

**STONY BROOK COMMERCE PARK
MASTER PLANNED UNIT DEVELOPMENT
CONDITIONS OF APPROVAL
REZONING PETITION NO. 6913**

Master Development Plans

1. Development shall be in accordance with the application, plans, and information submitted February 16, 2010, unless otherwise stipulated or modified herein.

Open Space/Buffering

2. Wetlands (conservation/preservation areas) shall be as defined by the Pasco County Comprehensive Plan, Chapter 3, Conservation Element, Wetlands, Policy 1.3.1, and shown on all preliminary plans/preliminary site plans and construction plans/construction site plans. Lot lines shall not encroach into the wetlands and wetland buffers. Jurisdictional boundaries shall be delineated in accordance with the responsible regulatory agency. These boundaries may be adjusted following appropriate permit approval and shall be shown on each preliminary plan/preliminary site plan. Removal, encroachment, alteration, or development within wetlands shall be in accordance with the Pasco County Comprehensive Plan, Chapter 3, Conservation Element, Wetlands, Policy Nos. 1.3.6, 1.3.8, and 1.3.11; however, no removal, encroachment, alteration, or development shall be permitted within any wetland used to obtain a Comprehensive Plan or Land Development Code (LDC) density credit. All permits for encroachments, alterations, or development within Category I wetlands shall be obtained and submitted to Pasco County prior to construction plan/construction site plan approval.
3. There shall be a buffer around all Category I wetlands of 25 feet, not inclusive of any lots. Wetland buffers around Category II and Category III wetlands shall be required in accordance with the Southwest Florida Water Management District (SWFWMD) or other regulatory agencies and shall not be inclusive of any lots. The proposed upland buffer area shall be shown on the construction plans/construction site plans. The final upland buffer area, as required by the SWFWMD or other regulatory agencies, shall be designated on the plat as "Wetland Conservation Areas." Permissible uses of the Wetland Conservation Areas shall be those uses allowed by SWFWMD or other regulatory agencies.
4. The developers have submitted an environmental/habitat study which has been reviewed on February 25, 2010, by County staff and the following conditions shall apply:

The developers shall complete a Gopher Tortoise Survey and all other applicable surveys requested by the Florida Fish and Wildlife Conservation Commission (FFWCC). These surveys shall be completed in accordance with the FFWCC survey guidelines. A copy of these surveys shall be sent to the Zoning/Code Compliance Department for further review and approval by the County Biologist and to the FFWCC prior to preliminary plan/preliminary plan site plan approval.
5. Prior to any clearing or grubbing associated with the preliminary plan/preliminary site plan approval of any unit or phase, the developers shall submit a copy of any required permit issued by the FFWCC to the Development Review Division (DRD) for the gopher tortoises.
6. Prior to construction plan/construction site plan approval, the developers shall submit to the DRD a copy of the Environmental Resource Permit Application as submitted to the SWFWMD. Prior to the issuance of the Site Development Permit, the developers shall submit to the DRD a copy of the Environmental Resource Permit.
7. The developers have submitted an Archaeological/Historical Survey on February 18, 2010, which was reviewed and found acceptable by Pasco County. Although no archaeological sites eligible for the National Register of Historic Places were found, the following statement shall be placed on all future site plans:

"If, during construction activities, any evidence of historic resources including, but not limited to, aboriginal or historic pottery, prehistoric stone tools, bone or shell tools, historic trash pits, or historic building foundations are discovered, work shall come to an immediate stop, and Pasco County and the Florida Division of Historical Resources shall be notified within two working days."
8. The developers shall create a mandatory property owners'/condominium owners'/merchants' association in the form of a nonprofit corporation registered with the Secretary of State, State of Florida, or, if approved by the BCC, a Community Development District (CDD) shall encompass the entire boundaries of the MPUD Master Planned Unit Development except for any real property to be conveyed to the County or the District School Board of Pasco County. The developers shall convey in

fee simple to the association or the CDD, for ownership and maintenance, all open space, drainage areas, common areas, landscape areas, wetland areas, buffer areas, preservation/conservation areas, and other special purpose areas unless the said area(s) is/are required to be dedicated to another governmental entity. All such conveyances shall be for a value that does not exceed the fair market value of the land. Prior to platting the first unit or phase, property owners'/condominium owners'/merchants' association or CDD documents, including Articles of Incorporation with proof of being filed with the Secretary of State, State of Florida, restrictive covenants, and all exhibits, shall be submitted to the Engineering Services Department for review along with copies of instruments to be used to convey in fee simple the above-mentioned areas to the said association or the CDD. Impact fee credits, if applicable, for improvements or dedications shall go to the association or the CDD which funded such improvements as applicable.

9. The developers shall provide a 20-foot landscape buffer tract of trees on the western portion of the property boundary; with landscaping equivalent to Type "D" buffer landscaping requirements pursuant to the LDC, Section 603.

Ordinances

10. In addition to the MPUD Master Planned Unit Development conditions of approval, the developers shall comply with all applicable Pasco County ordinances, including all impact fee ordinances.
11. In the event ordinances/resolutions are subsequently adopted by the BCC including, but not limited to, solid waste, public safety, or wildlife ordinances, the owners/developers shall be required to comply with such ordinances/resolutions.

Transportation/Circulation

Development Agreement

12. Applicant/developer and the County shall enter into a Development Agreement and obtain BCC approval prior to the submittal of the first preliminary site plan/construction site plan for the westerly 231 feet of the subject property (the "Road Parcel") concerning the potential realignment of Bruce B. Downs Boulevard (C.R. 581) through the Road Parcel. Until such time as the applicant/developer and the County have entered into such an agreement, on terms and conditions acceptable to both parties, and certain conditions precedent have occurred to such an agreement, the MPUD Master Plan that shall be in effect for the subject property shall be Alternative "A" attached hereto. Upon the parties entering into such a Development Agreement and the satisfaction of the conditions precedent contained therein, the MPUD Master Plan that shall be in effect for the subject property shall be Alternative "B" attached hereto. In any event, permitted development may occur at any time in any portion of the subject property/project other than the Road Parcel in accordance with the MPUD Master Plan then in effect and these terms and conditions.

Access Management

13. Access to commercial out-parcels shall be provided from internal drives or parking areas,
14. The access points shown on the master plan are not approved and are shown conceptually only. All access points shall require further review and approval with the corresponding preliminary plan/preliminary site plan approval as appropriate. All accesses shall meet access-management criteria unless otherwise approved by the DRC.

Design/Construction Specifications

15. Prior to or concurrent with preliminary plan/preliminary site plan approval, the developers shall supply evidence that it has coordinated with the developers and engineer(s)/surveyor(s) of the adjoining parcels to identify and provide the location of the required reverse frontage/frontage road and/or interconnecting roadway unless otherwise approved by the DRC. The following information shall be shown on all preliminary plans/preliminary site plans and construction plans/construction site plans that include or abut the interconnecting roadway: location (by State plane coordinates), centerline, right-of-way width, cross section, elevation of centerline, grade, and centerline geometry (tangent bearing/curve geometry) to provide a seamless continuation of this road at property lines.
16. Alternative roadway-design standards may be considered and approved by the DRC at the time of each preliminary plan/preliminary site plan approval.
17. The developers have submitted a traffic study which was reviewed by the staff of the County. Prior to approval of the first record plat, or where platting is not required, prior to the issuance of the first Building Permit, the developers shall dedicate and construct the following site access improvements:

Tupper Road Realignment

- a. The developer(s)/applicant(s) shall convey at no cost to Pasco County a maximum of 60 feet of right-of-way from the northern project site limit to S.R. 54 (approximately 0.25 miles) for the Tupper Road Realignment. The developer(s)/applicant(s) shall, at no cost to Pasco County, design, permit and construct Tupper Road Realignment as a two lane, Type 1B roadway to align with the existing traffic signal on the southern end of the subject property. The design of this road shall be approved by the Pasco County Engineering Service Department, including the determination for the need of turn lanes at the project site access connections. It shall be a condition precedent to Developer's obligation under this condition that the County shall ensure that the plans and improvements associated with the widening of S.R. 54 adjacent to the subject property permit practical and legal access from S.R. 54 to the subject property through such signalized intersection.

S.R. 54 at Tupper Road Realignment

- a. The S.R. 54/Tupper Road realignment intersection shall be constructed to provide for right-turn in, right-turn out, left-turn in, and left-turn out movements. The design of this intersection shall be approved by the Pasco County Engineering Services Department and/or FDOT as applicable.
- b. The developer/applicant shall construct a 210 foot (including 50 foot taper) westbound-to-northbound right turn lane on S.R. 54 at the Tupper Road Realignment intersection, unless otherwise directed by the Engineering Services Department pursuant to the access management study.
- c. The developer/applicant shall construct a 200 foot (including 50 foot taper) southbound-to-eastbound left turn lane on Tupper Road Realignment at the S.R. 54 intersection.
- d. The developer/applicant shall construct, at the developer/applicant's own expense, all signal modifications required as a result of Tupper Road realignment.

S.R. 54 at Right-In/Right-Out Project Access

- a. The developer(s)/applicant(s) shall construct the project site access to S.R. 54 to provide for right-in/right-out movements. The design of this connection shall be approved by the Pasco County Engineering Services Department and/or FDOT as applicable.
- b. The developer/applicant shall construct a 210 foot (including 50 foot taper) westbound-to-northbound right turn lane on S.R. 54 at the right-in/right-out project access, unless otherwise directed by the Engineering Services Department pursuant to the access management study.

Access Management Study

- a. At the County's request, based upon an approved route study or other planning document that considers the realignment of Bruce B. Downs Boulevard (S.R. 581) adjacent to or through the subject site, prior to approval of the first preliminary plan/preliminary site plan, a traffic impact study limited to site access connections shall be prepared and submitted to the County for review and approval. The study shall consist of capacity and turn-lane analysis for each of the proposed site access connections. Conditions based on the results of the access analysis shall be set forth in the conditions of approval for the first preliminary plan/preliminary site plan and such conditions may modify the other provisions of this Condition with the County's approval. Prior to undertaking the study, the applicant shall meet with Pasco County staff to address the methodologies, assumptions, and geographic scope of the study.
 - b. It is noted that regardless of the realignment of Bruce B. Downs (S.R. 581), the project will still be subject to access management regulations and requirements at the time of preliminary site plan review and approval.
18. Prior to the issuance of any Building Permits occurring after December 31, 2016, the developers shall submit an updated traffic study utilizing a methodology approved by Pasco County. The DRC may impose additional conditions based upon the traffic study as approved by Pasco County. This provision is subject to other extensions adopted by the Pasco County BCC, if any.
 19. The traffic study submitted by the applicant assumes the following land uses:

90,000 square feet Commercial/Retail & 102,000 square feet Medical Office. Any development of land use that generates greater traffic impacts than those assumed in the traffic study shall require an updated traffic study utilizing a methodology approved by Pasco County. The DRC, BCC, or County

Administrator or his designee, may impose additional conditions on the applicant or development based on the updated County-approved traffic study.

20. The developers shall comply with the County and Pasco County Public Transportation requirements to accommodate mass transit service to and within the project if service is available at the time of preliminary plan/preliminary site plan approval. A detailed description of the overall transit-accommodations plan shall include, but is not limited to, a proposed ingress and egress route for buses and bus stops proposed to service the project including, but not limited to, benches, shelters, lighting, pedestrian walkways, landscaping, and placement as required by the County or Pasco County Public Transportation. The developers shall submit the detailed description of the overall transit-accommodations plan to the Zoning/Code Compliance Department for review and the DRC's approval prior to or concurrent with the preliminary plan/preliminary site plan of the first unit or phase within the development. Approval of the detailed description of the overall transit-accommodations plan is subject to Pasco County Public Transportation review and approval in accordance with the Pasco County Public Transportation *Transit Infrastructure Guidelines* (June 2005), as may be amended from time to time, or any subsequent ordinance adopted by Pasco County. The developers shall include and show on any preliminary plan/preliminary site plan submittal the DRC approved transit-accommodation facilities, which shall be constructed with the infrastructure improvements of each affected preliminary plan/preliminary site plan unless an alternative phasing of transit-accommodation-facilities construction is approved with the overall transit-accommodations plan. The applicant/developers and their successors shall not refuse the Pasco County Public Transportation, or any other transit authority, or any of its users/patrons access to such facilities.
21. The developers shall submit an overall pedestrian/bicycle path master plan to the Zoning/Code Compliance Department for review and approval prior to or concurrent with the submittal and approval of the first preliminary plan/preliminary site plan. At a minimum, the pedestrian/bicycle path master plan shall provide pedestrian connections between uses within the site at a minimum width of eight feet with the incorporation of green space, shade trees, and benches and shall incorporate the wetland and stormwater retention ponds into the pedestrian/bicycle path as an amenity area. The pedestrian/bicycle path shall be intermittently landscaped, at the time of the applicable development increment for the subject area, with shade trees, intermittent ground cover, shrubs and understory plantings. A minimum of, three gathering spaces for visitors and the project's workforce shall be provided on site along the pedestrian/bicycle path and be located next to shade trees. Each of the foregoing path improvements may be provided as part of the landscaping of each development increment as such development occurs.
22. Prior to the review of any preliminary plan/preliminary site plan and construction plan/construction site plan for each increment of development a rendering of proposed retail and office buildings shall be submitted for review and approval by the Zoning and Site Development and/or Growth Management Departments. The proposed site plan shall integrate the retail and office uses for the project in a piazza setting that includes plazas and courtyards. The buildings will include two storied elements and some buildings will be clustered along the road frontage or overlooking the existing wetland feature. Alternatively, buildings may comply with the requirements and criteria as provided in the EC MPUD for corporate business parks. Garden parking courts, buffers, and bicycle/pedestrian trails will contribute to the overall design, resulting in a visually appealing and functional center for employment and commerce as generally illustrated in the Conceptual PD-MPUD Master Site Plan dated February 4, 2010. Such proposed site plans shall also utilize a harmonious architectural design, style, and color scheme. Such plans shall also include plazas, alcoves, walkways, variations in height, building offsets, a garden parking court, intense landscaping and streetscapes. Such plans shall also include parking design, lighting, specific building heights and exact building orientation. Parking may utilize a maximum of one drive aisle with parking along both sides abutting S.R. 54, unless otherwise approved by the DRC.

Utilities/Drainage/Water Service/Wastewater Disposal

23. The developers shall submit a Stormwater Management Plan and Report for each development phase or increment in accordance with the LDC as amended. The plans shall be approved prior to or simultaneous with application for construction plan review for the development phase/increment in question. No design for an individual increment/phase or portion of an increment/phase shall be dependent upon the ultimate construction of future increments/phases, unless an interim design for drainage is approved by the DRD.
24. A Master Utility Plan for the entire development shall be submitted to the Utilities Services Branch for review and approval prior to submittal of the first construction plan/construction site plan. This utility plan shall minimally show the following:
 - a. Trunk sewer lines and lift stations.
 - b. Main potable water lines and nonpotable water lines, if applicable.

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

Tampa Bay Water

Water Quality and Drainage

27. Development of the project shall not result in Levels of Service for off-site drainage structures below acceptable standards as established in the adopted Pasco County Comprehensive Plan and LDC, as may be amended from time to time.
28. The project's stormwater-management system shall be designed, constructed, and maintained to meet or exceed the Florida Administrative Code, Chapters 17-25, and 40D-4, or 40D-40; and Pasco County stormwater-management requirements as may be amended from time to time. Treatment shall be provided by biological filtration wherever feasible. Best Management Practices for reducing adverse water quality impacts as required by the regulations of Pasco County and other appropriate regulatory bodies shall be implemented. In addition, the applicant/developers shall comply with the following design requirements:
- a. All swales shall be fully vegetated and operational.
 - b. Dry stormwater retention/detention areas, including side slopes and bottoms, shall be vegetated as required.
 - c. The applicant/developers or other responsible entities shall ensure that the stormwater-management system is being properly maintained in keeping with its design and is providing the level of stormwater storage and treatment as established in the Environmental Resource Permit.
 - d. Should the developers discover that any portion of the stormwater system is not being adequately maintained or that the system is not functioning properly, the developers shall, within seven days, report such fact to the County and shall promptly undertake any necessary repairs or modifications to the system. The developers' report(s) shall include any such problems and the necessary repairs or modifications to remedy them, as well as what repairs or modifications to the system have been undertaken since the previous report(s).
 - e. Landscape and irrigation shall be in conformance with the LDC in effect at the time of preliminary plan/site plan approval.
29. Stormwater design shall include low impact development techniques (LIDS), to the extent possible, reduce the discharge of pollutant loads into receiving water bodies and to facilitate all stormwater exiting the site in meeting all applicable State water quality standards.

Water Resource Protection

30. The developers shall comply with the Pasco County Wellhead Protection Ordinance.
31. Should any noticeable soil slumping or sinkhole formation become evident, the developers shall immediately notify the County, TBW, and the SWFWMD, and adopt one or more of the following procedures as determined to be appropriate by the County and the SWFWMD:
 - a. If the slumping or sinkhole formation becomes evident before or during construction activities, stop all work (except for mitigation activities) in the affected area and remain stopped until the County and the SWFWMD approve resuming construction activities.
 - b. Take immediate measures to ensure that no surface water drains into the affected areas.
 - c. Visually inspect the affected area.
 - d. Excavate and backfill as required to fill the affected area and prevent further subsidence.
 - e. Use geotextile materials in the backfilling operation, when appropriate.
 - f. If the affected area is in the vicinity of a water retention area, maintain a minimum vertical distance of five feet from the bottom of the retention pond to the surface of the limerock clay or karst connection.
 - g. If the affected area is in the vicinity of a water retention area and the above methods do not stabilize the collapse, relocate the retention area.
32. Discharge of stormwater into depressions with direct or demonstrated hydrologic connection to the Floridan Aquifer is prohibited.
33. The historic, average rainfall volume discharged from the site should be maintained postdevelopment. The applicant/developers shall propose stormwater design solutions which achieve this goal, such as the use of swale systems and reducing treatment volume requirements to the extent the permitting agencies (Pasco County and the SWFWMD) can allow.

Land Use

34. The design standards and uses for the development are as follows:
 - a. Maximum height of 60 feet.
 - b. Maximum of one drive aisle with parking along both sides abutting S.R. 54, unless otherwise approved by the DRC.
 - c. Exact building orientation/separation and parking fields shall be determined prior to submittal of the preliminary plan/preliminary site plan during the review of the conceptual plan as specified in Condition No. 21 and 22.
 - d. Office entitlements may not be reduced below 80,000 square feet.
 - e. Maximum commercial/retail entitlements shall not exceed 90,000 square feet of gross floor area, including out-parcels, subject to provisions of Condition No. 35 herein below.
 - f. The side and/or rear of office buildings shall be treated with architectural design standards similar to the front of the building, as determined by their location and reviewed by the Zoning and Site Development Department.
 - g. When any side of a structure equal to or less than 35 feet in height abuts residential property, that portion of the structure(s) shall be set back a minimum of 20 feet from the property line adjacent to such residential land. Structures greater than 35 feet in height shall maintain a 50 foot setback from the property line adjacent to such residential land.
 - h. Office uses shall be limited to one drive-thru facility.
 - i. No stand-alone, fast-food retail, drive-through allowed.
 - j. Office uses shall be in accordance with the PO-1 Professional Office District uses listed in the Land Development Code in effect at the time of this rezoning approval by the BCC and may include banks.

- k. Retail and personal service uses shall be in accordance C-1 Neighborhood Commercial District uses listed in the Land Development Code in effect at the time of this rezoning approval by the BCC, and may include the following specific C-2 uses- bakery stores, dry cleaning, electronic store, bakers shop, dancing studio/academy, dance/entertainment in conjunction with a sit down restaurant.
 - l. The maximum square footage set forth above is not a vested right and is subject to reduction based on, or as a result of, applicable Pasco County ordinances and resolutions.
 - m. Parcels may be developed out of numerical sequence and in multiples as long as the parcels being developed do not rely upon infrastructure construction of future parcels.
35. Any proposed increase in commercial intensity that results in an overall increase greater than or equal to five percent cumulatively, or a change in overall design and/or content occurs, a substantial amendment shall be presumed. Additionally, should the proposed amendment result in an increase in density/intensity which necessitates a revised traffic study, then the request shall be presumed to be substantial.
36. Any overall increase to intensity or decrease in open space shall be calculated cumulatively from the last substantial amendment.

Procedures

37. Unless required elsewhere within the conditions of approval, all conveyances shall occur at record plat or construction plan approval where a record plat is not required or within 90 days of the County's request, whichever occurs first. All conveyances shall include access easements, be in a form acceptable to the Real Estate Division, and be free and clear of all liens and encumbrances, including exemption from all covenants and deed restrictions.
38. If the preliminary plans and/or preliminary site plans for the entire MPUD Master Planned Unit Development are not approved within six years of the original rezoning approval or from the last approved substantial modification, the conditions of approval shall expire for those portions of the MPUD Master Planned Unit Development that do not have (unexpired) preliminary plan or preliminary site plan approval. If the MPUD Master Planned Unit Development expires, a new MPUD Master Planned Unit Development must be applied for and approved by the BCC, and the conditions of approval shall be in accordance with the Comprehensive Plan and LDC in effect at that time.
39. A Large-Scale Plan Amendment is required if there is a cumulative increase in density or intensity beyond those limitations set forth in the Subarea Policies for the subject PD.
40. Unless otherwise approved by the Emergency Services Director, the development shall be included into a Pasco County Municipal Fire Service Taxing Unit to provide fire protection. The developers shall submit a petition for inclusion into the Pasco County Municipal Fire Service Taxing Unit at the time of record plat submission, or when no plat is required, prior to the issuance of the first Building Permit. In no case shall a Building Permit be issued until the Emergency Services Director has received such a petition.
41. A preliminary plan/preliminary site plan must be approved for an entire increment (bubble) prior to any phased construction plan/construction site plan approval. The maximum intensity of each increment shall not exceed the limits shown on the approved MPUD Master Planned Unit Development Plan. A preliminary site plan must also be approved for each multifamily (nonfee simple), recreational vehicle, or commercial increment in its entirety prior to any phased construction site plan approval.
42. Preliminary plan/preliminary site plan submittals shall include a detailed breakdown of the individual plan approvals, including the plan name and increment or phase designation as it relates to the Master Development Plan, acreage of the site, total number of units, or gross floor area ratio of commercial space which have received preliminary plan/preliminary site plan approval, construction plan/construction site plan approval, and/or record plat approval.
43. Development shall occur in accordance with the LDC, Section 402, Concurrency Management System.
44. Rezoning of this property with conditions of approval does not constitute a final development order, nor does it relieve any developers of responsibilities under the State of Florida Zoning Legislation as implemented by the Florida Department of Community Affairs (FDCA) and Pasco County.
45. In addition to complying with the above conditions, no further plan approvals will be granted until such time as the acknowledgment portion of the BCC approved document is completed (including notarization) and received by the Zoning/Code Compliance Department after the BCC action.

46. All conditions of this MPUD Master Planned Unit Development approval are material to the BCC approval. Accordingly, the conditions are not severable. In the event any section, subsection, sentence, clause, or provision of these conditions or the rezoning resolution is challenged and declared illegal, invalid, or in violation of any statutory or constitutional requirement by a body with jurisdiction to make such determination, the remainder of the conditions and MPUD Master Planned Unit Development approval shall be suspended until such time that the BCC modifies the MPUD Master Planned Unit Development conditions of approval to address the illegal or invalid provision, provided that such suspension shall not exceed nine months in duration. However, such determination shall not affect the validity of 1) MPUD Master Planned Unit Development entitlements that have received plat, Building Permit, or CO approval; or 2) any MPUD Master Planned Unit Development mitigation committed to or performed as of the date the determination is made, unless such approvals or mitigation are specifically declared to be illegal, invalid, or unenforceable. Requests for BCC-approved modifications to the MPUD Master Planned Unit Development or the MPUD Master Planned Unit Development conditions of approval shall not be considered challenges and decisions by the BCC regarding any modification or the like shall not have the effect of suspending the conditions and the MPUD Master Planned Unit Development approval under any circumstances.
47. This MPUD Master Planned Unit Development shall not be effective until the corresponding PD (Planned Development) Land Use Classification change is effective [the corresponding PD (Planned Development) Land Use Classification change has been found to be "in compliance" by the FDCA and all applicable appeals periods have expired].

DEVELOPER'S ACKNOWLEDGMENT:

The developer acknowledges that it has read, understood, and accepted the above-listed conditions of approval. **Do not sign until you receive a copy of this petition with the BCC results.**

_____ (Date) _____

I hereby certify on this _____ day of _____, _____, A.D., before me personally appeared the developers, to me known to be the person described in and who executed the foregoing document and severally acknowledged the execution thereof to be its free act and deed for the uses and purposes therein expressed.

Witness my hand and seal at _____, _____ County, Florida, the day and year aforesaid.

My commission expires:

_____ (Date) _____ Notary Public, State of _____ at Large