, and Water Resources

700.10 – Prohibitions

700.11 – Dedication

Chapter 800 – Natural and Cultural Resource Protection

901.1 – Transportation – Corridor Spacing

901.2 – Transportation Corridor Management

901.3 – Access Management

901.4 – Substandard Roadway Analysis

901.6.G – Traffic Control Devices

901.6.H – Street Names

901.6.I – Street Lighting

901.7.E – Obstructions

901.7.F – Maintenance

901.9 – Street Naming and Addressing

901.10 – Traffic Control Devices

901.11 – Street Lighting

901.13 – Mixed Use Trip Reduction Measures (MUTRM)

902 - Stormwater

904 – Fire Protection

905.4 - Irrigation

907.2 – Loading

907.2 – Stacking Spaces and Drive-through Facilities

907.4 – Lighting

Chapter 1000 – Miscellaneous Structure Regulations

Chapter 1100 – Special Development Standards

Chapter 1200 – Nonconformities

Chapter 1300 - Concurrency, Mobility and Impact Fees

The portions of this Code that no longer apply to parcels of land within the Connected City Special Planning Area that have elected to become a CC-Entitled Property are as follows:

303.1 – Development Manual (CC-LDC will serve as the Development Manual within the CC)

402.1 – Zoning Amendment Euclidean

402.2 - Zoning Amendment MPUD (CC-MPUD will be added to Pasco LDC in Chapter 522)

405 – Property Division Limited Family Lot Division

903.5 – Wells and/or septic tank (in that all parcels will be served by the PCUD)

906 – Outdoor Refuse, Loading, and Mechanical Equipment Screening (addressed in CC-LDC Landscaping & Buffering)

- (2) This CC-LDC contains numerous graphics, pictures, illustrations, and drawings in order to assist the reader in understanding and applying this CC-LDC. However, to the extent that there is any inconsistency between the text of this CC-LDC and any such graphic, picture, illustration, or drawing, the text controls unless otherwise provided in the specific section.
- (3) Title and chapter headings and section catch lines in this CC-LDC shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any title, chapter, or section hereof.
- (4) Words as defined herein, whether within individual sections of this CC-LDC or as put forth in this Code, Appendix A, Definitions, are specifically incorporated herein and made a part of this CC-LDC.
- (5) All general provisions, terms, phrases, and expressions contained in this CC-LDC shall be liberally construed in

order that the true intent and meaning of the CCSD may be fully carried out. Terms used in this CC-LDC, unless otherwise specifically provided, shall have the meanings prescribed by the statutes of the State for the same terms.

- (6) Where this CC-LDC incorporates by reference a provision of another statute, regulation, guideline, or rule, it shall be deemed to be the most recent applicable version.

c. Rules of Interpretation

- (1) Gender

Words importing the masculine gender shall be construed to include the feminine and neuter. Words importing the feminine gender shall be construed to include the masculine and neuter.

- (2) Number

A word importing the singular number only may extend and be applied to several persons and things as well as to one person and thing. The use of the plural number shall be deemed to include any single person or thing.

- (3) Shall / May

The word shall is mandatory and not discretionary; may is permissive.

- (4) Written or In Writing

The term written or in writing shall be construed to include any representation of words, letters, or figures, whether by printing or otherwise.

- (5) Computation of Time

The time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday, or legal holiday, that day shall be excluded.

- (6) Day

The word "day" shall mean a calendar day unless a working day is indicated.

d. Continuation of Existing Ordinances

The sections of this CC-LDC, insofar as they are substantially the same as legislation previously adopted by the County relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactments.

e. Effect of Repeal or Amendment

(1) The repeal or amendment of an ordinance shall not revive any ordinance in force before or at the time the repealed or amended ordinance took effect.

(2) The repeal or amendment of any ordinance shall not affect any punishment or penalty finalized before the repeal took effect, nor any suit, prosecution, or proceeding pending at the time of the repeal for an offense committed under the repealed or amended ordinance.

5. Amendment of this CC-LDC

a. Purpose

The CC-LDC may be amended from time to time in accordance with the procedures and standards set forth in this section. The purpose of this section is not to relieve particular hardships and not to confer special privileges or rights on any person, but only to make adjustments to the text of the CC-LDC that are necessary in light of changed conditions or changes in public policy or that are necessary to implement the Comprehensive Plan or to advance the general welfare of the CCSD.

b. Initiation of Amendment

An amendment to the text of the CC-LDC may be initiated by the County Staff or the Planning Commission, or such replacement, modified or substitute body, entity or person as designated by the BCC from time to time to perform such regulatory and/or advisory functions (PC), subject to approval by the BCC. County staff shall post such amendments on the County's website, and any other electronic distribution requested by the PC or BCC, but is otherwise not required to submit such amendments to any group prior to the submission to the PC.

c. Public Hearings

Public hearings to consider and adopt amendments to the CC-LDC shall be duly noticed in accordance with the general procedures and requirements of Section 125.66, Florida Statutes, and other applicable law. Public hearings to enact emergency ordinances to amend the text of the CC-LDC need not comply with the notice requirements of Section 304, hereof, so long as they comply with the requirements of Section 125.66(3), Florida Statutes. The PC shall hold an advertised public hearing to consider a recommendation on the proposed amendment, provided additional hearings may be held at the option of the PC. The BCC shall hold an advertised public hearing to consider approval of the proposed amendment, provided additional hearings shall be held when required by applicable law.

d. Recommendation of the PC acting as the Local Planning Agency (LPA)

The PC shall consider the proposed amendment and provide a recommendation to the BCC addressing consistency with the Comprehensive Plan and the CCSD. The PC may also provide comments, including recommended changes to the proposed amendment and additional issues to be considered. The County Administrator or designee shall forward the recommendation and comments of the PC, together with any County staff recommendations, to the BCC for consideration in the public hearing or hearings in which the proposed amendment will be considered.

e. Action by the BCC

The BCC may:

- (1) Determine that the proposed amendment is consistent with the Comprehensive Plan and the CCSD, and promotes the public health, safety and welfare and adopt the amendment as proposed, or with such modifications as are necessary ensuring consistency with the Comprehensive Plan and promoting public health, safety and welfare;
- (2) Refer the matter back to the PC for further review and recommendations; or
- (3) Determine that the proposed amendment is not consistent with the Comprehensive Plan or does not promote the public health, safety, or welfare and reject the proposed amendment.

6. Fees

The County Administrator or his/her designee is authorized to recommend that the BCC adopt, by resolution, all necessary fees to administer, implement, and enforce the CC-LDC, including appropriate fees for procurement of consulting assistance when appropriate.

7. Enforcement

- a. Any person who violates any provision of the CC-LDC may be prosecuted and punished in the manner provided by law under Section 125.69, Florida Statutes; Chapter 162, Part II, Florida Statutes; Section 1 of the Pasco County Code of Ordinances; and/or as otherwise specifically provided for elsewhere in this Code.

Nothing in the CC-LDC shall be construed to prohibit the County from enforcing the CC-LDC by any means including, but not limited to, issuance of a citation without warning, a summons, an arrest, an action before an enforcement board or special master, a civil action for injunctive relief, a stop work order, demolition, or by any other matter provided for in Chapter 125, Florida Statutes, or the Pasco County Code of Ordinances. Each violation of the CC-LDC shall be a separate offense. Each day that the violation continues shall constitute a separate violation. All costs for enforcement, prosecution, and judicial review may be assessed against the violator of the provisions of the CC-LDC on finding by the court that the violations have occurred.

- b. The owner, tenant, or occupant of any land or structure or part thereof, and any architect, builder, contractor, agent, or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of the CC-LDC, or any person otherwise responsible as provided elsewhere in the CC-LDC, may be held responsible for the violation and be subject to the penalties and remedies provided for in this Code.
- c. The BCC or any aggrieved person may resort to such remedies in law and equity as may be necessary to ensure compliance with the provisions of the CC-LDC, including injunctive relief to enjoin and restrain any person violating the said provisions. The County may elect any or all of the available remedies concurrently and the pursuance of one shall not preclude the pursuance of another. The County Attorney is hereby authorized to take whatever legal action is necessary to prevent, abate, or correct violations of the CC-LDC.
- d. Any law enforcement official, County Code Enforcement Officer, and the County Administrator or designee is hereby designated

as a Code Enforcement Officer authorized to issue citations for the County.

- e. County officials authorized to issue development approvals including, but not limited to, Building Permits and Certificates of Occupancy, may withhold such approvals from any person found to be in violation of the CC-LDC or in violation of any prior, unexpired, development approval issued in accordance with the provisions of the CC-LDC. Such pending development approvals and/or permits may be withheld until compliance with the CC-LDC or the development approval occurs. However, any person aggrieved by a decision to withhold a pending development approval and/or permit may appeal such decision to the PC.
- f. It shall not be a defense to or grounds for dismissal of any action for damages and civil penalties that the County has failed to exhaust its administrative remedies, has failed to serve a notice of violation, or has failed to hold an administrative hearing prior to the institution of a civil action, or that criminal proceedings or other enforcement proceedings are pending. The failure of the County to enforce any requirements of the CC-LDC shall not constitute a waiver of the County's right to enforce the CC-LDC with respect to that violation or subsequent violations of the same type or to pursue other remedies.
- g. The County's Uniform Fine Schedule, as provided for in Sections 1-11 of the Pasco County Code of Ordinances and as may be amended, is incorporated herein.
- h. In the event a violation of the CC-LDC or a permit creates an immediate health hazard or threatens immediate, serious damage to the public health or threatens or causes irreparable injury or damage to aquatic life or property, the County Administrator or designee shall have the power and authority to order immediate cessation of the activities causing such conditions. Any person receiving such an order for immediate cessation of operations shall immediately comply with the requirements thereof. It shall be unlawful for any person to fail or refuse to comply with an order for immediate cessation issued and served under the provisions of this Code. The failure of a permittee or any other appropriate party to comply with an order for immediate cessation issued under this Code or with any requirements, measures, or steps imposed upon the violator through such an order shall be unlawful and shall constitute a violation of this Code.
- i. Any person violating the provision of the CC-LDC and causing damage, destruction, or unsafe, dangerous, or unhealthful conditions shall be responsible for:

- (1) Correcting such conditions.
 - (2) Repairing damage to or replacing destroyed County, public, or County maintained property.
 - (3) Reimbursing the County for the cost of correcting such conditions, repairing, or replacing County or publicly owned or maintained property, where such correction, repair, or replacement by the County is required, provided that prior to undertaking repair or replacement, the County may first make:
 - (a) Demand upon a person responsible for such adverse conditions, damage, or destruction to make appropriate corrections, repairs, or replacement.
 - (b) If such demand is made, the responsible person shall take such action within a reasonable time as determined by the County, based upon the circumstances giving rise to the demand.
 - (4) Indemnifying the County for any liability for damages caused by such violation or violations.
- j. Any person failing to implement or carry out development in accordance with the CC-LDC or other applicable regulations or approved plans, development permits, applications, conditions, or standards shall be responsible for correcting, repairing, or replacing materials, property, or conditions in order to bring the development into conformity with such regulations, the CC-LDC, plans, development permits, applications, conditions, or standards. Any such person shall be deemed in violation of the CC-LDC.
- k. Enforcement of any setback or height restrictions set forth in the CC-LDC, shall be barred if enforcement; e.g., notice of violation, citation, complaint, lawsuit, etc., of such violation has not been initiated within one (1) year of the date the violation occurs. This exemption shall not apply to violations involving recreational vehicles, nor to buildings or structures built or placed without required building or zoning permits and/or inspections after January 1, 1995, nor to buildings or structures built or placed upon easements where structures would otherwise be prohibited.
- l. The following acts and omissions constitute a violation of the CC-LDC:

- (1) Failing to observe any requirements of the CC-LDC.
- (2) Failing to perform any act required by the CC-LDC.
- (3) Failing to perform any act required by the CC-LDC in the manner or within the time specified for performance.
- (4) Performing an act prohibited by the CC-LDC.
- (5) Failing to observe any condition of any permit or approval.
- (6) Failing to pay required fees.

D. **Greenlight Process Procedures**

Applicants that have opted in to Connected City by being part of a CC-MPUD or through other approved means within this Code, may elect to use the Standard Review process, Expedited Review process, or other applicable review processes available within the Pasco County Land Development Code, Connected City Land Development Code or the Development Manual, including the Greenlight Process specified below.

1. Intent and Purpose

The intent and purpose of this section is to provide the procedures and general standards for review of development, development activity, and other applications that are submitted to the County for review under this Code for property located within the Connected City District boundary for which a CC-MPUD zoning amendment has been approved. All applicable applications for development approval shall comply with these procedures and the applicable standards of this Connected City Land Development Code and as may be required by other Federal, State, or local regulations.

2. Incremental Development Approvals

The commencement of specifically authorized development activities on property located within the Connected City District boundary for which a CC-MPUD zoning amendment has been approved prior to issuance of all other development approvals is anticipated and is specifically encouraged in accordance with this Connected City Land Development Code. The issuance of Incremental Development Approvals is recognized as a significant methodology to facilitate the rapid commencement of development activity fueling the economic competitiveness of the Connected City.

3. Common Procedures

a. Fees

Fees shall be paid according to the fee schedule established by resolution(s) by the BCC.

b. Preapplication Consultation

- (1) The purpose of a preapplication consultation is to familiarize the applicant with the provisions of this Code applicable to the proposed development, and to inform the applicant about the development approval application, preparation, and submission. The owner/applicant shall request a preapplication consultation prior to submittal of a development approval application. The applicant shall provide the property identification number, physical address, and contact information, including name, telephone number, and e-mail address, if applicable, when requesting the preapplication consultation. The applicant shall provide a conceptual plan depicting the proposed development in enough detail so that staff can evaluate the proposal and provide helpful feedback to the applicant.
- (2) A preapplication consultation, with attendance by the owner/applicant, is required prior to the submission and acceptance of any development approval application for:
 - (a) Preliminary Site Plans (PSPs)
 - (b) Preliminary Development Plans (PDPs)
- (3) The preapplication consultation shall take place prior to the first submission in the Connected City incremental review process. In the case of a project where subdivision of land is proposed, the preapplication consultation shall take place prior to the submission of a PDP. In the case of a project where subdivision of land is not proposed, the preapplication consultation shall take place prior to the submission of a PSP. Additional consultations prior to later submissions in the incremental review process are not required but may be requested by the applicant and scheduled at the discretion of the Assistant County Administrator for Development Services or the appropriate designee.

c. Application Submittal and Acceptance

- (1) The owner/applicant shall submit a development approval application pursuant to applicable submittal requirements. A content-review consultation is

mandatory for all development approval applications prior to acceptance.

- (2) A development approval application shall be accepted when it contains all required information and documents. Incomplete applications will not be accepted for review and shall be returned to the applicant with a list of deficiencies.

4. Application Processing

For projects that have rezoned to CC-MPUD, a process that consists of incremental plan submissions that progress in a logical sequence and gain approval in that same sequence is available. Hereinafter, this process is referred to as the "Greenlight Process." This process shall be conducted in accordance with the procedures outlined in this Code, Subsection 522.9.D.4.b.

a. General

At each increment of the Greenlight Process, the County Administrator or designee may issue one of the three following decisions: (A) Denial (if plans and/or proposed activity are inconsistent with the LDC); (B) Incremental Approval (if plans and proposed activity are completely acceptable and require no minor corrections or modifications); or (C) Incremental Conditional Approval (ICA) (if minor exceptions are identified by staff and the applicant desires to proceed with the next incremental review by addressing the minor exceptions with the next submission at their own risk). The ICA shall contain, in addition to standard approval conditions, Specific Conditions that identify and describe the minor exceptions that must be addressed with the next Incremental Plan submission, and which must also be addressed on a revised and resubmitted plan for the increment for which the Specific Conditions were issued. Approval, conditional or otherwise, of any increment shall not occur until all conditions for the previous increment have been satisfied.

b. Review Increments

The Greenlight Process facilitates incremental review and conditional approval of Incremental Plans in a logical sequence that mirrors the typical construction sequence. Applicants using the Greenlight Process, which are those whose projects are located on properties with Connected City Master Planned Unit Development (CC-MPUD) zoning, shall not be permitted to submit a PDP or PSP simultaneously with construction plans. Plans and supporting documentation shall be submitted in the following incremental sequence:

- (1) Preliminary Development Plan (PDP) or Preliminary Site Plan (PSP), as applicable.
 - (a) The purpose of this plan is to demonstrate project intent by addressing general conformance with this Code and applicable conditions of the CC-MPUD zoning prior to preparation of detailed incremental construction plans for an individual project.
 - (b) PDP or PSP contents and submittal requirements are detailed in this Code, Section 522.9.E. Permit Types and Applications.
- (2) Mass Grading Plans
 - (a) The purpose of this plan is to allow applicants to proceed with land clearing, earth moving, and stormwater management system construction in advance of obtaining approval for other development increments that occur later in the land development process.
 - (b) Depending on the size, scope, and status of a project, this increment might or might not be required. For example, small projects for which the earthwork phase of construction would be relatively short in duration would derive no benefit from pursuing mass grading as a stand-alone increment. Also, some projects might have previously obtained mass grading approval as part of a prior phase of development and would not need a stand-alone mass grading increment.
 - (c) Mass Grading Construction Plan contents and submittal requirements are detailed in this Code, Section 522.9.E. Permit Types and Applications.
- (3) Utility Construction Plans
 - (a) The purpose of this plan is to allow applicants to proceed with water distribution system, wastewater collection/transmission system, and reclaimed water distribution system construction in advance of gaining approval for other development increments that occur later in the land development process.

- (b) Utility Construction Plan contents and submittal requirements are detailed in this Code, Section 522.9.E. Permit Types and Applications.
- (4) Paving, Grading, and Drainage Plans
 - (a) The purpose of this plan is to allow applicants to proceed with construction of streets, storm sewer systems, and final grading after installation of deep gravity sanitary sewer systems and before gaining final approval for all development increments.
 - (b) Paving, Grading, and Drainage Plan contents and submittal requirements are detailed in this Code, Section 522.9.E. Permit Types and Applications.
- (5) Landscaping and Hardscaping Plans
 - (a) The purpose of this plan is to address tree removal and replacement, buffering, and other required landscaping, and hardscaping, including but not limited to sidewalks, plazas, courtyards, etc. Addressing these elements last mirrors the construction process and allows applicants to proceed with earlier increments of construction prior to approval of landscaping and hardscaping plans. Further, addressing these elements at the end of the development process should reduce the need for landscaping plan modifications that often occur when landscaping design is completed at the beginning of the process.
 - (b) Landscaping and Hardscaping Plan contents and submittal requirements are detailed in this Code, Section 522.9.E. Permit Types and Applications.

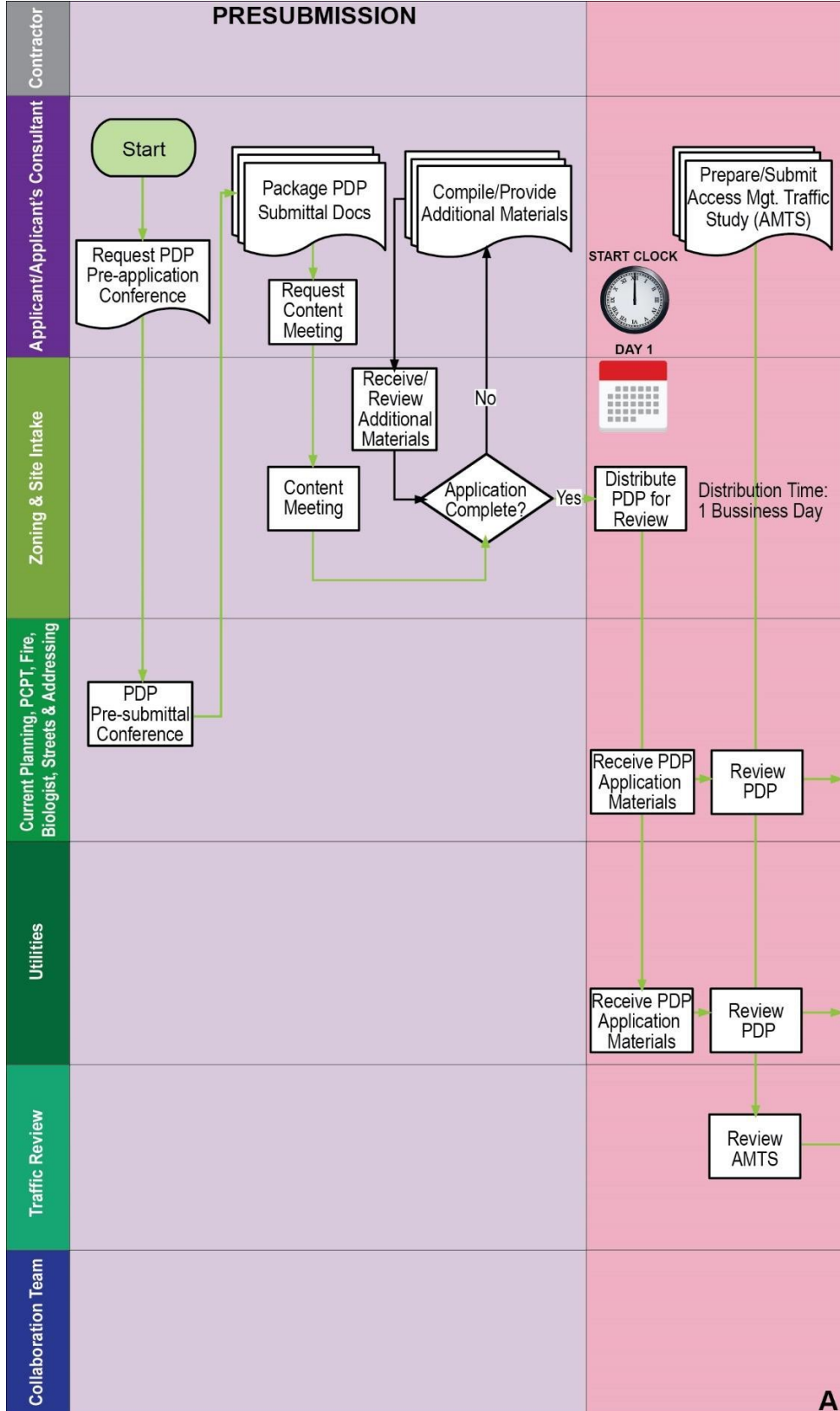
c. Process Detail

- (1) Applicant shall request and attend a Preapplication Consultation for the Preliminary Development Plan (PDP) or Preliminary Site Plan (PSP), as applicable, as required by this Code, Subsection 522.9.D.3.b. Preapplication Consultation.
- (2) Applicant shall request and attend a face-to-face Content Review Consultation as required in this Code

Subsection 522.9.D.3.c. Application Submittal and Acceptance.

- (a) If County staff finds at the Content Review Consultation that the application materials are incomplete, the applicant or the applicant's representative shall be provided with a list of deficiencies.
 - (i) The applicant shall have up to fourteen (14) days to provide additional materials to satisfy the content deficiencies. If no additional materials are provided within 14 days and no time extension for cause is requested and granted, the application shall be deemed withdrawn and a new Content Review Consultation shall be requested at such time as the applicant is ready to submit a complete application.
 - (ii) Once the applicant provides additional materials to satisfy content deficiencies, the County shall have one (1) business day to determine if the application is complete. If staff still deems the application incomplete, the applicant or applicant's representative shall be notified by electronic mail of remaining deficiencies and shall again have fourteen (14) days to respond before the application shall be deemed withdrawn.
- (b) Once County staff finds that the application materials are complete, either at the Content Review Consultation or after the applicant has provided additional materials deemed sufficient by County staff, the County shall have one (1) business day after receipt of the materials comprising a complete application to distribute the PDP or PSP and associated application materials to all applicable reviewing departments and/or entities.

**Figure 522.9.D.-1
Greenlight Process Map Excerpt - Intake and Content Review**



- (3) Once the PDP or PSP and accompanying application materials are distributed, Current Planning staff in the Pasco County Planning & Development Department shall have the number of days prescribed in Table 522.9.D.-1 Greenlight Process Timeframes to review the PDP or PSP and associated materials and issue an Incremental Approval, a Denial, or an ICA.
- (a) Pasco County shall approve the PDP or PSP if the County deems it consistent with the LDC. It shall be deemed consistent if all required information and documents have been prepared in accordance with professionally accepted standards, the Comprehensive Plan, Land Development Code, and all other applicable rules and regulations.
- (b) The effect of an Incremental Approval:
- (i) The applicant may rely upon the approved PDP or PSP for subsequent submittals.
- (ii) The applicant may also proceed to the next Incremental Plan in the Greenlight Process.
- (iii) The time limit on approval for a PDP or PSP shall be as indicated in this Code, Section 522.9.E. Permit Types and Applications. However, notwithstanding the approval time limit stipulated in this Code, Section 522.9.E., the applicant must submit the next Incremental Plan in the process within 180 days of approval of the PDP or PSP. If the next Incremental Plan is not submitted within 180 days, the applicant will have forfeited the ability to continue through the Greenlight Process without scheduling and attending a new preapplication consultation with Pasco County staff to update the project's status.
- (c) If the County Administrator or designee determines a PDP or PSP to be deficient, but further determines that reasonable assurance has been provided by the applicant such that it can be deemed sufficient subject to compliance with Specific Conditions of reasonable number

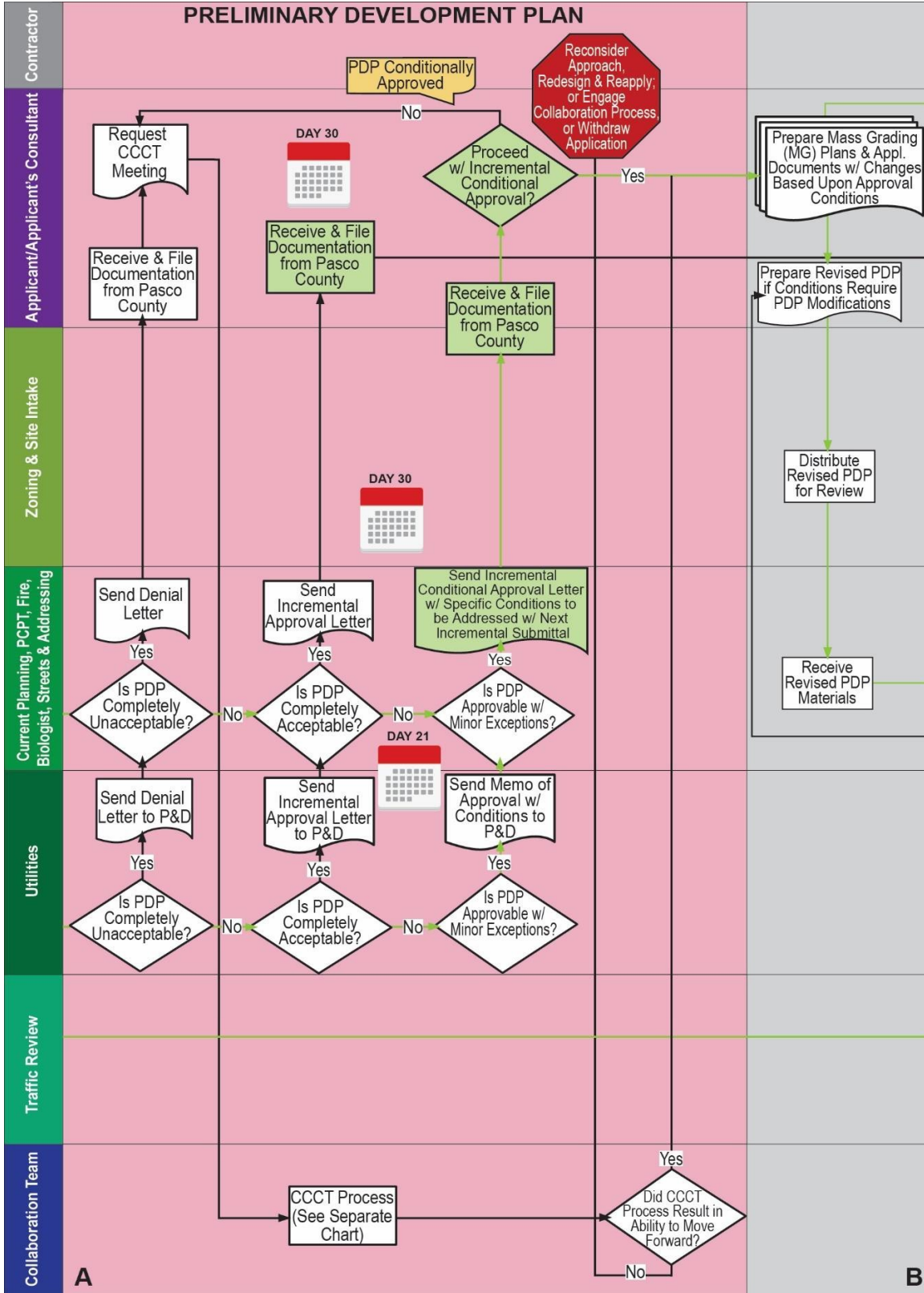
and scope, then an ICA with Specific Conditions shall be issued. If an ICA is issued, the applicant shall address all Specific Conditions with the next Incremental Plan review.

- (i) The applicant shall make any changes to the PDP or PSP as may be required to address Specific Conditions of the ICA. In addition, any Specific Conditions of the ICA that affect the next Incremental Plan (Mass Grading or Utility Construction Plans, as applicable) shall be addressed in the next Incremental Plan.
- (ii) The applicant shall submit the revised PDP or PSP addressing the Specific Conditions of the ICA to Pasco County simultaneously with the next Incremental Plan. Pasco County shall have the number of days prescribed in Table 522.9.D.-1 Greenlight Process Timeframes to review the revised PDP or PSP and associated materials and either issue an Incremental Approval, or request additional information. The process for review and approval of a Revised Incremental Plan (a PDP, PSP, or other incremental plan described in this Code, Subsection 522.9.D.4.b. Review Increments that has been revised to address Specific Conditions of an ICA) is described in this Code, Subsection 522.9.D.4.c. Process Detail.
- (iii) When submitting the next Incremental Plan with the revised PDP or PSP, the applicant and Pasco County shall follow the same content review procedures as outlined for the PDP/PSP submission in this Code, Subsection 522.9.D.4.c. Process Detail.
- (iv) The time limit on approval of a conditionally approved PDP or PSP shall be 180 days. If the applicant does not submit a revised PDP or PSP within 180 days, the ICA will expire, except that it shall remain valid as long as the applicant has made timely submission of a revised PDP or PSP and is making

timely responses to Pasco County in an effort to gain final approval of the PDP or PSP. Further, the applicant must submit the next Incremental Plan in the process within 180 days of issuance of the ICA for the PDP or PSP. If the next Incremental Plan is not submitted within 180 days, the applicant will have forfeited the ability to continue through the Greenlight Process without scheduling and attending a new preapplication consultation with Pasco County staff to recap the project's status.

- (d) If the County Administrator or designee determines a PDP or PSP to be inconsistent with the Comprehensive Plan or LDC, and determines that insufficient assurance exists such that it could be deemed consistent subject to Specific Conditions of reasonable number and scope, then the application shall be denied. The applicant shall be notified in writing with citations to the applicable regulation(s) with which the application has not sufficiently complied. If a denial is issued, the applicant may seek relief under this Code, Subsection 522.9.E.5.a. Connected City Collaboration Process.
- (e) Figure 522.9.D.-2 is an excerpt from the Connected City Greenlight Process Map depicting the PSP/PDP review process.

**Figure 522.9.D.-2
Greenlight Process Map Excerpt – PDP/PSP Review**



- (4) Once the next Incremental Plan in sequence (Mass Grading or Utility Construction Plan as applicable) and accompanying application materials are distributed, Current Planning staff in the Pasco County Planning & Development Department shall have the number of days prescribed in Table 522.9.D.-1 Greenlight Process Timeframes to review the incremental plan and associated materials and issue an Incremental Approval, a Denial, or an ICA.
- (a) Pasco County shall approve the Incremental Plan if the County deems it consistent with the Comprehensive Plan and LDC. It shall be deemed consistent if all required information and documents have been prepared in accordance with professionally accepted standards, the Comprehensive Plan, Connected City Land Development Code, and all other applicable rules and regulations.
- (b) The effect of an Incremental Approval:
- (i) The applicant may rely upon the approved Incremental Plan for subsequent submittals.
- (ii) The applicant may also proceed to the next Incremental Plan in the Greenlight Process.
- (iii) In addition, the applicant may proceed, at their own risk, with construction of the improvements depicted on the approved Incremental Plan.
- (iv) The approval of an Incremental Plan shall expire when its associated PDP or PSP expires. However, the expiration of the PDP or PSP notwithstanding, the applicant must submit the next Incremental Plan in the process within 180 days of approval of the current Incremental Plan. If the next Incremental Plan is not submitted within 180 days, the applicant will have forfeited the ability to continue the Greenlight Process without scheduling and attending a new preapplication consultation with Pasco County staff to update the project's status.

- (c) If the County Administrator or designee determines an Incremental Plan to be inconsistent with the Comprehensive Plan or LDC, but further determines that reasonable assurance has been provided by the applicant such that it can be deemed sufficient subject to compliance with Specific Conditions of reasonable number and scope, then an ICA with Specific Conditions shall be issued. If an ICA is issued the applicant shall address all Specific Conditions with the next Incremental Plan submittal.
- (i) The applicant shall make any changes to the current Incremental Plan as may be required to address Specific Conditions of the ICA. In addition, any Specific Conditions of the ICA that affect the next Incremental Plan (Utility Construction or Paving, Grading, and Drainage Plans, as applicable) shall be addressed in the next Incremental Plan submittal.
 - (ii) The applicant shall submit the revised current Incremental Plan addressing the Specific Conditions of the ICA to Pasco County simultaneously with the next Incremental Plan. Pasco County shall have the number of days prescribed in Table 522.9.D.-1 Greenlight Process Timeframes to review the revised Incremental Plan and associated materials and either issue an Incremental Approval, or request additional information. The process for review and approval of a Revised Incremental Plan (a PDP, PSP, or other incremental plan described in Code, Subsection 522.9.D.4. Application Processing that has been revised to address Specific Conditions of an ICA) is described in this Code, Subsection 522.9.D.4.c. Process Detail.
 - (iii) When submitting the next Incremental Plan with the revised current Incremental Plan, the applicant and Pasco County shall follow the same content review procedures as outlined for the PDP/PSP submission in this Code, Subsection 522.9.D.4.c. Process Detail.

(iv) In addition, the applicant may proceed, at their own risk, with construction of the improvements depicted on the conditionally approved current Incremental Plan subject to the following:

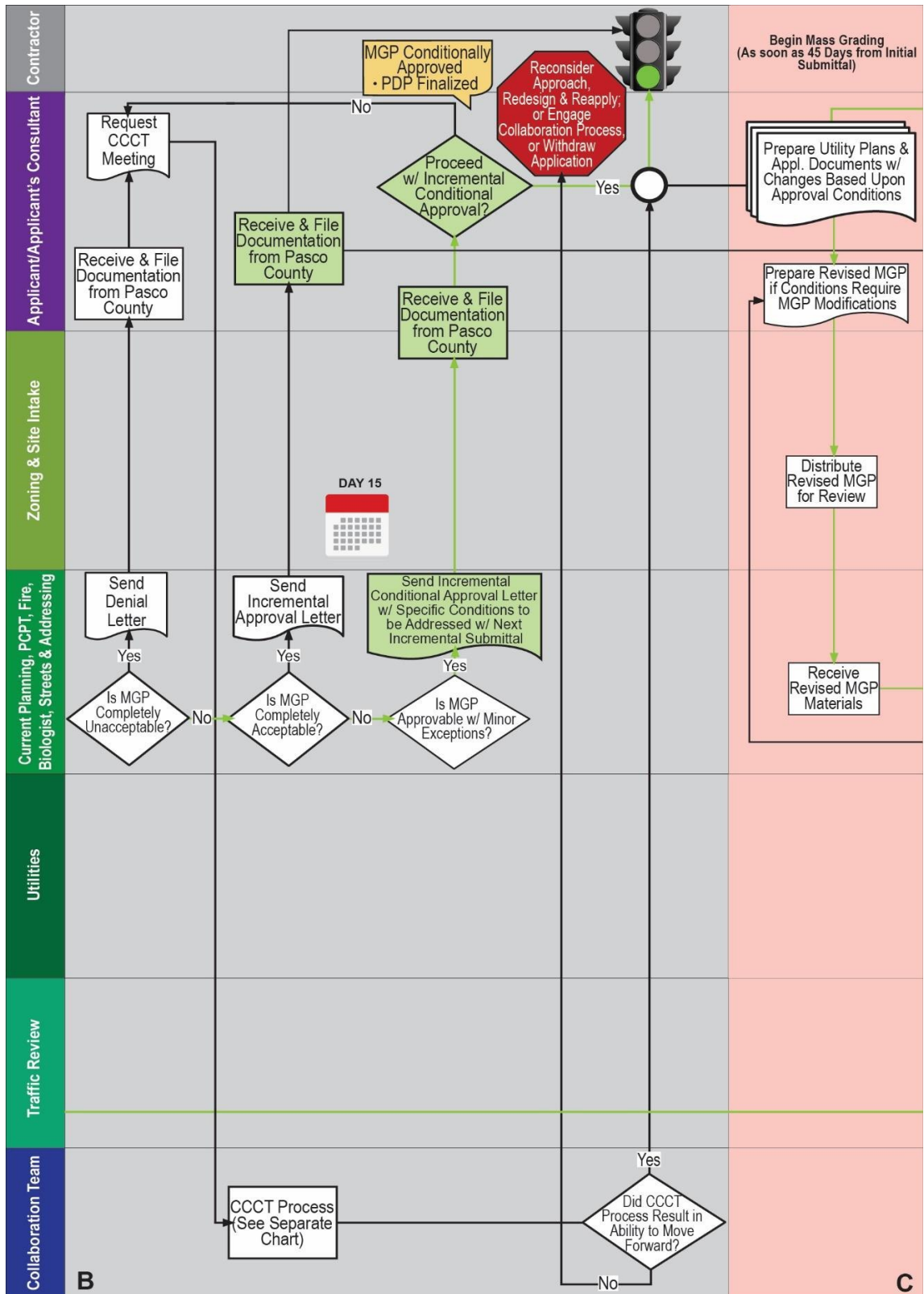
- The applicant shall understand that proceeding with construction of the improvements depicted on the conditionally approved Incremental Plan shall be at the applicant's sole risk. If the applicant fails to satisfactorily address any of the conditions of the ICA and such failure results ultimately in the need for corrections to any constructed improvements, such corrections shall be implemented at the applicant's sole risk and expense.
- The applicant is required to execute a hold harmless affidavit in a form acceptable to the County Attorney or designee to affirm the applicant's recognition of the at-risk nature of proceeding with construction upon receipt of an ICA and to defend, indemnify and hold the County harmless for any corrections that the applicant might be required to make as a result of so proceeding; or for any damages, costs or claims arising from the decision to commence construction with the ICA.

(v) The time limit on approval for a conditionally approved Incremental Plan shall be 180 days. If the applicant does not submit a revised Incremental Plan within 180 days, the ICA will expire, except that it shall remain valid as long as the applicant has made a timely submission of a revised Incremental Plan and is making timely responses to Pasco County in an effort to gain final approval of the Incremental Plan in question. Further, the applicant must submit the next Incremental Plan in the process within 180 days of issuance of the ICA for

the current Incremental Plan. If the next Incremental Plan is not submitted within 180 days, the applicant will have forfeited the ability to continue through the Greenlight Process without scheduling and attending a new preapplication consultation with Pasco County staff to update the project's status. Once the Incremental Plan gains final approval status, it shall expire when its associated PDP or PSP expires.

- (d) If the County Administrator or designee determines an Incremental Plan to be inconsistent with the Comprehensive Plan or LDC, and determines that insufficient assurance exists such that it could be approved subject to Specific Conditions of reasonable number and scope, then the application shall be denied. The applicant shall be notified in writing with citations to the applicable regulation(s) with which the application has not sufficiently complied. If a denial is issued, the applicant may seek relief under the Collaboration Process described in this Code, Subsection 522.9.E.5.a. Connected City Collaboration Process.
- (5) Each Incremental Plan submission and review shall follow the same procedures outlined in this Code, Subsection 522.9.D.4.c. Process Detail.
- (6) After all Incremental Plans are approved, the applicant shall compile them into a single final submission that demonstrates that all conditions of each ICA have been addressed. Once the final submission is satisfactory, Pasco County shall issue a Final Approval Memorandum confirming that the project has been approved in its entirety and that all ICA Specific Conditions have been satisfactorily addressed.
- (7) Figure 522.9.D-3 is an excerpt from the Connected City Greenlight Process Map depicting the Incremental Plan review process for the Mass Grading Construction Plan increment.

**Figure 522.9.D.-3
Greenlight Process Map Excerpt - Mass Grading Construction Plan Review**



(8) Revised Incremental Plan Processing

When any Incremental Plan described in this Code, Subsection 522.9.D.4.b. Review Increments is revised by the applicant and resubmitted to address Specific Conditions of an ICA, the following procedures shall be followed.

- (a) The applicant shall submit the Revised Incremental Plan at the same face-to-face Content Review Consultation as the next Incremental Plan in sequence.
- (b) The County shall have one business day after the Content Review Consultation to distribute the Revised Incremental Plan to applicable departments/entities as so deemed at staff's discretion.
- (c) Pasco County shall have the number of days prescribed in Table 522.9.D.-1 Greenlight Process Timeframes to review the Revised Incremental Plan and associated supporting materials and either issue an Incremental Approval, or request additional information.
- (d) The County shall approve the Revised Incremental Plan if the County deems it consistent with the Comprehensive Plan and LDC. It shall be deemed consistent if all required information and documents have been prepared in accordance with professionally accepted standards, the Comprehensive Plan, Connected City Land Development Code, and all other applicable rules and regulations. The County Administrator or designee is authorized to take into consideration and request from an applicant any other information which is reasonable and relevant to the formulation of a decision on the matter being reviewed. No Incremental Plan shall be deemed consistent until all required information relevant to that increment of development is provided.
- (e) If the County determines an Incremental Plan to be inconsistent, the applicant shall be notified in writing with citations to the applicable regulation(s) and a specific request made for additional information that is required to continue or conclude review. An applicant has the number of days prescribed in Table 522.9.D.-1

Greenlight Process Timeframes from the date of written notification of deficiency to provide all the requested information. Response by the applicant to additional rounds of comments must be made within the timeframes outlined in Table 522.9.D.-1 Greenlight Process Timeframes. The development approval application shall be deemed withdrawn unless the applicant responds, within the allotted timeframe, in one of the following ways:

- (i) The applicant provides all the information requested.
 - (ii) The applicant requests in writing that the application be processed in its present form. In this case, the applicant acknowledges that the application has been determined to be inconsistent and that the final determination on the application shall be based on the information submitted, and the applicant waives the right to supplement the application with additional information. The application shall then be processed in its present form. Where an applicant has requested processing pursuant to this subsection, action shall be taken on the application within fourteen (14) days.
 - (iii) The applicant requests, in writing, an extension of time to provide all the requested information. An extension of time may be granted by the County Administrator or designee. For each application, any and all extensions of time shall not exceed 180 days.
- (f) If after the third submission of a Revised Incremental Plan the County still determines an Incremental Plan to be inconsistent, the application shall be denied. The applicant shall be notified in writing with citations to the applicable regulation(s) with which the application has not sufficiently complied. The applicant may seek relief under the Collaboration Process described in this Code, Subsection 522.9.E.5.a. Connected City Collaboration Process.
- (9) Timelines for Site Plan Actions

- (a) Refer to Table 522.9.D.-1 Greenlight Process Timeframes or timeframes for the Greenlight Process.
 - (b) Note that all times are expressed in calendar days (not including holidays that occur during the work week) except intake/distribution times, which are expressed in business days in case plans are received on the day before a weekend or holiday.
- (10) Greenlight Process Map - The Greenlight Process Map in its entirety is presented as an illustrative reference on the pages that follow. It is arranged in successive 8-½-inch by 11-inch panels that are designated as A through E. These pages may be arranged together in alphabetical order for a complete picture of the Greenlight Process. In the event of any conflict between the Greenlight Process Map and Section 522.9.D Greenlight Procedures, Section 522.9.D shall govern.

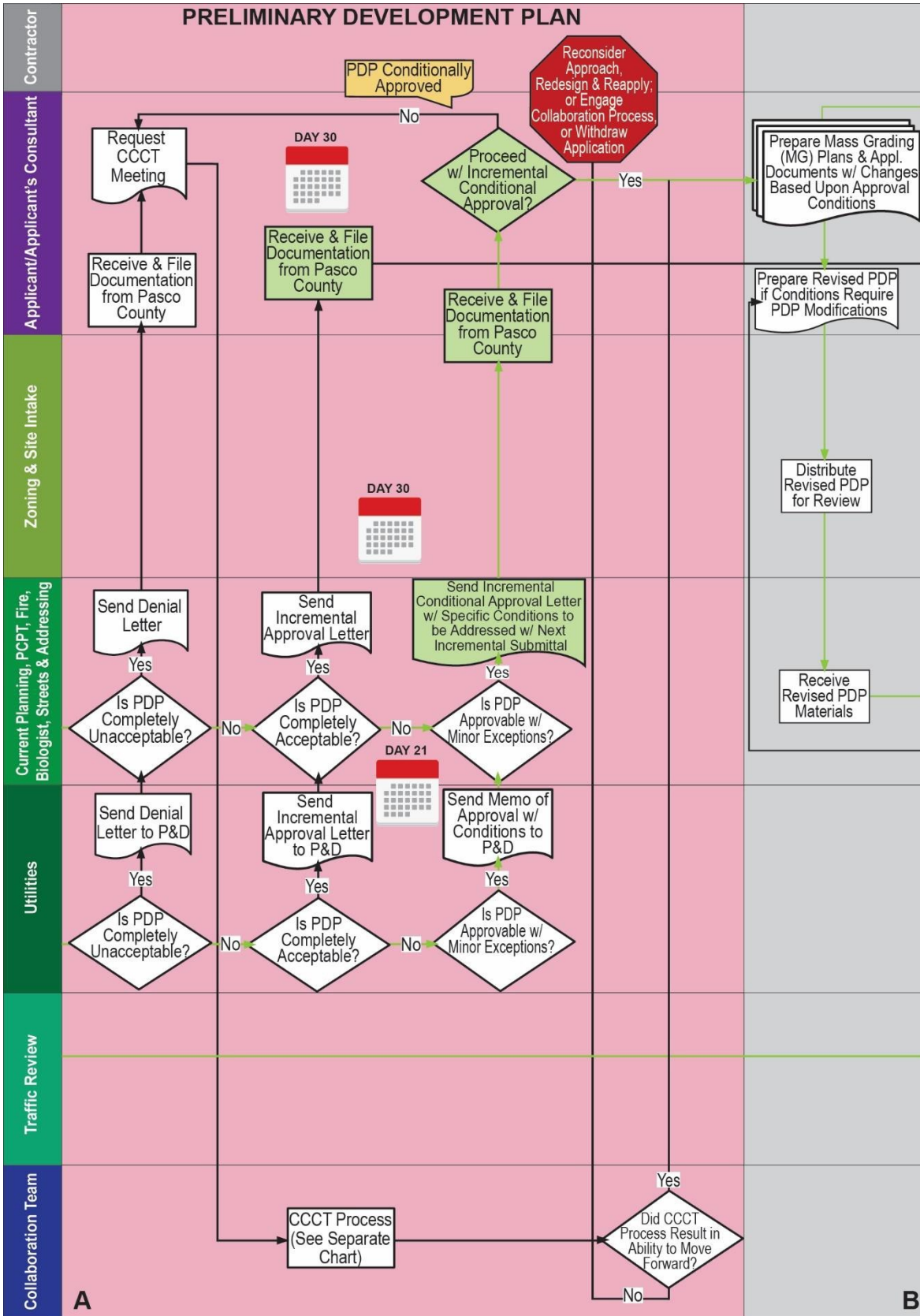
**TABLE 522.9.D.-1
GREENLIGHT PROCESS TIMEFRAMES**

Incremental Plan Reviews	Intake/Distribution		Incremental Plan Review		Review of Revised Incremental Plan ⁽³⁾	
	Days After Submittal to Content Feedback or Distribution ⁽¹⁾⁽²⁾	Applicant Must Respond Within	Days After Distribution to Approval, Denial, or Incremental Conditional Approval	Applicant Must Respond/ Proceed Within	Days After Distribution to Approve or Request Information	Applicant Must Respond Within
PDP/PSP	2 Bus. Days	14 days	14 days	180 days	7 days	30 days
Mass Grading Construction Plan	2 Bus. Days	14 days	14 days	180 days	7 days	30 days
Utility Construction Plans	N/A	N/A ⁽⁴⁾	14 days	180 days	7 days	30 days
Paving, Grading, & Drainage Plans	2 Bus. Days	14 days	14 days	180 days	7 days	30 days
Landscaping & Hardscaping Plans	2 Bus. Days	14 days	14 days	180 days	7 days	30 days
Final Approval	2 Bus. Days	14 days	14 days	180 days	7 days	30 days

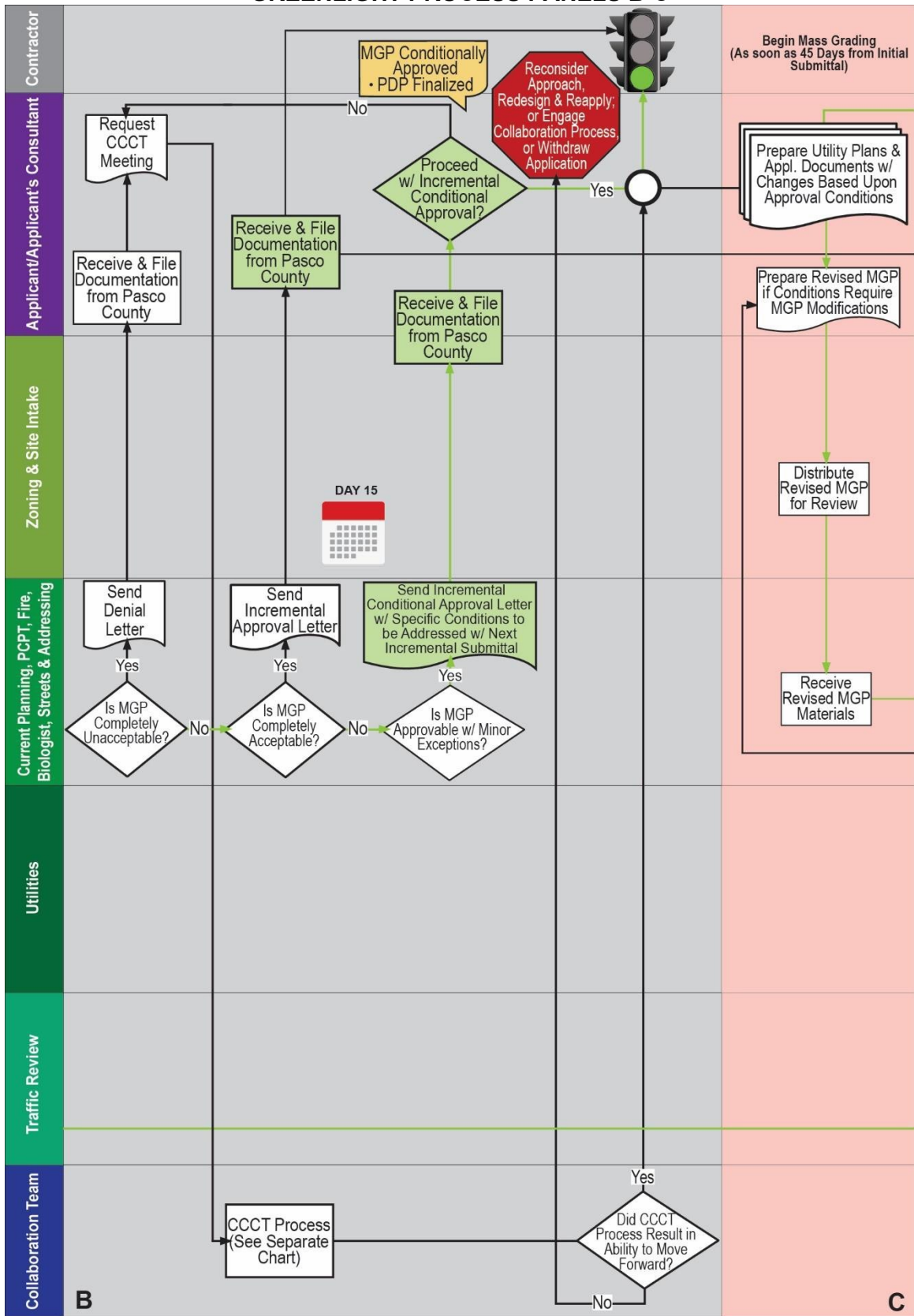
- (1) Note that all times are expressed in calendar days (not including holidays that occur during the work week) except intake/distribution times, which are expressed in business days.
- (2) Note that, for an initial PDP/PSP submission, the content feedback will occur during the face-to-face Content Review Consultation.
- (3) This refers to the review of any Incremental Plan that is submitted to address the Specific Conditions of an Incremental Conditional Approval (ICA).
- (4) No content completeness times are stated for Utility Construction Plans because the Pasco County Utilities Services Branch has no procedures for completeness review.

GREENLIGHT PROCESS PANELS A-B

PRELIMINARY DEVELOPMENT PLAN



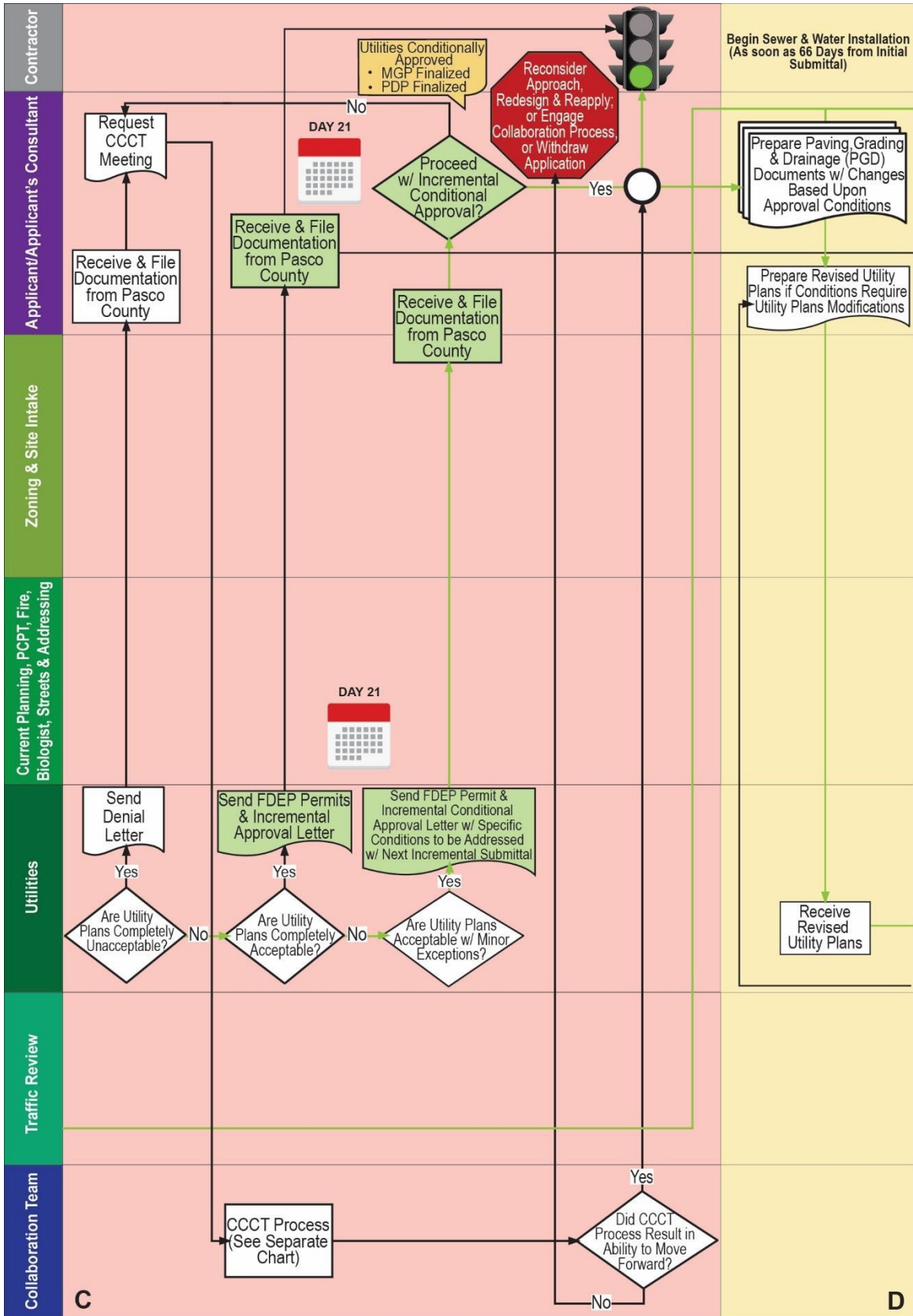
GREENLIGHT PROCESS PANELS B-C



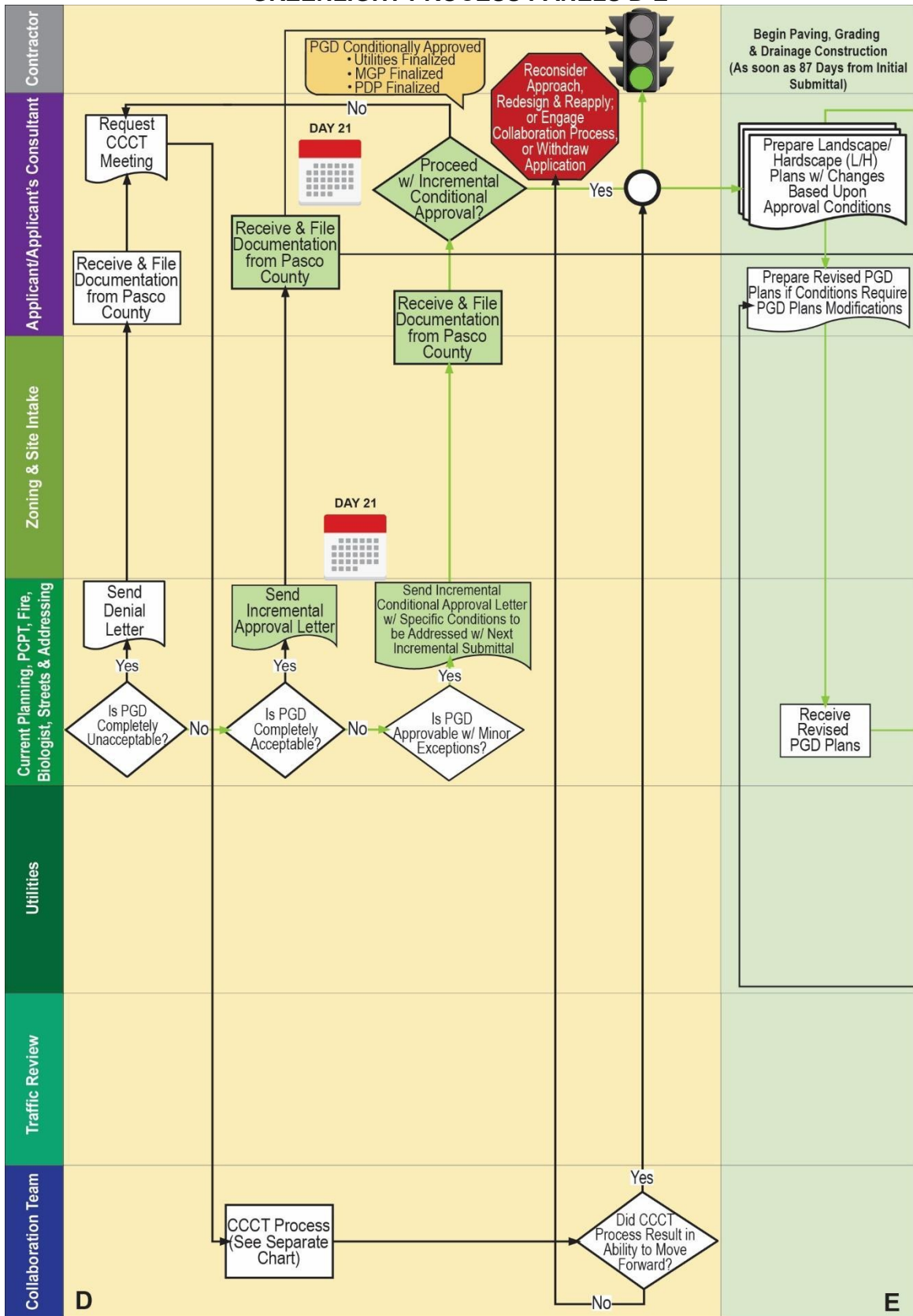
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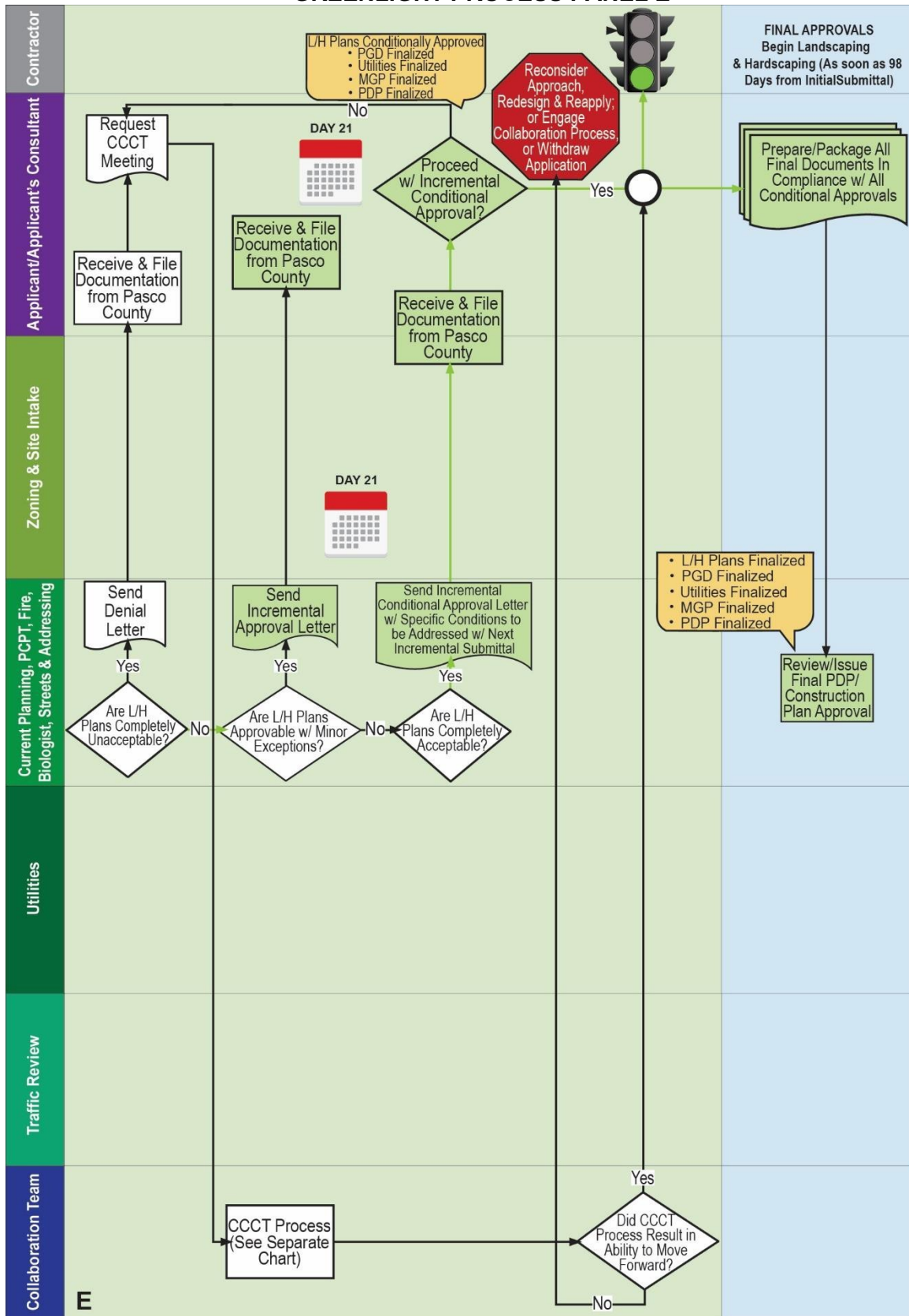
GREENLIGHT PROCESS PANELS C-D



GREENLIGHT PROCESS PANELS D-E



GREENLIGHT PROCESS PANEL E



5. Neighborhood Notice

a. Intent and Purpose

The intent and purpose of a neighborhood notice is to provide an opportunity for early citizen participation in conjunction with development approval applications. The neighborhood notice shall be provided at least twenty-one (21) calendar days prior to the issuance of an ICA that authorizes construction (Mass Grading Plan, Utility Construction Plan, or Paving, Grading, and Drainage Plan). Neighborhood notice may be provided prior to application submittal. If an applicant fails to provide the neighborhood notice, the County shall not issue any ICA for the development that authorizes construction until the applicant provides the neighborhood notice and twenty-one (21) calendar days have elapsed. A neighborhood notice is mandatory for the following development applications:

- (1) PSPs
- (2) PDPs (Residential or Nonresidential)

b. General Requirements

- (1) A neighborhood notice shall be provided by the applicant by mail and posting in accordance with the mailing and posting requirements below:

(a) Timing

Neighborhood Notice is required at least twenty-one (21) calendar days prior to the issuance of any ICA that authorizes construction (Mass Grading Plan, Utility Construction Plan, or Paving, Grading and Drainage Plan).

(b) Mailed

The applicant shall provide notification by mail to those who own property, including entities such as homeowners' associations, local governments, and the District School Board of Pasco County, within 500 feet of the property lines of the land for which the final determination is sought. In addition, the notice shall also be mailed to neighborhood organizations registered with the County whose members reside within 1,000 feet of the property lines of the land for which the final determination is sought, regardless of whether such organizations own

property within such distance. Names and addresses of property owners shall be deemed those appearing on the latest ad valorem tax rolls of Pasco County. For property that is a part of or adjacent to a condominium or manufactured home community, individual owners shall be noticed if located within 500 feet of the project, and for property that is a common tract, appropriate notice shall only need to be sent to the association. The County Administrator or designee may require additional notice to other property owners and neighborhood organizations based upon project design and potential impacts. Where the proposal is internal to a CC-MPUD, the public notice shall be from the boundary line of the proposed internal change, unless the applicant owns all the property to be noticed, then the public notice shall be sent to all property owners within 500 feet which might include properties internal and external to the CC-MPUD. The County Administrator or designee may require additional notice to other property owners and neighborhood organizations based upon project design and potential impacts.

(c) Sign

A sign purchased through the County shall be erected on the property, providing notice in such a manner as to allow the public to view the same from one (1) or more streets. In the case of landlocked property, the sign shall be erected on the nearest street right-of-way and include notation indicating the general distance and direction to the property for which the approval is sought. In all cases, the number of signs to be used shall be left to the discretion of the County Administrator or designee provided that the numbers shall be reasonably calculated to adequately inform the public of the purpose. The application shall ensure that the signs are maintained on the land until completion of the final action of the development approval application. The applicant shall ensure the removal of the signs within ten (10) days after final action of the development approval application.

(2) Content of the Neighborhood Notice

The neighborhood notice shall contain the following as applicable:

- (a) A general description of the project, including size and/or number of units.
- (b) Date the application was accepted for review.
- (c) Availability to view the application at the County offices where the application was filed.
- (d) Ability to provide comments directed to the County Administrator or designee.

(3) Proof of Neighborhood Notice

The applicant shall submit a copy of the mailed neighborhood notices sent to the property owners along with the mailing list and proof of mailing to the County Administrator or designee.

E. **Permit Types and Applications**

1. Intent and Purpose

This Code, Section 522.9.E. contains the permit types and review criteria for the development applications necessary for approval of projects within the Connected City that have undergone a rezoning amendment to Connected City Master Planned Unit Development (CC-MPUD).

2. Section Organization

This Code, Section 522.9.E. has been organized as follows:

- a. Site Development. These are the permits necessary for land development. Permits include those which are preliminary, where the approach to meeting Pasco County development standards is outlined and the specific detailed plans authorizing construction.
- b. Miscellaneous Permits. This section contains a variety of permit types which may be required. Right-of-Way Use Permits are included in this section.
- c. Relief Applications. The final section of this chapter outlines the various methods of relief that may be available, against the strict application of this Code. These include administrative remedies as well as those requiring public hearings

3. Use Permits

a. Preliminary Development Plans (PDP-R / PDP-MU / PDP-NR)

(1) Intent and Purpose

PDPs are used to identify applicable existing site conditions and demonstrate general conformance with the standards of this Code and applicable conditions of the CC-MPUD zoning prior to the preparation of detailed construction plans for a parcel to be subdivided for residential purposes.

While much the same information is required for a PDP-NR/MU as for Preliminary Development Plans - Residential, these projects may have individual preliminary site plans (PSPs) and construction plans prepared and approved prior to individual lot development. As such, the focus of the PDP-NR/MU is on the overall plan of development, with details of individual site development approved through PSPs. It is also recognized that there are two (2) types of nonresidential subdivisions: common plan of development and stand-alone. As such, the required information will vary by proposed type.

(2) Submittal Requirements

An applicant shall submit required information in the form as specified by the County Administrator or designee.

Plans shall be drawn at a readable scale, signed, and sealed by a Florida Registered Engineer. The application package shall include:

(a) Applicant Information

- (i) Proof of Ownership; i.e., copy of deed.
- (ii) Agent of Record Letter, if applicable.
- (iii) Application Fee.

(b) General Information to be Shown on Plan

- (i) Pictorially show parent parcel and property division.

- (ii) A legend, title, and number of revisions; date of plan and revisions; scale of plan; north arrow; acreage in the tract being subdivided; total number of lots; and names, mailing addresses, e-mail addresses, and telephone numbers of the developer, owner, surveyor, and engineer.
- (iii) A plan, if applicable, designating each phase by number or letter and heavy line border at an appropriate scale with the size of the tract.

(c) Map Information

- (i) Location map showing the relationship between the areas proposed for development and surrounding developments or lots, including a current aerial photograph with the proposed development overlaid on it, which in no case shall be older than that available from the Property Appraiser's Office, with boundaries of development and roadway layout delineated. The location map shall show all Major County Roads within one (1) mile of the proposed development.
- (ii) All existing and planned Primary and Intermediate Roadways on the Connected City Master Roadway Plan within the proposed development and within one (1) mile of the proposed development.
- (iii) Wellhead Protection Areas and Special Protection Areas for all Community Water System supply wells within the proposed development and within 1,000 feet of the proposed development.

(d) Existing Site Information to be Shown on Plan

- (i) Legal description sufficient to describe the size and location of the property to be subdivided.
- (ii) Existing Streets: The name, location, right-of-way width, and pavement status; i.e., dirt, lime rock, concrete, asphalt,

etc., of all existing streets, platted or recorded easements, other rights-of-way, and platted streets within 200 feet of the proposed development.

- (iii) Existing platted or recorded easements or rights-of-way for drainage, pedestrian facilities, Multipurpose Lanes, Multipurpose Paths, Multipurpose Trails, or bicycle facilities, etc., including location, width, design criteria, and purpose within 200 feet of the proposed development.
- (iv) Configuration of that portion of abutting developments within 200 feet with preliminary site plan or preliminary development plan approval, or, if platted, with Plat Book and Page number shown.
- (v) Existing storm sewers, potable water facilities, and sewerage facilities within 200 feet of the proposed development.
- (vi) Existing structures or uses on the site and a statement as to the intended future use.
- (vii) Present use of the property proposed for development.
- (viii) Future Land Use (FLU) Classification, CC-SPA Zone and zoning district of the property proposed for development and that of abutting land.
- (ix) Dates and reference numbers of most recent substantial rezonings and subsequent non-substantial rezonings, applicable special exceptions, variances, conditional uses, or vested rights that have been granted for the subject property, if applicable.
- (x) Approximate location and acreage of natural features, including lakes, marshes or swamps, watercourses, and other jurisdictional areas.

(xi) Identify any registered cultural resources on site.

(xii) Wetland Delineation / Identification

Provide documentation in the form of a survey, sketch, or aerial that delineates the location of the Categories I, II, or III wetland areas, as defined in the Comprehensive Plan, Conservation Element, Wetlands, Policy Nos. CON 1.3.1, CON 1.3.2, CON 1.3.3, CON 1.3.4, and CON 1.3.5, and provide the acreage for each wetland classification type.

In addition to the wetland type and acreage information, provide the following:

- Cumulative acreage total for Categories I, II, and III Wetlands.
- Acreage total for water bodies.
- Acreage total for land with FLU Classification of CON (Conservation Lands).
- Developable acreage.

(xiii) The Base Flood Elevation, where available, and delineation of flood zone(s) shall be superimposed on the PDP in accordance with the latest Flood Insurance Rate Map published by the Federal Emergency Management Agency (FEMA) or latest study as accepted by the FEMA.

(xiv) Density / Intensity Calculations

(e) Proposed Development

(i) Identification of Subdivision Type: Each PDP-NR shall identify whether the proposed subdivision is to be a common plan of development subdivision or a stand-alone subdivision. For common plan of development subdivisions, the

PDP-NR shall identify shared infrastructure and amenities, such as stormwater, parking, and landscaping.

- (ii) Proposed Circulation: The name, location, and Connected City Roadway Type and typical section for all proposed streets. Indicate if streets are proposed to be public or private. Identify nonresidential accessways where ingress/egress is proposed to be provided by easement. In common plan of development subdivisions, each individual lot is not required to have access to a street. Rather, the entire subdivision shall have access to a street, public or private. Other access may be provided internal to the subdivision through easement.
- (iii) As required by this Code, Section 903 Utilities, a statement identifying the supplier of the potable water facilities, sewerage facilities, fire service, and electric service.
- (iv) As required by this Code Section 904 Fire Protection, indicate the method of fire protection; i.e., water main size, location of hydrants, tanks, etc.
- (v) A landscape buffering plan sufficient to demonstrate the intended location, width, and type of all proposed buffers, landscaping areas, and tree replacement areas as described in this Code, Section 522.9.Q. Landscaping and Buffering.
- (vi) If residential uses are proposed, illustrate neighborhood park locations and open-space area dimensions as described in this Code, Section 522.9.P. Neighborhood Parks.
- (vii) Easements (show all existing or proposed; note if none). Proposed easements shall include required non-ingress/egress easements for double frontage lots.
- (viii) Subdivision Design:

- Lots and Layout. Approximate lot lines, minimum lot dimensions and sizes, typical lot layout, lot numbers and design in accordance with Section 707.7, Standards.
- Proposed model center locations.
- Gross residential acreage densities for the entire project and net residential acreage for each phase or portion thereof. This data shall be presented in a tabular format.

(f) Requests for variances and required fees shall be submitted with the application. As described in this Code, Subsection 522.9.E.5.d.(1) General, formal requests for alternative standards as part of the incremental approval process is not required except for alternative standards required by Subsection 522.9.E.5.d.(1).

(g) Studies and Other Required Submittals

The following submittals may be required based on location within the County and/or development type proposed:

- (i) Listed Species Site Survey.
- (ii) Provide a narrative meeting the requirements of Section 809, Cultural Resources.

(3) Standards of Review

The County Administrator or designee shall determine whether the application substantially meets the intended technical requirements of this Code, the CC-CPA and the CC-MPUD zoning conditions of approval sufficient for issuance of an approval or Incremental Conditional Approval. In making the determination, the County Administrator or designee shall review the PDP for the following:

- (a) Conformance with the Connected City Master Roadway Plan.

- (b) Conformance with the Connected City Conceptual Utility Plan.
- (c) Conformance with the principle of planning for redevelopment, as applicable to the site's location and configuration. At the PDP stage, this relates primarily to the proposed street configuration as it relates to the Master Roadway Plan and surrounding street network so that evolving land uses can be built around an existing grid.
- (d) Conformance of the perimeter, Primary and/or Intermediate Roadway buffering (if any) locations and widths, with the landscaping requirements of this Code, Section 522.9.Q. Landscaping and Buffering and CC-MPUD zoning, as applicable.
- (e) Conformance of the identified roadway types with those identified in the CC-MRP.
- (f) If a MUTRM project (as declared by the applicant), conformance of the street/block layout with MUTRM criteria as defined in this Code, Subsection 901.13 Mixed-Use Trip Reduction Measures.
- (g) If a TOD project (as declared by the applicant), conformance of the street/block layout and mix of uses with Comprehensive Plan Objective FLU 10.2 Transit Oriented Design.
- (h) If a TND project (as declared by the applicant), conformance of the street/block layout and development form with Land Development Code Section 601 Traditional Neighborhood Development.
- (i) Conformance of lot dimensions and setbacks with the Development Standards in the CC-MPUD zoning.
- (j) If applicable, conformance with Neighborhood Park size, location, and configuration with the standards set forth in this Code, Section 522.9.P. Neighborhood Parks or CC-MPUD zoning.
- (k) Conceptual provision for tracts, and/or easements, as appropriate, to accommodate

ingress/egress, drainage, and public utilities, as applicable.

- (l) Notes indicating that future Incremental Plans will address, as a minimum, provision of utilities, fire protection, erosion and turbidity control, wetland conservation and protection, and protection of listed species in accordance with applicable rules and standards.

(4) Form of Decision

Incremental Approval, Denial, or Incremental Conditional Approval of a PDP shall be in writing. The written approval may include conditions as necessary to ensure compliance with this Code. Refer to this Code, Section 522.9.D. Greenlight Process Procedures for an explanation of these forms of decision.

(5) Effect of Approval

Refer to this Code, Section 522.9.D. Greenlight Process Procedures.

(6) Time Limit of Approval

Except where project development schedules are established for Developments of Regional Impact and Florida Quality Developments, the following time limits on approvals shall apply:

- (a) Final plan approval (all Incremental Plan approvals and Final Approval) must be received for the entire PDP within six (6) years of PDP approval.
- (b) The project must be completely platted within ten (10) years of PDP approval.
- (c) In the event that the developer does not comply with these provisions, all plans for the uncompleted portion of the project shall be deemed void.
- (d) An applicant may request a one (1) year extension. Such extension may be granted by the County Administrator or Designee upon showing of good cause. Within six (6) months of expiration of the initial one (1) year extension, the County Administrator or Designee may grant

an additional one (1) year extension, upon demonstration by the applicant that:

- (i) the proposed development remains consistent with the Comprehensive Plan;
- (ii) there has been no substantial change in the applicable Sections of this Code;
- (iii) there is a hardship; and
- (iv) the extension will not adversely impact the public health and safety.

If the applicant demonstrates compliance with the foregoing criteria, the PC may grant up to two (2) total, two (2) year extensions beyond the initial two (2) one-year extensions, totaling no more than six (6) years from the initial PDP expiration.

Any extension granted by the State of Florida shall not be required to comply with the foregoing extension criteria, but shall run concurrently with any extension granted by the County and PC.

- (e) In the event a PDP expires, all subsequent submittals shall comply with regulations in effect at the time of the said submittals.

(7) Simultaneous Submittals

Simultaneous submittals are prohibited for those projects within the Connected City Stewardship District for which a CC-MPUD has been adopted. Refer to this Code, Section 522.9.D. Greenlight Process Procedures for a description of the incremental review and approval process.

(8) Prohibitions

- (a) Development of land shall not be commenced in the Connected City Stewardship District by any person, unless an Incremental Approval or Incremental Conditional Approval authorizing such development has been obtained from the County and the procedures established in this Code, Section 522.9.D. Greenlight Process Procedures have been followed by the person requesting development approval.

- (b) No person shall commence, authorize, allow, or complete any development which does not conform to or abide by the terms and conditions of an Incremental Approval or Incremental Conditional Approval and to the requirements of this Code.
- (c) It shall be unlawful for anyone who is the owner of any land or agent of the owner to transfer or convey such land by reference to, exhibition of, or other use of a site plan or a plat of a subdivision of such land, without having submitted the required site plans, plans, and plat of such subdivision and received approval in accordance with this Code, and without having recorded the approved subdivision plat, unless platting is not required.
- (d) Development approved for use at a specific density or intensity shall not be used in a manner inconsistent with that approval, without an appropriate amended Site Development Permit.

b. Preliminary Site Plans (PSP)

(1) Intent and Purpose

PSPs are used to identify applicable existing site conditions and demonstrate general conformance with the standards of this Code and applicable conditions of the CC-MPUD zoning prior to the preparation of detailed incremental construction plans for an individual development site.

PSPs are required for all nonresidential and multiple family developments. PSPs are also used for other development activity that is not a subdivision or development requiring an operating permit.

(2) Submittal Requirements

An applicant shall submit required information in the form as specified by the County Administrator or designee. In circumstances where a PSP is submitted where a Preliminary Development Plan (PDP) has been approved, modifications to the submittal requirements shall be made to eliminate the need for providing duplicative information. This determination will be based on the level of detail provided with the PDP and subsequent submissions and approvals.

Plans shall be drawn at a readable scale, signed, and sealed by a Florida Registered Engineer. The application package shall include:

- (a) Application Information
 - (i) Proof of Ownership; i.e., copy of deed.
 - (ii) Agent of Record Letter, if applicable.
 - (iii) Application fee.
- (b) General Information to be Shown on Plan
 - (i) Pictorially show parcel.
 - (ii) A legend, title, and number of revisions; date of preliminary site plan and revisions; scale of plan; north arrow; acreage in the parcel; and names, mailing addresses, e-mail addresses, and telephone numbers of the developer, owner, surveyor, and engineer.
 - (iii) Phasing plan, if applicable, designating each phase by number or letter and heavy line border at an appropriate scale.
- (c) Map Information
 - (i) Location map showing the relationship between the site proposed for development and surrounding developments or lots, including a current aerial photograph with the project overlaid on it, which in no case shall be older than that available from the Property Appraiser's Office, with boundaries of development and roadway layout delineated. The location map shall show all major County Roads within one (1) mile of the development boundary.
 - (ii) All existing and planned Primary and Intermediate Roadways on the Connected City Master Roadway Plan within the proposed development and within one (1) mile of the proposed development.

- (iii) Wellhead Protection Areas and Special Protection Areas for all Community Water System supply wells within the proposed development and within 1,000 feet of the proposed development.
- (d) Existing Site Information to be Shown on Plan
 - (i) Legal description sufficient to describe the size and location of the parcel.
 - (ii) Existing Streets: The name, location, right-of-way width, and pavement status; i.e., dirt, lime rock, concrete, asphalt, etc., of all existing streets, platted or recorded easements, other rights-of-way, and platted streets within 200 feet of the proposed development.
 - (iii) Existing platted or recorded easements or rights-of-way for drainage, pedestrian facilities, Multipurpose Lanes, Multipurpose Paths, Multipurpose Trails, or bicycle facilities, etc., including location, width, design criteria, and purpose within 200 feet of the proposed development.
 - (iv) Configuration of that portion of abutting developments within 200 feet with PSP approval, preliminary plan or, if platted, with Plat Book and Page number shown.
 - (v) Existing storm sewers, potable water facilities, and sewerage facilities on or abutting the tract within 200 feet.
 - (vi) Other existing structures or uses on site and a statement as to the intended future use.
 - (vii) Present use of the property proposed for development.
 - (viii) Future Land Use (FLU) Classification, CC-SPA Zone and zoning district of the property proposed for development and that of abutting land.

- (ix) Dates and reference numbers of most recent substantial rezonings and subsequent nonsubstantial rezonings, applicable special exceptions, variances, conditional uses, vested rights, or PDP that have been granted for the subject property, if applicable.
- (x) Approximate location and acreage of natural features, including lakes, marshes or swamps, watercourses, and other jurisdictional areas.
- (xi) Identify registered cultural resources on site.
- (xii) Wetland Delineation / Identification
Provide documentation in the form of a survey, sketch, or aerial that delineates the location of the Categories I, II, or III wetland areas, as defined in the Comprehensive Plan, Conservation Element, Wetlands, Policy Nos. CON 1.3.1, CON 1.3.2, CON 1.3.3, CON 1.3.4, and CON 1.3.5, and provide the acreage for each wetland classification type.

In addition to the wetland type and acreage information, provide the following:

- Cumulative acreage total for Categories I, II, and III wetlands.
- Acreage total for water bodies.
- Acreage total for land with FLU Classification of CON (Conservation Lands).
- Developable acreage.
- The Base Flood Elevation, where available, and delineation of flood zone(s) shall be superimposed on the PDP in accordance with the latest Flood Insurance Rate Map published by the Federal Emergency Management Agency (FEMA) or latest study as accepted by the FEMA.

(xiii) Density / Intensity Calculations

(e) Proposed Development

(i) Proposed Streets and Circulation: The name, location, and Connected City Roadway Type and typical section for all proposed streets. Indicate if streets are proposed to be public or private.

(ii) As required by this Code, Section 903 Utilities, provide a statement identifying the supplier of the potable water facilities, sewerage facilities, fire service, and electric service.

(iii) As required by this Code, Section 904 Fire Protection, indicate the method of fire protection; i.e., water main size, location of hydrants, tanks, etc.

(iv) As required by this Code, Section 522.9.P. Neighborhood Parks illustrate the neighborhood park locations and open space areas.

(v) Easements (show all existing or proposed; note if none). Proposed easements shall include required non-ingress/egress easements for double frontage lots.

(vi) Building Information

- Proposed building layout with all setbacks to property lines and between buildings.
- Proposed building height(s), number of floors, intended uses, and finished floor elevations.
- Proposed building size(s) in square feet, which includes all floors, mezzanines, or other similar features.

(vii) Parking Information Pursuant to this Code, Section 522.9.R. On-Site Parking:

- Calculations showing the number of parking spaces required and a statement as to the number of parking spaces (both standard and compact) to be provided.
- Indicate type of paving surface proposed for use on site.
- Americans with Disabilities Act spaces and route, including designation of accessible building entrances.

Requests for variances and required fees shall be submitted with the application. As described in this Code, Subsection 522.9.E.5.d.(1) General, formal requests for alternative standards as part of the incremental approval process is not required except for alternative standards required by Subsection 522.9.E.5.d.(1).

(f) Studies and Other Required Submittals

The following submittals may be required based on location within the County and/or development type proposed:

- (i) Listed Species Site Survey.
- (ii) Provide a narrative meeting the requirements of Section 809, Cultural Resources.
- (iii) Connected City Transportation Analysis Application pursuant to this Code, Section 522.9.H.

(3) Standards of Review

The County Administrator or designee shall determine whether the application substantially meets the intent of the technical requirements of the Connected City Land

Development Code (CC-LDC), the CCCPA, and the CC-MPUD zoning conditions of approval sufficient for issuance of an approval or Incremental Conditional Approval. In making the determination, the County

Administrator or designee shall review the PSP for following:

- (a) Conformance with the Connected City Master Roadway Plan.
- (b) Conformance of the site access points to the access management criteria in this Code, Section 522.9.H Transportation Analysis.
- (c) Conformance with the principle of planning for redevelopment, as applicable to the site's location and configuration. At the PSP stage, this relates primarily to the proposed street configuration as it relates to the Master Roadway Plan and surrounding street network so that evolving land uses can be built around an existing grid.
- (d) Conformance of the perimeter, Primary and/or Intermediate Roadway buffering (if any) locations and widths, with the landscaping requirements of this Code, Section 522.9.Q. Landscaping and Buffering and CC-MPUD zoning, as applicable.
- (e) If applicable, conformance of the identified roadway types with those identified in the CC-MRP.
- (f) If a MUTRM project (as declared by the applicant), conformance of the street/block layout with MUTRM criteria as defined in this Code, Subsection 901.13. Mixed-Use Trip Reduction Measures.
- (g) If a TOD project (as declared by the applicant), conformance of the street/block layout and mix of uses with Comprehensive Plan Objective FLU 10.2 Transit Oriented Design.
- (h) If a TND project (as declared by the applicant), conformance of the street/block layout and development form with Land Development Code Section 601 Traditional Neighborhood Development.

- (i) Conformance of lot dimensions and setbacks with the Development Standards in the CC-MPUD zoning.
- (j) If applicable, conformance of Neighborhood Park size, location, and configuration with the standards set forth in this Code, Section 522.9.P. Neighborhood Parks or CC-MPUD zoning, as applicable.
- (k) Conceptual provision for easements, as appropriate, to accommodate ingress/egress, drainage, and public utilities, as applicable.
- (l) Notes indicating that future Incremental Plans will address, as a minimum, provision of utilities, fire protection, erosion and turbidity control, wetland conservation and protection, and protection of listed species in accordance with applicable rules and standards.

(4) Form of Decision

Incremental Approval, Denial or Incremental Conditional Approval of a PSP shall be in writing. The written approval may include conditions as necessary to ensure compliance with this Code. Refer to LDC this Code, Section 522.9.D. Greenlight Process Procedures, for an explanation of these forms of decision.

(5) Effect of Approval

Refer to this Code, Section 522.9.D. Greenlight Process Procedures.

(6) Time Limit of Approval

Except where project development schedules are established for Developments of Regional Impact and Florida Quality Developments, the following time limits on approvals shall apply:

- (a) Final plan approval (all Incremental Plan approvals and Final Approval) must be received for the entire PSP within six (6) years of PDP approval.
- (b) The project must be completely platted within ten(10) years of PSP approval.

- (c) In the event that the developer does not comply with these provisions, all plans for the uncompleted portion of the project shall be deemed void.
- (d) An applicant may request a one (1) year extension. Such extension may be granted by the County Administrator or Designee upon showing of good cause. Within six (6) months of expiration of the initial one (1) year extension, the County Administrator or Designee may grant an additional one (1) year extension, upon demonstration by the applicant that:
 - (i) the proposed development remains consistent with the Comprehensive Plan;
 - (ii) there has been no substantial change in the applicable Sections of this Code;
 - (iii) there is a hardship; and
 - (iv) the extension will not adversely impact the public health and safety.

If the applicant demonstrates compliance with the foregoing criteria, the PC may grant up to two (2) total, two (2) year extensions beyond the initial two (2) one-year extensions, totaling no more than six (6) years from the initial PSP expiration.

Any extension granted by the State of Florida shall not be required to comply with the foregoing extension criteria, but shall run concurrently with any extension granted by the County and PC.

In the event a PSP expires, all subsequent submittals shall comply with regulations in effect at the time of the said submittals.

(7) Prohibitions

- (a) Development of land shall not be commenced in the Connected City Stewardship District by any person, unless an Incremental Approval or Incremental Conditional Approval authorizing such development has been obtained from the County, and the procedures established in this Code, Section 522.9.D. Greenlight Process

Procedures have been followed by the person requesting development approval.

- (b) No person shall commence, authorize, allow, or complete any development which does not conform to or abide by the terms and conditions of an Incremental Approval or Incremental Conditional Approval and to the requirements of this Code.
- (c) It shall be unlawful for anyone who is the owner of any land or agent of the owner, to transfer, or convey such land by reference to, exhibition of, or other use of a site plan or a plat of a subdivision of such land, without having submitted the required site plans, plans, and plat of such subdivision and received approval in accordance with this Code, and without having recorded the approved subdivision plat, unless platting is not required.
- (d) Development approved for use at a specific density or intensity shall not be used in a manner inconsistent with that approval, without an appropriate amended PSP.

c. Stormwater Management Plan and Report

(1) Intent and Purpose

The Stormwater Management Plan and Report is used to ensure that the stormwater management system will be constructed in accordance with the standards of this Code, Section 902 Stormwater. It is intended that the Stormwater Management Plan and Report will accompany the Mass Grading Incremental Plan, if the Mass Grading Plan proposes wetland impacts, floodplain encroachments or alterations to pre-development drainage patterns, and the Paving, Grading, and Drainage Incremental Plan.

(2) Submittal Requirements

- (a) The Stormwater Management Plan and Report shall substantially conform to the preliminary plans or preliminary site plans as approved. Stormwater Management Plans and Reports may be approved only after the preliminary plans or preliminary site plans have been incrementally approved. An applicant shall submit required

information in the form and within the time as specified by the County Administrator or designee.

Plans shall be drawn at a readable scale, signed, and sealed by a Florida Registered Engineer. The application package shall include sufficient information for the County Administrator or designee to evaluate the environmental characteristics of the affected area, the potential and predicted impacts of the proposed activity on area surface waters, and the effectiveness and acceptability of those measures proposed by the applicant to reduce adverse impacts.

(b) The Stormwater Management Plan and Report shall contain, as a minimum, the following information:

(i) The names, addresses, e-mail addresses, and telephone numbers of the applicant and the engineer.

(ii) The location map.

(iii) The predevelopment, environmental, and hydrological conditions of the site, and/or receiving waters and wetlands shall be described in detail, including the following:

- The direction, peak-flow rate, and for closed basins, the volume of predevelopment stormwater runoff.
- The locations on site where predevelopment stormwater collects or percolates into the ground.
- A description of all water courses, water bodies, and wetlands on or adjacent to the site or into which stormwater from the site flows.
- Seasonal high water table elevations.

- Location of 100-year flood plain or best available information.
- Description of vegetation on and adjacent to the site.
- Topography.
- Soils.
- Location of drainage basins and subbasins.
- Rainfall data for the appropriate design storm.
- Natural Resources Conservation Service (NRCS) curve numbers.

(iv) Proposed post development conditions of the site shall be described in detail, including:

- Areas to be filled, graded, and/or excavated.
- Areas where vegetation will be cleared or otherwise removed.
- The size and location of nonresidential buildings or other structures. The typical lot layout shall be used to compute the coefficient of runoff.
- Location of drainage basins and subbasins.
- NRCS curve numbers.
- Effect of any proposed open space irrigation systems.

(v) All components of the drainage system and any measures for the detention, retention, or infiltration of water or for the protection of water quality shall be described in detail, including:

- The direction, flow rate, and for closed basins and drainage basins of special concern, the volume of stormwater that will be conveyed from the site, if any, with a comparison to the predevelopment conditions.
- Detention and retention areas, including plans for the discharge of waters.
- Areas of the, if any, site to be used or reserved for percolation.
- A plan for the control of erosion, which describes in detail the type and location of control measures.
- Any other information which the developer or the County Administrator or designee believes is necessary for an evaluation of the Stormwater Management Plan.

(3) Standards of Review

The County Administrator or designee shall be responsible for approving or disapproving all Stormwater Management Plans and Reports. The County Administrator or designee shall not approve any Stormwater Management Plans and Reports until the said plans and reports comply with this Code and the Comprehensive Plan.

Prior to approval or disapproval, the County Administrator or designee shall determine whether the plans:

- (a) Are consistent with this Code.
- (b) Provide design features which address the protection of the public health, safety, and welfare.
- (c) Are consistent with the Goals, Objectives, and Policies set forth in the adopted Comprehensive Plan.

(d) Provide for necessary public improvements or facilities.

(4) Forms of Decision

As the Stormwater Management Plan and Report are a component of the Mass Grading and/or Paving, Grading, and Drainage Incremental Plans, as applicable, the decision (Approval, Incremental Conditional Approval, or Denial) shall be rendered as part of those incremental approval processes.

d. Mass Grading Plan

(1) Intent and Purpose

The purpose of the Mass Grading Plan (MGP) plan is to allow applicants to proceed with land clearing, earth moving, and stormwater management system construction in advance of gaining approval for other Incremental Plans that occur later in the land development process. The intent of the MGP plan is to provide reasonable assurance to the County Administrator or designee that the stormwater management system improvements will be constructed in accordance with the standards of this Code, Section 902 Stormwater.

(2) Submittal Requirements

An applicant shall submit required information in the form as specified by the County Administrator or designee.

Plans shall be drawn at a readable scale, signed, and sealed by a Florida Registered Engineer. The application package shall include:

(a) Applicant Information

- (i) Proof of Ownership; i.e., copy of deed.
- (ii) Agent of Record Letter, if applicable.
- (iii) Application fee.

(b) General Information to be Shown on Plan

- (i) Pictorially show parcel.

- (ii) A legend, title, and number of revision(s); date of preliminary site plan and revision(s); scale of plan; north arrow; acreage in the parcel; and names, mailing addresses, e-mail addresses, and telephone numbers of the developer, owner, surveyor, and engineer.
- (iii) Phasing plan, if applicable, designating each phase by number or letter and heavy line border at an appropriate scale. The phasing plan shall be accompanied by a narrative addressing at a minimum:
 - Maximum area of the site to be exposed at any one time;
 - Provisions for the preservation of natural land and water features, vegetation, drainage, and other natural features of the site;
 - Provisions for actions to be taken to create or contribute to flooding, erosion, increased turbidity, siltation, or other forms of pollution in a watercourse; and
 - Provisions for installation of stabilization/vegetation of the site.

(c) Map Information

- (i) A location map showing the relationship between the sites proposed for development and surrounding developments or lots, including a current aerial photograph, which in no case shall be older than that available from the Property Appraiser's Office, with boundaries of development and roadway layout delineated. The location map shall show all Major County Roads within one (1) mile of the development project.
- (ii) All existing and planned Primary and Intermediate Roadways on the Connected City Master Roadway Plan within the proposed development and

within one (1) mile of the proposed development.

- (iii) Wellhead Protection Areas and Special Protection Areas for all Community Water System supply wells within the proposed development and within 1,000 feet of the proposed development.
- (d) Existing Site Information to be Shown on Plan
 - (i) A legal description sufficient to describe the size and location of the parcel.
 - (ii) Existing Streets: The name, location, right-of-way width, and pavement status; i.e., dirt, lime rock, concrete, asphalt, etc., of all existing streets, platted or recorded easements, other rights-of-way, and platted streets within 200 feet of the proposed development.
 - (iii) Existing platted or recorded easements or rights-of-way for drainage, pedestrian facilities, Multipurpose Lanes, Multipurpose Paths, Multipurpose Trails, or bicycle facilities, etc., including location, width, design criteria, and purpose within 200 feet of the proposed development.
 - (iv) Configuration of that portion of abutting developments within 200 feet with preliminary site plan approval, preliminary plan, or if platted, with Plat Book and Page number shown.
 - (v) Existing storm sewers, potable water facilities, and sewerage facilities on or abutting the tract within 200 feet.
 - (vi) Other existing structures or uses on site and a statement as to the intended future use.
 - (vii) Existing contours at a maximum of two foot intervals, based on the National Geodetic Vertical Datum of 1929, identifying the tract to be developed and, where practicable, extending a minimum

of 100 feet beyond the tract boundary. A note stating the basis of the vertical datum shall be shown on the drawing. After October 1, 2011, the submittal shall be based on the North American Vertical Datum of 1988.

- (viii) Present use of the property proposed for development.
- (ix) Future Land Use (FLU) Classification, CC-SPA Zone and Zoning District of the Parcel Proposed for Development and that of Abutting Land
- (x) Dates and reference numbers of most recent substantial rezonings and subsequent non-substantial rezonings, applicable special exceptions, variances, conditional uses, vested rights, or preliminary plans that have been granted, if applicable.
- (xi) Location and acreage of natural features, including lakes, marshes or swamps, watercourses, and other jurisdictional areas.
- (xii) Identify any historic resources on site.
- (xiii) Wetland Delineation/Identification

Provide documentation in the form of a survey, sketch, or aerial that delineates the location of the Categories I, II, or III wetland areas, as defined in the Comprehensive Plan, Chapter 3, Conservation Element, Wetlands, Policy Nos. 1.3.1, 1.3.2, 1.3.3, 1.3.4, and 1.3.5, and provide the acreage for each wetland classification type.
- (xiv) The Base Flood Elevation, where available, and delineation of flood zone(s) shall be superimposed on the preliminary plan in accordance with the latest Flood Insurance Rate Map published by the Federal Emergency Management Agency (FEMA) or latest

study as accepted by the FEMA. All development proposals greater than five (5) acres shall include within such proposals Base Flood Elevation data.

(xv) Tree data chart (identification by species and size) of existing and removed trees sufficient to enable evaluation of impacts.

(xvi) The predevelopment, environmental, and hydrological conditions of the site and/or receiving waters and wetlands shall be described in detail, including the following:

- The direction; peak-flow rate; and for closed basins, the volume of predevelopment stormwater runoff.
- The location of areas on the site where predevelopment stormwater collects or percolates into the ground.
- A description of all water courses, water bodies, and wetlands on or adjacent to the site or into which stormwater flows.
- Seasonal high water table elevations.
- Location of 100-year flood plain or best available information.
- Description of vegetation.
- Topography.
- Soils.
- Location of drainage basins and subbasins.
- Rainfall data for the appropriate design storm.
- Natural Resources Conservation Service (NRCS) curve numbers.

(e) Proposed Development

(i) Proposed post-development conditions of the site shall be described in detail, including:

- Areas to be filled, graded, and/or excavated.
- Areas where vegetation will be cleared or otherwise removed.
- The size and location of nonresidential buildings or other structures. The typical lot layout shall be used to compute the coefficient of runoff.
- Location of drainage basins and subbasins.
- NRCS curve numbers.
- Effect of any proposed open space irrigation systems.

(ii) All components of the drainage system and any measures for the detention, retention, or infiltration of water or for the protection of water quality shall be described in detail in the accompanying Stormwater Management Plan and Report (refer to this Code, Subsection 522.9.E.3.c.), including:

- The direction; flow rate; and for closed basins and drainage basins of special concern, the volume of stormwater that will be conveyed from the site, if any, with a comparison to the predevelopment conditions.
- Detention and retention areas, including plans for the discharge of waters.
- Areas of the site, if any, to be used or reserved for percolation.

- A plan for the control of erosion, which describes in detail the type and location of control measures.
- Any other information which the developer or the County Administrator or designee believes is reasonably necessary for an evaluation of the stormwater management plan.

(iii) Easements (show all existing or proposed; note if none)

Requests for variances and required fees shall be submitted with the application. As described in this Code, Subsection 522.9.E.5.d.(1) General, formal requests for alternative standards as part of the incremental approval process is not required except for alternative standards required by Subsection 522.9.E.5.d.(1).

(f) Studies and Other Required Submittals

The following submittals may be required based on location within the County and/or development type proposed:

- (i) Listed Species Site Survey. If the site is shown on Maps 3-1 in the Comprehensive Plan, as a location for known listed species habitat.
- (ii) A narrative meeting the requirements of Section 809, Cultural Resources.

(3) Standards for Approval

The County Administrator or designee shall not approve any mass grading plans unless the said plans and reports meet the technical requirements of this Code and are consistent with the Comprehensive Plan.

Nothing contained herein shall be construed to require Pasco County to duplicate the function of any State or Federal agency, including but not limited to the Southwest Florida Water Management District (SWFWMD) or the Army Corps of Engineers (COE).

(4) Form of Decision

The Incremental Approval, Denial or Incremental Conditional Approval shall be made in writing. The written incremental approval may include conditions as necessary to ensure compliance with this Code. Refer to LDC this Code, Section 522.9.D. Greenlight Process Procedures, for an explanation of these forms of decision.

(5) Effect of Approval

Refer to this Code, Section 522.9.D. Greenlight Process Procedures.

(6) Time Limit of Approval

Except where project development schedules are established for Developments of Regional Impact and Florida Quality Developments, the following time limits on approvals shall apply:

- (a) Once a Mass Grading Incremental Plan has gained final approval status as described in this Code. Section 522.9. D. Greenlight Process Procedures, it shall expire when its associated preliminary site plan or preliminary development plan expires.

However, the expiration of the underlying PDP or PSP notwithstanding, a conditionally approved Mass Grading Plan shall expire in 180 days if the applicant has not submitted a revised Incremental Plan within that time period. If the applicant has made timely submission of a revised Incremental Plan for mass grading and is making timely responses to Pasco County in an effort to gain final approval of the Mass Grading Plan, it shall remain valid. Refer to this Code, Section 522.9.D. Greenlight Process Procedures, for a description of the process for submitting Revised Incremental Plans and gaining final approval for incremental plans.

- (b) For a Mass Grading Plan that has gained final approval, the applicant may request an extension by following the procedures for extending its underlying PDP or PSP as set forth in this Code, Subsection 522.9.E.3.a.(6) and

522.9.E.3.b.(6), respectively, Time Limit of Approval.

e. Utility Construction Plans

(1) Intent and Purpose

The purpose of the Utility Construction Plan is to allow applicants to proceed with water distribution system, wastewater collection/transmission system, and reclaimed water distribution system construction (primarily gravity sanitary sewer systems) in advance of gaining approval for other development increments that occur later in the land development process. The intent of the utility plan is to provide reasonable assurance to the Assistant County Administrator for Utilities, or designee, that water distribution systems, wastewater collection/transmission systems, and reclaimed water distribution systems will be constructed in conformance with the Pasco County Standards for Design and Construction of Water, Wastewater, and Reclaimed Water Facilities Specifications, latest edition, and all applicable permitting criteria of the Florida Department of Environmental Protection (FDEP).

(2) Submittal Requirements

Prior to installing improvements, the developer shall submit Utility Construction Plans and FDEP applications to the Pasco County Utilities Services Branch. All sheets shall be signed and sealed by a Florida registered engineer. An applicant shall submit the required information on the form as specified by the County Administrator or designee.

The Utility Construction Plans for any portion of a proposed development shall substantially conform to the preliminary development plans or preliminary site plans, as approved.

Utility Construction Plans shall, at a minimum, conform to the following requirements:

- (a) The construction plans shall be drawn to a scale of 1 :50' or larger (or other scale, if approved by the Assistant County Administrator for Utilities or designee) and shall be submitted with the engineering specifications for the following improvements:

- (i) Water: Existing and proposed water supply and/or distribution system.
- (ii) Sanitary sewerage system: Horizontal and vertical alignments, shall be shown graphically, in plan and profile views, of existing and proposed sanitary sewage collection and/or treatment system.
- (iii) Reclaimed water system: Existing and proposed reclaimed water supply and/or distribution system.
- (iv) Pedestrian, bicycle, and neighborhood vehicle facilities, including Multipurpose Lanes, Multipurpose Paths and Multipurpose Trails, where applicable.
- (v) Parks, where applicable.
- (vi) Existing contours at maximum two (2) foot intervals and proposed lot grades.
- (vii) Easements, existing and proposed.
- (viii) The plans shall certify that the utility system is in substantial conformance with Pasco County Standards for Design and Construction of Water, Wastewater, and Reclaimed Water Facilities Specifications, latest edition, and all applicable permitting criteria of the Florida Department of Environmental Protection (FDEP).
- (ix) Fire protection system.
- (x) Any other items required by the Assistant County Administrator for Utilities or designee that are necessary for review prior to a final decision of the Utility Construction Plans and FDEP Permits for the subject development.
- (xi) Geotechnical/geological engineering report meeting the requirements of this Code, Section 807 Soils and Geotechnical Hazards for manholes exceeding 12 feet in depth and all pumping station wet wells.

(xii) Erosion and Sedimentation Control Plan.

(b) When deemed necessary, the County Administrator or designee may require the submission of engineering calculations in support of any of the proposed construction plans and specifications submitted under this Code.

(3) Standards of Approval

The Assistant County Administrator for Utilities or designee shall not approve any Utility Construction Plans and associated FDEP permits unless the said plans, specifications, or proposed alternative standard meets the technical requirements of this Code and FDEP rule criteria are consistent with the Comprehensive Plan and substantially conform to the preliminary development plans or preliminary site plans.

Utility Construction Plans may be approved only after the preliminary development plans or preliminary site plans have been incrementally approved.

(4) Form of Decision

Incremental Approval, Denial or Incremental Conditional Approval of a Utility Construction Plan shall be made in writing. The written approval may include conditions as necessary to ensure compliance with this Code. Refer to LDC this Code, Section 522.9.D. Greenlight Process Procedures for an explanation of these forms of decision.

(5) Effect of Approval

Refer to this Code, Section 522.9.D. Greenlight Process Procedures.

(6) Consideration of Adjacent Development

Prior to construction of any development where the construction plans were designed and engineered based on the proposed construction of an abutting development, the developer shall provide one of the following to the County Administrator or designee:

(a) A statement that the site has been reviewed and the construction plan, as approved, needs no

modifications to accommodate the existing field conditions.

- (b) Revised construction plans to accommodate the existing field conditions.

(7) Simultaneous Submissions

Simultaneous submittals are prohibited for those projects within the Connected City Stewardship District for which a CC-MPUD has been adopted. Refer to this Code, Section 522.9.D. Greenlight Process Procedures for a description of the incremental review and approval process.

(8) Time Limit of Approval

Except where project development schedules are established for Developments of Regional Impact and Florida Quality Developments, the following time limits on approvals shall apply:

Once a Utility Construction Incremental Plan has gained final approval status as described in this Code, Section 522.9.D. Greenlight Process Procedures, it shall expire when its associated preliminary site plan or preliminary development plan expires. However, the Florida Department of Environmental Protection (FDEP) Water Distribution System and Wastewater Collection/Transmission System Permits issued by the Pasco County Utilities Services Branch shall expire one (1) year after their issuance. These permits shall be reapplied for, inclusive of all applicable state forms and fees, if the applicant wishes to construct these systems after the original permit's expiration.

However, the expiration of the FDEP Permits and the underlying PDP or PSP notwithstanding, a conditionally approved Utility Construction Plan shall expire in 180 days if the applicant has not submitted a revised Incremental Plan within that time period. If the applicant has made timely submission of a revised Incremental Plan for utilities and is making timely responses to Pasco County in an effort to gain final approval of the Utility Construction Plan, it shall remain valid. Refer to this Code, Section 522.9.D. Greenlight Process Procedures, for a description of the process for submitting Revised Incremental Plans and gaining final approval for incremental plans.

f. Paving, Grading, and Drainage Plans

(1) Intent and Purpose

The purpose of the Paving, Grading, and Drainage Plan (PGD) is to allow applicants to proceed with construction of streets, storm sewer systems, and final grading after installation of deep gravity sanitary sewer systems and before gaining final approval for all development increments. The intent of the PGD plan is to provide reasonable assurance to the County Administrator or designee that the stormwater management system improvements will be constructed in accordance with the standards of this Code, Section 902 Stormwater and that streets will be constructed in accordance with the standards of the CC-MRP.

(2) Submittal Requirements

Prior to installing improvements (other than those authorized under previous Incremental Plans) the developer shall submit Paving, Grading, and Drainage Plans. All sheets shall be signed and sealed by a Florida registered engineer. An applicant shall submit the required information on the form as specified by the County Administrator or designee.

The Paving, Grading and Drainage Plans for any portion of a proposed development shall substantially conform to the preliminary development plans or preliminary site plans and simultaneously submitted Stormwater Management Plan and Report.

Paving, Grading, and Drainage Plans shall, at a minimum, conform to the following requirements:

- (a) The construction plans shall be drawn to a scale of 1 :50' or larger (or other scale, if approved by the County Administrator or designee) and shall be submitted with the engineering specifications for the following improvements:
 - (i) Water: Existing and proposed water supply and/or distribution system so that potential conflicts between the water system and the storm sewer system can be reviewed.
 - (ii) Sanitary sewerage system: Horizontal and vertical alignments, shall be shown

graphically, in plan and profile view, of existing and proposed sanitary sewage collection system so that potential conflicts between the sanitary sewerage system and the storm sewer system can be reviewed.

- (iii) Reclaimed Water: Existing and proposed reclaimed water supply and/or distribution system so that potential conflicts between the reclaimed water system and the storm sewer system can be reviewed.
- (iv) Drainage facilities, showing horizontal and vertical alignments, shall be shown graphically, in the plan profile, of both natural and man-made systems; i.e., storm sewer systems and retention/detention ponds. The cover sheet of the construction plan shall provide a statement indicating whether the drainage plan provided was based on the existing field conditions of the abutting property or was based on the proposed development design of the abutting property.
- (v) Streets and Circulation: Proposed design speed, vertical and horizontal alignment, pavement cross section, structural components, design calculations, and, where applicable, proposed street names pursuant to this Code, Section 522.9.J. Street Design and Dedication Requirements. In addition, when alleys are proposed, applicant shall provide plan sheets or exhibits with vehicle/wheel tracking diagrams sufficient to demonstrate that the alleys are passable for fire trucks. Applicant shall contact the Pasco County Fire Rescue Department to confirm the appropriate vehicle specifications for the vehicle/wheel tracking diagram.
- (vi) Flood zone delineation, base flood elevation, when available, and the Federal Emergency Management

Agency's current Florida Insurance Rate Map Panel Reference.

- (vii) Pedestrian, bicycle, and neighborhood vehicle facilities, including Multipurpose Lanes, Multipurpose Paths and Multipurpose Trails, where applicable.
- (viii) Parks, where applicable.
- (ix) Existing contours at maximum two (2) foot intervals and proposed lot grades.
- (x) Easements, existing and proposed.
- (xi) Traffic control device plan showing all required signs and pavement markings and informational signs; i.e., street signs.
- (xii) The plans shall certify that the roadway system is in substantial conformance with the Manual of Uniform Minimum Standards for Design, Construction, and Maintenance of Streets and Highways, State of Florida, in effect at the time the plans are prepared.
- (xiii) Fire protection system.
- (xiv) For subdivisions, a plan showing lot lines, minimum lot sizes, lot numbers and phasing, designating each phase by number or letter with a heavy line border and a lot type typical showing minimum lot sizes, at a scale appropriate with the size of the tract.
- (xv) Any other items required by the County Administrator or designee that are necessary for review prior to a final decision of the construction plans for the subject development.
- (xvi) Geotechnical/geological engineering report meeting the requirements of this Code, Section 807 Soils and Geotechnical Hazards.
- (xvii) Erosion and Sedimentation Control Plan.

(b) When deemed necessary, the County Administrator or designee may require the submission of engineering calculations in support of any of the proposed construction plans and specifications submitted under this Code.

(3) Standards for Approval

The County Administrator or designee shall not approve any construction plans unless the said plans, specifications, or proposed alternative standard meets the technical requirements of this Code are consistent with the Comprehensive Plan and substantially conform to the preliminary development plans or preliminary site plans.

Construction plans may be approved only after the preliminary development plans or preliminary site plans and the Stormwater Management Plan and Report have been incrementally approved.

(4) Form of Decision

Incremental Approval, Denial or Incremental Conditional Approval of a Paving, Grading, and Drainage Plan shall be made in writing. The written approval may include conditions as necessary to ensure compliance with this Code. Refer to this Code, Section 522.9.D. Greenlight Process Procedures for an explanation of these forms of decision.

(5) Effect of Approval

Refer to this Code, Section 522.9.D. Greenlight Process Procedures.

(6) Consideration of Adjacent Development

Prior to construction of any development where the construction plans were designed and engineered based on the proposed construction of an abutting development, the developer shall provide one of the following to the County Administrator or designee:

(a) A statement that the site has been reviewed and the construction plan, as approved, needs no modifications to accommodate the existing field conditions.

(b) Revised construction plans to accommodate the existing field conditions.

(7) Simultaneous Submissions

Simultaneous submittals are prohibited for those projects within the Connected City Stewardship District for which a CC-MPUD has been adopted. Refer to this Code, Section 522.9.D. Greenlight Process Procedures for a description of the incremental review and approval process.

(8) Time Limit on Approval

Except where project development schedules are established for Developments of Regional Impact and Florida Quality Developments, the following time limits on approvals shall apply:

- (a) Once a Paving, Grading, and Drainage Incremental Plan has gained final approval status as described in this Code, Section 522.9.D. Greenlight Process Procedures, it shall expire when its associated preliminary site plan or preliminary development plan expires.

However, the expiration of the underlying PDP or PSP notwithstanding, a conditionally approved Paving, Grading, and Drainage Plan shall expire in 180 days if the applicant has not submitted a revised Incremental Plan within that time period. If the applicant has made timely submission of a revised Incremental Plan for paving, grading, and drainage and is making timely responses to Pasco County in an effort to gain final approval of the Paving, Grading, and Drainage Plan, it shall remain valid. Refer to this Code, Section 522.9.D. Greenlight Process Procedures, for a description of the process for submitting Revised Incremental Plans and gaining final approval for incremental plans.

- (b) For a Paving, Grading, and Drainage Plan that has gained final approval, the applicant may request an extension by following the procedures for extending its underlying PDP or PSP as set forth in this Code, Section 522.9.E. Permit Types and Applications.

g. Landscaping and Hardscaping Plans

(1) Intent and Purpose

The purpose of this plan is to address tree removal and replacement, buffering, and other required landscaping, and hardscaping, including but not limited to supplemental sidewalks, plazas, courtyards, etc., and structures such as benches, shade structures, pavilions, etc. Addressing these elements last, mirrors the construction process and allows applicants to proceed with earlier increments of construction prior to approval of landscaping and hardscaping plans. Further, addressing these elements at the end of the development process should reduce the need for landscaping plan modifications that often occur when landscaping design is completed at the beginning of the process. The intent of the plans is to provide reasonable assurance to the County Administrator or designee that the Tree Protection requirements in this Code, Section 802 Tree Preservation and Replacement and Section 522.9.Q. Landscaping and Buffering are met.

(2) Submittal Requirements

All sheets shall be signed and sealed by a Florida registered Landscape Architect. An applicant shall submit the required information on the form as specified by the County Administrator or designee.

The Landscaping and Hardscaping Plans for any portion of a proposed development shall substantially conform to the preliminary development plans or preliminary site plans and all previously approved Incremental Plans.

Landscaping and Hardscaping Plans shall, at a minimum include the following:

- (a) The plans shall be drawn to a scale of 1 :50' or larger (or other scale, if approved by the County Administrator or designee) and shall be submitted with applicable notes and specifications for the following improvements:
 - (i) Trees: Existing trees to remain and trees that existed in the pre-developed condition and were removed to facilitate development shall be shown. Trees (including street trees per other provisions of the LDC) proposed as replacements for removed trees and to meet other requirements of this Code shall be shown.

- (ii) Shrubs and Ground Covers: Shrubs and ground covers proposed to meet buffering and other requirements of this Code shall be shown.
- (iii) Provide tables to list and summarize all plant materials and to provide calculations demonstrating compliance with all LDC criteria, including, but not limited to, tree replacements, lot trees, species diversity requirements, etc.
- (iv) Minimum Code-Required Landscaping and Elective Enhancements: Where the applicant proposes elective landscaping enhancements that exceed the requirements of this Code, such enhanced landscaping shall be shown and identified on the plans in a manner clearly distinguishable from landscaping intended to meet minimum Code requirements. If enhanced landscaping is not distinguished from minimum Code-required landscaping, the applicant shall be required to install all landscaping as shown on the plans, as the Pasco County Engineering Inspections Division will have no means to distinguish between required and elective landscaping.
- (v) Hardscaping Elements: Supplemental sidewalks, plazas, courtyards, etc., and structures such as benches, shade structures, pavilions, etc. shall be shown. Where structures are proposed, dimensions shall be provided to indicate their location relative to rights-of-way, easements, drainage features, and other site features deemed by the County Administrator or designee as significant and relevant to the review of the Landscaping and Hardscaping Plans.

(3) Standards for Approval

The County Administrator or designee shall determine whether the application substantially meets the intent of the technical requirements of the Connected City Land Development Code (CC-LDC), the CC-CPA, and the CC-MPUD zoning conditions of approval sufficient for

issuance of an approval or Incremental Conditional Approval. In making the determination, the County Administrator or designee shall review the Landscaping and Hardscaping Plans for the following:

- (a) Substantial conformance of site layout/configuration with the approved PDP or PSP, as appropriate, and the approved or conditionally approved PGD, as appropriate.
 - (b) Substantial conformance of all buffers, tree replacement areas, vehicular use planting areas, or other required planting zones with the approved PDP or PSP. If there are substantial deviations, they shall be identified, and the narrative submitted with the Landscaping/Hardscaping Plan shall provide an explanation and justification for the deviations.
 - (c) Compliance with applicable Specific Conditions, if any, of the PGD, if conditionally approved.
 - (d) Depiction of the location, number, and species of all proposed planting materials.
 - (e) Identification of all landscape areas by type/purpose (e.g., roadway buffer, perimeter buffer, vehicular use area landscaping, building perimeter landscaping, tree replacement area, etc.).
 - (f) Provision of tables to list and summarize all plant materials and to provide calculations demonstrating compliance with all LDC criteria, including, but not limited to, tree replacements, lot trees, species diversity requirements, etc.
 - (g) Provision of specifications, notes, and details for installation of plant materials, including language regarding the provision of an acceptable maintenance entity other than Pasco County.
 - (h) Provision of hardscape depictions in plan view, including dimensions as necessary to determine the location of all hardscape elements relative to rights of way and easements.
- (4) Form of Decision

Incremental Approval, Denial or Incremental Conditional Approval of a Landscaping and Hardscaping Plan shall be made in writing. The written approval may include conditions as necessary to ensure compliance with this Code. Refer to this Code, Section 522.9.D. Greenlight Process Procedures for an explanation of these forms of decision.

(5) Effect of Approval

Refer to this Code, Section 522.9.D. Greenlight Process Procedures.

(6) Simultaneous Submissions

Simultaneous submittals are prohibited for those projects within the Connected City Stewardship District for which a CC-MPUD has been adopted. Refer to Section 522.9.D. Greenlight Process Procedures for a description of the incremental review and approval process.

(7) Time Limit on Approval

Except where project development schedules are established for Developments of Regional Impact and Florida Quality Developments, the following time limits on approvals shall apply:

(a) Once a Landscaping and Hardscaping Incremental Plan has gained final approval status as described in this Code, Section 522.9.D. Greenlight Process Procedures, it shall expire when its associated preliminary site plan or preliminary development plan expires.

(b) However, the expiration of the underlying PDP or PSP notwithstanding, a conditionally approved Landscaping and Hardscaping Plan shall expire in 180 days if the applicant has not submitted a revised Incremental Plan within that time period. If the applicant has made timely submission of a revised Incremental Plan for landscaping and hardscaping and is making timely responses to Pasco County in an effort to gain final approval of the Landscaping and Hardscaping Plan, it shall remain valid. Refer to this Code, Section 522.9.D. Greenlight Process Procedures, for a description of the process for submitting Revised

Incremental Plans and gaining final approval for incremental plans.

- (c) For a Landscaping and Hardscaping Plan that has gained final approval, the applicant may request an extension by following the procedures for extending its underlying PDP or PSP as set forth in this Code, Section 522.9.E. Permit Types and Applications.
- (d) In the event that the developer does not comply with these provisions, all plans for the project shall be deemed void.

h. Modifications to Development Approvals

(1) Substantial Modifications

Unless otherwise approved by the County Administrator or designee, all substantial modification requests shall be submitted and processed as an amendment in the same manner as the original approval. A modification shall be considered substantial when:

- (a) The modification consists of a ten (10) percent cumulative change in density or intensity (square footage).
- (b) The modification would require additional review or compliance based on other sections of this Code, the Comprehensive Plan, State or Federal law, and/or conditions that were previously imposed on the development.
- (c) The modification has the potential to be contrary to the public health or safety.

(2) Nonsubstantial Modifications

Nonsubstantial Modifications Applications shall consist of a narrative describing the proposed changes, as well as plans depicting the proposed changes. Nonsubstantial modifications are not subject to subsequent amendments of this Code after adoption of the original approval.

(3) Modifications Requiring a Public Hearing

The following modifications shall require a public hearing:

- (a) Modifications requiring a variance.

Modifications to a condition of approval specifically imposed by the BCC or PC (where applicable).

- (b) Modifications, including alternative standards that were specifically denied by the PC.

These modifications shall be approved, approved with conditions, or denied by the PC or Board of County Commissioners (BCC), as applicable, utilizing the applicable procedures and standards as set forth in this Code.

- (4) Mistake of Law

If the mistake of law by the County results in a previously approved development, or portion thereof, to not be adequately reviewed for compliance, the development shall be subject to additional review for compliance with those regulations, as amended, that were not applied due to the mistake of law.

- (5) Incremental Modifications

Modifications of any type (substantial or nonsubstantial) in the Connected City Stewardship District shall be made to all Incremental Plans affected by the modification except for the Mass Grading Plan which is superseded by the Paving, Grading, and Drainage Plans.

4. Miscellaneous Permits

- a. Right-of-Way Use Permit

The Right-of-Way Use Permit in the Connected City Stewardship District shall in all respects have the same characteristics (Intent and Purpose, Applicability, Exemptions, Application Requirements, Etc.) as all Rights-of-Way Use Permits in unincorporated Pasco County as addressed in this Code, Section 406.5, except that, in the Connected City Stewardship District, Right-Of-Way Use Permits for water lines, sanitary sewer lines, reclaimed water lines, landscaping and irrigation, and access management improvements including, but not limited to driveways, roadway connections including turnouts and flares, left- and right-turn lane queue storage and deceleration lanes, tapers, etc., and all other development-

related features proposed in County right-of-way that are integral to any of the Incremental Plans being processed as part of the Project, shall be processed simultaneously with the Paving Grading, and Drainage Plan or Landscaping and Hardscaping Plan, as applicable. The applicant shall not be required to wait for approval of all Incremental Plans before development-related Right-of-Way Use Permits are processed. All application and other requirements for the Right-of-way Use Permit shall be as addressed in Section 406.5 of this Code.

For any improvements not directly related to the Incremental Plans for a project, such as dry/soft utility installations (electric, telephone, cable, gas, etc.) and any “after-the-fact” improvements, such as stand-alone landscaping and irrigation installed apart from an Incremental Approval process, Section 406.5 shall be followed.

5. Relief Procedures

All projects required to use the Connected City Greenlight Process described in this Code, Section 522.9.D. Greenlight Process Procedures are eligible to seek relief through the Connected City Collaboration Process during the process of review of any Incremental Plan, including Preliminary Development Plans, Preliminary Site Plans, Mass Grading Plans, Utility Construction Plans, Paving, Grading, and Drainage Plans, and Landscaping and Hardscaping Plans. The Collaboration Process is intended to be an informal process wherein the applicant and County staff, represented by the Connected City Collaboration Team (CCCT), can collaborate to seek resolution in the case of Incremental Plan denials or disagreements over Incremental Conditional Approval Specific Conditions.

a. Connected City Collaboration Process

The Collaboration Process is designed to be initiated by the applicant. Circumstances under which an applicant in the Greenlight Process may choose to initiate the Collaboration Process are as follows:

(1) Circumstances Triggering Collaboration Process

- (a) The applicant receives a denial of any of the Incremental Plans in the Greenlight Process.
- (b) The applicant receives an Incremental Conditional Approval that is subject to conditions that the applicant finds unfavorable.

(2) Collaboration Process for Incremental Conditional Approval

- (a) Upon receipt of an Incremental Conditional Approval (ICA) written notification, applicant shall have seven (7) days to file a written request with the County Administrator or designee to meet with the CCCT. If the applicant fails to timely file a written request to meet with the CCCT, the applicant's opportunity to use the Collaboration Process shall be foreclosed and the standard appeal process in this Code, Subsection 522.9.E.5.b. Appeals shall become the next available opportunity to seek relief, and the applicant would be subject to the timelines prescribed therein.
- (b) The CCCT shall have ten (10) days to hold the CCCT meeting with the applicant (or applicant's agents/consultants) to discuss the Specific Conditions that the applicant finds problematic.
- (c) During the CCCT meeting the applicant and CCCT shall discuss the facts of the project in a collaborative manner in an effort to arrive one of the following conclusions:
- (i) Applicant determines the Specific Condition(s) to be acceptable as written and agrees that the Specific Condition(s) will be properly addressed with the next Incremental Plan application and with a Revised Incremental Plan submission.
 - (ii) The CCCT determines the Specific Condition(s) is able to be modified and it is revised to reflect the results of the discussion held at the CCCT meeting.
 - The CCCT issues a modified ICA within three (3) days with language adjusted as agreed at the CCCT meeting.
 - Applicant accepts the revised ICA conditions and proceeds with the remainder of the Greenlight Process as outlined in this Code, Section 522.9.D.Greenlight Process Procedures.

(iii) The CCCT determines that the Specific Condition(s) in question is appropriate and that it cannot consider deleting or revising the Specific Condition(s) and the applicant determines that it cannot resolve the Specific Condition(s) with the next Incremental Plan to be submitted. If this circumstance occurs, the applicant may:

- Withdraw the application, change the project approach, or redesign the project in whole or in part in an effort to cure the situation giving rise to the unresolvable Specific Condition(s), and submit a new application.
- File an appeal with the PC in accordance with the procedures of this Code, Subsection 522.9.E.5.b. Appeals.

(3) Collaboration Process for Incremental Plan Denials

- (a) Upon receipt of a denial written notification, the applicant shall have seven (7) days to file a written request with the County Administrator or designee to meet with the CCCT. If the applicant fails to timely file a written request to meet with the CCCT, the applicant's opportunity to use the Collaboration Process shall be foreclosed and the standard appeal process in this Code, Subsection 522.9.E.5.b. Appeals shall become the next available opportunity to seek relief, and the applicant would be subject to the timelines prescribed therein.
- (b) The CCCT shall have ten (10) days to hold the CCCT meeting with the applicant (or applicant's agents/consultants) to discuss the reasons for issuing a denial.
- (c) During the CCCT meeting the applicant and CCCT shall discuss the facts of the project in a collaborative manner in an effort to arrive one of the following conclusions:

- (i) Applicant agrees to change the project approach, or redesign the project in whole or in part to address the reasons for denial as stated in the written denial notification and file a new application.
- (ii) The CCCT determines that the reasons for denial stated in the written denial notification can be modified and transformed into Specific Conditions of approval and that the denial can be withdrawn and replaced with an ICA.
 - The CCCT withdraws the denial and issues an ICA within three (3) days with Specific Conditions agreed at the CCCT meeting.
 - Applicant accepts the ICA conditions and proceeds with the remainder of the Greenlight Process as outlined in this Code, Section 522.9.D. Greenlight Process Procedures.
- (iii) Applicant does not agree to redesign the project and submit a new application, and CCCT does not agree to withdraw the denial and replace it with an ICA. If this circumstance occurs, the applicant may file an appeal with the PC in accordance with the procedures of this Code, Subsection 522.9.E.5.b. Appeals.

b. Appeals

(1) General

The authority granted by this section shall be limited to final determinations made by the PC, and other administrative officials empowered to implement or interpret this Code. A determination shall not be considered final and appealable pursuant to this section unless:

- (a) A land development regulation specifically states that the determination is appealable in accordance with this section;

- (b) The determination is in writing and uses the phrase final determination or otherwise states that the determination is appealable pursuant to this section; or
 - (c) The determination is a written policy or interpretation of general applicability that is considered final upon approval by the PC or upon final publication by the administrative official empowered to render such policy or interpretation.
- (2) The Appeal Provision in this section shall not apply to:
- (a) County court citations, warnings, or judgments issued pursuant to the process outlined in Section 125.69, Florida Statutes; Chapter 162, Part II, Florida Statutes; and/or Chapter 1 of the Pasco County Code of Ordinances; or
 - (b) Provisions of this Code, the Code of Ordinances, or other resolutions or regulations of the Board of County Commissioners (BCC) for which different appeal procedures are provided in such provisions or by State law.
- (3) Process

Table 522.9.E.-1 provides for the appeal body and timeframe in which appeals must be filed.

TABLE 522.9.E.-1

Final Determination	Appeal Body	Application and Fee
Code Interpretations	PC	30 Days
Administrative Final Decisions Related to Application for Development	PC	30 Days
PC Action	BCC	30 Days*
Sign Permit Denial Applications	BCC	30 Days

*Applications for Appeals of PC Action have sixty (60) days to be made complete. All other Applications for Appeals must be complete within thirty (30) days. Failure to submit an appeal application and fee within 30 (thirty) days of the rendering of the decision to be appealed or to complete the appeal application within the required time period (thirty [30] or sixty [60] days as

applicable from the rendering of the decision to be appealed) shall foreclose the right to initiate the administrative appeal. Additionally failure to submit a completed application for appeal shall foreclose the right to initiate the administrative appeal. Each appeal application shall be accompanied by a separate application fee and treated as a separate appeal application, provided; however, the County Administrator or designee may consolidate related appeal applications for agenda, notice, and public hearing purposes.

(4) Appeal Application

An appeal shall be initiated by the aggrieved person by filing an application and the required fee. A complete appeal application shall consist of the following:

- (a) Statement of the final determination and date of the same that is the subject of the appeal.
- (b) Copy of the final determination being appealed.
- (c) For appeals from the PC, a verbatim transcript of the meeting in which the matter being appealed was conducted. The verbatim transcript shall consist of the complete discussion of the PC meeting for the matter being appealed. The verbatim transcript produced by the Pasco County Clerk and Comptroller is acceptable.
- (d) Statement of the relief requested.
- (e) Justification for the relief requested, including citations to the specific portions of the verbatim transcript, exhibits, this Code, and/or Comprehensive Plan provisions relevant to the relief requested.

(5) Hearing Procedures

An action on the appeal application, which may include conducting the public hearing, remand, or continuance of the matter being appealed, shall occur within 90 days of the filing of the complete appeal application, unless an appellant who is also the development approval applicant requests an extension of such time period. Public notice of the hearing shall be provided in accordance with this Code, Section 304.2 Public Notice. Sign Permit appeal hearings shall be held within the

timeframe provided in this Code, Section 406.1.2. Authorization for Signs.

(6) Standards of Review

- (a) Appeals of Decisions of Administrative Officials. The BCC or PC, as applicable, shall conduct a de novo hearing on appeals and may adopt, modify, condition, or reverse both factual findings, legal conclusions, and conditions relating to the matter being appealed or remand the matter to the County Administrator or designee for reconsideration based on direction from the BCC or PC, as applicable. Notwithstanding the foregoing, the BCC, or PC, as applicable, may remand any appeal filed pursuant to this Section to the County Administrator or designee without conducting a public hearing.

- (b) Appeals of Final Determinations of the PC. In considering appeals of final actions of the PC, the BCC shall base its decision on facts in the record of the PC public hearing, as applicable, and shall not make new factual findings or base its decision on evidence or facts outside of the record. However, the BCC may base its decision on any applicable law and may adopt, modify, condition, or reverse the PC's legal conclusions and conditions including, but not limited to:
 - (i) Conclusions and conditions relating to consistency with this Code, the Comprehensive Plan, and County approvals and development orders;
 - (ii) Conclusions and conditions relating to the application of this Code, the Comprehensive Plan, and County approvals and development orders to the record evidence and facts;
 - (iii) Reweighing the record evidence to evaluate consistency with this Code, the Comprehensive Plan, and County approvals and development orders; and/or

- (iv) Interpretations of this Code, the Comprehensive Plan, or County approvals and development orders.

The BCC may also remand that the matter being appealed to the PC, receive additional evidence, make additional factual findings, or reconsider the matter based on direction from the PC.

(7) Final Determination of Appeals

The final determination pertaining to an appeal shall be rendered within thirty (30) days of the close of the appeal hearing. Final determinations granting or remanding an appeal may be rendered in writing or by motion and may, if rendered in writing, include findings of fact, findings or conclusions of law, conditions of approval, and action taken. Final determinations denying an appeal shall be rendered in writing, including citations to any applicable ordinance, rule, statute, or other legal authority for the denial.

A final determination shall be deemed rendered after it is reduced to writing and signed by the Chairman, Vice-Chairman, or acting Chairman of the BCC or PC, as applicable, or after the adoption of a motion if no written decision is to be prepared and entered.

c. Appeals of Final Determinations of the BCC

Any aggrieved party may appeal a final determination of the BCC to the Sixth Judicial Circuit Court of the County in accordance with the applicable Florida Rules of Procedure. An appeal shall be filed within thirty (30) days of the decision to be appealed and shall not be a hearing de novo, but shall be limited to appellate review of the record created before the BCC in accordance with applicable law for a first tier certiorari review. For the purposes of this appeal, the record shall include:

- (1) The transcript of the BCC public hearing, along with any additional evidence accepted at the public hearing;
- (2) Where the action was an appeal, the transcript of the PC public hearing, along with any additional evidence accepted at the PC public hearing; and
- (3) Any applicable County staff reports and written orders or decisions of the PC.
- (4) Administrative Res Judicata

When a decision on an appeal application has been rendered by the BCC, no new appeal may be submitted where the new appeal requests the same relief or determination, unless the applicant can demonstrate and the County Administrator or designee determines that a material change in the circumstances or conditions has occurred which could prompt a different or contrary decision. For the purposes of this Section, facts or circumstances which were known or could have been discovered through the exercise of reasonable due diligence of the applicant or his privy prior to the initial application shall not constitute a sufficient basis for claiming a change in circumstances or conditions. This provision does not address or modify the res judicata effect of the BCC decisions in subsequent State or Federal court proceedings; such effect shall be determined in accordance with applicable law.

d. Alternative Standards

(1) General

Alternative standards are only required for substantial deviations from the Connected City Conceptual Utility Plan and from the following sections of this Code:

- (a) §901.1 Transportation - Corridor Spacing (BCC approval required with recommendation from PC)
- (b) §901.2 Transportation – Corridor Management (PC approval required)
- (c) §901.3 Access Management (PC approval required)
- (d) §406.1 Signs (PC approval required)

Otherwise, design creativity is encouraged. Unique designs that meet the intent and purpose of this code may be evaluated by the County Administrator or designee as part of the incremental approval process without formal alternative standards request.

(2) Requests

Requests for alternative standards may be made in conjunction with the filing of a development application. Alternatively, an application may be filed prior to

submittal of an application. In that circumstance, sufficient information shall be submitted to permit a reasoned consideration of the request. Sufficient information must be provided for the administrative official to make a determination.

(3) Criteria

The County Administrator or designee shall consider the following criteria when reviewing an alternative standards request to deviate from the Connected City Conceptual Utility Plan. As per below, (a), (b) or (c) shall be met, and all of (d), (e), and (f) shall be met:

- (a) The alternative standard meets or exceeds the intent and purpose of the Code requirement at issue.
- (b) The alternative standard proposes new, innovative, and/or unconventional methodologies for conforming to the guiding principles, policies, and standards of the CC-CPA.
- (c) No feasible engineering or construction solutions can be applied to satisfy the regulation.
- (d) The alternative standard does not adversely affect compliance with other Code provisions, development order(s), or permit(s).
- (e) The alternative standard is not in conflict with other mandatory substantive requirements of local, State, or Federal law.
- (f) The alternative standard is consistent with the applicable provisions of the Comprehensive Plan.

(4) Alternative Standard to Access Management

Where an access management alternative standard is requested, or where deviations from this Code, Section 901.3 Access Management are requested, the PC shall hear the request and consider the following criteria at a public hearing duly noticed pursuant to this Code, Section 304.2 Public Notice:

- (a) No feasible engineering or construction solutions can be applied to satisfy the regulation; or

- (b) The proposed alternative standard will maintain or improve collector/arterial roadway capacity and travel times without increasing the number or severity of accidents; or
- (c) Compliance with the regulation will deny reasonable access.

(5) Alternative Standard for Signs

For alternative standard requests regarding signs, the PC shall consider the request at a public hearing duly noticed pursuant to this Code, Section 407.5 Alternative Standards.

(a) Purpose and Intent

The purpose of this section is to provide the circumstances where alternative standards may be approved. Granting a request shall meet or exceed the intent to:

- (i) Ensure no pole signs or other prohibited sign is erected;
- (ii) Approve signs which are compatible with other nearby signs, other elements of street and site furniture, and with adjacent structures. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size, and the size and style of lettering;
- (iii) Ensure the location and placement of the sign will not endanger motorists;
- (iv) Ensure the sign will not cover or blanket any prominent view of a structure or façade of historical or architectural significance;
- (v) Ensure the sign will not obstruct views of users of adjacent buildings to side yards, front yards, or to open space;
- (vi) Ensure the sign will not negatively impact the visual quality of a public open space

as a public recreation facility, square, plaza, courtyard, and the like; and

- (vii) Ensure the sign's lighting will not cause hazardous or unsafe driving conditions for motorists.

(b) Increase in Number of Monument Signs

The intent of this subsection is to provide for allowing an increase from one (1) to two (2) monument signs only when there is a reduction in the overall total sign area on the site. Approval of such a request shall require the PC to affirmatively determine compliance with the following criteria:

- (i) The request is consistent with the purpose and intent of this section.
- (ii) The subject parcel shall have a total combined linear frontage between 590 and 600 linear feet of frontage.
- (iii) The combined sign structure area and copy area of both proposed monument signs shall not exceed the total sign structure area and copy area as would be allowed for one (1) monument sign on the subject parcel;
- (iv) The total allowed sign area of all other on-site signage; e.g., wall signs, awnings, etc., shall be reduced by at least thirty-five (35) percent.

(c) Increase in Height of a Monument Sign or Size of a Wall Sign

Where an alternative standard is requested to increase the height of a monument sign, or to increase the size of a wall sign, the PC shall affirmatively determine compliance with the following criteria:

- (i) The request is consistent with the purpose and intent of this section, as stated in this Code, Subsection 407.5.D.1;

(ii) Granting the request reduces the number of signs on the parcel and/or the number of registered billboards in the unincorporated areas of Pasco County. The request must achieve one or more of the following:

- Removal of one or more unconstructed monument signs on the parcel visible from any right-of-way which the applicant otherwise would have been permitted to erect on the parcel; or
- Removal of one or more nonconforming signs on the parcel visible from any right-of-way which the applicant otherwise would have been permitted to retain on the parcel; or
- One or more registered billboards from any parcel in unincorporated Pasco County; or
- Any combination of the above.

AND

(iii) Granting the request reduces the overall sign structure area visible on the parcel from any right-of-way. The total sign structure area which applicant otherwise would have been permitted to erect or retain on the parcel must be reduced by at least thirty-five (35) percent. For the purposes of calculating the allowable sign structure area in this section, the actual size of registered billboards that are proposed to be removed will be used. All other requirements of Section 406.1 of this Code, including but not limited to, copy/sign structure ratios and required architectural features, must be observed for the proposed sign;

AND

- (iv) Granting the request does not result in excessive sign heights. The maximum height for a sign erected pursuant to this alternative standard may not exceed twenty (20) feet, or thirty (30) feet on controlled access roadways, even where a reduction in overall numbers of signs on the property and a reduction in overall sign structure area is achieved;\

AND

- (v) Granting the request does not result in the erection of pole signs or any other prohibited structures identified in this Code;

AND

- (vi) Granting the request meets or exceeds the stated intent and purpose of:

- Section 406.1 of this Code; and
- This subsection. The specific intent and purpose of this subsection is:
 - To allow applicants to combine monument sign height allowances (or to combine wall sign size allowances) in exchange for reducing the overall number and size of monument signs (or wall signs) which are, or may be, erected on the property; and
 - To provide an incentive for property owners to remove nonconforming signs and registered billboards in return for increased flexibility in the height of monument signs or increased size of wall signs; and

- To give flexibility in height and size to allow signs that are proportionate for the property, but not to approve signs of excessive heights or heights that will be inharmonious or incompatible with its surroundings. The sign should be compatible with building heights of the existing neighborhood and should not impose a foreign or inharmonious element to an existing skyline.

(vii) Granting the request does not require Pasco County to compensate for any signage or registered billboards proposed to be removed. The owner(s) of any sign or registered billboard, and landowner(s) where such sign or registered billboard was erected, must provide a written acknowledgement in a form approved by the County Attorney's Office that:

- The increased height/size of signage obtained through approval of an alternative standard is just compensation, and is the sole compensation owing pursuant to Section 70.20, Florida Statutes and under any other legal theory available, for any sign and/or registered billboard removed from the property, or any sign which could have been erected but was not; and
- The sign/registered billboard owner and the landowner waive any right to additional compensation under Section 70.20, Florida Statutes, or under any other legal theory available, for any sign and/or registered

billboard removed from the property, or which could have been erected but was not; and

- If the sign/registered billboard owner and landowner are not the same entity requesting approval of the alternative standard, the applicant for an alternative standard must agree to defend, indemnify, and hold the County harmless for any claim for compensation by other persons, in a form approved by the County Attorney's Office.

(6) Denial of Alternative Standards

- (a) Any request for an alternative standard which does not meet the criteria above will be denied, and the applicant shall either:
- (i) Comply with this Code
 - (ii) Appeal the denial to the BCC in accordance with Subsection 522.9.E.5.b. Appeals.

F. **Subdivision and Platting Standards**

1. Intent and Purpose

The intent and purpose of this Section is to set forth the standards for subdividing and platting CC-Entitled Properties. It is the intent of this Code to ensure that all future developments are served adequately and economically by the County or developed with facilities and services as are necessary for the health, safety, and welfare of the residents. Except as provided in this chapter section, platting is required when a parent parcel is divided into three or more parcels or when any lot which was platted after May 1, 1974, is divided.

2. General

A subdivision shall not be approved unless the County finds after full consideration of all pertinent data, that the proposed subdivision conforms to all the provisions of this Code and the Comprehensive Plan. These requirements apply to the three (3) types of subdivision plat approvals which are:

a. Residential Subdivisions

b. Nonresidential and Mixed Use Subdivisions, which are those subdivisions not designed for fee-simple residential development, or which contain a mix of uses that might include a mix of fee simple and/or non-fee simple residential and non-residential uses. There are two categories of nonresidential subdivisions:

(1) Common Plan of Development, those subdivisions where the created lots are inextricably linked through shared infrastructure such as parking, access and landscaping. The most common form of these subdivisions are shopping centers with outparcels.

(2) Stand Alone, those subdivisions where the created lots are generally developed independently. A common form of these subdivisions are commerce parks.

3. Exemptions

Refer to this Code, Section 700.3. Exemptions.

4. Conformance with County Policy

The subdivision and development within any subdivision shall be consistent with the Pasco County Comprehensive Plan, all applicable provisions of this Code, and all adopted water supply, waste disposal, street lighting, and other essential utilities plans.

5. Use of Natural Features

The arrangement of lots and blocks and the street system on CC-Entitled Properties within the Connected City should make the most advantageous use of the land form such that a compact, dense form of development is achieved where appropriate in accordance with the Connected City Land Development Code (CC-LDC).

6. Standards

The design of subdivisions as reflected on incremental Preliminary Development Plans and subsequently submitted and incrementally approved Incremental Plans, shall be consistent with the standards adopted in the CC-MPUD zoning amendment for the subdivision.

a. Lots and Blocks

Lots shall be consistent with the standards adopted in the approved CC-MPUD. Lots proposed for industrial or commercial purposes shall be adequate to provide off-street parking, loading, and service facilities, with recognition given to

any mixed use parking reductions allowed in the CC-SPA and any cross-parking agreements with adjacent or nearby projects.

b. Corner Lots

Corner lots shall be sized to meet setback requirements set forth in the CC-MPUD development standards.

c. Access

The subdivision shall be so designed that remnants and landlocked areas shall not be created, which do not have access by right-of-way or easement. No lot shall be created without sufficient legal access. All subdivisions shall have access to a street, public or private, including alleys, where appropriate.

d. Lot Lines

In subdivisions which overlap municipal, County, tax district boundaries, or other district boundaries, lot lines shall follow the boundary lines, unless specifically approved otherwise at the time of preliminary development plan approval.

e. Double-Frontage Lots

Double frontage lots shall be approved in the CC-SPA where appropriate to facilitate a form of development that encourages fronts of buildings to face Primary, Intermediate, or Local Roads with alley access in the rear of the buildings.

f. Block Lengths

Where practicable, the length of blocks should not exceed 1,760 feet, unless specifically approved otherwise at the time of preliminary development plan approval. Where an applicant elects to develop in accordance with MUTRM, TND, or TOD standards, the maximum block dimensions shall be dictated by those standards.

Streets

All streets shall be constructed in accordance with this Code, Section 522.9.H. Street Design and Dedication Requirements.

g. Pedestrian, Bicycle and Neighborhood Vehicle Facilities

Provisions for public pedestrian, bicycle and neighborhood vehicle traffic shall be incorporated into the subdivision design in accordance with this Code, Sections 522.9.K., Pedestrian

Facilities, 522.9.I Bicycle Facilities, and 522.9.M. Neighborhood Vehicle Facilities.

h. Street Names

Streets shall be named in accordance with this Code, Section 901.9, Street Naming and Addressing.

i. Traffic Control Devices

Traffic control devices shall be provided, designed, and constructed in accordance with this Code, Section 901.10, Traffic Control Devices.

j. Street Lighting

Street lighting shall be provided, designed, and constructed in accordance with this Code, Section 901.11, Street Lighting.

k. Stormwater Management System

The Stormwater Management System shall be designed in accordance with the requirements of this Code, Section 902 Stormwater.

l. Easements

The use of all easements shall be clearly shown on all plans. The minimum easement widths shall be as stated in this Code.

m. Utilities

Utilities shall be in accordance with this Code, Section 522.9.O. Utilities.

n. Fire Protection

Fire protection shall be provided in accordance with this Code, Section 904, Fire Protection.

o. Neighborhood Parks

Neighborhood Parks shall be provided in accordance with this Code, Section 522.9.P. Neighborhood Parks for all subdivisions with a residential component.

p. Landscaping and Buffering

Landscaping, and buffering shall be in accordance with this Code, Section 522.9.Q. Landscaping and Buffering. In addition,

all double-frontage lots which abut a roadway functionally classified in the County Comprehensive Plan future roadway network shall be provided with a Type B buffer along the rear-lot lines.

7. Prior to Platting

Prior to commencing the platting process, the following approvals are required:

a. Incremental Conditional Approvals

The Preliminary Development Plan as required pursuant to this Code, Section 522.9.E.3.a. shall outline the intent of development for the proposed subdivision. The PDP shall identify the general configuration of lots and plans for public services as required.

After a PDP is conditionally approved, all other applicable Incremental Conditional Approvals must be issued, including the Mass Grading Plan (optional), the Utility Construction Plan, the Paving, Grading, and Drainage Plan, and the Landscaping and Irrigation Plan.

b. Final Approval

As required by this Code, Section 522.9.D.4.c.(6) after all Incremental Plans are approved, the applicant shall submit a request for a Final Approval Memorandum. The plat shall be based upon the final plans that accompany the Final Approval Memorandum.

8. Platting

Refer to this Code, Section 700.9 Platting.

9. Prohibitions

Refer to this Code, Section 700.10 Prohibitions.

10. Dedication

Refer to this Code, Section 700.11 Dedication.

G. **Natural Resources**

1. General

a. Intent and Purpose

The purpose of this Code, Section 522.9.G. is to implement the CC-CPA Natural Resources and Conservation Policies, with the intent to promote development that supports the long-term sustainability of the County's natural resources.

b. Applicability

Development of CC-Entitled Properties shall meet the requirements of this Code, Chapter 800 Natural & Cultural Resource Protection, Section 902 Stormwater, and Section 903 Utilities except as otherwise identified herein.

2. Wetlands

Wetland protection shall be consistent with this Code, Section 805 Wetlands.

3. Listed and Protected Species

Listed and protected shall be consistent with this Code, Section 803 Listed Species.

4. Water

a. Conservation Techniques

Techniques that reduce water consumption will be encouraged in all CC-MPUD zoned development, in accordance with the following:

(1) Waterstar

- (a) New construction will be encouraged to incorporate a minimum of 25% of Waterstar or similar program standards, for such things as: water efficient appliances; plumbing fixtures; irrigation systems and landscapes; and best management practices in landscapes; or
- (b) Other techniques can be used in place of Waterstar that have a proven record of reducing water consumption, as demonstrated by the applicant. For example, new construction can utilize reclaimed water for toilets and irrigation to address water conservation; and
- (c) Construction should utilize Florida Friendly landscape design in accordance with this Code Section 522.9.Q. Landscaping and Buffering.

- (2) Developers that incorporate many new smart technologies that demonstrate water conservation may receive credit from the Smart Gigabit Community Infrastructure Development Fee, as defined in the CC-FP.

b. Monitoring

New construction shall be built with meter requirements of Pasco County Utilities Department at time of application. The infrastructure shall contain meters and other necessary system hardware, network infrastructure, and the associated network management software.

5. Energy

a. Conservations Techniques

Techniques that reduce energy consumption will be encouraged in all CC-MPUD zoned development, in accordance with the following:

(1) Energystar

- (a) Construction will be encouraged to incorporate a minimum of 25% of Energystar or similar standards, with the installation of energy efficient appliances, lighting fixtures, heating/cooling systems, tankless water heaters, higher overall insulation rating, and/or other energy efficient systems and construction techniques; or
- (b) Other techniques can be used in place of Energystar that have a proven record of reducing energy consumption, as demonstrated by the applicant.

- (2) Developers that incorporate new smart technologies that demonstrate energy conservation may receive credit from the Smart Gigabit Community Infrastructure Development Fee, as defined in the CC-FP.

b. Renewable Energy

Developers that incorporate new smart technologies that demonstrate renewable energy receive credit from the Smart Gigabit Community Infrastructure Development Fee, as defined in the CC-FP.

6. Recycling

- a. All public use areas, such as parks, trailheads, libraries, schools, etc. shall provide recycling containers readily available for use by the public.
- b. Private development is encouraged to provide recycling containers in high-traffic areas.

H. **Transportation Analysis**

1. Intent and Purpose

The intent and purpose of this section is to identify potential transportation needs and timing for those roadways shown on the CC-MRP, which serve the subject parcel, and are consistent with the Connected City Comprehensive Plan Policy TP 5.11. The CC-TA will be used to determine the necessary conditions of approval for a CC-MPUD zoning application to ensure consistency with the CC-CPA, the CC-MRP and the CC-FP.

2. Applicability

CC-TA shall be required for all CC Entitled Properties seeking a new or amended rezoning, or CC Entitled Properties proposing to eliminate or delay the timing of their existing road construction obligations.

3. Exemptions

- a. Applications for amendments to CC Entitled Property zoning, where the increase in gross trips is less than 50 peak hour trips, AM or PM, whichever is higher.
- b. Government buildings as defined in this Code, under the Mobility Fee definitions in this Code, Appendix A.

4. Methodology

- a. Prior to conducting any study, determine whether the County or applicant will conduct the study.
- b. Set up a methodology meeting with the applicant or applicant's representative.

The date of the methodology meeting will be determined within one (1) week of distribution of the application to County staff. If the County is performing the analysis, the County will prepare and submit a methodology statement for the applicant's review no later than two (2) weeks after the methodology meeting. The purpose of the methodology statement is to establish agreed upon methodologies and assumptions prior to the start of the study and, if appropriate, to provide substantiation that the

development's impacts are exempt (no net peak hour traffic impact) and further traffic study and review is not required. If the applicant chooses to perform the study, a County-approved methodology statement shall be required prior to submission of any transportation analysis. At a minimum, the following elements of the methodology, as listed below, will be specifically addressed:

- (1) Exemption assertions
- (2) Collection of traffic counts
- (3) Description of land uses, site location, build-out schedule, and phasing, including any interim uses generating traffic
- (4) Study area
- (5) Access locations
- (6) Trip generation
- (7) Internal capture/passersby
- (8) Background growth procedure
- (9) Distribution and assignment.

If the County conducts the study, unless otherwise agreed to by the County, the applicant shall be required to obtain the traffic count data. If the County agrees to obtain the traffic counts, the time to complete these counts may delay the commencement of development review time frames in this Code, Table 303-1 Timelines for Zoning Actions. In addition, if the County acquires the traffic counts, the applicant remains responsible for paying for the associated costs. Consistent with the standards set forth in this Code, Section 901.12.E.4 Trip Counts, the County may use currently available counts. If new counts are needed, the County may choose to perform the counts in-house or through a third-party consultant.

To maintain the review schedule, if the County is performing the study, the will be required to respond to the draft methodology statement within four (4) business days. The applicant may request additional time for review, which will trigger an automatic extension of the review schedule. If the County is performing the study, the timeframe the County estimates to complete the analysis will be provided to the applicant in the methodology statement. Furthermore, if the applicant chooses not to have the County complete the analysis, the hearing timeframes provided in this Code, Section 303 Common

Procedures shall be extended to permit completion of the analysis and review and comment by the County.

5. Standards for Connected City Transportation Analysis

a. Trip Generation

- (1) Institute of Transportation Engineers (ITE) *Trip Generation Manual* (ITE Manual). The latest version of the ITE Manual will be used to estimate project traffic and exempted trips traveling to and from the site and trips associated with existing entitlements. Other rates may be used by the County or may be used if requested by the applicant and approved by the County. Unless the applicant has requested a conditioned approval identifying use density/intensity, rates associated with the highest trip generating use permitted by the existing/proposed zoning will be applied.
- (2) Interim uses. Separate trip generation estimates for interim traffic-generating uses¹ shall also be considered.
- (3) Reasonable yield. Unless the applicant has requested a conditioned approval identifying use density/intensity, a twenty-five (25%) percent reduction factor will be applied to the maximum allowable density/intensity to determine a reasonable assumption of trip yield from the site for both existing and proposed density/intensity. For example, a site with a proposed RES-6 (Residential - 6 du/ga) FLU Classification will be evaluated presuming a yield of 4.5 dwelling units per acre.

b. Internal Capture

Internal capture estimates shall be based on ITE acceptable methodologies, and where the ITE data is not applicable, professional judgment. However, in no case will an overall internal capture of more than twenty (20%) percent be used unless a higher internal capture percentage based on verifiable documentation; e.g., field studies of comparable sites, is available. Internal capture shall include the trips associated with existing entitlements. Exempted uses are allowed in calculation of internal trip capture.

c. Passerby Capture

The total gross external trips of the project traffic may be reduced by a passerby factor to account for the project traffic that is already traveling on the adjacent roadway. Passerby

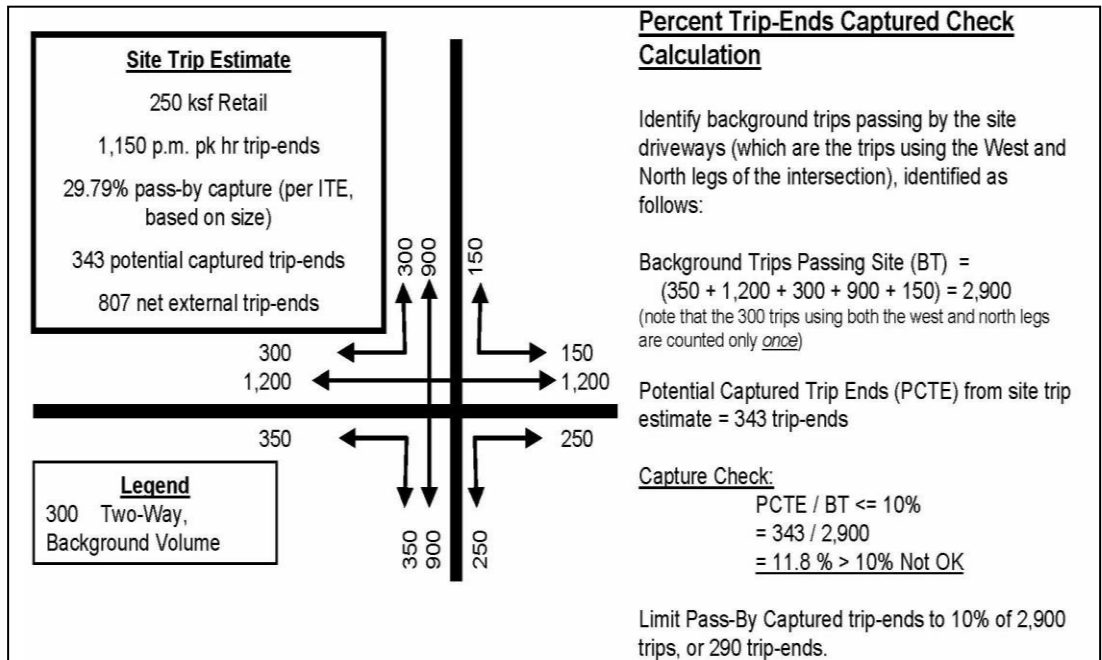
capture will not exceed twenty (20%) percent of site generated traffic, unless data supporting higher rates are included in the current version of the ITE Manual reference, latest mobility fee study, or are otherwise approved by the County. In no event shall the total passerby trips entering and exiting a site exceed ten (10%) percent of the total background (existing plus future) traffic on the adjacent roadway.

In cases where median controls limit left-in/left-out access to the site, traffic on the far side of the road can be considered in assessing the upper limit on captured trips; however, the effects of that traffic in the associated necessary U-turns and added flow at the study area/impacted transportation system, the upstream and downstream median openings or intersections, should be identified as development traffic at those locations.

The passerby capture percentage shall be computed as the number of trips entering, plus exiting the site land uses claimed as captured, divided by the number of background trips passing by the site on Major County Roads directly abutting or passing through the site. An example of this computation is provided on Figure 522.9.H.-1.

¹ Land Excavation and Mining (as defined in this Code, Sections 404.2 and 404.3) even as an interim use, is presumed to be a separate and distinct land use requiring separate trip generation estimates. Such land use is also presumed to generate more than ten (10) percent heavy vehicles.

Figure 522.9.H.-1



The passerby trips shall include trips associated with the existing entitlements.

d. Trip Counts

- (1) General. All counts shall be conducted based on acceptable engineering standards. Raw turning movement counts shall be conducted during the a.m. and/or p.m. peak hours, consistent with the analysis parameters. If daily tube counts are required, they shall be conducted for a minimum of forty-eight (48) hours at all intersections and road segments that are being analyzed in accordance with these provisions, unless other monitoring measures are in place. The raw counts shall be converted to the 100th highest hour of the year based on the Florida Department of Transportation's (FDOT) peak season adjustment factors. Other peak-season adjustment factors or adjustment methodologies that may result in different peak-season adjustment factors may be used at the discretion of the County.
- (2) Saturated intersections. To estimate turning movement counts for saturated intersections, the FDOT's methodology shall be followed by multiplying the average annual daily traffic tube count at appropriate locations by the directional factor and minimum K100 factors and by applying the percentage of turns obtained from the field-turning movement counts. The field-

turning movement percentages may also be adjusted based on anticipated future development patterns in the area.

- (3) Tube counts at approximate locations should be provided for segment analysis using the FDOT procedure. The segment tube counts at mid-block locations should be checked against turning movements at nearby intersections. In general, the mid-block counts and turning-movement counts should not be significantly different, unless the difference can be logically explained.
- (4) Age of counts. Approved FDOT or County-maintained counts may be used if they are less than one (1) year old. However, new counts shall be performed if there are recent improvements to the transportation system causing significant changes in traffic patterns. Counts more than one (1) year old shall not be used unless the latest counts are representative of present conditions where little or no growth has occurred.

e. Background Traffic Growth / Future Traffic

The existing traffic counts shall be increased by a growth factor to the project's build-out date, which shall be reasonably determined.

Background traffic growth rates and background traffic volume estimates shall be based on a combination of the following techniques:

- (1) Historical growth rates (minimum of the past three [3] years) shall be used in areas where the expected growth is representative of the past growth.
- (2) Consideration of traffic from other developments shall be used in areas where the historical trend is judged by the County to be inappropriate. This may be accomplished through application of the latest adopted Tampa Bay Regional Planning Model (TBRPM), the Metropolitan Planning Organization's (MPO) Urban Area Transportation System Planning Model, or by estimating the anticipated trips using the latest edition of the ITE Manual.
- (3) The growth/future traffic on roads that do not currently exist shall be based on the TBRPM, the latest adopted model, or other acceptable planning/engineering techniques or tools.

- (4) If the TBRPM is used, the background traffic growth for existing roads shall be determined as follows:
- (a) Identify the validated year model volume and build-out year (future) model volume.
 - (b) Interpolate these values to identify a model-based volume for existing conditions (year to be consistent with the date of current count data).
 - (c) Identify the growth rate between the interpolated existing conditions model-based volume and the build-out year (future) model volume.
 - (d) Apply this growth rate to the existing conditions traffic counts.

The build-out year (future) model volume is determined by applying the project's build-out year socioeconomic data to the committed and/or improved network. The build-out year socioeconomic data may be obtained by interpolating between MPO's or the County's adopted validated year and the adopted interim or future year, socioeconomic data, then adjusting to reflect the pending and approved developments.

The socioeconomic data of the model should reasonably represent, if appropriate, other developments in the vicinity of the development under review.

Minimum annual growth rates in all cases shall be two (2%) percent, unless other reasonable rates are deemed to be more appropriate by the County.

The connections of surrounding traffic analysis zones in the model shall be reviewed to reflect other approved and pending developments and to ensure appropriate network loading.

f. Level-of-Service (LOS) Standards

The following LOS standards shall be used:

- (1) The LOS standards for through movements on all major County road segments (facilities) shall be consistent

with the standards in Policy TP 5.11 of the Connected City Comprehensive Plan.

- (2) The volume over capacity (v/c) ratio of turning movements on Major County Roads and/or Primary and Intermediate Roadways within the CC-MRP cannot exceed 1.2, with a maximum delay of 120 seconds. Delays of up to 150 seconds are acceptable for turning movements with a v/c ratio less than 0.8.
- (3) For all access driveways and local street connections to Major County Roads and/or Primary and Intermediate Roadways within the CC-MRP, approach delays of up to 150 seconds will be acceptable.

g. Study Area / Impacted Transportation System

The following roadway segments and intersections will be assumed to be within the study area and will be analyzed.

- (1) As a general rule, the study area will consist of those portions of the Primary and Intermediate Roadways (and associated intersections) that are needed to provide access to the roadways bordering Connected City.
- (2) Roadway segments beyond those bordering Connected City boundary will not be included in the analysis.

6. General Analysis Requirements and Software

- a. The main focus of transportation analysis is to identify the roadways needed to serve the project, and the timing of the improvements.
- b. All analysis shall be undertaken for conditions during the 100th highest hour of the year. Other analysis periods, including the a.m. peak hour, may also be conducted, if appropriate.
- c. For uninterrupted road facilities (intersection spacing of more than two [2] miles), the capacity of upstream and downstream intersections may be analyzed, which may restrict the amount of traffic that can be allowed on the uninterrupted portion of the facility.
- d. For purposes of analysis in *ArtPlan*, at major T-intersections, the dominant-turning movement will be assumed to be the through movement.

- e. Use of analysis software will be in accordance with the following:
- (1) For unsignalized intersections, the latest version of *Highway Capacity Software* (HCS) is the preferred software.
 - (2) For signalized intersections and interrupted road segments, the latest version of *ArtPlan* is the preferred software, except as necessary to identify alternate solutions to through movement improvements, for which *Synchro* is the preferred software.
 - (3) For uninterrupted flow roads (those with more than two [2] mile signal spacing), the latest version of the FDOT's Highplan is the preferred software.
 - (4) Other analysis software acceptable to the County may be used to address situations not addressed by the above provisions.
 - (5) Existing signal timing will be obtained from the County Traffic Operations Division. The existing signal timings, including minimum and maximum settings, will be used for the initial analysis of future conditions. Timing changes outside of the existing minimum and maximum settings may be used or timing splits may be modified, but the existing cycle length will generally remain the same.
 - (6) Proposed or anticipated traffic signals may be considered in the future year condition, such as signals at development entrances.
 - (7) Other parameters that govern the roadway/intersection capacity analysis should be based on the parameters described in the latest version of the HCM.

7. Analysis Scenarios

The following standards will be used in analysis.

- a. The analysis scenarios listed below shall be applied in the following order, as necessary:
- (1) The future scenario which includes the analysis of existing traffic, plus reasonable background traffic and project traffic at build-out on the Committed Network. If no failure occurs, the analysis stops.

(2) In circumstances where there is a failure, the applicant will work with the County to determine the improvements required to serve the project, in accordance with the CC-MRP.

b. For all locations which are estimated to fail, the analysis shall identify when each failure is expected as a fraction of development trips associated with on-site land use quantities and the estimated year of the failure.

8. Analysis Timelines and Recommendations

a. Time to Complete Study

The estimated time to complete a study, including the methodology statement, is generally between one (1) to four (4) months, depending on the size of the project, associated complexities, and promptness in the applicant's responses to questions from the County.

If the County performs the analysis, applicants will have four (4) business days to comment on the methodology statement and seven (7) business days to comment on the draft analysis report. The applicant may request additional time for review which will trigger an automatic extension of the review schedule.

The County will address the applicant's comments and concerns in an efficient manner in order to complete the study within the one (1) to four (4) month period. If the applicant elects to conduct the study, the County will have 30 days from each submittal to review and respond with comments.

If there are any remaining unresolved issues with the methodology or analysis after the final study is forwarded to the applicant and the applicant chooses not to request a continuance to resolve the issues, the applicant will need to address the unresolved issues directly to the PC, and/or the Board of County Commissioners (BCC) at the appropriate public hearing.

(1) When the County is conducting the analysis, the draft analysis report will be forwarded to the applicant no less than four (4) weeks prior to the first public hearing and the final study will be forwarded to the applicant two (2) weeks prior to the first public hearing.

(2) The review time/analysis period of 120 days for CC-Entitled Property rezonings may be extended up to an additional 60 days for those projects that have

outstanding issues as a result of the timing and phasing analysis.

b. Euclidean Rezoning

To maintain the review times provided in this Code, Section 303, the CC-TA shall be completed prior to submitting a Euclidean rezoning application.

c. Results and Recommendation

The results of the analysis will be used to provide a recommendation to the PC, and/or BCC. The report presented from the analysis will identify when failures are estimated to occur and to what degree the failure is as a result of the request for CC-Entitled Property rezoning.

In circumstances where a failure is identified, recommendations shall be presented to the PC, and/or BCC, as appropriate. The recommendations shall be based on an evaluation of the proposed project and the total impact on the transportation network. The recommendation may be to:

- (1) Approve the project.
- (2) Approve the project with limitations on the phasing of the project.
- (3) Approve the project subject to the timing of improvements.
- (4) Approve the project subject to advance payment of Development Fees.
- (5) Approve the project with other mitigation requirements including but not limited to transit; neighborhood vehicle, bicycle and pedestrian connectivity; changing the land use mix or incorporating MUTRM (Mixed Use Trip Reduction Measures), TND or TOD.
- (6) Deny the project.

d. Deficiencies and/or Backlogs. Mitigation assessed pursuant to this section shall not assess for the additional cost of reducing or eliminating existing deficiencies or backlogs.

9. Waiver of the Requirements of this Section

The County Administrator or designee may waive any of the requirements of this section if it is determined that the requirement is not necessary to:

- a. Ensure consistency with the Connected City Comprehensive Plan Policy TP 5.11.
 - b. Ensure compliance with CC-MRP.
 - c. Ensure the safety of the traveling public.
10. Access management analysis, in accordance with this Code, Section 901.3, is required for all sites that successfully become CC-Entitled Properties.

I. Service-Ready Site Acreage (SRSA)

1. Intent and Purpose

The intent and purpose of this section is to provide for the creation, development and preservation of land most positively affecting economic development.

2. Applicability

This section shall apply to development parcels within the Connected City which have an approved CC-MPUD zoning of more than 40 acres in size.

3. Qualification for Transportation Development Fee Credits

The provision of the Service-Ready Site Acreage (SRSA) pursuant to this section by a CC-MPUD project shall be a pre-condition to qualify such CC-MPUD for receipt of the credits against that CC-MPUD's Transportation Development Fees as defined in the Connected City Financial Plan (CC-FP) and as authorized by this Code, Section 603 Connected City Stewardship Ordinance (CC-SD).

4. Service-Ready Site Acreage Standards

a. Amount of Land Required for SRSA Uses

The land quantity required to be designated to accommodate the future building square footage of SRSA entitlements identified as SRSA Uses selected by the applicant of a CC-MPUD shall be based upon a presumed, average Floor Area Ratio (FAR) of 0.61 within the designated SRSA parcel(s). The quantity of SRSA entitlements to be designated by a given CC-MPUD shall be determined when such CC-MPUD rezoning is approved, based upon the geographic location, CC-CPA

planning district, pre-existing entitlements, and other goals and policies of the CC-CPA as applicable to the proposed CC-MPUD.

b. Minimum Size

The minimum size of a SRSA parcel shall be four (4) acres of uplands, yielding a minimum of 106,286 square feet of building area.

c. Encouraged Uses within the Connected City SRSA

The following uses will be encouraged within the SRSA to positively affect economic development:

The below Land Use Categories are based on the Pasco County Mobility Fee Tables.

- (1) Office Uses (710, 714, 720, 750, 760).
- (2) Industrial (110, 130, 140, and Distribution Centers).
- (3) Recreation, Institutional, Office, and Retail Uses that are accessory uses within a mixed-use building (431, 437,444 , 491, 495. 520, 522, 530, 540, 550, 565, 770, 820, 814, 841, 850, 881, 912, 931, 932).
- (4) Any Primary Target Industry as defined in the Pasco County Job Creation Incentive Ordinance, as amended from time to time.

d. Use Limitations within the Connected City SRSA

The following uses will be limited within the SRSA to preserve adequate land within the Connected City for the most desirable land uses (office, industrial and manufacturing) positively affecting economic development:

- (1) Free standing Institutional Uses (LUC 540, 550, 565, 610) shall be limited to a total of 50 acres of the potential SRSA envelope within the Connected City.
- (2) Lodging uses (LUC 310, 320, 330) shall be limited to a total of 20 acres of the potential SRSA envelope within the Connected City unless they are built in the conjunction with a corporate business park.

These use limitations may be exceeded if the acreage proposed for such limited use is in addition to the minimum SRSA

requirements designated within a specific, approved CC-MPUD.

e. Prohibited Uses within the Connected City SRSA

The following uses/land area(s) shall not be allowed within the required SRSA acreage:

The below Land Use Categories are based on the Pasco County Mobility Fee Tables.

- (1) Residential uses (LUC 210, 220, 231, 232, 240, 251, 252, 253)
- (2) Recreation Uses (412, 416, 420, 430)
- (3) Institutional Uses (566, 620)
- (4) Retail Uses (LUC 151, 816, 848, 853, 862, 890, 934, 941, 942, 944, 947, 913.P)
- (5) Industrial Uses (120, 150, 152, 160.P)
- (6) Mining
- (7) Wetlands (Category I, II and III)
- (8) Conservation Area/ Easements

f. Location

SRSA parcels shall be located such that it has direct access to a constructed Primary Roadway or Intermediate Roadway shown on the Connected City Master Roadway Plan (CC-MRP). SRSA Parcels may also be located with direct access to constructed roadways on the Highway Vision Plan adopted from time to time and new constructed Major Collector Roadways or new constructed Minor Collector Roadways approved after the adoption of the CC-MRP. The foregoing roadways are collectively referred to in this section as "Adjacent Roadway(s)". The SRSA land required within a specific CC-MPUD may be positioned within the CC-MPUD boundary as desired by the applicant, provided that the locational and other criteria set forth in in this Code, Section 522.9.I., are satisfied for such SRSA land.

g. Required SRSA Infrastructure to Establish Qualification for Transportation Development Fee Credits

The following infrastructure must be provided with connections to serve the specified SRSA parcels, as a pre-condition for such

CC-MPUD to establish its eligibility for the Transportation Development Fee credits to such CC-MPUD, as defined in the CC-FP and as authorized in this Code, Section 603 Connected City Stewardship District:

- (1) Constructed Adjacent Roadways providing direct access to the SRSA parcel.
 - (2) Constructed or committed to construct the portions of the Alternative Transportation improvements needed to safely provide golf cart or other personal electric vehicle interconnectivity (except across state roadways), in accordance with the requirements of Section 316.212, F.S., from all residential areas (including existing), schools, and community gathering spaces to the SRSA parcel.
 - (3) Constructed Potable Water mains sized as shown on the Connected City Conceptual Utility Plan (CC-CUP) along the Adjacent Roadways providing direct access to the SRSA parcel.
 - (4) Constructed Wastewater mains sized as shown on the CC-CUP along the Adjacent Roadways providing direct access to the SRSA parcel.
 - (5) If Reclaimed Water mains are available within 1,500 linear feet from the proposed SRSA parcel, then constructed reclaimed water mains shall be sized and extended to the SRSA parcel as shown on the CC-CUP.
 - (6) Easements granted to utility providers of Electric and Telephone for facilities and a commitment for some entity (other than Pasco County) to construct such facilities when needed by the end user of the SRSA parcels.
 - (7) Constructed Fiber for Gigabit Technology along the Adjacent Roadways providing direct access to the SRSA parcels.
- h. Required SRSA Permitting to Establish Qualification for Transportation Development Fee Credits

The following development permitting must be completed by a specific CC-MPUD for the development activities within the SRSA parcels, as a pre-condition for such CC-MPUD to establish its eligibility for the

Transportation Development Fee credits to such CC-MPUD, as defined in the CC-FP and as authorized in this Code, Section 603 Connected City Stewardship District:

- (1) Execution of a Utility Service Agreement with the Pasco Utilities Department.
- (2) Memorandum of Approval from the Pasco County Planning and Development Department for Mass Grading (uplands) of the SRSA parcel(s).
- (3) Environmental Resource Permit approval from the Southwest Florida Water Management District (SWFWMD) for Construction of Mass Grading (uplands) within the SRSA parcel(s).

i. SRSA Land Pricing and Cooperation Policies

All CC-MPUD Developers shall make the SRSA land designated in each CC-MPUD available for a Primary Target Industry use which is procured by the Pasco Economic Development Council (PEDC) or the County at not greater than the following rates for the SRSA land:

- (1) If the SRSA site is permitted but not filled, the land price shall not exceed: (i) through December 31, 2018, an initial base price of \$5.00 per square foot of land (“Base Price”) , or (ii) for a period of five (5) years after each SRSA site is made available by the CC-MPUD developer hereunder, the greater of the Base Price or the fair market value of the land as determined by an industry-standard MAI appraisal, taking into consideration the SRSA deed restriction on the land; and
- (2) If the SRSA site also has been filled, the land price shall not exceed the price established in (1) above, by more than thirty percent (30%).
- (3) Any CC-MPUD developer may itself construct a SRSA-permitted use building or participate as a joint venture partner in a SRSA-permitted use project that is directly procured by such developer, by providing the SRSA land and/or participating in the SRSA site and/or building construction, on such terms as agreed with the industry joint-venture partner, in lieu of the price control mechanism for any third-party purchaser procured by PEDC or the County, as set forth in (1) or (2) above.

- (4) In the event PEDC or the County procures a Primary Target Industry prospective employer that is interested in a SRSA site in Connected City, the applicable CC-MPUD developer shall cooperate in good faith and with commercial reasonableness to assist the PEDC and/or County to secure such employment use for qualified jobs.

5. Transportation Development Fee Credit Timing

Landowners, developers or project funding entities (CDD's) shall be eligible to establish Transportation Development Fee credits for their specific CC-MPUD in accordance with the CC-FP when all of the following SRSA criteria has been completed for such CC-MPUD:

- a. CC-MPUD approval of SRSA parcel acreage(s) and location(s);
- b. Construction of the required SRSA infrastructure as defined in this section;
- c. The applicant has provided and recorded a permanent deed restriction, in a form acceptable to the County Attorney's Office, on each SRSA site approved in the CC-MPUD, restricting the uses on each SRSA site consistent with Sections 522.9.1.4.c, 522.9.1.4.d and 522.9.1.4.e of the CC-LDC. The County shall be designated in the deed restriction as a direct, intended third-party beneficiary of such use restriction, and any modification of such deed restriction shall require a super-majority vote (e.g., 4/5 or 5/7, etc.) of the BCC at such time; and
- d. Completion of the required SRSA permitting as defined in this Section.

J. Street Design and Dedication Requirements

1. Classification

Streets within the Connected City are classified based upon a logical hierarchy that begins with the major thoroughfares addressed in the CC-Master Roadway Plan (CC-MRP). Roads are classified as follows:

- a. Primary Roads. These consist of Arterial Roadways and Major Collector Roadways. These Primary Roadways shall be constructed in accordance with the typical section in the CC-MRP.
 - (1) Arterial Roadways. These roadways are depicted on the CC-MRP. They provide north-south parallel travel capacity to compliment I-75 and east-west supplemental

capacity at each end of the Connected City. They consist of the following:

- (a) Clinton Avenue
- (b) Overpass Road
- (c) Curley Road
- (d) Boyette Road

(2) Major Collector Roads. The majority of these roadways are depicted on the CC-MRP. However, other Major Collector Roadways might be needed within individual projects depending on the ultimately proposed use and equivalent trip generation, as indicated in Table 522.9.J.-1. The Major Collector Roads addressed on the CC-MRP are:

- (a) Road B
- (b) Mirada Boulevard
- (c) Tyndall Road
- (d) Road A
- (e) Road C
- (f) Kenton Road
- (g) Road G
- (h) Road I
- (i) Road J

(3) If a project's configuration and intensity requires construction of a Major Collector Road not depicted on the CC-MRP, the applicant shall use one of the Major Collector Road Typical Sections from the CC-MRP depending upon the nature of the project and the desired aesthetic.

b. Intermediate Roads

(1) These consist of certain roadways depicted on the CC-MRP and denoted also as Minor Collector Roads. However, other Intermediate/Minor Collector Roadways might be needed within individual projects depending on

the ultimately proposed use and equivalent trip generation, as indicated in Table 522.9.J.-1. These Intermediate Roadways shall be constructed in accordance with the typical sections in the CC-MRP.

- (2) The Minor Collector Roads addressed on the CC-MRP are:
 - (a) Road D
 - (b) Road F
 - (c) Elam Road
 - (d) Road H
- (3) If a project's configuration and intensity requires construction of an Intermediate Road not depicted on the CC-MRP, the applicant shall use one of the Minor Collector Road Typical Sections from the CC-MRP, depending upon the nature of the project and the desired aesthetic.

c. Local Roads

- (1) These consist of roadways that will be proposed within individual residential, non-residential, and mixed use developments that are primarily for access to homes and businesses. They might also provide connections to Primary and Intermediate Roads.
- (2) The applicant shall use one of the approved Connected City Local Road Typical Sections, depending upon the nature of the project and the desired aesthetic.

Refer to the CC-MRP for dimensioned Typical Roadway Sections for all above-referenced classifications of streets, inclusive of all Multipurpose Lanes, Multipurpose Paths and Multipurpose Trails necessary for them to function as Complete Streets.

**TABLE 522.9.J.-1
STREET CLASSIFICATION**

Street Type	Street Sub-Classification	Definition	Equivalent Residential Units Served
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Primary	Arterial	Arterial Roads provide north-south parallel travel capacity for I-75 and east-west capacity at both ends of the Connected City.	N/A
Primary	Major Collector	Major Collector Roads provide supporting capacity to the Arterial Roads within the Connected City. In addition to those shown on the CC-MRP, other Major Collector Roads might need to be proposed by applicants on a per-project basis if serving the equivalent of more than 600 residential units.	Greater than 600
Intermediate	Minor Collector	These are smaller bones in the roadway skeleton. They provide interconnectivity, including important connections between Primary Roads. In addition to those shown on the CC-MRP, other Minor Collector Roads might need to be proposed by applicants on a per-project basis if serving between 201 and 600 residential units.	201-600
Local	Local	These provide access to where people live, work, and shop within the Connected City and also provide interconnectivity between intermediate roads	0 to 200
Alley	Alley	These serve as a primary or secondary means of access to lots and are located at the rear of residential and commercial lots.	N/A

2. Design and Construction

All streets and/or accessways shall be designed and constructed in accordance with the applicable portion of the following:

FDOT Design Standards, latest edition

Florida Department of Transportation (FDOT), *Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways*, latest edition (Florida Green Book).

FDOT, *Standard Specifications for Road and Bridge Construction, Divisions II and III*, latest edition, including:

- Cement Treated Base as detailed in Section 270 of the FDOT, *Standard Specification for Road & Bridge Construction*, 2000 edition. A copy of Section 270 can be downloaded using the following website link/address:

<ftp://ftp.dot.state.fl.us/LTS/CO/Specifications/SpecBook/2000Book/D270.pdf>

- Crushed concrete as detailed by the Pasco County Engineering Services Department.

FDOT, *Flexible Pavement Design Manual*, latest edition.

If Cement Treated Base is used, the following requirements apply:

- Cement Treated Base shall be plant mix. Field mix shall not be allowed.
- The design mix (300 psi) shall be prepared by an independent testing laboratory accredited by AASHTO, CMEC, or FHWA approved in the State of Florida. The design mix shall be manufactured with material that has a minimum limerock bearing ratio (LBR) of 100. The design mix submittal shall be submitted to Development Services for review.
- 180 psi, which is sixty percent (60%) of the design compressive strength of 300 psi, shall be achieved in seven (7) days. If this criteria is not met, the material shall be removed and replaced. The compressive strength achieved in seven (7) days shall not exceed a maximum of 120% of design strength.
- Cement Treated Base shall be constructed over a compacted subgrade proof rolled to achieve a density of ninety-eight (98) percent Modified Proctor AASHTO T-180 for a minimum depth of twelve (12) inches. The subgrade material beneath a cement treated base shall have a minimum LBR of forty (40). The maximum allowable layer coefficient shall be 0.08 per inch.

However, in no instance shall the roadway standards be less than those required by this Code.

- a. Right-of-Way. The right of way widths to be provided for all streets within the Connected City shall be determined by street type and shall be in accordance with the typical section for that street type as detailed in the CC-MRP.
- b. Pavement Width. The pavement widths to be provided for all streets within the Connected City shall be determined by street type and shall be in accordance with the typical section for that street type as detailed in the CC-MRP.

All dead-end access ways in excess of 500 feet shall provide a 10' X 38' turnout. The exact location of the turnout shall be

determined by the county fire marshal or designee. Additional turnouts may be required by the county fire marshal or designee. (Refer to Pasco County LDC Figure 901.6.A: Access way with Turnout).

On-street parking, where required, shall be 8' in width and 24' in length provided in accordance with the dimensions shown on the typical sections in the CC-MRP.

- c. **Pavement Cross-Slope.** If approved by the County Engineer, the selection of pavement cross-slope may be a compromise between meeting the drainage requirements and providing for smooth vehicle operation. In no case shall roadway grading cause ponding of water. Positive drainage flow shall always be maintained.

The recommended pavement cross-slope for a crowned pavement is 0.02 feet per foot. The pavement cross-slope shall not be less than 0.015 foot per foot or greater than 0.04 feet per foot. The change in cross-slope between adjacent through-travel lanes shall not exceed 0.04 feet per foot.

Inverted crown may only be used in alleys.

- d. **Pavement Structure and Road Design.** The pavement structure required shall be based on the street type.

The pavement structure required shall be based on a structural number obtained by multiplying the structural layer coefficient by the thickness of each type of material, then adding the resultant in accordance with the FDOT, Flexible Pavement Design Manual. Each layer shall adhere to the minimum thickness required by the FDOT.

The minimum pavement structure required for the various street types within the Connected City shall be in accordance with Table 522.9.J.-2.

**TABLE 522.9.J.-2
CONNECTED CITY ROADWAY PAVEMENT DESIGN**

Pavement Layer		Layer Thickness & Structural Number by Roadway Type									
		Min. SN = 4.0 (<50 mph Design Speed) ⁽¹⁾⁽²⁾		Major Collector Min. SN = 3.7		Minor Collector Min. SN = 3.5		Local Street Min. SN = 2.34		Alley Min. SN = 2.0	
Layer Type	Layer Coeff.	Thickness (inches)	SN	Thickness (inches)	SN	Thickness (inches)	SN	Thickness (inches)	SN	Thickness (inches)	SN
Crushed Concrete Option											
FC-9.5 Friction Course	0.44	1	0.44	1	0.44	1	0.44	0	0	0	0
SP-12.5 ACSC	0.44	3	1.32	2.5	1.1	2.5	1.1	1.5	0.66	1.5	0.66
Crushed Concrete Base (LBR 150)	0.15	9	1.35	8	1.2	8	1.2	6	0.9	6	0.9
Stabilized Subgrade (Type B)	0.08	12	0.96	12	0.96	12	0.96	12	0.96	0	0
Compacted Subgrade (LBR)	0.04	0	0	0	0	0	0	0	0	12	0.48
Structural Number (All Layers)		4.07		3.7		3.7		2.52		2.04	
Soil Cement Option											
FC-9.5 Friction Course	0.44	1	0.44	1	0.44	1	0.44	0	0	0	0
SP-12.5 ACSC	0.44	3	1.32	2.5	1.1	2.5	1.1	1.5	0.66	1.5	0.66
Soil Cement Base (300 psi)	0.15	12	1.8	12	1.8	10	1.5	8	1.2	6	0.9
Stabilized Subgrade (Type B)	0.08	0	0	0	0	0	0	0	0	0	0
Compacted Subgrade (LBR)	0.04	12	0.48	12	0.48	12	0.48	12	0.48	12	0.48
Structural Number (All Layers)		4.04		3.82		3.52		2.34		2.04	

(1) Arterial Road design does not apply to Clinton Avenue, as its typical pavement layer specifications will be dictated by FDOT.

(2) No Arterial Roads besides Clinton Avenue will have a design speed greater than 50 mph, so FC-5 friction course will not be used:

Where a connection is made to a Major Collector Road or Minor Collector Road, then the minimum structural number required within the right-of-way of the collector road shall be the same as that required for the collector road.

If heavy vehicles are projected to be ten (10%) percent or more of the total daily driveway trips, then the street shall be designed with pavement layer thicknesses consistent with Major Collector Roads, regardless of street type.

Roadways within commercial and industrial subdivisions, shall be designed with pavement layer thicknesses consistent with Minor Collector Roads, regardless of street type.

For all roads below the stabilized subgrade, a minimum of two (2) feet of select material consisting of A-3 (SP) soil and/or A-2- 4 with a maximum fifteen (15%) percent passing number 200 sieve, shall be provided. The project engineer responsible for the project shall certify to the County Engineer that the select material meets these standards prior to installation of the base. Certification shall

strictly comply with the subgrade certification form available in the Engineering Services Department's *A Procedural Guide for the Preparation of Assurances of Completion and Maintenance*.

For major collector, arterial, and subdivision collector roads, a minimum of twelve (12) inch stabilized subgrade (Type B) LBR 40 minimum shall be provided under all bases except for cement treated base, which shall be constructed on a stable, nonyielding subgrade of LBR 20. The layer coefficient for LBR 20 shall be 0.04 and shall be limited to a maximum depth of twelve (12) inches.

The minimum separation between the bottom of the base to the design seasonal high water table (SHWT) shall be no less than two (2) feet where a limerock base is provided. Where cement treated base, ABC-3 asphaltic concrete, or crushed concrete base material is used, the minimum separation between the bottom of the base to the design SHWT shall be no less than one (1) foot.

Design SHWT is defined as the elevation to which the ground or surface water can be expected to rise due to the worst wet season within a ten (10) year period. The project engineer shall make a recommendation as to the SHWT elevation based on the assessment of historical records or other available data. This recommendation shall be reviewed for approval by the County Engineer or designee.

When required, either by the geotechnical report or as determined by the County Engineer, underdrains shall consist of aggregate, pipe, and filter fabric as indicated in the FDOT Index Drawing No. 286 and as referenced in any other FDOT index drawings and standard specifications. Underdrain inverts shall be located a minimum of two (2) feet below the bottom of the base. The engineer responsible for the project shall certify to the County Engineer that the underdrains have been properly installed prior to the installation of any asphalt. Certification shall strictly comply with the underdrain certification form available in the Engineering Services Department's *A Procedural Guide for the Preparation of Assurances of Completion and Maintenance*. An inspection and maintenance program shall be established by the design engineer designating an entity on the design drawings that shall be responsible for maintenance.

- e. Roadside Clear Zone. The roadside clear zone is that area outside the traveled way, available for use by vehicles that have left the traveled way during avoidance maneuvers due to loss of control or due to collisions with other vehicles. The primary function of the roadside clear zone is to allow space and time for the driver of a vehicle to retain control and avoid or reduce the consequences of collision with roadside objects. This area

also serves as an emergency refuge location for disabled vehicles.

The minimum widths of the roadside clear zones shall be measured from the face of the barrier curb or edge of pavement where a barrier curb is not provided, shall be as follows:

**TABLE 522.9.J.-3
ROADSIDE CLEAR ZONES**

Street Type	FDOT Type F and D Curb	FDOT Type A, E, and Miami Curb
Arterial	4' [*]	10'
Major Collector	4' [*]	10'
Minor Collector	4' [*]	10'
Local Street	4' [*]	6'
Alley	1½' [*]	6'

* Gate equipment, guardhouses, or other like structures will be allowed within private streets adjacent to the back of curb.

On those roads where the minimum required clear zone is four (4) feet, the minimum cannot be reasonably obtained, and other alternatives are impractical, the minimum may be reduced to no less than 1½ feet pursuant to the alternative standards provisions set forth in this Code. The County Engineer shall make a determination on the alternative standards application.

The slopes within the roadside clear zone shall be as flat as possible to allow for safe travel of a vehicle which has left the traveled way. The slope of the area within the roadside clear zone shall not be steeper than six (6) feet horizontal to one (1) foot vertical (6:1).

Outside of the roadside clear zone, where roadside swales or cuts require slopes, the slopes shall not be steeper than four (4) feet horizontal to one (1) foot vertical (4:1). Ditch bottoms shall be at least two (2) feet wide and may be flat or gently rounded.

If space constraints are severe, the County Engineer may permit the use of guardrails in lieu of the requirements for width and slope of the roadside clear zone. Guardrails shall also be considered for protection of pedestrian pathways or protection of immovable roadside hazards.

Where the maximum slope or roadside clear zone requirement cannot be met, guardrails in conformance with applicable FDOT standards shall be installed.

- f. Vertical Clearance. Vertical clearance of 16.6 feet shall be provided above all streets.

- g. Medians. Median separation of opposing traffic provides a beneficial safety feature in terms of reducing headlight glare, thus improving the safety and comfort for night driving. Medians provide provisions for drainage from the street surface, provide for preservation of existing vegetation, act as a vehicle refuge area, provide a logical location for left-turn, storage lanes, and provide a means for future addition to existing traffic lanes.

For Primary Roads, medians shall be configured in accordance with the Typical Sections provided in the CC-MRP.

The Typical Sections in the CC-MRP notwithstanding, developers may opt to provide medians that are wider than those shown when proposing developer-constructed Major Collector Roadways. Median widths shall not be reduced from those depicted in the Typical Sections unless environmental constraints (wetland impact minimization) dictate a more compact section. In addition, developers may propose medians for aesthetic reasons on Minor Collector Roads and Local Streets, if desired.

The unpaved median cross-slope shall not be steeper than six (6) feet horizontal to one (1) foot vertical (6:1). The depth of depressed medians may be controlled by drainage requirements. Increasing the median width, rather than increasing the cross-slope, is the acceptable method for developing the required median depth.

Structures, permanent materials, or plantings within the median shall not obscure the visibility of vehicles in accordance with the clear-sight requirements of the Green Book.

- h. Horizontal and Vertical Alignment. The following minimum and maximum posted/design speeds are established:

**TABLE 522.9.J.-4
DESIGN AND POSTED SPEED CRITERIA**

Roadway Type	Design Speed (mph)		Posted Speed (mph)	
	Minimum	Maximum	Minimum	Maximum
Arterial Roads*	35	60	30	55**
Major Collector Roads	35	40	30	35
Minor Collector Roads	25	30	20	25
Local Streets	20	25	15	20
Alleys	20	20	15	15

* Arterial roadways, including, but not limited to Clinton Avenue, Overpass Road Curley Road, and Boyette Road are subject to the requirements of PD&E or Route Studies as applicable and are subject to change.

** Where Multipurpose Lanes are present the maximum posted speed shall be 35 mph.

Horizontal and vertical alignment shall be designed in accordance with the established speeds in accordance with the applicable sections of the latest edition of the *FDOT Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways*, latest edition (Green Book).

- i. Cul-de-sacs. Unless otherwise approved at the time of preliminary plan approval, cul-de-sacs shall be provided on all dead-end streets, except those planned for future extension. Cul-de-sacs shall have a minimum paved radius of fifty (50) feet and a minimum right-of-way of a sixty (60) foot radius, unless the Fire Code requires a greater radius.

Except where more stringent criteria apply, such as in MUTRM, TND, or TOD communities, cul-de-sacs shall not exceed 1,760 feet in length.

- j. Continuation of Existing Street Pattern and Street Access to Adjoining Property. The proposed street layout of the PDP shall take into consideration the street system of the surrounding area. A minimum of one major collector, minor collector, or local road in the proposed development shall be public and connected to existing or potential future major collector, minor collector, or local road and/or rights-of-way in each adjacent property (inside or outside of the development) to give access to such properties and to provide for proper traffic circulation, unless approved otherwise at the time of rezoning or preliminary plan approval pursuant to this Code, Section 522.9.D. Greenlight Process Procedures , or unless all lots within a proposed subdivision are five (5) acres or greater. Street connections to adjacent properties shall not be required in cases where the adjacent areas are existing platted subdivisions or existing constructed development with no legally available roadway points of connection, or where the adjacent areas are completely separated from the proposed

development by Category 1 wetlands, platted conservation areas, or lands with a Future Land Use designations of Conservation (CON). A temporary T-type turnaround, including barricades, shall be provided on all dead-end streets with more than two (2) fronting lots or parcels. Major and Minor collectors shall also comply with this Code, Section 901.1.H. Special Design Requirements for Subdivision Collectors.

The conceptual location of the connection(s) required by this subsection shall be depicted as an arrow on any CC-MPUD master plan for the proposed development; however, the absence of such an arrow does not preclude the requirements of this Section.

The developer, when required at the time of rezoning or preliminary plan approval, shall extend, improve, and construct off-site streets and rights-of-way providing access to the development. The developer shall bear all costs of such extensions, improvements, and construction unless alternative relief pursuant to this Code, Section 522.9.E.5. Relief Procedures, has been granted. Transportation Development Fee credits shall be in accordance with Connected City Financial Plan.

The requirements above and the requirements in this Code, Sections 901.3.H. Number and Spacing of Driveways, and 901.3.M. Cross Access/Frontage/reverse-Frontage Roads notwithstanding, outside of the Business Core and Urban Core areas of the Connected City, it shall be permissible to develop in a pattern that features enclave neighborhoods that are not interconnected to other neighborhoods with standard vehicular roadways (local streets), as long as other reasonable means of interconnected, alternative access are provided. Such other means of interconnected, alternative access include Multipurpose Lanes, Multipurpose Paths and Multipurpose Trails, which may be used in combination to achieve an equivalent degree of interconnected mobility. It shall be recognized that such alternative means of interconnection are consistent with the principal of making healthy choices easy within the Connected City.

- k. Intersection Design and Separation. Intersections of all street types with Minor Collector Roads, Major Collector Roads, and Arterial Roads shall adequately provide for all turning and through-traffic movements by construction of additional lanes as determined necessary at the time of preliminary plan approval.

Right-of-way for additional turning lanes shall be provided by the developer in excess of the minimum required for the various types of streets as listed in this Code or the CC-MRP, as

determined necessary at the time of preliminary plan approval. The minimum intersection spacing within the subdivision shall be 150 feet. Connections to streets functionally classified as Major County Roads or as Arterial Roads as defined herein shall be as specified in this Code, Section 901.3, Access Management.

3. Dedication

The County shall not accept or deem complete any road or street to be owned and/or maintained by the County unless the following items have been completed:

- a. All real property interested required for the street have been conveyed to the County, in a format acceptable to the County, as follows:
 - (1) All right of way required for the street has been conveyed to the County by warranty deed or by plat dedication.
 - (2) All stormwater ponds and structures that serve the street have been conveyed to the County by perpetual drainage easements. Conveyances may also be by warranty deed for stormwater ponds and structures that do not receive offsite flows. Where the drainage for the street is comingled with drainage from outside the right-of-way, or for streets within a platted subdivision, an entity other than the County shall be responsible for the operation and maintenance of the stormwater system.
 - (3) All slope easements have been conveyed to the County for all slopes (if any) required by such road or street that lie outside the right-of-way and provide lateral support for the road or street. The slope easements shall be of sufficient width to maintain the integrity of the lateral support provided by the slope area, as determined by the County-approved engineering plans. The slope easements shall be non-exclusive and shall not preclude the use of the easement area for any other use not inconsistent with its use for lateral support, such as utilities, landscaping, drainage or the construction, installation and maintenance of permanent physical improvements associated with the development of the underlying fee parcel, provided the other uses are otherwise permitted by this Code, nor shall the slope easements create a new right-of-way lines from which setbacks or buffers are measured. The slope easements shall be perpetual, but shall be terminated by the County (in whole or in phases, as applicable) when the

underlying fee parcel has been developed (for uses other than agricultural) so as to replace the lateral support at a grade substantially consistent with the adjacent right-of-way or with other permanent facilities capable of providing lateral support to such road or street as deemed appropriate by the County Engineer or designee.

- (4) Any other property interests required for the County to own and maintain the street, as well as all structures and features which serve or support the street have been conveyed to the County.
- (5) The required conveyances must be submitted to the Real Estate Division for review, in accordance with the Procedures for Conveying Land to Pasco County, and the Real Estate Division will submit the conveyances to the BCC for acceptance and recording. Submission to the Real Estate Division of the fully executed original conveyance documents on County-approved forms for recording shall be sufficient for satisfying conditions (1) through (4).

- b. Evidence has been provided to the County demonstrating that the SWFWMD operation and maintenance (O&M) permit has been transferred to a CDD or HOA. The O&M may be transferred to the County only for streets for which the SWFWMD Project Area consists exclusively of County-owned right-of-way and County-owned ponds that are not comingled with drainage flows from non-County owned property.
- c. Where a developer seeks to open a street for public use, prior to submittal and completion of items (1) and (4) of this Section, the developer shall provide security adequate to assure the submittal and completion of the above-listed items, consistent with Sections 310.3-312.6 of this Code.
- d. Upon competition of the construction of the street, and satisfactory submittal of items (1) and (4) of this Section, the Developer shall provide a Defect Security (Maintenance Guarantee) to the County, and Section 311 and 312 of this Code shall apply. The effective period for such security for non-platted streets shall be thirty-six (36) months following completion.

4. Roadside Design

- a. Vegetation. Grass or other low growing vegetation that is easily maintained shall be used on medians and roadside clear zones. To aid in erosion control, a sixteen (16) inch strip of sod shall be

placed adjacent to the street pavement/back of the curb. The placement of the sod shall not unreasonably impede drainage of the pavement.

The remainder of the roadside shall be vegetated as follows:

- (1) On slopes of four (4) feet horizontal to one (1) foot vertical (4:1) and flatter, seed and mulch or sod may be used.
- (2) On slopes steeper than four (4) feet horizontal to one (1) foot vertical (4:1), sod shall be used.

All vegetation shall be carefully maintained by an entity other than the County.

Landscaping in excess of the requirements of this Code may be installed within the right-of-way provided that the plantings are located outside of the roadside clear zone and do not obstruct the clear site triangle. In addition, the maintenance shall be provided by an entity other than the County and shall comply with this Code, Section 406.5 relating to Right-of-Way Use Permits and License and Maintenance Agreements.

- b. Drainage. Drainage swales shall be protected from scouring by the appropriate vegetation and, if required due to velocity of flow, erosion control measures shall be provided.

Drainage inlets shall not be placed in the travel lane of any street except an alley. Drainage inlets placed within the median or roadside clear zone shall be flush with the ground surface. An area around the inlet shall be paved or concreted to improve drainage and to reduce erosion per the applicable FDOT standards.

Drainage swales perpendicular to the roadway shall not be used within the median or roadside clear zone. Drainage swales within the median or roadside clear zone shall meet the requirements for slope and changes in grade given in this Code.

- c. Culverts. Where culverts are provided, the ends of pipes shall be flush with the adjacent ground or located outside the roadside clear zone. The slope and changes in grade at the structure shall conform to the minimum requirements for roadside clear zones. Unless otherwise approved at the time of preliminary plan approval, all culverts, with the exception of those under residential driveways, shall be reinforced concrete pipe with a minimum diameter of eighteen (18) inches. Residential driveway culverts may be made of other materials

acceptable to the County Engineer with a minimum diameter of fifteen (15) inches.

Headwalls and mitered end sections shall be designed and constructed in accordance with the applicable standards referenced in this Code.

- d. Curbs. Curbs may be used to provide drainage control and to improve delineation of the street pavement. The two (2) general classes of curbs are barrier curbs and mountable curbs. Both types of curbs shall be designed with a gutter to form a combination curb and gutter section. Barrier curbs shall be relatively high and steep-faced and designed to discourage vehicles from leaving the roadway. Mountable curbs shall be low with a flat-sloping surfaced designed so that vehicles can mount them when required. Where mountable curbs are used, the width may be included in the calculation of the required shoulder width.

5. Pedestrian and Bicycle Facilities

Provisions for public pedestrian and bicycle traffic shall be incorporated into development layout.

- a. Pedestrian facilities shall be in accordance with this Code, Section 522.9.K.
- b. Bicycle facilities shall be in accordance with this Code, Section 522.9.L.

6. Neighborhood Vehicle Facilities

Neighborhood vehicle facilities shall be provided in accordance with this Code, Section 522.9.M.

K. Pedestrian Facilities

1. Intent and Purpose

The intent and purpose of this section is to provide for the safe and efficient movement and accommodation of pedestrians.

2. Continuity

Pedestrian facilities shall align vertically and horizontally with abutting pedestrian facilities as required in Section 522.9.N, Alternative Transportation Network. Pedestrian facilities shall not be installed in such a manner that they conflict with or are obstructed by power lines, telephone poles, fire hydrants, traffic/street signs, mailboxes, trees,

buildings, barriers, light poles, stormwater inlets, or any other structures.

Patio seating areas may not obstruct sidewalks used by pedestrians. A minimum of five (5) feet of unobstructed sidewalk is required where such sidewalks pass beside or through patio seating area.

3. Types of Pedestrian Facilities

Pedestrian facilities shall be provided in one (1) of the following ways:

a. Sidewalk

A continuous, minimum five (5) foot wide sidewalk shall be provided on both sides of all streets, except for alleys; or

b. Multipurpose Path

A continuous, minimum twelve (12) foot wide Multipurpose Path that is located adjacent to the road within the right-of-way and/or easement; or

c. Multipurpose Trail

A continuous, minimum (12) foot wide Multipurpose Trail located outside of the right-of-way.

Pedestrian facilities are further governed by the CC-MRP and CC-FP.

4. Construction

a. Sidewalks, where required or proposed by the applicant, shall be constructed of:

(1) Natural or colored concrete at least 3,000 psi in strength, fiber reinforced, a minimum of five (5) feet in width along all streets, and a minimum of four (4) inches in thickness, except at driveway approaches. Where a sidewalk is crossed by a driveway, the sidewalk shall be constructed of fiber-reinforced concrete at least 3,000 psi in strength and a minimum of six (6) inches in thickness.

(2) The grades of sidewalks shall be such that slopes comply with requirements of the Americans with Disabilities Act (ADA).

(3) When there is an existing or anticipated obstruction, the sidewalk shall be installed around the object while maintaining the required sidewalk width.

- b. Multipurpose Path and Multipurpose Trail, where required or proposed by the applicant, shall be constructed of:
- (1) Natural or colored or colored fiber-reinforced concrete, finished to a light broom finish, at least 3,000 psi in strength and a minimum of four (4) inches in thickness on a compacted and non-yielding subgrade.
 - (2) Shall comply with the Americans with Disabilities Act requirements for ramps at intersections.
 - (3) In certain areas, as governed by the Typical Sections provided in the CC-MRP Multipurpose Paths (See Figure 522.9.M.-1 and Figure 522.9.M.-2) and Multipurpose Trails (See Figure 522.9.M.-3) that shall be skip-striped to create two 6-foot lanes for neighborhood vehicles.

Pedestrian facilities shall be constructed prior to the issuance of a Certificate of Occupancy for the abutting dwelling unit. Along non-lot areas, pedestrian facilities shall be constructed with the abutting infrastructure improvements or common areas, such as roads, utilities, drainage areas, landscape tracts, and neighborhood parks.

Pedestrian facilities shall be located as shown on the Typical Sections provided in the CC-MRP.

5. Intersections

Best practices will be observed when designing intersections with regard to pedestrian safety incorporating concepts consistent with Vision Zero.

6. Curb Ramps

Permanent curb ramps meeting the requirements of the Americans with Disabilities Act shall be provided at crosswalks at all intersections where pedestrian facilities are constructed.

Curb ramps shall be the width of the pedestrian facility with a twelve (12) foot horizontal to one (1) foot vertical (12:1) curb transition on each side when pedestrians must walk across the ramp. The ramp slope shall not exceed twelve (12) feet horizontal to one (1) foot vertical (12:1) and shall have a slip-resistant surface texture.

7. Pedestrian Circulation for Non-Residential and Mixed-Use Development

Pedestrian-oriented connectivity shall connect residential and non-residential uses, shall be provided between buildings on a common parcel; between anchor buildings and uses on associated out-parcels; as well as between buildings and pedestrian facilities, bicycle facilities and transit stops on adjacent roadways. Pedestrian connectivity between building facades and parking areas, any out-parcels and their associated buildings, and transit stops shall be clearly provided and indicated through the use of landscaped areas and sidewalks.

8. Maintenance

Nothing herein is intended or shall be inferred to impose any obligation on the part of the County to maintain or inspect sidewalks constructed in accordance with this or any other section of this Code. All sidewalks constructed pursuant to this Code shall be maintained in perpetuity by the developer and its successor(s) in interest unless the land on which it is built is deeded and owned in fee simple by the County, and if the County expressly agrees in writing executed by both the developer and the Chairman of the Board of Supervisors of the Connected City to accept responsibility for maintenance of the sidewalk, or if such responsibility for maintenance of the sidewalk is otherwise voluntarily assumed by the District.

L. Bicycle Facilities

1. Intent and Purpose

The intent and purpose of this section is to provide for the safe and efficient movement and accommodation of bicyclists.

2. Continuity

Bicycle facilities shall align with abutting bicycle facilities as required in this Code, Section 522.9.N, Alternative Transportation Network. Bicycle facilities shall not be installed in such a manner that they conflict with or are obstructed by power lines, telephone poles, fire hydrants, traffic/street signs, mailboxes, trees, buildings, barriers, light poles, stormwater inlets, or any other structures. Street conditions should be favorable for bicycling, including safe drainage grates, smooth pavements, and signals responsive to bicycles. When there is an existing or anticipated obstruction, the bicycle facilities shall be installed around the object while maintaining the required bicycle facilities clear zone width.

3. Types of Bicycle Facilities

Bicycle facilities shall be provided in one (1) of the following ways:

a. Bicycle Lane

A continuous, minimum four (4) foot, or current FDOT standards, widening of both sides of the street pavement (bicycle lanes); or

b. Multipurpose Lane

A continuous, minimum six (6) foot widening of both sides of the street pavement (Multipurpose Lane); or

c. Multipurpose Path

A continuous, minimum twelve (12) foot wide multipurpose path that is located adjacent to the road within the right-of-way and/or easement; or

d. Multipurpose Trail

A continuous, minimum twelve (12) foot wide multipurpose trail outside of the right-of-way.

Bicycle facilities are further governed by the Connected City Master Roadway Plan and Financial Plan.

4. Construction

a. Bicycle lanes, where used in the Connected City, are not shared with neighborhood vehicles. Multipurpose Lanes where used in the Connected City are shared with neighborhood vehicles. Bicycle lanes and Multipurpose Lanes shall be constructed at the same time as the adjacent vehicular travel lane is constructed and shall meet the same design standards as the travel lane.

(1) Bicycle lanes shall be installed in accordance with the Typical Sections provided in the CC-MRP.

(2) Applicants shall note that, in the case of certain types of Primary Roads, Multipurpose Lanes are required in the first phase of phased lane construction and are eliminated in favor of separate Multipurpose Paths in subsequent phases. Refer to Typical Sections provided in the CC-MRP.

(3) Bicycle lanes and Multipurpose Lanes are not required on Local Roads.

(4) In certain areas, as governed by the Typical Sections provided in the CC-MRP portions of bicycle lanes and Multipurpose Lanes shall be painted green and set off

by white striping against the vehicular travel lane and the adjacent curbing.

- (a) White striping shall be thermoplastic.
- (b) Green paint shall be a durable methyl methacrylate product meeting the specifications of Color-safe by Transpo Industries, Inc., or equivalent.
- (c) Green paint shall contain skid resistant aggregate and glass beads for retro-reflectivity. These products shall meet the specifications of and be added in the proportions recommended by the paint manufacturer.

b. Multipurpose Path and Multipurpose Trail, where required or proposed by the applicant, shall be constructed of:

- (1) Natural or colored fiber-reinforced concrete, finished to a light broom finish, at least 3,000 psi in strength and a minimum of four (4) inches in thickness on a compacted and non-yielding subgrade;
- (2) Shall comply with the Americans with Disabilities Act requirements for ramps at intersections;
- (3) Where a separate Multipurpose Path or Multipurpose Trail is provided, it shall be constructed prior to the issuance of a Certificate of Occupancy for the abutting dwelling unit. Along non-lot areas, Multipurpose Paths or Multipurpose Trails shall be constructed with the abutting infrastructure improvements or common areas, such as roads, utilities, drainage areas, landscape tracts, and neighborhood parks; and
- (4) Multipurpose Paths are further governed by the Typical Sections provided in the CC_MRP. Note in the typical sections that, where multipurpose paths are desired on both sides of a Major Collector Road, one will be permitted to be twelve (12) feet in width that shall be skip-striped to create two 6-foot lanes for neighborhood vehicles and the other shall be required to be eighteen (18) feet in width. The 18-foot path will consist of a 12-foot wide portion that shall be skip-striped to create two 6-foot lanes for neighborhood vehicles, along with a 5 1/2-foot portion for pedestrians and a six-inch wide yellow-stripe are to segregate the neighborhood vehicle travel lanes from the pedestrian lane. See Figure 522.9.M.-1 and Figure 522.9.M.-2.

- (5) Multipurpose Trails are further governed by the Typical Sections provided in the CC-MRP. Note in the typical sections that, where Multipurpose Trails are used they will be permitted to be twelve (12) feet in width that shall be skip-striped to create two 6-foot lanes for neighborhood. See Figure 522.M.-3.

5. Intersections

Best practices will be observed when designing intersections with regard to bicycle safety incorporating concepts consistent with Vision Zero.

6. Maintenance

Nothing herein is intended or shall be inferred to impose any obligation on the part of the County to maintain or inspect bicycle facilities constructed in accordance with this or any other section of this Code. All bicycle facilities constructed pursuant to this Code shall be maintained in perpetuity by the developer and its successor(s) in interest unless the land on which it is built is deeded and owned in fee simple by the County, and if the County expressly agrees in writing executed by both the developer and the Chairman of the Board of Supervisors of the Connected City to accept responsibility for maintenance of the bicycle facility, or if such responsibility for maintenance of the bicycle facility is otherwise voluntarily assumed by the District.

M. Neighborhood Vehicle Facilities

1. Intent and Purpose

The intent and purpose of this section is allow for the augmentation and enrichment of the travel experience within the CC- SPA by providing for the safe and efficient movement and accommodation of neighborhood vehicles, in addition to the typical modes of transportation used countywide.

2. Safety

Where Neighborhood Vehicles are permitted in the Connected City they must be consistent with the criteria in Section 316.212, F.S.

3. Continuity

Neighborhood Vehicle facilities shall align vertically and horizontally with abutting neighborhood vehicle facilities as required in Section 522.9.N, Alternative Transportation Network. Neighborhood vehicle facilities shall not be installed in such a manner that they conflict with

or are obstructed by power lines, telephone poles, fire hydrants, traffic/street signs, mailboxes, trees, buildings, barriers, light poles, stormwater inlets, or any other structures.

4. Types of Neighborhood Vehicle Facilities

Neighborhood vehicle facilities shall be provided in one (1) of the following ways:

a. Multipurpose Lane

A continuous, minimum six (6) foot widening of both sides of the street pavement (Multipurpose Lane); or

b. Multipurpose Path

A continuous, minimum twelve (12) foot wide Multipurpose Path that is located adjacent to the road within the right-of-way and/or easement; or

c. Multipurpose Trail

A continuous, minimum twelve (12) foot wide Multipurpose Trail outside of the right-of-way; or

d. Local Roads

Neighborhood vehicles may travel on local roads, including alleys, in the same travel lane as other vehicles such as passenger cars and trucks. In general, neighborhood vehicles may drive in the travel lanes of any roads with posted speed limits of 35 miles per hour or less if no other provisions, such as a Multipurpose Lane or Multipurpose Path, are provided within the right-of-way of that roadway.

Neighborhood Vehicle facilities are further governed by the CC-MRP and CC-FP.

5. Construction

a. Multipurpose Lanes where used, shall be constructed at the same time as the adjacent vehicular travel lane is constructed and shall meet the same design standards as the travel lane.

(1) Multipurpose Lanes shall be installed in accordance with the Typical Sections for Primary and Intermediate Roads as depicted provided in the CC-MRP.

(2) Applicants shall note that, in the case of certain types of Primary Roads, Multipurpose Lanes are required in the

first phase of phased lane construction and are eliminated in favor of separate Multipurpose Paths in subsequent phases. Refer to Typical Sections provided in the CC-MRP.

(3) In certain areas, as governed by the Typical Sections provided in the CC-MRP, Portions of Multipurpose Lanes shall be painted green and set off by white striping against the vehicular travel lane and the adjacent curbing.

(a) White striping shall be thermoplastic.

(b) Green paint shall be a durable methyl methacrylate product meeting the specifications of Color-safe by Transpo Industries, Inc., or equivalent.

(c) Green paint shall contain skid resistant aggregate and glass beads for retro-reflectivity. These products shall meet the specifications of and be added in the proportions recommended by the paint manufacturer.

b. Multipurpose Paths where required or proposed by the applicant, shall be constructed of:

(1) Natural or colored fiber-reinforced concrete, finished to a light broom finish, at least 3,000 psi in strength and a minimum of four (4) inches in thickness on a compacted and non-yielding subgrade,

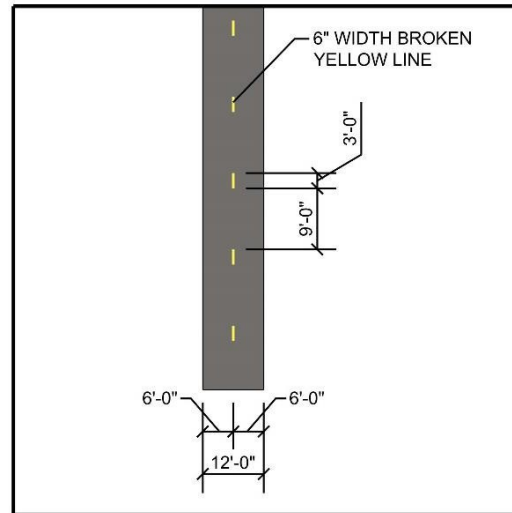
(2) Shall comply with the Americans with Disabilities Act requirements for ramps at intersections.

(3) Where a separate Multipurpose Path is provided, it shall be constructed prior to the issuance of a Certificate of Occupancy for the abutting dwelling unit. Along non-lot areas, Multipurpose Paths shall be constructed with the abutting infrastructure improvements or common areas, such as roads, utilities, drainage areas, landscape tracts, and neighborhood parks.

(4) Multipurpose Paths are further governed by the Typical Sections provided in the CC-MRP. Note in the typical sections that, where Multipurpose Paths are desired on both sides of a Major Collector Road, one will be permitted to be twelve (12) feet in width and the other shall be required to be eighteen (18) feet in width.

- (5) The 12-foot wide path shall be skip-striped with 6-inch wide by 3-foot long yellow stripes separated by a distance of 9 feet. See Figure 522.9.M.-1.

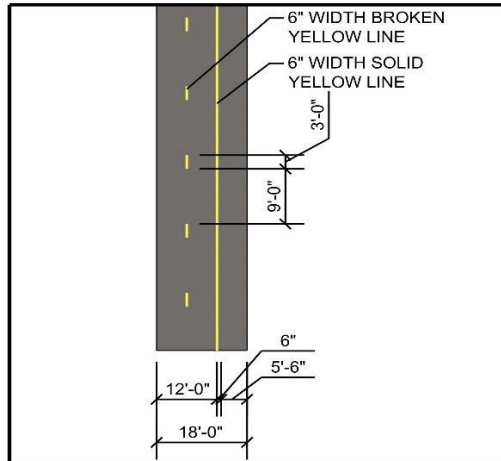
**Figure 522.9.M.-1
Multipurpose Path 12 Feet**



The 18-foot wide path shall consist of a 12-foot wide portion that shall be skip-striped with 6-inch wide by 3-foot long yellow stripes separated by a distance of 9 feet to create two 6-foot lanes for neighborhood vehicles, along with a 5 1/2-foot portion for pedestrians separated from the neighborhood vehicle lanes by a six-inch wide continuous yellow stripe. See Figure 522.9.M.-2.

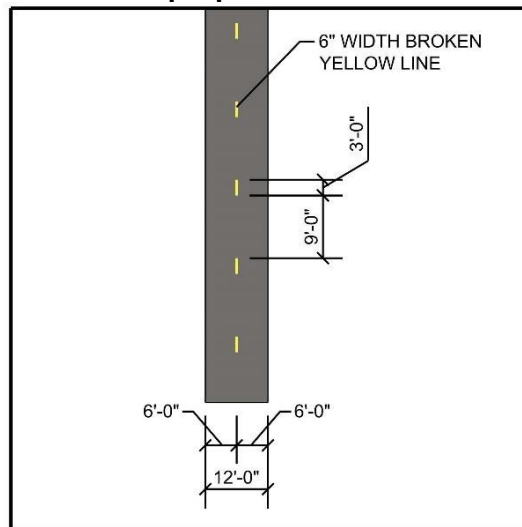
Figure 522.9.M.-2

Multipurpose Path 18 Feet



- c. Multipurpose Trails where required or proposed by the applicant, shall be constructed of:
- (1) Natural or colored fiber-reinforced concrete, finished to a light broom finish, at least 3,000 psi in strength and a minimum of four (4) inches in thickness on a compacted and non-yielding subgrade.
 - (2) Shall comply with the Americans with Disabilities Act requirements for ramps at intersections.
 - (3) Multipurpose Trails shall be 12-foot wide and shall be skip-striped with 6-inch wide by 3-foot long yellow stripes separated by a distance of 9 feet. See Figure 522.9.M.-3.

**Figure 522.9.M.-3
Multipurpose Trail 12 Feet**



6. Intersections

Best practices will be observed when designing intersections with regard to neighborhood vehicle safety incorporating concepts consistent with Vision Zero.

7. Maintenance

Nothing herein is intended or shall be inferred to impose any obligation on the part of the County to maintain or inspect neighborhood vehicle facilities constructed in accordance with this or any other section of this Code. All neighborhood vehicle facilities constructed pursuant to this Code shall be maintained in perpetuity by the developer and its successor(s) in interest unless the land on which it is built is deeded and owned in fee simple by the County, and if the County expressly agrees in writing executed by both the developer and the Chairman of the Board of Supervisors of the Connected City to accept responsibility for maintenance of the neighborhood vehicle facility, or if such responsibility for maintenance of the neighborhood vehicle facility is otherwise voluntarily assumed by the District.

N. Active Transportation Network

1. Intent and Purpose

The intent and purpose of this section is to provide for a range of transportation choices for short and intermediate length trips.

2. Master Bicycle, Pedestrian, and Neighborhood Vehicle Plan Required

- a. All developments having a CC-MPUD zoning designation shall provide a Master Bicycle, Pedestrian, and Neighborhood Vehicle Plan to address the Alternative Transportation Network requirements set forth herein prior to the approval of the first Preliminary Development Plan (PDP).
- b. Master Bicycle, Pedestrian, and Neighborhood Vehicle Plans shall depict all existing or proposed approved Multipurpose Lanes, Multipurpose Paths, and Multipurpose Trails, if any, within 500' of the CC-MPUD boundary and shall provide for interconnection to them in accordance with the continuity requirements set forth herein.
- c. Master Bicycle, Pedestrian, and Neighborhood Vehicle Plans shall recognize that Local Roadways allow for bicycles and Neighborhood Vehicles to share the road with automobiles.
- d. Master Bicycle, Pedestrian, and Neighborhood Vehicle Plans shall address phasing of the transition of Multipurpose Lanes to Multipurpose Trails or Paths, as appropriate, for roadways that are proposed to be constructed in phases, wherein the initial

phase proposes 2-lane divided roadways with Multipurpose Lanes and the buildout phase proposes 4-lane divided roadways with Multipurpose Paths. As a minimum, phased roadways shall be identified graphically, along with the associated Multipurpose Lanes and Paths on Master Plans. Refer to Figure 522.9.N.-1 and Figure 522.9.N.-2 below for the phasing of an example property.

**Figure 522.9.N.-1
Master Bicycle, Pedestrian & Neighborhood vehicle Phase 1 Plan**

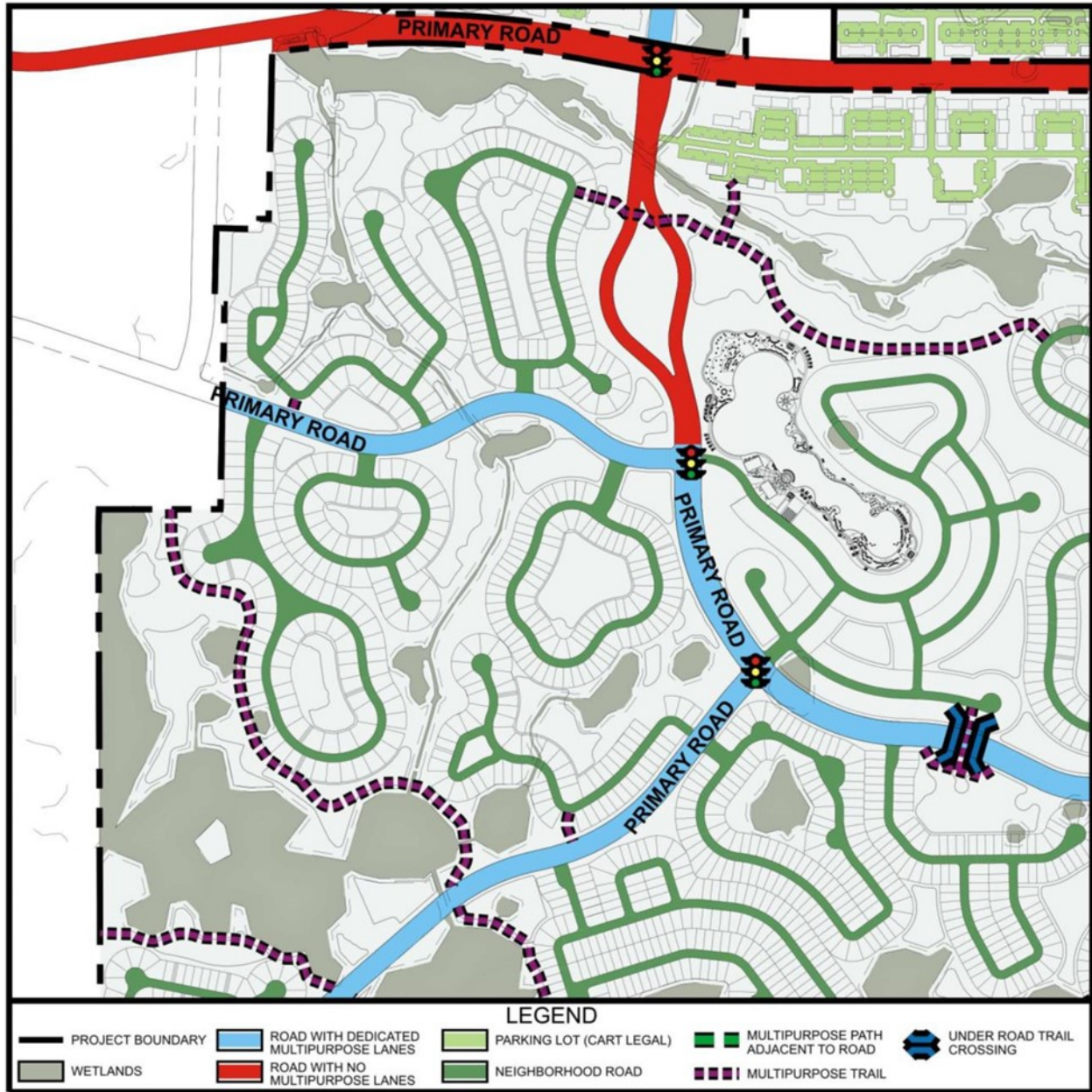
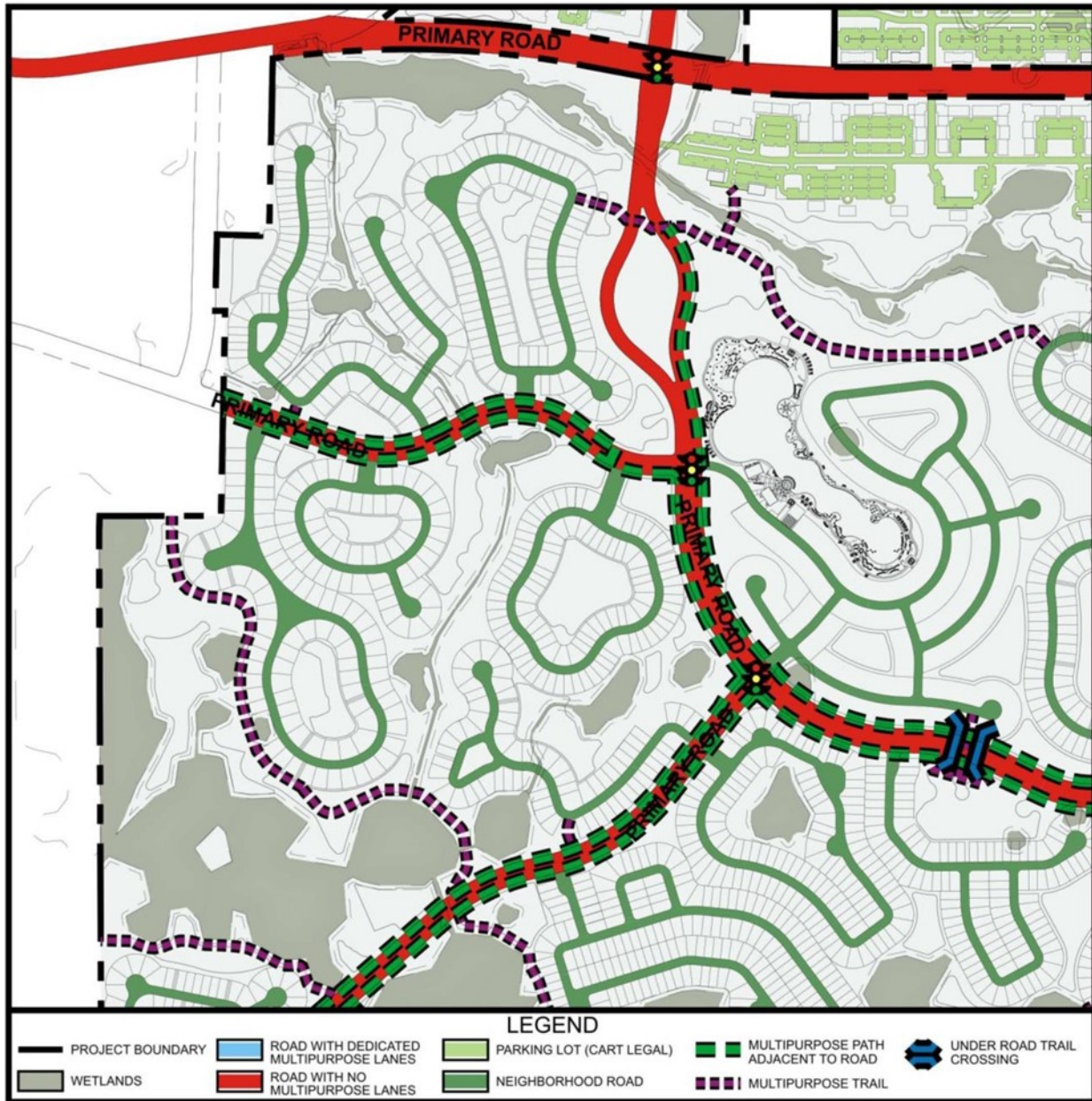


Figure 522.9.N.-2

Master Bicycle, Pedestrian & Neighborhood vehicle Phase 2 Plan



- e. If the CC-MPUD includes a mix of uses, the Master Bicycle, Pedestrian, and Neighborhood Vehicle Plan shall address how the various uses will be interconnected with Multipurpose Lanes, Multipurpose Paths, or Multipurpose Trails, as appropriate. Where adjacent non-residential parcels exist, interconnection of parking lots with Multipurpose Paths or Multipurpose Trails shall be addressed on the Master Bicycle, Pedestrian, and Neighborhood Vehicle Plan.

- f. Incremental development plans, beginning with the PDP, shall demonstrate compliance with the approved Master Bicycle, Pedestrian, and Neighborhood Vehicle Plan.
3. Continuity
- a. General Connectivity

Alternative Vehicle Facilities, including Multipurpose Lanes, Multipurpose Paths, and Multipurpose Trails, shall align connect with abutting Alternative Vehicle Facilities. The proposed layout of Alternative Vehicle Facilities shall consider the Alternative Transportation Network of the surrounding area. Destinations as outlined in Table 522.9.N.-1 Destinations shall be used to determine where the Alternative Vehicle Facilities in a proposed development shall be connected to Alternative Vehicle Facilities in adjacent areas to provide for proper circulation. Alternative Vehicle Facilities shall not be installed in such a manner as to conflict with or be obstructed by power lines, telephone poles, fire hydrants, traffic/street signs, mailboxes, trees, buildings, barriers, light poles, stormwater inlets, or any other structures.

TABLE 522.9.N.-1

DESTINATIONS
School
Retail
Office
Industrial
Amenity
Crystal Lagoons
Park
Neighborhood
Institution

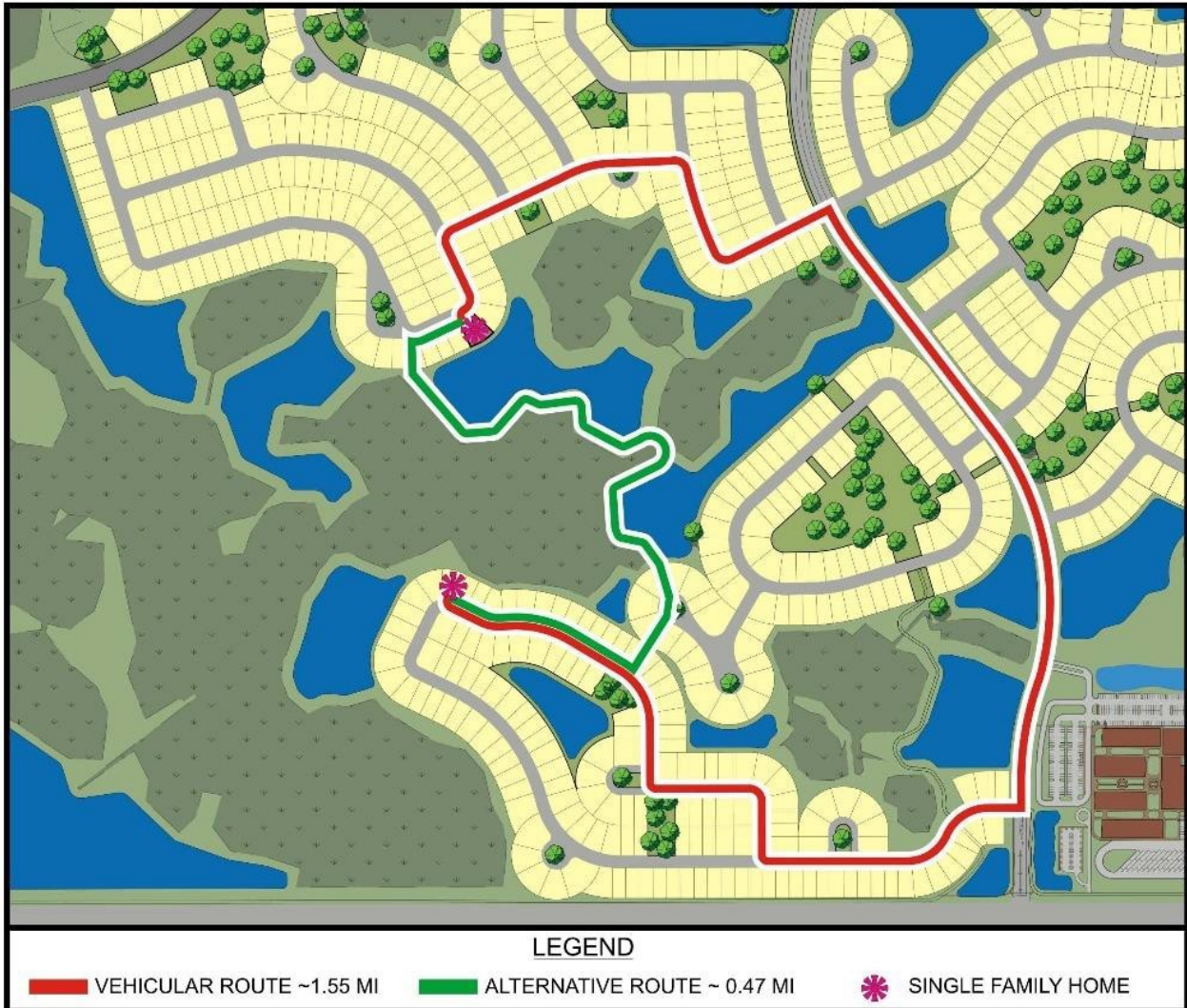
- b. Residential Connectivity

Where practicable, Alternative Vehicle Facilities shall be considered to provide interconnection of neighborhoods where environmental or other constraints preclude roadway connectivity. Such interconnectivity shall be addressed on the Master Bicycle, Pedestrian, and Neighborhood Vehicle Plan and on subsequent Incremental Plans.

Figure 522.9.N.-3 is an example of how the Alternative Vehicle Network can shorten the travel distance for those that choose transportation modes other than the automobile. In this example, two residential lots located less than ¼-mile apart represent the origin and destination for a trip by a resident. In a

car, the trip is 1.55 miles due to environmental constraints. The introduction of a Multipurpose Path provides a trip length of 0.47 miles for those that choose to walk, cycle, or use a Neighborhood Vehicle to accomplish the same trip.

**Figure 522.9.N.-3.
Residential Connectivity Example**

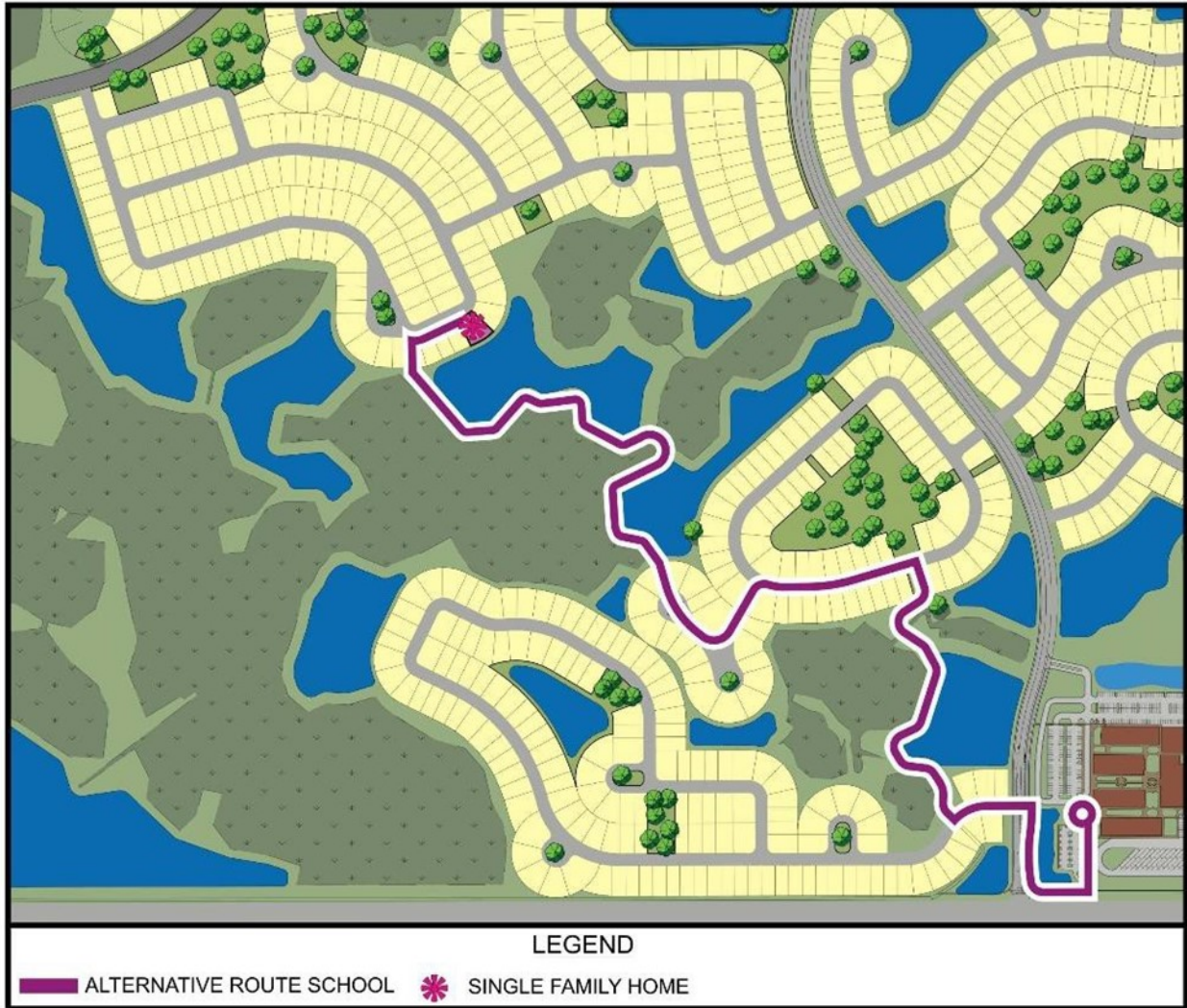


c. School Connectivity

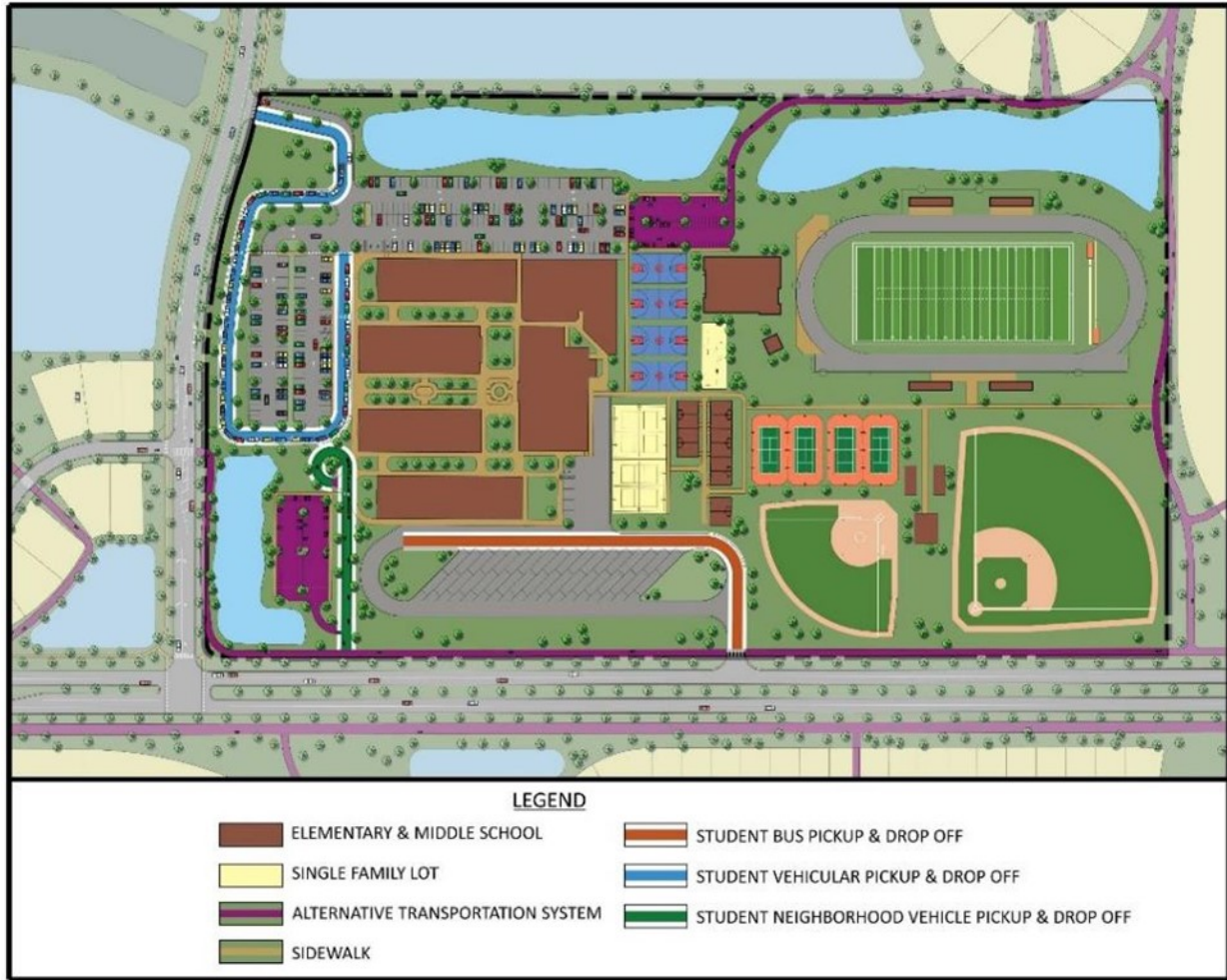
Where practicable and approved by the District School Board of Pasco County, schools shall be connected to the Alternative Vehicle Network and shall include accommodations for Neighborhood Vehicles. Such interconnectivity shall be addressed on the Master Bicycle, Pedestrian, and Neighborhood Vehicle Plan and on subsequent Incremental Plans.

Figure 522.9.N-4 and Figure 522.9.N-5 depict a collocated elementary and middle school with Multipurpose Trail connectivity and separate parking lots for Neighborhood Vehicles. Accommodation of the Alternative Vehicle Network within school sites provides a viable alternative to the automobile, and should reduce vehicular queues at pick-up and drop-off locations.

**Figure 522.9.N-4.
School Connectivity Example**



**Figure 522.9.N.-5.
School Connectivity Example 2**

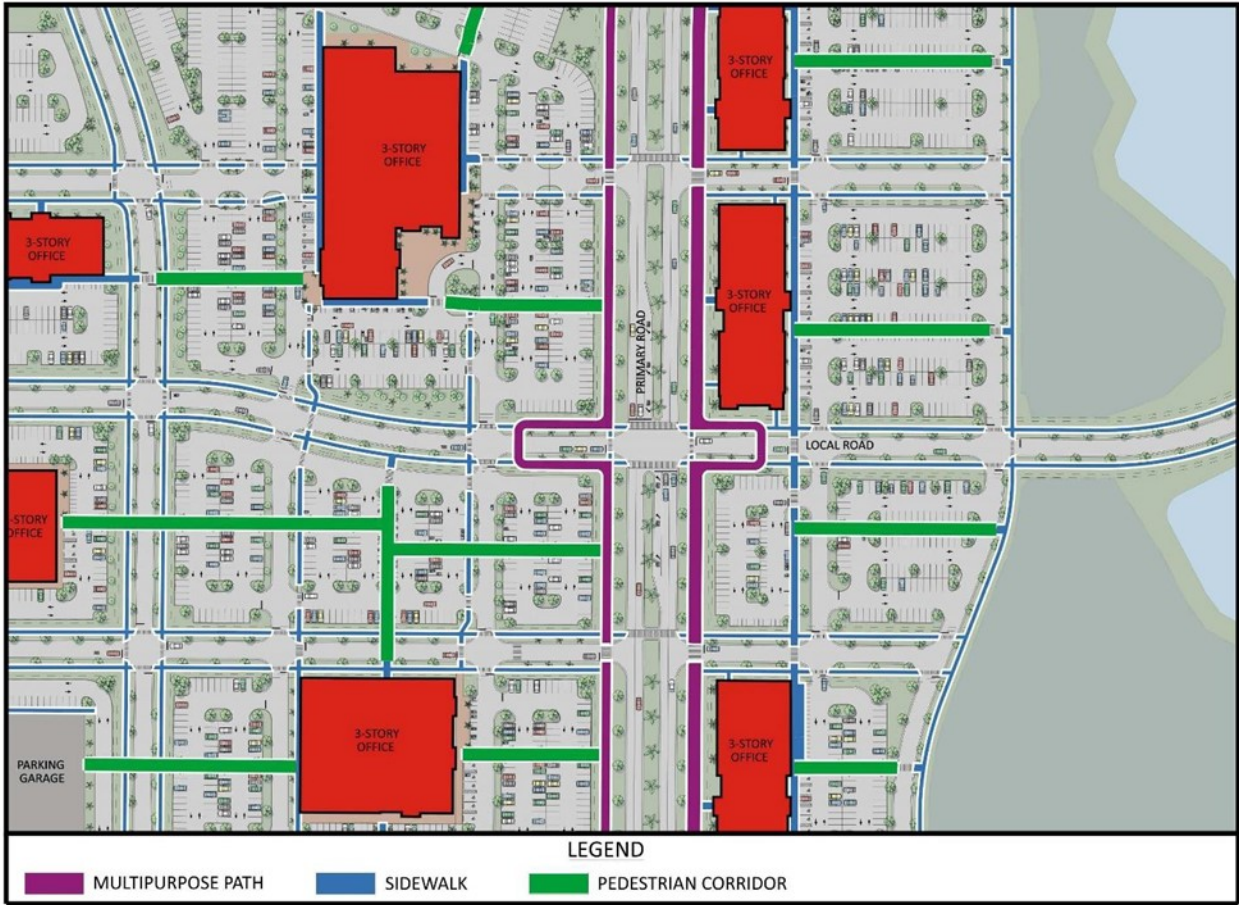


d. Mixed-Use Connectivity

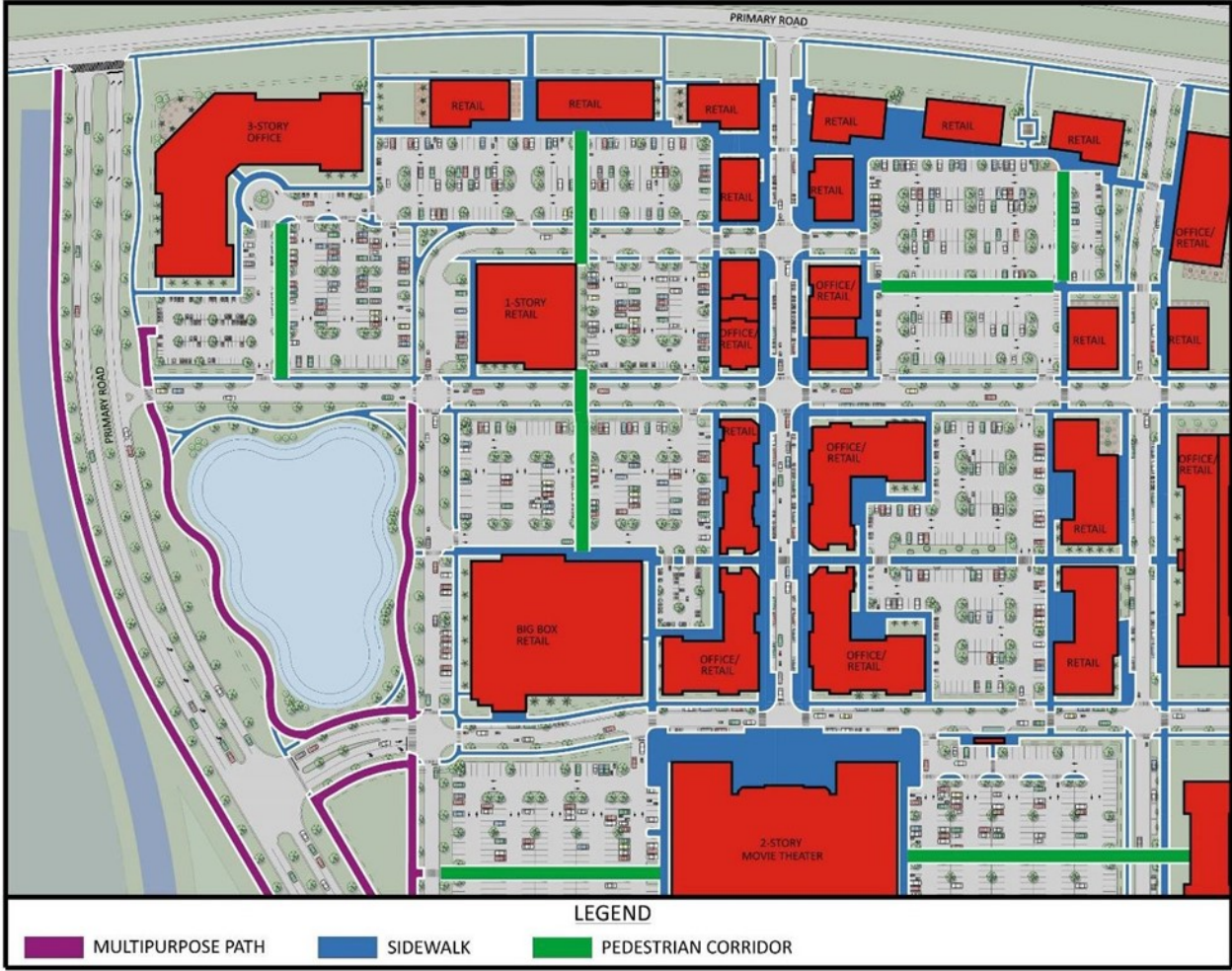
Design of office and retail uses shall demonstrate consideration of pedestrians, bicycles, and neighborhood vehicles by incorporating pedestrian connections to entry points of buildings from parking lots, as well as connections of Alternative Vehicle Facilities to Primary Roadways. Figures 522.9.N.-6 and 522.9.N.-7 demonstrate examples of these connections in an office and retail setting, respectively. Note in both figures that sidewalks are placed along primary parking lot drive aisles such that they function also as pedestrian corridors, creating a grid of pedestrian connectivity throughout the mixed-use area.

Figure 522.9.N.-6.

Office Connectivity Exhibit



















**Figure 522.9.N.-7.
Retail Connectivity Exhibit**



4. Uses Permitted on Various Transportation Facilities

To encourage the use of all modes of transportation and promote user safety and comfort, Table 522.9.N.-2 establishes allowable modes of transportation for each type of facility.

**Table 522.9.N.-2
Allowable Modes of Transportation by Facility Type**

FACILITY TYPE	MODES OF TRANSPORTATION				
	Pedestrian	Bicycle	Neighborhood Vehicle	Automobile	Transit
SIDEWALK					
BICYCLE LANE					
MULTIPURPOSE TRAIL					
MULTIPURPOSE PATH					
MULTIPURPOSE LANE					
LOCAL ROAD					
COLLECTOR ROAD					

5. Location, Coordination, and Configuration of Alternative Vehicle Facilities

For each facility type (Multipurpose Lanes, Multipurpose Paths, Multipurpose Trails, and local roads), refer to this Code, Section 522.9.M, Neighborhood Vehicle Facilities, for descriptions of these facility types and details concerning their construction (materials, installation specifications, etc.)

a. Multipurpose Lanes

- (1) Multipurpose Lanes shall be located within the pavement section (i.e., between the curb lines) of Primary and Intermediate Roads in their Phase 1 condition when initially phased as two-lane divided roadways. Refer to this Code, Sections 522.9.L. Bicycle Facilities and 522.9.M Neighborhood Vehicle Facilities and the Typical Sections provided in the CC-MRP.

- (2) Multipurpose Lanes shall be constructed in accordance with the criteria set forth in this Code, Sections 522.9.L Bicycle Facilities and 522.9.M. Neighborhood Vehicle Facilities.
- (3) Where Multipurpose Lanes approach intersections, striping shall be used to merge vehicles in the Multipurpose Lanes (bicycles and neighborhood vehicles) into the vehicular travel lane to avoid conflicts with turning automobiles. Transitions for these merges shall be of appropriate length based upon criteria set forth in the Florida Department of Transportation Design Standards for Construction and Maintenance Operations on the State Highway System, latest edition. Refer to this Code, Section 522.9.N.6.a, Alternative Vehicle Intersection and Crossing Scenarios for details.

b. Multipurpose Paths

- (1) Multipurpose Paths shall be located within rights of way of Primary Roads in their buildout condition. Refer to the Typical Sections provided in the CC-MRP.
- (2) Multipurpose Paths shall be constructed in accordance with the criteria set forth in this Code, Section 522.9.L. Bicycle Facilities and 522.9.M. Neighborhood Vehicle Facilities.
- (3) Where Multipurpose Paths cross Primary or Intermediate Roadways, crossings shall be located at the intersection approach, before the roadway transitions to accommodate turn-lanes, where applicable. Refer to this Code, Section 522.9.N.6.a, Intersection and Crossing Component Details.

c. Multipurpose Trails

- (1) Multipurpose Trails shall be located wherever linkages outside road rights-of-way are needed to provide connections between Multipurpose Lanes, Multipurpose Paths, other Multipurpose Trails, or Local Roads.
- (2) Multipurpose Trails shall be constructed in accordance with the criteria set forth in this Code, Section 522.9.L. Bicycle Facilities and 522.9.M. Neighborhood vehicle Facilities.

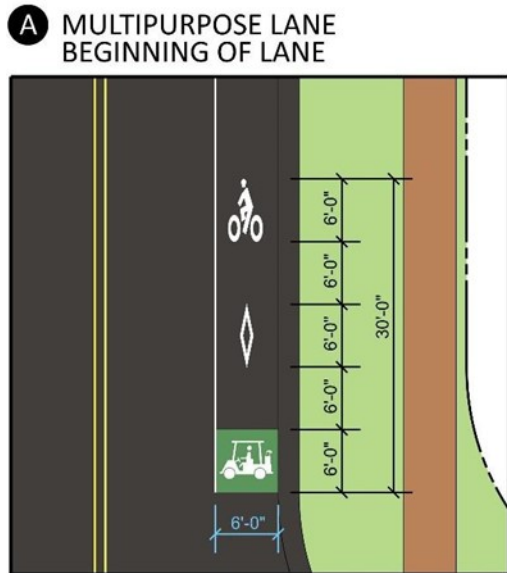
6. Alternative Vehicle Intersection and Crossing Scenarios

There are numerous roadway intersection and alternative vehicle crossing scenarios that are possible within the Connected City. This section shall govern the design configuration for each anticipated scenario. If situations are encountered that do not conform to the scenarios anticipated herein, then the applicant shall propose a configuration for consideration by Pasco County as part of the incremental plan review process. Components of intersections and crossings are detailed in this Code, Section 522.9.N.6.a, Intersection and Crossing Component Details and details of the anticipated scenarios are depicted in this Code, Section 522.9.N.6.b. Intersection and Crossing Scenario Details.

a. Intersection and Crossing Component Details

For each crossing or intersection type, there are numerous components. For example, when departing an intersection of an Intermediate Roadway or Phase 1 Primary Roadway with any other type of roadway, there will be a point where the Multipurpose Lane begins. Similarly, when a Multipurpose Path crosses a roadway, there will be a crosswalk. These are examples of components of a crossing or intersection scenario. This section provides details for each of the various components that are anticipated to be needed within the Connected City to assemble the various intersection and crossing scenarios.

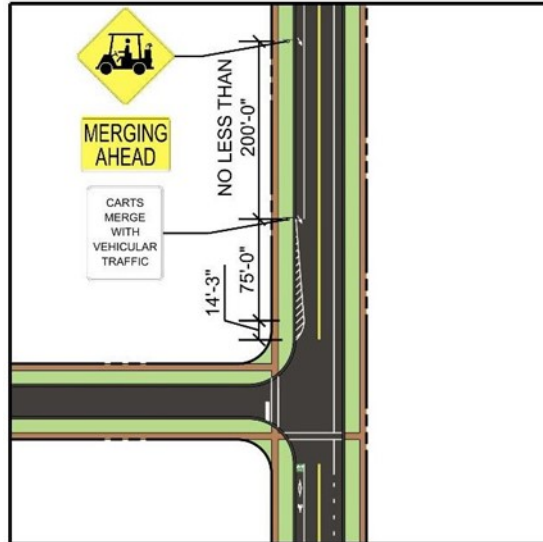
- (1) Multipurpose Lane: Beginning of Lane – Refer to Detail A below for the dimensional and striping/graphical criteria for the beginning of a Multipurpose Lane.



- (2) Multipurpose Lane: Merge with Vehicular Travel Lane (no turn-lanes) – Refer to Detail B below for the dimensional, striping, and signing criteria for merging

neighborhood vehicles into the standard vehicular travel lane at intersection approaches.

B MULTIPURPOSE LANE MERGE WITH VEHICLE LANE (NO TURN LANES)



- (3) Multipurpose Lane: Merge with Vehicular Travel Lane (approaching a stop sign) – Refer to Detail C below for the dimensional, striping, and signing criteria for merging neighborhood vehicles into the standard vehicular travel lane at the approach to a stop sign.

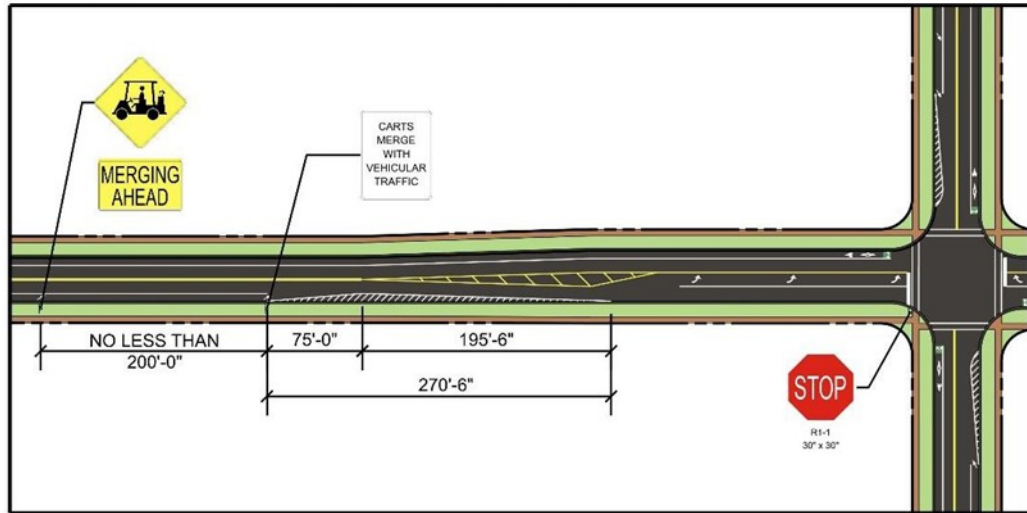
C MULTIPURPOSE LANE MERGE WITH VEHICLE LANE BEFORE STOP SIGN



- (4) Multipurpose Lane: Merge with Vehicular Travel Lane (approaching turn-lanes) – Refer to Detail D below for the dimensional, striping, and signing criteria for

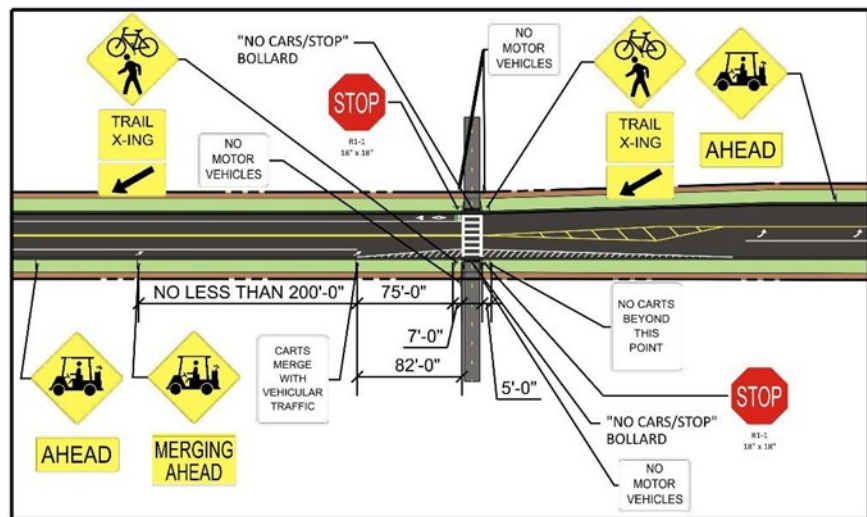
merging neighborhood vehicles into the standard vehicular travel lane at the approach to turn-lanes on an Intermediate Roadway.

D MULTIPURPOSE LANE MERGE WITH LANE BEFORE VEHICULAR TURN LANES



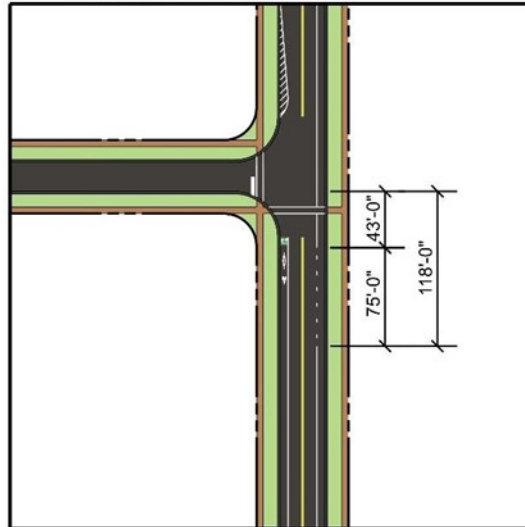
- (5) Multipurpose Lane: Merge with Vehicular Travel Lane (approaching crosswalk) – Refer to Detail E below for the dimensional, striping, and signing criteria for merging neighborhood vehicles into the standard vehicular travel lane at the approach to a crosswalk that precedes the pavement transition at a turn-lane approach.

E MULTIPURPOSE LANE MERGE WITH VEHICLE LANE BEFORE CART CROSSWALK



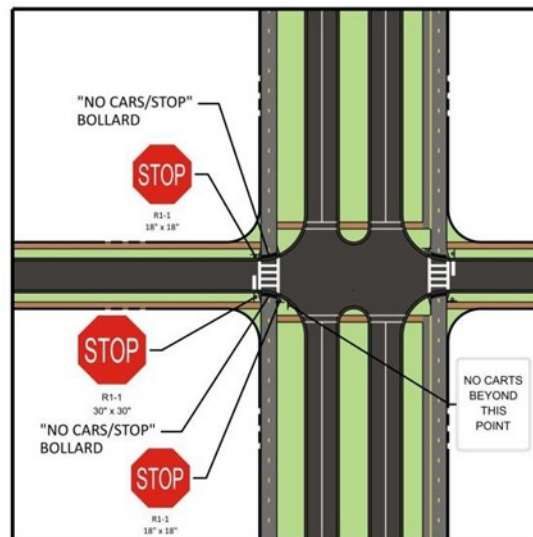
- (6) Multipurpose Lane: T-Intersection – Refer to Detail F below for the dimensional, striping, and signing criteria for Multipurpose Lanes on the through street where an intersecting street creates a T-Intersection.

F MULTIPURPOSE LANE
T-INTERSECTION



- (7) Multipurpose Path: Crosswalk Crossing Local Road at Intersection with Primary or Intermediate Road – Refer to Detail G below for the dimensional, striping, and signing criteria for crossing local streets at intersections with Primary or Intermediate Roadways.

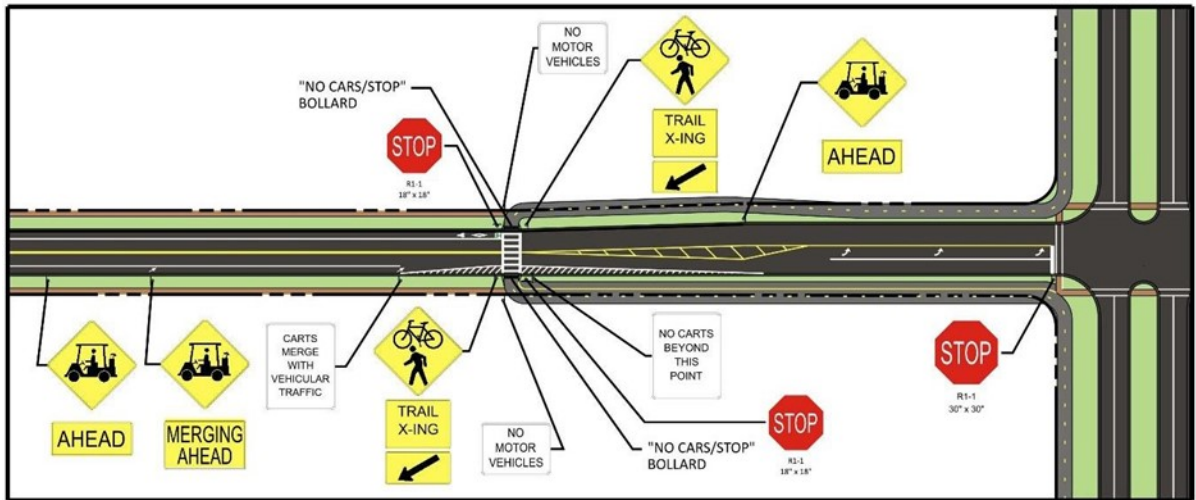
G CART CROSSWALK LOCAL ROAD



- (8) Multipurpose Path: Crosswalk Crossing Intermediate Roadway at approach to turn-lane – Refer to Detail H

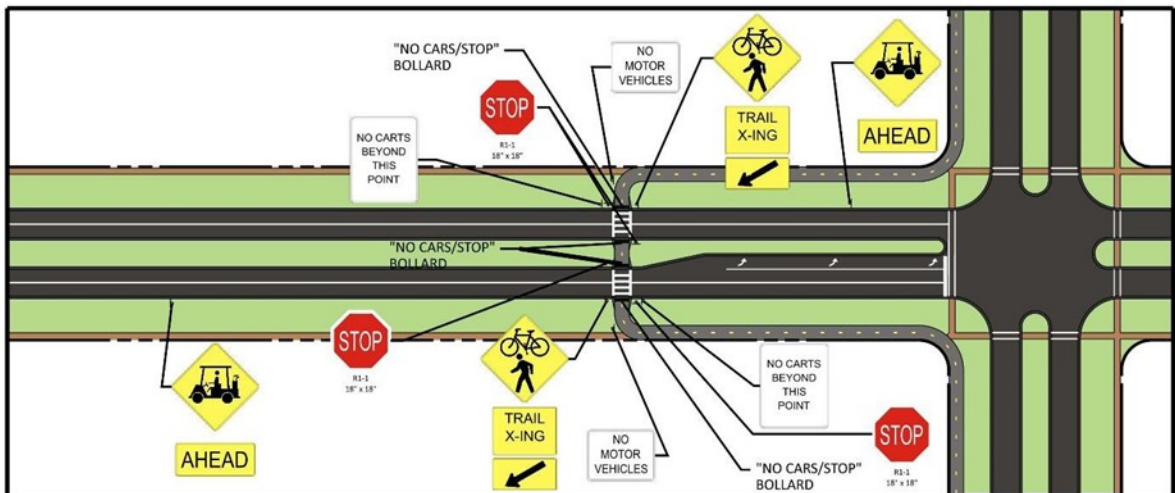
below for the dimensional, striping, and signing criteria for crossing Intermediate Roadways at approach to turn-lanes.

H CART CROSSWALK INTERMEDIATE ROAD



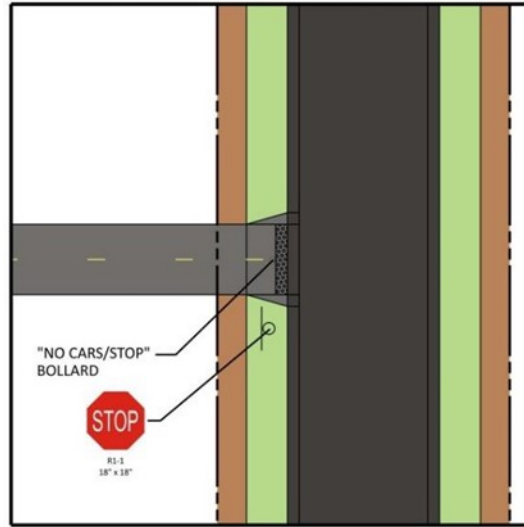
- (9) Multipurpose Path: Crosswalk Crossing Primary Roadway at approach to turn-lane – Refer to Detail N below for the dimensional, striping, and signing criteria for crossing Primary Roadways at approach to turn-lanes.

N CART CROSSWALK PRIMARY ROAD



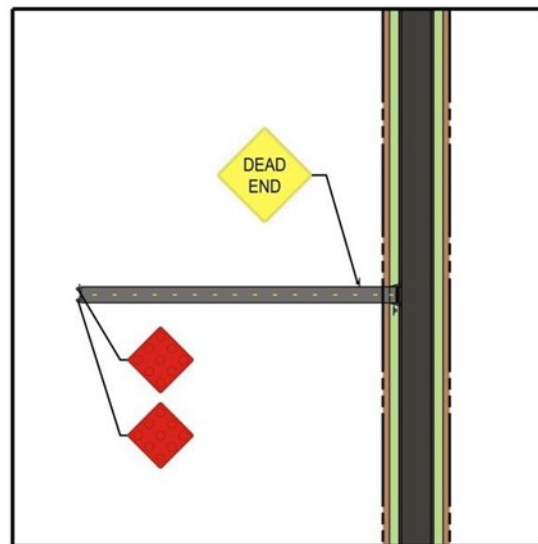
- (10) Multipurpose Trail: Connection to Local Roadway – Refer to Detail J below for the striping and signing criteria for connecting Multipurpose Trails to local roads.

J MULTIPURPOSE TRAIL CONNECTING TO LOCAL ROAD



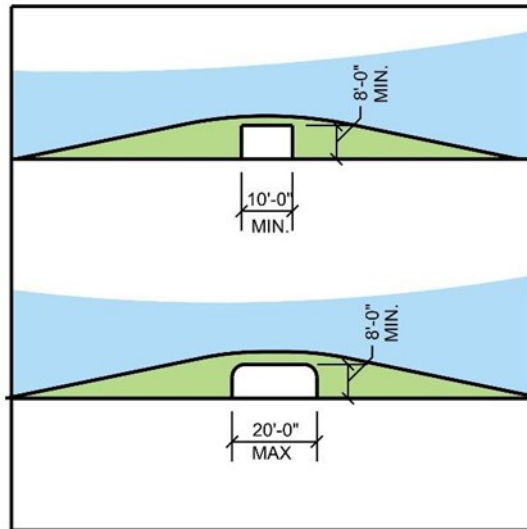
- (11) Multipurpose Trail: Temporary Dead-End – Refer to Detail K below for the signing criteria for temporary dead-ends of Multipurpose Trails to be extended in the future.

K MULTIPURPOSE TRAIL TEMPORARY DEAD END



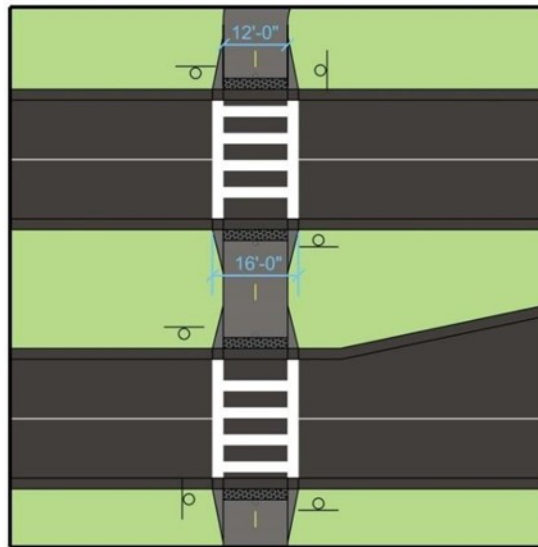
- (12) Multipurpose Trail: Underpass – Refer to Detail L below for the general clear dimensional criteria for Multipurpose Trail underpasses.

L MULTIPURPOSE TRAIL UNDERPASS



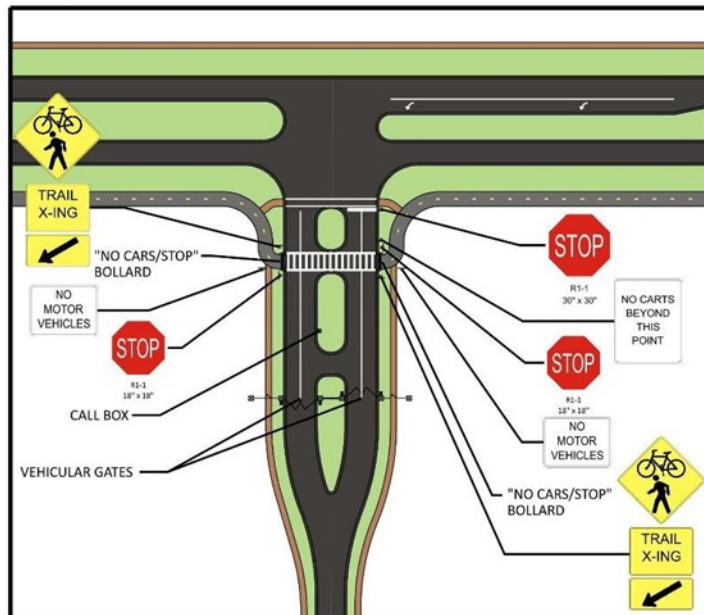
- (13) Multipurpose Trail or Path: Crosswalk – Refer to Detail M below for the dimensional and striping criteria for Multipurpose Trail or Multipurpose Path crosswalks.

M TYPICAL CART CROSSWALK



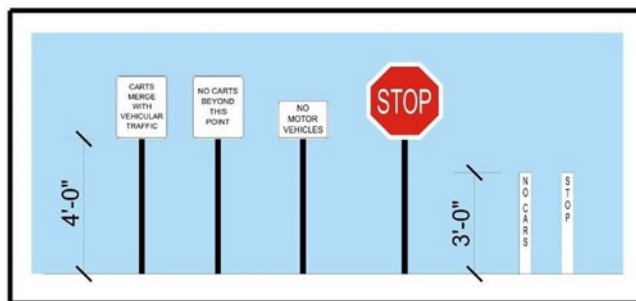
- (14) Gated Community Entrance: Detail of Multipurpose Path Crossing a Gated Entrance – Refer to Detail O below for the striping and signing criteria for the crossing of a Multipurpose Path crossing at a gated entrance.

O GATED COMMUNITY CART ACCESS



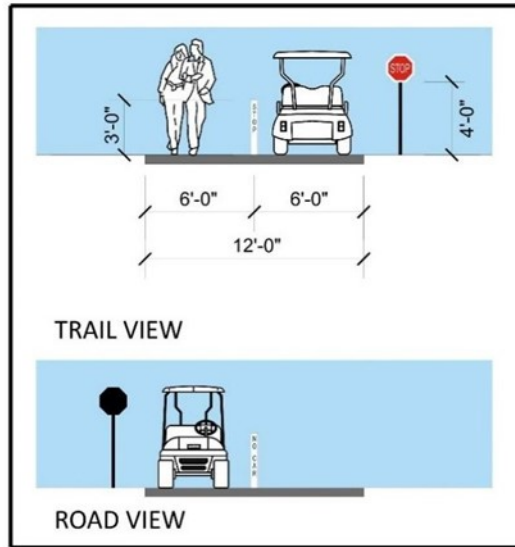
- (15) Multipurpose Trail Signs: Multipurpose Trail signs are dimensioned differently than street signs, as neighborhood vehicles tend to have a much lower profile than a car. Refer to Detail P below for a depiction of the dimensional criteria for Multipurpose Trail signs.

P TRAIL SIGNS



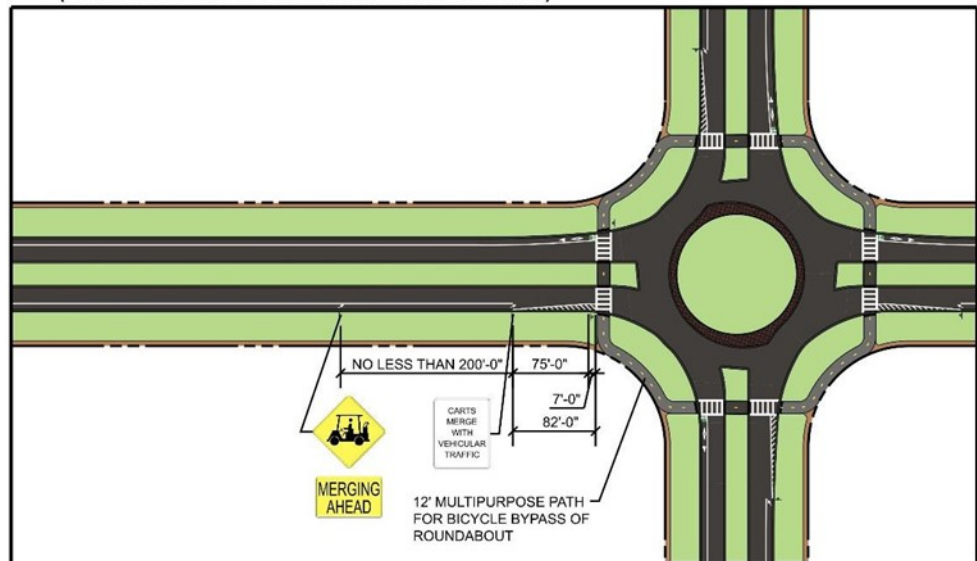
- (16) Intersection of Multipurpose Trail with Roadway: At the intersection of a Multipurpose Trail and a roadway, a bollard shall be installed to discourage automobile entry. Refer to Detail Q for signing at Multipurpose Trail and roadway intersections, and dimensional and coy details.

Q INTERSECTION WITH TRAIL AND ROAD



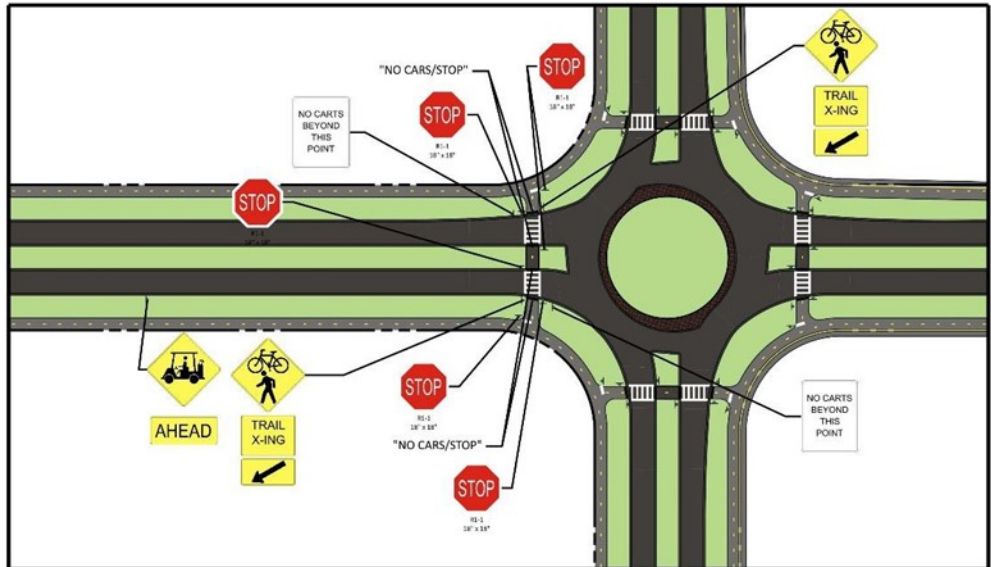
- (17) Multipurpose Lane: Merge with Vehicular Travel Lane (Primary Road approaching roundabout) – Refer to Detail R below for the dimensional, striping, and signing criteria for merging neighborhood vehicles into the standard vehicular travel lane at the approach to a roundabout.

R MULTIPURPOSE LANE: MERGE WITH VEHICULAR TRAFFIC LANE (PRIMARY ROAD APPROACHING ROUNDABOUT)



- (18) Multipurpose Path: Crosswalk Crossing Primary Road at roundabout – Refer to Detail S below for dimensional, striping, and signing criteria for multipurpose path crosswalk at roundabout.

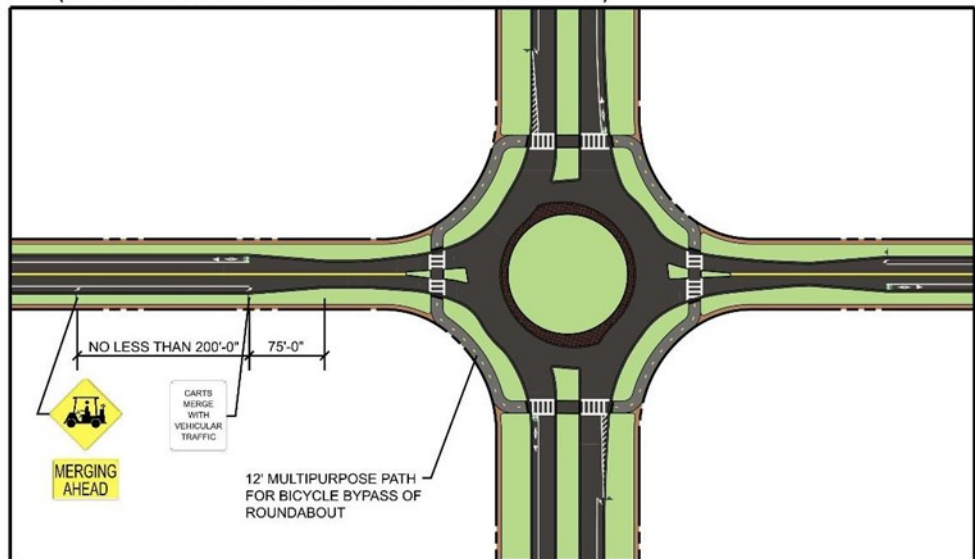
S MULTIPURPOSE PATH: CROSSWALK CROSSING PRIMARY ROAD AT ROUNDABOUT



NOTE: ALL STRIPPING IN ROUNDABOUT TO MEET FDOT AND MUTCD STANDARDS.

- (19) Multipurpose Lane: Merge with Vehicular Travel Lane (Intermediate Road approaching roundabout) – Refer to Detail T below for the dimensional, striping, and signing criteria for merging neighborhood vehicles into the standard vehicular travel lane at the approach to a roundabout.

T MULTIPURPOSE LANE: MERGE WITH VEHICULAR TRAFFIC LANE (INTERMEDIATE ROAD APPROACHING ROUNDABOUT)

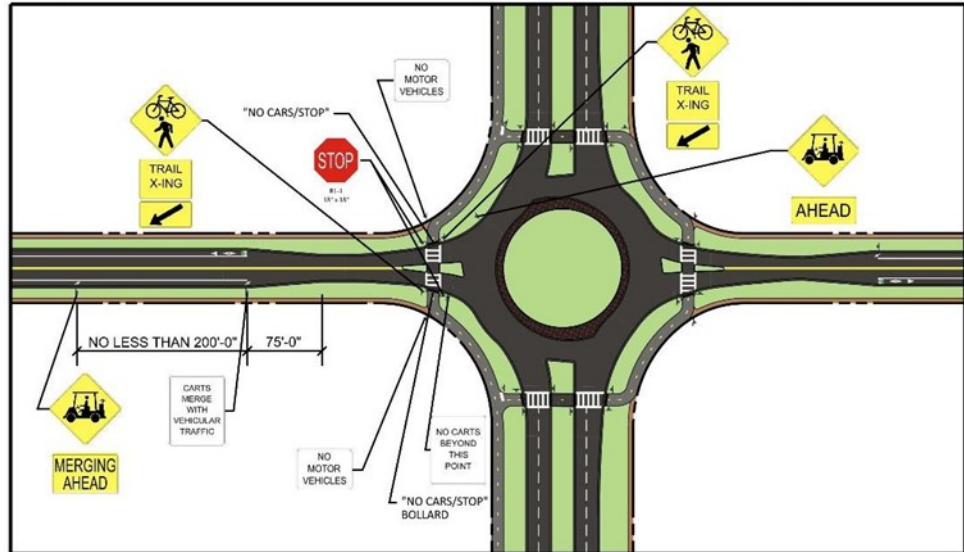


NOTE: ALL STRIPPING IN ROUNDABOUT TO MEET FDOT AND MUTCD STANDARDS.

- (20) Multipurpose Lane: Merge with Vehicular Travel Lane (Intermediate Road with Crosswalk, approaching

roundabout) – Refer to Detail U below for the dimensional, striping, and signing criteria for merging neighborhood vehicles into the standard vehicular travel lane and crosswalk at the approach to a roundabout.

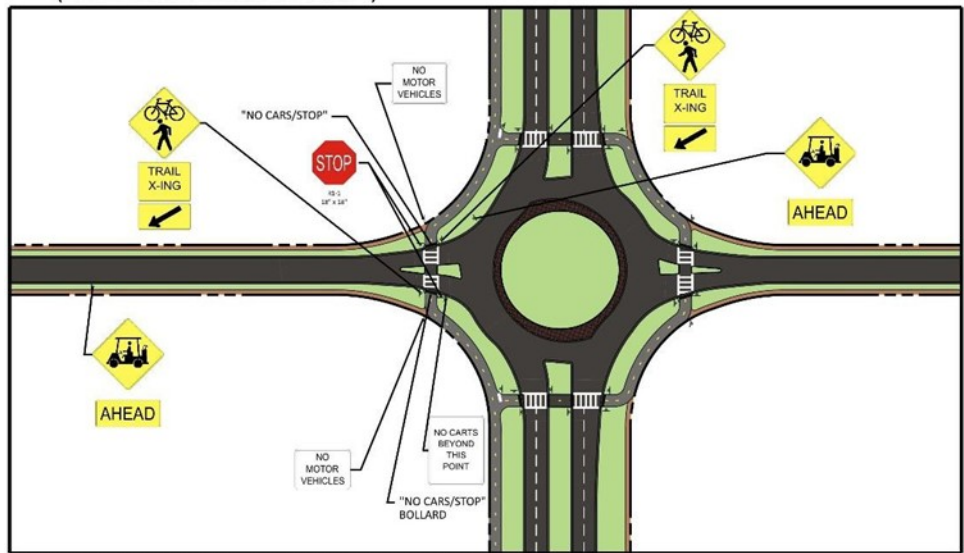
U MULTIPURPOSE LANE: MERGE WITH VEHICULAR TRAFFIC LANE
(INTERMEDIATE ROAD WITH CROSSWALK, APPROACHING ROUNDABOUT)



NOTE: ALL STRIPING IN ROUNDABOUT TO MEET FDOT AND MUTCD STANDARDS.

(21) Multipurpose Path: Crosswalk Crossing Local Road at Phase 2 Primary Road (approaching roundabout) – Refer to Detail V below for dimensional, striping, and signing criteria for crosswalk at roundabout.

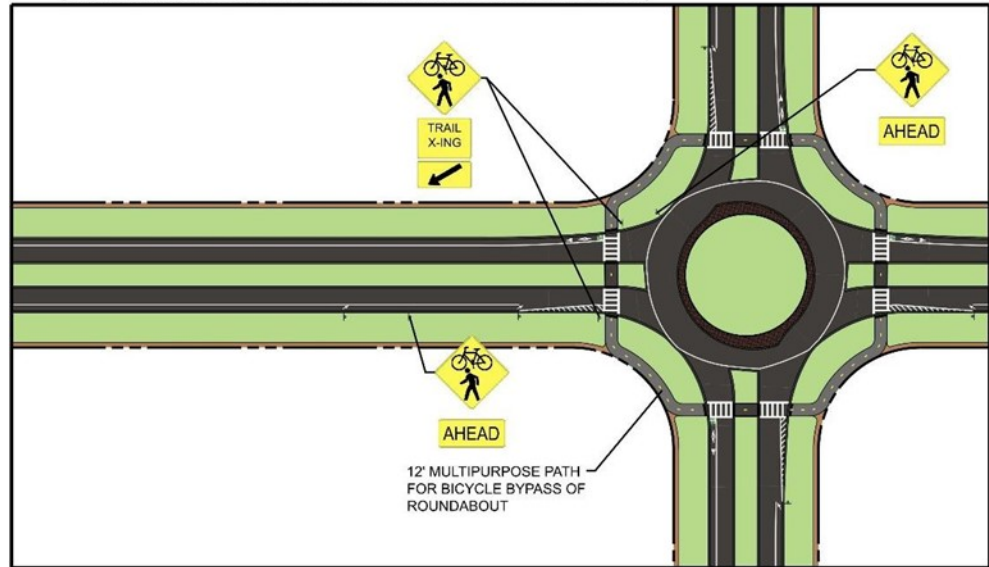
V MULTIPURPOSE PATH: CROSSWALK CROSSING LOCAL ROAD AT PHASE 2 PRIMARY ROAD
(APPROACHING ROUNDABOUT)



NOTE: ALL STRIPING IN ROUNDABOUT TO MEET FDOT AND MUTCD STANDARDS.

- (22) Bicycle Bypass: Bypassing via Crosswalk (Primary Road Phase 1 approaching roundabout) – Refer to Detail W below for the dimensional, striping, and signing criteria for bicycle bypass crosswalk and multipurpose path at the approach to a roundabout.

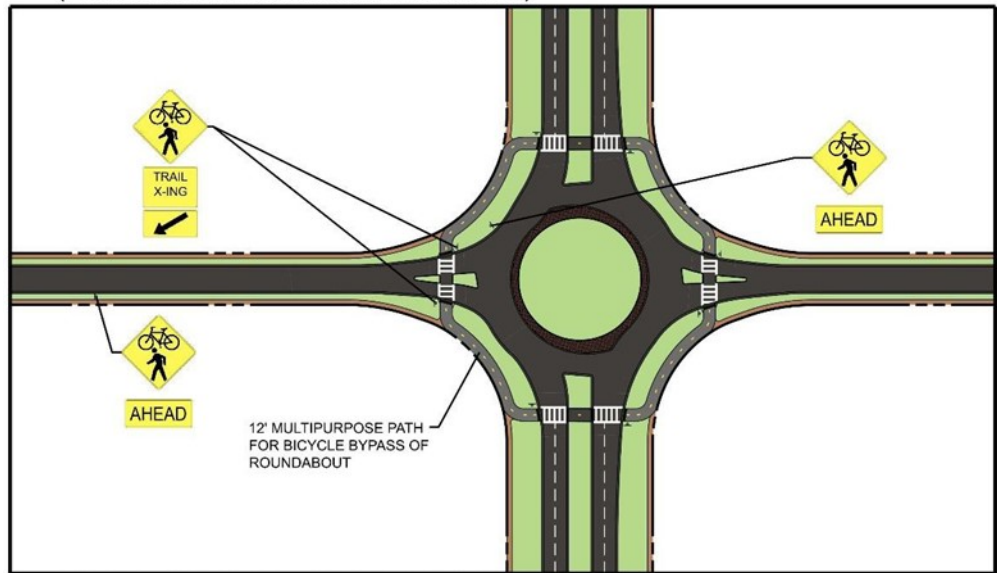
W BICYCLE BYPASS: BYPASSING VIA CROSSWALK
(PRIMARY ROAD PHASE 1 APPROACHING ROUNDABOUT)



NOTE: ALL STRIPPING IN ROUNDABOUT TO MEET FDOT AND MUTCD STANDARDS.

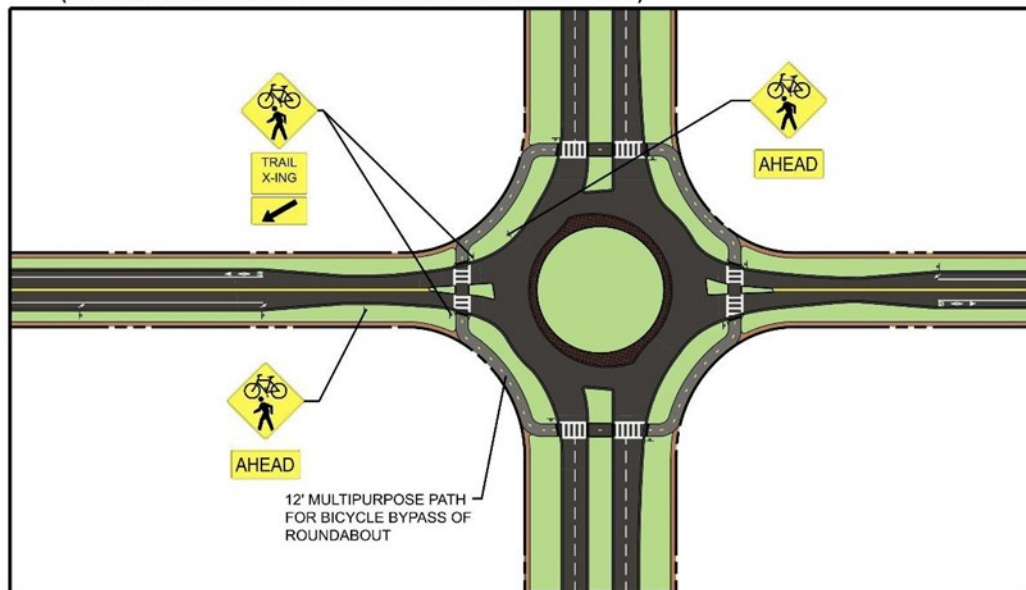
- (23) Bicycle Bypass: Bypassing via Crosswalk (Local Road approaching roundabout) – Refer to Detail X below for the dimensional, striping, and signing criteria for bicycle bypass crosswalk and multipurpose path at the approach to a roundabout.

X BICYCLE BYPASS: BYPASSING VIA CROSSWALK
(LOCAL ROAD APPROACHING ROUNDABOUT)



- (24) Bicycle Bypass: Bypass via Crosswalk (Intermediate Road approaching roundabout) – Refer to Detail Y below for the dimensional, striping, and signing criteria for bicycle bypass crosswalk and multipurpose path at the approach to a roundabout.

Y BICYCLE BYPASS: BYPASSING VIA CROSSWALK
(INTERMEDIATE ROAD APPROACHING ROUNDABOUT)

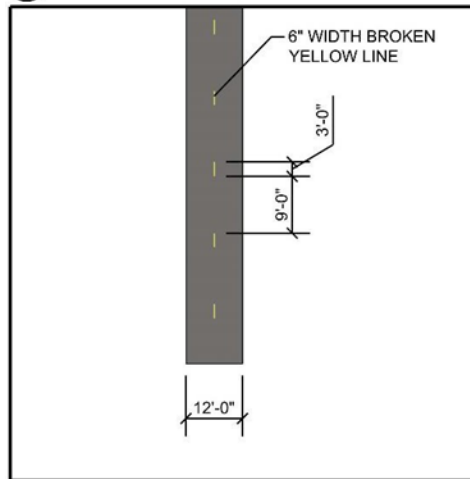


- (25) Multipurpose Trail or Path: Detail of 12-foot Multipurpose Trail or Multipurpose Path – Refer to Detail

1 below for the dimensional and striping criteria for a 12-foot Multipurpose Trail or Multipurpose Path.

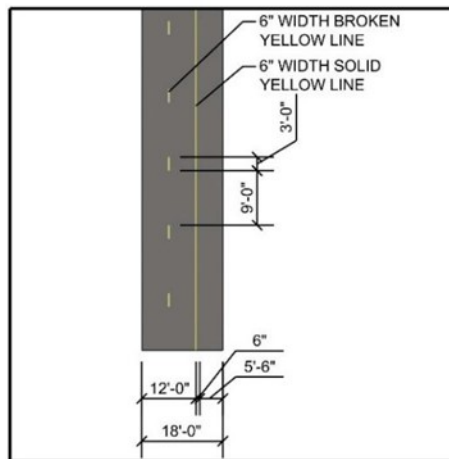
1 MULTIPURPOSE PATH 12 FEET

3 MULTIPURPOSE TRAIL 12 FEET



(26) Multipurpose Path: Detail of 18-foot Multipurpose Path – Refer to Detail 2 below for the dimensional and striping criteria for an 18-foot Multipurpose Path.

2 MULTIPURPOSE PATH 18 FEET

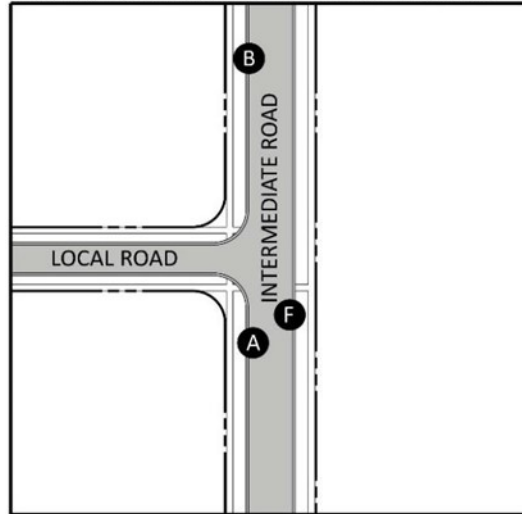


Intersection and Crossing Scenario Details

This section provides details of each of the anticipated intersection and Multipurpose Trail crossing scenarios within the Connected City. Alphabetical codes are assigned at various locations on each detail. These codes correspond to the component details provided in this Code, Section 522.9.N.6.a, above, to demonstrate how the components are assembled to address dimensions, signing, and striping for each scenario.

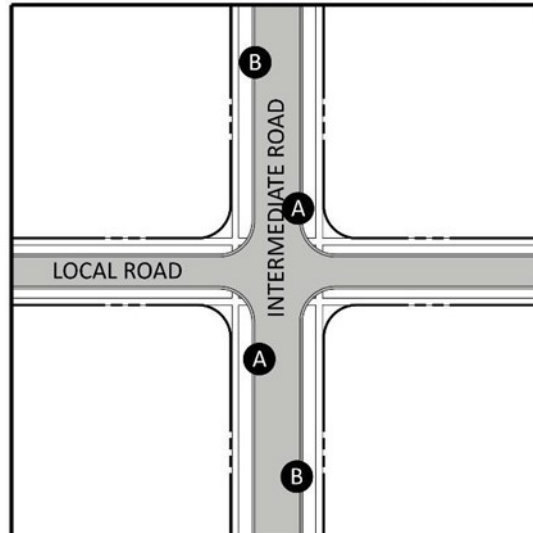
- (1) Scenario A: T-Intersection of Local and Intermediate Roadway – Refer to the Scenario A detail below for the configuration of a T-intersection of a Local Roadway with an Intermediate Roadway.

SCENARIO A
T-INTERSECTION LOCAL & INTERMEDIATE ROADS



- (2) Scenario B: Four-leg Intersection of Local and Intermediate Roadway – Refer to the Scenario B detail below for the configuration of a 4-leg intersection of a Local Roadway with an Intermediate Roadway.

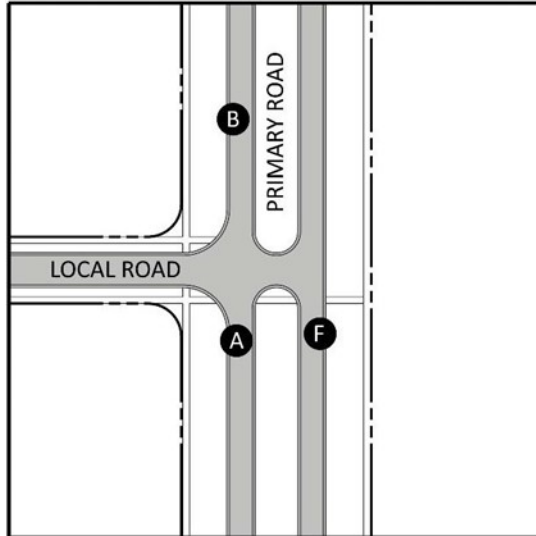
SCENARIO B
FOUR-LEG INTERSECTION LOCAL & INTERMEDIATE ROADS



- (3) Scenario C: T-Intersection of Local and Phase 1 Primary Roadway – Refer to the Scenario C detail below for the configuration of a T-intersection of a Local Roadway with a Primary Roadway during the Primary Roadway's

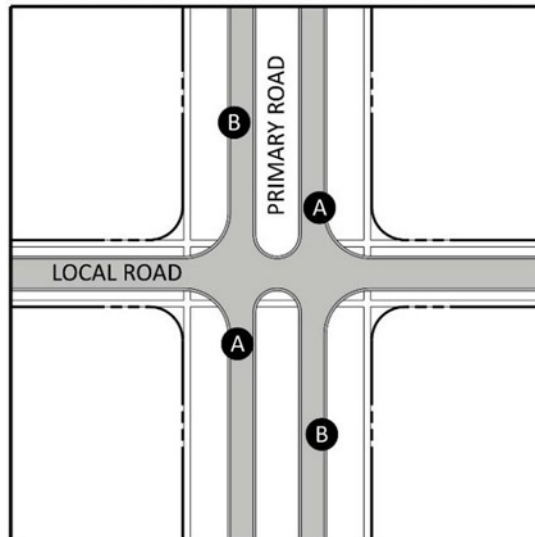
“Phase 1” (i.e., when it exists as a two-lane divided roadway with Multipurpose Lanes).

SCENARIO C
T-INTERSECTION LOCAL & PRIMARY ROADS (PHASE 1)



- (4) Scenario D: Four-leg Intersection of Local and Phase 1 Primary Roadway – Refer to the Scenario D detail below for the configuration of a 4-leg intersection of a Local Roadway with a Primary Roadway during the Primary Roadway’s “Phase 1” (i.e., when it exists as a two-lane divided roadway with Multipurpose Lanes).

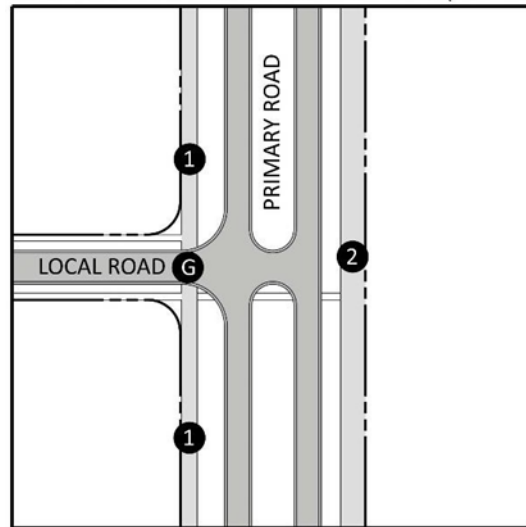
SCENARIO D
FOUR-LEG INTERSECTION LOCAL & PRIMARY ROADS (PHASE 1)



- (5) Scenario E: T-Intersection of Local and Phase 2 Primary Roadway – Refer to the Scenario E detail below for the configuration of a T-intersection of a Local Roadway

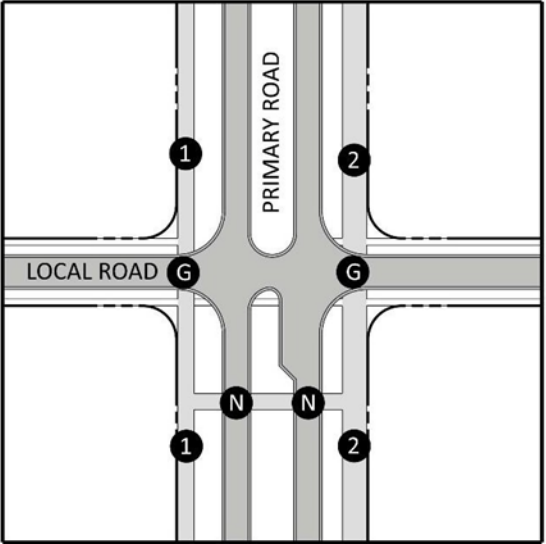
with a Primary Roadway during the Primary Roadway’s “Phase 2” (i.e., when it has been built-out to a four-lane divided roadway with Multipurpose Paths). Note: the depicted scenario is for Primary Roadways with a 12-foot Multipurpose Path on one side and an 18-foot Multipurpose Path on the other. For the case where a 5-foot sidewalk exists on one side, a 12-foot Multipurpose Path would exist on the opposite side instead of an 18-foot Multipurpose Path.

SCENARIO E
T-INTERSECTION LOCAL & PRIMARY ROADS (PHASE 2)



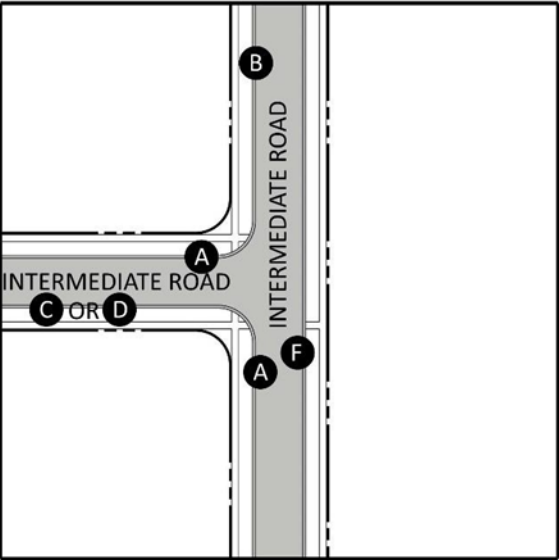
- (6) Scenario F: Four-way Intersection of Local and Phase 2 Primary Roadway – Refer to the Scenario F detail below for the configuration of a 4-way intersection of a Local Roadway with a Primary Roadway during the Primary Roadway’s “Phase 2” (i.e., when it has been built-out to a four-lane divided roadway with Multipurpose Paths). Note: the depicted scenario is for Primary Roadways with a 12-foot Multipurpose Path on one side and an 18-foot Multipurpose Path on the other. For the case where a 5-foot sidewalk exists on one side, a 12-foot Multipurpose Path would exist on the opposite side instead of an 18-foot Multipurpose Path.

SCENARIO F
FOUR-LEG INTERSECTION LOCAL & PRIMARY ROADS (PHASE 2)



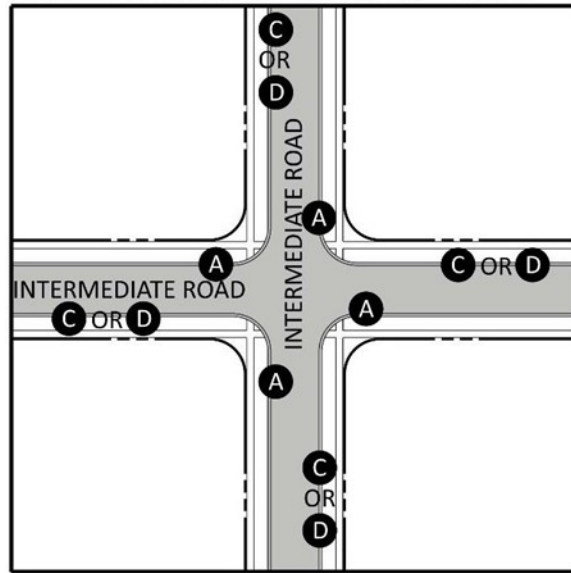
- (7) Scenario G: T-Intersection of Two Intermediate Roadways – Refer to the Scenario G detail below for the configuration of a T-intersection of two Intermediate Roadways.

SCENARIO G
T-INTERSECTION INTERMEDIATE ROADS



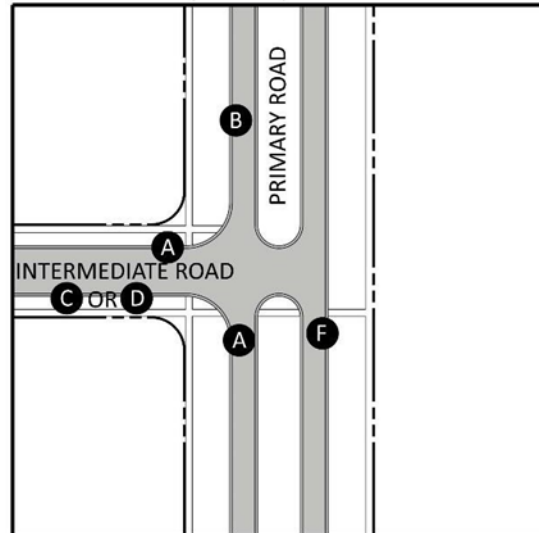
- (8) Scenario H: Four-way Intersection of Two Intermediate Roadways – Refer to the Scenario H detail below for the configuration of a 4-way intersection of two Intermediate Roadways.

SCENARIO H
FOUR-LEG INTERSECTION INTERMEDIATE ROADS



- (9) Scenario I: T-Intersection of an Intermediate Roadway with a Phase 1 Primary Roadway – Refer to the Scenario I detail below for the configuration of a T-intersection of an Intermediate Roadway with a Primary Roadway in its “Phase 1” (i.e., when it exists as a two-lane divided roadway with Multipurpose Lanes).

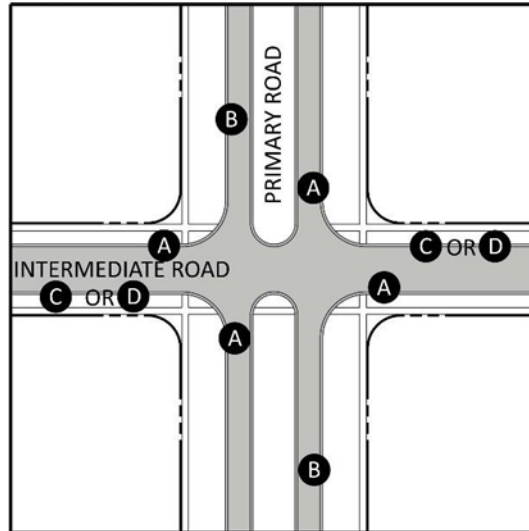
SCENARIO I
T-INTERSECTION INTERMEDIATE &
PRIMARY ROADS (PHASE 1)



- (10) Scenario J: Four-way Intersection of an Intermediate Roadway with a Phase 1 Primary Roadway – Refer to the Scenario J detail below for the configuration of a 4-way intersection of an Intermediate Roadway with a

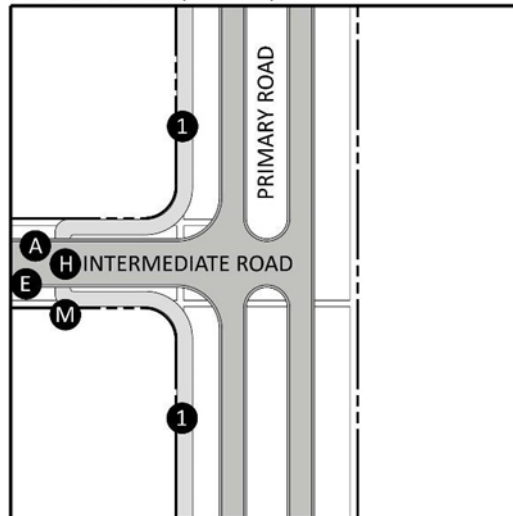
Primary Roadway in its “Phase 1” (i.e., when it exists as a two-lane divided roadway with Multipurpose Lanes).

SCENARIO J
FOUR-LEG INTERSECTION INTERMEDIATE &
PRIMARY ROADS (PHASE 1)



- (11) Scenario K: T-Intersection of an Intermediate Roadway with a Phase 2 Primary Roadway – Refer to the Scenario K detail below for the configuration of a T-intersection of an Intermediate Roadway with a Primary Roadway in its “Phase 2” (i.e., when it exists as a 4-lane divided roadway with Multipurpose Paths).

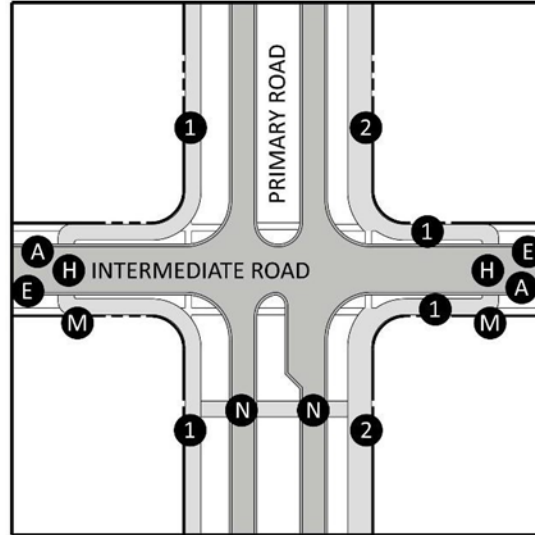
SCENARIO K
T-INTERSECTION INTERMEDIATE &
PRIMARY ROADS (PHASE 2)



- (12) Scenario L: Four-way Intersection of an Intermediate Roadway with a Phase 2 Primary Roadway – Refer to the Scenario L detail below for the configuration of a 4-

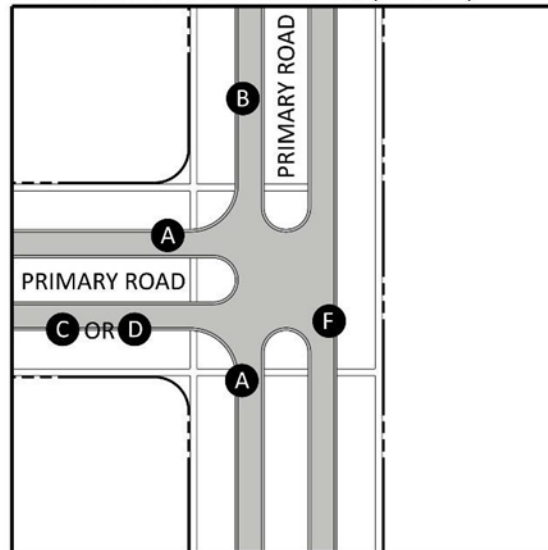
way intersection of an Intermediate Roadway with a Primary Roadway in its “Phase 2” (i.e., when it exists as a 4-lane divided roadway with Multipurpose Paths).

SCENARIO L
FOUR-LEG INTERSECTION INTERMEDIATE &
PRIMARY ROADS (PHASE 2)



- (13) Scenario M: T-Intersection of a Primary Roadway with a Phase 1 Primary Roadway – Refer to the Scenario M detail below for the configuration of a T-intersection of a Primary Roadway with a Primary Roadway in its “Phase 1” (i.e., when it exists as a 2-lane divided roadway with Multipurpose Lanes).

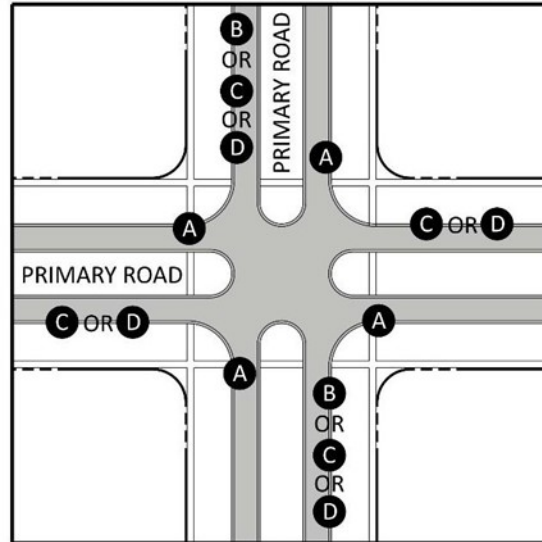
SCENARIO M
T-INTERSECTION PRIMARY ROADS (PHASE 1)



- (14) Scenario N: Four-way Intersection of a Primary Roadway with a Phase 1 Primary Roadway – Refer to

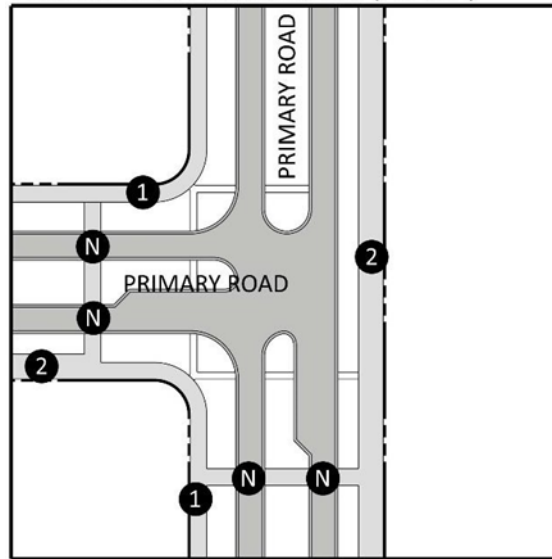
the Scenario N detail below for the configuration of a 4-way intersection of a Primary Roadway with a Primary Roadway in its “Phase 1” (i.e., when it exists as a 2-lane divided roadway with Multipurpose Lanes).

SCENARIO N
FOUR-LEG INTERSECTION PRIMARY ROADS (PHASE 1)



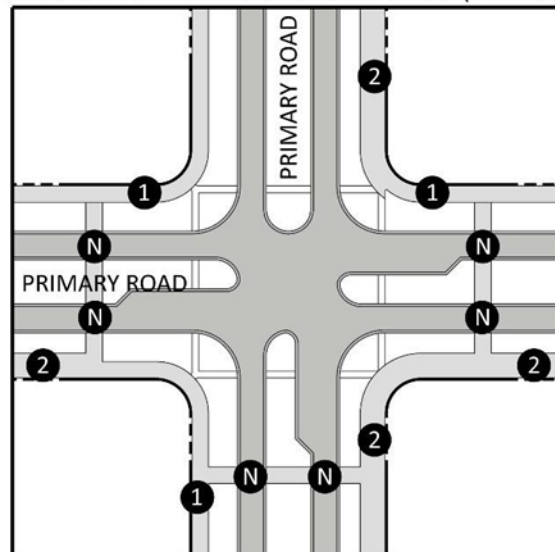
- (15) Scenario O: T-Intersection of a Primary Roadway with a Phase 2 Primary Roadway – Refer to the Scenario O detail below for the configuration of a T-intersection of a Primary Roadway with a Primary Roadway in its “Phase 2” (i.e., when it exists as a 4-lane divided roadway with Multipurpose Paths). Note: the depicted scenario is for Primary Roadways with a 12-foot Multipurpose Path on one side and an 18-foot Multipurpose Path on the other. For the case where a 5-foot sidewalk exists on one side, a 12-foot Multipurpose Path would exist on the opposite side instead of an 18-foot Multipurpose Path.

SCENARIO O
T-INTERSECTION PRIMARY ROADS (PHASE 2)



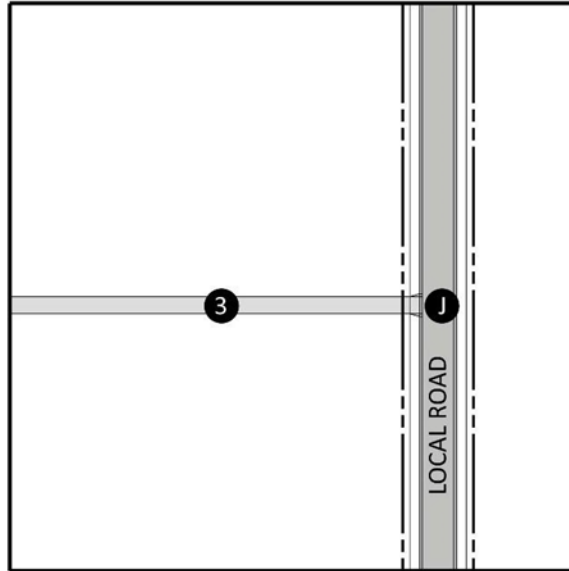
- (16) Scenario P: Four-way Intersection of a Primary Roadway with a Phase 2 Primary Roadway – Refer to the Scenario P detail below for the configuration of a 4-way intersection of a Primary Roadway with a Primary Roadway in its “Phase 2” (i.e., when it exists as a 4-lane divided roadway with Multipurpose Paths). Note: the depicted scenario is for Primary Roadways with a 12-foot Multipurpose Path on one side and an 18-foot Multipurpose Path on the other. For the case where a 5-foot sidewalk exists on one side, a 12-foot Multipurpose Path would exist on the opposite side instead of an 18-foot Multipurpose Path.

SCENARIO P
FOUR-LEG INTERSECTION PRIMARY ROADS (PHASE 2)



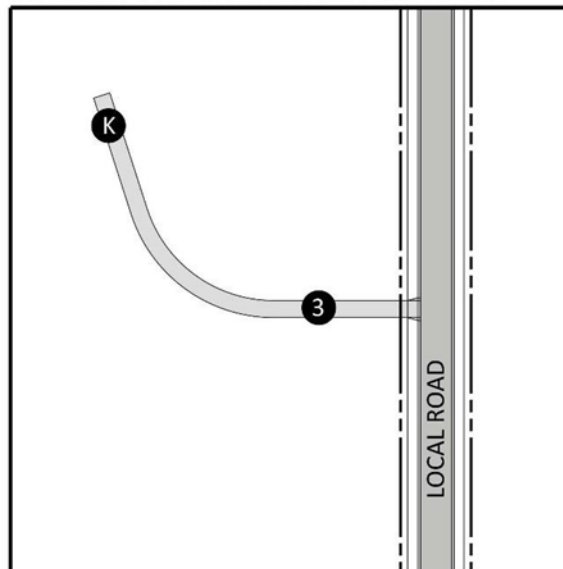
- (17) Scenario Q: Multipurpose Trail Connection to Local Roadway – Refer to the Scenario Q detail below for the configuration of a Multipurpose Trail that connects to a Local Roadway.

SCENARIO Q
MULTIPURPOSE TRAIL CONNECT TO LOCAL ROAD



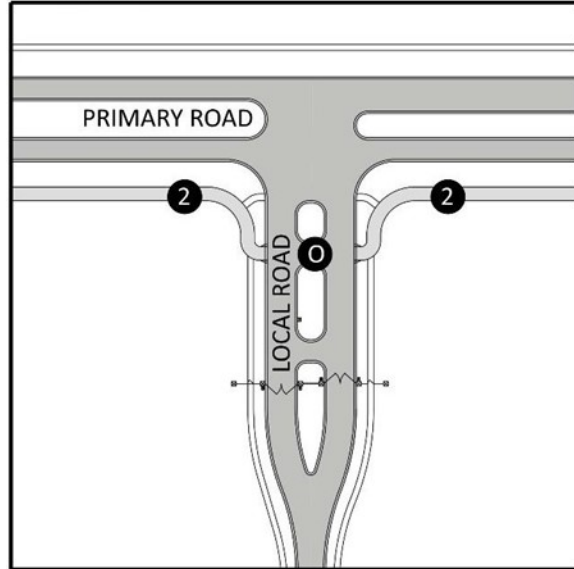
- (18) Scenario R: Multipurpose Trail Temporary Dead End – Refer to the Scenario R detail below for the configuration of a Multipurpose Trail that temporarily terminates without a connection (for example, at a phase line).

SCENARIO R
MULTIPURPOSE TRAIL TEMPORARY DEAD END



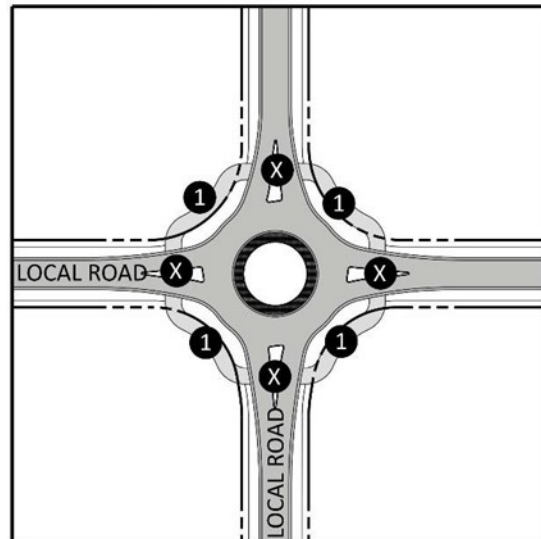
- (19) Scenario S: Gated Entry – Refer to the Scenario S detail below for the configuration of a Multipurpose Trail crossing at a gated entry off of a Primary Roadway.

SCENARIO S
VEHICULAR GATE



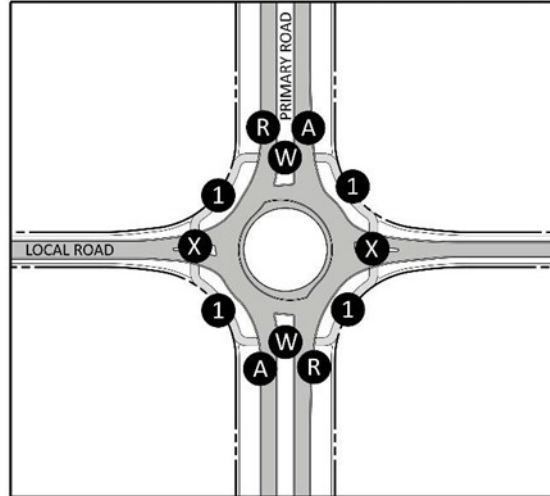
- (20) Scenario T: Roundabout intersection of a Local Road with a Local Road – Refer to the Scenario T detail below for the configuration of a roundabout at the intersection of a Local Road with a Local Road. (Multipurpose path is located around the roundabout to allow for bicycles to bypass the roundabout. Neighborhood vehicles are intended to move through the roundabout).

SCENARIO T
ROUNDBOUT LOCAL & LOCAL ROAD



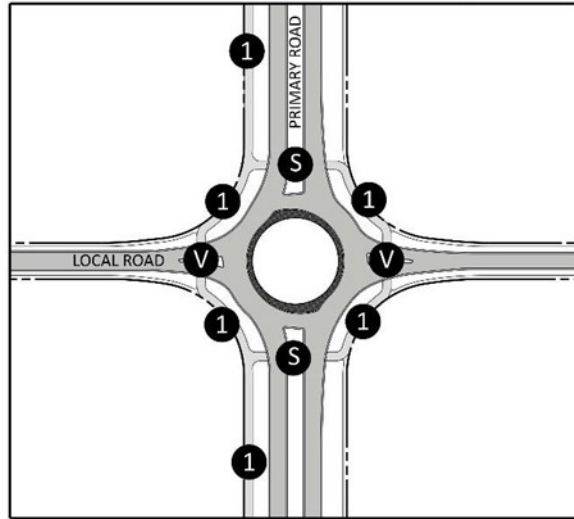
- (21) Scenario U: Roundabout intersection of a Local Road with a Phase 1 Primary Road – Refer to the Scenario U detail below for the configuration of a roundabout at the intersection of a Local Road with a Phase 1 Primary Road. (Multipurpose path is located around the roundabout to allow for bicycles to bypass the roundabout. Neighborhood vehicles are intended to move through the roundabout).

SCENARIO U
ROUNDAABOUT LOCAL & PRIMARY ROAD (PHASE 1)



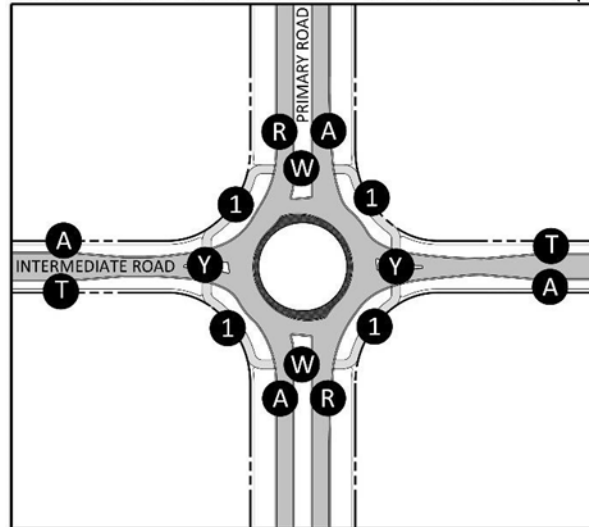
- (22) Scenario: V: Roundabout intersection of a Local Road with a Phase 2 Primary Road – Refer to the Scenario V detail below for the configuration of a roundabout at the intersection of a Local Road with a Phase 2 Primary Road. (Multipurpose path is located around the roundabout for both bicycles and neighborhood vehicles to bypass the roundabout).

SCENARIO V
 ROUNDABOUT LOCAL & PRIMARY ROAD (PHASE 2)



- (23) Scenario W: Roundabout intersection of an Intermediate Road with a Phase 1 Primary Road – Refer to the Scenario W detail below for the configuration of a roundabout at the intersection of an Intermediate Road with a Phase 1 Primary Road. (Multipurpose path is located around the roundabout to allow for bicycles to bypass the roundabout. Neighborhood vehicles are intended to move through the roundabout).

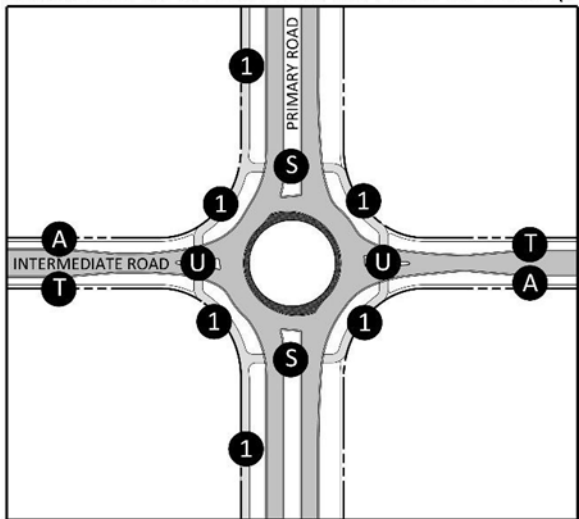
SCENARIO W
 ROUNDABOUT INTERMEDIATE & PRIMARY ROAD (PHASE 1)



- (24) Scenario X: Roundabout intersection of an Intermediate Road with a Phase 2 Primary Road – Refer to the Scenario X detail below for the configuration of a roundabout at the intersection of an Intermediate Road with a Phase 2 Primary Road. (Multipurpose path is

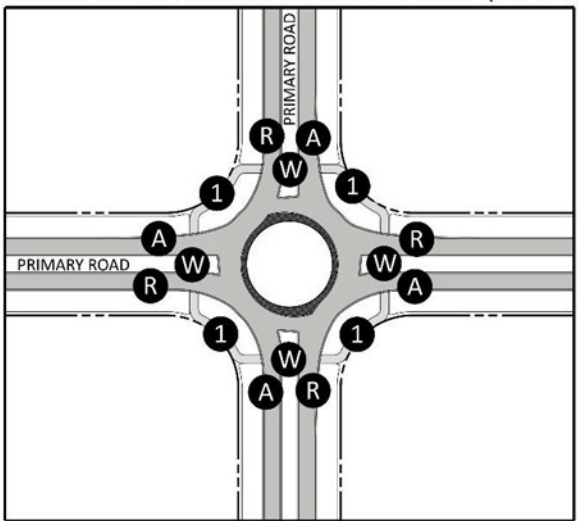
located around the roundabout for both bicycles and neighborhood vehicles to bypass the roundabout).

SCENARIO X
 ROUNDABOUT INTERMEDIATE & PRIMARY ROAD (PHASE 2)



- (25) Scenario Y: Roundabout intersection of a Phase 1 Primary Road with a Phase 1 Primary Road – Refer to the Scenario Y detail below for the configuration of a roundabout at the intersection of a Phase 1 Primary Road with a Phase 1 Primary Road. (Multipurpose path is located around the roundabout to allow for bicycles to bypass the roundabout. Neighborhood vehicles are intended to move through the roundabout).

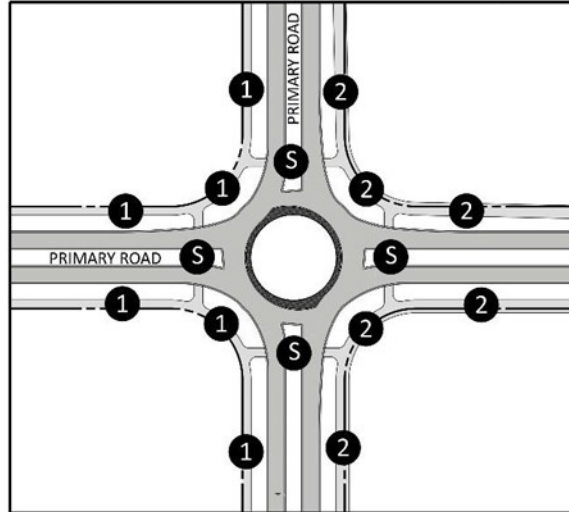
SCENARIO Y
 ROUNDABOUT PRIMARY & PRIMARY ROAD (PHASE 1)



- (26) Scenario Z: Roundabout intersection of a Phase 2 Primary Road with a Phase 2 Primary Road – Refer to

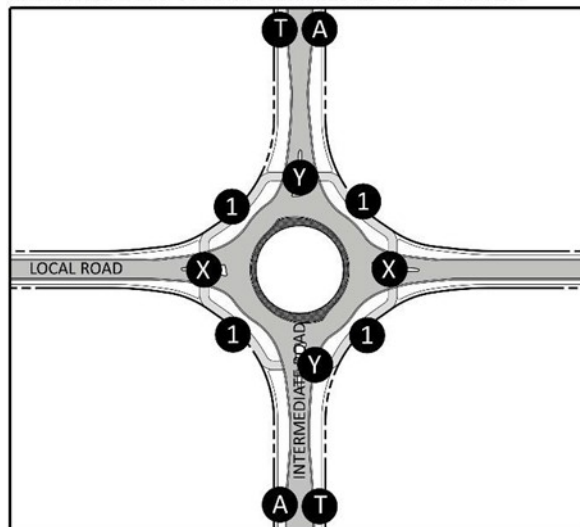
the Scenario Z detail below for the configuration of a roundabout at the intersection of a Phase 2 Primary Road with a Phase 2 Primary Road. (Multipurpose path is located around the roundabout for both bicycles and neighborhood vehicles to bypass the roundabout).

SCENARIO Z
 ROUNDABOUT PRIMARY & PRIMARY ROAD (PHASE 2)



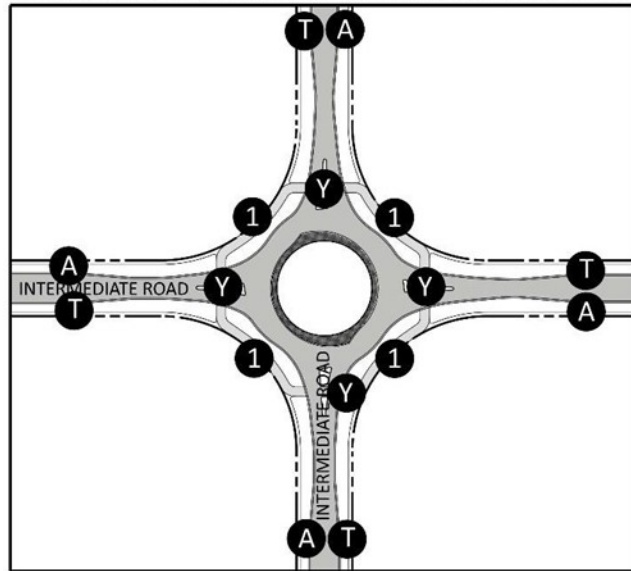
- (27) Scenario AA: Roundabout intersection of a Local Road with an Intermediate Road – Refer to the Scenario AA detail below for the configuration of a roundabout at the intersection of a Local Road with an Intermediate Road. (Multipurpose path is located around the roundabout to allow for bicycles to bypass the roundabout. Neighborhood vehicles are intended to move through the roundabout).

SCENARIO AA
 ROUNDABOUT LOCAL & INTERMEDIATE ROAD



- (28) Scenario BB: Roundabout intersection of an Intermediate Road with an Intermediate Road – Refer to the Scenario BB detail below for the configuration of a roundabout at the intersection of an Intermediate Road with an Intermediate Road. (Multipurpose path is located around the roundabout to allow for bicycles to bypass the roundabout. Neighborhood vehicles are intended to move through the roundabout).

SCENARIO BB
ROUNDABOUT INTERMEDIATE & INTERMEDIATE ROAD



O. Utilities

1. Intent and Purpose

It is the intent of this section to provide for a predictable blueprint for the incremental implementation of the extensive utility systems necessary to achieve the vision by numerous applicants during the Connected City's planning horizon. Initial applicants within the Connected City must be able to rely upon clear and consistent implementation over time by future applicants to achieve the extensive and interconnected systems.

It is the purpose of the Utilities System within the Connected City to achieve the following:

- a. Protect and conserve the quality and quantity of groundwater resources;
- b. Provide an adequate, safe, efficient, economical, reliable, and environmentally sound system of potable water supply,

reclaimed water supply, and sanitary sewer collection, with treatment and disposal consistent with the CC-CPA;

- c. Maximize the use of existing facilities and provide an adequate, safe, and environmentally sound system of potable water supply and reclaimed water supply; and sanitary sewer collection, treatment, and disposal;
- d. Establish requirements for connection to potable water, reclaimed water, and sanitary sewer facilities;
- e. Provide for the extensive fiber optic network necessary to deliver Gigabit Technology to help stimulate innovation;
- f. Provide the basic utility infrastructure to create cleaner and healthier communities. The transition from the existing conditions to the proposed Connected City vision will require a far more robust potable water transmission system, wastewater collection system and reclaimed water distribution system and an equally expansive fiber distribution network. These utilities are anticipated to be all underground and located within the public rights-of-way and additional easements associated with the CC-MRP;
- g. Compliance with the Conceptual Utility Plan (CC-CUP), consisting of a Master Potable Water Plan, Master Wastewater Plan and Master Reclaimed Water Plan. ; and
- h. Pasco County Utilities impact fees at the time of the specific application shall be paid with no exceptions. Additional Connected City-specific impact fees may be collected or credited in compliance with Connected City ordinances in place at the time of application.

2. Applicability

This section shall apply to developments requiring Incremental Approval of development applications within the Connected City. These developments shall be those that have an approved CC-MPUD.

3. Utility Lines

Utility lines of all kinds within the Connected City may include, but are not limited to, those of public or franchised utilities, electric power and light, telephone and fiber optic cable, cable television, water, sewer, and gas, shall be constructed and installed beneath the surface of the ground within new residential subdivisions, unless it is otherwise approved at the time of preliminary development plan approval.

It shall be the developer's responsibility to make the necessary arrangements with each utility in accordance with the utility's established policies. The underground installation of incidental appurtenances such as transformer boxes, pedestal-mounted terminal boxes for electricity, or similar service hardware necessary for the provisions of utility services, shall not be required. Below ground installation shall not normally be required for commercial service connections, bulk electric power supply lines, and communication major feeder lines. Nothing in this section shall be construed to prohibit any entity furnishing utility service within the County from collecting, as a condition precedent to the installation of service facilities, any fee, prepayment, or contribution in aid of construction which may be required.

4. Commitment to Provide Utilities

At the time of preliminary development plan or preliminary site plan submittal, a letter of intent from serving utilities shall be provided. At the time of construction plan approval, commitment letters from serving utilities shall be provided.

5. Potable Water Systems

a. Connected City Conceptual Plan

All applications within the Connected City shall be reviewed for general compliance with the Connected City Conceptual Water Plan depicted in the Conceptual Utility Plan.

b. Design and Approval

(1) Design Standards

Potable water, including fire protection, shall be provided in accordance with the standards established in the Comprehensive Plan and the Pasco County Standards for Design and Construction of Water, Wastewater and Reclaimed Water Facilities Specs., latest edition.

All systems shall be designed and constructed in conformance with the requirements established by the Florida Department of Environmental Protection (FDEP).

(2) Approval Process

All potable water systems shall be subject to review by the Pasco County Utilities Services Branch.

6. Reclaimed Water Systems

a. Connected City Conceptual Plan

All applications within the Connected City shall be reviewed for general compliance with the Connected City Conceptual Reclaimed Water Plan depicted in the Conceptual Utility Plan.

b. Design and Approval

(1) Design Standards

Subject to a Utility Service Agreement between Pasco County and the developer, reclaimed water shall be provided in accordance with the standards established in the Comprehensive Plan and the Pasco County Standards for Design and Construction of Water, Wastewater and Reclaimed Water Facilities Specs., latest edition.

All systems shall be designed and constructed in conformance with the requirements established by the Florida Department of Environmental Protection (FDEP).

(2) Approval Process

All reclaimed water systems shall be subject to review by the Pasco County Utilities Services Branch.

7. Wastewater Systems

a. Connected City Conceptual Plan

All applications within the Connected City shall be reviewed for general compliance with the Connected City Conceptual Wastewater Plan depicted in the Conceptual Utility Plan.

b. Design and Approval

(1) Design Standards

Wastewater collection and transmission systems shall be provided in accordance with the standards established in the Comprehensive Plan and the Pasco County Standards for Design and Construction of Water, Wastewater and Reclaimed Water Facilities Specs., latest edition.

All systems shall be designed and constructed in conformance with the requirements established by the

Florida Department of Environmental Protection (FDEP).

Individual sewage disposal systems shall not be allowed on any new projects with a CC-MPUD zoning classification.

(2) Approval Process

All wastewater collection and transmission systems shall be subject to review by the Pasco County Utilities Services Branch.

8. Smart Systems

Smart systems, such as smart electric meters, smart irrigation systems, and smart water meters shall be encouraged throughout the Connected City Special Planning Area.

As per this Code, Section 522.9.G. Natural Resources new construction shall be built with full-automated meter infrastructure (AMI).

P. **Neighborhood Parks**

1. Intent and Purpose

The intent and purpose of this section is to advance the health, safety, and welfare of the residents of the Connected City Stewardship District by providing common areas as neighborhood parks in residential development in which to engage in recreation and play.

2. Applicability

This section shall apply to all CC-Entitled Properties as defined in this Code, Section 603 Connected City Stewardship District proposing 26 or more dwelling units. For the purposes of this section, a dwelling unit shall consist of single-family (attached and detached units), and multiple family units.

For residential projects that are four (4) or more stories, the requirements of the remainder of this section shall not apply. Instead, projects of 4 or more stories shall provide a usable open space of not less than 5 percent of the acreage of the parcel on which the building is situated. This open space shall be designed to accommodate gathering and use by provision of seating areas, outdoor dining areas, patio areas, sunbathing areas, toddler play areas, or other passive activity areas proposed by the applicant and subject to review and approval by the County Administrator or designee.

Figure 522.9.P.-1.

Multistory Building Example



3. No Impact Fee Creditable

The provision of neighborhood park(s) pursuant to this section is not impact fee creditable against any portion of the fees set forth in this Code, Section 1302.4 Parks and Recreation Impact Fees.

4. Amount of Land Required

The amount of land required to be provided and maintained as neighborhood park(s) is as follows:

- a. One-half ($\frac{1}{2}$) acre for 26-99 dwelling units.

Park



26 to 99 Dwelling Units

- b. An additional 1/100 of one (1) acre for each additional dwelling unit over 99.

5. Neighborhood Park Standards

- a. Type of Land

The land provided for use as neighborhood park(s) shall be developable uplands exclusive of required setbacks from wetland or environmental areas and shall not contain any

restrictions or encumbrances that prevent its use as a neighborhood park.

b. Prohibited Uses

The following uses/land area(s) shall not be included in the required neighborhood park(s) acreage:

- (1) Floodplain mitigation areas;
- (2) Drainage/stormwater detention areas (except for drainage/stormwater detention areas used solely for required neighborhood park amenities);
- (3) Parking areas (except for parking areas required to satisfy minimum parking requirements for required neighborhood park amenities);
- (4) Landscape easements.

c. Accessibility

The land provided for each neighborhood park shall be easily accessible to the residents of the development by automobile, foot, neighborhood vehicle, and bicycle.

The required neighborhood park acreage shall be located no greater than one-half (1/2) mile from fifty (50) percent of the dwelling units to be served by the neighborhood park.

d. Minimum Size

The required neighborhood park acreage may be composed of a single or multiple neighborhood parks; however, each required neighborhood park shall be a minimum of one quarter (1/4) acre in size.

e. Elements Within Neighborhood Parks

Neighborhood parks may include, but are not limited to Table 522.9.P-1, Park Elements and other areas where members of the development may congregate for recreational uses.

Park



Min. Park Size

**Table 522.9.P.-1
Park Elements**

PARK ELEMENTS TABLE

COURT SPORTS	<ul style="list-style-type: none"> Multi-purpose courts Full court basketball Half court basketball Tennis Pickleball Shuffleboard Ping-Pong
<hr style="border-top: 1px dashed #000;"/>	
FIELD SPORTS	<ul style="list-style-type: none"> Multi-purpose Field Soccer - Full Junior/League Soccer - Small Neighborhood Pick up Game Size Softball Baseball Paintball
<hr style="border-top: 1px dashed #000;"/>	
PROGRAMMED LAWNS / GARDENS	<ul style="list-style-type: none"> Bocce (Informal or Formal Spaces) Lawn Bowling (Informal or Formal Spaces) Yoga Lawn Community Event Lawn (Pumpkin Festival, Farmer's Market, Charity Events) Small Amphitheatre Large Amphitheatre Amphitheatre with Stage Hammock Garden Butterfly Garden Community Food Garden Sculpture Garden / Park Landscape Beds with Seating Areas (Traditional Garden) Reflection Pool / Focal Point Water Features Flex Lawn Space Picnic Lawns Tables/Grills
<hr style="border-top: 1px dashed #000;"/>	
WATER ACTIVITIES	<ul style="list-style-type: none"> Zero Entry Pool Splash Plaza Splash Pool Lap Lane Pool Open Swim Pool Pool with Slides

PARK ELEMENTS TABLE

AMENITY BUILDINGS	<ul style="list-style-type: none"> Fitness/Gym Community Gathering / Meeting Space Media Room Flex – Office Space Kitchen Theater Restaurant/Cafe Game Room Outdoor Kitchen Grill Area Tiki Bar
<hr style="border-top: 1px dotted #000;"/>	
PLAZAS / COURTYARDS	<ul style="list-style-type: none"> Seat Walls Tables/Seating Areas Art focal pieces Outdoor café space Wall Art Fountains
<hr style="border-top: 1px dotted #000;"/>	
PLAYGROUNDS	<ul style="list-style-type: none"> Play Structure Swingset Free standing play elements (Spring rider, merry-go-round, spinners, slides, etc.) Climb Hill Sand box Music play elements Imaginative Play Space Playhouse Play-stage / theater Tetherball Zip line Shade Structure Art elements Benches / Tables - Adult Size Benches / Tables - Child Size Interactive building elements

PARK ELEMENTS TABLE

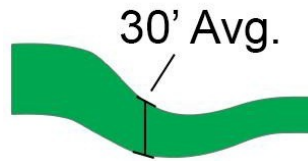
DOG PARK	<ul style="list-style-type: none"> Park for large dogs Park for small dogs Gazebo Dog Agility Equipment Dog Wash Station Pet Stations
TRAILS (BIKE/WALK/PADDLE)	<ul style="list-style-type: none"> Boardwalk Pervious Walking Trails Paved Walking Trails Street Bike Trails Off-road Bike Trails Trails around ponds Bird /Animal Watching Trail Pond/Wetland Overlook Nature Trail Fitness Stations Trail Head Trails linked with fitness apps Picnic Tables Grills Pet Walk (trails/lawns with pet stations) Kayak Trails Kayak Launch Kayak Storage
NATURAL/PRESERVE AREA ENHANCEMENTS	<ul style="list-style-type: none"> Art / Focal Point Pervious Trails Interpretive Trail Markers Benches/Seating/Hammocks Gazebo Picnic Areas

f. Programming / Amenities

To allow for diversity in the neighborhood park system, the Connected City Stewardship District allows park areas as small as one quarter (1/4) acre to be included in the calculations for required neighborhood parks.

Linear parks that contain sidewalks, Multipurpose Trails or Multipurpose Paths may be included in the neighborhood park calculations even where certain segments of the linear park trail may be less than one quarter (1/4) acre due to road crossings or other such encroachments as long as the average width of the linear park is thirty (30) feet.

Linear Park



Other spaces smaller than one quarter (1/4) acre may be used as green-space or contain park type elements but may not be counted toward the required total neighborhood park acreage calculation. Inclusion of non-linear park space smaller than one quarter (1/4) acre for neighborhood park acreage calculations may be evaluated by the County Administrator or designee as part of the incremental approval process.

All parks shall incorporate elements such as those listed above in Table 522.9.P.-1. Park Elements.

The following is a general guideline. Applicants are encouraged to apply creativity and purpose innovative amenity packages for parks that can be evaluated by the Development Review Manager or designee as part of the incremental approval process.

- (1) All Neighborhood Parks
 - (a) Shall have a bench and a garbage/recycling receptacle as a minimum.
 - (b) Shall have shade trees planted at a rate of one tree per quarter (1/4) acre as a minimum.
- (2) Neighborhood Parks One-Quarter (1/4) Acre to One (1) Acre

Shall have at least two elements, which may include the elements listed in Table 522.9.P.-1 Park Elements above or other elements proposed by the applicant and evaluated by the County Administrator or designee.

Park
1/4 Acre to 1 Acre



(3) **Neighborhood Parks One (1) Acre and Greater**

- (a) Shall have an open play area.
- (b) Shall have at least one other element, which may include the elements listed in Table 522.9.P.-1 Park Elements above or other elements proposed by the applicant and evaluated by the County Administrator or designee.

Park
1 Acre and Greater

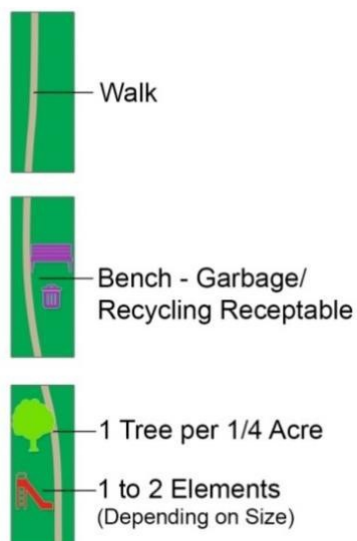


(4) **Linear Park Acreage**

- (a) Shall be measured in its totality to meet required acreage.

- (b) Shall have at least one or two elements, which may include the elements listed in Table 522.9.P.-1 Park Elements above or other elements proposed by the applicant and evaluated by the County Administrator or designee.

Linear Park



g. Open Play Area Requirements

- (1) Minimum setback of twenty-five (25) feet from wetlands, lakes, or other water bodies; and
- (2) Minimum width of 80 feet.



h. Minimum Dimension

The required neighborhood park shall have a minimum dimension of thirty (30) feet. As noted above, the open play area shall have a minimum width of 80 feet and a minimum area of 10,000 square feet.

i. Equipment

If the neighborhood park includes playground or other recreational equipment, such equipment shall comply with all applicable American Society for Testing and Materials (ASTM), Americans with Disabilities Act, and Consumer Products Safety Commission standards.

For areas containing playground equipment for small children (often referred to as “tot lot” playgrounds), shading is to be provided by either shade trees, canopy or other method such that a minimum of one playground element and fifty percent (50%) of the seating areas are fully shaded.

j. Internet / Intranet Connectivity

Wireless internet connectivity within neighborhood park areas is recommended, with high speed wireless connectivity preferred.

k. Neighborhood Parks Collocated with Schools

Elements, Uses, and Dimensions for Neighborhood Parks collocated with a school will be determined by an agreement with the Pasco County School Board and shall not be subject to the standards in subsections 522.9.P.5.e, 5.f, 5.g, 5.h, and 5.i unless the School Board and Neighborhood Park Maintenance Entity agree to utilize these standards.

6. Neighborhood Park Maintenance

The developer of a property that includes a neighborhood park shall be required to maintain and pay taxes on the neighborhood park(s) at no expense to the County, or convey such park(s) to a nonprofit homeowners' association; community development district; or open space trust. Neighborhood park(s) must be continuously maintained in a safe manner and consistent with safety standards established by the Consumer Product Safety Commission and ASTM. If a homeowners' association, community development district, or open space trust is formed, the developer shall provide documentation acceptable to the County demonstrating that such organization is governed according to the following:

- a. The organization is organized by the developer and operating with financial subsidization by the developer, if necessary, before the sale of any lots within the development.
- b. Membership in the organization is mandatory for all purchasers of dwelling units therein and their successors.
- c. The organization shall be responsible for maintenance of and insurance and taxes on the neighborhood park(s).
- d. The members of the organization shall share equitably the costs of maintaining and developing neighborhood park(s) in accordance with procedures established by them.
- e. The organization shall have or hire adequate staff to maintain the neighborhood park(s).
- f. In the event that the organization established to own and maintain the neighborhood park(s) or any successor organization shall at any time fail to maintain the neighborhood park(s) in reasonable order and condition, the County may serve written notice upon such organization and upon the residents and owners of the development setting forth the manner in which the organization has failed to maintain the neighborhood park(s) in reasonable condition. The said notice shall include a demand that such deficiencies of maintenance be cured within thirty (30) days thereof. If the deficiencies set forth in the original notice shall not be cured within the said thirty (30) days or any extension thereof, the County, in order to preserve the taxable values of the properties within the development and to prevent the neighborhood park(s) from becoming a public nuisance, may, upon approval by the Board of County Commissioners at a public hearing, enter upon the said neighborhood park(s) and maintain the same for any duration deemed appropriate by the County. The said entry and maintenance shall not vest in the public any rights to use the neighborhood park(s) and shall not cause the County to incur any liabilities or obligations related to such neighborhood park(s). The cost of such maintenance by the County, together with the cost of an insurance policy covering such maintenance (with the County as a named insured), shall be assessed ratably against the properties within the development that have a right of enjoyment of the neighborhood park(s) and shall become a tax lien on the said properties. The County, at the time of entering upon the said neighborhood park(s) for the purpose of maintenance, shall file a notice of such lien in the Office of the Clerk and Comptroller of the county upon the properties affected by such lien within the development. Notwithstanding the foregoing, the County shall be under no obligation to maintain any neighborhood park and nothing herein shall

preclude the County from exercising any other available legal remedy for the failure to maintain neighborhood park(s).

7. Alternative Standards

Alternative standards that meet or exceed the intent and purpose of this section may be approved.

Q. **Landscaping and Buffering**

1. Intent and Purpose

It is the intent and purpose of this subsection to promote the health, safety, and general welfare of the current and future residents of the Connected City Special Planning Area by establishing minimum standards for the preservation, development, installation, and maintenance of a predominately native and water-efficient landscaping within the Connected City. (The types of native trees can be found at <http://www.floridayards.org/fyplants/index.php>.)

In addition, this section's intent is to promote and foster design creativity and flexibility in place of predictable adherence to minimum standards.

The use of plant materials improves the aesthetic appearance of public, commercial, industrial, and residential areas by reducing the visual impact of large building masses; by softening the visual impact of paved surfaces and vehicular-use areas; by screening conflicting uses from one another; and otherwise helping establish a harmonious relationship between the natural and built environment.

2. Applicability

This section shall apply to all CC-Entitled Properties as defined in this Code, Section 603 Connected City Stewardship District.

3. General Standards

a. Design

(1) Maintenance Responsibility

Landscaping plans must designate a person or entity, other than the County, to be responsible for maintenance of the landscaping.

Landscaping within a public right-of-way shall require a County Right-of-Way Use Permit and a License and Maintenance Agreement. At the County Administrator or designee's discretion, the Right-of-Way Use Permit and License and Maintenance Agreement may be specified

as a condition of approval to obtain the Hard Copy Site Development Placard (HCSDP).

(2) Clear Sight Triangle

Except in the Urban Core, which is exempt from Clear Sight Triangle requirements, where a driveway/ accessway intersects a road right-of-way or where two (2) road rights-of-way intersect, vegetation, structures, and non-vegetative visual screens shall not be located so as to interfere with the clear-sight triangle as defined in this Code, the Florida Department of Transportation, Manual of Uniform Minimum Standards, most recent edition (Green Book), or the Florida Department of Transportation Design Standards, Index 546, most recent edition, whichever is more restrictive.

(3) Sustainable Practices

Landscape installations shall employ environmentally sustainable principles and practices, which include Florida Friendly landscaping and utilize low-maintenance plant species. A comprehensive guide to Florida Friendly landscaping principles and materials is available at www.floridayards.org. Landscaping shall be installed so that landscaping materials meet the concept of right material/right place. Installed material shall be grouped into zones according to water, soil, climate, and light requirements. Plant groupings based on water requirements are drought tolerant, natural, and oasis.

Where shade trees are used as street trees (Table 522.9.Q.-1.), landscape buffer trees, building perimeter trees, or in other locations, the shade trees shall be planted a minimum of five (5) feet from any sidewalk, curbing, pavement or other concrete/asphalt structure. Where this design minimum of five (5) feet cannot be achieved, root barriers or other root control methods as specified by a Florida licensed landscape architect or engineer shall be used as depicted in Figure 522.9.Q.-1.

**Figure 522.9.Q.-1
Example of Required Root Barrier Adjacent to
Concrete/Asphalt Structures for Shade and/or Street**

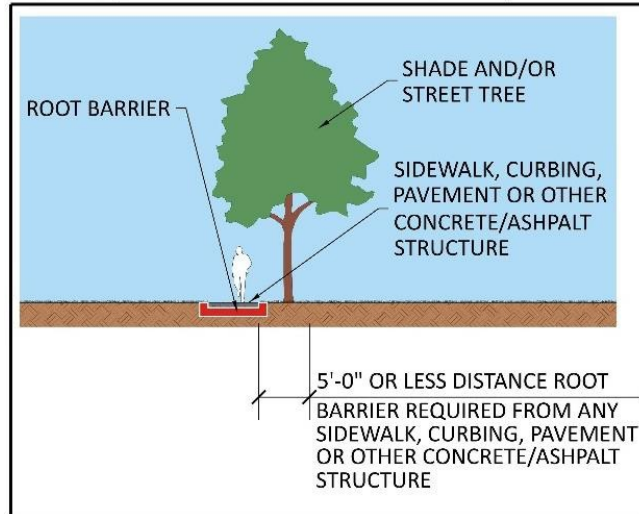


TABLE 522.9.Q.-1

Shade Trees / Street Trees That Require Root Barriers	
Common Name	Botanical Name
River Birch	Betula nigra
Pignut Hickory	Carya glabra
Pop Ash	Fraxinus caroliniana
White Ash	Fraxinus americana
Green Ash	Fraxinus pennsylvanica
Sweetgum	Liquidambar styraciflua
Southern Magnolia	Magnolia grandiflora
Black Gum	Nyssa sylvatica
Sand Pine	Pinus clausa
Slash Pine	Pinus elliotii
Longleaf Pine	Pinus palustris
Loblolly Pine	Pinus taeda
Sycamore	Platanus occidentalis
Bluff Oak	Quercus austrina
Laurel Oak	Quercus laurifolia
Swamp Chestnut Oak	Quercus michauxii
Chestnut Oak	Quercus prinus
Shumard Oak	Quercus shumardii
Live Oak	Quercus virginiana

(4) Diversity

- (a) A minimum of fifty (50%) percent of the plant materials used, other than trees, shall be drought tolerant.
- (b) A minimum of thirty (30%) percent of the plant materials, other than trees and turfgrass, shall be native Floridian species suitable for growth in the County.
- (c) Providing a diversity of tree species shall be a goal. However, the number and type of species provided on any specific development plan shall be determined by the creative intent of the applicant's Florida Licensed Landscape Architect of Record.
- (d) No one (1) plant species of shrubs or ground cover plants or combination thereof, excluding turfgrass, shall constitute more than thirty-three (33%) percent coverage of the overall landscape area.

(5) Tree Location

- (a) Trees required for buffering shall be installed within the landscape buffer. Trees installed to replace trees that were removed must be located on the site.
- (b) Public and private road rights-of-way may contain trees and other landscaping material, provided their location does not present a traffic hazard, impede drainage, or adversely interfere with the use of the right-of-way by utilities. For shade trees planted within the public or private road rights-of-way, root barriers or other root control methods as specified by a Florida licensed landscape architect shall be used to protect sidewalks, pavement, and other such structures as well as to prevent damage to utilities.
- (c) Street Trees
 - (i) Street trees shall be required along Primary, Intermediate, and Local Roads outside of the Urban Core Zone. Where

street trees are required, one tree shall be installed per 50 linear feet of roadway on both sides of the road right-of-way. Phoenix palms (other than Robellini) may be planted at a spacing of 50 linear feet. If other palms are used, they shall be installed every 25 linear feet.

- (ii) Street trees shall be shade trees unless otherwise approved by the County Administrator or designee as part of the incremental approval process. Street trees shall have a minimum height of six feet, minimum caliper of two (2) inches, and be Florida Grade #1 or better in quality. No more than 30 percent of street trees may be palm trees. Where palms are substituted for shade trees, they shall be a single trunk species, with a minimum clear trunk of ten (10) feet, and a minimum dbh of eight (8) inches.
- (iii) Street trees should be centered and evenly spaced. However, reasonable flexibility in spacing, including clustering, to accommodate driveways, utilities, lighting, pedestrian and Multipurpose Path crossings, utility appurtenances, etc., may be requested by the applicant's Florida registered Landscape Architect of Record.
- (iv) Street trees may be planted between the sidewalk and the curb. Root barriers will not be required for street trees included in Table 522.9.Q.-1, in areas equal to 10 feet in width or greater as depicted in Figure 522.9.Q.2. Root barriers shall be required for street trees included in Table 522.9.Q.-1, above, in areas less than 10 feet in width as depicted in Figure 522.9.Q.3.

Figure 522.9.Q.-2
Example of Minimum Landscape Area for
Street Tree Not Requiring Root Barrier

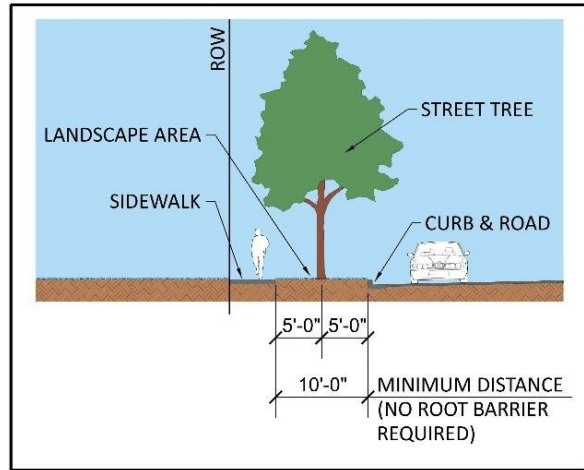
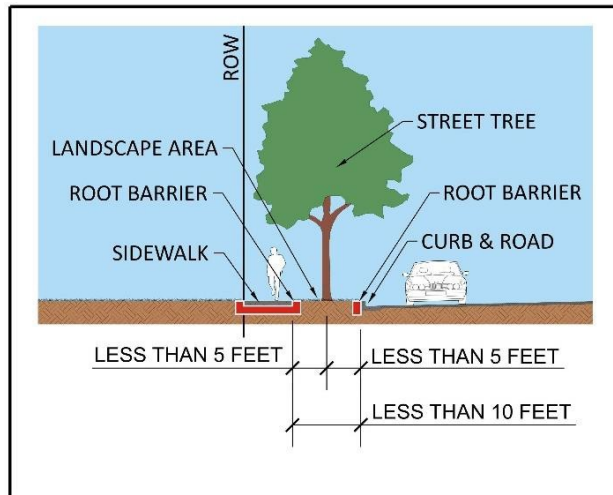
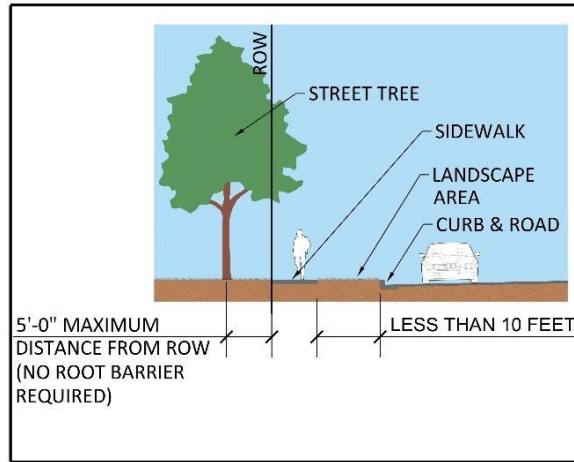


Figure 522.9.Q.-3
Example of Landscape Area for
Street Tree Requiring Root Barrier



- (v) When not feasible to provide street trees inside the road right-of-way, street trees shall be planted within five (5) feet of the right-of-way as depicted in Figure 522.9.Q.4. At the County Administrator or designee's discretion, an easement or dedicated tract may be required along with a license and maintenance agreement.

**Figure 522.9.Q.-4
 Example of Landscape Area for Street Tree
 Requiring Root Barrier and Locating the Street Tree
 Outside of the Right of Way to Avoid Root Barrier Requirement**



- (vi) Shade trees used as street trees shall be planted a minimum of ten (10) feet from any above-ground utility appurtenance, such as transformer pads, meter assemblies, and fire hydrants.
- (d) Public and private road rights-of-way may contain trees and other landscaping material, provided their location does not present a traffic hazard, impede drainage, or adversely interfere with the use of the right-of-way by utilities. Landscaping within a public right-of-way that is approved through the applicable review process, where landscaping other than sod or ground cover is proposed, shall require a County Right-of-Way Use Permit and potentially a License and Maintenance Agreement.
- (6) Use of Existing, Noninvasive Plant Materials. Existing, noninvasive plant materials may be used to meet the buffering and landscaping requirements, provided there is no reduction in the required percentage of landscaped area or reduction in the number of required trees or shrubs. If existing plant materials are retained to meet the requirements, the following standards shall apply:
 - (a) Areas of retained plant materials shall be preserved in their entirety with all trees, understory, and ground cover left intact and undisturbed, provided that invasive, prohibited plant materials are removed.

- (b) Numbered photographs with site plan key, showing the extent of the existing landscaping shall be provided during the review process for assessment of the existing landscaping.
- (c) The protection of existing, noninvasive plant materials shall conform to the standards listed in this Code, Section 802 Tree Preservation and Replacement.
- (d) Where existing, noninvasive vegetation meeting the intent of a landscape buffer is retained, required berms and buffering may be eliminated in whole or part through the use of an alternative standard. The subsequent removal of the existing vegetation shall void any alternative standard approved.
- (e) Trees located within environmentally sensitive lands shall not be counted or credited toward the total number of trees required.

b. Quality of Trees

- (1) Trees to be planted shall be Florida Grade No. 1 or better pursuant to the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Grades, and Standards for Nursery Plants, which is incorporated herein by reference.
- (2) Invasive Species
 - (a) The planting of species listed in Rule 5B 57.007, Florida Administrative Code, as amended, or classified as invasive by the Florida Exotic Pest Plant Council, is prohibited.
 - (b) Invasive species located within the area of the project proposed to be developed are required to be removed.
- (3) Shade Trees

All shade trees used to satisfy landscaping requirements shall have a two (2) inch caliper trunk and be a minimum of six (6) feet in height at the time of installation. All required shade trees shall be a species having an average mature spread of greater than twenty (20) feet.

Where interference with overhead utility lines is probable, understory shade trees shall be planted. To avoid a powerline conflict, vegetation that exceeds twenty-five (25) feet in height at maturity shall not be planted closer than twenty (20) feet of the vertical plane of an existing powerline, excluding service wires. Consultation with the affected utility should occur for assistance with the selection of suitable vegetative species.

(4) Multiple-Trunk Trees

All proposed multiple-trunk trees shall have no less than three (3) trunks, equal to or greater than three (3) inches caliper, and shall be a minimum of six (6) feet in height at the time of installation.

(5) Palms

Palm trees may be substituted for shade trees at a rate of three (3) palm trees, grouped together, for one (1) shade tree. Palm trees may be substituted for up to thirty (30) percent of the required shade trees. Exceptions may be made for the Phoenix (not including Roebellini), which may be planted individually. Palms must have a minimum of ten (10) feet of clear trunk at the time of installation.

c. Shrubs

(1) Shrubs, grown in the appropriate sized containers, shall have the ability to be a minimum of twenty-four (24) inches within one (1) year of planting and shall maintain that height. Shrubs shall be a minimum of eighteen (18) inches in height at the time of installation.

(2) Dwarf variety of shrubs, grown in the appropriate-sized containers, shall be a minimum of fourteen (14) inches in height at the time of installation.

d. Ground Cover

Ground cover plants shall be spaced so as to present a finished appearance and to obtain a reasonably complete coverage within one (1) year after planting. Nonliving ground cover, such as mulch, gravel, rocks, etc., shall be used in conjunction with living plants so as to cover exposed soil and suppress fugitive dust.

e. Installation of Planting Materials

- (1) Avoid Utility Conflicts. Landscape installations shall be placed to avoid conflict with the existing and/or proposed utilities, both underground and overhead.
- (2) Good Condition. All trees shall be planted according to the Florida Chapter, International Society of Arboriculture Standards for Planting, which is incorporated herein by reference. All trees must be maintained in good condition and planted in locations with adequate open space to allow for mature tree-canopy development.
- (3) Avoid Easements. Trees shall not be planted within any easement so as to interfere with the use of that easement, nor under any present or planned overhead utility, nor in any rights-of-way without County approval through the associated review process.
- (4) Mulch. Mulch shall be used in conjunction with living plant materials so as to cover exposed soil. Mulch shall be installed to a minimum depth of three (3) inches. The mulch should not be placed directly against the plant stem or tree trunk. Mulch shall not be required for annual beds. Stone or gravel may be used to cover a maximum of twenty (20) percent of the landscaped area.
- (5) Quality Practices. All landscaping shall be installed in accordance with standards and practices of the Florida Nursery, Growers, and Landscape Association and the Florida Chapter of the International Society of Arboriculture.
- (6) Height. All height requirements shall be based on the finished grade of the landscaped area and measured at the main stem.
- (7) All portions of a lot upon which development has commenced, but not continued for a period of thirty (30) days, shall be planted with a grass species or ground cover to prevent erosion and encourage soil stabilization. Adequate coverage, so as to suppress fugitive dust, shall be achieved within forty-five (45) days.

f. Certification Requirements for New Development

- (1) Certification. A registered landscape architect or other person as authorized by Chapter 481, Florida Statutes, as amended, or other type of professional as approved

by the County Administrator or designee, shall conduct a final field inspection. A Certificate of Compliance with the requirements of this section shall be provided to the County and the property owner prior to obtaining a Certificate of Occupancy (CO). If the property owner installs the landscaping and irrigation, the owner shall act as the certifying agent.

- (2) Installation Prior to CO. Prior to the issuance of any CO, or where no CO is required, prior to final inspection or the use of the lot, all required landscaping shall be installed and in place as set out in the approved landscape plans. In cases where timely installation of landscaping is not practical due to the season or shortage, as determined by the County Administrator or designee, a bond satisfactory to the Engineering Services Department shall be posted until the planting occurs.

4. Specific Planting Requirements

- a. General. The following general standards and the specific planting standards below shall apply to all sites:

- (1) All portions of each site, which are not devoted to buildings, sidewalks, paving, or special landscape features shall be grassed. However, no more than thirty (30%) percent of the required landscape area may be grassed; the balance shall be landscaped in shrubs and ground cover plants, except where turfgrass varieties with excellent drought tolerance may exceed the thirty (30%) percent limitation.

- (a) Impervious areas shall not be located within a required buffer except:

- (b) Driveways, sidewalks, Multipurpose Paths, and Multipurpose Trails are constructed perpendicular to the buffer in order to provide direct access to the parcel or adjacent parcels.

- (2) Where allowed within this Code, a meandering sidewalk, Multipurpose Paths and Multipurpose Trails may be provided within the buffer.

- b. Specific Standards for Single and Two (2) Family Residential

A tree planting requirement. A minimum number of trees shall be planted or retained on all property upon which either a single-family dwelling, a two (2) family dwelling, or a mobile home on

an individual lot is located or to be located in accordance with Table 522.9.Q.-2 Minimum Tree Planting for Single & Two Family Dwellings.

**TABLE 522.9.Q.-2
Minimum Tree Planting for Single & Two Family Dwellings**

Size of Lot (Sq Ft)	Minimum Number of Trees
Less than 3,500	1
3,500-6,000	2
6,001-7,500	3
7,501-9,500	4
9,501-16,000	6
Over 16,000 to Under 1 Acre	8
1 Acre to Under 2.5 Acres	8
2.5 Acres to Under 5 Acres	6 per Developable Acre
5 Acres and Larger	4 per Developable Acre

c. Vehicular Use Areas. Landscaping and buffering of vehicular use areas shall be in accordance with Table 905.2.-C Vehicular Use Area Landscaping in this Code, Section 905.2. Landscaping and Buffering, which is not altered in the CC-SPA.

d. Building Perimeter

The intent and purpose of building perimeter landscaping is to provide for visual interest, prevent monotony, break up wall and pavement expanses, and clearly define entryways. The developer shall propose building perimeter landscaping, which shall be provided in an amount and configuration determined by the creative intent of the Florida licensed Landscape Architect of Record and shall be subject to the review and approval of the County Administrator or designee.

e. Perimeter Landscape Buffering and Screening

The intent and purpose of providing landscape buffering and screening is to promote an aesthetically pleasing developed environment that provides visual interest to pedestrians and motorists as well as separation between uses and intensities where appropriate. Buffer and screening type required is based on the subject property's use/SPA Zone and the adjacent use/SPA Zone as shown in Table 522.9.Q.-3 Landscape Buffer Type Required by Adjacent Use and Table 522.9.Q.-4 Landscaping Buffering and Screening Requirements.

**TABLE 522.9.Q.-3
Landscape Buffer Type Required by Adjacent Use**

	Retail	Office	Industrial	Multifamily (Apartments)	Single Family Attached/ Detached	Cultural/Civic/ Institutional/ Parks/Rec	Agriculture/ Non-CC-MPUD	Parking*	Right-of-Way	Utility Service Areas*
Retail	None	Type 1	Type 2	Type 2	Type 2	None	None	Type 3	None	Type 5
Office	Type 1	None	Type 2	Type 2	Type 2	None	None	Type 3	None	Type 5
Industrial	Type 2	Type 2	None	Type 2	Type 2	Type 2	None	Type 3	Type 4	Type 5
Multifamily (Apartments)	Type 2	Type 2	Type 2	None	Type 2	None	None	Type 3	Type 4**	Type 5
Single Family Attached/ Detached	Type 2	Type 2	Type 2	Type 2	None	None	None	Type 3	Type 4**	Type 5
Cultural/Civic /Institutional/ Parks/Rec	None	None	Type 2	None	None	None	None	Type 3	None	Type 5

*Parking and Utility Service Areas in the Urban Core are uses requiring buffers except as specified in Code Section 522.9.Q.4.h.

** If a front of building adjacent to right-of-way no buffer required

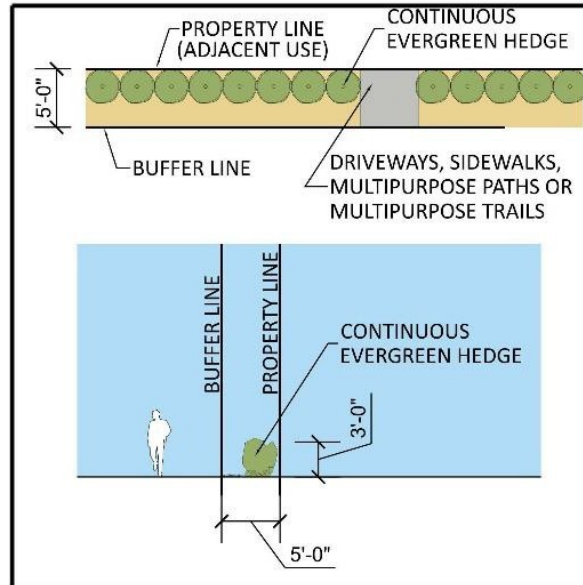
Type 1

Type 1 buffers help to improve aesthetics and differentiate boundaries between similar uses. Where the Type 1 buffer abuts a pond, lake, wetland or other natural feature that provides buffering, the width of the buffer must be maintained but does not need to have trees/plants installed in that portion of the buffer.

Type 1 buffers shall meet the following design standards:

- A minimum of five (5) feet in width.
- A continuous evergreen hedge or other similar shrub design reaching three (3) feet height within one (1) year of installation.
- No sidewalk, Multipurpose Path or Multipurpose Trail encroachments are allowed within Type 1 buffers. Where a sidewalk, Multipurpose Path or Multipurpose Trail encroaches into a Type 1 buffer area, the width of the buffer is to be expanded by the amount of encroachment.
- Driveways, sidewalks, Multipurpose Paths or Multipurpose Trails should be constructed perpendicular to the buffer in order to provide direct access to the parcel or adjacent parcels.

**Figure 522.9.Q.-5
Buffer 1**



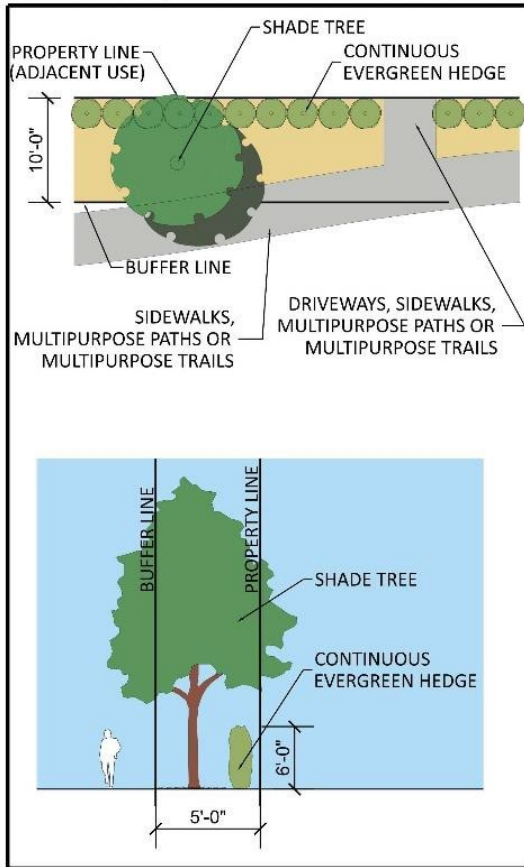
Type 2

Type 2 buffers are intended to be used between uses of differing intensity. Type 2 buffers are intended to provide aesthetic appeal as well as to buffer sound, light and other emissions emitted from higher intensity uses.

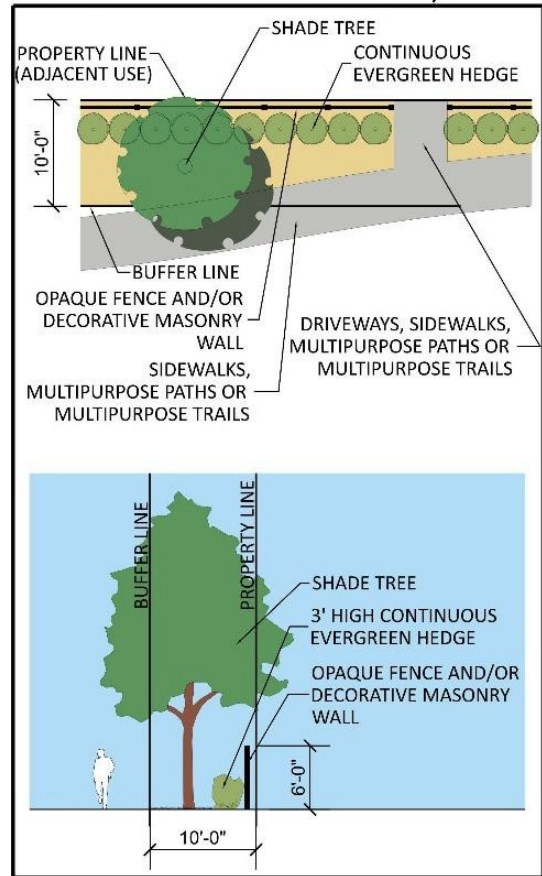
Type 2 buffers shall meet the following design standards:

- A minimum of ten (10) feet in width.
- A screening feature of at least six (6) feet in height. This screening feature may be an evergreen shrub hedge, opaque fence, decorative masonry wall or a combination thereof. Where a fence or decorative wall is used, a continuous three (3) foot hedge or other similar shrub design is required.
- Shade trees planted not more than fifty (50) feet on center. Trees may be clustered and existing trees may be incorporated into the design to improve buffering as long as the total required number of trees is met. Where shade trees with aggressive root systems are proposed within five (5) feet of a sidewalk, Multipurpose Path, Multipurpose Trail, paved parking area, building or other structure, protective root barriers or other designs are required to minimize root damage. Shade trees are not to be planted where they may interfere with below ground or above ground hard utilities. Understory trees may be substituted for shade trees where utility conflicts are possible.
- Meandering sidewalks, Multipurpose Paths and Multipurpose Trails may encroach into the buffer by up to half the buffer width. Encroachments beyond half the buffer width will require the buffer to be widened proportionately. The full amount of plantings are required within the remaining buffer area.
- Driveways, sidewalks, Multipurpose Paths or Multipurpose Trails should be constructed perpendicular to the buffer in order to provide direct access to the parcel or adjacent parcels.

**Figure 522.9.Q.-6
Buffer 2 (Evergreen Shrub Hedge)**



**Figure 522.9.Q.-7
Barrier 2 (Opaque Fence and/
Decorative Masonry Wall)**



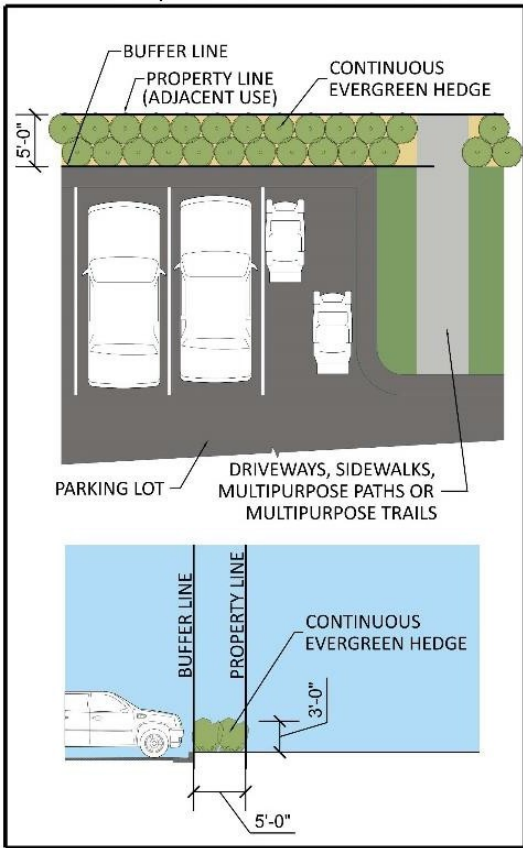
Type 3

Type 3 buffers are intended to be installed around the perimeter where parking areas or other vehicle use areas abut roadways, trails/paths or other uses. Type 3 buffers are intended to limit/block vehicle light pollution and to provide distinct visual cues for pedestrian walkways and parking entrances.

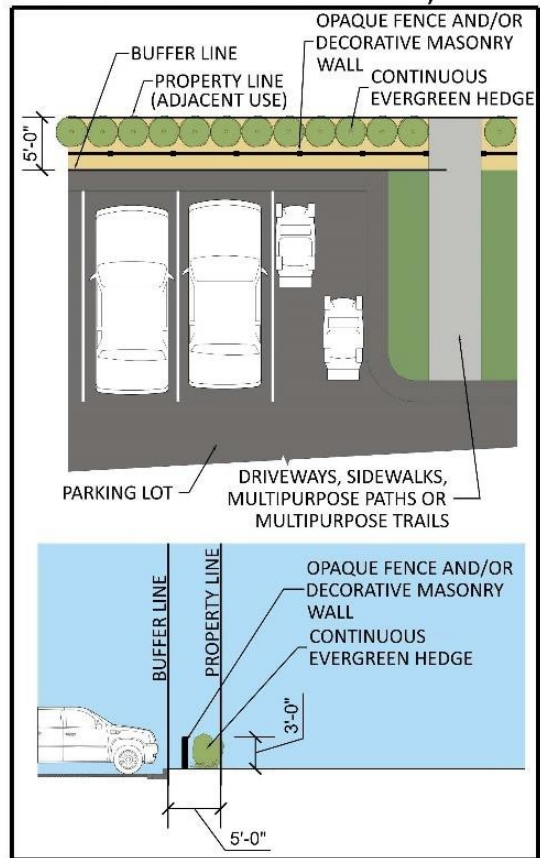
Type 3 buffers shall meet the following design standards:

- A minimum of five (5) feet in width.
- A continuous double staggered row of evergreen hedge or other similarly dense shrub design reaching three (3) feet height within one year of installation. A single continuous row of evergreen hedge or similar shrub design may be used in conjunction with a decorative wall or opaque fence a minimum of three (3) feet in height. Where a decorative wall or fence is used, the required hedge or shrubs shall be planted outside of the fence/wall.
- No sidewalk, multipurpose path or Multipurpose Trail encroachments are allowed within Type 3 buffers. Where a sidewalk, Multipurpose Path or Multipurpose Trail must encroach into a Type 3 buffer area, the width of the buffer is to be expanded by the amount of encroachment.
- Driveways, sidewalks, Multipurpose Paths or Multipurpose Trails should be constructed perpendicular to the buffer in order to provide direct access to the parcel or adjacent parcels.

**Figure 522.9.Q.-8
Buffer 3 (Evergreen Shrub Hedge)**



**Figure 522.9.Q.-9
Buffer 3 (Opaque Fence and/
Decorative Masonry Wall)**



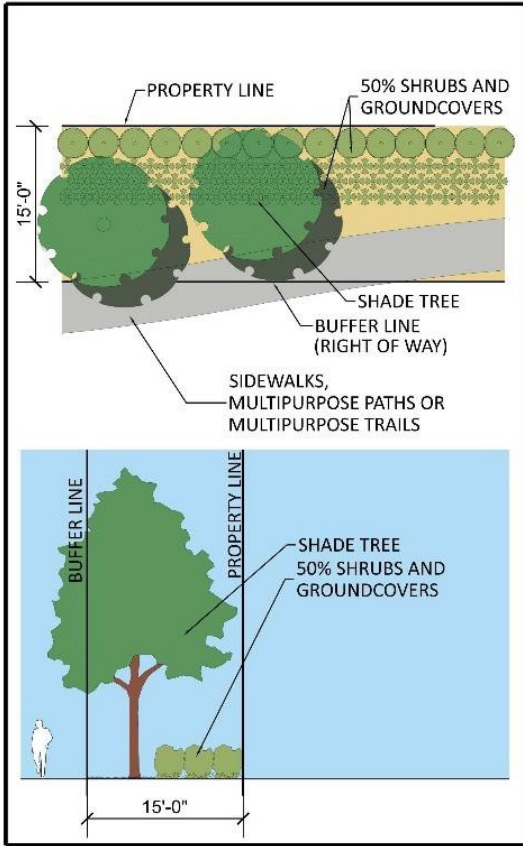
Type 4

Type 4 buffers are intended to be used along arterial, collector and other specified local roadways within the Connected City Stewardship District. Local roadways not specified for such buffering do not require the Type 4 buffers.

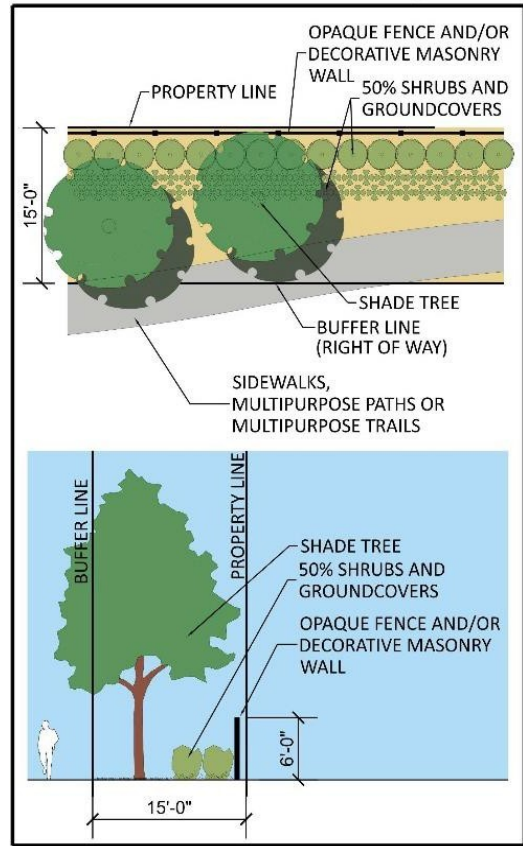
Type 4 buffers shall meet the following design standards:

- A minimum of fifteen (15) feet in width along primary and intermediate roadways as specified in the Connected City Master Roadway Plan.
- An optional screening feature of at least six (6) feet in height. This screening feature may be an evergreen shrub hedge, opaque fence, decorative masonry wall or a combination thereof.
- Trees shall be planted an average of thirty (30) feet on center. Trees may be clustered within the buffer. However, the maximum distance between trees may not exceed sixty (60) feet. Where shade trees with aggressive root systems are proposed within five (5) feet sidewalk, Multipurpose Path, Multipurpose Trail, paved parking area, building or other structure, protective root barriers or other designs are required to minimize root damage. Shade trees are not to be planted where they may interfere with below ground or above ground hard utilities. Understory trees may be substituted for shade trees where utility conflicts are possible.
- Meandering sidewalks, Multipurpose Paths and Multipurpose Trails may encroach into the buffer by up to half the buffer width. The full amount of planting is required within the remaining buffer area.
- Driveways, sidewalks, Multipurpose Paths or Multipurpose Trails should be constructed perpendicular to the buffer in order to provide direct access to the parcel or adjacent parcels.
- Shrubs and groundcover are required to make up a minimum of fifty (50) percent of the buffer area.
- No more than fifty (50) percent of the buffer area may be grassed.

**Figure 522.9.Q.-10
Buffer 4**



**Figure 522.9.Q.-11
Buffer 4 (Optional Fence and/
Decorative Masonry Wall)**



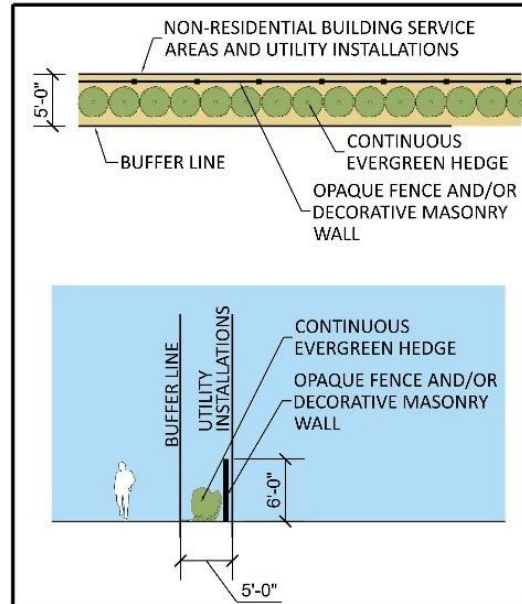
Type 5

The Type 5 buffer is intended as screening for non-residential building service areas and utility installations (such as pump stations, electrical substations, meter assemblies, outdoor refuse storage, trash collection, mechanical equipment, trash compaction, recycling, and similar service functions, etc.)

Type 5 buffers shall meet the following design standards:

- A minimum of five (5) feet in width.
- A screening feature of at least six (6) feet in height. This screening feature may be an evergreen shrub hedge, opaque fence, decorative masonry wall or a combination thereof. Where a fence or decorative wall is used, a continuous three (3) foot hedge or other similar shrub design is required between the wall and the abutting property. The height of the required screening may be modified to match the area being screened at the County Administrator or designee's discretion as part of the incremental approval process without formal alternative standards request.
- Meandering sidewalks, Multipurpose Paths and Multipurpose Trails may not encroach into the buffer.

**Figure 522.9.Q.-12
Buffer 5**



Parking Lot Buffering/Screening

Parking Lot buffering/Screening shall meet the following design standards:

- Parking lot perimeters shall be screened with a Type 3 buffer, except as noted below.
- Parking Lots abutting single family residential uses shall be screened with a Type 2 buffer/screen.
- Parking Lots abutting other parking lots shall require Type 1 buffers.

King Lake Buffering and Screening

Buffering designs are encouraged to use existing natural features to the greatest extent possible. Where a conflict occurs between a buffer requirement and the existing natural environment, the existing natural environment will take precedence

King Lake Buffering and Screening shall meet the following design standards:

- Any development abutting King Lake will have a minimum twenty-five (25) foot upland buffer measured from the seasonal high water line. Any encroachment into or across this buffer will require approval by the PC.
- Higher intensity uses (Office/Retail, Multifamily, Civic, Cultural, Educational and Resort uses) that abut King Lake will require additional buffering measured from the upland buffer boundary.
- Buffer requirements for higher intensity uses abutting King Lake will be determined on a case by case basis by the County Administrator or designee, but in no case shall be less than ten (10) feet wide.
- Trees, shrubs and ground cover within the additional buffer shall be Florida native and match existing non-invasive vegetation to the greatest extent possible to create a natural buffer appearance.
- Vegetation is the preferred method of screening. Fences and walls are discouraged. However, in cases where noise, light, or other factors necessitate a fence/wall for buffering, the fence/wall will be located at the far upland side of the additional buffer with required trees, shrubs, and groundcover to be installed between the fence/wall and King Lake.
- Multipurpose Paths and Multipurpose Trails that provide pedestrian circulation around King Lake may encroach into the additional buffer at the discretion of the County Administrator or designee.

Urban Core Buffering and Screening

Urban Core Buffering and Screening shall meet the following design standards:

- Street trees shall be planted on average of 30 feet on center within the right of way, soft utility easement, or future technology easement at such time the adjacent development is pursued. Buffering of surface parking areas adjacent to the right of way shall be accomplished utilizing a Type 3 Buffer.

5. Water Management Systems

- a. Portions of all manmade dry and wet retention areas that are visible from the right-of-way or located within a required buffer shall be planted. Alternative design solutions, such as grouping of plantings, may be approved through the applicable review process as long as a minimum of one (1) tree is provided for each fifty (50) linear feet of retention pond bank. The said retention ponds shall be landscaped in accordance with this Code and may contain special site features, such as fountains and reflecting pools. Existing, natural vegetation may be used in lieu of new plantings.
- b. Retention/detention ponds and swales shall be permitted within a required buffer provided they are consistent with the following criteria:
 - (1) Retention/detention ponds and swales shall not exceed, at any location within the required buffer, seventy (70%) percent of the required buffer width. A minimum five (5) foot wide, level planting area shall be maintained between the retention/detention pond or swale and the public right-of-way or adjacent parcel. This area shall be planted with trees and shrubs, as determined by this Code, Section 802 Tree Preservation and Replacement.
 - (2) The required vegetation shall be chosen and placed such that the functionality of the stormwater design is not impeded.
 - (3) To reduce soil erosion and visually soften the edge of the water management areas, trees shall be planted along the banks of the water management area at a minimum rate of one (1) tree per fifty (50) linear foot of pond bank.
- c. The banks of dry retention areas shall be sodded to the pond bottom. Wet retention areas shall be sodded to the seasonal high water line. Bahia grass may be used or planted in

retention/detention areas, drainage areas, wetland setback areas and mitigation areas.

- d. Stormwater retention and detention areas that are visible from the public right-of-way or located within a required buffer and, if required to be fenced in accordance with the SWFWMD requirements, shall be enclosed with a nonopaque, six (6) foot decorative, metal or vinyl-coated chain-link fence. Regular chain-link fences shall not be permitted.

6. Landscape Maintenance and Prohibitions

- a. All landscaping, including those areas located in the public right-of-way as approved through the applicable development review process, shall be maintained by an entity other than the County.
- b. All required landscaping shall be maintained in a healthy condition in perpetuity in accordance.
- c. All installed landscaping shall be neat and orderly in appearance and kept free of refuse, debris, disease, pests, and weeds, and shall be fertilized and irrigated as needed to maintain plants in a healthy condition.
- d. Ongoing maintenance to prevent the establishment of prohibited, invasive species is required.
- e. Any plant materials of whatsoever type and kind required by these regulations shall be replaced within thirty (30) days of their demise and/or removal.
- f. Paving, treating, or covering a required landscape area in any way that renders it impervious is prohibited.
- g. Parking of vehicles shall not be permitted in required landscape areas.

R. **On-Site Parking**

1. Intent and Purpose

On-site, off-street parking facilities shall be provided to lessen congestion in the streets, while ensuring safe and efficient movement of traffic, allowing flexibility in addressing vehicle parking, and ensuring that parking needs associated with new development and redevelopment are met without adversely affecting other nearby land uses, vehicle and non-vehicle movement, and surrounding neighborhoods, The purpose is to provide sufficient parking to accommodate the majority of traffic generated by the range of uses which might be located at the site over time. In the CC-SPA, parking

facilities shall be designed to put pedestrians first, accommodate neighborhood vehicles, foster pedestrian and neighborhood vehicle connectivity, and where appropriate, consider redevelopment.

2. Applicability

This section shall apply to a new development site, a redeveloped site, or where a change in site use occurs within the Connected City for CC-Entitled Properties as defined in this Code, Section 603 Connected City Stewardship District.

3. Existing Nonconformities

Existing developed sites not meeting the requirements of this Section shall be brought into full compliance when one (1) or more of the following conditions are met:

- a. An existing use is improved or remodeled in a value of twenty-five (25%) percent or more of the valuation of the existing principal structure as reflected on the Property Appraiser's current records.
- b. An amendment is required to an existing approved site plan.
- c. A change in use generates a requirement for additional parking.

4. General Standards

- a. On-site parking facilities required herein shall be available throughout the hours of operation of the particular business or use for which such facilities are provided. As used herein, the term parking space includes either covered garage space or uncovered parking lot space located off the right-of-way. Service areas such as gas-pump pads, drive-through aisles, or similar areas shall not be calculated as parking spaces. Parking lots should be located along the rear and sides of buildings, with the buildings close to the rights-of-way to promote pedestrian access, reduce visual clutter, and increase store recognition. Parking lots located in the front of buildings are not prohibited. However, in all cases, specific building position and orientation, and location of parking lots relative to the building shall be reviewed on a case-by-case basis in a collaborative process between the applicant and staff to ensure that key Connected City Planning Principals, such as accommodating pedestrians and neighborhood vehicles, and designing for redevelopment, are reflected in the design.
- b. All parking spaces shall be ample in size for the vehicles for which use is intended. The parking space area per vehicle, exclusive of any driveway or other circulation area, shall be

accessible from a street, alley, or maneuvering area, and shall be not less than:

TABLE 522.9.R.-1

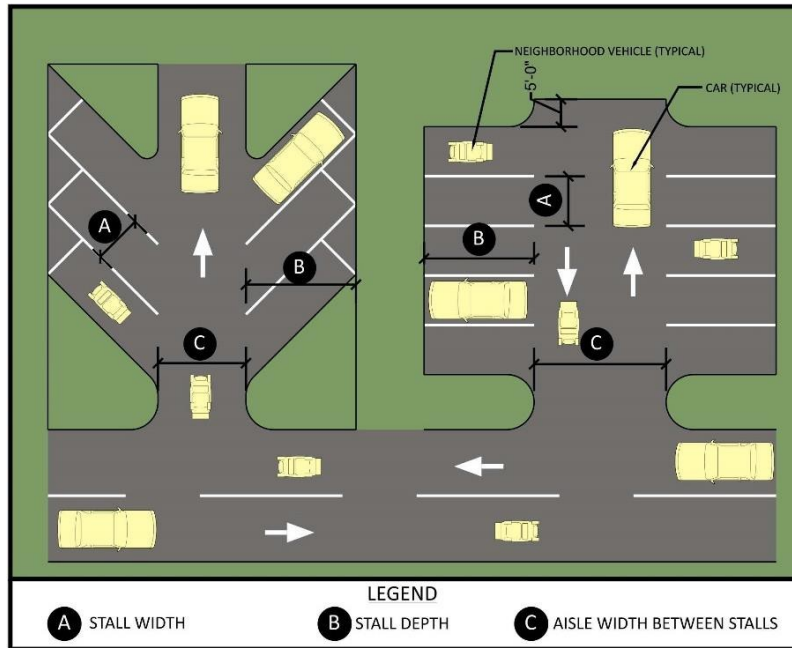
Vehicle Type	Width (feet)	Length (feet)
Standard	9	20
Compact	8	18
Smart Car (or other like vehicle)	8	16
Motorcycle	4	12
Neighborhood Vehicle	6	9

- c. The minimum parking stall length and aisle width shall be as follows:

**TABLE 522.9.R.-2
Minimum Stall Length and Aisle Width**

Parking Angle	Stall Width (A)	Stall Depth (B)	Aisle Width (Feet) (C)	
			One-Way Operation	Two-Way Operation
Cars				
45°	9'	20'	15'	24'
60°	9'	20'	18'	24'
90°	9'	20'	24'	24'
Parallel	8'	24'	15'	24'
Neighborhood Vehicles (Dedicated Lot)				
45°	6'	9'	12'	16'
60°	6'	9'	14'	16'
90°	6'	9'	16'	16'
Parallel	6'	12'	12'	16'

**Figure 522.9.R.-1
Off-Street Parking Stall Dimensions**



Where neighborhood vehicle parking spaces are provided along a Multipurpose Trail, the stalls shall be placed on one side of the trail only and shall be 90° spaces. The minimum Multipurpose Trail width shall be 12 feet adjacent to the parking spaces.

- d. The requirements above for neighborhood vehicle parking spaces shall apply to those developments that elect to include specific parking spaces for neighborhood vehicles. Nothing herein shall preclude neighborhood vehicles from parking in conventional parking spaces. Two (2) neighborhood vehicles shall be permitted to park in standard vehicle 90° parking spaces in accordance with the arrangement shown in Figure 522.9.R.-2, Neighborhood Vehicle Parking – Two Cars per Space. Up to four (4) neighborhood vehicles shall be permitted to park side-by-side at an angle of 90° to the street in standard vehicle parallel parking spaces in accordance with the arrangement shown in Figure 522.9.R.-3, Neighborhood Vehicle Parking – Four Cars per Space.

Figure 522.9.R.-2
Neighborhood Vehicle Parking in Standard
90 Degree Parking Space

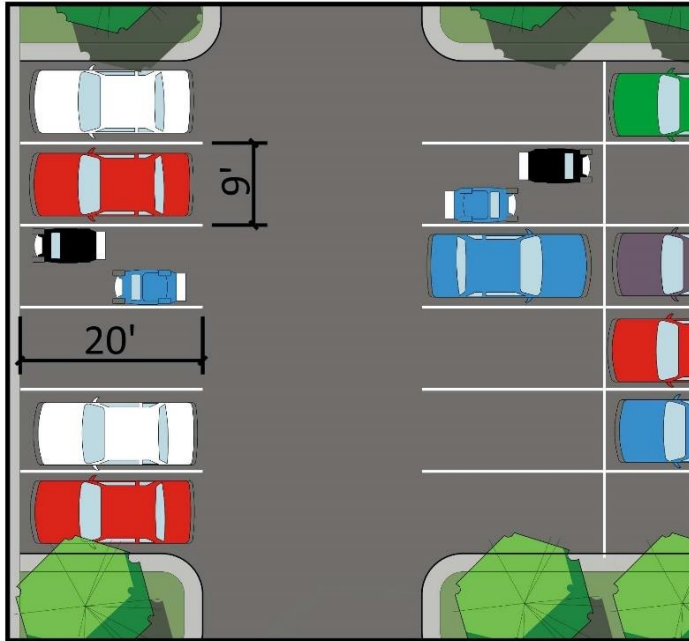
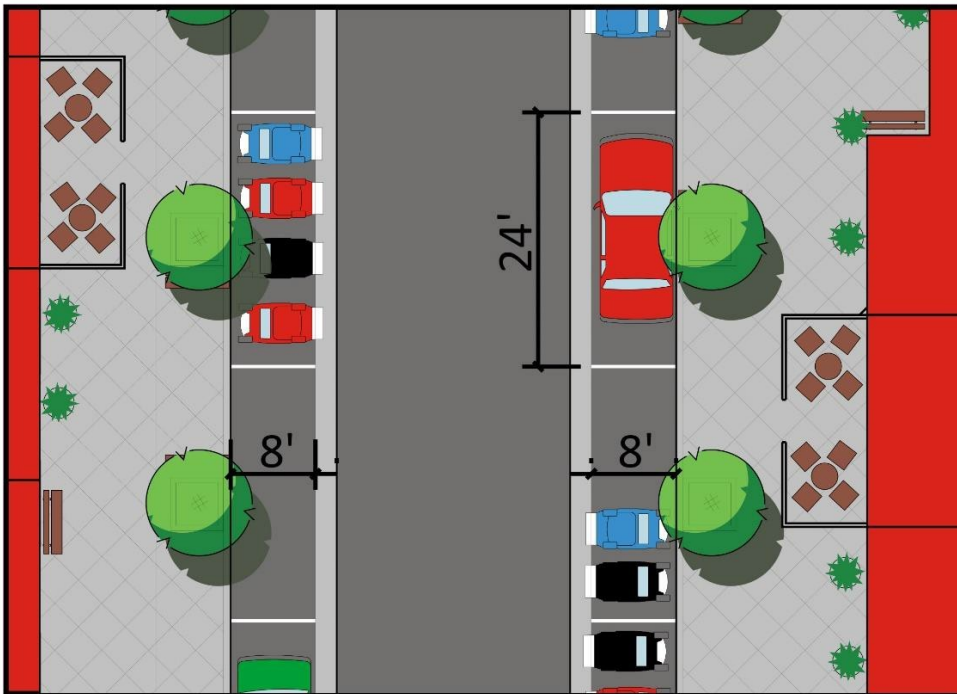


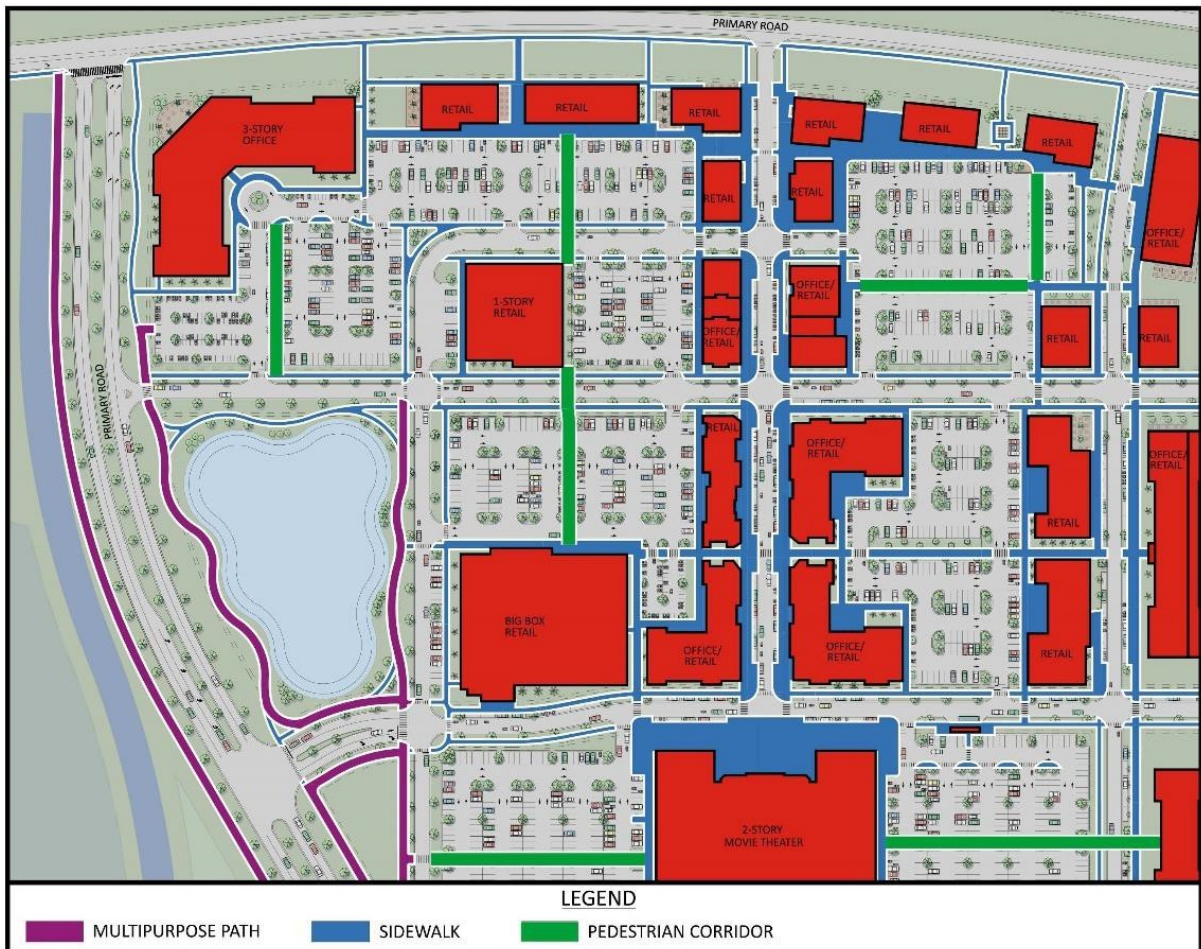
Figure 522.9.R.-3
Neighborhood Vehicle Parking in Standard
Parallel Parking Space



As part of putting pedestrians first, parking lots shall be connected to the sidewalk network of surrounding streets. As well, safe pedestrian circulation within the lot and connections to adjacent uses shall be prioritized over vehicle capacity.

- e. Commercial, office, multi-family, or other projects of a size that requires parking equal to or greater than 200 spaces shall be required to comply with the Complete Streets concept. Complete Streets measures that shall be employed include the following:
 - (1) Placement of five (5) foot minimum width concrete sidewalks along both sides of all drive aisles or access roads that do not have parking spaces on them. Refer to graphic examples in CC-Master Roadway Plan.
 - (2) Placement of a five (5) foot minimum width concrete sidewalk along at least one side of the drive aisle running parallel to the front of the building. Refer to graphic examples in CC-Master Roadway Plan.
 - (3) Placement of crosswalks across the drive aisle running parallel to the front of the building at each building entrance to promote safe pedestrian crossing.
 - (4) Parking Lot Design. The intent and purpose of this subsection is to provide parking lot design which breaks up vast expanses of pavement by creating clearly defined groupings of parking spaces while providing for vehicular needs and safe, efficient, comfortable, pedestrian flow. Vast unbroken parking lots are prohibited. Pedestrian corridors shall be used to create these separations. (See Figure 522.9R.-4 for illustrative example).

Figure 522.9.R.-4
Pedestrian Corridor Exhibit



- (a) Parking areas shall be designed so that no more than 100 spaces (150 spaces for uses that require 501 or more parking spaces) of the total required spaces are part of a clearly defined grouping of spaces. Such groups shall be broken into individual areas and/or clearly separated by pedestrian corridors. The design of the pedestrian corridor shall consider pedestrian movements, conflict points with vehicles, site distance and angles, security site lighting, and safety within the parking lot area. The pedestrian corridor dimensions shall be a 12 feet minimum width and contain 9 feet by 6 feet landscape and tree islands as shown in Figure 522.9.R.-5. There are many design options for pedestrian corridors. Refer to Figures 522.9.R.-6, 522.9.R.-7, and 522.9.R.-8 for three examples of permitted design options.

Figure 522.9.R.-5
Pedestrian Corridor Plan

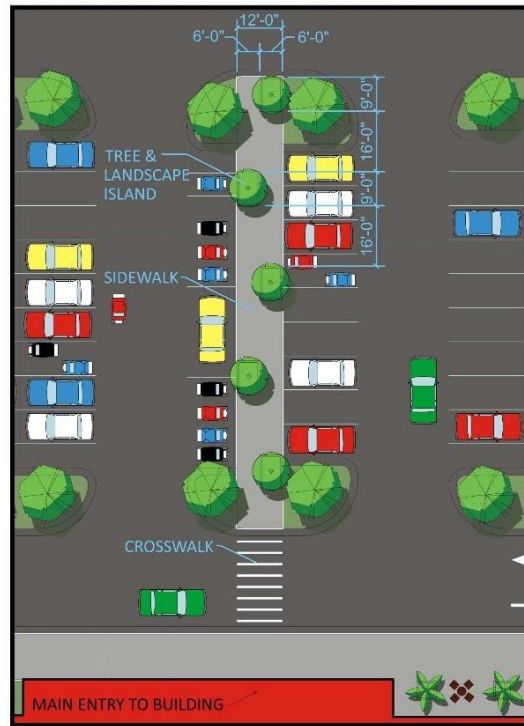


Figure 522.9.R.-6
Pedestrian Corridor
Section Option A

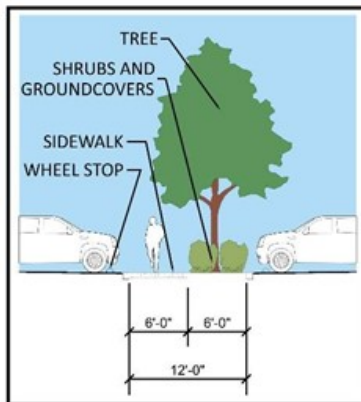


Figure 522.9.R.-7
Pedestrian Corridor
Section Option B

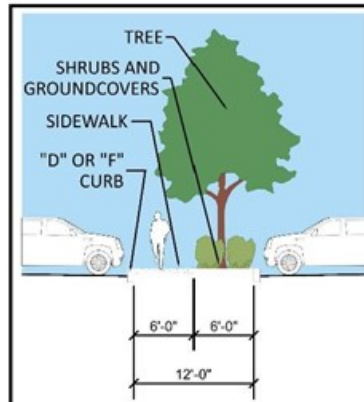
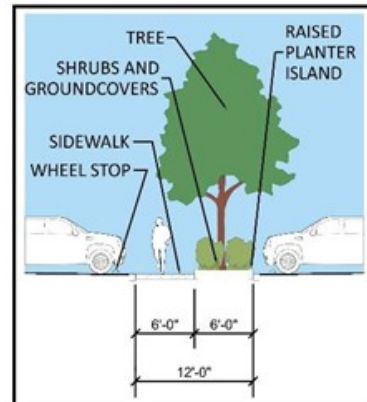


Figure 522.9.R.-8
Pedestrian Corridor
Section Option C



- f. Multipurpose Trails shall be connected to parking lots to allow neighborhood vehicles to access neighborhood vehicle parking spaces or conventional parking spaces, as applicable.
- g. For single-family attached and multiple-family units with individual garage/driveway arrangements, one (1) vehicle may be stacked behind (parked in tandem to) each required off-street parking space and located between garage or carport and

the street right-of-way line. Tandem parking must be located in a driveway or designated stabilized area. A clear- sight triangle shall be maintained. In no case shall parked vehicles placed tandem, including hitches or mechanical equipment, overhang a sidewalk. Stacked parking spaces may not be attributed to units not served directly by the driveway/garage. Tandem parking spaces shall be a minimum 40'L X 9'W of which eight (8) feet must be stabilized, and a maximum of 42'L X 16'W, which may include the covered spaces.

- h. Commercial and industrial parking may be at a ratio of seventy-five (75%) percent full size to twenty-five (25%) percent compact parking spaces. If compact spaces are used, they should be evenly distributed throughout the site and shall be denoted by signs or pavement markings. Compact parking spaces shall not be less than 18'L X 8'W.
- i. Dead-end parking aisles greater than one-hundred and fifty (150) feet in depth shall provide an emergency vehicle turnaround acceptable to the county fire marshal sufficient for a thirty- eight (38) foot long truck with a thirty-two (32) foot wheel base, or as determined by the county fire marshal.
- j. A garage or carport may be located wholly or partly inside the walls of the principal building, or attached to the outer walls. If separated from the principal building, the garage shall conform to all accessory building requirements. A freestanding parking garage on a separate parcel shall meet all principal building requirements. Additionally, the opening of the garage shall be sufficiently set back such that any queuing occurs outside of the right-of-way.
- k. Surfacing: Any off-street parking area shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface including, but not limited to, a gravel, concrete, bituminous concrete, or stabilized vegetation surface, and shall be so arranged as to provide for orderly, safe parking, and storage of vehicles.
- l. Vehicle wheel stops or other design features, such as curbing, shall be used so that parked vehicles do not extend more than two (2) feet into any landscape or buffer area nor reduce an abutting sidewalk width to less than five (5) feet.
- m. All vehicular use areas shall comply with the applicable requirements of the Americans with Disabilities Act.
- n. Parking structures can be either single-level garages with ground-level parking beneath the upper levels containing

habitable floor area, or multi-level garages with ramps leading to at least one elevated parking deck.

Parking Garage Design standards: The following requirements shall apply to parking garages:

- (1) Minimum setbacks: Parking garages shall comply with the minimum setbacks for principle structures in accordance with the approved CC-MPUD rezoning for the parcel on which they are situated.
- (2) Maximum height: Parking garages shall comply with the maximum height for structures in accordance with the approved CC-MPUD rezoning for the parcel on which they are situated.
- (3) Minimum parking stall dimensions: Shall comply with Table 522.9.R.-2.
- (4) Minimum drive aisle widths: Shall comply with Table 522.9.R.-2.
- (5) Floor Area Ratio: Parking garages shall not be counted toward the allowable Floor-Area Ratio for a site unless specifically required by the zoning district.
- (6) Vehicular accessibility: Vehicular access shall be designed in a manner that minimizes disruption to pedestrian corridors and the streetscape.
- (7) The width of a driveway intersecting a public sidewalk shall comply with Access Management Section of this Code.
- (8) Minimum vehicle stacking requirements at entry points.
 - (a) Free flow entries means an entry into a parking garage without controls, such as attendants or automatic ticket-dispensing controls: one vehicle space per entry lane.
 - (b) Automatic ticket-dispensing entries mean an entry into a parking garage controlled by a machine dispensing tickets for garage use: two vehicle spaces per entry lane.
 - (c) Manual, ticket-dispensing entries mean an entry into a parking garage controlled by a person manually dispensing tickets for garage use: four (4) vehicle spaces per entry lane.

- (d) Manual, key-card entries mean an entry into a parking garage controlled by a key card for garage use: two (2) vehicle spaces per entry lane.
- (9) Orientation: In order to orient parking structures to the interior of development sites, parking garages shall:
 - (a) Include residential dwelling units, retail storefronts or office facades along all first floor exterior walls adjacent to a street, excluding alleys, except where driveways exist; or;
 - (b) Shall be screened with ornamental grillwork, artwork, or similar architectural features.
- (10) Architectural design: Parking structures shall be compatible with abutting structures.
- (11) Lighting: Light poles on top of parking garages shall be limited to a maximum height of twenty (20) feet. Lighting on top of parking garages is prohibited between the hours of 11:00 p.m. and sunrise, except that lighting is allowed while the parking facility is open to the public. Security lighting is excluded from this prohibition.
- o. Nothing herein shall be construed to preclude the use of on-street parking on appropriate street types within the Urban Core (refer to Typical Sections in the CC-MRP. On-street parking spaces, if provided adjacent to a building or use within the Urban Core, shall off-set, one-for-one, required off-street parking spaces addressed in this Code, Subsection 522.9.R.5 Parking Facilities Required.
 - (1) On-street parking shall be provided in accordance with the dimensions set forth in this Code, Table 522.9.R.-2 Minimum Stall Length and Aisle Width, above.
 - (2) On-street parking shall be allowed within “Clear Sight Lines” as defined in the Florida Department of Transportation *Design Standards*, Index 546 and “sight triangles,” as defined in Chapter 3 of the Florida Department of Transportation *Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways*.

5. Required Parking Facilities

Any structure or building hereafter erected, converted, or enlarged for any of the following uses, or any open area hereafter used for

commercial purposes, shall be provided with not less than the minimum spaces as set forth below, which spaces shall be readily accessible to the uses served thereby. Fractional numbers of parking spaces shall be increased to the next whole number.

Prior to permitting parking in excess of one-hundred and ten (110%) percent of the required parking or ten (10) spaces, whichever is more, consideration shall be given to shared parking pursuant to this Code, Subsection 522.9.R.7 Allowed Parking Facility Reductions.

If parking spaces are provided in excess of ten (10) percent of the required parking, those excess parking spaces are encouraged to be constructed with low impact materials; e.g., pervious pavers or stabilized vegetation.

Requirements for off-street parking for uses not specifically mentioned shall be the same as provided for the use most similar to the one sought as determined by the County Administrator or designee.

In such instances, the applicant shall provide adequate information by which the proposal can be reviewed, which includes but may not necessarily be limited to the following:

- a. Types of uses;
- b. Number of employees;
- c. Building design capacity;
- d. Square feet of sales area and service area;
- e. Parking spaces proposed on site;
- f. Parking spaces provided elsewhere; and
- g. Hours of operation.

Table 522.9.R.-3

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Residential Uses				
Single-Family Detached, Single-Family Attached, and Two-Family Dwellings, Including Modular and Mobile Homes	1, 2, and 3 bedrooms: 2 spaces/unit	100/0	0	If on-street parking is not permitted or is restricted on the unit's street frontage, then 0.25 visitor parking space per unit shall be required. The visitor space shall be located not more than 200 feet from the unit's street frontage. Resident parking spaces may be tandem in accordance with this Code.
	4 or more bedroom: 3 spaces/unit	100/0	0	
Cluster/Multiple Family Development		75/25		
Resident Parking	Studio: 1 space/unit	100/0	0.02 per provided space	Resident parking spaces may be tandem in accordance with this Code.
	1, 2, or 3 bedroom: 2 spaces/unit	100/0	0.02 per provided space	
	4 or more bedrooms: 3.0 spaces/unit	100/0	0.02 per provided space	

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Residential Uses				
Visitor Parking	0.25 space/unit	50/50	0	On-street parking provided in accordance with the dimensions required for parallel spaces may count toward the visitor parking requirements. These spaces must be located within 200 feet of the building being serviced.
Model Home	As shown above based upon bedrooms, plus 1 space/salesperson	100/0	0	Salesperson space may be a vacant garage space in the model home or on-street parking if otherwise permitted.
Group Living Facilities				
Assisted Living Facilities	1 space per employee on the largest shift, plus 1 space per 4 beds, plus 1 space per facility vehicle	75/25	0.02 per provided space	
Community Residential Home	1 space per 5 clients permitted, plus 1 space per employee	75/25		
Boardinghouse	1 space per room	75/25	0.02 per provided space	

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Fraternity or Sorority House	1 space per 2 students based on maximum occupancy, plus 1 space per manager	75/25	0.02 per provided space	
Commercial Uses				
Uses Located in Shopping Centers and Free-Standing Retail	1 space per 300 SF (GFA)	75/25	0.02 per provided space	
Auto Repair	4 spaces per bay, plus 1 space per employee	75/25	0	Service bays are not spaces.
Auto Sales	1 space/400 SF of GFA, plus 4 spaces for each service bay	75/25	0	Parking spaces shall be in addition to display areas.
Auto Service Station: without Associated Convenience Store	2 spaces, plus 4 spaces for each service bay	75/25	0	Additional use parking associated with the service station, such as fast food or washing stations, shall be calculated in accordance with the use and is in addition to service station parking.
Auto Service Station: with Associated Convenience Store	1 space per 250 SF of GFA store, plus 4 spaces for each service bay	75/25	0	Additional use parking associated with the service station, such as fast food or washing stations shall be calculated in accordance with the use and is in addition to service station parking.

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Auto Wash	2 spaces/washing stall	75/25	0	Stacking shall be provided as put forth in this Code.
Commercial Uses				
Personal Services	1 space per 200 SF	75/25	0.10 per provided space	
Bank, Savings and Loan, Financial Institution	1 space/250 SF	75/25	0.10 per provided space	Stacking shall be provided as put forth in this Code.
Hotel, Motel	1 space per room	75/25	0.02 per provided space	
Home Improvement Stores, Lumberyards; Nurseries		75/25	0.02 per provided space	
Less than 20,000 SF of GFA	1 space/300 SF of GFA for retail sales/publically accessible areas	75/25	0.02 per provided space	
More than 20,000 SF of GFA	1 space/400 SF of gross floor area for retail sales/publically accessible areas	75/25	0.02 per provided space	
Self-Storage Facilities	1 space per 300 SF office, plus 1 space per 1000 SF of storage area	75/25	0	Where 24-foot-wide drive aisles about the storage building, such aisles may be used as parking and loading space and only office parking is required.

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Commercial Uses				
Mortuaries, Funeral Homes, and Undertaking Establishments	1 space per 100 SF of floor area for public use, plus 1 space per employee on shift, plus service area/parking for hearses/ambulances	75/25	0	
Offices				For on-site parking facilities containing 1,000 or more parking spaces, the parking requirement shall be 1 space per 500 SF of GFA for parking spaces required in excess of 1,000 SF.
Nonmedical Administrative Business and Professional	1 space/300 SF of GFA	75/25	0.02 per provided space	
Government	1 space/300 SF of GFA*	75/25	0.02 per provided space	*Additional spaces will be required for facilities that support public assembly, festivals, customer service activities, elections, or similar activities in accordance with this Code.

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Commercial Uses				
Mortuaries, Funeral Homes, and Undertaking Establishments	1 space per 100 SF of floor area for public use, plus 1 space per employee on shift, plus service area/parking for hearses/ambulances	75/25	0	
Offices				For on-site parking facilities containing 1,000 or more parking spaces, the parking requirement shall be 1 space per 500 SF of GFA for parking spaces required in excess of 1,000 SF.
Nonmedical Administrative Business and Professional	1 space/300 SF of GFA	75/25	0.02 per provided space	
Government	1 space/300 SF of GFA*	75/25	0.02 per provided space	*Additional spaces will be required for facilities that support public assembly, festivals, customer service activities, elections, or similar activities in accordance with this Code.

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Food and Drink				
Restaurants				
On-Premises with no Drive-Through	1 space/100 gross SF of floor area up to 6,000 gross SF plus 1 space/75 gross SF of floor area over 6,000 gross SF, including any outdoor/semi-enclosed eating area	75/25	0.02 per provided space	Curbside-to-go pick-up spaces will not be credited toward required parking.
On-Premises with Drive-Through	1 space/150 gross SF of floor area up to 6,000 gross SF plus 1 space/75 gross SF of floor area over 6,000 gross SF, including any outdoor/semi-enclosed eating area	75/25	0.02 per provided space	Stacking shall be provided as put forth in this Code
Take-out	1 space/300 SF of gross floor area plus 1 per employee on the largest shift	75/25	0.02 per provided space	No seating area provided. Stacking shall be provided as put forth in this Code.
Bars, Taverns, Clubs	1 space per 75 SF	75/25	0.02 per provided space	
Catering/ Banquet Halls	2 spaces per 100 SF	75/25	0	
Educational Facilities				
Day Care Center	1 space/staff member, plus 1 space/15 clients of licensed capacity	75/25	0	

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Educational Facilities				
Elementary and Middle Schools	1 parking space per faculty member or State Requirements for Educational Facilities (SREF) plus adequate parking for special events; e.g., open houses or pageants.	75/25	0.5 per provided space	Bicycle spaces for teachers and visitors should be separate from spaces for students.
Senior High Schools	10 spaces per classroom, plus 1 space per administrative or staff position or SREF	75/25	0.5 per provided space	
Colleges, Universities	1 space per student; 1 space per administrative or staff position. Housing facilities on college/university campuses must provide associated off-street parking of 2 spaces for each 3 sleeping rooms. Other such accessory uses for colleges/universities ; i.e., libraries, auditoriums, stadiums, etc., shall provide parking as required in this table for such uses.	75/25	0.5 per provided space	
Human Health Services				
Convalescent and Nursing Homes	1 space/4 beds	75/25	0.02 per provided space	

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Educational Facilities				
Elementary and Middle Schools	1 parking space per faculty member or State Requirements for Educational Facilities (SREF) plus adequate parking for special events; e.g., open houses or pageants.	75/25	0.5 per provided space	Bicycle spaces for teachers and visitors should be separate from spaces for students.
Senior High Schools	10 spaces per classroom, plus 1 space per administrative or staff position or SREF	75/25	0.5 per provided space	
Colleges, Universities	1 space per student; 1 space per administrative or staff position. Housing facilities on college/university campuses must provide associated off-street parking of 2 spaces for each 3 sleeping rooms. Other such accessory uses for colleges/universities ; i.e., libraries, auditoriums, stadiums, etc., shall provide parking as required in this table for such uses.	75/25	0.5 per provided space	
Human Health Services				
Convalescent and Nursing Homes	1 space/4 beds	75/25	0.02 per provided space	

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Human Health Services				
Medical; Dental Offices and Clinics, including Independent Testing Laboratories	1 space/200 SF of GFA	75/25	0.02 per provided space	
Hospitals	1 space per bed	75/25	0.02 per provided space	
Health Club/Gym	1 space per 100 SF	75/25	0.05 provided spaces	
Companion Animal Uses				
Veterinarian Office/Animal Hospital	1 space/200 SF of GFA	75/25	0	
Kennels, Boarding	1 space/300 SF	75/25	0	Kennel spaces are in addition to any required residential parking.
Kennels, Breeding	1 space per nonresidential employee plus 1 space per 1,000 SF of kennel area	75/25	0	Kennel spaces are in addition to any required residential parking.
Grooming Services	1 space/200 SF of GFA	75/25	0	Spaces are in addition to any required residential parking.
Stables, Public	1 space per 5 stalls	75/25	0.02 per provided space	Spaces are in addition to other uses, such as residences, on site.

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Entertainment and Recreation				
Arcades, Games	1 space/200 SF of GFA	75/25	0.05 per provided space	
Bowling Alleys	3 spaces/alley, plus required parking for other uses on the site	75/25	0.02 per provided space	
Billiards Hall, Bingo Hall, Lodges	1 space per 75 SF of GFA	75/25	0.02 per provided space	
Driving Range (Golf)	2 spaces/tee plus required parking for any other uses on the site	75/25	0.02 per provided space	
Golf Course (Regulation)	4 spaces/hole plus required parking for any other uses on the site	75/25	0.02 per provided space	
Miniature Golf	1 space/3 holes plus required parking for any other uses on the site	75/25	0.05 per provided space	
Parks and Other Similar, Passive-Use Open Areas	1 space per 2,500 SF devoted to the activity	75/25	0.05 per provided space	
Other Outdoor Entertainment, Sports, and Recreation	1 space per 3 persons based on occupancy, plus 1 space per employee on major shift	75/25	0.05 per provided space	Where tournaments or similar contests are expected, additional open areas suitable for parking/loading may be required.
Nightclubs and Dance Halls	1 space per 75 SF	100/0	0	
Community Clubhouse/Recreation Center	1 space per 200 SF	75/25	0.05 per provided space	

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Entertainment and Recreation				
Skating Rinks	1 space/200 SF of GFA	75/25	0.10 per provided space	
Swimming Pools Commercial	1 space per 120 square of water surface	75/25	0.05 per provided parking	
Swimming Pools Community (Subdivision)	1 space per 200 SF of surface water	75/25	0.05 per provided parking	Where pools are accessory to clubhouse or recreation center, 1 space per 200 SF of structure only.
Tennis, Handball, and Racquetball Facilities	2 spaces/court plus required parking for additional uses on the site	75/25	0.05 per provided space	
Theaters, Movies	1 space/3 seats in auditorium(s)	75/25	0.10 per provided space	
Amusement Parks	Based upon site or traffic analysis		0	
Marinas, Boat Liveries	1 space per 3 wet slips, plus 1 space per 5 dry slips, plus 1 space per employee	100	0	75 percent of the parking spaces shall be sized for truck and hitched-trailer parking.
Places of Assembly				
Auditoriums, Stadiums, Amphitheaters, and Similar Spaces of Public Assembly	1 space/3 seats or 1 space/35 SF of GFA where there are no fixed seats	75/25	0.10 per provided space	

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Entertainment and Recreation				
Skating Rinks	1 space/200 SF of GFA	75/25	0.10 per provided space	
Swimming Pools Commercial	1 space per 120 square of water surface	75/25	0.05 per provided parking	
Swimming Pools Community (Subdivision)	1 space per 200 SF of surface water	75/25	0.05 per provided parking	Where pools are accessory to clubhouse or recreation center, 1 space per 200 SF of structure only.
Tennis, Handball, and Racquetball Facilities	2 spaces/court plus required parking for additional uses on the site	75/25	0.05 per provided space	
Theaters, Movies	1 space/3 seats in auditorium(s)	75/25	0.10 per provided space	
Amusement Parks	Based upon site or traffic analysis		0	
Marinas, Boat Liveries	1 space per 3 wet slips, plus 1 space per 5 dry slips, plus 1 space per employee	100	0	75 percent of the parking spaces shall be sized for truck and hitched-trailer parking.
Places of Assembly				
Auditoriums, Stadiums, Amphitheaters, and Similar Spaces of Public Assembly	1 space/3 seats or 1 space/35 SF of GFA where there are no fixed seats	75/25	0.10 per provided space	

USE	MINIMUM ON SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Places of Assembly				
Religious Assembly	1 space/3 seats within the main assembly room or if there are no fixed seats, 1 space/35 SF of GFA within the main room, plus spaces for additional uses on site	75/25	0.10 per provided space	
Industrial Uses				
Flex Space	Per site or traffic analysis, but not less than 1 space per 500 SF	75/25	0	
Manufacturing or Assembly	1 space per 700 SF	100/0	0	
Truck Terminals and Wholesale Warehouses	1 space per employee, plus 1 space for each vehicle used in connection with the facility, plus sufficient space to accommodate the largest number of vehicles that may be expected at one time	100/0	0	Spaces shall be sized appropriately for the intended vehicle.
Visitor Parking	5 spaces per building	75/25	0	
Utilities				
Unmanned Projects, such as Substations, Cell Towers, and Water or Wastewater Pumping Stations	1 space per location			

6. Neighborhood Vehicle Parking

- a. Allowances for neighborhood vehicles in this Code, Subsection 522.9.R.4.d notwithstanding, high schools within the Connected City shall be required to have a minimum of ten (10) neighborhood vehicle spaces per classroom arranged in a dedicated neighborhood vehicle parking lot. Access to these neighborhood vehicle parking lots shall be from a twelve (12)--foot minimum Multipurpose Trail. The Multipurpose Trail shall not cross car or bus accesses to the high school within high school property.

**Figure 522.9.R.-9
High School Exhibit**



- b. When dedicated neighborhood vehicle parking spaces are provided, they shall be allowed to reduce standard vehicle parking spaces on a one-for-one basis, up to ten (10%) percent of the required number of standard vehicle parking spaces.

7. Allowed Parking Facility Reductions

Where the following alternative transportation options are provided, the required parking spaces for Multi-family, Commercial, Office, and Industrial uses may be reduced; such options shall be assessed cumulatively:

a. Carpools, Vanpools or Bike-Sharing

Where infrastructure and support programs to facilitate shared vehicle or bicycle use, such as carpools, vanpools, car-share services, ride boards, bike-share systems and shuttle services to mass transit are provided, the required parking spaces may be reduced by up to ten (10%) percent.

b. Low-Emitting, Fuel Efficient, and Alternative Energy Vehicle Sharing Program

Where building occupants have access to a low-emitting, fuel efficient or alternative energy vehicle-sharing program, the required parking spaces may be reduced by up to ten percent. The following requirements must be met:

- (1) A vehicle-sharing contract must be provided that has an agreement of at least two (2) years.
- (2) The estimated number of building occupants served per vehicle must be supported by documentation.
- (3) A narrative explaining the vehicle sharing program and its administration must be submitted.
- (4) Parking for low-emitting and fuel efficient vehicles must be located in the nearest available spaces in the nearest available parking area.

In addition to the reduced number of spaces, the spaces provided for low-emitting, fuel efficient, or alternative energy vehicles may be reduced to a minimum of 5'W X 9'L.

c. Transit Facilities

Where the facility is located within one-quarter (1/4) mile walking distance (measured from the project boundary) of one or more existing or planned stops, the required parking spaces may be reduced by up to fifteen (15%) percent.

Where a reduction in the required parking is requested, the applicant shall provide an alternative standard applicable with adequate information by which the proposal can be reviewed.

d. Shower and Locker Room Facilities for Cyclists

Developments with 100 or more employees may reduce their automobile parking requirement by ten (10%) percent when

showers and locker room facilities are provided for employees that commute by bicycle.

8. Shared Parking

To reduce heat island effects and the development of unnecessary, impervious parking areas; shared parking is encouraged.

Shared parking may be allowed when land uses have different parking demand patterns and are able to use the same parking spaces/areas throughout the day. Shared parking is most effective when these land uses have significantly different peak-parking characteristics that vary by the time of day, day of the week, and/or season of the year.

a. Calculation of Parking Spaces Required with Shared Parking

The minimum number of parking spaces for a mixed-use development or where shared-parking strategies are proposed shall be determined by a study prepared by the applicant following the procedures of the Urban Land Institute (ULI), Shared Parking Report, Institute of Transportation Engineers (ITE), Shared Parking Guidelines, or other approved procedures. A formal parking study may be waived where there is established experience with the land use mix and its impact is expected to be minimal. The actual number of parking spaces required shall be based on well recognized sources of parking data, such as the ULI or ITE reports. If standard rates are not available or limited, the applicant may collect data at similar sites to establish local parking demand rates. If the shared parking plan assumes use of an existing parking facility, then field surveys shall be conducted to determine actual parking accumulation. These surveys should consider the seasonal peak period for the combination of land uses involved. The applicant shall determine the minimum number of parking spaces required for shared-parking arrangements or mixed-use developments by the following:

- (1) Determine the number of parking spaces that are required for each land use separately.
- (2) Based on the hourly variation in parking demand, determine the peak-parking demand for the combined demand of all the uses in the development.
- (3) Compare the calculations in Steps (1) and (2) above, and the lesser of the two (2) peak-parking demands shall be used as the minimum number of parking spaces that needs to be provided.

b. Distance to Parking Spaces and Pedestrian Connection Requirements

The closer shared spaces are to the land uses they serve, the more likely the arrangement will be a success. Shared spaces for residential units must be located within three-hundred (300) feet of dwelling unit entrances they serve. Shared spaces at other uses must be located within five-hundred (500) feet of the principal building entrances of all sharing uses. However, up to twenty (20%) percent of the spaces may be located greater than five-hundred (500) feet but less than one-thousand (1,000) feet from principal entrances. Clear, safe pedestrian connections must be provided. Up to fifty (50%) percent of nonresidential spaces may be provided at greater distances if a dedicated shuttle bus or van service is provided from a remote parking facility.

c. Agreement Between Sharing Property Owners

If a privately owned parking facility is to serve two (2) or more separate properties, a recorded legal agreement between property owners guaranteeing access to, use of, and management of designated spaces is required. The recorded, legal agreement shall be acceptable to the County Attorney's Office.

d. Shared Parking Plan

Where shared parking is proposed, a shared parking plan shall be submitted that includes the following:

- (1) A site plan of the parking spaces intended for shared parking and their proximity to land uses they will serve.
- (2) A signage plan that directs drivers to the most convenient parking areas for each particular use or group of uses (if distinctions can be made).
- (3) A pedestrian circulation plan that shows connections and walkways between parking areas and land uses. These paths should be as direct and short as possible.
- (4) A safety and security plan that addresses lighting and maintenance of the parking area.

9. Bicycle Parking Facilities Standards

The following customer standards shall apply for bicycle storage areas:

- a. Bicycle parking facilities shall include provisions for the secure storage and locking of bicycles in a stable position without damage to wheels, frames, or components.
- b. All designed bicycle parking facilities shall be provided with markings and symbols clearly visible to the public which indicates the location of the bicycle parking facilities.
- c. For nonresidential developments, visitor and customer bicycle - parking facilities must be clearly visible from a main entry and located within 100 feet of the door, served with night lighting where required, and protected from damage from nearby vehicles. If the building has multiple main entries, bicycle parking facilities must be proportionally dispersed within one-hundred (100) feet of each entry.

S. Home Occupations

1. Intent and Purpose

The intent of this section is to provide for certain types of restricted home occupations within the Connected City Entitled Properties. The purpose of this section is to establish performance standards that will provide fair and equitable administration and enforcement of this section within property which is a CC-Entitled Property as defined in this Code, Section 603 Connected City Stewardship District. Only such uses will be allowed which:

- a. Are incidental to the use of the premises as a residence;
- b. Are compatible with residential uses in the area; and
- c. Are limited in scale and intensity.

If the application of the home occupation regulations conflict with other sections of this Code, the most restrictive shall apply.

2. Review Procedures

Unless otherwise indicated as a permitted accessory use, home occupations are reviewed pursuant to this Code, Section 402.4, as Special Exception Uses. Minor home occupations are permitted as-of-right for CC-Entitled Properties, unless they exceed specified performance standards set forth in Subsections 3.a through 3.k below.

3. Minor Home Occupation Standards

Minor home occupations permitted as-of-right for CC-Entitled Properties and shall not exceed the following performance standards:

- a. A minor home occupation shall occupy no more than fifty (50%) percent of the total floor area of the dwelling unit and non-dwelling unit accessory building.
- b. There shall be no change in the outside appearance of the building or premises as a result of such business.
- c. No exterior signs and no signs that would be visible from the street or neighboring dwellings that are associated with the home occupation are permitted. Professional signs that are statutorily required are permitted.
- d. A home occupation shall be conducted wholly within the principal residential dwelling unit or in an accessory building on the parcel.
- e. No outside display, storage, or use of land is permitted for the home occupation.
- f. The use shall not create dangerous vapors or fumes, and no use shall be permitted where noise, light, glare, odor, dust, vibration, heat, or other nuisance extends beyond the subject dwelling unit or structure.
- g. More than one (1) home occupation may be permitted in a single residence; however, all applicable limitations herein shall apply to the combined uses as if they were one business.
- h. In no case shall more than twenty-eight (28) total daily trips, including those associated with the primary residential use, be generated per dwelling unit as a result of the establishment of the home occupation(s). Neighborhood vehicles shall not count towards the maximum twenty-eight (28) total daily trips.
- i. All parking external to the garage shall be limited to four (4) vehicles parked at a given time. Two (2) neighborhood vehicles are equivalent to one (1) standard vehicle.
- j. No truck deliveries are permitted, except for parcels delivered by public or private services that customarily make residential deliveries.
- k. Traditional home-based instruction, such as, but not limited to, tutoring and music or swimming lessons or the like, is permitted where instruction is provided by only one (1) instructor to no more than three (3) students per class.

4. Major Home Occupation Standards

- a. Major Home Occupations are defined as any home occupation that exceeds any of the Minor Home Occupation performance standards listed in Subsections 3.a through 3.k above. An applicant may seek a Special Exception from the Planning Commission (PC) for a Major Home Occupation. The PC can allow Major Home Occupations if they meet the intent and purpose of the Code, Section 522.9.S.1. The approval of the special exception shall not be transferred to another owner or lessee of the property.

T. Gigabit to the Home/Business for CC-Entitled Properties

1. All roads within Connected City shall be installed with Fiber to accommodate the requirements of all residential and business structures (premises).
2. Fiber to the premises (FTTP) shall be installed for each home and business. Such Fiber architecture must deliver and transport symmetric 1000x1000 Mbps (1 Gigabit per second) speeds or higher upon installation for every premises.
3. All homes and businesses shall be installed with Cat 6 cable or higher to enable gigabit connectivity. Such cost may be creditable against the Smart Gigabit Community Infrastructure Fee as may be determined by the County Administrator or his/her designee.

CHAPTER 600. OVERLAY AND SPECIAL DISTRICT AREAS

SECTION 604. NORTHEAST PASCO RURAL PROTECTION OVERLAY DISTRICT

604.1. Intent and Purpose

The intent and purpose of the Northeast Pasco Rural Protection Overlay District is to implement the provisions of the Pasco County Comprehensive Plan (Goal FLU: 2 “PROTECTION OF RURAL AREAS” with specific focus on Policy FLU: 2.1.1 “RECOGNITION OF THE NORTHEAST PASCO RURAL AREA”). The provisions of this Section are intended to assist in preserving and protecting Northeast Pasco County’s existing rural and agricultural character for existing residents while providing for the area’s orderly and appropriate growth to allow future residents the opportunity to enjoy its rural lifestyle. The boundary of the Northeast Pasco Rural Protection Overlay district is illustrated in Figure 604-1, “Northeast Pasco Rural Protection Overlay District Boundary.”

This District’s intent is to protect the character of the rural landscape, preserve scenic views and vistas, and ensure that on-site development is compatible with the character of the surrounding area.

The 2006 Northeast Pasco County Special Area Plan adopted as a Technical Support Document of the Comprehensive Plan contains a “photo safari” exercise of the Northeast Pasco Rural Area to help characterize this area.

Objective FLU 2.1 (Policy FLUs 2.1.1-2.1.18) establishes the intent and provides guidance concerning the creation of the Northeast Pasco Rural Area and the Comprehensive Plan Policies.

In addition to other Sections of the LDC, Section 604 and the sections cited in the following table implement the following provisions of the Pasco County Comprehensive Plan:

**Table 604-1
LDC Sections Implementing NE Rural Comprehensive Plan Policies**

Comprehensive Plan Policy	Required LDC Amendment	Implementing LDC Section
2.1.5	Topography Protection	604.5
2.1.6	Conservation Subdivisions	522.7
2.1.8	Commercial Enclave Development	Reserved
2.1.9	Rural Lighting Standards	604.5.F
2.1.10	Corridor Overlay	604 (various sections)
2.2.4	Conservation Subdivisions	522.7
2.3.3	Rural Neighborhood Protection	402.2, 304, 305, 306, 522
2.3.4	Rural Lighting Standards	604.5.F

Nothing set forth in this Section 604 shall prohibit a request for Alternative Standards in accordance with Section 407.5.

604.2. **Applicability**

- A. Section 604.4 “Scenic Roadway Corridor Preservation and Enhancement” and Section 604.5 “Rural Residential Development” shall apply to all development or redevelopment, for three (3) or more residential units.
- B. Should a CS-MPUD be located adjacent to a designated Scenic Roadway Corridor, such development shall consider the Scenic Roadway Corridor Preservation and Enhancement Planning and Design Standards, as per Section 604.4.
- C. Minor Rural Subdivisions (MRS) and Limited Family Lot Divisions (LFLD) may be used to subdivide property within the Northeast Rural Area. Minor Rural Subdivisions (MRS) are subject to this Code, Section 604, and are not precluded from their current standards as outlined in the LDC, Section 700.2.A. Limited Family Lot Divisions (LFLD) are exempt from this Code, Section 604.

604.3. **Exemptions**

Prior Development Approvals: Projects that have received content approval or received MPUD, preliminary site plan/preliminary development plan, construction plan or building permit approval before the effective date of this Section are exempt from this Section, subject to the provisions of 402.2.M and 403.3.F.

604.4. **Scenic Roadway Corridor Preservation and Enhancement**

A. Intent

The intent of planning and design standards within this section is to preserve and/or enhance scenic views from designated roadway corridors that traverse Rural Northeast Pasco County.

B. Designation of Rural Scenic Roadway Corridors

Pursuant to Policy FLU 2.1.10, “Corridor Overlay District for Rural Scenic Roadways in the Northeast Pasco County Rural Area” roadways classified as either “rural scenic road” or “rural-residential road” shall be critical to sustaining and maintaining the rural character of this area.

- 1. The following roadway segments are designated as “Rural Scenic Roadways” (see Figure 604-2, “Northeast Pasco Rural Scenic Roadways”): (a) “Rural Scenic Roads” S.R. 52, from Scharber Road extended east to the Dade City limits; St. Joe Road; Blanton Road; Bellamy Brothers Road; and Trilby Road to the extent that they are located in the Northeast Pasco County Rural Area; and (b) “Rural-Residential Roads” include Lake Iola Road, Happy Hill Road, Frazee Hill Road, Jessamine Road, Johnston Road, and Scharber Road.

2. Subject to the provisions of Policy FLU 2.1.12 and TRA 2.3.5, the number of necessary travel lanes for the Rural Scenic Roadways is limited to two (2), unless otherwise required and consistent with Chapter 7, Transportation Element Table 7-4A, Pasco County Corridor Preservation Table.
3. Subject to the provisions of Policy FLU 2.1.12 and TRA 2.3.5, the Rural Scenic Roadways shall be designed to the rural typical cross section as depicted in Figure 604-3, as adopted.

C. Corridor and Building Buffer and Screening Standards

Subject to the applicability provisions of Section 604.2 above, all new development abutting a designated Scenic Roadway Corridor shall comply with the corridor and building buffer requirements as further detailed in this Section in lieu of the landscaping and buffering requirements in Section 905.2. In no case shall a development be deemed to abut a Scenic Roadway Corridor if the parcels included within the proposed development (excluding connecting roads and/or streets that provide access to a public right-of-way from the development) are more than 1,000 feet from of the Scenic Roadway Corridor.

One of the following options shall be used to meet the Corridor Buffer and Screening Requirements: 1) Corridor Buffer (Section 604.4.C.1); 2) Building Buffer (Section 604.4.C.2); or 3) Combination of Corridor and Building Buffer (Section 604.4.C.3.). The land owner/applicant shall choose the option that best complies with the intent of maintaining and preserving viewsheds to protect scenic vistas to the greatest extent possible. Option 1 may be waived altogether in the event the preservation of a view shed and associated scenic vista(s) is being proposed by the landowner/applicant and is approved by the County Administrator or designee.

1. Corridor Buffer

a. Corridor Tree Preservation

Unless otherwise approved by the County pursuant to an approved landscaping plan, existing trees, (8") DBH or larger, located within the required tree buffer, shall be preserved; provided, however, (i) underbrush or understory vegetation may be cleared from buffer areas and (ii) invasive species within a project or phase area shall be removed, in accordance with LDC Section 905.2.C.2.b.(2). Routine tree maintenance and tree replacement or addition of trees may occur as appropriate.

b. Corridor Tree Buffer

Subject to the applicability provision set forth in this Section 604, all new development abutting a designated Scenic Roadway Corridor shall establish a tree buffer area meeting or exceeding the following standards:

- (1) Tree quantity required shall be four (4) qualifying trees (see Section 604.2.C.1.b.3. below) per one hundred (100) linear feet of Scenic Roadway Corridor frontage.
- (2) Trees shall be planted in clusters of like tree species and irregularly spaced along and within the twenty-five foot (25') wide tree buffer area, with gaps allowed up to one hundred feet (100'). Shade trees shall have a minimum spacing of twenty (20) feet. Where a scenic view-shed or vista exists, gaps larger than 100' in the buffer will be allowed, subject to the review and approval of the Planning and Development Department, consistent with Sections 802.3.F.8, 905.2.C.2, and 905.2.C.3, so as not to interfere with utility easements.
- (3) "Qualifying trees" shall consist of one or more of the following species and shall meet or exceed the following size and quality specifications:
 - (a) Acceptable Species:
 - i. Slash Pine (*Pinus elliottii*)
 - ii. Longleaf Pine (*Pinus palustris*)
 - iii. Shortleaf Pine (*Pinus echinata*)
 - iv. Loblolly Pine (*Pinus taeda*)
 - v. Dade County Pine (*pinus elliottii* var. *densa*)
 - vi. Live Oak (*Quercus virginiana*)
 - vii. Laurel Oak (*Quercus laurifolia*)
 - viii. Florida Juniper (*Juniperus solicicola*)
 - ix. Sabal Palm (*Sabal palmetto*)
 - x. Other species planted pursuant to a bonafide agricultural use or such other species as may be approved by the County Administrator or designee.
 - xi. Palms shall be planted in accordance with LDC Section 905.2.C.2.e.
 - (b) Size at Time-of-Planting Specifications:
 - i. Minimum caliper of three inches (3") measured at 6" above the ground.
 - ii. Minimum height of eight (8').

(c) Alternative Plant Materials

Additional trees may be used as qualifying trees, and other forms of landscaping (such as shrubs and hedges) may be used in combination with, trees subject to review and approval at the time of Preliminary Development Plan/Preliminary Site Plan approval.

- (4) Where new development or redevelopment is proposed, existing trees (equal to or greater than 8" DBH) within the buffer shall be given full credit toward meeting the tree buffer planting requirements and comply with LDC Section 905.2. or other trees not listed, subject to review and approval by the Planning and Development Department.

2. Building Buffer

In order to assist in the mitigation of the visual impacts of residential construction within the existing rural landscape, building buffers shall meet the following requirements through the provision of a Type 'A' or a Type 'B' buffer:

- a. Type 'A' Buffers are intended to screen new development from off-site public roadways. Type 'A' buffers shall contain a minimum of four (4) qualifying trees per 100 linear feet of buffer length. The buffer shall begin not less than 30 feet, or greater than 100 feet from the residence building to be screened and extend for a width of 20 feet in the direction of the abutting existing public roadway.
- b. Type 'B' buffers are intended to provide a screened view between new development and adjacent properties or non-adjacent properties that have significant views of the developed property. Type 'B' buffers shall contain a minimum of four (4) qualifying trees per 100 linear feet of buffer length. The buffer shall begin not less than 30 feet, or greater than 100 feet from the structure(s) to be screened and extend for a width of 20 feet. Type 'B' buffers may be located either within subdivided parcels or within open space areas, provided adequate screening of new structures is accomplished.
- c. Trees within each buffer shall be planted in clusters of like tree species and irregularly spaced along and within the full width of the buffer area; however, shade trees shall have a minimum spacing of twenty (20) feet, but no continuous gap without a tree shall be permitted in excess of 50 feet.
- d. Qualifying trees shall consist of one or more species and shall meet or exceed the size and quality specifications as described in Section 604.4.C.1.b.(3), above.

- e. Where existing trees are located within the required buffer zone, those trees equal to or greater than 6" in diameter (DBH) shall be credited toward the tree buffer requirements.
3. Combination of Corridor Buffer and Building Buffer

The minimum requirements associated with Option 1 and Option 2 may be modified if a combination of both Corridor Buffering and Residential Screening techniques are applied and the intent of this section is met. This Option shall be reviewed and approved by the Planning and Development Department.

604.5. **Rural Residential Development**

The following standards are intended to preserve and/or enhance open space, significant topography and scenic views.

A Preliminary Development Plan shall be submitted in accordance with this Code, Section 403.1., "Preliminary Development Plans-Residential (PDP-R)" for all proposed residential development and redevelopment activities for three (3) or more residential units. The Preliminary Development Plan shall additionally illustrate compliance with the following design standards:

A. Building Setbacks from Adjacent to Scenic Roadway Corridors

All principal structures located on parcels of ten (10) acres or more shall be setback a minimum of 100 feet from the right-of-way of a designated Scenic Roadway Corridor. The required tree buffers may be installed within the setback.

B. Protection of Existing Topography

In order to meet the intent of Policy FLU 2.1.5, which limits topographic alterations that would remove the unique vistas of the area's naturally occurring berms or hillsides:

- 1. Grading within a slope of ten percent (10%) or greater (See Figure 604-4) within residential development shall be limited to the development pad area, including the building envelope, infrastructure (including, but not limited to, roads, ponds and utilities) and any on-site parks and amenities, and any necessary rebalancing of the site in accordance with generally acceptable engineering principles. Nothing herein is intended to prohibit or discourage (as set forth herein) development on slopes of ten percent (10%) or greater within the Northeast Pasco County Rural Area.
- 2. Mining, as defined in Section 404.3 of the Code, of areas of within a slope of six percent (6%) or greater (See Figure 604-4) shall be conditioned to protect viewsheds in the Northeast Pasco County Rural Area; provided, however, that nothing herein shall prohibit the issuance of Mass Grading Permits in accordance with Section 403.7, Land Excavation Operating Permits in accordance with Section 404.2 and conditional use permits in accordance with the Code for the off-site hauling of fill in excess of 30,000 cubic yards created

by a permitted bona fide residential development. The intent of these limitations is to prohibit the outright removal of the area's naturally occurring berms or hillsides that provide unique vistas of the area.

C. Street Standards

Street design within new residential developments shall support the rural character of Northeast Pasco County by complying with the following street design specifications:

1. All streets shall be designed in accordance with the minimum design specifications in this Code, Section 901.6. Other street types/materials maybe approved by an alternative standard in keeping with rural character and shall be maintained by a responsible entity other than Pasco County. All fire department access roads shall comply with the latest adopted edition of the Florida Fire Prevention Code.
2. Sidewalks shall not be required within Rural Residential areas; however, the incorporation of trails and pathways connecting separated residential clusters and connecting residential clusters to open space amenities is encouraged.

D. Rural Residential Building Character

In order to further reinforce the rural character of Northeast Pasco County new home construction in keeping rural character style and surrounding natural environment is encouraged but not required. The Northeast Pasco County Special Area Plan adopted in 2006 into the Technical Support Document of the Comprehensive Plan contains a photo safari exercise of the Northeast Pasco Rural Area to convey a sense of the subject area.

E. Fencing and Walls

The construction of fences, gates, and walls shall meet the requirements of Section 1003 of this Code, except that:

1. Chain-link fences are prohibited in the front yard.
2. Opaque walls are prohibited in the front yard and along the scenic corridor, except for entry features
3. Walls required for slope stabilization constructed of stone or masonry materials may be located both within Scenic Roadway Corridor buffer areas and front building setbacks, as defined above.

F. Street Lighting for Subdivisions

In order to maintain the rural character of the area, "Dark Sky" provides adequate outdoor lighting to see and feel secure while avoiding sky glow, glare, and light trespass. Cutoff luminaires shall be designed to comply with the appropriate lighting standards set forth by the Illumination Engineering Society of North America (IES) to ensure minimum sky glow, lighting trespass, and glare.

604.6. **Agricultural Operations**

In accordance with the Florida Right to Farm Act, Section 823.14, Florida Statutes, nothing set forth in this Section 604 or the Northeast Pasco Rural Protection Overlay District shall prohibit, restrict, regulate, or otherwise limit an activity of a bona fide farm operation on land classified as agricultural land pursuant to Section 193.461, Fla. Stat., where such activity is regulated through implemented best management practices or interim measures developed by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or water management districts and adopted under Chapter 120, Fla. Stat., as part of a statewide or regional program. Without limiting the foregoing, this Section 604 shall specifically not prohibit tree removal on lands classified as bona fide agricultural land for ad valorem taxation purposes pursuant to Section 193.461 Fla. Stat.

604.7. **Commercial Enclave Development – (Reserved)**

CHAPTER 800. NATURAL AND CULTURAL RESOURCES PROTECTION

SECTION 805. WETLANDS

805.1. Intent and Purpose

It is the intent and purpose of this section to identify, delineate, and protect wetlands and the natural function of wetlands within the County.

805.2. Applicability

This section shall apply to all Category I, II, and III wetlands within unincorporated Pasco County.

805.3. Delineation of Wetlands

A. Conceptual

The wetlands designation on the land cover and classification maps published by the Southwest Florida Water Management District (SWFWMD) and the Wetland/Lake Overlay on the FLU Map (Map 2-5: Wetlands [SWFWMD]) shall serve as a conceptual indicator of wetlands. All applications for land use amendments, Developments of Regional Impact, rezoning, preliminary site plans, and preliminary development plans shall include a map/plan that conceptually categorizes, identifies, and calculates the size of all wetlands on site, by category. The applications shall also identify proposed wetland impacts, categorized by wetland type.

If, at the time of the Master Planned Unit Development (MPUD) rezoning an applicant disputes the accuracy of Geographic Information System data, the applicant shall be required to submit a SWFWMD delineation identifying the location and size of the wetlands. Such request is for the purpose of determining density and intensity as well as identifying potential impacts on the Master Plan for an MPUD.

B. Specific

The precise delineation of wetlands shall be determined through site-specific studies and field determinations by the applicant and the SWFWMD and/or Florida Department of Environmental Protection (FDEP), as applicable, prior to mass grading, Stormwater Management Plan and Report, fill construction plan, or Operating Permit application submission. Delineated boundaries shall be submitted at the time of application. The County will defer to the SWFWMD and/or FDEP, as applicable for the delineation of wetland boundaries. Where impacts to wetlands are proposed, required mitigation shall be identified and approved prior to the authorization of the wetland impact. The delineation of wetlands on any proposed development shall be determined prior to any site development approval or the start of any filling, grading, or construction associated with proposed development.

805.4. Impacts to Wetlands and Mitigation

In addition to meeting the requirements of this section for the protection of wetlands, all applications for development orders/permits shall also comply with applicable Federal, State, SWFWMD, and/or FDEP, as applicable, regulations. No permit authorizing construction shall be issued until the County receives copies of the SWFWMD, the FDEP, and/or the Army Corps of Engineers (ACOE) Permits, as applicable, authorizing the wetland impacts.

Except as otherwise permitted in this section and by regulatory agencies with jurisdiction, no development activity or grading, clearing, grubbing, or tree removal shall be undertaken within wetlands and required, post-development, upland wetland buffers.

For purposes of this Section, public roadways are defined as County collector and arterial roadways and those subdivision collector roadways that are required to be public pursuant to Section 901.1.H.

A. Category I Wetlands

1. Impacts. Except for public roadways (governed by Section E. below) the removal, alteration, encroachment, dredging, filling, borrowing, or changes to the natural hydro period or water quality (hereinafter collectively referred to as "impacts") within Category I wetlands may only be authorized in cases where no other feasible and practicable alternative exists that will permit a reasonable use of the land. This reasonable use determination, which applies to roadways that are not public roadways, and any other linear public or private utilities, shall be made by the County Administrator or designee. Where any impact to a Category I wetland is proposed, the application shall include a narrative statement demonstrating that no other feasible and practical alternative exists and describing the proposed mitigation.

The protection, preservation, and continuing viability of Category I wetlands shall be the prime objective of the basis for review of all proposed impacts within these areas.

2. Mitigation. In circumstances where impacts to Category I wetlands are authorized, mitigation for the impacts shall be required. A mitigation plan shall be submitted for review by the County. Acceptable forms of mitigation shall be of equal, ecological function and water quality or better. If these criteria are met, the County shall authorize impacts to Category I wetlands as part of the preliminary development plan approval or preliminary site plan approval only and designate the required mitigation.

Mitigation may consist of the preservation, enhancement, and/or restoration of uplands and wetlands located:

- a. Within or immediately adjacent to Critical Linkages;
- b. Immediately adjacent to existing public conservation lands;
- c. Immediately adjacent to rivers and named tributaries;
- d. Within the seasonal high waterline of natural lake systems in which the open water portions of the lakes are greater than ten (10) acres in size; or
- e. Contiguous with coastal marsh systems.

B. Category II Wetlands

1. Impacts. Impacts to Category II wetlands may be authorized as part of a construction plan approval where SWFWMD and/or FDEP, as applicable, rule criteria for impacts to wetlands are met. Where an impact to a Category II wetland is proposed, the application shall include a narrative statement of the proposed impact and the proposed mitigation for the said impact, or shall provide a copy of the issued SWFWMD and/or FDEP, as applicable, Permit.
2. Mitigation. Where possible, it is preferred that mitigation be within or immediately adjacent to Critical Linkages; parcels immediately adjacent to existing, public conservation lands; or within ecological planning units in areas that are adjacent to conservation lands.

C. Category III Wetlands

Impacts to Category III wetlands may be allowed. Where an impact to a Category III wetland is proposed, the application shall include a narrative statement of the proposed impact and shall provide a copy of the issued SWFWMD and/or FDEP, as applicable, Permit.

D. De Minimis Use of Property

Development sites which consist solely of wetlands and where the owner does not have an ownership interest in any adjacent, upland property may develop at a density of one (1) residential unit per twenty (20) acres.

E. Public Roadways

Public roadways shall be, where feasible and practicable as determined by the County Administrator or designee, located and designed to minimize the acreage of adversely altered jurisdictional wetland areas; minimize direct and indirect impacts on rivers, lakes, and streams; and minimize impacts on listed species. Further, mitigation for impacts shall be as required by the regulatory agencies with jurisdiction. These objectives shall be deemed to be met where

the other regulatory agencies with jurisdiction have issued the necessary permits and required mitigation.

805.5. **Upland Buffers**

- A. A minimum of a twenty-five (25) foot upland buffer is required around post-development Category I wetlands unless the applicant has an unexpired SWFWMD, FDEP, or ACOE Permit and/or a County site development plan issued prior to January 26, 2007. These upland buffers are integral to maintaining wetland structure and function and are necessary to protect the natural wetland ecosystem from significant, adverse impacts.

The upland buffer is not required at the location where an impact to a wetland is permitted, because it is not appropriate to have greater wetland impacts in order to provide upland buffers. However, project design shall recognize the importance of upland buffers to wetland function.

B. **Activities/Items Within Upland Buffers Around Category I Wetlands**

1. Drainage features such as spreader swales are permitted.
2. Wetland creation/mitigation areas and floodplain compensation areas are permitted if the presence of such areas enhances the function of the wetland.
3. Stormwater retention and detention facilities are discouraged. Any retention or detention facilities allowed shall be planted with native plantings that require minimal maintenance (no mowing or fertilizer).
4. The County may require, or the developer/landowner may elect, the planting and maintenance of suitable native species to promote recovery of impaired or previously damaged wetlands or to offset any impact/removal of vegetation for drainage features allowed.
5. Elevated boardwalks where specific approval is granted by the County Administrator or designee.

- C. For Category II and III wetlands, upland buffers and allowed/prohibited uses within said upland buffers shall be as required by the SWFWMD, FDEP, or other regulatory agencies with jurisdiction.

805.6. **Restrictions on Post-development Wetlands and Upland Buffers Within Residential Lots and Nonresidential Parcels**

- A. Except where a relief is granted specifically stating otherwise, post-development wetlands and the required upland buffers shall not be platted within residential lots within residential FLU classifications of RES-3 (Residential - 3 du/ga) and higher. These areas shall be platted as conservation tracts.

- B. Post-development wetlands and the required upland buffers may be platted within residential lots greater than one (1) acre within the FLU classifications of RES-1 (Residential - 1 du/ga), AG/R (Agricultural/Rural), and AG (Agricultural); however, building setbacks will be measured from the upland buffer line and a conservation easement pertaining to the post-development wetland and upland buffer shall be conveyed to the homeowners' association (HOA) or Community Development District (CDD). Limited-family lot divisions and Minor Rural Subdivisions shall be exempt from the conservation easement requirement.
- C. When a nonresidential project is platted, the post-development wetlands and required upland buffer shall be platted as a conservation tract.
- D. All wetland and upland buffer areas platted as conservation tracts shall be concurrently deeded to a mandatory HOA/CDD/merchants' association. The HOA/CDD/merchants' association documents shall provide that the HOA/CDD/merchants' association be responsible for the payment of taxes, if any, on and maintenance of the conservation areas. To the extent not inconsistent with requirements of issued permits/approvals from regulatory agencies with jurisdiction, maintenance shall be specifically defined in said documents and prohibit activity within the wetlands and upland buffers; that the buffers retain the existing undisturbed vegetation and remain in their undisturbed condition except for planting of native vegetation, removing invasive vegetation, controlling and removing litter from the wetlands and upland buffers, and maintenance of features allowed.
- E. When a project is not required to be platted, the post-development Category I wetlands and required upland buffer within the parcel shall be conveyed by the applicant, as a conservation easement to Pasco County. An Environmental Management Plan (EMP) may be required unless the sole purpose of the conservation easement is to prohibit development. The applicant shall provide the draft conservation easement and EMP (if required) to Pasco County Natural Resources with first application for preliminary site plan or site development plan. The recorded conservation easement shall be provided to Pasco County prior to issuance of the first site development placard..
- F. Nothing contained in this section shall require the platting, deeding, or conveyance of wetlands and wetland buffers within conservation subdivision open space, which is governed by other regulations within this Code.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 901. TRANSPORTATION

901.2. Transportation - Corridor Management

A. Intent and Purpose

1. The intent of this section is to coordinate the full development of roads within transportation corridors and the planning of future transportation corridors and roads with land use planning within and adjacent to the corridors to promote orderly growth to meet adopted Level of Service (LOS) requirements and to maintain the integrity of the corridor for transportation purposes.
2. The adoption of this section is necessary in order to preserve, protect, and provide for the dedication and/or acquisition of right-of-way and transportation corridors that are necessary to provide future transportation facilities and facility improvements to meet the needs of growth projected in the County Comprehensive Plan and to coordinate land use and transportation planning. These corridors are part of a network of transportation facilities and systems which provide mobility between and access to businesses, homes, and other land uses throughout the jurisdiction, region, and State. The Board of County Commissioners (BCC) recognizes that the provision of an adequate transportation network is an essential public service. The plan for that transportation network is described in the County Comprehensive Plan and the Transportation Corridor Preservation Map and Table, and implemented through a capital improvements program, other policies and procedures, and through regulations on land use and development as well as regulations to preserve and protect the corridors and right-of-way for the transportation network. The purpose of this section is to foster and preserve public health, safety, comfort, and welfare and to aid in the harmonious, orderly, and beneficial development of the County in accordance with the Comprehensive Plan.
3. Ensuring that arterial, collector, and other roads and related facilities are safe and efficient, in coordination with a plan for the control of traffic, is the recognized responsibility of the County, in accordance with Sections 125.01(1)(m) and (w), Florida Statutes, and is in the best interest of the public health, safety, welfare, and convenience.
4. Implementing methods of ensuring adequate transportation facilities to accommodate the citizenry of the County now and in the future is the responsibility of the County in order to carry out the transportation element of its Comprehensive Plan, under 163.3161, and is in the best interest of public health, safety, welfare, and convenience.

5. This section imposes special development regulations and procedures on all land located within transportation corridors in order to ensure the availability of land within the transportation corridors to meet the transportation needs of the County as shown in the Comprehensive Plan and the Transportation Corridor Preservation Map and Table, and to promote the public health, safety, welfare, and convenience of the County and its citizens.
6. This section is intended to protect transportation corridors from encroachment by structures or other development except under special conditions.

B. Applicability

1. For purposes of jurisdictional applicability, this Section 901.2 shall apply to all development on land where any portion of the development site is within the jurisdiction of the County and shown on the County Transportation Corridor Preservation Map and Table. This section shall apply in a municipality within the County only upon the County and the municipality entering into an interlocal agreement providing for the application of this section, or portions thereof, within the municipality.
2. For purposes of geographic applicability, if all or any portion of a proposed development site or expanded development site for which a Section 402.2, 402.3, 402.4, 403.1, 403.2, 403.3, 403.4, or 403.5 development approval or Development Permit/Order is required (which may be collectively referred to as "Section 901.2.B" development approvals or development applications) and is located within a transportation corridor, the provisions of this Section 901.2 shall apply. In addition, the County may apply Section 901.2 to other development permits/orders if all or any portion of the proposed development site or expanded development site is located within a transportation corridor.
3. For purposes of timing applicability, Section 901.2 shall apply to Section 901.2.B development approvals, or substantial modification thereof, for which a complete application has been filed or for which a Section 901.2.B approval has expired or been denied, after the effective date of this section, unless the County and the applicant agree to an earlier application date. In addition, the County may apply Section 901.2 to other Development Permits/Orders, or substantial modification thereof, for which a complete application has been filed, or for which the Development Permit or Order has expired or been denied, after the effective date of this section, unless the County and applicant agree to an earlier application date. For section 901.2.B approvals, this section shall govern in the event of a conflict between this section and prior Development Permits/Orders.

C. Procedures

1. As part of the development review process of a Section 901.2.B development application, all applications for development approvals shall show the location of any transportation corridor which is located on any portion of the development site or expanded development site or on any portion of the land which is the subject of the application. All such applications shall be reviewed by the County Administrator or designee to determine whether any portion of the proposed project is within a transportation corridor.
2. All Section 901.2.B development approvals shall include findings or conditions addressing the consistency of the proposed project with the transportation corridor.

D. Definitions

1. The words or phrases used herein shall have the meaning prescribed in the Definitions Appendix, except as otherwise specifically set forth herein.
2. Development site shall mean the total area of the lot, tract, or parcel which is the subject of an application for a Development Permit.
3. Expanded development site shall mean all development, parcels of land, lots, and tracts, including development, parcels of land, lots, and tracts contiguous to or nearby the development site that are (1) developed by the same or a related developer or landowner; or (2) developed as part of the same zoning plan, preliminary plan, preliminary site plan, plat, or other unified or common plan or development, as determined by the County Administrator or designee consistent with the purposes of this section. For the purposes of this definition, a related developer or landowner shall include a partnership in which any of the same persons or entities are partners, and a corporation in which any of the same persons are officers or directors.
4. Interim use shall mean a use of the land in the transportation corridor prior to the date of conveyance of such land to the County for right-of-way, whether such conveyance is by dedication, acquisition, or other means.

E. Density and Intensity of Development

1. The gross density and intensity of development of a development site and any portion of which is within a transportation corridor shall be the gross density permitted in accordance with the underlying zoning district or Comprehensive Plan Future Land Use Classification, whichever is more restrictive. However, such density and intensity may be transferred from the portion of the development site or expanded development site within a transportation corridor to portions

of the development site or expanded development site that are located outside of the transportation corridor, either through clustering, density transfer, or through credit for the portion of the site in the transportation corridor in maximum permitted density or intensity calculations (collectively referred to herein as "density transfer"). Subject to limitations in the Comprehensive Plan, density transfers may result in a greater net density on the portion of the development site or expanded development site that is not located within the transportation corridor than would be permitted by the underlying zoning district, but the total gross density of the project site shall in no event exceed the density that would be allowed on the development site or expanded development site had no portion of the development site been located within a transportation corridor. This section is not intended to grant approval to the location of development in environmentally sensitive or otherwise protected lands within the development site or expanded development site. It is intended to allow the density to be used within the development site or expanded development site without additional review procedures beyond the development review that would be required for a development not located in a transportation corridor. All density transfers to an expanded development site that is not part of the Section 901.2.B Development Permit/Order under review shall be evidenced by a recorded document acceptable to the County Attorney's Office that is binding upon the transferor property and transferee property.

2. Density transfers, unless permitted by another provision of this Code, shall be limited to the amount of density which would otherwise be permitted to be developed in the transportation corridor. In reviewing an application for development in which density transfers are shown, the Planning Commission (PC), as part of its review of the Section 901.2.B development approval, may require that the configuration of the proposed density transfer be amended if it would further the public interest, protect the environment, or provide a better design.
3. If the density transfer would require modification of any other provision of this Land Development Code, including buffers, parking, landscaping, yards, and setbacks between buildings, then, except as set forth in Section 901.2.J, a variance from the PC shall be required in accordance with the provisions of Section 407.2, except that in the case of a variance necessitated by the requirements of Section 901.2, the conditions of Sections 407.2.D.1. a, b, and c shall be deemed to exist.

F. Interim Uses

1. The uses of land within a transportation corridor shall be only those uses listed in Sections 901.2.F.2 or 901.2.F.3, below, provided that such use would be permitted on the development site by the underlying zoning district or the Comprehensive Plan, whichever is more restrictive. The purpose of this section is to allow certain uses for

a limited period of time within portions of a development site that are located within a transportation corridor in order to permit the property owner to make economic use of the property until such time as the land within the transportation corridor is to be dedicated to or acquired by the County.

2. The uses designated in this Section 901.2.F.2 may be allowed on an interim basis.

a. Permitted interim uses.

- (1) Stormwater retention or detention facilities to serve the development.
- (2) Parking areas to serve the development that cannot be reasonably located elsewhere on the development site.
- (3) Entry features for the development, such as signage, architectural features, fountains, walls, and the like.
- (4) Temporary sales or lease offices for the development.
- (5) Landscaping, if permitted as an alternative standard, provided that a minimum of ten (10) feet of required landscape buffers shall be located outside the transportation corridor.
- (6) Recreational facilities such as playgrounds, ball fields, outdoor courts, exercise trails, walking paths, bridal paths, and similar outdoor recreational uses, but shall not include any required parks, buffers, or other required open space.
- (7) Produce stands, produce markets, farmers' markets, and the like.
- (8) Agricultural uses, such as pasture, crop lands, tree farms, orchards, and the like, but not including stables, dairy barns, poultry houses, and the like.
- (9) Uses such as boat shows, automobile shows, recreational vehicle shows, "tent" sales, and the like.
- (10) Periodic events such as festivals, carnivals, community fairs, and the like.
- (11) Plant nurseries and landscape materials yards, excluding permanent structures.

- (12) Storage yards for equipment, machinery, and supplies for building and trade contractors, and similar outdoor storage.
 - (13) Golf driving ranges.
 - (14) Recreational Vehicle or boat storage yards.
- b. The following conditions shall apply to the approval of interim uses specified in Section 901.2.F.2:
- (1) The applicant agrees to discontinue and remove or relocate, at the applicant's sole expense, the interim uses no later than the beginning of the fiscal year in which monies for acquisition of right-of-way or construction within the affected transportation corridor are first programmed by either the County, in Year One of the County's Five-Year Capital Improvement Plan (CIP) or Capital Improvement Element (CIE), or the Florida Department of Transportation (FDOT) in Year One of the FDOT Five-Year Transportation Improvement Program (the termination date). This agreement shall be evidenced by an affidavit which shall state that the interim uses shall be discontinued no later than the termination date. Such affidavit shall be recorded against the development site in the public records office of the Clerk of the Circuit Court of the County, and a copy of the recorded affidavit shall be provided to the County prior to the issuance of the first Building Permit within the development site. The termination date may be extended by written correspondence from the County or FDOT, as applicable, for a time period not to exceed one (1) year for each extension.
 - (2) Areas for relocation shall be identified on the development plans submitted with the application for development approval and shall be reserved for that purpose. If the relocation would require modification of any other provision of this Land Development Code, including buffers, parking, landscaping, yards, and setbacks, then, except as set forth in Section 901.2.K.1, a variance from the PC shall be required in accordance with the provisions of Section 407.2, except that in the case of a variance necessitated by the requirements of Section 901.2, the conditions of Sections 407.2.D.1.a, b, and c, and 901.2.K.3 shall be deemed to exist.
 - (3) The stormwater retention/detention facility and/or landscaping may, at the discretion of the County or

FDOT, be incorporated into the design of the future transportation facility. Should this option be agreed to by the County or FDOT, the developer need not relocate the stormwater-retention/detention facility and/or landscaping, as applicable.

- (4) Buffer yards may be required in order to ensure compatibility of interim uses with other uses adjacent or nearby.
 - (5) Interim uses shall meet site design requirements for setbacks for the district.
 - (6) Interim uses shall comply with all other applicable provisions of this Code as may be required at the time of approval.
3. If the termination date set forth above has already occurred at the time of the Section 901.2.B development approval or Development Permit/Order and the County or the FDOT has not extended the termination date, the property owner shall not be entitled to the interim uses set forth in this section, unless the PC, BCC, or FDOT for State roadways determine that the interim use(s) can coexist with the County's or FDOT's planned improvements in the transportation corridor. If the termination date has already occurred, and not been extended by the County or the FDOT, the provisions of Sections 901.2.E, 901.2.H, or 901.2.I shall continue to apply.
 4. Interim uses set forth in this section shall not be assessed transportation impact/mobility fees pursuant to this Code, Chapter 1300.
 5. Interim uses set forth in this section shall, where applicable, be required to obtain Right-of-Way Use Permits in accordance with Section 406.5 and enter into a license and maintenance agreement with the County for such uses.

G. Site Design Requirements

To protect the full width of the future right-of-way, setbacks on the property which abuts or is located adjacent to a transportation corridor shall be calculated from the edge of the transportation corridor. The size of the setback shall be the setback required by the underlying zoning district.

H. Right-of-Way Dedication

1. As a condition of approval of a Section 901.2.B development approval or development permit/order, in order to ensure adequate roads for the proposed development so as to meet adopted LOS requirements, and to protect the County's transportation system, all applicants for a Section 901.2.B development approval or development permit/order,

where any portion of the development site or expanded development site is located within a transportation corridor, shall enter into an agreement with the County, either in the form of a development agreement or as a condition of the development approval or development permit/order, which shall provide for the dedication to the County of lands within the development site or expanded development site which are within the transportation corridor, subject to the provision of Section 901.2.I. Dedication shall be by recordation on the face of the plat, deed, grant of easement, or other method acceptable to the County. All dedications shall occur at record plat, construction plan approval where a record plat is not required, or within ninety (90) days of the County's request, whichever occurs first. All conveyances shall be in accordance with the County Real Estate Division requirements and free and clear of all liens and encumbrances. Land to be dedicated shall be limited to the amount of land needed for the planned transportation improvements (as determined by the Metropolitan Planning Organization and Comprehensive Plan transportation element plans in effect at the time of dedication, or by the County-approved traffic study and collector/arterial spacing and design standards for the development approval or development permit/order if no such plans exist) including, where applicable, land for drainage/retention, wetland and floodplain mitigation, shoulders, frontage roads, sidewalks, bike paths, medians, and other roadway-related improvements. If the drainage, wetland, or floodplain mitigation facilities for the roadway or appurtenances will be commingled or combined with drainage, wetland, or floodplain facilities of the developer's project, the developer or another maintenance entity acceptable to the County shall be responsible for operation and maintenance of such facilities; provided, however, the developer or maintenance entity shall convey an easement giving the County and FDOT the right, but not the obligation, to enter onto the developer's property and maintain the facilities. If the drainage, wetland, or floodplain mitigation facilities for the roadway will not be commingled or combined with drainage, wetland, or floodplain facilities of the developer's project, the developer shall convey such facilities and access easements to the County or FDOT, as applicable, and the County or FDOT, as applicable, shall own operate and maintain such facilities subsequent to the expiration of any applicable maintenance guarantee period.

2. Where development of the transportation corridor which is the subject of the development application is not shown in the County's Five-Year CIP or CIE or FDOT's Five-Year Transportation Improvement Program, and development of the road in all or any portion of such transportation corridor is not necessary to mitigate the transportation impacts of the proposed development, the property owner shall be entitled to use the portion of the development site in the transportation corridor in accordance with the provisions of Section 901.2.F.

I. Dedication - Rough Proportionality

Projects proposed adjacent to, abutting, or within a designated transportation corridor, may, as a condition of development approval, be required to dedicate and convey lands within the project site that are necessary for that transportation corridor to the County, provided that any required dedications and conveyances shall not exceed the amount of land that is roughly proportionate to the impacts of the development on the transportation network, as determined by a rough proportionality analysis performed by the County.

J. Administrative Variances

Any property owner whose land is located within a transportation corridor may obtain a waiver of the minimum lot size, buffers, yards, or setback required by the underlying zoning district, provided that such waiver does not exceed ten (10) percent of the minimum lot size or setback requirement. Such waiver may be approved by the County Administrator or designee utilizing the administrative variance procedures set forth in this Code, Sections 407.3.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 901. TRANSPORTATION

901.6. Street Design and Dedication Requirements

A. Intent and Purpose

The intent and purpose of this section is to provide for the classification and design standards of subdivision collector and local streets and for the safety of vehicular and pedestrian traffic.

B. Applicability

This section applies to all development where a street is proposed in the unincorporated County. All development proposals containing new streets or utilizing access from existing streets shall conform to the standards and criteria contained in this section.

C. Classification

All streets functionally classified as arterial and major collector are shown as a collector, arterial, controlled access, or freeway roadways on the Comprehensive Plan Future Traffic Circulation Map Series (presently Maps 7-22, 7-24, 7-35, and 7-36); or classified as a collector, arterial, controlled access, or freeway roadway pursuant to the functional classification or reclassification procedures and criteria established pursuant to the Comprehensive Plan (also known as Major County Roads). Streets shall be classified at the time of rezoning or preliminary plan approval if the streets have not been previously classified by the County. All other streets are classified as local streets or subdivision collector (Types 1B and 1A) in accordance with Table 901.6.A, Street Classification.

The Pasco County street classification system is established as illustrated in Table 901.6.A. The Equivalent Residential Units (ERU) Served in Table 901.6.A shall be based on the maximum number of potential lots required or allowed to access the roadway (inside or outside of the development) based on a reasonable traffic distribution using:

- The maximum density/intensity permitted by the land use classification as designated by the Comprehensive Plan and assuming compliance with Section 901.6.D.11; or
- If platted, the number of units platted.

Each single-family detached residential unit, including mobile homes on individual lots, will be considered one ERU. All other residential shall be considered three-fifths of an ERU.

D. Design and Construction

With the exception of Minor Rural Subdivisions (MRS) and Limited Family-Lot Division (LFLD) developments, all streets and/or accessways shall be designed and constructed in accordance with the applicable portion of the following:

Florida Department of Transportation (FDOT), *Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways*, latest edition (Green Book).

FDOT, *Standard Specifications for Road and Bridge Construction, Divisions II and III*, latest edition, including:

- Soil Cement as detailed in Section 270 of the FDOT, *Standard Specification for Road & Bridge Construction*, 1991 edition.
- Crushed concrete as detailed by the Engineering Services Department.

FDOT, *Flexible Pavement Design Manual*, latest edition.

However, in no instance shall the roadway standards be less than those required by this Code.

1. Right-of-Way. The right-of-way provided for streets not functionally classified as Major County Roads shall be sufficient to:
 - a. Allow development of the full cross section, including travel lanes, parking lanes, medians, and roadside clear zones.
 - b. Provide for the layout of intersections and access points.
 - c. Allow for sight distances in accordance with the Green Book, latest edition, at all points, particularly on horizontal curves, at intersections, and other access points.
 - d. Provide space for placement of pedestrian and bicycle facilities.

Unless otherwise approved at the time of preliminary plan approval, the minimum right-of-way required shall be as follows:

Street Type	Urban	Rural
1A without parking	100'	120'
1B without parking	60'	80'
1B with parking on one side	72'	92'
1B with parking on both sides	84'	104'
2 without parking	50'	70'
2 with parking on one side	58'	78'
2 with parking on both sides	66'	86'
3 without parking	50'	70'
3 with parking on one side	58'	78'
3 with parking on both sides	66'	86'

Street Type	Urban	Rural
4 without parking	50'	70'
4 with parking on one side	58'	78'
4 with parking on both sides	66'	86'
5 without parking	20'	N/A

MRS accessways and LFLD accessways shall be within a thirty (30) foot easement. All other access easements shall be a minimum of thirty-five (35) feet. Lot lines may extend into the easement. The accessways are not required to be publicly dedicated.

Where a proposed development includes a previously platted or dedicated street which does not conform to the minimum right-of-way requirements or other requirements determined at the time of preliminary plan approval, additional right-of-way shall be dedicated along either one or both sides of the street so that the minimum required right-of-way can be established and improved if required.

2. Pavement Width. The minimum pavement widths required shall be as follows:

Street Type	Urban Pavement Width/Lanes	Rural Pavement Width/Lanes
1A	48/4	50/4
1B without parking	24/2	26/2
1B with parking on one side	32/2	34/2
1B with bike lane and parking on one side	36/2	38/2
1B with parking on both sides	40/2	42/2
1B with bike lane and parking on both sides	48/2	50/2
2 without parking	24/2	25/2
2 with parking on one side	31/2	32/2
2 with parking on both sides	38/2	39/2
3 without parking	22/2	23/2
3 with parking on one side	29/2	30/2
3 with parking on both sides	36/2	37/2
4 without parking	20/2	21/2

Street Type	Urban Pavement Width/Lanes	Rural Pavement Width/Lanes
4 with parking on one side	27/2	28/2
4 with parking on both sides	34/2	36/2
5 without parking	14/1	N/A

In general, pavement widths for rural streets shall be one (1) foot wider to allow for edge protection.

MRS accessways shall consist of a twelve (12) foot paved cross section with 1.5 feet of stabilized shoulders. This exception only applies where interconnection is not required. LFLD accessways shall consist of twelve (12) foot paved or unpaved stabilized sections with 1.5 feet of stabilized shoulders.

All accessways in excess of 500 feet shall provide a 10' X 38' turnout. The exact location of the turnout shall be determined by the county fire marshal or designee. Additional turnouts may be required by the county fire marshal or designee. (Figure 901.6.A: Accessway with Turnout)

Parking lanes shall be a minimum of eight (8) feet in width on Type 1B streets and a minimum of seven (7) feet in width on Types 2, 3, and 4 streets. On-street parking is not allowed on a Type 1A street, unless an alternative standard is approved in accordance with this Code, Section 407.5.

3. **Pavement Cross-Slope.** If approved by the County Engineer, the selection of pavement cross-slope may be a compromise between meeting the drainage requirements and providing for smooth vehicle operation.

The recommended pavement cross-slope for a crowned pavement is 0.02 feet per foot. The pavement cross-slope shall not be less than 0.015 foot per foot or greater than 0.04 feet per foot. The change in cross-slope between adjacent through-travel lanes shall not exceed 0.04 feet per foot.

Inverted crown may only be used for Type 5 streets.

Where inverted crown is used, the centerline of the invert shall contain a minimum two (2) foot modified valley gutter.

4. **Pavement Structure and Road Design.** The pavement structure required shall be based on the street classification and the number of lots proposed, cumulative with the number of lots that can reasonably be anticipated to use the street.

The pavement structure required shall be based on a structural number obtained by multiplying the structural layer coefficient by the thickness of each type of material, then adding the resultant in accordance with the FDOT, *Flexible Pavement Design Manual*. Each layer shall adhere to the minimum thickness required by the FDOT.

The minimum pavement structure required for residential subdivisions (Note: this does not include Limited Family Lot Divisions) and for subdivision collectors, shall be as follows:

Land Use Classification	Number of Proposed Lots	Structural Number
AG (Agricultural)	Less than 16	2.04
AG (Agricultural)	16 or greater	2.34
AG/R (Agricultural/Rural)	Less than 16	2.04
AG/R (Agricultural/Rural)	16 or greater	2.34
RES-1 (Residential - 1 du/ga)	Less than or equal to 10	2.04
RES-1 (Residential - 1 du/ga)	Greater than 10	2.34
RES-3 (Residential - 3 du/ga)	N/A	2.34

Where minimum structural numbers of 2.04 or 2.34 are required, the pavement structure shall contain a minimum of one and one-half (1½) inch of Type SP asphaltic-concrete surface course.

Where a subdivision collector is required, a pavement design shall be submitted with the construction plans to determine the minimum pavement structure required. However, in no case, shall a structural number less than 3.5 with a minimum of three (3) inches of Type SP asphaltic-concrete surface course be provided.

Construction of a subdivision collector may be completed in stages with 2¼ inches of SP 12.5 or S-1 asphaltic-concrete surface course along with the required pavement markings installed at the time of the initial construction and ¾ inches of SP 9.5 or S-3 asphaltic-concrete surface course installed along with any required thermoplastic stripes, prior to release of the assurance of maintenance of improvements surety.

Where a connection is made to a street functionally classified as a Major County Road, then the minimum structural number required within the right-of-way of the functionally classified street shall be based on a minimum pavement design, but in no case less than:

- a. Major Collector: 3.70 with a minimum of three (3) inches of Type SP asphaltic-concrete surface course.

- b. Arterial: 4.00 with a minimum of three (3) inches of Type SP asphaltic-concrete surface course.

A minimum structural number of 4.00 is required on local, major collector, and subdivision collector roadways if heavy vehicles are ten (10) percent or more of the total daily driveway trips.

For commercial and industrial subdivisions, a pavement design shall be submitted with the construction plans to determine the minimum pavement structure required. However, in no case shall a structural number less than 3.5 (with a minimum of three [3] inches of Type S asphaltic-concrete surface course) be allowed.

For all roads below the stabilized subgrade, a minimum of two (2) feet of select material consisting of A-3 (SP) soil and/or A-2-4 with a maximum fifteen (15) percent passing number 200 sieve, shall be provided. The project engineer responsible for the project shall certify to the County Engineer that the select material meets these standards prior to installation of the base. Certification shall strictly comply with the subgrade certification form available in the Engineering Services Department's *A Procedural Guide for the Preparation of Assurances of Completion and Maintenance*.

For major collector, arterial, and subdivision collector roads, a minimum of twelve (12) inch stabilized subgrade (Type B) LBR 40 minimum shall be provided under all bases except for soil cement, which shall be constructed on a stable, nonyielding subgrade of LBR 20. The layer coefficient for LBR 20 shall be 0.04 and shall be limited to a maximum depth of twelve (12) inches.

The minimum separation between the bottom of the base to the design seasonal high water table (SHWT) shall be no less than two (2) feet where a limerock base is provided. Where soil cement, ABC-3 asphaltic concrete, or crushed concrete base material is used, the minimum separation between the bottom of the base to the design SHWT shall be no less than one (1) foot.

Design SHWT is the elevation to which the ground or surface water can be expected to rise due to the worst wet season within a ten (10) year period. The project engineer shall make a recommendation as to the SHWT elevation based on the assessment of historical records or other available data. This recommendation shall be reviewed for approval by the County Engineer or designee.

When required, either by the geotechnical report or as determined by the County Engineer, underdrains shall consist of aggregate, pipe, and filter fabric as indicated in the FDOT Index Drawing No. 286 and as referenced in any other FDOT index drawings and standard specifications. Underdrain inverts shall be located a minimum of two (2) feet below the bottom of the base. The engineer responsible for the

project shall certify to the County Engineer that the underdrains have been properly installed prior to the installation of any asphalt. Certification shall strictly comply with the underdrain certification form available in the Engineering Services Department's *A Procedural Guide for the Preparation of Assurances of Completion and Maintenance*. An inspection and maintenance program shall be established by the design engineer designating an entity on the design drawings that shall be responsible for maintenance.

5. Shoulders. The primary functions of a shoulder are to provide emergency parking for disabled vehicles and an alternate path for vehicles during avoidance or emergency maneuvers. To properly function, the shoulder shall have adequate stability and surface characteristics.

Shoulders shall be provided on all streets incorporating open drainage (rural sections) or mountable curbs. The minimum shoulder widths, measured from the edge of pavement, shall be as follows:

Street Type	Minimum Shoulder Width (Feet)
1A	8
1B	8
2	6
3	6
4	6
5	N/A
MRS and LFLD Accessway	1½

The shoulder serves as a continuation of the drainage system; therefore, the shoulder cross-slope shall be somewhat greater than the adjacent travel lane. The cross-slope of the shoulders shall not be steeper than .06 feet per foot.

6. Roadside Clear Zone. The roadside clear zone is that area outside the traveled way, available for use by vehicles that have left the traveled way during avoidance maneuvers due to loss of control or due to collisions with other vehicles. The primary function of the roadside clear zone is to allow space and time for the driver of a vehicle to retain control and avoid or reduce the consequences of collision with roadside objects. This area also serves as an emergency refuge location for disabled vehicles.

The width of the roadside clear zone should be as wide as possible. The minimum widths, measured from the face of the barrier curb or edge of pavement where a barrier curb is not provided, shall be as follows:

Street Type	FDOT Type F and D Curb	FDOT Type A, E, and Miami Curb
1A	4'*	10'
1B	4'*	10'
2	4'*	6'
3	4'*	6'
4	1½'	6'
5	1½'	6'
MRS and LFLD Accessways	N/A	6'

*If private streets are allowed, then any entrance and exit gate equipment, guardhouse, or other like structure may be setback 1½ feet from the FDOT Type F and D curb.

On those roads where the minimum required clear zone is four (4) feet, the minimum cannot be reasonably obtained, and other alternatives are impractical, the minimum may be reduced to no less than 1½ feet pursuant to the alternative standards provisions set forth in this Code, Section 407.5. The County Engineer shall make a determination on the alternative standards application.

The slopes within the roadside clear zone shall be as flat as possible to allow for safe travel of a vehicle which has left the traveled way. The slope of the area within the roadside clear zone shall not be steeper than six (6) feet horizontal to one (1) foot vertical (6:1).

Outside of the roadside clear zone, where roadside swales or cuts require slopes, the slopes shall not be steeper than four (4) feet horizontal to one (1) foot vertical (4:1). Ditch bottoms shall be at least two (2) feet wide and may be flat or gently rounded.

If space constraints are severe, the County Engineer may permit the use of guardrails in lieu of the requirements for width and slope of the roadside clear zone. Guardrails shall also be considered for protection of pedestrian pathways or protection of immovable roadside hazards.

Where the maximum slope or roadside clear zone requirement cannot be met, guardrails in conformance with applicable FDOT standards shall be installed.

7. Vertical Clearance. Vertical clearance of 16.6 feet shall be provided above all streets.
8. Medians. Median separation of opposing traffic provides a beneficial safety feature in terms of reducing headlight glare, thus improving the safety and comfort for night driving. Medians provide provisions for drainage from the street surface, provide for preservation of existing vegetation, act as a vehicle refuge area, provide a logical location for left-turn, storage lanes, and provide a means for future addition to existing traffic lanes.

Where medians are proposed or required by this Code or the County Engineer, the minimum widths shall be as follows:

- a. Type 1 and 2 Streets
 - (1) Twenty-two (22) feet where no curb or mountable curbs are used.
 - (2) 15½ feet where barrier curbs are used.
- b. Types 3 and 4 Streets: The minimum median width shall be twice the roadside clear zone minimum width, plus the width of the existing or proposed obstruction. The pavement lane width around each side of the median shall be the total street width prior to encountering the median, divided by two (2), plus two (2) feet of additional pavement.
- c. Type 5 Streets: Medians shall not be allowed.

Paved medians with a minimum width of twelve (12) feet may be used for two (2) way turn lanes and painted medians.

The unpaved median cross-slope shall not be steeper than six (6) feet horizontal to one (1) foot vertical (6:1). The depth of depressed medians may be controlled by drainage requirements. Increasing the median width, rather than increasing the cross-slope, is the acceptable method for developing the required median depth.

Structures, permanent materials, or plantings within the median shall not obscure the visibility of vehicles in accordance with the clear-sight requirements of the Green Book.

9. Horizontal and Vertical Alignment. The following minimum and maximum posted/design speeds are established:

Street Type	Minimum	Maximum
1	30	40
2	25	35
3	20	30
4	15	30
5	15	20

Horizontal and vertical alignment shall be designed in accordance with the established speeds in accordance with the applicable sections of the latest edition of the FDOT *Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways*, latest edition (Green Book).

10. Cul-de-sacs. Unless otherwise approved at the time of preliminary plan approval, cul-de-sacs shall be provided on all dead-end streets, except those planned for future extension. Cul-de-sacs shall have a minimum paved radius of fifty (50) feet and a minimum right-of-way of a sixty (60) foot radius, unless the Fire Code requires a greater radius.

Cul-de-sacs shall not exceed 1,760 feet in length.

11. Continuation of Existing Street Pattern and Street Access to Adjoining Property. The proposed street layout shall take into consideration the street system of the surrounding area. Streets in the proposed development shall be connected to streets and/or rights-of-way in adjacent areas to provide for proper traffic circulation unless approved otherwise at the time of preliminary plan approval, or unless all lots within a proposed MRS subdivision are five (5) acres or greater, or unless the lots are within a proposed LFLD. Street connections and rights-of-way 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 preliminary plan approval. Where a cul-de-sac is not provided, a temporary T-type turnaround, including barricades, shall be provided on all dead-end streets with more than two (2) fronting lots or parcels. Subdivision collectors shall also comply with Section 901.1.H.

The developer, when required at the time of preliminary plan approval, shall extend, improve, and construct off-site streets and rights-of-way providing access to the development. The developer shall bear all costs of such extensions, improvements, and construction unless alternative relief pursuant to Section 407.4 has been granted. Mobility

fee credit for off-site improvements shall be in accordance with Section 1302.2.

12. Intersection Design and Separation. Intersections of all street types with subdivision collectors, major collectors, and arterials shall adequately provide for all turning and through-traffic movements by construction of additional lanes as determined necessary at the time of preliminary plan approval.

Right-of-way for additional turning lanes shall be provided by the developer in excess of the minimum required for the various types of streets as listed in this Code, as determined necessary at the time of preliminary plan approval. The minimum intersection spacing within the subdivision shall be 150 feet. Connections to streets functionally classified as Major County Roads shall be as specified in this Code, Section 901.3, Access Management.

Unless otherwise approved at the time of preliminary plan approval, intersections of Types 1, 2, 3, and 4 streets shall be T-type intersections.

13. The County shall not accept or deem complete any road or street to be owned and/or maintained by the County unless the following items have been completed:
 - a. All real property interests required for the street have been conveyed to the County, in a format acceptable to the County, as follows:
 - (1) All right-of-way required for the street has been conveyed to the County by warranty deed or by plat dedication.
 - (2) All stormwater ponds and structures that serve the street have been conveyed to the County by perpetual drainage easements. Conveyances may also be by warranty deed for stormwater ponds and structures that do not receive offsite flows. Where the drainage for the street is commingled with drainage from outside the right-of-way, or for streets within a platted subdivision, an entity other than the County shall be responsible for the operation and maintenance of the stormwater system for the street, and the County shall have the right, but not the obligation to perform maintenance of the stormwater system.
 - (3) All slope easements have been conveyed to the County for all slopes (if any) required by such road or street that lie outside the right-of-way and provide lateral support for the road or street. The slope easements shall be of

sufficient width to maintain the integrity of the lateral support provided by the slope area, as determined by the County-approved engineering plans. The slope easements shall be non-exclusive and shall not preclude the use of the easement area for any other use not inconsistent with its use for lateral support, such as utilities, landscaping, drainage or the construction, installation and maintenance of permanent physical improvements associated with the development of the underlying fee parcel, provided the other uses are otherwise permitted by this Code, nor shall the slope easements create a new right-of-way line from which setbacks or buffers are measured. The slope easements shall be perpetual, but shall be terminated by the County (in whole or in phases, as applicable) when the underlying fee parcel has been developed (for uses other than agriculture) so as to replace the lateral support at a grade substantially consistent with the adjacent right-of-way or with other permanent facilities capable of providing lateral support to such road or street as deemed appropriate by the County Engineer or designee.

- (4) Any other property interests required for the County to own and maintain the street, as well as all structures and features which serve or support the street have been conveyed to the County.
 - (5) The required conveyances must be submitted to the Real Estate Division for review, in accordance with the Procedures for Conveying Land to Pasco County, and the Real Estate Division will submit the conveyances to the BCC for acceptance and recording. Submission to the Real Estate Division of the fully executed original conveyance documents on County-approved forms for recording shall be sufficient for satisfying conditions (1) through (4).
- b. Evidence has been provided to the County demonstrating that the SWFWMD operation and maintenance (O&M) permit has been transferred to a CDD or HOA. The O&M may be transferred to the County only for streets for which the SWFWMD Project Area consists exclusively of County-owned right-of-way and County-owned ponds that are not commingled with flows from non-County owned property.
 - c. Where a developer seeks to open a street for public use, prior to submittal and completion of items (1) and (4) of this Section, the developer shall provide security adequate to assure the submittal and completion of the above-listed items, consistent

with Sections 310.3 – 312.6 of this Code.

- d. Upon completion of the construction of the street, and satisfactory submittal of items (1) and (4) of this Section, the Developer shall provide a Defect Security (Maintenance Guarantee) to the County, and Sections 311 and 312 of this Code shall apply. The effective period for such security for non-platted streets shall be thirty-six (36) months following completion.

E. Roadside Design

1. **Vegetation.** Grass or other low growing vegetation that is easily maintained shall be used on medians and roadside clear zones. To aid in erosion control, a sixteen (16) inch strip of sod shall be placed adjacent to the street pavement/back of the curb. The placement of the sod shall not unreasonably impede drainage of the pavement.

The remainder of the roadside shall be vegetated as follows:

- a. On slopes of four (4) feet horizontal to one (1) foot vertical (4:1) and flatter, seed and mulch or sod may be used.
- b. On slopes steeper than four (4) feet horizontal to one (1) foot vertical (4:1), sod shall be used.

All vegetation shall be carefully maintained by an entity other than the County.

Landscaping in excess of the requirements of this Code may be installed within the right-of-way provided that the plantings are located outside of the roadside clear zone and do not obstruct the clear site triangle. In addition, the maintenance shall be provided by an entity other than the County and shall comply with Section 406.5 relating to Right-of-Way Use Permits and License and Maintenance Agreements.

2. **Drainage.** Drainage swales shall be protected from scouring by the appropriate vegetation and, if required due to velocity of flow, erosion control measures shall be provided.

Drainage inlets shall not be placed in the travel lane of a Type 1, 2, 3, or 4 street. Drainage inlets placed within the median or roadside clear zone shall be flush with the ground surface. An area around the inlet shall be paved or concreted to improve drainage and to reduce erosion per the applicable FDOT standards.

Drainage swales perpendicular to the roadway shall not be used within the median or roadside clear zone. Drainage swales within the median or roadside clear zone shall meet the requirements for slope and changes in grade given in this Code.

3. Culverts. Where culverts are provided, the ends of pipes shall be flush with the adjacent ground or located outside the roadside clear zone. The slope and changes in grade at the structure shall conform to the minimum requirements for roadside clear zones. Unless otherwise approved at the time of preliminary plan approval, all culverts, with the exception of those under residential driveways, shall be reinforced concrete pipe with a minimum diameter of eighteen (18) inches. Residential driveway culverts may be made of other materials acceptable to the County Engineer with a minimum diameter of fifteen (15) inches.

Headwalls and mitered end sections shall be designed and constructed in accordance with the applicable standards referenced in this Code.

4. Curbs. Curbs may be used to provide drainage control and to improve delineation of the street pavement. The two (2) general classes of curbs are barrier curbs and mountable curbs. Both types of curbs shall be designed with a gutter to form a combination curb and gutter section. Barrier curbs shall be relatively high and steep-faced and designed to discourage vehicles from leaving the roadway. Mountable curbs shall be low with a flat-sloping surfaced designed so that vehicles can mount them when required. Where mountable curbs are used, the width may be included in the calculation of the required shoulder width.
5. Standards for driveways for residential construction. All new or reconstructed driveways within right-of-ways shall be designed to conform to all of the following criteria as applicable:
 - a. Two-car Garages. Minimum width, twelve (12) feet, Maximum width, twenty-four (24) feet.
 - b. Split Car Garages. Maximum width, twenty-eight (28) feet, a combined total width for multiple driveway(s) within the Right-of-Way.
 - c. Townhome Garages. Minimum width, nine (9) feet.
 - d. Three (3) foot flared section at each end of the driveway(s).
 - e. Fifteen feet minimum radii required for rural section.
 - f. Florida Department of Transportation standard flares required for a road that has urban curb and gutter section. (No curbs for driveway permitted within right-of-way; wheelchair access to be provided).
 - g. Unless otherwise approved by the County Administrator or Designee, driveways across roadside swales will require the placement of a drainage culvert (side drain) under the driveway in order not to impede flow in the swale resulting in an increase of backwater onto upstream property.

- h. Consistent with LDC Section 902.2.I, culverts in residential areas may be asphalt coated corrugated metal pipe (CMP) or reinforced concrete pipe (RCP) with a minimum diameter of fifteen (15) inches. Culverts in commercial areas shall be RCP with a minimum diameter of eighteen (18) inches.
 - i. Consistent with LDC Section 902.2.I, all storm sewer pipes and culverts shall have a minimum of six (6) inches of cover from outside crown of pipe to bottom of roadway base course. The minimum cover of pipe in swale areas shall be one (1) foot, unless otherwise approved by the County.
 - j. Mitered end sections are required on all culvert installation, as per Florida Department of Transportation Standard Detail Index 273.
 - k. Driveway construction from edge of pavement to the property line shall consist of one of the following:
 - (1) Six (6) inches thick, three-thousand (3,000) psi reinforced concrete (existing sidewalk to be replaced where it does not meet this criteria);
 - (2) Six (6) inches lime rock with one (1) inch asphalt;
 - (3) Six (6) inches soil cement with one (1) inch asphalt; or
 - (4) Four (4) inches asphalt
 - l. Driveway construction where mountable curb exists must tie to the back of the curb.
6. Standards for Paver Driveways and Sidewalks. Paver driveways and sidewalks may be allowed in the right-of-way provided that concrete edge restraints or similar other protection is placed so as to protect existing pavement. Concrete paver sidewalks within the driveway limits may be installed within the County right-of-way.
- a. Paver driveways and sidewalks shall comply with Pasco County Residential Driveway Connection (Figure 901.6.E) and the following:
 - (1) All pedestrian sidewalks and portion of paver driveway that are part of the pedestrian sidewalk shall meet all Americans with Disabilities Act (ADA) standards, including, but not limited to width, curb cut ramps, longitudinal slopes, cross slope and smooth surface.

- (2) Manufacturer's design specifications or Engineer design requirements for the paver driveway and sidewalk typical sections.
- (3) The owner of the property served by or upon which a paver driveway or sidewalk is or was previously installed is solely responsible for all maintenance and repair of the paver driveway or sidewalk within the County right-of-way. The County shall not be liable for the costs of any maintenance, repair, or replacement of the paver driveway and sidewalk regardless of the reason(s) requiring the maintenance or repair.
- (4) In the event any property owner fails to maintain and repair the paver materials within the County right-of-way, the County may, without prior notice to the property owner perform the necessary maintenance, repair or replace any portion of the sidewalk and/or driveway within the County right-of-way, using any materials approved by the Land Development Code or this Section. In no circumstances shall the County be obligated to replace pavers. Alternatively, if the County Engineer or designee deems appropriate, the property owner may be given notice and an opportunity to bring the driveway and/or sidewalk into compliance with the Land Development Code or this Section. The property owner is responsible for the costs of any repairs made by the County pursuant to the Land Development Code or this Section.
- (5) Maintenance. Nothing herein is intended or shall be inferred to impose any obligation on the part of the County to maintain or inspect paver driveways and sidewalks constructed in accordance with this or any other section of this Code. Property owners having pavers located within the County right-of-way shall indemnify and hold harmless the County from any claims arising from said pavers. All paver driveways and sidewalks constructed pursuant to this Code shall be maintained in perpetuity by the property owner and its successor(s) in interest unless the County expressly agrees in writing executed by both the property owner and the Chairman of the Board of County Commissioners to accept responsibility for maintenance of the paver driveway or sidewalk, or if such responsibility for maintenance of the paver driveway or sidewalk is otherwise voluntarily assumed by the County.

- (6) Right-of-Way Use Permit in accordance with Section 406.5.
- (7) License and Maintenance Agreements in an approved form may be required for installation of paver driveways and sidewalks.

F. Pedestrian and Bicycle Facilities

Provisions for public pedestrian and bicycle traffic shall be incorporated into development layout.

1. Bicycle facilities shall be in accordance with this Code, Section 901.7.
2. Pedestrian facilities shall be in accordance with this Code, Section 901.8.

G. Traffic Control Devices

Traffic control devices shall be in accordance with this Code, Section 901.10.

H. Street Names

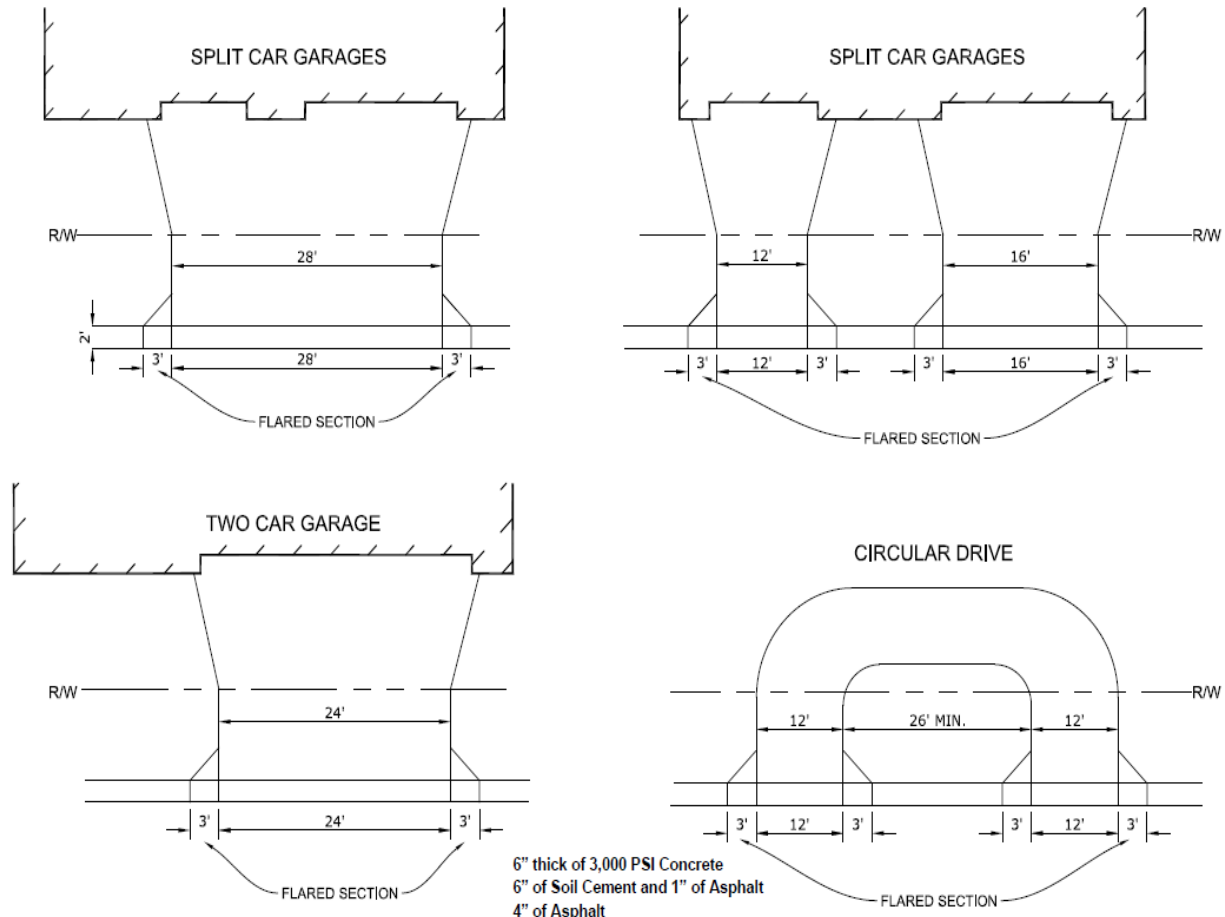
Streets shall be named in accordance with this Code, Section 901.9, Street Naming and Addressing.

I. Street Lighting

Street lighting shall be in accordance with this Code, Section 901.11.

Figure 901.6.E

RESIDENTIAL DRIVEWAY CONNECTIONS



6" thick of 3,000 PSI Concrete
 6" of Soil Cement and 1" of Asphalt
 4" of Asphalt
 6" of Limerock and 1" of Asphalt

Driveway **MUST** have a 5' minimum setback to the property line.

Driveways Connecting to a paved road must meet one of the above.

TABLE 901.6.A
Street Classification

Classification	Subclassification	Definition	Equivalent Residential Units Served
Type 1		Type 1 streets are subdivision collectors connecting Types 2, 3, and 4 streets. Type 1 streets may carry traffic from one (1) development to another or from the development to streets functionally classified as Major County Roads. Driveway access to individual lots shall not be allowed except where the County Administrator or designee determines that no feasible alternative exists and where approved at the time of preliminary plan approval.	Greater than 200
	1B	Requires a minimum of two (2) thru lanes.	201-600
	1A	Requires a minimum of four (4) thru lanes.	Greater than 600
Type 2		Type 2 streets are streets providing two (2) thru lanes and may provide subdivision connections to streets functionally classified as Major County Roads.	101-200
Type 3		Type 3 streets are streets providing two (2) thru lanes and may provide connections to streets functionally classified as Major County Roads.	51-100
Type 4		Type 4 streets are streets providing two (2) thru lanes and usually serve as cul-de-sacs. Type 4 streets may provide connections to streets functionally classified as Major County Roads.	50 or less
Type 5		Type 5 streets are also referred to as "alleys." Type 5 streets are used to serve as a secondary means of access to lots and are located at the rear of residential and commercial lots. Type 5 streets shall not connect to streets functionally classified as Major County Roads.	N/A
MRS Accessway		MRS accessways are accessways used to serve lots within a Minor Rural Subdivision where the accessways are not required to be connected to streets and/or rights-of-way in adjacent areas.	N/A
LFLD Accessway		LFLD accessways are private accessways (paved or unpaved) used to serve lots within a Class LFLD. LFLD accessways are not required to be connected to streets and/or rights-of-way in adjacent areas. In order to qualify as an LFLD accessway and be eligible for the associated alternative design and right-of-way standards, there shall be an agreement binding on the adjacent property owners to jointly maintain the private accessways.	N/A

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 904. FIRE PROTECTION

904.1. Intent and Purpose

The intent and purpose of this section is to protect the public health and safety by regulating the use, condition, construction, alteration, and repair of property, structures, and occupancies in the County in order to prevent the ignition and spread of fire and risk of harm to persons or property from fire and other causes.

904.2. Adoption of Fire Prevention Codes

Adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion are those codes known as the Florida Fire Prevention Code, as now and subsequently amended.

If any conflict occurs between this Code and any other applicable State law or regulation, the more stringent, with regard to life safety, shall apply.

904.3. Fire Protection Systems

A. Purpose

The purpose of this section is to ensure a uniform system of fire protection through installations of water systems.

B. Design; Prerequisites for Issuance of Certificate of Occupancy

1. Fire protection water systems shall be designed by a Florida registered professional engineer and constructed in accordance with the County, State, and Federal standards, including satisfaction of the domestic requirements established by the appropriate agencies when applicable, and the fire protection requirements established by the Florida Fire Prevention Code, as may be amended including the annex and current edition of the National Fire Protection Association (NFPA) standard 24, Installation of Private Fire Service Mains and Their Appurtenances.
2. Water mains and fire hydrants shall be installed, tested, inspected, and fully operational before any accumulation of combustibles on a development site and issuance of a Certificate of Occupancy for any structure within a development.

- ##### C.
- Developments not provided with a fire protection water system are required by the county fire marshal to have a fire protection water system designed by a Florida registered professional engineer in accordance with current edition of The National Fire Protection Association (NFPA), standard 1142, *Water Supplies for Suburban and Rural Fire Fighting*. Drawings of the proposed fire

protection water system shall be submitted to and approved by the county Fire Rescue Department prior to the issuance of a Building Permit.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 905. GREENSPACE REQUIREMENTS AND STANDARDS

905.2 Landscaping and Buffering

A. Intent and Purpose

It is the intent and purpose of this subsection to promote the health, safety, and general welfare of the current and future residents of the County by establishing minimum standards for the preservation, development, installation, and maintenance of native and Florida Friendly landscaping, as defined in Section 373.185, Florida Statutes.

Such landscape and buffers are intended to improve the aesthetic appearance of public, commercial, industrial, and residential areas by reducing the visual impact of large building masses; by softening the visual impact of paved surfaces and vehicular-use areas; by screening conflicting uses from one another; and otherwise helping establish a harmonious relationship between the natural and built environment.

These minimum requirements and standards recognize and address the vital contributions of landscapes and buffers to intercepting and filtering stormwater, reducing erosion, providing shade, enhancing property values, supporting wildlife, protecting natural resources, forming a “sense of place,” reducing costs and impacts of storms and natural disasters, and other beneficial services.

Resources for selecting appropriate planting material, helpful guides and templates, and links to external resources mentioned in this Section can be found in the [Development Manual](#).

B. Applicability

1. This section shall be applicable to all development plans submitted on or after February 26, 2002. For development plans approved prior to February 26, 2002, the applicant may elect to maintain landscaping in accordance with this Section. This option shall also be available to applicants whose development plans were approved prior to the most recent version of this Section, unless the landscape plan was specifically approved by the Planning Commission or Board of County Commissioners.

2. **Redevelopment Landscaping.** Developments that existed on February 26, 2002, that do not comply with the provisions of this subsection shall be brought into compliance as detailed in Table 905.2-A.

a. **Options for Relief.** Recognizing that redevelopment and renovation presents its own special challenges, an applicant may pursue the following approaches to obtain relief from the strict application of the above standards.

(1) The County Administrator or designee may grant relief

from the strict application of the standards in Table 905.2-A without requiring an alternative standard application pursuant to Section 407.5, if the applicant is able to demonstrate with the Landscape Plan that the landscaping and buffering is the maximum possible that can be accommodated given the existing conditions on the site.

- (2) County Assistance. Developments required to be brought into compliance with this section shall be eligible to apply to the Board of County Commissioners (BCC) through the County Administrator or designee for reimbursement of the reasonable cost of drought tolerant or native trees and landscaping plants as listed by Southwest Florida Water Management District (SWFWMD) or the University of Florida Institute of Food and Agricultural Sciences (IFAS), providing such vegetation is not invasive, and approved by the County Administrator or designee in an amount not to exceed \$10,000.00 from the Tree Mitigation Fund. The said reimbursement amount may be amended from time to time by resolution of the BCC.

TABLE 905.2-A

Circumstance		Conformity Required
Existing structure floor area is expanded	Twenty-five (25) percent or less	<ul style="list-style-type: none"> Building perimeter landscaping shall be required adjacent to any addition.
	Twenty-six (26) percent or more	<ul style="list-style-type: none"> Building perimeter landscaping shall be required adjacent to the addition/additional structure(s), and, where feasible, adjacent to any existing structure(s) requiring building perimeter landscaping per this Code.
Value of work associated with redeveloped, remodeled, or renovated structure except ordinary repair and maintenance.	Between twenty-five (25) and fifty (50) percent of the appraised building value	<ul style="list-style-type: none"> Buffers shall be installed along roadways and adjacent to residential properties. Building perimeter landscaping adjacent to addition.
	Between fifty-one (51) and seventy-five (75) percent of the appraised building value	<ul style="list-style-type: none"> All property buffers. Building perimeter landscaping adjacent to any addition/additional structure(s), and, where feasible, adjacent to any existing structure(s) requiring building perimeter landscaping per this Code. All vehicular use landscaping.
	Exceeds seventy-five (75) percent of the appraised building value	<ul style="list-style-type: none"> All property buffers. All building perimeter landscaping, where possible. All vehicular use landscaping.
Alteration of vehicular use area other than restriping, resealing, or resurfacing		<ul style="list-style-type: none"> Expanded area shall provide the required minimum landscape area as required in Table 905.2.C.
<p>NOTE: Appraised building value shall be as shown by the Property Appraiser. The value of improvements shall be cumulative from February 26, 2002.</p>		

C. General Standards

1. Design

- a. Clear-Sight Triangle. Where a driveway/accessway intersects a road right-of-way or where two (2) road rights-of-way intersect, vegetation, structures, and non-vegetative visual screens shall not be located so as to interfere with the clear- sight triangle as defined in this Code or the *Florida Department of Transportation, Manual of Uniform Minimum Standards*, most recent edition (Green Book), whichever is more restrictive.
- b. Sidewalks, driveways, and other impervious areas shall not be located within a required planting area except when they are constructed perpendicular to the planting area and provide

direct access to a structure, parcel, or adjacent parcels.

c. Sustainable Practices. Landscape installations shall employ

environmentally sustainable principles and practices, which include Florida Friendly landscaping. A comprehensive guide to Florida Friendly landscaping principles and materials is available through the University of Florida IFAS website linked in the [Development Manual](#). Landscaping shall be installed so that landscaping materials meet the concept of right material/right place. Installed material shall be grouped into zones according to water, soil, climate, and light requirements.

d. Diversity

(1) A maximum of fifty (50) percent of the plant materials used, other than trees, may be non-drought tolerant. The use of turfgrass varieties with excellent drought tolerance may exceed the fifty (50) percent limitation.

(2) A minimum of thirty (30) percent of the plant materials, other than trees and turfgrass, shall be native Floridian species suitable for growth in the County.

(3) Tree diversity shall be required based on the number of required trees on site (see Table 905.2-B).

TABLE 905.2-B

Required Number of Trees	Required Species
1-5	1
6-10	2
11-15	3
16-20	4
21-25	5
26 or more	6

(4) Where more than one (1) species is required, even distribution shall be strived for and subject to County approval through the associated review process.

(5) For shrubs, no one (1) species shall constitute more than twenty-five (25) percent of the total number of plantings.

(6) Development projects one (1) acre or less in size are exempt from the diversity requirements of Subsections 3, 4, and 5 above.

e. Berms. Where berms are installed, drought tolerant ground cover or sod, such as Bahia, may be used to stabilize the berms. The height of the berm shall be measured and averaged at

regular intervals on the exterior of the berm. The final height shall be determined by averaging the dimensions obtained. The measured interval distances shall be typically eight (8) feet.

- f. Tree Location. Trees are required to be located on the site; however, trees may be planted within rights-of-way or on public lands pursuant to Section 905.2.D.3.
- g. Use of Existing, Noninvasive Plant Materials. Existing, noninvasive plant materials may be used to meet the buffering and landscaping requirements, provided there is no reduction in the required landscaping and the required vegetation is adequate to meet the intent of the buffer being substituted for. If existing plant materials are retained to meet the requirements, the following standards shall apply:
 - (1) All new development shall retain existing, noninvasive plant materials to the maximum extent possible, unless stormwater management design, necessary grade changes, required infrastructure, or approved construction footprints necessitate their removal. Areas of retained plant materials shall be preserved in their entirety with all trees, understory, and ground cover left intact and undisturbed, provided that invasive, prohibited plant materials are removed.
 - (2) Numbered photographs with site plan key, or other forms of proof and a print date showing the extent of the existing landscaping shall be provided during the review process for assessment of the existing landscaping.
 - (3) The protection of existing, noninvasive plant materials shall conform to the standards listed in this Code, Section 802.
 - (4) The required buffer width shall be delineated on the plans and existing vegetation within those buffers can be administratively approved to be used in whole or in part to satisfy buffer requirements. The subsequent removal of the existing vegetation shall require additional review and approval .
 - (5) Trees located within environmentally sensitive lands shall not be counted or credited toward the total number of trees required.

2. Types of Planting Materials

a. Shade Trees

All required shade trees shall be selected from the Tree List in the [Development Manual](#), unless otherwise approved by the

County Administrator or Designee. All shade trees used to satisfy landscaping requirements shall at a minimum have a two (2) inch caliper trunk and be a minimum of six (6) feet in height at the time of installation.

The County defines a shade tree as any tree with a height and spread over 20-feet tall at maturity, that is planted for its wider canopy, can maintain a higher bottom-branch scaffold, and provide relief from direct sunlight for at least six months of the year.

b. Ornamental Trees

All required ornamental trees shall be selected from the Tree List in the [Development Manual](#) unless otherwise approved by the County Administrator or Designee. All ornamental trees used to satisfy landscaping requirements shall at a minimum have a two (2) inch caliper trunk and be a minimum of six (6) feet in height at the time of installation.

The County defines an ornamental tree as any variety of tree which is not expected, at maturity, to reach a height of twenty (20) or more feet which is planted for its decorative value rather than for shading purposes. Ornamental trees are usually deciduous but may include short-growing conifers or palms.

c. Palms

Palm trees may be substituted for up to thirty (30) percent of the required shade trees at a rate of three (3) palm trees, grouped together, for one (1) shade tree. Exceptions may be made for Palms classified as “Shade Palm” in the [Development Manual](#), which may be planted individually. Palms must have a minimum of ten (10) feet of clear trunk at the time of installation.

d. Multiple-Trunk Trees

All proposed multiple-trunk trees shall have no less than three (3) trunks, each trunk equal to or greater than one (1) inch caliper, and shall be a minimum of six (6) feet in height at the time of installation.

e. Shrubs

(1) Shrubs grown in appropriately sized containers shall have the ability to be a minimum of twenty-four (24) inches in height within one (1) year of planting (unless otherwise required) and shall maintain that height. Shrubs shall be a minimum of eighteen (18) inches in height at the time of installation. Shrubs shall be spaced a distance appropriate to the species to create a continuous appearance within one (1) year of planting, but at no more than thirty-six (36) inches on center at the time of installation.

- (2) Dwarf variety of shrubs grown in the appropriate-sized containers shall be a minimum of ten (10) inches in

height at the time of installation. Dwarf shrubs shall be spaced a distance appropriate to the species to create a continuous appearance within one (1) year of planting, but at no more than thirty-six (36) inches on center at the time of installation.

- f. Ground Cover

Ground cover plants shall be spaced so as to present a finished appearance and to obtain a reasonably complete coverage within one (1) year after planting. Nonliving ground cover, such as mulch, gravel, rocks, etc., shall be used in conjunction with living plants so as to cover exposed soil and suppress fugitive dust.

- g. Grasses

All portions of each site, which are not devoted to buildings, sidewalks, paving, or special landscape features shall be grassed, which may include wildflower grasses.

3. Installation of Planting Materials

- a. Avoid Utility Conflicts. Landscape installations shall be placed to avoid conflict with the existing and/or proposed utilities, both underground and overhead. Where interference with overhead utility lines is probable, ornamental trees shall be planted with a maximum spacing of twenty (20) feet on center. Consultation with the affected utility should occur for assistance with the selection of suitable vegetative species.
- b. Good Condition. All trees shall be planted according to the Florida Chapter, International Society of Arboriculture Standards for Planting, which is incorporated herein by reference. All trees must be maintained in good condition and planted in locations with adequate open space to allow for mature tree-canopy development.
- c. Avoid Easements. Trees shall not be planted within any easement that might interfere with the use of that easement.
- d. Nonliving Ground Cover. Nonliving ground cover such as mulch, gravel, rocks, etc. shall be used in conjunction with living plants to cover exposed soil and suppress fugitive dust. The nonliving ground covers shall be installed to a minimum depth of three (3) inches and should not be placed directly against the plant stem or tree trunk. Nonliving ground covers shall not be required for annual beds. Stone or gravel may be used to cover a maximum of twenty (20) percent of the landscaped area.

- e. Quality Practices. All landscaping shall be installed in accordance with standards and practices of the Florida Nursery, Growers, and Landscape Association and the Florida Chapter of the International Society of Arboriculture.
- f. Height. All height requirements shall be based on the finished grade of the landscaped area and measured at the main stem.
- g. Quality of Planting Areas. Equipment, construction material, and debris or fill shall not be placed in future planting areas. There shall be no cleaning of equipment or material or the storage or disposal of waste materials, such as paints, petroleum products, oils, solvents, asphalts, concrete, mortar, or any other material within these future planting areas. At the time of completion, landscape areas shall be free of compaction, foreign debris, and other components not native to the site.
- h. Interim Coverage. All portions of a lot upon which development has commenced, but not continued for a period of thirty (30) days, shall be planted with a grass species or ground cover to prevent erosion and encourage soil stabilization. Adequate coverage, so as to suppress fugitive dust, shall be achieved within forty-five (45) days.
- i. Landscaping Adjacent to Fences and Walls. When a fence or wall is proposed along a street, roadway, or other public space (i.e., parks, pathways, plazas, etc.) landscaping as required by 905.2.D.5 shall be located between the fence or wall and the street, roadway, or public space as applicable and/or as determined by the County Administrator or designee.

D. Specific Planting Requirements

1. Specific Standards for Residential Lots

- a. Minimum shade tree planting requirement. A minimum number of shade trees shall be planted or retained on all property upon which an individual lot is located in accordance with the following table:

Table 905.2-C

Size of Lot (Square Feet)	Minimum Number of Shade Trees
6,000 or less	2
6,001-8,999	2
9,000-11,999	3
12,000-14,999	4
15,000-17,999	5
18,000-43,559	6
1 Acre to Under 2.5 Acres	8

2.5 Acres to Under 5 Acres	6 per Developable Acre
5 Acres and Larger	4 per Developable Acre

- b. This requirement does not apply to lots of record existing before February 26, 2002.
 - c. The minimum number of trees per lot can be counted toward minimum number of replacement inches if the landscape plans show a variety of tree species to select from to ensure diversity.
 - d. All lots shall require at least one (1) shade tree be placed in the front yard of the lot or in the right-of-way fronting the lot. For multifamily projects, fifty (50) percent of the lots within a shared structure are required to meet this provision.
2. On-street Parking Areas/Plantings in Rights-of-Way. Trees planted within rights-of-way shall not be counted toward lot tree minimum requirements as outlined in Table 905.2-C.
- a. Trees planted in rights-of-ways are not required to meet the diversity requirement outlined in Table 905.2-B.
 - b. Tree plantings pursuant to this subsection of the Code shall require a County Right-of-Way Use Permit and a License and Maintenance Agreement if the Right-of-Way is to be dedicated to the County.
 - c. To prevent obstructed views of stop signs or other safety and traffic control signs, trees shall be placed a minimum of 30' from the face of said sign.
 - d. At no time, whether during installation or completion of construction, will there be imposed on the County any obligation to maintain or inspect plantings, including, but not limited to trees, shrubbery, etc., planted in the rights-of-ways pursuant to this section. Further, nothing herein is intended or shall be inferred to impose any obligation on the part of the County to maintain or inspect sidewalks constructed in accordance with any other section of this Code that are located in the same rights-of-way where said plantings are placed. All sidewalks constructed are subject to the provisions of section 901.8 of this Code and shall be inspected and maintained by the Developer and its successors and assigns, such as a CDD or HOA.
 - e. Utilities/Pavement. Trees shall be installed using a tree mitigation method as shown in the [Development Manual](#) when:
 - (1) The distance to any paved surface is less than the "Distance Between Paved Surface" column, shown in the Pasco County Tree list, found in the [Development Manual](#).
 - (2) The distance to any underground or ground level utilities is less than the "Ground Utility Minimum Distance from Trunk" column, shown in the Pasco County Tree list, found in the [Development Manual](#). This provision

defines utilities as pressure pipes, sanitary sewer pipes, air release valves (ARVs), underground and above ground utility boxes, manholes, water meters, backflow prevention devices, and other such structures installed for and by utility companies, not including storm water pipes and underdrains.

3. Off Street Vehicular Use Areas. To divide and break up large expanses of paving, provide shading for paved areas, as well as creating an aesthetically pleasing environment. Applicable to all new or expanded off-street parking or other vehicular use areas.

a. General Requirements

- (1) A minimum of ten (10) percent of the on-site, vehicular use area shall be devoted to interior landscape areas. For those projects that cannot meet this requirement, alternative planting solutions may be proposed and approved administratively.
- (2) A minimum of one (1) shade tree for every 200 square feet of required interior landscaped area.
- (3) Other than trees, planting materials shall naturally grow no taller than thirty (30) inches.

b. Landscape Islands and Terminal Islands

- (1) Minimum length; one (1) foot less than the length requirements in 907.1.D.2
- (2) Minimum width of ten (10) feet, between back of curbs.
- (3) Maximum of ten (10) parking spaces between islands.
- (4) All rows of parking shall be bordered by a terminal landscaped island. Where a terminal island abuts a required buffer area or where two (2) rows of parking abut either perpendicularly or at an angle, the required plantings may be relocated elsewhere on the site upon approval of the landscape plan.
- (5) Planting Requirements Per Island:
 - (a) One (1) evergreen shade tree; shall be set back a minimum of four (4) feet from the drive aisles.
 - (b) Shrubs, dwarf shrubs, ornamental grasses, or ground cover plants shall be placed to provide a finished appearance

at the time of inspection. These plantings shall be set back a minimum of one (1) foot from curbing or pavement.

c. Landscape Medians

Where a drive aisle is not loaded with parking spaces and another buffer is not immediately adjacent, the following planting area shall be required:

- (1) Minimum width of five (5) feet, between back of curbs.
- (2) Planting Requirements for Medians:
 - (a) One (1) understory tree every thirty (30) feet.
 - (b) Shrubs, dwarf shrubs, ornamental grasses, or ground cover plants shall be placed to provide a finished appearance at the time of inspection. These plantings shall be set back a minimum of one (1) foot from curbing or pavement.
- (3) No landscaping shall be placed in a manner that would impede the clear-sight triangle of internal drive aisle intersections with other drive aisles or pedestrian paths.
- (4) The County Administrator or designee may consider alternative landscape plantings and median widths as part of the review process.

d. Additional Considerations and Standards

- (1) Use of existing noninvasive trees is preferred in the design of the vehicle use area. Where existing trees are retained in landscape islands, the number of uninterrupted parking spaces in a row may be increased to fifteen (15).
- (2) For industrial parks or land devoted to industrial use, only the parking areas between the front of the building line and the road right-of-way or easement providing access shall comply.
- (3) For vehicle use areas serving large vehicles requiring additional maneuvering room, such as truck stops, motor freight terminals, boat and RV storage, and distribution centers, up to fifty (50) percent of required vehicle use area landscaping may be transferred and added to the perimeter buffer or roadway buffer.

- (4) Areas that utilize grass parking shall not be subject to the provisions above so long as the vehicle use area provides for orderly circulation and parking spaces are delineated with wheel stops.
- (5) Where known or newly emerging clean energy technologies are proposed to be installed (including, but not limited to, solar carports, wind turbines, and electric vehicle charging stations), and the installation of such technologies conflict with these landscaping requirements, the County Administrator or designee may administratively approve modifications to landscaping materials or planting locations during the review process without the need for formal submission of an Alternative Standard.

4. Building Perimeter Landscaping

The intent and purpose of building perimeter landscaping is to provide for visual interest, prevent monotony, break up wall and pavement expanses, and clearly define entryways.

- a. Building perimeter landscaping shall be placed such that a minimum of fifty (50) percent of the building perimeter is landscaped.
- b. All shopping center, retail, office, multifamily, clubhouse, or similar uses shall provide perimeter building landscaped beds in a minimum amount equal to ten (10) percent of the proposed building ground-level floor area.
- c. These building perimeter landscape areas shall be located adjacent to the building and shall consist of landscaped areas, raised planters, or planter boxes that are a minimum of five (5) feet wide. These landscaped areas shall include:
 - (1) Any combination of ornamental trees or group of palms, at a rate of one (1) tree or group of palms per fifty (50) linear feet within the required landscape area. Shade trees planted within fifteen (15) feet of the building may count towards meeting this requirement.
 - (2) At a minimum, the required landscape area is to have a single row of plantings, consisting of species reaching at least thirty-six (36) inches tall at maturity.

Alternative design solutions for these building perimeter landscaping requirements that meet or exceed the intent and purpose of this section may be considered through the review process.

5. Site Perimeter Landscape Buffering and Screening

The intent and purpose of providing landscape buffering and screening is to provide for an aesthetically pleasing developed environment and separation between uses and intensities where appropriate. Perimeter landscaping is required on all sides of a lot. The required buffer type is based on the subject property's district/use and the adjacent district/use as shown in Tables 905.2-D and 905.2-E at the bottom of this section.

- a. Where the buffers are located within residential subdivisions, the buffers shall be indicated as tracts and the applicable minimum side or rear yard shall be measured from the tract line.
- b. For residential uses where the buffers are not located within a subdivision, they shall be delineated by an easement and the applicable side or rear yard shall be increased by the width of the required buffer. Additionally, where the buffer is located within an easement, the applicable side- or rear-yard setback, as required by the zoning district, shall be measured from the easement line. Further, when a buffer is located within an easement, additional conditions relating to the maintenance and disclosure of the buffer requirements to the lot owner may be imposed by the County.

TABLE 905.2-D

District/Use Key:		Adjacency Matrix:										
		1	2	3	4	5	6	7	8	9	10	11
Agricultural Districts	1	-	-	-	-	-	-	-	-	-	F	-
Residential Districts ⁽¹⁾	2	A	B	B	B	C	C	-	B	D	F	B
Commercial/Office Districts/Uses	3	A	B	A	A	B	C	-	A	D	F	A
Industrial Districts/Uses	4	B	C	B	E	B	C	-	A	D	F	A
Automotive Service Stations and Convenience Stores with Gas Pumps	5	B	C	B	B	B	B	-	B	G	F	A
Vehicle Dealerships	6	A	H	A	A	A	A	-	A	D	F	A
Mining Operations/Construction and Demolition Debris Disposal Facilities/Landfills (All Types)	7	-	C	C	C	C	C	-	C	C	F	A
Self-Storage Facilities (Free Standing RV/Boat Storage Facilities do not need a buffer against Agricultural Districts)	8	A	B	A	A	B	A	-	A	#	F	A
Rights-of-Way ⁽²⁾	9	-	-	-	-	-	-	-	-	-	-	-
Controlled Access Roadways	10	-	-	-	-	-	-	-	-	-	-	-
Electrical Substations, Distribution Electrical Substations or Similar Uses, Including Solar Facility	11	B	B	A	A	A	A	A	A	D	F	-

(1) Single Family Districts, Multiple Family Districts, and Mobile Home Districts shall be required to provide a Type “B” buffer between each other. Developments of the same district shall not be required to buffer from themselves.

(2) Applies to major County roads and Type 1 subdivision collectors, except rights-of-ways as outlined in Section 905.3, or as required by this Code. Where a local roadway exists, the required buffer shall be determined by the adjacent district/use directly across the local roadway.

For specific requirements for Self-Storage Facility buffering, see LDC Section 1105.

**TABLE 905.2-E
Landscaping Buffer and Screening Requirements**

Buffer Type	Width	Shade Trees⁽¹⁾	Shrubs	Visual Screening⁽²⁾	Accent Plantings⁽³⁾
A Light	10	1 / 60 LF	Single row of evergreen shrubs	N/A	N/A
B Moderate	15	1 / 30 LF	Single row of evergreen shrubs	6' min – 8' max with any combination: Opaque fence (no wood or chain link), wall, berm, or hedge (plantings 1 / 5 LF)	N/A
C Dense	20	1 / 20 LF staggered	Single row of evergreen shrubs	6' min – 8' max with any combination: Opaque fence (no wood or chain link), wall, berm, or hedge (plantings 1 / 5 LF)	N/A
D-1 Nonlocal Roadway - General	Varies ⁽⁴⁾⁽⁵⁾	1 / 30 LF	5 shrubs per tree	N/A	50 / 100 linear foot
D-2 Nonlocal Roadway- Vehicle Use Area	Varies ⁽⁴⁾⁽⁵⁾	1 / 30 LF	Double row of staggered evergreen shrubs 3' tall at planting OR Combination of a berm and single row of evergreen shrubs, 3' tall at installation		30 / 100 linear foot
D-3 Nonlocal Roadway - Residential	Varies ⁽⁴⁾⁽⁵⁾	1 / 30 LF	5 shrubs per tree	6' min – 8' max with any combination: Opaque fence (no wood or chain link), wall, berm, or hedge (plantings 1 / 5 LF)	50 / 100 linear foot
E ⁽⁶⁾ Industrial to Industrial	5	1 / 60 LF	Single row of evergreen shrubs	N/A	N/A
F-1 ⁽⁷⁾ Controlled Access Roadways – Residential	20	1 / 60 LF	5 shrubs per tree or single row of evergreen shrubs	Wall (masonry or ornamental); may be placed atop berm to achieve height. Within 500 feet: sound wall, 10' Over 500 feet: 8'	50 / 100 linear foot
F-2 ⁽⁷⁾ Controlled Access Roadways – All Other	20	1 / 60 LF	5 shrubs per tree	8' min with any combination: Wall (masonry or ornamental), berms, or hedge (plantings 1 / 5 LF)	50 / 100 linear foot
G Service Stations and Convenience Stores with Gas Pumps	20 ⁽⁵⁾	1 / 20 LF staggered	Double row of staggered evergreen shrubs 3' tall at planting OR Combination of a berm and single row of evergreen shrubs, 3' tall at installation.		50 / 100 linear foot
H Vehicle Dealership	20 ⁽⁸⁾	1 / 20 LF staggered	5 shrubs per tree or single row of	6' min – 8' max with any combination:	N/A

to Residential			evergreen shrubs	Opaque fence (no wood or chain link), wall, or berm	
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(1) To provide options and diversity in design, up to 30% of required shade trees may be substituted with ornamental trees and/or groups of palms.

(2) If the visual screen on the adjacent development has already been approved and installed, this requirement shall be waived.

(3) Accent Plantings may be either shrubs, dwarf shrubs, or ornamental grasses.

(4) The minimum width will vary according to the ultimate width of abutting right-of-way and project size as follows:

Right-of-Way Width and Buffer Required:

- *0-99 Feet: 10 Feet*
- *100 or More: 15 Feet*
- *15 Acres or Larger Project Regardless of Right-of-Way Width: 20 Feet*

(5) When a corridor right-of-way is dedicated in accordance with this Code, the Type D and G buffer widths may be reduced to no less than ten (10) feet as part of plan review, provided the intent and purpose of this section are met.

(6) When the industrial uses are adjacent, such as sharing of side-yard line, the buffer is only required to extend from the front property line to that point parallel to the front building line.

(7) Any Controlled Access Roadway also designated as a Scenic Corridor per the Pasco County Comprehensive plan shall provide a visual screen consisting of native vegetation and double rows of trees or stands of trees. The number and specific planting criteria shall meet the intent of shielding the traveling public's view of sound walls, walls, and fences, and signage while providing for views of open space and natural areas.

(8) Where the vehicle dealership site is larger than 3 acres, the buffer width shall be increased to 40 feet.

- c. Joint Landscape Areas. When perimeter landscape areas are required on adjacent properties with similar densities and intensities, the County Administrator or designee may approve a Joint Landscape Area permitting installation of one (1) such landscape area on the adjoining boundary. The Joint Landscape Area shall be a recorded, binding agreement on both property owners and their successors in interest and shall be approved by the County Administrator or designee. The agreement shall describe each property owner's initial landscape requirements and ongoing maintenance responsibilities between the two parties. The Joint Landscape Area shall meet or exceed the intent of the properties' buffer requirements including required trees and screening opacity.
- d. Drainage Easements. Where drainage easements encroach the Perimeter landscape Buffering areas, landscape shall be installed to allow positive flow of the stormwater drainage.
- e. Unless specifically stated elsewhere in this Code, landscape buffers shall follow the stricter provision between use or zoning district. Within MPUD Master Planned Unit Developments, the buffering required shall be in accordance with the use within that phase, portion, and parcel of the MPUD plan.

6. Water Management Systems

- a. All manmade dry and wet retention areas that are visible from the right-of-way shall be designed to appear natural by avoiding squared edges and appearing more rounded where possible. In addition, the following standards shall apply:
 - (1) Trees shall be planted along the banks of the water management area at a minimum rate of one (1) shade tree per fifty (50) lineal foot of pond bank.
 - (a) No landscape buffer shall be required between a retention/detention pond and a Type 1 subdivision road if there is an average pond width of 125 feet.
 - (b) No landscape buffer shall be required between a retention/detention pond and a collector road if there is an average pond width of 175 feet.
 - (2) Retention/detention ponds between an arterial road and the development, or ponds adjacent to the right-of-way that do not comply with the above requirements shall install the full buffer.
- b. Retention/detention ponds and swales not visible from the right-of-way shall be permitted within a required buffer provided they are consistent with the following criteria:
 - (1) Retention/detention ponds and swales shall not exceed, at any location within the required buffer, seventy (70) percent of the required buffer width.
 - (2) A minimum five (5) foot wide, level planting area shall be maintained between the retention/detention pond or swale and the public right-of-way or adjacent parcel. This area shall be planted with trees and shrubs to provide a natural appearance.
- c. The banks of dry retention areas shall be sodded to the pond bottom. Wet retention areas shall be sodded to the seasonal high water line. Bahia grass may be used or planted in retention/detention areas, drainage areas, wetland setback areas and mitigation areas.
- d. Stormwater retention and detention areas that are visible from the public right-of-way or located within a required buffer and, if required to be fenced in accordance with the SWFWMD requirements, shall be enclosed with a nonopaque, six (6) foot decorative, metal or vinyl-coated chain-link fence. Regular chain-link fences shall not be permitted.

E. Landscape Acceptance, Maintenance, and Prohibitions

1. All landscaping, including those areas as outlined in Section 905.2.D.3 as approved through the applicable development review process, shall be maintained by an entity other than the County.
2. All required landscaping shall be maintained in a healthy condition in perpetuity in accordance with this Code.
3. All installed landscaping shall be neat and orderly in appearance and kept free of refuse, debris, disease, pests, and weeds, and shall be fertilized and irrigated as needed to maintain plants in a healthy condition.
4. Maintenance and pruning of required shade or ornamental trees is allowed in order to remove diseased or dead wood, remove hazardous limbs, remove or trim limbs that would obstruct vehicular movement, utility lines, or pedestrian traffic, remove double leaders or crossing limbs, or maintain or correct the size of the tree. Trimming to provide proper clearance from overhead utility lines shall be allowed; however, it shall not be allowed to significantly alter the natural form of the tree. Pruning that grossly alters the natural characteristic form of that species is not permitted, (e.g. topiary sculptures or "lollipop" shapes).
5. Plantings classified as Prohibited, Invasive (No Use), Invasive, and High Risk in the "Central" zone on the "Assessment of Non-Native Plants in Florida's Natural Areas" page of University of Florida/Institute of Food and Agricultural Sciences (US/IFAS) shall be prohibited. Invasive species located within the area of the project proposed to be developed are required to be removed. Ongoing maintenance to prevent the establishment of prohibited, invasive species is required.
6. Any plant materials of whatsoever type and kind required by these regulations shall be replaced within thirty (30) days of their demise and/or removal.
7. Paving, treating, or covering a required landscape area in any way that renders it impervious is prohibited.
8. Parking of vehicles shall not be permitted in required landscape areas.
9. Certification Requirements for New Development
 - a. Certification. A registered landscape architect or other person as authorized by Chapter 481, Florida Statutes, as amended or other type of professional as approved by the County Administrator or designee, shall conduct a final field inspection. A Certificate of Compliance with the requirements of this section shall be provided to the County and the property owner prior to obtaining a Certificate of Occupancy (CO). If the property owner installs the landscaping and irrigation, the owner shall act as the

certifying agent.

- b. Installation Prior to CO. Prior to the issuance of any CO, or where no CO is required, prior to final inspection or the use of the lot, all required landscaping shall be installed and in place as set out in the approved landscape plans. In cases where timely installation of landscaping is not practicable due to the season or shortage, as determined by the County Administrator or designee, a bond satisfactory to the Engineering Services Department shall be posted until the planting occurs.

F. Alternative Standards

The County Administrator or designee may approve a request for alternative standards when the intent and purpose of this section is met or exceeded by the proposed design. This is specifically designed to encourage the application of creativity in proposals for landscape solutions that comply with Section 905.2.A.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 907. ON-SITE PARKING, LOADING, STACKING, AND LIGHTING STANDARDS

907.1. On-Site Parking

A. Intent and Purpose

On-site, off-street parking facilities shall be provided to lessen congestion in the streets, while ensuring safe and efficient movement of traffic, allowing flexibility in addressing vehicle parking, and ensuring that parking needs associated with new development and redevelopment are met without adversely affecting other nearby land uses, vehicle and non-vehicle movement, and surrounding neighborhoods. The purpose is to provide sufficient parking to accommodate the majority of traffic generated by the range of uses which might be located at the site over time.

B. Applicability

This section shall apply to a new development site, a redeveloped site, or where a change in site use occurs.

C. Existing Nonconformities

Existing developed sites not meeting the requirements of this section shall be brought into full compliance when one (1) or more of the following conditions are met:

1. An existing use is improved or remodeled in a value of twenty-five (25) percent or more of the valuation of the existing principal structure as reflected on the Property Appraiser's current records.
2. An amendment is required to an existing approved site plan.
3. A change in use generates a requirement for additional parking.

D. General Standards

1. On-site parking facilities required herein shall be available throughout the hours of operation of the particular business or use for which such facilities are provided. As used herein, the term "parking space" includes either covered garage space or uncovered parking lot space located off the right-of-way. Service areas such as gas-pump pads, drive-through aisles, or similar areas shall not be calculated as parking spaces. Parking lots should be located along the rear and sides of buildings, with the buildings close to the rights-of-way to promote pedestrian access, reduce visual clutter, and increase store recognition.

2. All parking spaces shall be ample in size for the vehicles for which use is intended. The parking space area per vehicle, exclusive of any driveway or other circulation area, shall be accessible from a street, alley, or maneuvering area, and shall be not less than:

Vehicle Type	Width (feet)	Length (feet)
Standard	9	20
Compact	8	18
Smart Car (or other like vehicle)	8	16
Motorcycle	4	12

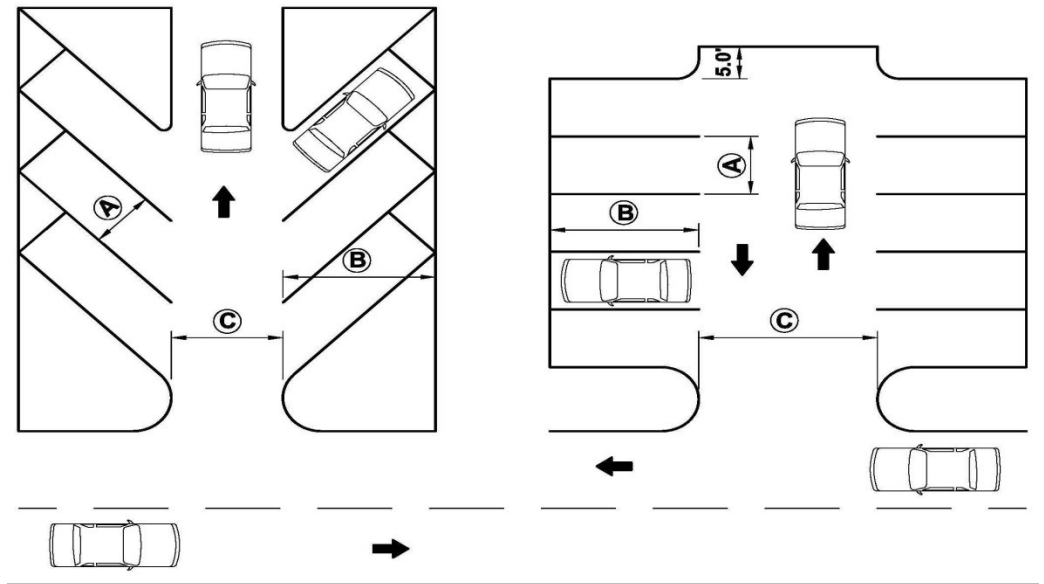
There shall be adequate provision for ingress and egress to all parking and loading spaces designed for use by employees, customers, delivery services, sales people, and/or the general public. Where a parking or loading area does not abut on a public right-of-way, private alley, or easement of access, there shall be an access drive per lane of traffic provided, and not less than fifteen (15) feet in width in all cases.

3. The minimum parking stall length and aisle width shall be as follows:

Minimum Stall Length and Aisle Width (Feet)

Parking Angle	Stall Width (A)	Stall Depth (B)	Aisle Width (C)	
			One-Way Operation	Two-Way Operation
45°	9'	20'	15'	24'
60°	9'	20'	18'	24'
90°	9'	20'	24'	24'
Parallel	9'	24'	15'	24'

**Figure 907.1 A
Off-Street Parking Stall Dimensions**



LEGEND

- (A) Stall width.
- (B) Stall depth.
- (C) Aisle width between stalls.

4. For single-family attached and multiple-family units with individual garage/driveway arrangements, one (1) vehicle may be stacked behind (parked in tandem to) each required off-street parking space and located between garage or carport and the street right-of-way line. Tandem parking must be located in a driveway or designated stabilized area. A clear-sight triangle shall be maintained. In no case shall parked vehicles placed tandem, including hitches or mechanical equipment, overhang a sidewalk. Stacked parking spaces may not be attributed to units not served directly by the driveway/garage. Tandem parking spaces shall be a minimum 40'L X 9'W of which eight (8) feet must be stabilized, and a maximum of 42'L X 16'W, which may include the covered spaces.
5. Commercial and industrial parking may be at a ratio of seventy-five (75) percent full size to twenty-five (25) percent compact parking spaces. If compact spaces are used, they should be evenly distributed throughout the site and shall be denoted by signs or pavement markings. Compact parking spaces shall not be less than 18'L X 8'W.

6. Dead-end parking aisles greater than 150 feet in depth shall provide an emergency vehicle turnaround acceptable to the county fire marshal sufficient for a thirty-eight (38) foot long truck with a thirty-two (32) foot wheel base, or as determined by the county fire marshal.
7. A garage or carport may be located wholly or partly inside the walls of the principal building, or attached to the outer walls. If separated from the principal building, the garage shall conform to all accessory building requirements. A freestanding parking garage on a separate parcel shall meet all principal building requirements. Additionally, the opening of the garage shall be sufficiently set back such that any queuing occurs outside of the right-of-way.
8. Surfacing: Any off-street parking area shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface including, but not limited to, a gravel, concrete, bituminous concrete, or stabilized vegetation surface, and shall be so arranged as to provide for orderly, safe parking, and storage of vehicles.
9. Vehicle wheel stops or other design features, such as curbing, shall be used so that parked vehicles do not extend more than two (2) feet into any landscape or buffer area nor reduce an abutting sidewalk width to less than five (5) feet.
10. All vehicular use areas shall comply with the applicable requirements of the Americans with Disabilities Act.
11. Parking structures can be either single-level garages with ground-level parking beneath the upper levels containing habitable floor area, or multi-level garages with ramps leading to at least one elevated parking deck.

Parking Garage Design standards: The following requirements shall apply to parking garages:

- a. Minimum setbacks: Parking garages shall comply with the minimum setbacks for principle structures in the zoning district in which they are located.
- b. Maximum height: Parking garages shall comply with the maximum height for structures in the zoning district in which they are located.
- c. Minimum parking stall dimensions: Shall comply with this section.
- d. Minimum drive aisle widths: Shall comply with this section.

- e. Floor area ratio: Parking garages shall not be counted toward the allowable floor-area ratio for a site unless specifically required by the zoning district.
- f. Vehicular accessibility: Vehicular access shall be designed in a manner that minimizes disruption to pedestrian corridors and the streetscape.
- g. Vehicular ingress and egress shall be provided from an alley or secondary street.
- h. When alley access or secondary-street access is not possible, then vehicular ingress and egress shall be permitted from the primary street.
- i. The width of a driveway intersecting a public sidewalk shall comply with Access Management Section of this Code.
- j. Minimum vehicle stacking requirements at entry points.
 - (1) Free flow entries means an entry into a parking garage without controls, such as attendants or automatic ticket-dispensing controls: one (1) vehicle space per entry lane.
 - (2) Automatic ticket-dispensing entries mean an entry into a parking garage controlled by a machine dispensing tickets for garage use: two (2) vehicle spaces per entry lane.
 - (3) Manual, ticket-dispensing entries mean an entry into a parking garage controlled by a person manually dispensing tickets for garage use: four (4) vehicle spaces per entry lane.
 - (4) Manual, key-card entries mean an entry into a parking garage controlled by a key card for garage use: two (2) vehicle spaces per entry lane.
- k. Orientation: In order to orient parking structures to the interior of development sites, parking garages shall:
 - (1) Include residential dwelling units, retail storefronts or office facades along all first floor exterior walls adjacent to a street, excluding alleys, except where driveways exist; or;
 - (2) Shall be screened with ornamental grillwork, artwork, or similar architectural features.

- I. Architectural design: Parking structures shall be compatible with abutting structures.
- m. Lighting: Light poles on top of parking garages shall be limited to a maximum height of twenty (20) feet. Lighting on top of parking garages is prohibited between the hours of 11:00 p.m. and sunrise, except that lighting is allowed while the parking facility is open to the public. Security lighting is excluded from this prohibition.

E. Parking Facilities Required

Any structure or building hereafter erected, converted, or enlarged for any of the following uses, or any open area hereafter used for commercial purposes, shall be provided with not less than the minimum spaces as set forth below, which spaces shall be readily accessible to the uses served thereby. Fractional numbers of parking spaces shall be increased to the next whole number.

Prior to permitting parking in excess of 110 percent of the required parking or ten (10) spaces, whichever is more, consideration shall be given to shared parking pursuant to Section 907.1.G.

If parking spaces are provided in excess of ten (10) percent of the required parking, those excess parking spaces are encouraged to be constructed with low impact materials; e.g., pervious pavers or stabilized vegetation.

Requirements for off-street parking for uses not specifically mentioned shall be the same as provided for the use most similar to the one sought as determined by the County Administrator or his designee.

In such instances, the applicant shall provide adequate information by which the proposal can be reviewed, which includes but may not necessarily be limited to the following:

- 1. Types of uses;
- 2. Number of employees;
- 3. Building design capacity;
- 4. Square feet of sales area and service area;
- 5. Parking spaces proposed on site;
- 6. Parking spaces provided elsewhere; and
- 7. Hours of operation.

USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
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Residential Uses				
Single-Family Detached, Single-Family Attached, and Two-Family Dwellings, Including Modular and Mobile Homes	1, 2, and 3 bedrooms: 2 spaces/unit	100/0	0	If on-street parking is not permitted or is restricted on the unit's street frontage, then 0.25 visitor parking space per unit shall be required. The visitor space shall be located not more than 200 feet from the unit's street frontage. Resident parking spaces may be tandem in accordance with this Code.
	4 or more bedrooms: 3 spaces/unit	100/0	0	
Cluster/Multiple Family Development		75/25		
Resident Parking	Studio: 1 space/unit	100/0	0.02 per provided space	Resident parking spaces may be tandem in accordance with this Code.
	1, 2, or 3 bedroom: 2 spaces/unit	100/0	0.02 per provided space	
	4 or more bedrooms: 3.0 spaces/unit	100/0	0.02 per provided space	

USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Residential Uses				
Visitor Parking	0.25 space/unit	50/50	0	On-street parking provided in accordance with the dimensions required for parallel spaces may count toward the visitor parking requirements. These spaces must be located within 200 feet of the building being serviced.
Model Home	As shown above based upon bedrooms, plus 1 space/salesperson	100/0	0	Salesperson space may be a vacant garage space in the model home or on-street parking if otherwise permitted.
Group Living Facilities				
Assisted Living Facilities	1 space per employee on the largest shift, plus 1 space per 4 beds, plus 1 space per facility vehicle	75/25	0.02 per provided space	
Community Residential Home	1 space per 5 clients permitted, plus 1 space per employee	75/25		
Boardinghouse	1 space per room	75/25	0.02 per provided space	

Fraternity or Sorority House	1 space per 2 students based on maximum occupancy, plus 1 space per manager	75/25	0.02 per provided space	
USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Commercial Uses				
Uses Located in Shopping Centers and Free-Standing Retail	1 space per 300 SF (GFA)	75/25	0.02 per provided space	

Auto Repair	4 spaces per bay, plus 1 space per employee	75/25	0	Service bays are not spaces.
Auto Sales	1 space/400 SF of GFA, plus 4 spaces for each service bay	75/25	0	Parking spaces shall be in addition to display areas.
Auto Service Station: without Associated Convenience Store	2 spaces, plus 4 spaces for each service bay	75/25	0	Additional use parking associated with the service station, such as fast food or washing stations, shall be calculated in accordance with the use and is in addition to service station parking.
Auto Service Station: with Associated Convenience Store	1 space per 250 SF of GFA store, plus 4 spaces for each service bay	75/25	0	Additional use parking associated with the service station, such as fast food or washing stations shall be calculated in accordance with the use and is in addition to service

				station parking.
USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Commercial Uses				
Auto Wash	2 spaces/washing stall	75/25	0	Stacking shall be provided as put forth in this Code.

Personal Services	1 space per 200 SF	75/25	0.10 per provided space	
Bank, Savings and Loan, Financial Institution	1 space/250 SF	75/25	0.10 per provided space	Stacking shall be provided as put forth in this Code.
Hotel, Motel	1 space per room	75/25	0.02 per provided space	
Home Improvement Stores, Lumberyards; Nurseries		75/25	0.02 per provided space	
Less than 20,000 SF of GFA	1 space/300 SF of GFA for retail sales/publically accessible areas	75/25	0.02 per provided space	
More than 20,000 SF of GFA	1 space/400 SF of gross floor area for retail sales/publically accessible areas	75/25	0.02 per provided space	
Self-Storage Facilities	5 spaces	75/25	1	Refer to Section 1105 for additional standards
Free-Standing Recreational Vehicle/Boat Storage	1 space	N/A	0	Refer to Section 1105 for additional standards
Mortuaries, Funeral Homes, and Undertaking Establishments	1 space per 100 SF of floor area for public use, plus 1 space per employee on shift, plus service area/parking for hearses/ambulances	75/25	0	

USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Commercial Uses				
Offices				For on-site parking facilities containing 1,000 or more parking spaces, the parking requirement shall be 1 space per 500 SF of GFA for parking spaces required in excess of 1,000 SF.
Nonmedical Administrative Business and Professional	1 space/300 SF of GFA	75/25	0.02 per provided space	
Government	1 space/300 SF of GFA*	75/25	0.02 per provided space	*Additional spaces will be required for facilities that support public assembly, festivals, customer service activities, elections, or similar activities in accordance with this Code.

USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Food and Drink				
Restaurants				
On-Premises with no Drive-Through	1 space/100 gross SF of floor area up to 6,000 gross SF plus 1 space/75 gross SF of floor area over 6,000 gross SF, including any outdoor/semi-enclosed eating area	75/25	0.02 per provided space	Curbside-to-go pick-up spaces will not be credited toward required parking.
On-Premises with Drive-Through	1 space/150 gross SF of floor area up to 6,000 gross SF plus 1 space/75 gross SF of floor area over 6,000 gross SF, including any outdoor/semi-enclosed eating area	75/25	0.02 per provided space	Stacking shall be provided as put forth in this Code
Take-out	1 space/300 SF of gross floor area plus 1 per employee on the largest shift	75/25	0.02 per provided space	No seating area provided. Stacking shall be provided as put forth in this Code.
Bars, Taverns, Clubs	1 space per 75 SF	75/25	0.02 per provided space	
Catering/Banquet Halls	2 spaces per 100 SF	75/25	0	
Educational Facilities				
Day Care Center	1 space/staff member, plus 1 space/15 clients of licensed capacity	75/25	0	
Elementary and Middle Schools	1 parking space per faculty member or State Requirements for Educational Facilities (SREF) plus adequate parking for special	75/25	0.5 per provided space	Bicycle spaces for teachers and visitors should be separate from spaces for

	events; e.g., open houses or pageants.			students.
USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Educational Facilities				
Senior High Schools	10 spaces per classroom, plus 1 space per administrative or staff position or SREF	75/25	0.5 per provided space	
Colleges, Universities	1 space per student; 1 space per administrative or staff position. Housing facilities on college/university campuses must provide associated off-street parking of 2 spaces for each 3 sleeping rooms. Other such accessory uses for colleges/universities; i.e., libraries, auditoriums, stadiums, etc., shall provide parking as required in this table for such uses.	75/25	0.5 per provided space	
Human Health Services				
Convalescent and Nursing Homes	1 space/4 beds	75/25	0.02 per provided space	
Medical; Dental Offices and Clinics, including Independent Testing Laboratories	1 space/200 SF of GFA	75/25	0.02 per provided space	
Hospitals	1 space per bed	75/25	0.02 per provided space	
Health Club/Gym	1 space per 100 SF	75/25	0.05 provided spaces	
Companion Animal Uses				
Veterinarian Office/Animal Hospital	1 space/200 SF of GFA	75/25	0	

USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Companion Animal Uses				
Kennels, Boarding	1 space/300 SF	75/25	0	Kennel spaces are in addition to any required residential parking.
Kennels, Breeding	1 space per nonresidential employee plus 1 space per 1,000 SF of kennel area	75/25	0	Kennel spaces are in addition to any required residential parking.
Grooming Services	1 space/200 SF of GFA	75/25	0	Spaces are in addition to any required residential parking.
Stables, Public	1 space per 5 stalls	75/25	0.02 per provided space	Spaces are in addition to other uses, such as residences, on site.
Entertainment and Recreation				
Arcades, Games	1 space/200 SF of GFA	75/25	0.05 per provided space	
Bowling Alleys	3 spaces/alley, plus required parking for other uses on the site	75/25	0.02 per provided space	
Billiards Hall, Bingo Hall, Lodges	1 space per 75 SF of GFA	75/25	0.02 per provided space	
Driving Range (Golf)	2 spaces/tee plus required parking for any other uses on the site	75/25	0.02 per provided space	
Golf Course (Regulation)	4 spaces/hole plus required parking for any other uses on the site	75/25	0.02 per provided space	
Miniature Golf	1 space/3 holes plus required parking for any other uses on	75/25	0.05 per provided space	

	the site			
USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES

Entertainment and Recreation

Parks and Other Similar, Passive-Use Open Areas	1 space per 2,500 SF devoted to the activity	75/25	0.05 per provided space	
Other Outdoor Entertainment, Sports, and Recreation	1 space per 3 persons based on occupancy, plus 1 space per employee on major shift	75/25	0.05 per provided space	Where tournaments or similar contests are expected, additional open areas suitable for parking/loading may be required.
Nightclubs and Dance Halls	1 space per 75 SF	100/0	0	
Community Clubhouse/Recreation Center	1 space per 200 SF	75/25	0.05 per provided space	
Skating Rinks	1 space/200 SF of GFA	75/25	0.10 per provided space	
Swimming Pools Commercial	1 space per 120 square of water surface	75/25	0.05 per provided parking	
Swimming Pools Community (Subdivision)	1 space per 200 SF of surface water	75/25	0.05 per provided parking	Where pools are accessory to clubhouse or recreation center, 1 space per 200 SF of structure only.
Tennis, Handball, and Racquetball Facilities	2 spaces/court plus required parking for additional uses on the site	75/25	0.05 per provided space	
Theaters, Movies	1 space/3 seats in auditorium(s)	75/25	0.10 per provided space	
Amusement Parks	Based upon site or traffic analysis		0	

USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Entertainment and Recreation				
Marinas, Boat Liveries	1 space per 3 wet slips, plus 1 space per 5 dry slips, plus 1 space per employee	100	0	75 percent of the parking spaces shall be sized for truck and hitched-trailer parking.

Places of Assembly				
Auditoriums, Stadiums, Amphitheatres, and Similar Spaces of Public Assembly	1 space/3 seats or 1 space/35 SF of GFA where there are no fixed seats	75/25	0.10 per provided space	
Religious Assembly	1 space/3 seats within the main assembly room or if there are no fixed seats, 1 space/35 SF of GFA within the main room, plus spaces for additional uses on site	75/25	0.10 per provided space	
Industrial Uses				
Flex Space	Per site or traffic analysis, but not less than 1 space per 500 SF	75/25	0	
Manufacturing or Assembly	1 space per 700 SF	100/0	0	
Truck Terminals and Wholesale Warehouses	1 space per employee, plus 1 space for each vehicle used in connection with the facility, plus sufficient space to accommodate the largest number of vehicles that may be expected at one time	100/0	0	Spaces shall be sized appropriately for the intended vehicle.
Visitor Parking	5 spaces per building	75/25	0	

USE	MINIMUM ON-SITE PARKING REQUIREMENT	RATIO OF FULL SIZE TO COMPACT SPACES (FULL/COMPACT)	REQUIRED BICYCLE SPACES PER PARKING SPACE	NOTES
Utilities				
Unmanned Projects, such as Substations, Cell Towers, and Water or Wastewater Pumping Stations	1 space per location			

F. Allowed Parking Facility Reductions

Where the following alternative transportation options are provided, the required parking spaces for Commercial, Office, Multiple Family, and Industrial uses may be reduced; such options shall be assessed cumulatively:

1. Carpools, Vanpools, or Bike Sharing

Where infrastructure and support programs to facilitate shared vehicle or bicycle use, such as carpools, vanpools, car-share services, ride boards, bike-share systems, and shuttle services to mass transit are provided, the required parking spaces may be reduced by up to ten (10) percent.

2. Low-Emitting, Fuel Efficient, and Alternative Energy Vehicle Sharing Program

Where building occupants have access to a low-emitting, fuel efficient, or alternative energy vehicle-sharing program, the required parking spaces may be reduced by up to ten percent. The following requirements must be met:

- a. A vehicle-sharing contract must be provided that has an agreement of at least two (2) years.
- b. The estimated number of building occupants served per vehicle must be supported by documentation.
- c. A narrative explaining the vehicle sharing program and its administration must be submitted.
- d. Parking for low-emitting and fuel efficient vehicles must be located in the nearest available spaces in the nearest available parking area.

In addition to the reduced number of spaces, the spaces provided for low-emitting, fuel efficient, or alternative energy vehicles may be reduced to a minimum of 5'W X 9'L.

3. Transit Facilities

Where the facility is located within one-quarter mile walking distance (measured from the project boundary) of one (1) or more existing or planned stops, the required parking spaces may be reduced by up to fifteen (15) percent.

G. Shared Parking

To reduce heat island effects and the development of unnecessary, impervious parking areas; shared parking is encouraged.

Shared parking may be allowed when land uses have different parking demand patterns and are able to use the same parking spaces/areas throughout the day. Shared parking is most effective when these land uses have significantly different peak-parking characteristics that vary by the time of day, day of the week, and/or season of the year.

1. Calculation of Parking Spaces Required with Shared Parking

The minimum number of parking spaces for a mixed-use development or where shared-parking strategies are proposed shall be determined by a study prepared by the applicant following the procedures of the Urban Land Institute (ULI), Shared Parking Report, Institute of Transportation Engineers (ITE), Shared Parking Guidelines, or other approved procedures. A formal parking study may be waived where there is established experience with the land use mix and its impact is expected to be minimal. The actual number of parking spaces required shall be based on well recognized sources of parking data, such as the ULI or ITE reports. If standard rates are not available or limited, the applicant may collect data at similar sites to establish local parking demand rates. If the shared parking plan assumes use of an existing parking facility, then field surveys shall be conducted to determine actual parking accumulation. These surveys should consider the seasonal peak period for the combination of land uses involved. The applicant shall determine the minimum number of parking spaces required for shared-parking arrangements or mixed-use developments by the following:

- a. Determine the number of parking spaces that are required for each land use separately.
- b. Based on the hourly variation in parking demand, determine the peak-parking demand for the combined demand of all the uses in the development.

- c. Compare the calculations in Steps a and b above, and the lesser of the two (2) peak-parking demands shall be used as the minimum number of parking spaces that needs to be provided.
2. Distance to Parking Spaces and Pedestrian Connection Requirements

The closer shared spaces are to the land uses they serve, the more likely the arrangement will be a success. Shared spaces for residential units must be located within 300 feet of dwelling unit entrances they serve. Shared spaces at other uses must be located within 500 feet of the principal building entrances of all sharing uses. However, up to twenty (20) percent of the spaces may be located greater than 500 feet but less than 1,000 feet from principal entrances. Clear, safe pedestrian connections must be provided. Up to fifty (50) percent of nonresidential spaces may be provided at greater distances if a dedicated shuttle bus or van service is provided from a remote parking facility.

3. Agreement Between Sharing Property Owners

If a privately owned parking facility is to serve two (2) or more separate properties, a recorded legal agreement between property owners guaranteeing access to, use of, and management of designated spaces is required. The recorded, legal agreement shall be acceptable to the County Attorney's Office.

4. Shared Parking Plan

Where shared parking is proposed, a shared parking plan shall be submitted that includes the following:

- a. A site plan of the parking spaces intended for shared parking and their proximity to land uses they will serve.
- b. A signage plan that directs drivers to the most convenient parking areas for each particular use or group of uses (if distinctions can be made).
- c. A pedestrian circulation plan that shows connections and walkways between parking areas and land uses. These paths should be as direct and short as possible.
- d. A safety and security plan that addresses lighting and maintenance of the parking area.

H. Bicycle Parking Facilities Standards

The following customer standards shall apply for bicycle storage areas:

1. Bicycle parking facilities shall include provisions for the secure storage and locking of bicycles in a stable position without damage to wheels, frames, or components.
2. All designed bicycle parking facilities shall be provided with markings and symbols clearly visible to the public which indicates the location of the bicycle parking facilities.
3. For nonresidential developments, visitor and customer bicycle parking facilities must be clearly visible from a main entry and located within 100 feet of the door, served with night lighting where required, and protected from damage from nearby vehicles. If the building has multiple main entries, bicycle parking facilities must be proportionally dispersed within 100 feet of each entry.

CHAPTER 1000. MISCELLANEOUS STRUCTURE REGULATIONS

SECTION 1002. WIRELESS COMMUNICATIONS FACILITIES

1002.1. Intent and Purpose

The intent and purpose of this section is to establish standards for the location, siting, and design of wireless communications facilities that accomplish the following:

- A. Allow for various types of wireless communications facilities in any location pursuant to standards contained in this section.
- B. Encourage the use of existing structures including, but not limited to, rooftops, utility poles, and church steeples for locating wireless communications facilities.
- C. Discourage new towers when existing structures are available for the placement of wireless communications facilities.
- D. Expedite the review process for those applications choosing the least intrusive alternative for providing the wireless communications facilities.
- E. Encourage developers of towers to locate, site, and design them in a way that minimizes the adverse visual impact of the towers and associated equipment.
- F. Enhance the ability of communications providers to provide such services to the community quickly, effectively, and efficiently.
- G. To encourage the compatibility of wireless communications facilities with surrounding land uses and protect the attractiveness, health, safety, general welfare, and property values of the community.

1002.2. Unlawful Wireless Communications Facility

- A. Any wireless communications facility, or portion thereof, not authorized by County ordinances, rules, or regulations shall be considered an unlawful wireless communications facility. Upon identification of an unlawful wireless communications facility by the County, the owner of the unlawful wireless communications facility, or the owner/occupant of the land upon which it is located, shall seek and secure all applicable approvals and permits in accordance with the provisions of this section.
- B. No wireless communications facility may be attached to or placed on the site of an unlawful tower.

1002.3. Specification of Future Land Use Classifications and Zoning Districts

Wireless communications facilities are a permitted use or a conditional use in all Future Land Use (FLU) Classifications and all zoning districts unless otherwise restricted by Chapter 27, Communications Facilities within the Public Right-of-Way, provided that

such wireless communications facilities comply with the standards of this Section and the permits under which the wireless communications facilities are regulated.

1002.4. **Tiered Review**

- A. Each application for a wireless communications facility shall be reviewed under one (1) of three (3) "tiers."
1. Tier One applications for the placement of antennas or small wireless communications facilities as described in Section 1002.5 of this Code.
 2. Tier Two applications shall require confirmation of status as a Tier Two under this section through a Tier Confirmation Notification from the County Administrator or designee, as provided in this Code, Section 1002.8; then reviewed through a preliminary site plan review, as provided in this Code, Section 403.3; and Building Permit review, as provided in Chapter 18, Article III, PCC.
 3. Tier Three applications shall require conditional use approval, as provided in this Code, Section 402; then review through a preliminary site plan review, as provided in this Code, Section 403.3; and Building Permit review, as provided in Chapter 18, Article III, PCC.

1002.5. **Tier One**

Applications for the following small wireless communications facilities shall be reviewed as Tier One:

A. **Placed on New or Existing Utility Poles not owned by the County**

Regardless of whether located on County Public Rights-of-way, Tier One applications for the placement of antennas or small wireless communications facilities on new or existing utility poles shall be reviewed through Chapter 27, Communications Facilities within the Public Right-of-Way, of the Pasco County Code (PCC).

B. **First Antennas on Existing Towers**

Tier One applications for first antennas on existing towers shall be reviewed through the Building Permit review process as provided in Chapter 18, Article III, of the PCC and Chapter 27-62(d).

Antennas other than collocations placed on new or existing towers, provided the antennas are of a design and configuration consistent with all applicable regulations, restrictions, or conditions, if any, applied to the tower when it was approved or constructed and that do not project greater than ten (10) feet above the height of the tower or, if mitigated, do not project more than twenty (20) feet above the height of the tower. The required permits for the tower and the antennas may be requested and issued separately.

C. Collocations on Existing Towers

Tier One applications for collocation on existing towers shall be reviewed through the Building Permit review process as provided in Chapter 18, Article III, of the PCCC and Chapter 27-62(d).

Antennas collocated on an existing tower of a design and configuration consistent with all applicable regulations, restrictions, or conditions, if any, applied to the initial antenna array placed on the tower and that do not project greater than ten (10) feet above the height of the tower or, if mitigated, do not project more than twenty (20) feet above the height of the tower. Any regulation, restriction, or condition that limits the number of collocations or requires a review process inconsistent with this section shall not apply. As part of such collocations, new accessory equipment shall be allowed within the existing compound.

D. Placed on Other Structures

Tier One applications for the placement on structures other than utility poles shall be reviewed through the Building Permit review process as provided in Chapter 18, Article III of the PCC, and to extent applicable, Chapter 27, Communications Facilities within the Public Right-of-Way, PCC.

E. Tower Replacement or Relocation

Replacement or relocation of existing towers, conforming or lawfully nonconforming, with replacement towers that:

1. Do not increase the height of the existing tower;
2. Will be located within 100 feet of the location of the existing tower to be replaced; and
3. Are of a monopole or mitigated tower design or, if the tower to be replaced is a mitigated tower, the replacement tower will be of a similar mitigated design shall be reviewed through the Building Permit process as provided in Chapter 18, Article III of the PCC.

F. Equipment Placement

Equipment buildings, shelters, or facilities that are part of the wireless communications facility that meet all applicable setback, height, design, and locational regulations, restrictions, or conditions shall be reviewed through the Building permit review process as provided by Chapter 18, Article III of the PCC.

G. Site Expansion

The expansion of the wireless communications facility site area approved in the original site plan by no more than a cumulative amount of 400 square feet or fifty (50) percent of the approved site size, whichever is greater.

1002.6. **Tier Two**

Applications for the following wireless communications facilities shall be reviewed as Tier Two:

A. Placement or replacement of a wireless facility antenna, antenna array, or equipment that does not increase the height of the existing structure or facility by more than ten (10) feet over the Tier One allowed height.

B. Eligible Facility Collocation, Replacement, Removal, Modification, or Relocation

Replacement or relocation of existing towers, conforming or lawfully nonconforming, with replacement towers that:

1. Increase the overall height of the existing tower less than twenty (20) feet;
2. If mitigated, will be located a distance equal to the overall height of the tower from the property lines of any nearby property in a RES-1 (Residential - 1 du/ga) through RES-24 (Residential - 24 du/ga) FLU Classification;
3. If unmitigated, will be located to maintain the same setback from any nearby property with RES-1 (Residential - 1 du/ga) through RES-24 (Residential - 24 du/ga) FLU Classification as the existing tower; and
4. Are of a monopole or mitigated tower design or, if the tower to be replaced is a mitigated tower, the replacement tower will be of a similar mitigated design.

C. Collocations that Do Not Meet Tier One Requirements

If a portion of a collocation qualifies as a Tier One, that portion shall be reviewed as a Tier One with the remaining portion reviewed as a Tier Two.

D. New wireless communications facilities that comply with the following location and design standards:

1. Located within nonresidential FLU Classifications subject to the following location, height, and separation requirements:

FLU Classification of Tower	Overall Height Limitation	Minimum separation from RES FLU Classifications or Existing Residential Uses
A-C Agricultural, AG/R (Agricultural/Rural), IL (Industrial - Light), IH (Industrial - Heavy), or Industrial Portions of MPUD Master Planned Unit Development, or MU (Mixed Use)	180 Feet Maximum	Two (2) Times the Tower Height
COM (Commercial), EC (Employment Center), TC (Town Center), A-C Agricultural, AT (Major Attractors), P/SP (Public/Semipublic), or Commercial or public/semipublic portions of MPUD, or MU (Mixed Use)	150 Feet Maximum	Two (2) Times the Tower Height
OF (Office), ROR (Retail/Office/Residential), or Office Portions of MPUD, or MU (Mixed Use)	120 Feet Maximum	Two (2) Times the Tower Height

2. Not located in conservation areas as defined by this Code.
3. Located in accordance with the height and design requirements of any designated scenic road or corridor, or outside such scenic road or corridor.
4. Designed in accordance with the following mitigation design table:

Mitigated Tower Type	Location
Church steeple, spire, or religious symbol	On property developed with a church or religious organization's use.
Bell tower, clock tower, flagpole, or unipole*	On property with a church, religious organization, institutional, recreational, community, public, or quasi-public use, or nonresidentially zoned.
Light standard	In parking lots, areas of existing lighting facilities, or as part of recreational lighting.

Tree	On any property with mature screening trees within the foreground of seventy-five (75) percent or more of views from surrounding, developed, residentially zoned property and surrounding public roads.
Silo, wind turbine, or windmill	On agriculturally zoned property.

*If a tower is mitigated as a flagpole with a flag, then only the flag of the State of Florida or the flag of the United States (U.S.) may be flown. U.S. flags must be displayed in the manner indicated by the U.S. Code.

1002.7. **Tier Three**

- A. Applications for wireless communications facilities not qualifying for Tier One or Tier Two review shall be reviewed as a Tier Three.
- B. Tier Three applications are subject to the following location and design standards:
 - 1. Location Standards:
 - a. The proposed wireless communications facility shall be located in an area where the adverse visual impact on the surrounding area is minimized. Being able to see a wireless communications facility does not necessarily equate to an adverse visual impact. Whether the visual effect of a wireless communications facility is adverse is based on the existence of relevant negative factors for that facility, the number of those negative factors, and the degree that the facility evidences those negative factors. Accordingly, as used in this section, adverse visual impact shall be measured by the presence and degree of the following negative factors:
 - (1) A large amount of the wireless communications facility is visible from normal views.
 - (2) The wireless communications facility is of a design, material, location, or size that readily catches and holds a viewer's eye when viewed from normal views.
 - (3) The wireless communications facility is in the normal view of a person in a moving vehicle for more than a short period of time.
 - (4) The wireless communications facility is to be lighted and in an area with few or no other lights.

- (5) The wireless communications facility is readily identifiable as a wireless facility by the average viewer.
- (6) The wireless communications facility, when viewed from normal views, appears out of place in the area.
- (7) There is an absence of existing visual impact from other uses in the area surrounding the wireless communications facility.
- (8) There is an absence of vegetation, structures, or other screening between the wireless communications facility and normal views.
- (9) The scale (height and bulk) of the wireless communications facility is significantly greater than other uses existing or allowed in the surrounding area.
- (10) The wireless communications facility is proposed in an area visually protected by adopted view protection corridors or generally applicable aesthetic regulations that heighten the protection of the overall aesthetics of the area.
- (11) A large amount of the available view is occupied by the wireless communications facility, relative to all available views.

Normal views, as used in this subsection, means views from where a person would normally be present and be able to see the wireless communications facility, as well as the area of view in the normal view of the average person. Area of view is measured as the area up to fifteen (15) degrees above the horizon and thirty (30) degrees left and thirty (30) degrees right of a forward view.

- b. The location of a proposed wireless communications facility shall minimize environmental impacts. Ground-mounted wireless communications facilities should not be located in preservation areas or conservation areas.
- c. Lighted towers using guy wires are prohibited in conservation areas as defined by this Code and the Comprehensive Plan.

C. Design Standards

All Tier Three wireless communications facilities should be designed in such a way to minimize the adverse visual impact on the surrounding area. This may include reducing the height and silhouette in order to create the least adverse visual impact. The minimum height necessary to provide the applicant's

designed service to the area should be utilized, as verified by an independent radio frequency (RF) analysis. In general, a monopole tower or mitigated tower is considered to have less adverse visual impact than alternative tower designs.

D. Cumulative Measurements

For purposes of this section, all references to height and radius are measured cumulatively from the date of the initial approval of existing utility structures and towers, and from the installation date for new utility structures or wireless communications facilities. The maximum additions to height or radius permitted by this section may not be used more than once for each utility structure or tower.

1002.8. Development Standards

A. Noncollocated antennas, new antennas, which are not part of a collocation, and are mounted on a building, shall comply with the applicable requirements of Chapter 27, PCC.

B. New Towers—Demonstration of No Collocation Opportunities (Tier Two and Tier Three Review)

A new tower shall not be approved unless the applicant can demonstrate no approved, but unbuilt, towers within 1,500 feet of the proposed tower, and no existing towers or other structures within the communications provider applicant's/coapplicant's search ring, are reasonably available for the communications provider's antennas to provide the communications provider's designed service. Factors to be considered by the County in the determination include one (1) or more of the following:

1. The proposed antennas would exceed the structural capacity of the existing tower/structure, and it cannot be reinforced to accommodate the proposed antennas at a reasonable cost;
2. The unbuilt tower or existing tower/structure does not have available or sufficient space for the proposed antennas so as to provide the communications provider's designed service and cannot be reapproved or replaced at a reasonable cost;
3. The height of the available space on the unbuilt tower or existing tower/structure is not sufficiently tall to provide the communications provider's designed service and cannot be reapproved or replaced to provide the required height at a reasonable cost;
4. The tower's/structure's owner or property owner will not consent to the use of the structure or property at a reasonable cost;
5. The proposed antennas would cause RF interference which cannot be prevented at a reasonable cost;

6. The unbuilt tower site or existing tower/structure site does not have sufficient space for the equipment needed to operate the wireless communications facility and additional space cannot be secured at a reasonable cost; or
7. Other reasons that make it impractical to place the proposed antennas on the unbuilt tower or existing tower/structure.

Reasonable cost shall be defined as the point up to which all of the applicant's costs of using the unbuilt tower or existing tower/structure exceed what would be all of the applicant's costs to construct a new tower. Costs shall include, but not be limited to, costs associated with leasing or purchasing property, the costs to secure an approval, the cost of the parts of the facility, and the construction costs.

C. New and Replacement Towers (Tier Two and Tier Three Review)

1. Required Collocation Design

New and replacement towers shall be designed for collocation as follows (overall height not including lighting rod):

- a. Towers 100 feet or less in overall height need not be designed for more than one (1) communications provider.
- b. Towers between 101 and 150 feet in overall height shall be designed for at least two (2) different communications providers.
- c. Towers between 151 and 180 feet in overall height shall be designed for at least three (3) different communications providers.
- d. Towers greater than 180 feet in overall height shall be designed for at least four (4) different communications providers.

2. Screening and Landscaping

Landscaping around the wireless communications facility site shall be consistent with the landscape buffering and screening requirements of this Code, Section 905.2, with the wireless communications facility site being treated like commercial districts/uses, but with the following variations from Section 905.2:

- a. If the landscaping/screening area is in the lease area or otherwise controlled by the tower or property owner, the easement or separate tract requirement of Section 905.2 shall not apply.

- b. The required landscaping/screening shall be placed around the exterior of the wireless communications facility site fence, unless the County Administrator or designee determines that the equivalent screening would be provided by the presence or use of existing landscaping, buildings, walls, fences, or other screening, in which case the required landscaping/screening may be relocated, reduced, or eliminated.
 - c. Where the required buffer width exceeds ten (10) feet, the required landscaping/screening may be placed in the ten (10) feet closest to the wireless facility site fence, and the balance of the buffer width shall be treated as a setback and may contain the uses allowed on the remainder of the parcel.
 - d. Landscaping shall be maintained in accordance with this Code, Section 905.2.E.
3. **Parking and Access**
- a. **Parking.** An area sufficient for temporary off-street parking for one (1) vehicle shall be provided.
 - b. **Access.** A twelve (12) foot wide stabilized access driveway and a "T" or "L" turnaround area are acceptable unless staff determines, based on public safety concerns, that circumstances require paved access.
 - c. **Access Easement Width.** The access easement shall be a minimum of twenty (20) feet in width.
4. **Lighting.** A tower shall not be artificially lit, except as may be required by the Federal Communication Commission (FCC), Federal Aviation Administration (FAA), or other applicable authority. If such lighting is required, it shall be installed in a manner to minimize impacts on adjacent properties. "Dual lighting" (red at night/strobe during day) shall be utilized unless otherwise recommended by FAA guidelines.
5. **Setbacks**
- a. All new towers shall comply with zoning district setbacks for a primary structure.
 - b. All equipment on the tower site shall comply with the zoning district setbacks for an accessory structure.

1002.9. **Submittal Requirements**

A. **All Wireless Communications Facility Applications**

Except those wireless communications facilities subject to the requirements of Chapter 27 of the PCC, in addition to the materials required for the appropriate type of review, all wireless communications facility applications shall provide the following:

1. A notarized affidavit from the communications provider who is to be the applicant or coapplicant for the application, authorizing the application and identifying any appointed agents.
2. A copy of the applicable FCC license or authorization of the communications provider.
3. Sufficient materials (plans, graphics, narratives, or expert statements) to demonstrate compliance with the applicable requirements of this section.

B. Tier Two Applications for New Towers

The application for a new Tier Two tower shall provide a copy of the notice letter to noticed property owners, as required by this Code, Section 1002.10; the list of parties noticed; and the Certificate of Mailing.

C. Tier Two and Tier Three Applications for New Towers

To demonstrate that there are no collocation opportunities, as provided in this Code, Section 1002.5.B, the communications provider applicant/coapplicant shall provide the following:

1. The communications provider's search ring;
2. An inventory of all existing towers or structures within the search ring that are at least seventy-five (75) percent of the height of the tower requested in the application; and
3. An explanation of why the inventoried existing towers or structures cannot be used for the placement of the communication provider's antennas/equipment, in accordance with the provisions of this Code, Section 1002.5.B.

D. Tier Three Applications for New Towers

1. Visual Impact Analysis: To demonstrate that the proposed tower will not create unmitigated adverse visual impacts, the applicant shall provide a visual impact analysis, which shall include photograph simulations of the proposed tower from a minimum of four (4) views from surrounding residential areas and public roadways. These views shall show scaled color before and after images of the proposed tower with all the expected antennas to be mounted on the tower. Additionally, an aerial image, with the location of the views noted and a description of the technical approach used to create the photograph simulations, shall be provided.
2. RF Information: To verify that the proposed height of the tower is the minimum necessary to provide the communications provider's designed service, the following RF information shall be submitted:
 - a. Areas to be served by the wireless communications facility.
 - b. Relationship to the communication provider's other existing or proposed wireless communications facilities, if applicable.
 - c. Technical data concerning the proposed facility and each existing, authorized, pending, and proposed adjacent site, if applicable:
 - (1) Type of service or function;
 - (2) Primary frequency or frequency band;
 - (3) Site name or other reference;
 - (4) Latitude and longitude (NAD 83 or WGS 84) of the tower; and
 - (5) Site elevation (amsl).
 - d. For each proposed and each adjacent cell Omni, microwave, and sector antenna, if applicable:
 - (1) Manufacturer;
 - (2) Model number;
 - (3) Frequency or frequency band (if not primary frequency band);
 - (4) Height of antenna radiation center (agl);

- (5) Maximum effective radiated output power (specify units);
- (6) Azimuth of main lobe (degrees east of north Nxxx E);
- (7) If used, mechanical and electrical beam-tilt parameters;
- (8) Proposed or required coverage area;
- (9) Latitude, longitude, and antenna height above ground of point-to-point sites; and
- (10) Other additional information as may be required to technically verify an applicant's assertions.

1002.10. **Tier Two and Tire Three Application Completeness Review**

- A. Within twenty (20) days of receipt of an application for a wireless communications facility, County staff shall determine if the application form has been completed and if all required items have been submitted.
- B. If County staff determines that the application is not complete and/or if all required items have not been submitted, the County staff shall, within the twenty (20) days, notify the applicant in writing that the application is incomplete (Notification of Incompletion). The Notification of Incompletion shall list, with specificity, those items that are incomplete and/or missing and indicate what must be provided to make the application complete.
- C. If the applicant resubmits an application, County staff shall review the resubmitted application for completeness. If the application is still not complete, County staff shall send the applicant another Notification of Incompletion indicating the remaining deficiencies within the regular review timeframes, but in no case longer than ten (10) days after the application is resubmitted. County staff may determine an application is still incomplete based on the applicant's failure to submit the information that the County has previously requested.
- D. If County staff fails to notify the applicant in writing that the application is incomplete within twenty (20) days after the application is initially submitted or additional information is resubmitted, the application is deemed, for administrative purposes only, to be properly complete.
- E. When the application is deemed complete and all required items have been submitted, the County staff shall send the applicant a Notification of Completion and begin processing the application.

1002.11. **Tier Confirmation Notification**

- A. Prior to application for preliminary site plan review, each applicant for a Tier Two wireless communications facility must request and receive a Tier

Confirmation Notification from the County Administrator or designee confirming that the design and location of the proposed wireless communications facility qualifies for Tier Two review under this Code, Section 1002.6. The request for the Tier Confirmation Notification shall include:

1. The parcel identification number for the parcel on which the wireless communications facility is to be located.
 2. A narrative describing which type of Tier Two wireless communications facility is proposed and stating how the proposed wireless facility meets the Tier Two classification.
 3. A basic site plan or sketch with sufficient information to indicate how the proposed wireless communications facility qualifies to be reviewed as a Tier Two.
 4. Other materials as may be necessary to demonstrate that the proposed wireless communications facility qualifies to be reviewed as a Tier Two; e.g., photograph simulations to demonstrate that existing trees will provide sufficient screening for a tree-type mitigated tower.
- B. The County Administrator or designee shall review the submitted materials to determine if the requested wireless communications facility is of the type, design, and location to qualify to be reviewed as a Tier Two facility, and provide the applicant with a written determination within ten (10) days of the material submittal. Any determination that the proposed wireless facility does not qualify for Tier Two review may be appealed in accordance with this Code.
- C. If a preliminary site plan for the Tier Confirmation site has not been approved within one (1) year of the Tier Confirmation, or if the preliminary site plan for the Tier Confirmation site expires, then said Tier Confirmation shall be considered expired.

1002.12. **Notice of Preliminary Site Plan Filing for a Tier Two Wireless Communications Facility**

A. **Notice**

1. No sooner than three (3) days prior to submitting an application for a preliminary site plan review for a Tier Two tower, the applicant shall provide written notice of the filing of the application to all of the property owner(s) within a distance of 500 feet of the subject property line ("noticed property owners"). The notice must be mailed with the Certificate of Mailing to provide evidence of the mailing date to the noticed property owners. Proof of such notice shall be included with the application for preliminary site plan review.
2. The notice shall contain:
 - a. A basic description of the proposed tower;

- b. The address and/or property identification number of the subject property;
- c. A map or description of where the tower is to be located on the parcel;
- d. Contact information for the applicant's representative;
- e. The County address where an appeal may be filed in accordance with Section 407.1; and
- f. A statement substantially the same as the following:

NOTICE

A Tier Two application for an administrative site plan review under the Pasco County Land Development Code, Section 1002.4, has been submitted for this proposed tower. If you have any questions about this application, you are encouraged to contact the applicant's representative. If you believe this application does not meet the applicable requirements of the Pasco County Land Development Code, Section 1002.6, you have the right to appeal the Zoning Administrator's Determination that this application meets the criteria for a Tier Two review. To appeal this determination, you must file an appeal in accordance with the Land Development Code Section 407.1 within 30 days of the mailing date of this letter.

1002.13. **Expert Review**

- A. Due to the complexity of the methodology and/or analysis required to review an application for a wireless communications facility, the County may require a technical review by a third party expert, the costs of which shall be borne by the applicant, which sum shall be in addition to regular review fees. All Tier Three wireless communications facility applications shall require an expert review. The County reserves the right to require an expert review for any other type of application. Applicants for a wireless communications facility shall submit a deposit as determined by fee resolution toward the cost of such technical review upon written notification from the County and shall remit any outstanding balance to the County for such review prior to the issuance of a Building Permit for the wireless communications facility.
- B. The expert review may address any or all of the following:
 - 1. The accuracy and completeness of submissions.

2. The applicability of analysis techniques and methodologies.
 3. The validity of conclusions reached.
 4. Whether the proposed wireless communications facility complies with the applicable standards set forth in this section; and
 5. Other matters deemed by the County to be relevant to determining whether a proposed wireless communications facility complies with the provisions of this section.
- C. Based on the results of the expert review, the County may require additional information or submittals or impose conditions of approval.

1002.14. **Review Timeframes**

A. Tier One

1. Applications for Tier One collocations shall be reviewed within the timeframes established in Chapter 27, PCC.

B. Tier Two

The County shall review and grant or deny each properly completed application for Tier Two review within the normal timeframes for a preliminary site plan review approval, pursuant to this Code, as applicable, but in no case shall the review and decision on the application take more than sixty (60) days from the date the application is deemed complete for content.

C. Tier Three

The County shall review and grant or deny each properly completed application for Tier Three review within the normal timeframes for a conditional use approval, pursuant to this Code, as applicable, but in no case shall the review and decision on the application take more than one hundred fifty (150) days from the date the application is deemed complete for content.

- D. If the County does not grant or deny a properly completed application for a wireless communications facility within the timeframes set forth in Section 1002.14 B. or C, the application shall be deemed automatically approved and the applicant may proceed with the next level of review or, if no additional levels of review are required, with the placement of the wireless facility.

- E. If during the review period the application is significantly amended, unless the review timeframe is waived by both the applicant and the County, it shall be considered a new application and a new review period will be established.

- F. These timeframes may be waived if a waiver is voluntarily agreed to by the applicant and the County. A one-time waiver may be required by the County in the case of a declared local, State, or Federal emergency, which directly affects the permitting activities of the County, for the length of that emergency and its effects.

1002.15. **Abandonment and Removal**

Any wireless communications facility that is not operated for a continuous period of six (6) months shall be considered abandoned, and the owner of such wireless communications facility shall remove same within ninety (90) days of notice from the County Administrator or designee that the wireless communications facility is abandoned. If such wireless communications facility is not removed within the said ninety (90) days, the County may have the wireless communications facility removed at the wireless facility owner's expense.

1002.16. **Radio Frequency Emissions FCC Guidelines**

All wireless communications facilities shall comply with the most current FCC rules and guidelines concerning human exposure to radio frequency electromagnetic fields (FCC Guidelines). The County reserves the right to request the FCC to provide information or verification of a wireless communications facility's compliance with FCC Guidelines. A wireless communications facility that meets the FCC Guidelines shall not be conditioned or denied on the basis of radio frequency impacts.

1002.17. **Personal Wireless Communications Facilities**

A. **Definitions**

1. **Amateur Radio Facilities.** Wireless communications facilities used as part of an amateur radio station, as defined by 47 United States Code 153(2) (a radio station operated by a duly authorized person interested in radio technique solely with a personal aim and without pecuniary interest).
2. **Over the Air Reception Devices (OTARD) Facilities.** Wireless communications facilities that are included under the OTARD Rule, as indicated in 47 Code of Federal Regulations, Section 1.4000, antennas that are:
 - a. One (1) meter (39.37 inches) or less in diameter or diagonal measurement and designed to receive direct broadcast satellite service (including direct-to-home satellite service), video programming services via broadband radio service (wireless cable), or to receive or transmit fixed wireless signals (any commercial nonbroadcast communications signals transmitted via wireless technology to and/or from a fixed customer location), and antennas designed to receive local television broadcast signals; and

- b. On property within the exclusive use or control of the antenna user where the user has a direct or indirect ownership or leasehold interest in the property.

OTARD facilities do not include amateur radio facilities; broadcast facilities; CB radio; digital audio radio services; antennas used as part of a hub, relay, or other fixed wireless communications facilities that are used to transmit signals to and/or receive signals from multiple customer locations; e.g., facilities providing WI-FI internet service to multiple customer locations off the antenna property; or other wireless communications facilities.

3. Personal Antenna. An antenna that will be used as a component of a personal wireless communications facility (PWCF).
4. Personal Tower. A tower, mast, or other structure specifically erected to support a personal antenna and other PWCF components.
5. PWCF. OTARD facilities and amateur radio facilities. Wireless communications facilities that do not meet the definition of or requirements for a PWCF shall be considered a wireless communications facility, as regulated elsewhere in this section.

B. Amateur Radio Facilities

The installation of any amateur radio facility shall be subject to the following standards:

1. Amateur radio facilities shall be considered accessory structures and must meet all required setbacks and/or locational limitations set forth in this code. Amateur radio facilities shall be located only in side- or rear-yard areas on any residential lot less than 20,000 square feet in size. However, certain types of amateur radio facilities require "guying," and all antennas and associated "guys" or "guy wires" shall be allowed to project into and onto the setback areas. Amateur radio facilities, when attached to the primary building of the lot, shall be deemed in compliance with setbacks when so fixed.
2. Temporary antennas must be securely anchored.
3. All parts of the amateur radio facility shall have vertical and horizontal clearance from any electric lines.
4. Construction, installation, repair, or maintenance of amateur radio facilities shall not require a Building Permit; however, such activity shall be performed in accordance with all manufacturers' specifications.
5. Amateur radio facilities shall not be mirror-like and shall contain no advertising or signage of any type except for owner identification,

CHAPTER 1000. MISCELLANEOUS STRUCTURE REGULATIONS

SECTION 1003. GATES, FENCES, AND WALLS

1003.1. General Requirements

- A. No gate, fence, or wall shall be installed on any public or private right-of-way used as a street, road, highway, or easement for ingress and/or egress. However, as part of a development entrance feature, a gate, fence, or wall may be installed on a private right-of-way exclusively owned.
- B. Each gate, fence, or wall erected shall be of uniform construction and appearance, and shall be erected and maintained in good repair so as to not pose a hazard or eyesore.
- C. No gate, fence, or wall shall be erected so as to interfere with the clear-sight triangle as defined in this Code or the *Florida Department of Transportation (FDOT) Manual of Uniform Minimum Standards*, most recent edition (Greenbook), whichever is applicable. (See Figure 1003A, Pasco County Clear Sight Triangle with FDOT Clear Sight Limits.)
- D. In the event fifty (50) percent, or more, of a nonconforming gate, fence, or wall is damaged, destroyed, or removed, whether by natural causes or otherwise, then the nonconforming structure shall be removed and any replacement gate, fence, or wall shall be erected in compliance with the requirements of this section.
- E. The height of all gates, fences, or walls located at a common property line shall be measured and averaged at regular intervals on both sides of the property line. Where not located on a common property line, the measurements shall be taken at regular intervals on the exterior of the gate, fence, or wall. The final height shall be determined by averaging the dimensions obtained from the measured interval averages. The measured interval distances shall typically be eight (8) feet. Berms, when used in conjunction with fences or walls, shall be included in height determinations. Support poles, columns, and decorative lights may exceed the height limitations by not more than one (1) foot. Gates may exceed the height limitations by not more than two (2) feet.
- F. Fences, gates, and walls shall be constructed in such a manner so as not to interfere with drainage and utilities. If it is necessary for the County to perform maintenance in an easement where a fence is located, the owner will be required to remove the fence within thirty (30) days of the mailing of the written notice by the County, and if it is not removed, the County may remove the fence without replacement.
- G. Chain link, welded wire, or similar fences and gates visible from collector or arterial roadways on the Highway Vision Plan & Functional Classification Map shall be prohibited.

- H. Where applicable, all gates, fences, and walls shall meet the requirements as set forth in this Code, Section 905.2.

1003.2. **Exemptions**

- A. Gates, fences, and walls which are owned or erected by utility companies or owned or erected by Pasco County or any state or federal governmental agency.
- B. Gates, fences, and walls on property being used primarily for agricultural purposes.

1003.3. **Residential Requirements**

Gates, fences, and walls shall be subject to the following requirements in residential districts or residential developments:

- A. Gates, fences, or walls shall not exceed four (4) feet in height in the front yard or in front of the dwelling unit, except as part of a continuous buffer wall for a subdivision or phase thereof.
- B. On lots with double frontage, gates, fences, or walls shall not exceed four (4) feet in height in that front yard that is parallel to the principal building line of the residence where the front door is located, or in front of the dwelling unit. Any person may seek a written determination from the County Administrator or designee identifying the "front door" and/or "principal building line of the primary residential structure" for a residential property. In the other front yard, a six (6) foot fence may be permitted, provided it meets the required front setback for the district in which it is located.
- C. In side or rear yards, gates, fences, or walls, shall not exceed six (6) feet in height.
- D. The finished side of the gate, fence, or wall shall face the adjoining lot right-of-way.
- E. Gates, fences, and walls that are electrified or constructed of corrugated metal, sheet aluminum, barbed wire, or similar materials are prohibited.

1003.4. **Nonresidential Requirements**

Gates, fences, and walls shall be subject to the following requirements in nonresidential districts or nonresidential developments:

- A. Gates, fences, or walls shall not exceed eight (8) feet in height in any yard.
- B. The finished side of the gate, fence, or wall shall face the adjoining lot right-of-way.
- C. When used for security purposes, barbed wire may be used when attached to gates, fences, or walls. Such barbed wire shall be a minimum of six (6) feet aboveground as measured from the ground and shall not be included in calculating the height of the gate, fence, or wall.

1003.5. **Additional Requirements for Waterfront Properties**

- A. Fences may be constructed along the rear property line but not within fifteen (15) feet of the mean high-water line. Fences may be constructed along side property lines provided they do not exceed four (4) feet in height and shall be constructed so as to not obstruct vision within fifteen (15) feet of the rear property line or within fifteen (15) feet of the mean high-water line. Fences in the side yard may be a maximum of six (6) feet in height, so long as they do not extend in front of or to the rear of the dwelling structure. (See Figure 1003B, Permitted Location of Fences in Side and Rear Yards on Waterfront Properties.)
- B. See Section 1001, Docks and Seawalls, for additional waterfront property development standards.

FIGURE 1003A

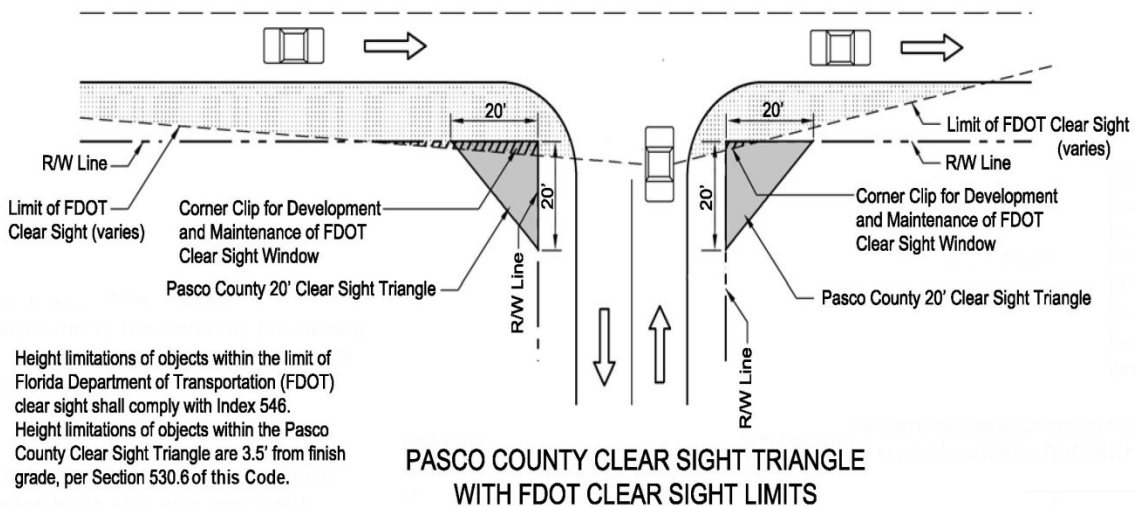
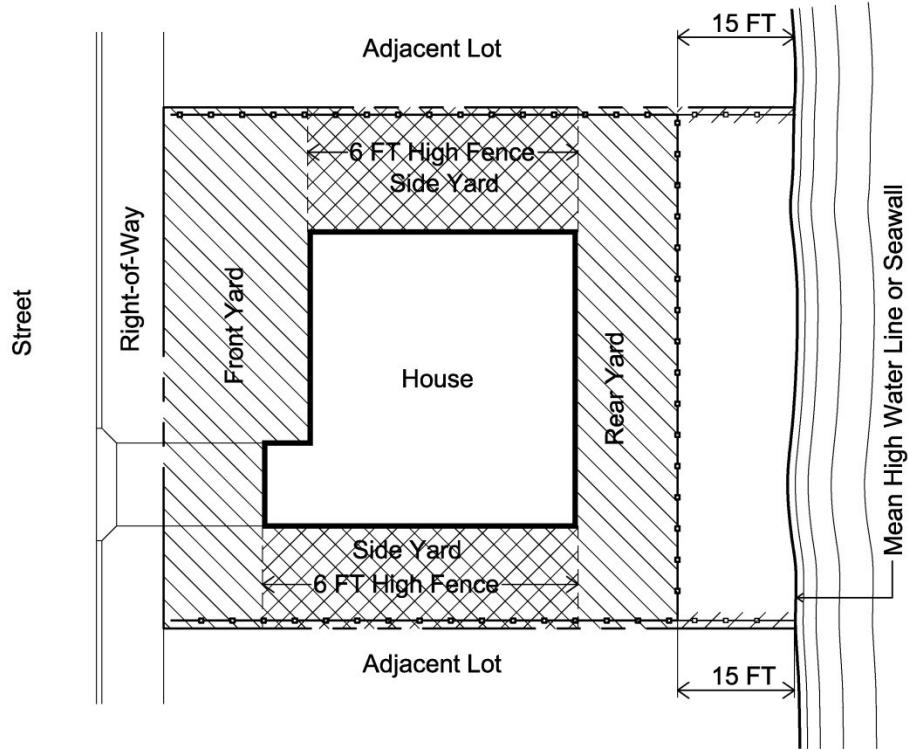


FIGURE 1003B

- | | | | |
|-------------------|-----------------------|---|--|
| — — — — — | Property Line | □ | No Fence Permitted |
| — • — • — • — • — | Fence | ▨ | 4 FT High Fence (not to obstruct vision) |
| - - - - - | Edge of Building Line | ▧ | 4 FT High Fence |
| — ~ — ~ — ~ — ~ — | Water Line | ▩ | 6 FT High Fence |



WATERFRONT LOT

CHAPTER 1300. CONCURRENCY, MOBILITY AND IMPACT FEES

SECTION 1302. MOBILITY FEES

1302.2. Mobility Fees

A. Intent and Purpose

1. The Board of County Commissioners (BCC) has determined and recognized through adoption of the Pasco County Comprehensive Plan that the growth rate which the County is experiencing will necessitate extensive, major transportation network improvements and make it necessary to regulate development activity generating new travel demands in order to maintain an acceptable level of transportation system capacity and quality of life in the County. In order to finance the necessary new capital improvements and regulate travel generation levels, several combined methods of financing will be necessary; one of which will require development activity generating new transportation demands to pay a mobility fee which does not exceed a pro rata share of the reasonably anticipated expansion costs of transportation facilities.
2. Providing for and regulating transportation facilities to make them safer and more efficient is the recognized responsibility of the County through Sections 125.01(1)(l), (m), and (w), Florida Statutes, and the Pasco County Comprehensive Plan, and is in the best interest of the public health, safety, and welfare.
3. It is the purpose of this section to establish a regulatory fee to assist in providing increased capacity for the transportation system to accommodate the increased impacts development will have on the transportation system. Development activity generating new travel demands will require the payment of a mobility fee which shall not exceed a pro rata share of the reasonably anticipated costs of new transportation facilities that its presence necessitates. This is accomplished by requiring a mobility fee upon commencement of any development activity generating new travel demands. This mobility fee is for the exclusive purpose of providing increased capacity for the transportation system.
4. It is the purpose of this section to implement many of the tools and techniques identified and encouraged by the State Legislature in Sections 163.3180(5)(f) and (i), Florida Statutes, and identified by the BCC in the Pasco County Comprehensive Plan. These tools and techniques will substantially advance the public purposes of job creation, and reduction of energy, infrastructure, and service costs; i.e., public safety, that typically result from lower density/sprawl-type development patterns.

These tools and techniques include:

- a. Adoption of long-term strategies to facilitate development patterns that support multimodal solutions;
- b. Adoption of an area-wide Level of Service (LOS) not dependent on any single road segment function;
- c. Exempting or discounting impacts of development in urban areas, redevelopment, job creation, and mixed use on the transportation system;
- d. Assigning a greater priority to ensuring a safe, comfortable, and attractive bicycle/pedestrian environment, with convenient access to transit; and
- e. Reducing mobility fees to promote development within existing and planned urban areas, development that results in job creation, and development of compact, mixed use, energy-efficient development, such as Transit-Oriented Development (TOD), Traditional Neighborhood Development (TND), and development that incorporates Mixed-Use Trip Reduction Measures (MUTRM).

Because applicable law requires that revenue sources other than those deriving from mobility fees be utilized to provide targeted discounts or reductions of mobility fees for development in urban areas; development that results in job creation; compact, mixed use, energy efficient development; and other locally desired development, it is the purpose of this section to ensure that revenue sources other than mobility fees are utilized to provide these targeted discounts/reductions.

5. It is the purpose of this section to implement Policy TRA 1.7.2 of the Pasco County Comprehensive Plan which requires the adoption of a multimodal mobility plan and mobility fee that:
 - a. Is designed to encourage development of specific land uses in specific locations;
 - b. Includes assessments for roadways, transit, and bicycle/pedestrian facilities, including assessments for roadway facilities on the Strategic Intermodal System (SIS);
 - c. Promotes compact, mixed use, and energy efficient development; and
 - d. Does not assess new development for transportation backlogs or an amount that is in excess of the amount that is proportionate to the impacts of the new development.

6. The purpose of this section is to continue to enable the County to allow new development consistent with the adopted Comprehensive Plan and to regulate development activity generating new transportation demands, so as to require new development to share in the burdens of growth by paying its pro rata share for the reasonably anticipated expansion costs of transportation facilities. This will allow new growth to mitigate the burdens it places on County transportation facilities without unfairly or disproportionately placing this burden on the existing residents of the County.
7. The purpose of this section is to ensure that the County General Fund does not bear the full burden of administering and implementing a mobility fee program and to ensure that in addition to the mobility fee, an administration fee is charged to new development to administer and implement the mobility fee program, provided that the administration fee does not exceed the County's actual costs of administration and implementation.
8. It is not the purpose of this section to address all transportation impacts resulting from new development or to guarantee that all new development will be approved upon payment of a mobility fee. New development has other site specific and cumulative impacts on the transportation system that are regulated through other County land development regulations including, but not limited to, regulations relating to transportation corridor management, collector and arterial spacing, access management, substandard roads, secondary access, and transportation analysis. However, if such regulations require transportation mitigation for the same impacts addressed through the payment of mobility fees, such regulations provide for credits against mobility fees consistent with State and Federal law and this section.
9. It is not the purpose of this section to collect any money from development activity generating new transportation demands in excess of the actual amount necessary to offset the demand on the transportation system generated by the new development, plus an administration fee. It is specifically acknowledged that this section has approached the problem of determining the mobility fee in a conservative and reasonable manner. This section will only partially recoup the governmental expenditures associated with growth. To the extent existing development will continue to bear a share of the cost of future improvements of the transportation system, mobility fees have been reduced.

B. Findings

It is hereby ascertained, determined, and declared that:

1. The County has determined that transportation capital improvements are necessary to maintain current and/or projected levels of service.
2. The County has determined that currently available revenues will not be sufficient to provide the transportation capital improvements that are necessary to accommodate growth resulting from development.
3. The County is required to adopt a Comprehensive Plan containing a Capital Improvements Element (CIE) that considers the need and location of public facilities within its jurisdiction and the projected revenue sources that will be utilized to fund these facilities.
4. The implementation of a mobility fee to require future growth to contribute its fair share of the cost of growth necessitated transportation capital improvements is necessary and reasonably related to the public health, safety, and welfare of the people of the County.
5. Providing transportation capital improvements that are adequate for the needs of growth is in the general welfare of all residents of the County and constitutes a public purpose.
6. The County has elected to repeal transportation concurrency, and adopt an alternative mobility funding system consistent with Section 163.3180(5)(i), Florida Statutes.
7. Sections 163.3180(5)(f) and (i), Florida Statutes, encourage mobility funding systems that use one or more of the following tools and techniques:
 - a. Adoption of long-term strategies to facilitate development patterns that support multimodal solutions;
 - b. Adoption of an area-wide LOS not dependent on any single road segment function;
 - c. Exempting or discounting impacts of locally desired development, such as development in urban areas, redevelopment, job creation, and mixed use on the transportation system;
 - d. Assigning secondary priority to vehicle mobility and primary priority to ensuring a safe, comfortable, and attractive pedestrian environment, with convenient access to transit; and
 - e. Reducing impact fees to promote development within urban areas and a balance of mixed use development in certain areas

Because applicable law requires that revenue sources other than those derived from mobility fees be utilized to provide targeted discounts or reductions of mobility fees for development in urban areas; development that results in job creation; mixed use development; and other locally desired development, this section, and the Pasco County Code of Ordinances, Chapter 2, Article VI, Division 3, Multi-Modal Tax Increment, ensures that revenue sources other than mobility fees are utilized to provide these targeted discounts/reductions.

8. Comprehensive Plan Policy TRA 1.7.2 requires the adoption of a multimodal mobility plan and mobility fee that (a) is designed to encourage development of specific land uses in specific locations; (b) includes assessments for roadways, transit, and bicycle/pedestrian facilities, including assessments for roadway facilities on the SIS; (c) promotes compact, mixed use and energy efficient development; and (d) does not assess development for transportation backlogs or an amount that is in excess of the amount that is proportionate to the impacts of the development.
9. TOD, TND, and MUTRM are compact, mixed-use, bicycle/pedestrian-friendly, and energy-efficient forms of development encouraged by this section, the mobility fee, and the Comprehensive Plan.
10. Office, industrial, and lodging land uses are locally desired development that result in, or support, high-paying job creation and tourism, and are encouraged by this section, the mobility fee, and the Comprehensive Plan.
11. Locally owned small businesses constitute a critically important portion of Pasco County's economy and are locally desired development that result in, or support, local entrepreneurship and increased local employment.
12. The County's South and West Market Areas, which make up the Urban Concentration Area designated pursuant to Comprehensive Plan Policy FLU 9.1.1, and which are designed herein as the "Urban" Assessment District "A," shall be considered the County's urban area, where development is encouraged by this section, the mobility fee, and the Comprehensive Plan.
13. The Long-Range Transportation Plan (LRTP) shall be considered the multimodal mobility plan required by Comprehensive Plan Policy TRA 1.7.2, and the Mobility Fee Study and mobility fee are based on the LRTP.
14. Mobility fee revenue is used to implement the needs of the LRTP consistent with Section 163.3180(5)(i), Florida Statutes.
15. The Mobility Fee Study, mobility fee, and this section comply with the requirements of Comprehensive Plan Policy TRA 1.7.2 and are

consistent with the State Legislature's encouraged direction in Sections 163.3180(5)(f) and (i), Florida Statutes.

16. Consistent with the requirements of Section 163.3180(5)(i), Florida Statutes, the County's mobility funding system and related transportation analysis regulations (see Section 901.12) are not used to deny, time, or phase an application for site plan approval, plat approval, final subdivision approval, building permits, or the functional equivalent of such approvals, provided that the developer agrees to pay mobility fees.
17. This section earmarks Villages of Pasadena Hills (VOPH) mobility fees and tax increment revenues consistent with the VOPH Financial Plan.
18. This section ensures that any participating municipality that wishes to join in the mobility fee program has an opportunity to do so, but does not require any participating municipality to join in.
19. Nonparticipating municipalities in the County have existing, independent programs to fund and construct transportation capital improvements, or any benefits resulting from transportation capital expenses in nonparticipating municipalities will be incidental and de minimis.
20. This section ensures that impacts to the SIS are addressed consistent with the Comprehensive Plan and requires consultation with the Florida Department of Transportation (FDOT) relating to SIS facilities consistent with the requirements of Section 163.3180(5)(h)1, Florida Statutes.
21. The County shall be divided into separate Mobility Fee Assessment Districts and Collection/Benefit Districts.
22. The Assessment Districts are based on the Market Areas in the Comprehensive Plan and generally depict those areas where the County has planned for urban, suburban, and rural forms of development. The Assessment Districts shall be utilized to create the differential mobility fee structure encouraged by the Comprehensive Plan and Sections 163.3180(5)(f) and (i), Florida Statutes.
23. Based on the typical travel characteristics in the County set forth in the Mobility Fee Study, utilizing the Collection/Benefit Districts to regulate mobility fee expenditures is the best method of ensuring that the transportation capital improvements funded by mobility fees benefit development in the Collection/Benefit District paying the mobility fees.
24. Mobility fees paid pursuant to this section will be earmarked to separate mobility fee accounts for use within the Collection/Benefit Districts in which the mobility fees are collected, except as provided herein.

25. The creation, implementation, and administration of a mobility fee program includes preparing and updating the Mobility Fee Study, Mobility Fee Schedule, Mobility Fee Ordinance, and Multi-Modal Tax Increment Ordinance; calculation and collection of mobility fees; conversion, creation and administration of transportation impact fee (TIF) credits, mobility fee credits and development approvals relating to such credits; accounting systems for multiple mobility fee accounts; coordination with participating municipalities, the Metropolitan Planning Organization, the FDOT, and the Tampa Bay Area Regional Transportation Authority; calculation and tracking of tax increment revenues and the required mobility fee subsidy; transportation analysis to determine priorities for mobility fee expenditures; and administration of mobility fee refunds. The Administration Fee Study and administration fee place a portion of the burden of implementing and administering a mobility fee program on development that creates the need for a mobility fee program, but also ensures that the administration fee does not exceed the County's actual cost of administration and implementation.
26. The Mobility Fee Study, Administration Fee Study, mobility fee, and administration fee shall be subject to review and update, pursuant to this Code, Section 1302.2.D, herein.
27. To the extent that the 2021 update of mobility fees results in a mobility fee reduction for any development (such as locally owned small businesses), the BCC does not desire to apply such reductions to buildings with Building Permits applied for prior to the BCC deciding to adopt reduced mobility fees for such uses, and applying the reductions to such uses would skew the BCC's analysis of the effect of the mobility fee reductions on construction activity for such uses.
28. The BCC considered the short- and long-term, public and private costs and benefits of the Mobility Fee Study, Administration Fee Study, administration fee, and mobility fee and has determined that sufficient information has been provided to enable the BCC to act.
29. The BCC further finds that the provisions of this section are in compliance with the "dual rational nexus test" established by the Florida Supreme Court and other applicable law; therefore, the County's mobility fee funding system complies with Sections 163.31801 and 163.3180(5)(i), Florida Statutes.
30. In 2021, the State Legislature adopted, and the Governor signed into law, House Bill 337, which became Chapter 2021-63, Laws of Florida ("HB 337"), which made substantial changes to the impact fee requirements in Section 163.31801, Florida Statutes, including the following: (1) subject to certain exceptions, limiting impact fee increases to once every four (4) years, and limiting impact fee increases to a maximum of 50 percent of the existing impact fee rate, which must be implemented in four (4) equal annual installments, and (2) requiring

that credits be provided, on a dollar-for-dollar basis at fair market value, for land acquisition, site planning and design, and construction of public facilities, as defined in Section 163.3164, Florida Statutes; such credits must be provided against the impact fee collected for the general category or class of public facilities or infrastructure for which the contribution was made.

31. Prior to the adoption of the HB 337, Pasco County's mobility fees had separate calculations and accounting for roadway mobility fees, transit mobility fees, bicycle/pedestrian mobility fees and SIS mobility fees, and with the 2021 update, will have separate calculations and accounting for land acquisition (ROW) mobility fees. The BCC finds that roadway mobility fees, transit mobility fees, bicycle/pedestrian mobility fees, SIS mobility fees, and land acquisition mobility fees constitute distinct general categories or classes of transportation public facilities or infrastructure for purposes of the credit requirements in HB 337.
32. The definition of "public facilities" in Section 163.3164, Florida Statutes, is limited to "major" capital improvements for transportation, and the definition of "capital improvements" in Section 163.3164, Florida Statutes, is limited to assets which are "typically large scale and high in cost," and typically "identified as existing or projected needs" in the Comprehensive Plan; accordingly, the BCC finds that (a) the only creditable transportation public facilities for mobility fee purposes, and for purposes of the credit requirements in HB 337, are those major collector and arterial roadway facilities, bicycle/pedestrian facilities, and transit facilities identified as existing or projected needs in the County's Capital Improvements Plan (CIP), Capital Improvements Element (CIE), Transportation Element or the LRTP, and (b) creditable transportation public facilities do not include site access improvements, substandard road improvements, or improvements to local roadways, unless the BCC elects to provide credits for such infrastructure in a development approval.
33. The mobility fee increases resulting from the 2021 update do not exceed 50 percent of the existing mobility fee rates and have been implemented in four equal annual installments consistent with the requirements of HB 337.

C. Adoption of Mobility Fee and Administration Fee Studies

The BCC hereby adopts and incorporates by reference the following studies:

1. The County Multi-Modal Mobility Fee Study Final Report dated July 7, 2011, prepared by Tindale-Oliver & Associates, Inc., as updated by the Report, dated October 14, 2014, and the report dated December 3, 2018, and the report dated September 28, 2021 (the Mobility Fee Study).

2. Pasco County Calculation of County Cost to Administer Impact Fees, dated December 7, 2009, and prepared by Maximus Consulting Services, Inc. (Maximus Study), and Pasco County Calculation of County Cost to Administer Transportation Impact Fees or Mobility Fees, adapted from the Maximus Study, dated May 31, 2011, prepared by Daniel Risola, Budget Manager, as updated by the Report dated April 24, 2014, and the report dated December 3, 2018 (collectively, the Administration Fee Study).

D. Review and Update

The mobility fee and administration fee are based on the assumptions and analysis in the Mobility Fee Study and Administration Fee Study. No later than December 31, 2025, and no later than every four (4) years thereafter, the County shall conduct a full re-evaluation and update of the assumptions and analysis in the Mobility Fee Study and Administration Fee Study and of all components of the mobility fee and administration fee.

If a mobility fee subsidy deficiency exists at the time mobility fees are reevaluated, a non-mobility fee repayment source for the deficiency shall be identified in the next fiscal year following the completion of the reevaluation, and the amount of such deficiency shall be transferred to the Mobility Fee account containing such deficiency within a reasonable time period, not to exceed four (4) years from the date of the reevaluation. Nothing herein shall prevent the County from making deficiency transfers to the mobility fee accounts at any time in order to ensure that the requirements of this section are met and that adopted LOS standards are maintained as provided herein and in the Mobility Fee Study.

E. Applicability

1. This section shall apply to all lands located within the County and in any participating municipality.
2. Mobility Fee Assessment Districts
 - a. Consistent with the purpose and intent of this section, the County and participating municipalities have been divided or placed into three Assessment Districts, as depicted on Map 1302.2-A. The Assessment District labeled "A" shall be considered the "Urban" Assessment District, and development within such district is subject to the "urban" mobility fees in the Mobility Fee Schedule. The Assessment District labeled "B" shall be considered the "Suburban" Assessment District, and Development within such district is subject to the "suburban" mobility fees in the Mobility Fee Schedule. The Assessment District labeled "C" shall be considered the "Rural" Assessment District, and development within such district is subject to the "rural" mobility fees in the Mobility Fee Schedule. Notwithstanding the foregoing, if only one (1) single-family

residential home or accessory dwelling unit is constructed on a lot that is equal to or greater than five (5) acres in size in the Rural Assessment District, such home or accessory dwelling unit shall pay the applicable single-family residential or accessory dwelling unit rates of the Suburban Assessment District.

Generally, if any contiguous building, development, or planned development is located in more than one (1) Assessment District, the entire building, development, or planned development shall be subject to the mobility fees in the Assessment District with the lower mobility fees. However, if the portion of a development or planned development in the Assessment District with the lower mobility fees constitutes less than fifteen (15) percent of the total development or planned development gross land area, the entire Development or Planned Development shall be subject to the mobility fees in the Assessment District where the majority of the development or planned development gross land area is located. If a development or planned development is located in more than one (1) Assessment District and a portion of the development or planned development is not contiguous with the remainder of the development or planned development, e.g., separated by a collector or arterial roadway or water body, the noncontiguous portion of the development or planned development shall be subject to the mobility fees in the Assessment District in which it is located, regardless of where the remainder of the development or planned development is located.

- b. The Mobility Fee Assessment Districts are to be utilized solely to determine which mobility fees a Building Permit or Development Permit is required to pay and to determine the amount of the required mobility fee subsidy. Mobility Fee Assessment Districts shall not be considered Collection/Benefit Districts.
- c. To ensure consistency with the Market Areas in the Comprehensive Plan, if any of the Comprehensive Plan Market Area boundaries are amended after the effective date of this amended and restated section, the Assessment District boundary map (Map 1302.2-A) shall be amended to be consistent with the Market Area boundaries prior to or concurrently with the next full re-evaluation and update of the Mobility Fee Study required by this Code, Section 1302.2.D.

F. Procedures for Imposition, Calculation, and Collection of Mobility and Administrative Fees

- 1. Imposition of Mobility Fee and Administration Fee

- a. The mobility fee and administration fee shall be assessed upon the issuance of a Building Permit for any development and shall be collected and paid prior to the issuance of the Certificate of Occupancy (CO) for the development. In the event a Building Permit or CO is not required for development which is subject to the provisions of this section, then the mobility fee and administration fee shall be assessed upon the issuance of a Development Permit authorizing commencement of the development and collected and paid prior to final site inspection. For mining operations, the mobility fee shall be paid in accordance with the conditional use operating permit conditions of approval.
- b. Any changes to the mobility fee resulting from the 2021 Mobility Fee Update shall apply to complete applications for a Building Permit (or Development Permits where no Building Permit is required) submitted on or after January 1 of the year set forth in the applicable Mobility Fee Schedule (i.e. January 1, 2022 for the 2022 Fee Schedule; January 1, 2023 for the 2023 Fee Schedule; January 1, 2024 for the 2024 Fee Schedule; and January 1, 2025 for the 2025 Fee Schedule). Building Permits and Development Permits submitted prior to January 1 of such year shall be assessed the applicable mobility fee and administration fee pursuant to the prior calendar year's rates, and shall pay the assessed mobility fee and administration fee prior to the issuance of the CO (or final site inspection where no CO is required).
- c. No mobility fee or administration fee shall be assessed upon the issuance of a commercial retail shopping center Building Permit, Foundation Permit, or a nonretail multiuse Building Permit for an unfinished building; i.e., a Shell Permit. Each individual use shall thereafter be assessed the applicable mobility fee and administration fee based on the calculations set forth below upon subsequent issuance of a Building Permit to finish each unit.

2. Calculation of Mobility Fees and Administration Fees

- a. Upon receipt of a complete application for a Building Permit (or prior to the issuance of a Development Permit where a Building Permit is not required) the County Administrator or designee shall calculate the applicable mobility fee and administration fee, incorporating any applicable credits. If a person has received a credit pursuant to Section 1302.2.F.4.b., that credit shall be subtracted from the otherwise applicable mobility fee, if such credit applies. Credits shall not be utilized for, or subtracted from, administration fees. A person may request at any time a nonbinding estimate of the mobility fee or administration fee due for a particular development; however,

such estimate is subject to change when a complete application for a Building Permit or Development Permit is made.

- b. The mobility fee shall be calculated by using (1) Independent Mobility Fee Studies in accordance with Section 1302.2.G.3 herein or (2) the Mobility Fee Schedule. The mobility fees in the Mobility Fee Schedule have been calculated using the formula(s) presented in the Mobility Fee Study. The mobility fee required to be paid by each land use is in the Mobility Fee Schedule column labeled "Net Mobility Fee," and this dollar amount shall be multiplied by the number of units in the development seeking a Building Permit or Development Permit for such land use. The base unit for this calculation is set forth in the "Unit" column for each land use in the Mobility Fee Schedule. The applicable Assessment District for each mobility fee calculation shall be determined in accordance with this Code, Section 1302.2.E.2.

- c. The calculation of the administration fee is set forth in the Administration Fee Study and shall be paid in addition to any required mobility fee. The administration fee shall be One Hundred Thirty Six and 00/100 Dollars (\$136.00) for each Building Permit issued for a land use classified as residential in the Mobility Fee Schedule, even if the "Net Mobility Fee" column in the Mobility Fee Schedule shows a \$0.00 mobility fee for such land use. The administration fee shall be One Hundred Thirty Six and 00/100 Dollars (\$136.00) for each Building Permit (or Development Permit if no Building Permit is required) issued for a land use classified as lodging, recreation, institution, office, retail, or industrial in the Mobility Fee Schedule, even if the "Net Mobility Fee" column in the Mobility Fee Schedule shows a \$0.00 mobility fee for such land use. The administration fee for alterations shall be One Hundred Thirty Six and 00/100 Dollars (\$136.00) for each Building Permit issued for a land use classified as residential in the Mobility Fee Schedule, even if the "Net Mobility Fee" column in the Mobility Fee Schedule shows a \$0.00 mobility fee for such land use. The administration fee for alterations shall be One Hundred Thirty Six and 00/100 Dollars (\$136.00) for each Building Permit (or Development Permit if no Building Permit is required) issued for a land use classified as lodging, recreation, institution, office, retail, or industrial in the Mobility Fee Schedule, even if the "Net Mobility Fee" column in the Mobility Fee Schedule shows a \$0.00 mobility fee for such land use. The administration fee shall be calculated solely based on the number of Building Permits (or Development Permits if no Building Permit is required) issued for a development, and the square footage or size of the

development shall not be a factor in the calculation of an administration fee. In addition, the Assessment District location of a development shall not affect the calculation of the administration fee.

- d. A person shall not be entitled to any "age restricted" rate in the Mobility Fee Schedule until such person has recorded deed restrictions in accordance with this Code, Section 1302.1.D, ensuring that the property subject to the mobility fee will remain age-restricted. In the event deed restrictions in accordance with this Code, Section 1302.1.D have not been recorded by the time the CO is issued, the person may pay the applicable nonage-restricted rate, and, if the deed restrictions in accordance with this Code, Section 1302.1.D are later recorded, a refund shall be due to the extent the mobility fee paid was greater than the applicable age-restricted rate. However, unless the person is entitled to a refund pursuant to another provision of this section, no refund shall be due for mobility fees or TIFs paid before the County adopted an age-restricted rate for the land use classification that paid the fees. Refunds shall be in accordance with the procedures in this Code, Section 1302.1.

- e. A person shall be eligible for the "Less than 1,500 square feet and Annual Household Income less than eighty (80) percent SHIP Definition" rate or "Low Income SHIP Defined Multi-Family" rate in the Mobility Fee Schedule (Affordable Housing Rate) if the residence is a single-family detached dwelling unit less than 1,500 square feet or a multiple family building or dwelling unit that is affordable to a family with a median income that does not exceed eighty (80) percent of the median income for the Tampa-St. Petersburg-Clearwater standard metropolitan statistical area. To qualify for the Affordable Housing Rate, the dwelling unit, or the larger planned development that includes the dwelling unit, or the multiple family building, as applicable, must be designated as affordable by the County Administrator or designee consistent with the foregoing definition and applicable Federal, State, and local income and expense criteria for affordable housing and must be sold or leased to a family that satisfies the foregoing income criteria, as determined by the County Administrator or designee. The County shall impose deed restrictions, mortgage requirements, and/or liens that ensure that any dwelling unit or multiple-family building that is assessed the Affordable Housing Rate remains affordable. The owner of any dwelling unit or multiple family building that was assessed the Affordable Housing Rate that resells or leases such dwelling unit at a price that is no longer affordable or resells or leases such dwelling unit to a family that does not satisfy the foregoing income criteria, as determined by the County Administrator or designee consistent with the foregoing definition, shall be required to pay to the County the difference

between the Affordable Housing Rate and the rate that such unit or building would have been assessed had such unit or building not qualified for the Affordable Housing Rate. Failure to pay the difference shall be considered a violation of this section which shall make the owner subject to the County enforcement provisions of this section, in addition to any other remedies of the County as set forth in the County imposed deed restrictions, mortgage requirements, and/or liens. Notwithstanding the foregoing, a person shall not be eligible for the Affordable Housing Rate if that person has invoked the land use/zoning preemption or mandatory property tax exemption in the Live Local Act (Section 125.01055(7) or Section 196.1978(3), Florida Statutes).

- f. A person shall be eligible for a "Moderate Income Affordable Housing Rate", which shall be equivalent to the TOD rates (Land Use Codes 210.2, 210.3, 210.4, 220, 231, 232, 251, or 252, as applicable) in the Mobility Fee Schedule if the residence is a single-family detached dwelling unit or a multiple family building or dwelling unit that is affordable to a family with a median income that is between eighty (80) percent and one hundred and twenty (120) percent of the median income for the Tampa-St. Petersburg-Clearwater standard metropolitan statistical area. To qualify for the Moderate Income Affordable Housing Rate, the dwelling unit, or the larger planned development that includes the dwelling unit, or the multiple family building, as applicable, must be designated as affordable by the County Administrator or designee consistent with the foregoing definition and applicable Federal, State, and local income and expense criteria for affordable housing, must be constructed by a registered non-profit, and be sold or leased to a family that satisfies the foregoing income criteria, as determined by the County Administrator or designee. The County shall impose deed restrictions, mortgage requirements, and/or liens that ensure that any dwelling unit or multiple-family building that is assessed the Moderate Income Affordable Housing Rate remains affordable. The owner of any dwelling unit or multiple family building that was assessed the Moderate Income Affordable Housing Rate that resells or leases such dwelling unit at a price that is no longer affordable or resells or leases such dwelling unit to a family that does not satisfy the foregoing income criteria, as determined by the County Administrator or designee consistent with the foregoing definition, shall be required to pay to the County the difference between the Moderate Income Affordable Housing Rate and the rate that such unit or building would have been assessed had such unit or building not qualified for the Moderate Income Affordable Housing Rate. Failure to pay the difference shall be considered a violation of this section which shall make the owner subject to the County enforcement provisions of this

section, in addition to any other remedies of the County as set forth in the County imposed deed restrictions, mortgage requirements, and/or liens. Notwithstanding the foregoing, a person shall not be eligible for the Moderate Income Affordable Housing Rate if that person has invoked the land use/zoning preemption or mandatory property tax exemption in the Live Local Act (Section 125.01055(7) or Section 196.1978(3), Florida Statutes).

- g. Land uses that are not specifically listed in the Mobility Fee Schedule shall be assigned the trip generation rate of the most similar land use as listed in the Impact Fee Land Use Cross-Reference Table, found in Appendix A of the Administrative Procedures Manual. If a similar land use is not listed in this table, then trip generation rates from the Institute of Transportation Engineers Trip Generation Report (ITE) Manual shall be used to determine the trip generation of the unlisted land use, and such land use shall be assigned the rate of the land use listed in the Mobility Fee Schedule with the most similar trip generation. If the unlisted land use is not listed in the ITE Manual, then the trip generation rates of the most similar land use in the ITE Manual shall be used to determine the trip generation rate of the unlisted land use.
- h. A mobility fee shall be imposed and calculated for an alteration creating an increased demand for or impact on transportation capital improvements, where the alteration results in a higher assessment pursuant to the Mobility Fee Schedule and this section. The mobility fee for an alteration shall be due and paid prior to the issuance of any permit issued by the County authorizing the alteration, even if such permit is not a Building Permit. The mobility fee imposed under the Mobility Fee Schedule as a result of an alteration shall be calculated as follows:
 - (1) If the alteration results in an increased demand for or impact on transportation capital improvements, and results in a higher assessment pursuant to the Mobility Fee Schedule, then the alteration shall be assessed the current applicable mobility fee rate based on the new use of the property after the alteration less the mobility fee that would be imposed on the most recent prior use of the property under the current applicable mobility fee rate prior to the alteration. For purposes of this calculation, "most recent prior use of the property" shall mean the latest use of the property existing on or after January 1, 1985. If the most recent prior use of the property (a) was issued a Building Permit, CO, or final inspection prior to March 1, 2011; or (b) otherwise paid TIFs, then the difference between the applicable mobility

fee rates shall be calculated for the alteration using the "Fee Before Buy-Down" column of the Mobility Fee Schedule or the "Net Mobility Fee" column in the Mobility Fee Schedule, whichever is less. For all other alterations, the difference shall be calculated using the "Net Mobility Fee" column of the Mobility Fee Schedule.

- (2) If the square footage of a dwelling unit is increased cumulatively by 500 square feet or more from the square footage of the dwelling unit existing on or after October 1, 2007 (or the most recent dwelling unit in existence on or after January 1, 1985, if the dwelling unit did not exist on or after the effective date of October 1, 2007), and the result of which is a higher assessment pursuant to the Mobility Fee Schedule, then the alteration shall be assessed the current applicable mobility fee rate based on the new dwelling unit after alteration less the mobility fee that would be imposed on the most recent prior dwelling unit under the current applicable mobility fee rate prior to the alteration. For purposes of this calculation, "most recent prior dwelling unit" shall mean the latest dwelling unit on the property existing on or after January 1, 1985. If the most recent prior dwelling unit (a) was issued a Building Permit, CO, or final inspection prior to March 1, 2011; or (b) otherwise paid TIFs, then the difference between the applicable mobility fee rates shall be calculated for the alteration using the "Fee Before Buy-Down" column of the Mobility Fee Schedule or the "Net Mobility Fee" column in the Mobility Fee Schedule, whichever is less. For all other alterations, the difference shall be calculated using the "Net Mobility Fee" column of the Mobility Fee Schedule.

- i. "Multiuse Building" shall mean a development project in which more than one (1) mobility fee land use category is contemplated to be constructed. For multiuse buildings, parcels, and shopping centers, if one (1) use occupies thirty-five (35) percent or more of the total, gross square feet of the building, parcel, or shopping center or one (1) use is 30,000 square feet or more, that use shall be assessed at its specific-use rate. All uses that do not exceed thirty-five (35) percent or more of the total gross square feet of the building, parcel, or shopping center and that do not exceed 30,000 square feet or more shall be assessed the applicable retail (ITE LUC 820 or 826) rate based on the gross square footage of the entire building, parcel, or shopping center. This rule does not apply to out-parcels or residential, lodging, office, or industrial uses, which shall be assessed the applicable rate for the specific single use, and which shall not be used in the

calculation of the size of the entire building, parcel, or shopping center. This rule also does not apply to uses classified in the Mobility Fee Schedule as recreation, institutions, or retail if the most predominate use of the remainder of the building, parcel, shopping center, or office/industrial park is lodging, office, or industrial; in such cases, the recreation, institutions, or retail use shall be assessed at its specific-use rate, regardless of the size of such use, unless the use is an accessory building or structure.

- j. A development shall be entitled to the TOD rates in the Mobility Fee Schedule if one (1) of the following occurs:
 - (1) The development is a TOD that has completed, and received BCC approval of, a Transit Station Area Plan pursuant to Comprehensive Plan Policy FLU 10.3.6; or
 - (2) The development is a TOD that (a) is located in a Transit Center Overlay established pursuant to Comprehensive Plan Policy FLU 10.3.1, (b) complies with the TOD Design Principles in Comprehensive Plan Policy FLU 10.3.6(f), and (c) complies, or agrees to comply, with the future TOD Design Ordinance required, pursuant to Comprehensive Plan Policy FLU 10.2.1; or
 - (3) The development has been determined to be TOD, and entitled to TOD rates, in a BCC development approval.
 - (4) Notwithstanding the foregoing, a person or development shall not be eligible for the TOD Rate if that person or development has invoked the land use/zoning preemption or mandatory property tax exemption in the Live Local Act (Section 125.01055(7) or Section 196.1978(3), Florida Statutes).

- k. A development shall be entitled to the MUTRM rates in the Mobility Fee Schedule if the development is located in a MUTRM Compact Development Area pursuant to this Code Section 901.13.D.1 or 901.13.H. Notwithstanding the foregoing, a person or development shall not be eligible for the MUTRM Rate if that person or development has invoked the land use/zoning preemption or mandatory property tax exemption in the Live Local Act (Section 125.01055(7) or Section 196.1978(3), Florida Statutes).

- l. A development shall be entitled to the TND rates in the Mobility Fee Schedule if:
 - (1) The development complies with this Code, Section 601; or

- (2) The development is classified in the Mobility Fee Schedule as retail, recreation or institutions and is a locally owned small business that complies with the following:
- (a) The business is majority owned (i.e. 51 percent or more) by Pasco, Hillsborough, Pinellas, Hernando, Sumter or Polk county resident(s) whose homestead or permanent residence is located in one of these counties.
 - (b) The business, at the time of Building Permit submission, is not part of a chain located outside of Pasco, Hillsborough, Pinellas, Hernando, Sumter or Polk counties.
 - (c) The business, at the time of Building Permit submission, employs 25 or fewer full-time employees, as determined by the most recent payroll tax records for the business.
 - (d) The business enters into an agreement, or records a deed restriction, in a form acceptable to the Pasco County Attorney's Office, that ensures that the business, or the business's successor(s), will pay the difference between the TND rate in the Mobility Fee Schedule and the rate that such business would have been assessed had such business not qualified for the TND rate, if the business ceases to qualify as a locally owned small business pursuant to subsection (2)(a) above. Failure to pay the difference shall be considered a violation of this section which shall make the business owner and/or the business's successor(s) subject to the County enforcement provisions of this section, in addition to any other remedies of the County as set forth in the County imposed agreement or deed restriction.
- (3) Notwithstanding the foregoing, a person or development shall not be eligible for the TND Rate if that person or development has invoked the land use/zoning preemption or mandatory property tax exemption in the Live Local Act (Section 125.01055(7) or Section 196.1978(3), Florida Statutes).
- m. Within the VOPH and Connected City, the amount of the mobility fee was modified, and surcharges were assessed to

pay for VOPH transportation capital improvements, as more fully set forth in the Villages of Pasadena Hills and Connected City Financial Plans. These modifications and surcharges to the mobility fee are set forth in this Code, Sections 602 and 603.

3. Independent Mobility Fee Study

- a. Any person (1) who believes that any part of the demand component, comprised of trip length, trip rate, and percent new trips, that is used to calculate the mobility fee of the applicable land use is incorrect, or (2) who has a unique or restrictive land use that can be verified through the County's Building Permit process and believes that this results in different demand characteristics than those of the land use the development is to be assessed at, or (3) whose land use is not listed in the Mobility Fee Schedule, or believes the use is incorrectly assigned in the Mobility Fee Schedule, shall have the option to provide an Independent Mobility Fee Study according to procedures set

forth in the Administrative Procedures Manual. The Independent Mobility Fee Study is not intended to allow site-specific review of uses, which include (1) conducting an Independent Mobility Fee Study on the same site for which the mobility fee is being challenged, or (2) conducting an Independent Mobility Fee Study on sites that may have differing trip characteristics than used in the Mobility Fee Schedule due to specific characteristics of the development that cannot be tracked by the County's Building Permit process. For any Independent Mobility Fee Study, only the demand variables may be challenged. Requests for an Independent Mobility Fee Study must be received no later than sixty (60) days after the issuance of a Building Permit (or Development Permit where no Building Permit is required). If the Independent Mobility Fee Study cannot be completed, reviewed, and finally determined by the County Administrator or designee, including any appeals, by the time the CO is issued for the development, the applicant shall pay the applicable mobility fee in the Mobility Fee Schedule. However, if the Independent Mobility Fee Study is eventually accepted by the County after the issuance of the CO, a refund shall be due to the extent the mobility fee paid was higher than the mobility fee due pursuant to the Independent Mobility Fee Study. Refunds shall be in accordance with the procedures in this Code, Section 1302.1.H.

- b. The Independent Mobility Fee Study shall follow the procedures and criteria in the Administrative Procedures Manual, and the County Administrator or designee shall be authorized to reject any Independent Mobility Fee Study not meeting such criteria. The County may charge a review fee for the Independent Mobility Fee Study, as set forth in the Administrative Procedures Manual, which shall not exceed the actual cost of reviewing the Independent Mobility Fee Study. The Independent Mobility Fee Study review fee is in addition to the required administration fee.

4. Exemptions and Credits

- a. The following shall be exempted from payment of the mobility fee and administration fee:
 - (1) Alterations which do not result in a higher assessment pursuant to the Mobility Fee Schedule.
 - (2) Alterations of a dwelling unit that after October 1, 2007 (or after the most recent dwelling unit in existence after January 1, 1985, if the dwelling unit did not exist after October 1, 2007), cumulatively equals an increase of less than 500 square feet.

- (3) Government Buildings. However, any mobility fee exemption issued for a government building shall expire if an alteration causes the building or development to no longer be a government building. Any mobility fee exemption issued for a government building shall be considered a subsidy or buy-down for the government building, and shall be included in the mobility fee subsidy calculation and transfer required by this Code, Subsection 1302.2.G.1.b.
- (4) Alterations or redevelopment of residential or non-residential buildings in the West Market Area. This exemption does not apply to (a) the administration fee, (b) alterations or redevelopment building permits issued prior to April 9, 2014, (c) alterations or redevelopment of any office, industrial or lodging building that was permitted after the initial effective date of mobility fees , or (d) lots, parcels, or planned developments where seventy-five (75) percent or more of the developable portion of the lot, parcel, or planned development consists of vacant land that was not previously occupied by a building, or impervious surface associated with a building. Any mobility fee exemption issued for the West Market Area building alterations or redevelopment shall be considered a subsidy or buy-down for the alteration or redevelopment, and shall be included in the mobility fee subsidy calculation, and transfer required by this Code, Section 1302.2.G.1.b. The amount of such subsidy or buy-down shall be the required mobility fee for an alteration pursuant to this Code, Section 1302.2.F.2.g.
- (5) Development located in the West Market Area (Harbors) Vacant Incentive Zone depicted on Map 1302.2-C.

b. Credits

- (1) A person may elect or be required by a development approval to construct, convey right-of-way for, or pay cash for a transportation capital improvement. Such person is eligible to receive credits on a dollar-for-dollar basis at fair market value against the category of the mobility fee mitigated by such construction, right-of-way conveyance, or payment. Transit facilities provided by a person shall only be eligible for a credit against the transit mobility fee, bicycle/pedestrian facilities provided by a person shall only be eligible for credit against the bicycle/pedestrian mobility fee, and roadway facilities provided by a person shall only be eligible for credit against the roadway mobility fee. In addition, if a person

is only conveying right-of-way for a transportation capital improvement, then such person shall only be eligible for credit against the land acquisition (ROW) category of the mobility fee, unless the BCC specifically approves credit against additional mobility fee categories in a development approval. Construction, right-of-way conveyances, and cash payments for site access improvements and substandard roadway improvements are not eligible for credits against the mobility fee, unless specifically approved by the BCC in a development approval. To be entitled to credits, the transportation capital improvement must be included in the CIP, CIE, Transportation Element or LRTP.

- (2) If a person elects or is required to construct transportation capital improvements, the person shall submit evidence of payment for the construction to the County Administrator or designee. The County Administrator or designee shall determine if the construction is an appropriate substitute for the mobility fee, based on the provisions of this section, the amount of credit to be given, and the timetable for the credit. The amount of credit for right-of-way conveyances shall be determined based on fair market value. If fair market value cannot be determined based on recent appraisal(s) approved by, or performed by, the County Administrator or designee, then fair market value shall be determined using 115 percent of the assessed value of the conveyed right-of-way as determined by the County Property Appraiser. The date of valuation shall be the date of the development approval requiring the conveyance of the right-of-way or the date of right-of-way conveyance, whichever occurs first, unless the person and the County Administrator or designee or BCC agree to another date of valuation.
- (3) Application for credits shall be made within ninety (90) days of the completion of construction of the transportation capital improvement eligible for the credit, unless the BCC agrees to another deadline for application. Failure to apply for a credit by the applicable deadline shall be deemed a waiver of the right to the credit.
- (4) Credits may be sold or transferred within the Collection/Benefit District in which the mobility fee is collected, or in an adjacent Collection/Benefit District if the County Administrator or designee determines that the adjacent Collection/Benefit District receives benefits from the improvement or contribution that generated the

credits. A methodology for making this determination is set forth in the Administrative Procedures Manual.

- (5) Any credit will be issued to the person who paid for or financed the construction of the transportation capital improvement, or cash payment in lieu of construction, or who conveyed the right-of-way for which the credit was established, or his successor or assign, as determined by the County Administrator or designee, unless the BCC agrees in a development approval to provide such credit to a different person.
- (6) To transfer credits, the owner of the credits must submit to the County Administrator or designee a letter, signed and notarized by the owner of the credits, which specifies the name of the person receiving the transfer of credits and the amount of the credit being transferred. Regardless of the date of transfer, the transfer of the credit shall not be effective until the transfer letter is received and accepted by the County Administrator or designee.
- (7) After July 20, 2011, existing, established transportation impact fee credits shall be converted, on a dollar for dollar basis, to credits against the roadway mobility fee and bicycle/pedestrian mobility fee. Converted transportation impact fee credits may not be utilized to pay the transit mobility fee or administration fee. Credits for roadway mobility fees established, or agreed to in a BCC development approval, prior to the effective date of the 2021 Mobility Fee Update shall be converted, on a dollar for dollar basis, to credits against both the roadway mobility fee and the land acquisition (ROW) mobility fee.

5. Payment/Collection

- a. A person shall pay the mobility fees and administration fees as set forth in Section 1302.2.G, herein, unless and only to the extent that:
 - (1) The person is determined to be entitled to a credit pursuant to Subsection 1302.2.G.4.(b); or
 - (2) The person is determined to be exempt from the payment of mobility fees pursuant to Subsection 1302.2.G.4.(a).
- b. The mobility fee shall be paid prior to the issuance of a CO. Where a CO is not required, the mobility fee shall be paid prior

to final inspection. For mining operations, the mobility fee shall be paid in accordance with the conditional use or operating permit conditions of approval.

- c. Mobility fees collected by the County shall be held in mobility fee accounts separate and distinct from all other County revenues, except for interest accruing on the accounts and the deposit of mobility fee subsidy transfers into the mobility fee accounts, as provided expressly in this section.
 - d. The payment of the mobility fee and administration fee shall be in addition to all other fees, impact fees, charges, or assessments due for the issuance of a Building Permit, a Development Permit, a CO, or a final inspection.
 - e. The obligation for payment of the mobility fee shall run with the land.
6. Enforcement
- a. Enforcement of this section may be through methods described in Chapter 108.
 - b. Violations include, but are not limited to, failing, neglecting, or refusing to pay a mobility fee as required by this section and/or furnishing untrue, incomplete, false, or misleading information on any document, or to any County employee, concerning the calculation, exemption, or payment of a mobility fee or concerning the entitlement to, or calculation of, a mobility fee credit.
 - c. The owner, tenant, or occupant of any land or part thereof for which a mobility fee is owed and any architect, builder, contractor, agent, or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of this section, or who fails, neglects, or refuses to pay a mobility fee, or who furnishes any untrue, incomplete, false, or misleading information concerning the calculation, exemption, or payment of a mobility fee or concerning the entitlement to, or calculation of, a mobility fee credit, may be held responsible for the violation and be subject to the penalties and remedies provided for in this Code and/or the Pasco County Code of Ordinances.
 - d. Failure to pay a mobility fee required by this section is a violation that is continuous with respect to time, and each day the violation continues, or the mobility fee remains unpaid, is hereby declared to be a separate offense.

G. Establishment of Mobility Fee Accounts and Collection/Benefit Districts, Appropriation of Mobility Fee Funds and Refunds

1. Mobility Fee Accounts and Collection/Benefit Districts

- a. There are hereby established three (3) separate mobility fee accounts, one (1) for each Collection/Benefit District as shown in Map 1302.2-B.

Within each mobility fee account, separate account numbers shall be established for the roadway mobility fee, the transit mobility fee, the bicycle/pedestrian mobility fee, the land acquisition (ROW) mobility fee, and the SIS mobility fee. In addition, separate accounts shall be established for VOPH and Connected City mobility fees consistent with the applicable Financial Plan and Code requirements for VOPH and Connected City.

Mobility fees shall, upon receipt by the County, be deposited into the mobility fee account for the Collection/Benefit District in which the mobility fee was collected, or the VOPH or Connected City account, and separated into the accounts and subaccounts set forth above.

For example, if a mobility fee for an "urban" standard multi-family dwelling unit is collected in Collection/Benefit District 1 based on 2022 rates, Six Hundred Fifty Five and 00/100 Dollars(\$655.00) shall be deposited in the SIS mobility fee revenue account; Two Thousand Five Hundred Ninety Three and 00/100 Dollars (\$2,593.00) shall be deposited in the roadway mobility fee revenue account in the Mobility Fee Collection/Benefit District 1 Fund; One Hundred Two and 00/100 Dollars (\$102.00) shall be deposited in the transit mobility fee account; Ninety Four and 00/100 Dollars (\$94.00) shall be deposited in the bicycle/pedestrian mobility fee revenue account; and Nine Hundred Eighty Three and 00/100 Dollars (\$983.00) shall be deposited in the land acquisition (ROW) mobility fee revenue account. All of these revenue accounts in this example shall be deposited in an account segregated for the Mobility Fee Collection/Benefit District 1.

- b. In addition to the foregoing deposits, the County shall calculate the mobility fee subsidy required by Chapter 2, Article VI, Division 3 of the Code of Ordinances, Multi-Modal Tax Increment, for each Collection/Benefit District, and transfer any required mobility fee subsidy and mobility fee subsidy deficiency from the Multi-Modal Transportation account into the mobility fee accounts in accordance with the requirements of Chapter 2, Article VI, Division 3 of the Code of Ordinances, Multi-Modal Tax Increment.

If a mobility fee subsidy or deficiency transfer is required pursuant to Chapter 2, Article VI, Division 3 of the Code of Ordinances, Multi-Modal Tax Increment, for any Collection/Benefit District, the transfer shall be allocated among the roadway, transit, bicycle/pedestrian, land acquisition (ROW), and SIS mobility fee accounts, as applicable, within each Collection/Benefit District, based on the percentage of mobility fees deposited into each account within each Collection/Benefit District during the fiscal year(s) in which the mobility fee subsidy or mobility fee subsidy deficiency was calculated.

Notwithstanding the foregoing, if any portion of the Villages of Pasadena Hills Tax Increment Revenues is utilized for a mobility fee subsidy or mobility fee subsidy deficiency transfer, such revenues shall be placed in the VOPH account. In addition, if any portion of a participating municipality's tax increment revenues is utilized for a mobility fee subsidy or mobility fee subsidy deficiency transfer, such revenues shall be transferred to a separate account earmarked for the participating municipality or transferred to the participating municipality and shall be utilized solely for the participating municipality's transportation capital improvements, as more fully set forth in the County interlocal agreement with the participating municipality.

- c. Participating municipality mobility fees shall be collected and deposited in accordance with the interlocal agreement with the participating municipality. If any portion of a participating municipality's mobility fees is transferred to the County, e.g., the mobility fees or SIS mobility fees, such portion shall be deposited into the Mobility Fee account for the Collection/Benefit District in which the participating municipality is located.
- d. Assessment Districts shall not be utilized to determine where mobility fees, mobility fee subsidies, or mobility fee subsidy deficiencies are appropriated or expended.
- e. Administration fees shall be deposited into unique accounts and then allocated or transferred to other County funds or segregated accounts based on the percentage that each fund or County department, division, or program contributes to the administration and implementation of mobility fees. The allocation of the administration fee shall be based on the assumptions in the Administration Fee Study or shall utilize another tracking method ensuring that (1) the administration fee is allocated among County departments based on the amount of time each department spends administering and implementing mobility fees; and (2) the administration fee does

not exceed the County's actual cost of mobility fee administration and implementation.

- f. The Office of Management and Budget or the Clerk & Comptroller shall establish and implement necessary accounting and reporting controls to ensure that all administration fees, mobility fees, and mobility fee subsidy and deficiency transfers, are properly deposited, accounted for, reported, and appropriated in accordance with this section and any other applicable legal requirements.

2. Appropriation of Mobility Fee Funds

- a. Mobility fee funds shall be used by the County solely for transportation capital expenses included in the CIP, CIE, Transportation Element or LRTP and that benefit new development. Mobility fee funds shall not be used for any expenditure that would be classified as a transportation operation and maintenance expense. The mobility fee shall be used within the Collection/Benefit District from which the mobility fee is collected; however, to the extent that the County Administrator or designee determines that a transportation capital improvement provides benefits beyond the Collection/Benefit District within which it is located, it may be funded with mobility fee funds collected from an adjacent Collection/Benefit District. A methodology for making this determination is set forth in the Administrative Procedures Manual.
- b. As a general rule, transit mobility fees shall be used for transit facilities, bicycle/pedestrian mobility fees shall be used for bicycle/pedestrian facilities, land acquisition (ROW) mobility fees shall be used for land acquisition (ROW), and roadway mobility fees shall be used for roadway facilities. However, one (1) or more types of mobility fees may be used to the extent that a transportation capital improvement contains multiple facilities; e.g., a roadway project with a multiuse trail and transit shelters, or to the extent that a particular transportation capital improvement provides a benefit to multiple facilities; e.g., a bus that reduces travel on a roadway or a sidewalk that accesses a transit stop, as determined by the County Administrator or designee.
- c. The SIS mobility fee shall be reserved for roadway facilities, transit facilities, and bicycle/pedestrian facilities that provide a benefit to the SIS. Prior to budgeting the SIS mobility fees, the County shall consult with the Florida Department of Transportation to establish priorities for the expenditure of the SIS mobility fees and to ensure that such expenditures provide a benefit to the SIS. The priorities for expending the SIS

mobility fees shall be consistent with the adopted LRTP. Consistent with the Villages of Pasadena Hills and Connected City Financial Plans, the SIS mobility fee in the VOPH account and Connected City account may be utilized for transportation capital expenses associated with the planned future I-75/Overpass Road Interchange, and the BCC and Florida Department of Transportation have determined that this improvement provides a benefit to the VOPH and SIS. To the extent the County or any development is required to comply with the consultation requirement in Section 163.3180(5)(h)1, Florida Statutes, the consultation required by this subsection shall be considered the consultation required by Section 163.3180(5)(h)1 Florida Statutes, for any development required to pay the SIS mobility fee.

- d. Mobility fee funds shall not be utilized to purchase or buy back TIF credits or mobility fee credits.

3. Refunds by the County

The mobility fees collected pursuant to this section shall be returned to the then present owner if the mobility fees have not been encumbered within eight (8) years of the date the mobility fees were paid.

The present owner of the property for which the mobility fee was paid must petition the BCC for the refund within one (1) year following the end of the eighth year from the date on which the mobility fee was paid.

For the purposes of this section, mobility fees collected shall be deemed to be encumbered or spent on the basis of the first mobility fee in shall be the first mobility fee out. In other words, the first money placed in a mobility fee account shall be the first money taken out of that account when withdrawals have been made.

Refunds shall be in accordance with the procedures in this Code, Section 1302.2.H.

H. Effect on Other Regulations and Development Approvals

1. Effect of Mobility Fees on Other Applicable County Land Development Regulations and Ordinances:

- a. If any County land development regulation, ordinance, or resolution refers to TIF or the Transportation Impact Fee Ordinance, such land development regulation, ordinance, or resolution shall be deemed to refer to mobility fees or the Mobility Fee Ordinance. If any County land development regulation, ordinance, or resolution refers to an inflation factor or index based on the Transportation Impact Fee Ordinance, the inflation factor or index in such land development regulation,

ordinance or resolution shall be deemed to refer to the inflation factor or index in the Mobility Fee Ordinance and Mobility Fee Study, which is presently three (3) percent annually. Any reference in a County land development regulation, ordinance, or resolution to an "Option 1 Full Fee," maximum TIF, or similar term, shall be deemed to refer to the mobility fees in the "Full Fee" column of the Mobility Fee Schedule. Any reference in a County land development regulation, ordinance, or resolution to a TIF credit shall be deemed to refer to credit against the roadway mobility fee, land acquisition (ROW) mobility fee, and bicycle/pedestrian mobility fee.

- b. The payment of mobility fees does not ensure compliance with other County land development regulations, including regulations relating to transportation corridor management, collector and arterial spacing, access management, substandard roads, secondary access, and transportation analysis. However, if such regulations require transportation mitigation for the same impacts addressed through the payment of mobility fees, such regulations provide for credits against mobility fees consistent with State and Federal law and this section.
- c. The listing of a land use in the Mobility Fee Schedule is solely for purposes of establishing the applicable mobility fee for such use, and such listing does not mean that the land use is permitted or available under applicable zoning and Comprehensive Plan requirements. In addition, the listing of the land use in the Mobility Fee Schedule shall not be considered evidence that the land use is appropriate in any market area, land use classification, or zoning district.

2. Effect of Mobility Fees on Development Approvals:

- a. If any development approval refers to TIFs or the Transportation Impact Fee Ordinance, such development approval shall be deemed to refer to mobility fees or the Mobility Fee Ordinance. If any development approval refers to an inflation factor or index based on the Transportation Impact Fee Ordinance, the inflation factor or index in such development approval shall be deemed to refer to the inflation factor or index in the Mobility Fee Ordinance and Mobility Fee Study, which is presently three (3) percent annually. Any reference in a development approval to an "Option 1 Full Fee," maximum TIF, or similar term, shall be deemed to refer to the mobility fees in the "Full Fee" column of the Mobility Fee Schedule. Any reference in a development approval to a TIF credit shall be deemed to refer to credit against the roadway mobility fees, land acquisition (ROW) mobility fees, and bicycle/pedestrian mobility fees.

These changes and changed references shall be by operation of law, and modifications or amendments to the development approvals shall not be required.

CHAPTER 1300. CONCURRENCY AND IMPACT FEES

SECTION 1302. IMPACT FEES

1302.3. School Impact Fees

A. Intent and Purpose

1. To provide school facilities, school sites and school buses that are adequate for the needs of residential growth, which is in the general welfare of all residents of the County and constitutes a public purpose.
2. To establish uniform school impact fees throughout the County and the procedures for the imposition, calculation, collection, administration, and expenditure of school impact fees.
3. To facilitate the implementation of the Goals, Objectives, and Policies of the Comprehensive Plan relating to ensuring that new residential construction contributes its fair share towards the costs of school facilities, school sites and school buses necessitated by such new residential construction.
4. To ensure that new residential construction is reasonably benefitted by the provision of the public school facilities, school sites and school buses provided with the proceeds of school impact fees.
5. That the implementation of a school impact fee to require future growth to contribute its fair share of the cost of growth necessitated capital expenditures to the school system is necessary and reasonably related to the public health, safety, and welfare of the people of the County.
6. That providing school facilities, school sites and school buses which are adequate for the needs of growth is in the general welfare of all residents of the County and constitutes a public purpose.

B. School Impact Fee Study and Modifications

1. The Board of County Commissioners (BCC) has adopted and incorporates by reference the School Impact Fee Study by TischlerBise, entitled School Impact Fee Update, dated July 10, 2017 ("2017 Study"), but has elected to adopt school impact fees at rates that are approximately 92% of the amounts of the 2017 Study, and has elected to phase in the adopted school impact fees over a three year period (≈79% in 2018; ≈86% in 2019; and ≈92% in 2020). Except for the phase in of the adopted fees and the annual adjustments of the facilities component of the school impact fee permitted by Subsection B.2., the school impact fee shall not be updated in a manner that would result in an increased school impact fee for period of five (5) years after the effective date of the 2017 school impact fee increase (January 1, 2018).

2. The amount of the facilities component of the school impact fee may be adjusted annually on or before May 1 if each year by using the most recent and local construction cost indices contained within the Engineering New Record. May 1, 2016 shall be the base year for any adjustments made pursuant to this paragraph. Any proposed changes to the amount of the facilities component of the school impact fee pursuant to this paragraph shall be documented and recommended by the School Board on or before March 1 of the year of the requested change and shall be established by resolution of the BCC. If the change results in an increase in the school impact fee, the fee increase shall not take effect until at least ninety (90) days after the publication of the notice for the resolution establishing the change in the fee.

C. Imposition

1. School impact fees shall be imposed on new residential construction within all of the County not otherwise exempted in this section or waived by general or special law. For purposes of this section, the entire County shall be considered one (1) school impact fee district.
2. For Building Permits or Mobile Home Tie-Down Permits for which a complete application is submitted after December 31, 2017, the school impact fee amounts shall be as follows:

Single-Family Detached	
School Site (Land)	\$344.00
School Facilities	\$6568.00
School Buses	\$216.00
Total Per Dwelling Unit	\$7128.00
Single-Family Attached	
School Site (Land)	\$137.00
School Facilities	\$2646.00
School Buses	\$86.00
Total Per Dwelling Unit	\$2869.00
Mobile Home	
School Site (Land)	\$208.00
School Facilities	\$4038.00
School Buses	\$131.00
Total Per Dwelling Unit	\$4377.00
Multiple Family	
School Site (Land)	\$200.00
School Facilities	\$3856.00
School Buses	\$126.00
Total Per Dwelling Unit	\$4182.00

For Building Permits and Mobile Home Tie-Down Permits for which a complete application is submitted after December 31, 2018, the school impact fee amounts shall be as follows:

Single-Family Detached	
School Site (Land)	\$373.00
School Facilities	\$7120.00
School Buses	\$235.00
Total Per Dwelling Unit	\$7728.00
Single-Family Attached	
School Site (Land)	\$148.00
School Facilities	\$2870.00
School Buses	\$93.00
Total Per Dwelling Unit	\$3111.00
Mobile Home	
School Site (Land)	\$226.00
School Facilities	\$4378.00
School Buses	\$142.00
Total Per Dwelling Unit	\$4746.00
Multiple Family	
School Site (Land)	\$217.00
School Facilities	\$4180.00
School Buses	\$136.00
Total Per Dwelling Unit	\$4533.00

For Building Permits and Mobile Home Tie-Down Permits for which a complete application is submitted after December 31, 2019, the school impact fee amounts shall be as follows:

Single-Family Detached	
School Site (Land)	\$402.00
School Facilities	\$7673.00
School Buses	\$253.00
Total Per Dwelling Unit	\$8328.00
Single-Family Attached	
School Site (Land)	\$160.00
School Facilities	\$3092.00
School Buses	\$101.00
Total Per Dwelling Unit	\$3353.00
Mobile Home	
School Site (Land)	\$244.00
School Facilities	\$4717.00
School Buses	\$153.00
Total Per Dwelling Unit	\$5114.00
Multiple Family	
School Site (Land)	\$233.00
School Facilities	\$4504.00
School Buses	\$147.00
Total Per Dwelling Unit	\$4884.00

3. If the School Board receives any new revenue for school capital construction for new capacity that was not assumed in the 2017 Study, including, but not limited to, revenue from a school capital outlay surtax, general obligation bond, or increase in the maximum school capital outlay millage ("New Revenue Source"), then school impact fees shall be adjusted within 90 days of the effective date of the New Revenue Source, by resolution of the Board of County Commissioners, to reflect an appropriate revenue credit, as determined by the School Board's impact fee consultant, for the portion of the New Revenue Source allocated to new school capacity projects.
4. The school impact fee shall be determined at the time a completed application for a Building Permit or Mobile Home Tie-Down Permit for new residential construction is submitted.
5. Exemptions or Partial Exemptions: An exemption or partial exemption must be claimed by the applicant or it shall be waived. Payment of the school impact fee shall not apply, or shall be reduced, in the following situations if the applicant clearly demonstrates with competent substantial evidence to the County Administrator or designee, or city official where applicable, one (1) of the following:
 - a. Other uses. No school impact fee shall be imposed on a non-residential structure, which cannot result in an increase in the demand for school facilities.
 - b. Alterations or expansions. No school impact fee shall be imposed for alterations or expansions of a dwelling unit that existed prior to the effective date of the 2017 school impact fee increase (January 1, 2018). However, where an alteration or expansion will create an additional dwelling unit; e.g., a single-family detached house altered to create two (2) or more apartments, a school impact fee equivalent to the difference between the school impact fee amount for the existing use and the new use shall be due for each additional dwelling unit pursuant to the school impact fee schedule in place at the time of the change in circumstances.
 - c. Accessory buildings. No school impact fee shall be imposed for construction of accessory buildings or structures that cannot create additional dwelling units.
 - d. Replacement of dwelling unit. No school impact fee shall be imposed for the replacement of a dwelling unit, in whole or in part, as long as the owner can demonstrate that the same use existed as of February 27, 2001, or that the appropriate school impact fee has been paid. However, where a replacement will create a greater student demand generator, as defined in the School Impact Fee Study; e.g., a mobile home replaced by a single-family house, a school impact fee equivalent to the

difference shall be due for the resulting dwelling unit pursuant to the school impact fee schedule in place at the time of the change in circumstances.

- e. Mobile homes. No school impact fee shall be imposed for the issuance of a Tie-Down Permit for a mobile home where the applicant is able to demonstrate to the County Administrator or city official where applicable, that a school impact fee has previously been paid for the lot upon which the mobile home is to be situated.
- f. Age Restricted Communities. Communities and subdivisions that provide housing for persons who are fifty-five (55) years of age and older and that comply with this Code, Section 1302.1.D, are exempt from the payment of school impact fees.
- g. Affordable Housing Exemption. No school impact fee shall be imposed for a dwelling unit that is affordable to a family with a median income that does not exceed eighty (80) percent of the median income for the Tampa-St. Petersburg-Clearwater standard metropolitan statistical area. To qualify for the Affordable Housing Exemption, the dwelling unit, or the larger planned development that includes the dwelling unit, or the multiple family building, as applicable, must be designated as affordable by the County Administrator or designee consistent with the foregoing definition and applicable Federal, State, and local income and expense criteria for affordable housing and must be sold or leased to a family that satisfies the foregoing income criteria, as determined by the County Administrator or designee. The County shall impose deed restrictions, mortgage requirements, and/or liens that ensure that any dwelling unit or multiple-family building that is awarded the Affordable Housing Exemption remains affordable. The owner of any dwelling unit or multiple family building that was awarded the Affordable Housing Exemption that resells or leases such dwelling unit at a price that is no longer affordable or resells or leases such dwelling unit to a family that does not satisfy the foregoing income criteria, as determined by the County Administrator or designee consistent with the foregoing definition, shall be required to pay to the County the entire school impact fee that was exempted, which shall be calculated based on the fee in place at the time the violation occurs. Failure to pay such fee shall be considered a violation of this section which shall make the owner subject to the County enforcement provisions of this section, in addition to any other remedies of the County as set forth in the County imposed deed restrictions, mortgage requirements, and/or liens. Notwithstanding the foregoing, a person shall not be eligible for the Affordable Housing Exemption if that person has invoked the land use/zoning preemption or mandatory property tax exemption in the Live

Local Act (Section 125.01055(7) or Section 196.1978(3), Florida Statutes).

- h. Moderate Income Affordable Housing Partial Exemption. A dwelling unit that is affordable to a family with a median income that is between eighty (80) percent and one hundred and twenty (120) percent of the median income for the Tampa-St. Petersburg-Clearwater standard metropolitan statistical area shall be exempt from seventy-five (75) percent of the applicable school impact fee set forth in Section 1302.3.C. (i.e. is required to pay twenty-five (25) percent of such fee). To qualify for the Moderate Income Affordable Housing Partial Exemption, the dwelling unit, or the larger planned development that includes the dwelling unit, or the multiple family building, as applicable, must be designated as affordable by the County Administrator or designee consistent with the foregoing definition and applicable Federal, State, and local income and expense criteria for affordable housing, must be constructed by a registered non-profit, and be sold or leased to a family that satisfies the foregoing income criteria, as determined by the County Administrator or designee. The County shall impose deed restrictions, mortgage requirements, and/or liens that ensure that any dwelling unit or multiple-family building that is awarded the Moderate Income Affordable Housing Partial Exemption remains affordable. The owner of any dwelling unit or multiple family building that was awarded the Moderate Income Affordable Housing Partial Exemption that resells or leases such dwelling unit at a price that is no longer affordable or resells or leases such dwelling unit to a family that does not satisfy the foregoing income criteria, as determined by the County Administrator or designee consistent with the foregoing definition, shall be required to pay to the County the amount of the Moderate Income Affordable Housing Partial Exemption (i.e. seventy-five (75) percent of the applicable school impact fee), which shall be calculated based on the fee in place at the time the violation occurs. Failure to pay such amount shall be considered a violation of this section which shall make the owner subject to the County enforcement provisions of this section, in addition to any other remedies of the County as set forth in the County imposed deed restrictions, mortgage requirements, and/or liens. Notwithstanding the foregoing, a person shall not be eligible for the Moderate Income Affordable Housing Partial Exemption if that person has invoked the land use/zoning preemption or mandatory property tax exemption in the Live Local Act (Section 125.01055(7) or Section 196.1978(3), Florida Statutes).
6. Alternative form of payment. Nothing herein precludes the cities, the County, or the School Board from subsidizing on a case-by-case basis,

from non-impact fee revenues, the school impact fee on behalf of any applicant, including specifically redevelopment lots in the County's Harbors West Market Area.

7. Any new residential construction which is determined to be exempt from the payment of school impact fees but which, as a result of a change in circumstances, produces a dwelling unit that is not exempt shall pay the school impact fee imposed according to the impact fee schedule in effect at such time as the change in circumstances occurs, taken into consideration any adjustments of the school impact fee.

D. Calculation

1. The applicable school impact fee shall be based upon the above table and any adjustments in effect upon receipt of a complete application for a Building Permit. If an applicant has received a school impact fee credit pursuant to this chapter that credit shall be subtracted from the otherwise applicable school impact fee.
2. In the alternative, the applicable school impact fee may be based upon an independent fee calculation as provided for in this chapter.
3. An applicant may request at any time a nonbinding estimate of school impact fees due for a particular development; however, such estimate is subject to change when a complete application for a Building Permit for new residential construction is made.

E. Payment/Collection

1. The County Administrator, or the appropriate official within the cities, shall collect the school impact fee prior to the issuance of a Certificate of Occupancy (CO) for the new residential construction. Where a CO is not required, the school impact fee shall be paid prior to the final inspection.

F. School Impact Fee Funds/Appropriation of Funds

1. The County and municipalities shall establish school impact fee funds for school impact fees. Such funds shall clearly be identified as monies collected as school impact fees. The school impact fees shall, upon receipt by the County, be deposited into the school impact fee fund. The school impact fees shall remain in the fund until transferred to the School Board in accordance with the intergovernmental agreement between the County, School Board and Clerk of Circuit Court. The school impact fees shall, upon receipt by the cities, be deposited into the funds established by the cities for school impact fees. The school impact fees deposited into the fund during the previous calendar month shall be transferred from the cities to the School Board prior to the fifteenth (15th) day of each month. The school impact fee monies transferred to the School Board from the County and the cities shall be

deposited into an account; i.e., the school impact fee account, established by the School Board and held and maintained separate from all other accounts of the School Board.

2. The monies transferred from the school impact fee fund shall be used by the School Board solely to provide school facilities, school sites and school buses which are necessitated by new residential construction, consistent with and as set forth below, and shall not be used for any expenditure that would be classified as an operating expense, routine maintenance, or repair expense. The School Board shall establish and implement necessary accounting controls to ensure that all school impact fees are properly deposited, accounted for, and appropriated in accordance with this division and any other applicable legal requirements. Annual accounting and notice of the use of the school impact fees shall be given to the County consistent with this section. The School Board shall use transferred school impact fee fund monies for the following:
 - a. Costs of acquiring school sites, including due diligence, title insurance, survey, recording, and closing costs, and where applicable, eminent domain costs;
 - b. School building and educational plant design, permitting and construction costs;
 - c. Acquisition costs for relocatable classrooms;
 - d. Building furniture and building equipment costs;
 - e. Costs of nonbuilding improvements on school sites or on adjacent land useable by the School Board, including, but not limited to, parking, playgrounds, athletic fields, site related drainage, transportation and utility improvements, and other site development work;
 - f. Acquisition costs of school buses;
 - g. Repayment of monies borrowed from any budgetary fund of the County, or the School Board subsequent to the effective date of this division, where such borrowed monies were used to fund growth necessitated capital expenditures to school facilities as provided herein; provided, however, that the intent of this provision is not to allow the use of school impact fees as a pledge for any bonds; and
 - h. Payment of principal and interest, necessary reserves, and costs of issuance under any bonds or other indebtedness issued by the County or the School Board to fund growth necessitated capital expenditures to the school system subsequent to the effective date of this section; provided,

however, that the intent of this provision is to not allow the use of school impact fees as a pledge for any such bonds.

3. Upon request but not more often than annually, the School Board shall provide an accounting to the County and the cities containing a summary of the school impact fees transferred to the School Board during the previous year and a detailed description of the uses and expenditures for which the net school impact fee revenue was expended during the preceding year. At a minimum, the accounting shall contain the following:
 - a. The school facilities, school sites and school buses funded in whole or in part with the school impact fee funds;
 - b. The location of the school facilities or school sites;
 - c. The capacity in number of students served by the school facilities or school buses;
 - d. The total cost and square footage of each school facility; and
 - e. The use of other funding sources for school facilities, school sites and school buses.
4. Annually, the County may hire an auditor to review the report and the expenditure of the school impact fees. The costs of retaining said auditor shall be paid by the School Board, and copies of the audit report shall be provided to the cities.

CHAPTER 1300. CAPITAL FACILITIES, FEES, AND INCENTIVES RELATED TO FEES

SECTION 1302. IMPACT FEES

1302.4. Parks and Recreation Impact Fees

A. Intent and Purpose

1. To establish uniform parks and recreation impact fees throughout the County and establish procedures for the imposition, calculation, collection, administration, and expenditure of parks and recreation impact fees imposed on new residential construction.
2. To facilitate the implementation of the Goals, Objectives and Policies of the Comprehensive Plan, specifically Objective REC 1.3 and Policy REC 1.3.1 of the Recreation and Open Space Element relating to assuring that new residential construction contributes its fair share towards the costs of parks and recreation facilities necessitated by such new residential construction.
3. To ensure that new residential construction is reasonably benefited by the provision of the public parks and recreation facilities provided with the proceeds of parks and recreation impact fees.
4. To ensure that all applicable legal standards and criteria are properly incorporated in these procedures.

B. Parks and Recreation Impact Fee Study and Modifications.

1. The Board of County Commissioners (BCC) hereby adopts and incorporates by reference the 2022-2045 Parks and Recreation Impact Fee Study by Pritchett Steinbeck Group, Inc. dated September 15, 2022 and the 2022-2045 Capital Plan as an attachment to the Impact Fee Study. The Parks and Recreation Impact Fee Study calculates Parks and Recreation Impact Fees that equate to new residential construction's fair share of the costs of acquiring park land and constructing new parks and recreation facilities, consistent with the needs and costs identified in the 2022-2045 Parks and Recreation Impact Fee Study. There shall be one flat fee for single-family units, multi-family units, and mobile homes.
2. The boundaries of the fee districts were updated in 2022 to ensure new park facilities are accessible to and provide benefits for residents of the same geographic areas where the fees are collected.
3. The following changes can be made to the 2022-2045 Capital Plan without requiring an amendment to the impact fee structure in the LDC: (1) moving projects to different phases, (2) replacing existing facilities or projects in the 2022-2045 Capital Plan with new facilities or projects that are equal to or less than the cost of existing facilities or projects, (3) adding facilities or projects to the 2022-2045 Capital Plan that are fully funded with non-impact fee revenue sources, (4) adding to or

changing the scope of facilities or projects in the 2022-2045 Capital Plan where additional scope items are funded by non-impact fee revenue, and (5) fully funding facilities with impact fees where project costs exceed the 2022-2045 Capital Plan cost estimates by less than 20%. The above listed changes to the 2022-2045 Capital Plan shall be adopted by Board resolution.

C. Imposition

1. Parks and recreation impact fees shall be imposed on new residential construction occurring within the unincorporated area of the County not otherwise exempted in this section or waived by general or special law and those incorporated Pasco County municipalities that collect the County’s Parks and Recreation Impact Fees. For purposes of parks and recreation impact fee expenditures, the County shall be divided into three districts (West, Central, and East), as indicated on Exhibit 1302.4-A. While the impact fee will continue to be the same across the County, the fees collected in each district will be accounted for separately and spent in the same district in which they are collected subject to the lending/borrowing requirements set forth in Section 1302.4.F.3.

For Building Permits or Mobile Home Tie-Down Permits for which a complete application is submitted on or prior to December 31, 2023, the Parks and Recreation Impact Fees shall be as follows:

	Single Family Detached	Multi-Family/ Mobile Homes
Land Acquisition	\$144.19	\$101.38
Fields, Courts, Splashpads, and Centers	104.83	73.70
Water Access	24.84	17.47
Other (trails, parking, shelters, picnic tables, maintenance buildings, playgrounds, restrooms, landscaping, lighting, and other general park infrastructure and site preparation)	617.96	434.45
Total Fee	\$891.82	\$627.00

2. For Building Permits or Mobile Home Tie-Down Permits for which a complete application is submitted after December 31, 2023, the Parks and Recreation Impact Fee shall be as follows:

Dwelling Unit	
Park Land	\$705.41

Park and Recreation Facilities	\$2,744.74
Total Per Dwelling Unit	\$3,450.15

3. Exemptions or Partial Exemptions. An exemption or partial exemption must be claimed by the applicant or it shall be waived. Payment of the full parks and recreation impact fee shall not apply to the following situations if the applicant clearly demonstrates with competent substantial evidence to the County Administrator or designee one of the following:
- a. Other uses. No parks and recreation impact fee shall be imposed on a structure which cannot result in an increase in the demand for parks and recreation facilities.
 - b. Alterations or expansions. No parks and recreation impact fee shall be imposed for alterations or expansions of a dwelling unit that existed on January 29, 2002, or that a parks and recreation impact fee has been paid for the unit. However, where an alteration or expansion will create an additional dwelling unit; e.g., a single-family detached house altered to create two (2) or more multifamily dwelling units, a parks and recreation impact fee equivalent to the difference between the parks and recreation impact fee amount for the existing use and the new use shall be due for each additional dwelling unit pursuant to the parks and recreation impact fee schedule in place at the time of the change in circumstances.
 - c. Accessory buildings. No parks and recreation impact fee shall be imposed for construction of accessory buildings or structures that cannot create additional dwelling units.
 - d. Replacement of dwelling unit. No parks and recreation impact fee shall be imposed for the replacement of a dwelling unit, in whole or in part, as long as the owner can demonstrate that the same use existed as of January 29, 2002, or that a parks and recreation impact fee has been paid for the unit.
 - e. Mobile homes. No parks and recreation impact fee shall be imposed for the issuance of a Tie-Down Permit for a mobile home where the applicant is able to demonstrate to the County Administrator or designee that a parks and recreation impact fee has previously been paid for the lot upon which the mobile home is to be situated.
 - f. Affordable Housing Exemption. No parks and recreation impact fee shall be imposed for a dwelling unit that is affordable to a family with a median income that does not exceed eighty (80) percent of the median income for the Tampa-St. Petersburg-Clearwater standard metropolitan statistical area. To qualify for

the Affordable Housing Exemption, the dwelling unit, or the larger planned development that includes the dwelling unit, or the multiple family building, as applicable, must be designated as affordable by the County Administrator or designee consistent with the foregoing definition and applicable Federal, State, and local income and expense criteria for affordable housing, and must be sold or leased to a family that satisfies the foregoing income criteria, as determined by the County Administrator or designee. The County shall impose deed restrictions, mortgage requirements, and/or liens that ensure that any dwelling unit or multiple-family building that is awarded the Affordable Housing Exemption remains affordable. The owner of any dwelling unit or multiple family building that was awarded the Affordable Housing Exemption that resells or leases such dwelling unit at a price that is no longer affordable or resells or leases such dwelling unit to a family that does not satisfy the foregoing income criteria, as determined by the County Administrator or designee consistent with the foregoing definition, shall be required to pay to the County the entire parks and recreation impact fee that was exempted, which shall be calculated based on the fee in place at the time the violation occurs. Failure to pay such fee shall be considered a violation of this section which shall make the owner subject to the County enforcement provisions of this section, in addition to any other remedies of the County as set forth in the County imposed deed restrictions, mortgage requirements, and/or liens. Notwithstanding the foregoing, a person shall not be eligible for the Affordable Housing Exemption if that person has invoked the land use/zoning preemption or mandatory property tax exemption in the Live Local Act (Section 125.01055(7) or Section 196.1978(3), Florida Statutes).

- g. Moderate Income Affordable Housing Partial Exemption. A dwelling unit that is affordable to a family with a median income that is between eighty (80) percent and one hundred and twenty (120) percent of the median income for the Tampa-St. Petersburg-Clearwater standard metropolitan statistical area shall be exempt from seventy-five (75) percent of the applicable parks and recreation impact fee set forth in Section 1302.4.C. (i.e. is required to pay twenty-five (25) percent of such fee). To qualify for the Moderate Income Affordable Housing Partial Exemption, the dwelling unit, or the larger planned development that includes the dwelling unit, or the multiple family building, as applicable, must be designated as affordable by the County Administrator or designee consistent with the foregoing definition and applicable Federal, State, and local income and expense criteria for affordable housing, must be constructed by a registered non-profit, and be sold or leased to a family that satisfies the foregoing income criteria, as determined by the County Administrator or designee. The County shall impose

deed restrictions, mortgage requirements, and/or liens that ensure that any dwelling unit or multiple-family building that is awarded the Moderate Income Affordable Housing Partial Exemption remains affordable. The owner of any dwelling unit or multiple family building that was awarded the Moderate Income Affordable Housing Partial Exemption that resells or leases such dwelling unit at a price that is no longer affordable or resells or leases such dwelling unit to a family that does not satisfy the foregoing income criteria, as determined by the County Administrator or designee consistent with the foregoing definition, shall be required to pay to the County the amount of the Moderate Income Affordable Housing Partial Exemption (i.e. seventy-five (75) percent of the applicable parks and recreation impact fee), which shall be calculated based on the fee in place at the time the violation occurs. Failure to pay such amount shall be considered a violation of this section which shall make the owner subject to the County enforcement provisions of this section, in addition to any other remedies of the County as set forth in the County imposed deed restrictions, mortgage requirements, and/or liens. Notwithstanding the foregoing, a person shall not be eligible for the Moderate Income Affordable Housing Partial Exemption if that person has invoked the land use/zoning preemption or mandatory property tax exemption in the Live Local Act (Section 125.01055(7) or Section 196.1978(3), Florida Statutes).

4. Any new residential construction which is determined to be exempt from the payment of parks and recreation impact fees but which, as a result of a change in circumstances, produces a dwelling unit not exempt and shall pay the parks and recreation impact fee according to the impact fee schedule in effect at such time as the change in circumstances occurs.

D. Calculation

1. The applicable parks and recreation impact fee shall be calculated based upon the above table upon receipt of a complete application for a Building Permit. If an applicant has received a parks and recreation impact fee credit pursuant to this Code, Section 1301.2, that credit shall be subtracted from the applicable portion of the parks and recreation impact fee.
2. In the alternative, the applicable parks and recreation impact fee may be based upon an independent fee calculation as provided for in this chapter.
3. An applicant may request at any time a nonbinding estimate of parks and recreation impact fees due for a particular development; however,

such estimate is subject to change when a complete application for a Building Permit for new residential construction is made.

4. Parks and recreation impact fees shall be calculated based on the parks and recreation impact fee schedule in effect at the time of the County's issuance of a Building Permit except where provided for in this section.

E. Payment/Collection

1. The parks and recreation impact fee shall be paid prior to the issuance of a Certificate of Occupancy (CO) for the new residential construction. Where a CO is not required, the parks and recreation impact fee shall be paid prior to the final inspection.
2. Notwithstanding the foregoing, nothing in this section shall prevent the County from studying or adopting an alternate method of payment of the parks and recreation impact fee; e.g., payment over time through special assessments.

F. Parks and Recreation Impact Fee Fund/Appropriation of Funds

1. The BCC shall establish and implement necessary accounting controls to ensure that all parks and recreation impact fees are properly deposited, accounted for, and appropriated in accordance with this section and any other applicable legal requirements.
2. The parks and recreation impact fees shall be segregated into separate accounts for each of the three (3) parks and recreation impact fee districts consistent with the amounts in the Table in Section 1302.4.C.1.
3. The parks and recreation impact fees paid will be earmarked for each parks and recreation impact fee district and expended only in each parks and recreation impact fee district to acquire park land and develop parks and recreation facilities needed to accommodate growth resulting from new residential construction in such district. In addition, the County may lend parks and recreation impact fee funds from one district to another district, provided that (a) the district receiving the borrowed funds repays the lending district the full amount borrowed (not including interest), and (b) the borrowing district earmarks for repayment one hundred percent (100%) of the applicable components of the new parks and recreation impact fee funds collected until the full amount borrowed from the lending district has been repaid.
4. Funds collected for each component of the parks and recreation impact fee (park land and parks and recreation facilities) shall only be expended on the applicable component for which the fee was collected, consistent with the definitions of each component in this Code, Appendix A. In addition, the County may lend monies from one component funding source to another component funding source,

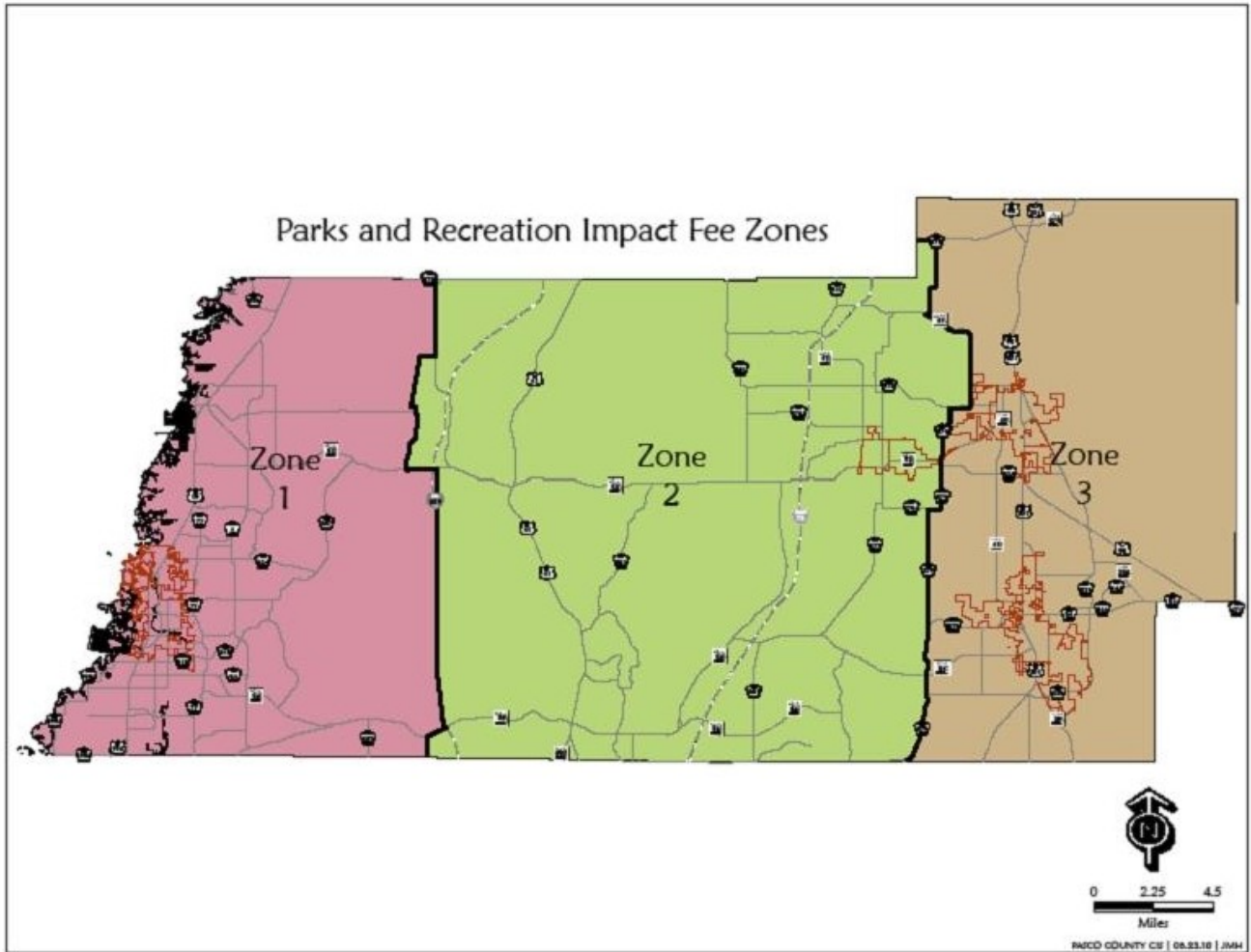
provided that (a) the component funding source receiving the borrowed funds repays the lending component funding source the full amount borrowed (not including interest), and (b) the borrowing component funding source earmarks for repayment one hundred percent (100%) of its new funds collected until the full amount borrowed from the lending component funding source has been repaid.

5. Parks and recreation impact fees shall be appropriated for park land or parks and recreation facilities necessitated by new residential construction and for the payment of principal, interest, and other financing costs on contracts, bonds, notes, or other obligations issued by or on behalf of the County to finance such park land or parks and recreation facilities.
6. Within each parks and recreation impact fee district, all interest or investment income earned shall be available for appropriation or expenditure for park land or parks and recreation facilities regardless of the source of the interest or investment income.
7. The BCC shall use parks and recreation impact fee fund monies for the following:
 - a. Planning (with specific BCC approval), design, permitting, and construction plan costs for park land and parks and recreation facilities;
 - b. Park land acquisition costs;
 - c. Construction costs of parks and recreation facilities;
 - d. Repayment of monies borrowed from any budgetary fund of the County subsequent to January 29, 2002, where such borrowed monies were used to fund growth necessitated capital improvements to parks and recreation facilities as provided herein; and
 - e. Payment of principal and interest, necessary reserves, and costs of issuance under any bonds or other indebtedness issued by the County to fund growth necessitated capital improvements to the parks and recreation facilities subsequent to January 29, 2002.

G. Effect of Change in Regulations

1. Parks and recreation impact fees collected prior to the adoption date of the amendments to this chapter, and the related amendments to Appendix A (July 11, 2023) (the "P & R Update Date") may be earmarked, budgeted, and/or expended either in accordance with the current regulations in this chapter, or in accordance with the parks and recreation impact fee regulations in effect prior to the P & R Update Date.

Exhibit "1302.4-A," Parks and Recreation Districts



CHAPTER 1300. CAPITAL FACILITIES, FEES, AND INCENTIVES RELATED TO FEES

SECTION 1302. IMPACT FEES

1302.5. **Library Impact Fees**

A. **Intent and Purpose**

1. To establish uniform library impact fees throughout the County and establish procedures for the imposition, calculation, collection, administration, and expenditure of library impact fees on new residential construction.
2. To facilitate the implementation of the Goals, Objectives, and Policies of the Comprehensive Plan, specifically Objective CIE 1.3, Objective CIE 1.4, and the supporting policies of the Capital Improvements Element relating to assuring that new residential construction contributes its fair share towards the costs of library facilities necessitated by such new residential construction.
3. To ensure that new residential construction is reasonably benefited by the provision of the public library facilities provided with the proceeds of library impact fees.
4. To ensure that all applicable legal standards and criteria are properly incorporated in these procedures.

B. **Library Impact Fee Study and Modifications**

1. The Board of County Commissioners (BCC) has adopted and incorporates by reference the library impact fee study by Wade-Trim, Inc., entitled Pasco County Library System Strategic Plan, dated January 2002, and as supplemented pursuant to this section.
2. This section and the library impact fee study may be reviewed by the BCC at least once every three (3) years. The purpose of this review is to demonstrate that the library impact fee does not exceed reasonably anticipated costs associated with growth necessitated capital improvements. In the event the review demonstrates that anticipated costs have changed, the study and the library impact fee shall be amended in accordance therewith.
3. The County Administrator or designee shall be assisted by the Impact Fee Advisory Committee as established by the BCC pursuant to Resolution No. 88-245, as may be amended, or other advisory committee(s) in the review of the library impact fee. The review shall include all of the following to be compiled into a report:
 - a. Recommendations on amendments, if appropriate, to these procedures;

- b. Proposed changes to the County Comprehensive Plan and/or an applicable Capital Improvement Plan, including the identification of library system projects anticipated to be funded wholly or partially with library impact fees;
 - c. Proposed changes to the library impact fee schedule;
 - d. Proposed changes to the level of service standards;
 - e. Proposed changes in the library impact fee calculation methodology; and
 - f. Other data, analysis, or recommendations as the County Administrator or designee may deem appropriate or as may be requested by the BCC.
4. The County Administrator or designee shall submit the report to the BCC, which shall receive the report and take such actions as it deems appropriate which may include, but is not limited to, requesting additional data or analyses and holding public workshops and/or public hearings.
 5. The failure to prepare or to submit a report as provided herein shall not affect the effectiveness or the administration of this section.

C. Imposition

1. Library impact fees shall be imposed on all new residential construction occurring within the County not otherwise exempted in this section or waived by general or special law. For purposes of this section, the County shall be considered as one (1) unified library impact fee district.
2. The library impact fee shall be collected within any city only upon approval by the BCC of an interlocal agreement between the County and such city.
3. Upon this section becoming effective, all new residential construction occurring within the County shall pay the following library impact fee according to the following library impact fee schedule:

Single-Family Detached House	
Library Land	\$ 15.06 Per Dwelling Unit
Library Facilities	129.52 Per Dwelling Unit
Total	\$144.58 Per Dwelling Unit
All Other Residential Construction, Including Multifamily/Mobile Homes	
Library Land	10.06 Per Dwelling Unit
Library Facilities	86.52 Per Dwelling Unit
Total	\$ 96.58 Per Dwelling Unit

4. The library impact fee shall be determined at the time a completed application for a Building Permit is submitted.

Notwithstanding anything to the contrary in this section, the facilities portion of the library impact fee shall be suspended for:

- a. Complete and unexpired Building Permit applications submitted on or after March 1, 2011, and on or prior to December 31, 2013; and
- b. Building Permits issued on or after March 1, 2011, through December 31, 2013, which do not subsequently expire.

This suspension shall not apply to any building that was issued a Building Permit prior to March 1, 2011, even if the Building Permit for such building expires or is revoked.

5. Exemptions or Partial Exemptions. An exemption or partial exemption must be claimed by the applicant or it shall be waived. Payment of the library impact fee shall not apply, or shall be reduced, in the following situations if the applicant clearly demonstrates with competent substantial evidence to the County Administrator or designee one (1) of the following:
- a. New residential construction for which a Certificate of Occupancy (CO) has been issued prior to September 4, 2002.
 - b. Other Uses: No library impact fee shall be imposed on a structure that cannot result in an increase in the demand for library facilities.
 - c. Alterations or Expansions: No library impact fee shall be imposed for alterations or expansions of a dwelling unit that exists on September 4, 2002, where no additional dwelling units are created. However, where an alteration or expansion will create an additional dwelling unit; e.g., a single-family detached

house altered to create two (2) or more multifamily dwelling units, a library impact fee equivalent to the difference between the library impact fee amount for the existing use and the new use shall be due for each additional dwelling unit pursuant to the library impact fee schedule in place at the time of the change in circumstances.

- d. Accessory Buildings: No library impact fee shall be imposed for construction of accessory buildings or structures that cannot create additional dwelling units.
- e. Replacement of Dwelling Unit: No library impact fee shall be imposed for the replacement of a dwelling unit, in whole or in part, as long as the owner can demonstrate that the same use existed at the time that this library impact fee section became effective. However, where a replacement will create a greater library demand generator, e.g., a mobile home replaced by a single-family detached house, a library impact fee equivalent to the difference shall be due for the resulting dwelling unit pursuant to the library impact fee schedule in place at the time of the change in circumstances.
- f. Mobile Homes: No library impact fee shall be imposed for the issuance of a Tie-Down Permit for a mobile home where the applicant is able to demonstrate to the County Administrator or designee that a library impact fee has previously been paid for the lot upon which the mobile home is to be situated.
- g. Affordable Housing Exemption. No library impact fee shall be imposed for a dwelling unit that is affordable to a family with a median income that does not exceed eighty (80) percent of the median income for the Tampa-St. Petersburg-Clearwater standard metropolitan statistical area. To qualify for the Affordable Housing Exemption, the dwelling unit, or the larger planned development that includes the dwelling unit, or the multiple family building, as applicable, must be designated as affordable by the County Administrator or designee consistent with the foregoing definition and applicable Federal, State, and local income and expense criteria for affordable housing, and must be sold or leased to a family that satisfies the foregoing income criteria, as determined by the County Administrator or designee. The County shall impose deed restrictions, mortgage requirements, and/or liens that ensure that any dwelling unit or multiple-family building that is awarded the Affordable Housing Exemption remains affordable. The owner of any dwelling unit or multiple family building that was awarded the Affordable Housing Exemption that resells or leases such dwelling unit at a price that is no longer affordable or resells or leases such dwelling unit to a family that does not satisfy the foregoing income criteria, as determined by the County Administrator or

designee consistent with the foregoing definition, shall be required to pay to the County the entire library impact fee that was exempted, which shall be calculated based on the fee in place at the time the violation occurs. Failure to pay such fee shall be considered a violation of this section which shall make the owner subject to the County enforcement provisions of this section, in addition to any other remedies of the County as set forth in the County imposed deed restrictions, mortgage requirements, and/or liens. Notwithstanding the foregoing, a person shall not be eligible for the Affordable Housing Exemption if that person has invoked the land use/zoning preemption or mandatory property tax exemption in the Live Local Act (Section 125.01055(7) or Section 196.1978(3), Florida Statutes).

- h. Moderate Income Affordable Housing Partial Exemption. A dwelling unit that is affordable to a family with a median income that is between eighty (80) percent and one hundred and twenty (120) percent of the median income for the Tampa-St. Petersburg-Clearwater standard metropolitan statistical area shall be exempt from seventy-five (75) percent of the applicable library impact fee set forth in Section 1302.5.C. (i.e. is required to pay twenty-five (25) percent of such fee). To qualify for the Moderate Income Affordable Housing Partial Exemption, the dwelling unit, or the larger planned development that includes the dwelling unit, or the multiple family building, as applicable, must be designated as affordable by the County Administrator or designee consistent with the foregoing definition and applicable Federal, State, and local income and expense criteria for affordable housing, must be constructed by a registered non-profit, and be sold or leased to a family that satisfies the foregoing income criteria, as determined by the County Administrator or designee. The County shall impose deed restrictions, mortgage requirements, and/or liens that ensure that any dwelling unit or multiple-family building that is awarded the Moderate Income Affordable Housing Partial Exemption remains affordable. The owner of any dwelling unit or multiple family building that was awarded the Moderate Income Affordable Housing Partial Exemption that resells or leases such dwelling unit at a price that is no longer affordable or resells or leases such dwelling unit to a family that does not satisfy the foregoing income criteria, as determined by the County Administrator or designee consistent with the foregoing definition, shall be required to pay to the County the amount of the Moderate Income Affordable Housing Partial Exemption (i.e. seventy-five (75) percent of the applicable library impact fee), which shall be calculated based on the fee in place at the time the violation occurs. Failure to pay such amount shall be considered a violation of this section which shall make the owner subject to the County enforcement provisions of this

section, in addition to any other remedies of the County as set forth in the County imposed deed restrictions, mortgage requirements, and/or liens. Notwithstanding the foregoing, a person shall not be eligible for the Moderate Income Affordable Housing Partial Exemption if that person has invoked the land use/zoning preemption or mandatory property tax exemption in the Live Local Act (Section 125.01055(7) or Section 196.1978(3), Florida Statutes).

6. Any new residential construction which is determined to be waived from the payment of library impact fees but which, as a result of a change in circumstances, produces a dwelling unit not exempt pursuant to this section hereinabove, shall pay the library impact fee imposed by this section according to the impact fee schedule in effect at such time as the change in circumstances occurs.

D. Calculation

1. The applicable library impact fee shall be based upon the above table upon receipt of a complete application for a Building Permit. If an applicant has received a credit pursuant to this section, that credit shall be subtracted from the otherwise applicable library impact fee.
2. In the alternative, the applicable library impact fee may be based upon an independent fee calculation as provided for in this chapter.
3. An applicant may request at any time a nonbinding estimate of library impact fees due for a particular development; however, such estimate is subject to change when a complete application for a Building Permit for new residential construction is made.
4. Library impact fees shall be calculated based on the library impact fee schedule in effect at the time of the County's issuance of a Building Permit except where provided for in this section.

E. Payment/Collection

1. The library impact fee shall be paid prior to the issuance of a CO for the new residential construction. Where a CO is not required, the library impact fee shall be paid prior to the final inspection.
2. Notwithstanding the foregoing, nothing in this section shall prevent the County from studying or adopting an alternate method of payment of the library impact fee; e.g., payment over time through special assessments.

F. Library Impact Fee Fund/Appropriation of Funds

1. The County shall establish a library impact fee fund for library impact fees. Such fund shall clearly be identified as monies collected as library

impact fees. All library impact fees collected by the County shall be deposited into the library impact fee fund and shall be segregated for library land acquisition and library facility development. The BCC shall establish and implement necessary accounting controls to ensure that all library impact fees are properly deposited, accounted for, and appropriated in accordance with this section and any other applicable legal requirements.

2. A specific account for library land acquisition and library facility development shall be established. All interest or investment income earned shall be available for appropriation or expenditure for library land or library facilities regardless of the source of the interest or investment income.
3. The monies from the library impact fee fund shall be used by the County solely to provide library land and library facilities which are necessitated by new residential construction within the library impact fee district, consistent with and as set forth below, and shall not be used for any expenditure that would be classified as an operating, routine maintenance, or repair expense. The BCC shall use library impact fee fund monies for the following:
 - a. Planning (with specific BCC approval), design, permitting, and construction plan costs for the library system;
 - b. Library land acquisition costs;
 - c. Construction costs of library facilities as library facilities is defined in this Code;
 - d. Repayment of monies borrowed from any budgetary fund of the County subsequent to the adoption date of this section, where such borrowed monies were used to fund growth necessitated capital improvements to library facilities as provided herein; and
 - e. Payment of principal and interest, necessary reserves and costs of issuance under any bonds, or other indebtedness issued by the County to fund growth necessitated improvements to the library system subsequent to the adoption date of this section.

CHAPTER 1300. CAPITAL FACILITIES, FEES, AND INCENTIVES RELATED TO FEES

SECTION 1302. IMPACT FEES

1302.6. Fire Combat and Rescue Service Impact Fees

A. Intent and Purpose

1. To establish uniform fire combat and rescue service impact fees in the County and establish procedures for the imposition, calculation, collection, administration, and expenditure of fire combat and rescue service impact fees imposed on new building construction.
2. To facilitate the implementation of the Goals, Objectives, and Policies of the Comprehensive Plan, specifically, Objectives CIE 1.3 and CIE 1.4 of the Capital Improvements Element, relating to limiting reliance on ad valorem revenues and utilizing funding directly from new building construction to offset appropriate costs of serving new building construction with public facilities.
3. To ensure that new building construction is reasonably benefited by the provision of the public fire combat and rescue service facilities and equipment provided with the proceeds of fire combat and rescue service impact fees.
4. To ensure that all applicable legal standards and criteria are properly incorporated in these procedures.

B. Fire Combat and Rescue Service Impact Fee Study and Modifications

1. The Board of County Commissioners (BCC) has adopted and incorporates by reference, the Fire Combat and Rescue Service Impact Fee Study by Wade-Trim, Inc., entitled Fire and Emergency Services Facilities Master Plan, dated February 7, 2003, and as supplemented pursuant to this section.
2. This section and the Fire Combat and Rescue Service Impact Fee Study may be reviewed by the BCC every three (3) years. The purpose of this review is to demonstrate that the fire combat and rescue service impact fee does not exceed reasonably anticipated costs associated with growth necessitated, capital improvements. In the event the review demonstrates that anticipated costs have changed, the study and the fire combat and rescue service impact fee shall be amended in accordance therewith.
3. The County Administrator or designee may be assisted by the Impact Fee Advisory Committee as established by the BCC pursuant to Resolution No. 88-245, as may be amended, or other advisory committee(s) in the review of the fire combat and rescue service impact fee.

4. The review shall include all of the following to be compiled into a report:
 - a. Recommendations on amendments, if appropriate, to these procedures.
 - b. Proposed changes to the County Comprehensive Plan and/or an applicable Capital Improvements Program, including the identification of fire combat and rescue service system projects anticipated to be funded wholly or partially with fire combat and rescue service impact fees.
 - c. Proposed changes to the fire combat and rescue service impact fee schedule.
 - d. Proposed changes to Level of Service standards;
 - e. Proposed changes in the fire combat and rescue service impact fee calculation methodology.
 - f. Other data, analysis, or recommendations as the County Administrator or designee may deem appropriate, or as may be requested by the BCC.
5. The County Administrator or designee shall submit the report to the BCC, which shall receive the report and take such actions as it deems appropriate which may include, but is not limited to, requesting additional data or analyses, and holding public workshops and/or public hearings.
6. The failure to prepare or to submit a report as provided herein shall not affect the effectiveness or the administration of this section.

C. Imposition

1. The fire combat impact fee shall be imposed on all new construction occurring within the County Municipal Fire Service Taxing Unit (MFSTU). The MFSTU is composed of the municipalities of Dade City, St. Leo and San Antonio, and a significant portion of the unincorporated area of the County, and may be amended from time to time. The rescue service impact fee shall be imposed on all new construction occurring in the unincorporated County.
2. The fire combat and rescue service impact fees are effective in the municipalities of San Antonio, St. Leo, and Dade City and shall be effective within the other municipalities only by interlocal agreement.

3. The fire combat and rescue service impact fee amount is as follows and is subject to any adjustments to the said fee made pursuant to this section:

FIRE COMBAT DISTRICT	
Residential Uses:	
Fire Combat Land	\$ 27.45 Per Dwelling Unit
Facilities and Equipment	221.00 Per Dwelling Unit
Total	\$248.45 Per Dwelling Unit
Nonresidential Uses:	
Fire Combat Land	35.83 Per 1,000 Square Feet of Gross Floor Area
Facilities and Equipment	288.50 Per 1,000 Square Feet of Gross Floor Area
Total	\$324.33 Per 1,000 Square Feet of Gross Floor Area
Rescue Service District	
Residential Uses:	
Rescue Service Land	19.79 Per Dwelling Unit
Facilities and Equipment	152.15 Per Dwelling Unit
Total	\$171.94 Per Dwelling Unit
Nonresidential Uses:	
Rescue Service Land	25.83 Per 1,000 Square Feet of Gross Floor Area
Facilities and Equipment	198.61 Per 1,000 Square Feet of Gross Floor Area
Total	\$224.44 Per 1,000 Square Feet of Gross Floor Area

4. The gross floor area of a nonresidential use shall be capped at a maximum area of 50,000 square feet per building for purposes of calculation of the fire combat and rescue service impact fee. Nonresidential uses greater than 50,000 square feet in the gross floor area shall be calculated as if the gross floor area were 50,000 square feet.
5. The fire combat and rescue service impact fee shall be determined at the time a completed application for a Building Permit is submitted and paid prior to the issuance of any Certificate of Occupancy (CO).

Notwithstanding anything to the contrary in this section, the facilities and equipment portion of the fire combat and rescue service impact fee shall be suspended for:

- a. Complete and unexpired Building Permit applications submitted on or after March 1, 2011, and on or prior to December 31, 2013; and
- b. Building Permits issued on or after March 1, 2011, through December 31, 2013, which do not subsequently expire.

This suspension shall not apply to any building that was issued a Building Permit prior to March 1, 2011, even if the Building Permit for such building expires or is revoked.

6. Exemptions or Partial Exemptions. An exemption or partial exemption must be claimed by the applicant or it shall be waived. Payment of the fire combat and rescue service impact fee shall not apply, or shall be reduced, in the following situations if the applicant clearly demonstrates with competent substantial evidence to the County Administrator or designee one of the following:
 - a. New building construction for which a completed application for a Building Permit has been submitted, where a Building Permit has been issued, or for which a CO has been issued prior to January 13, 2004.
 - b. Other uses. No fire combat and rescue service impact fee shall be imposed on a use, development, project, structure, building, fence, sign, or other building construction activity that cannot result in an increase in the demand for fire combat and rescue service facilities. An applicant who requests an exemption pursuant to this subsection for an activity not specifically enumerated herein shall request a determination from the County Administrator or designee that the activity does not result in an increase in a demand generator for the fire combat and rescue service system. An applicant may appeal such a determination pursuant to this Code.
 - c. Alterations or expansions. No fire combat and rescue service impact fee shall be imposed for alterations or expansions of a residential use that existed January 13, 2004, where no additional dwelling units are created. However, where an alteration or expansion will create an additional dwelling unit; e.g., a single-family detached house altered to create two (2) or more multi-family dwelling units, a fire combat and rescue service impact fee equivalent to the difference between the fire combat and rescue service impact fee amount for the existing use and the new use shall be due for each additional dwelling unit, pursuant to the fire combat and rescue service impact fee schedule in place at the time of the change in circumstances. No fire combat and rescue service impact fee shall be imposed for alterations or expansions of a nonresidential use that existed on January 13, 2004, where no additional, gross floor area is created. However, where an alteration or expansion will create additional, gross floor area of a nonresidential use, a fire combat and rescue service impact fee equivalent to the difference between the fire combat and rescue service impact fee amount for the existing use, and the new use shall be due for the additional, gross floor area pursuant to the fire combat and

rescue service impact fee schedule in place at the time of the change in circumstances, subject to the limitations of this section.

- d. Accessory buildings or structures. No fire combat and rescue service impact fee shall be imposed for the building construction of accessory buildings or structures.
- e. Replacement of residential use or nonresidential use. No fire combat and rescue service impact fee shall be imposed for the replacement of a residential use or nonresidential use, in whole or in part, as long as the owner can demonstrate that the same use existed on January 13, 2004. However, where a replacement will create a greater fire combat and rescue service demand generator; e.g., for a residential use, one dwelling unit replaced by two (2) or more dwelling units; or for a nonresidential use, an increase in the gross floor area, a fire combat and rescue service impact fee equivalent to the difference shall be due for the resulting dwelling unit or nonresidential use pursuant to the fire combat and rescue service impact fee schedule in place at the time of the change in circumstances.
- f. Mobile homes. No fire combat and rescue service impact fee shall be imposed for the issuance of a Tie-Down Permit for a mobile home where the applicant is able to demonstrate to the County Administrator or designee that a fire combat and rescue service impact fee has previously been paid for the lot upon which the mobile home is to be situated.
- g. Recreational vehicle sites. Fire combat and rescue service impact fees shall be imposed only once per recreational vehicle site and shall be calculated based on one (1) dwelling unit per recreational vehicle site. A recreational vehicle site is an area providing for one (1) water or electrical service connection to one (1) recreational vehicle dwelling unit. Areas in which more than one (1) recreational vehicle site is provided shall have the fire combat and rescue service impact fees calculated for each recreational vehicle site. The replacement of recreational vehicles on a recreational vehicle site shall not require payment of a fire combat and rescue service impact fee.
- h. Farm and ranch buildings on land used for bona fide, agricultural purposes as classified by the County Property Appraiser. The exemption shall not apply to residential units on bona fide, agricultural land.
- i. Affordable Housing Exemption. No fire combat and rescue service impact fee shall be imposed for a dwelling unit that is affordable to a family with a median income that does not

exceed eighty (80) percent of the median income for the Tampa-St. Petersburg-Clearwater standard metropolitan statistical area. To qualify for the Affordable Housing Exemption, the dwelling unit, or the larger planned development that includes the dwelling unit, or the multiple family building, as applicable, must be designated as affordable by the County Administrator or designee consistent with the foregoing definition and applicable Federal, State, and local income and expense criteria for affordable housing and must be sold or leased to a family that satisfies the foregoing income criteria, as determined by the County Administrator or designee. The County shall impose deed restrictions, mortgage requirements, and/or liens that ensure that any dwelling unit or multiple-family building that is awarded the Affordable Housing Exemption remains affordable. The owner of any dwelling unit or multiple family building that was awarded the Affordable Housing Exemption that resells or leases such dwelling unit at a price that is no longer affordable or resells or leases such dwelling unit to a family that does not satisfy the foregoing income criteria, as determined by the County Administrator or designee consistent with the foregoing definition, shall be required to pay to the County the entire fire combat and rescue service impact fee that was exempted, which shall be calculated based on the fee in place at the time the violation occurs. Failure to pay such fee shall be considered a violation of this section which shall make the owner subject to the County enforcement provisions of this section, in addition to any other remedies of the County as set forth in the County imposed deed restrictions, mortgage requirements, and/or liens. Notwithstanding the foregoing, a person shall not be eligible for the Affordable Housing Exemption if that person has invoked the land use/zoning preemption or mandatory property tax exemption in the Live Local Act (Section 125.01055(7) or Section 196.1978(3), Florida Statutes).

- j. Moderate Income Affordable Housing Partial Exemption. A dwelling unit that is affordable to a family with a median income that is between eighty (80) percent and one hundred and twenty (120) percent of the median income for the Tampa-St. Petersburg-Clearwater standard metropolitan statistical area shall be exempt from seventy-five (75) percent of the applicable fire combat and rescue service impact fee set forth in Section 1302.6.C. (i.e. is required to pay twenty-five (25) percent of such fee). To qualify for the Moderate Income Affordable Housing Partial Exemption, the dwelling unit, or the larger planned development that includes the dwelling unit, or the multiple family building, as applicable, must be designated as affordable by the County Administrator or designee consistent with the foregoing definition and applicable Federal, State, and local income and expense criteria for affordable housing, must be

constructed by a registered non-profit, and be sold or leased to a family that satisfies the foregoing income criteria, as determined by the County Administrator or designee. The County shall impose deed restrictions, mortgage requirements, and/or liens that ensure that any dwelling unit or multiple-family building that is awarded the Moderate Income Affordable Housing Partial Exemption remains affordable. The owner of any dwelling unit or multiple family building that was awarded the Moderate Income Affordable Housing Partial Exemption that resells or leases such dwelling unit at a price that is no longer affordable or resells or leases such dwelling unit to a family that does not satisfy the foregoing income criteria, as determined by the County Administrator or designee consistent with the foregoing definition, shall be required to pay to the County the amount of the Moderate Income Affordable Housing Partial Exemption (i.e. seventy-five (75) percent of the applicable fire combat and rescue service impact fee), which shall be calculated based on the fee in place at the time the violation occurs. Failure to pay such amount shall be considered a violation of this section which shall make the owner subject to the County enforcement provisions of this section, in addition to any other remedies of the County as set forth in the County imposed deed restrictions, mortgage requirements, and/or liens. Notwithstanding the foregoing, a person shall not be eligible for the Moderate Income Affordable Housing Partial Exemption if that person has invoked the land use/zoning preemption or mandatory property tax exemption in the Live Local Act (Section 125.01055(7) or Section 196.1978(3), Florida Statutes).

7. Any new building construction which is determined to be waived from the payment of fire combat and rescue service impact fees, but which, as a result of a change in circumstances, produces a residential use or nonresidential use not exempt pursuant to this section hereto, shall pay the fire combat and rescue service impact fee imposed by this section according to the impact fee schedule in effect at such time as the change in circumstances occurs.

D. Calculation

1. Upon receipt of a complete application for a Building Permit, the County Administrator or designee shall determine the applicable fire combat and rescue service impact fee in the following manner:
 - a. Residential uses located within the County MFSTU for fire combat services. Multiply the number of dwelling units created by the new building construction by the appropriate fire combat and rescue service impact fee amount for the fire combat district and the rescue district pursuant to the fire combat and rescue

service impact fee schedule, incorporating any applicable offsets and/or credits. If the applicant has received an offset and/or credit pursuant to this chapter, that offset and/or credit shall be subtracted from the otherwise applicable fire combat and rescue service impact fee, if such offset and/or credit applies.

- b. Residential uses not located within the County MFSTU for fire combat services. Multiply the number of dwelling units created by the new building construction by the appropriate fire combat and rescue service impact fee amount for the rescue district pursuant to the fire combat and rescue service impact fee schedule, incorporating any applicable offsets and/or credits. If the applicant has received an offset and/or credit pursuant to this section, that offset and/or credit shall be subtracted from the otherwise applicable fire combat and rescue service impact fee, if such offset and/or credit applies.
 - c. Nonresidential uses located within the County MFSTU for fire combat services. Divide the square footage of the gross floor area, capped at a maximum of 50,000 square feet pursuant to this section of the new building construction by 1,000, and multiply the resulting number by the appropriate fire combat and rescue service impact fee amount for the fire combat district and the rescue district pursuant to the fire combat and rescue service impact fee schedule, incorporating any applicable offsets and/or credits. If the applicant has received an offset and/or credit pursuant to this section, that offset and/or credit shall be subtracted from the otherwise applicable fire combat and rescue service impact fee, if such offset and/or credit applies.
 - d. Nonresidential uses not located within the County MFSTU for fire combat services. Divide the square-footage of the gross floor area capped at a maximum of 50,000 square feet pursuant to this section of the new building construction by 1,000 and multiply the resulting number by the appropriate fire combat and rescue service impact fee amount for the rescue district pursuant to the fire combat and rescue service, impact fee schedule, incorporating any applicable offsets and/or credits. If the applicant has received an offset and/or credit pursuant to this chapter, that offset and/or credit shall be subtracted from the otherwise applicable fire combat and rescue service impact fee, if such offset and/or credit applies.
2. An applicant may request, at any time, a nonbinding estimate of fire combat and rescue service impact fees due for a particular development; however, such estimate is subject to change when a complete application for a Building Permit for new building construction is made.

E. Credits

1. Any applicant or successor in interest that donates fire combat or rescue service land or facilities, equipment, or paid a fee for fire combat or rescue service land acquisition, facility construction, or equipment acquisition may be entitled to a credit, provided: (a) the costs of such fire combat or rescue service land, facilities, or equipment have been included in the fire combat and rescue service impact fee calculation methodology; or (b) the fire combat or rescue service land, facilities, or equipment donated, or fee paid for fire combat or rescue service land acquisition, facility construction, or equipment acquisition is determined by the County Administrator or designee to be a reasonable substitute for the fire combat and rescue service impact fee due.
2. The value of such credit shall be calculated in the following manner:
 - a. If fire combat or rescue service land, facilities, or equipment were donated, the value of the credit shall be based upon the value of the donated property at the time of conveyance. The amount of the credit shall be 115 percent of the assessed value of the conveyed land as determined by the County Property Appraiser unless the person and the County Administrator or designee or the BCC agrees in a development approval to another credit amount. The amount of the credit for fire combat and rescue service facilities or equipment shall be established in a written agreement between the person donating the fire combat and rescue service facilities, or equipment and the BCC.
 - b. If the value of the donated fire combat or rescue service land is less than or equal to the fire combat or rescue service land portion of the fire combat and rescue service impact fee on a per dwelling unit or 1,000 square feet of the gross floor area basis, then the fire combat or rescue service land portion of the fire combat and rescue service impact fee shall not be due for those approved dwelling units or the gross floor area whose fire combat or rescue service land impact was mitigated by the fire combat or rescue service land donated as determined by the County Administrator or designee. However, these dwelling units and nonresidential uses are still required to pay the fire combat and rescue service facilities and equipment portion of the fire combat and rescue service impact fee.
 - c. If the value of the donated fire combat or rescue service land is greater than the fire combat or rescue service land portion of the fire combat and rescue service impact fee on a per dwelling unit or 1,000 square feet of the gross floor area basis, then the fire combat or rescue service land portion of the fire combat and rescue service impact fee shall not be due for those approved dwelling units or the gross floor area whose fire combat or

rescue service land impact was mitigated by the fire combat or rescue service land donated as determined by the County Administrator or designee. The excess value of the dedicated fire combat or rescue service land shall become a credit that is transferable as provided for in this division. However, these dwelling units and nonresidential uses are still required to pay the fire combat and rescue service facilities and equipment portion of the fire combat and rescue service impact fee.

- d. If the value of the donated fire combat or rescue service facility or equipment is less than or equal to the fire combat or rescue service facility and equipment portion of the fire combat and rescue service impact fee on a per dwelling unit or 1,000 square feet of the gross floor area basis, then the fire combat or rescue service facility and equipment portion of the fire combat and rescue service impact fee shall not be due for those approved dwelling units or the gross floor area whose fire combat or rescue service facility impact was mitigated by the fire combat or rescue service facility or equipment donated as determined by the County Administrator or designee. However, these dwelling units and nonresidential uses are still required to pay the fire combat and rescue service land portion of the fire combat and rescue service impact fee.

- e. If the value of the donated fire combat or rescue service facility or equipment is greater than the fire combat or rescue service facility and equipment portion of the fire combat and rescue service impact fee on a per dwelling unit or 1,000 square feet of the gross, floor area basis, then the fire combat or rescue service facility and equipment portion of the fire combat and rescue service impact fee shall not be due for those approved dwelling units or gross floor area whose fire combat or rescue service facility impact was mitigated by the fire combat or rescue service facility donated as determined by the County Administrator or designee. The excess value of the dedicated fire combat or rescue service facility or equipment shall become a credit that is transferable as provided for in this section. However, these dwelling units and nonresidential uses are still required to pay the fire combat and rescue service land portion of the fire combat and rescue service impact fee.
3. Requests for credits for donated land, facilities, or equipment shall be submitted to the County Administrator or designee by the applicant. The request for a credit shall be accompanied by relevant documentary evidence establishing the eligibility of the applicant for the credit.
4. Transferability. Fire combat and rescue service impact fee credits are transferable. Transferable credits may be sold, assigned, or conveyed to another person or transferred to another project of the applicant. Transferred credits shall only be transferred within the same fire combat and rescue service impact fee district. To transfer credits, the applicant must submit to the County Administrator or designee, a letter signed and notarized by the owner of the credits that specifies the name of the person receiving the transfer of the credits and the amount of the credit being transferred. Regardless of the date of transfer, the transfer of the credit shall not be effective until the transfer letter is received and accepted by the County Administrator or designee.
5. Unused credits shall not be refunded.

F. Payment/Collection

1. The County Administrator or designee shall collect the fire combat and rescue service impact fee prior to the issuance of a CO for the new building construction. Where a CO is not required, the fire

combat and rescue service impact fee shall be paid prior to the final inspection.

2. Notwithstanding the foregoing, nothing in this section shall prevent the County from studying or adopting an alternate method of payment of the fire combat and rescue service impact fee; e.g., payment over time through special assessments.

G. Establishment of Fire Combat and Rescue Service Impact Fee Funds/Appropriation of Funds

1. The County shall establish a fire combat and impact fee fund for fire combat and a rescue service impact fee fund for rescue service impact fees. Such funds shall clearly be identified as monies collected as fire combat and rescue service impact fees. All fire combat and rescue service impact fees collected by the County shall be deposited into the fire combat and rescue service impact fee funds. Within each fund, a separate account for land acquisition and facility and equipment development shall be established. All interest or investment income earned shall be available for appropriation, expenditure for fire combat or rescue service land, fire combat and rescue service facilities regardless of the source of the interest, or investment income. The BCC shall establish, and implement necessary accounting controls to ensure that all fire combat and rescue service impact fees are properly deposited, accounted for, and appropriated in accordance with this part, and any other applicable legal requirements.
2. Fire combat and rescue service impact fees shall be appropriated for fire combat and rescue service facilities necessitated by new building construction, for the payment of principal, interest, and other financing costs on contracts, bonds, notes, or other obligations issued by or on behalf of the County to finance such fire combat and rescue service facilities.
3. Fire combat and rescue service impact fee monies shall only be expended for land, facilities, and equipment for fire combat within the fire combat impact fee district and for land, facilities, and equipment for rescue service within the rescue service impact fee district.
4. The BCC shall use fire combat and rescue service impact fee funds' monies for the following:
 - a. Planning (with specific BCC approval), design, permitting, and building construction plan costs for the fire combat and rescue service system;
 - b. Fire combat or rescue service land acquisition costs;

- c. Building construction costs, including all furnishings and equipment of fire combat and rescue service facilities and equipment;
- d. Vehicles, equipment, apparatus, and supplies for the fire combat and rescue service system;
- e. Repayment of monies borrowed from any budgetary fund of the County subsequent to the effective date of this section, where such borrowed monies were used to fund growth necessitated capital improvements to fire combat and rescue service facilities as provided herein;
- f. Payment of principal and interest, necessary reserves, and costs of issuance under any bonds or other indebtedness issued by the County to fund growth necessitated improvements to the fire combat and rescue service system subsequent to January 13, 2004.