

**WIREGRASS RANCH DRI  
MASTER PLANNED UNIT DEVELOPMENT  
CONDITIONS OF APPROVAL  
REZONING PETITION NO. RZ6976**

**Master Development Plans & Prior Zoning Approvals**

1. Development shall be in accordance with the application, plans, and information submitted on October 27, 2010, unless otherwise stipulated or modified herein. The original MPUD Master Planned Unit Development conditions of approval and Master Development Plan, Rezoning Petition No. 6177 as approved by the Pasco County Board of County Commissioners (BCC) on April 27, 2004, and subsequent amendments and zoning approvals are hereby superseded by Rezoning Petition No. 6914, except as stipulated herein.

**General**

2. Definitions. For purposes of this MPUD, the following terms and phrases shall have the meaning set forth below.
  - a. "CAO" means the Pasco County Attorney's Office.
  - b. "COA" means the Conditions of Approval of this MPUD zoning resolution or for a site plan.
  - c. "CO" means Certificate of Occupancy issued pursuant to the Pasco County Land Development Code (LDC).
  - d. "DA" means the Development Agreement between Pasco County and the Master Developer that applies to the Wiregrass Ranch DRI, as may be amended from time to time.
  - e. "Dedication and Maintenance Areas" means all open space, drainage areas, common areas, landscape areas, wetland areas, buffer areas, preservation/conservation areas, recreation areas, neighborhood parks and other special purpose areas required to be set aside, dedicated or maintained pursuant to this MPUD rezoning, the land development code, or by the Southwest Florida Water Management District (SWFWMD).
  - f. "DRC" means the Pasco County Development Review Committee.

- g. "DRI Development Order," "Wiregrass Ranch DRI Development Order" or "DRI DO" means Resolution 07-291, as amended by Resolution 08-06, as amended, consolidated and restated and superseded by Resolution 10-376, as amended by Resolution 10-399, and as may be amended from time to time.
- h. EMP means the Environmental Management Plan for the Project as defined in the DO.
- i. "LDC" means the Pasco County Land Development Code, as amended from time to time.
- j. "Master Developer" means the "Developer of Record" or "Master Developer" named in the Wiregrass Ranch DRI Development Order.
- k. "MRP" means the Master Roadway Plan for Wiregrass Ranch.
- l. "MPUD" means these Master Planned Unit Development Regulations for Wiregrass Ranch DRI.
- m. "Parcel Developer" means the person or entity submitting an application for development approval for lands subject to this MPUD zoning resolution, a person or entity developing land that is subject to this MPUD zoning resolution, or a person undertaking other activities that may be regulated by this MPUD zoning resolution, as the context may indicate.
- n. "Responsible Entity" means a mandatory property owners' association, homeowners' association, condominium association, merchants' association, community development district or other entity acceptable to the Southwest Florida Water Management District and/or the County that has the power to own property and levy assessments for the maintenance of any Dedication and Maintenance Areas under its ownership and control.
- o. "SWFWMD" means the Southwest Florida Water Management District.
- p. "Wiregrass Ranch DRI" means the lands within and subject to the Wiregrass Ranch DRI Development Order and this MPUD.

3. Any existing and unexpired permits, special exceptions, variances, orders, conditions, development plans, conceptual plans, site plans, or other approvals (collectively the "Unexpired Approvals"), which are applicable to any parcel or parcels within the boundaries of this MPUD and any related alternative standards previously approved by the County are hereby deemed consistent with this MPUD and shall continue to govern the developments described in the Unexpired Approvals, notwithstanding any inconsistencies with these MPUD COA. The term Unexpired Approvals shall also include any non-substantial modifications to same, as may be approved by the County from time to time.

4. Development shall be in compliance with the Comprehensive Plan Subarea Policy FLU 7.1.8, Wiregrass Ranch.

### Open Space/Buffering

5. 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.
  
6. 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 and wetlands, 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 the SWFWMD or other regulatory agencies.
  
7. Wetland Conservation Areas shall be platted outside lots. No activity requiring the issuance of a Building Permit for a building shall be allowed within five feet of the wetlands' buffer line. Concurrent with platting or where platting is not required, prior to CO, the Wetland Conservation Areas shall be deeded to the applicable Responsible Entity to maintain such Wetland Conservation Area. The applicable Responsible Entity's documents shall provide that such Responsible Entity shall be responsible for the payment of taxes, if any, on the Wetland Conservation Areas.

8. The Master Developer shall complete a Gopher Tortoise Survey in accordance with the Florida Fish Wildlife Conservation Commission (FFWCC) survey guidelines. A copy of this survey shall be sent to the Zoning and Site Development Department for further review and approval by the County Biologist and to the FFWCC prior to preliminary plan/preliminary site plan approval. (The Master Developer has completed a gopher tortoise survey. Each Parcel Developer shall either submit receipts evidencing compliance or complete a Gopher Tortoise Survey for their parcel prior to issuance of the site development permit as applicable.)

Prior to any clearing or grubbing associated with the preliminary plan/preliminary site plan approval of any unit or phase, the Parcel Developer shall submit a copy of any required permit for gopher tortoises issued by the FFWCC to the Permits and Development Information Services Department.

9. The Master Developer has submitted an environmental/habitat study which has been reviewed as part of the corresponding DRI Application for Development Approval (ADA). Each Parcel Developer shall comply with all DRI DO environmental conditions, the EMP, and the following:
  - a. All Wetland Conservation Areas and the Conservation Corridor as defined in the DRI DO shall be placed under a perpetual conservation easement in favor of and at no cost to the County. Such conservation easements shall be in a form acceptable to the County Attorney's office, the Environmental Lands Acquisition Division, and the Real Estate Division. Such easements shall be recorded by the Parcel Developer after acceptance by the County in the Public Records of Pasco County concurrent with platting, or where platting is not required, prior to CO, for any development adjacent to the Wetland Conservation Area and/or the Conservation Corridor. All conservation easement areas shall be depicted as an overlay as applicable on the preliminary plan/preliminary site plan and construction plan.
10. Prior to construction plan/construction site plan approval, the Parcel Developer shall submit to the Zoning and Site Development Department a copy of the Environmental Resource Permit Application as submitted to the SWFWMD. Prior to the issuance of the Site Development Permit, the Parcel Developer shall submit to the Zoning and Site Development Department a copy of the Environmental Resource Permit.

11. The Master Developer has submitted an Archaeological/Historical Survey, which was reviewed and found acceptable by Pasco County in conjunction with the corresponding DRI ADA and DO. 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."

12. All Dedication and Maintenance Areas required to be established by this MPUD rezoning, the LDC, or the SWFWMD shall be conveyed to the applicable Responsible Entity unless said area(s) is/are required to be dedicated to another governmental or quasi-governmental entity. When an application for site plan or plat approval is submitted, the Parcel Developer shall identify the applicable Responsible Entity that shall be responsible for maintaining any Dedication and Maintenance Areas subject to the site plan or plat approval, and shall dedicate such areas to that entity. Recreation areas and neighborhood parks may be conveyed to the CDD if such special power pursuant to Section 190.012(2), Florida Statutes, is consented to by the County. All such conveyances shall be for a value that does not exceed the fair market value of the land. Prior to platting, the governing documents for the Responsible Entity, including, as appropriate, Articles of Incorporation (with proof of filing with the Secretary of State, State of Florida), restrictive covenants, and all exhibits thereto, shall be submitted to the Engineering Services Department for review along with copies of instruments to be used to convey the above-mentioned areas to the Responsible Entity. Impact fee credits for improvements or dedications shall go to the Master Developer, Parcel Developer or Responsible Entity that funded such improvements as applicable, unless otherwise expressly agreed upon in writing among those parties.

13. Specific review and approval of the neighborhood parks will be conducted at each residential (including multifamily) preliminary plan/preliminary site plan review in accordance with the DRC approval for the Wiregrass Ranch Master Parks Plan and related variance. Such plan and related amended variance was approved by the DRC on May 26, 2011.

14. The Master Developer has submitted an overall pedestrian/bike path plan. Such plan was approved by the DRC on May 26, 2011. Areas not specifically addressed on such pedestrian/bike path plan shall provide path circulation in accordance with the Pasco County LDC or an alternative method acceptable to the County and in compliance with the handicapped provisions of Chapter 336.045, Florida Statutes, or other applicable law.

### Ordinances

15. In addition to the MPUD COA, each Parcel Developer shall comply with all Pasco County ordinances, including all impact fee ordinances.
16. All Parcel Developers shall be required to comply with all applicable provisions of the adopted School Concurrency Ordinance and the requirements to provide for school capacity as mandated unless otherwise approved in the DRI DO.

### Transportation/Circulation

#### Access Management

17. Each Parcel Developer shall provide a secondary functional access or emergency access in accordance with the LDC, unless otherwise provided pursuant to the Master Roadway Plan or as approved by the County. The emergency access may be barricaded in a manner found acceptable by the Permits and Development Information Services Department and the Emergency Services Department.
18. Prior to construction plan/construction site plan approval of any project accessing a State roadway, the Parcel Developer shall furnish to the Permits and Development Information Services Department a Letter of Intent indicating approval and/or an approved Driveway Permit from the Florida Department of Transportation (FDOT). Prior to the issuance of the first CO, Parcel Developer shall provide a letter from the Florida Department of Transportation stating that any improvements within the State right-of-way have been inspected and completed to their satisfaction.

19. At each preliminary plan/preliminary site plan approval, the DRC may also require Parcel Developer to construct further intersection improvements along the internal road intersections.
20. All roads that will be used to access public-purpose sites, such as public school, park, library, and fire/rescue sites (as determined by the School Board, Parks and Recreation Department, Libraries Services Department, Emergency Services Department, or DRC, as applicable) shall be public roadways and constructed in accordance with applicable County/FDOT design, construction, and signage standards; e.g., Chapter 316, Florida Statutes, and *Manual of Uniform Traffic Control Devices* standards. Such roadways shall be deeded in fee simple to the County or FDOT, as applicable, prior to or concurrent with the first record plat containing such roadways or where no record plat is required, prior to or concurrent with the issuance of the first CO for a building utilizing such roadways. As defined in the Master Roadway Plan, frontage roads shall not be required to be public or dedicated to the County or FDOT. However, such roads if private shall require a public access easement, which shall be recorded in a form acceptable to the CAO prior to or concurrent with the first record plat containing such roadways or where no record plat is required, prior to or concurrent with the issuance of the first CO for a building utilizing such roadways.
21. Access to any commercial out-parcels shall be provided from frontage roads, internal roads, internal drives or parking areas unless otherwise approved by the County.
22. Any gates located within gated communities shall be setback sufficiently in order to provide vehicular stacking for a minimum of three vehicles, unless a greater distance is determined to be required at the time of each preliminary plan or preliminary site plan review. All entrances accessed by key or electronically coded systems shall be equipped with a system approved by the Emergency Services Director to allow fire or other emergency vehicles immediate access to the development. Upon replacement of any existing gated system, the replacement shall be equipped with a system acceptable to Pasco County. In addition, the access lane widths and clearance between fixed structures shall be a minimum of 15 feet in width.

Dedication of Right-of-Way

- 23. Public roadways shall be required unless shown or stated in the Master Roadway Plan or otherwise approved by the County through an alternative standards request prior to the applicable preliminary plan/preliminary site plan approval, or except as provided in Condition No. 20.
- 24. In the case of private streets, dedication and maintenance shall be the responsibility of an appropriate Responsible Entity other than Pasco County.
- 25. All right-of-way dedication shall be as follows:

**Wiregrass Right of Way Dedication Requirements**

Roadway	Link	R.O.W. Dedication Width (feet)	Timing of Dedication
Wiregrass Ranch Blvd.	SR 56 to SR 54	140'	Upon completion of construction and final acceptance by the County, or the dates set forth in the adopted Development Order, or within 90 days of the County's request, whichever occurs first.
Chancey Road	SR 581 to East Property Line	140'	Upon completion of construction and final acceptance by the County, or the dates set forth in the adopted Development Order, or within 90 days of the County's request whichever occurs first.
Mansfield Blvd.	SR 56 to South Property Line	2-lane – 80' 4-lane – 120'	Complete
SR 56	SR 581 to East Property Line	250'	Complete
SR 581 realignment	SR 581 to SR 54	+/- 142 - 200' (TBD by PD&E)	Upon completion of construction and final acceptance by the County, or the dates set forth in the adopted Development Order, or within 90 days of the County's request, whichever occurs first.



Design/Construction Specifications

- 26. No excavation within the area of future lanes of multilane facilities will be allowed with the exception of excavation for drainage structures, permitted removal of wetlands, excavation to match existing grade, or as directed by the Engineering Services Director.
- 27. Alternative roadway-design standards may be considered and approved by the County at the time of each preliminary plan/preliminary site plan approval.
- 28. The Master Developer has submitted a traffic analysis as required by Section 380.06, Florida Statutes, which was reviewed and approved by the County. Master Developer and each Parcel Developer shall comply with all conditions as a result of such analysis as provided for in the approved DRI DO and DA.
- 29. Except as otherwise authorized by the DRI DO or DA, prior to final plat approval or where platting is not required, prior to the issuance of any Building Permits occurring after the Wiregrass Ranch DRI Phase 3 build-out date the Master Developer shall submit an updated traffic study utilizing a methodology approved by Pasco County. The County may impose additional conditions based upon the traffic study as approved by Pasco County.
- 30. In accordance with the timing and requirements of Section 5.m(7) of the Wiregrass Ranch DRI Development Order, the Master Developer has submitted concurrently herewith a Master Roadway Plan to the Zoning and Site Development Department. Such plan was approved by the DRC on May 26, 2011.
- 31. The Master Developer and each Parcel Developer shall comply with the County and Pasco County Public Transportation requirements to accommodate mass transit service to and within the project in accordance with the requirements of Section 5.m(5) of the DRI DO and the Master Roadway Plan.

Utilities/Drainage/Water Service/Wastewater Disposal

- 32. In accordance with the Wiregrass Ranch DRI DO, the Parcel Developer shall submit a Stormwater Management Plan and Report for each development phase or increment in accordance with the Pasco

County LDC. 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 Permits and Development Information Services Department.

33. A revised Utilities Service Plan (f.k.a Master Utility Plan) for the Wiregrass Ranch DRI has been submitted to the Utilities Services Branch for review and approval. This 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 as applicable.
  - e. The Utility Service Plan shall be presented in a written format in conformance with the Utilities Service Plan guidelines implemented by the Utilities Services Branch. All development shall be consistent with the Utility Service Plan. Unless otherwise approved by the County, prior to the first construction plan/construction site plan approval after the approval of this MPUD amendment, the Master Developer and the County shall enter into an amended Utilities Service Agreement that is consistent with the approved Utilities Service Plan (f.k.a Master Utility Plan).
34. Each Parcel Developer shall construct all water and wastewater facilities within its development to Pasco County standards, and if necessary, provide off-site water and wastewater facilities, necessary to serve its development. A complete set of instructions may be obtained from the Utilities Services Branch.
35. Water Rights & Water Use Permits. Please see Section 5.k(2) of the DRI DO.

### Water Quality and Drainage

36. Development of Wiregrass Ranch DRI 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.
37. All stormwater-management systems within Wiregrass Ranch DRI shall be designed, constructed, and maintained to meet or exceed the Florida Administrative Code, Chapters 62-25, 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, each Parcel Developer 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. Each Parcel Developer or other applicable Responsible Entity 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 Parcel Developer or Responsible Entity discover that any portion of the stormwater system is not being adequately maintained or that the system is not functioning properly, the Parcel Developer or Responsible Entity shall, within seven days, report such fact to the County and shall promptly undertake any necessary repairs or modifications to the system. The 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.
38. Stormwater design shall include low impact development techniques to 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

39. The Master Developer, each Parcel Developer, and/or Responsible Entities shall comply with the Pasco County Wellhead Protection Ordinance.
40. Should any noticeable soil slumping or sinkhole formation become evident, the Parcel Developer 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.
41. Discharge of stormwater into depressions with direct or demonstrated hydrologic connection to the Floridan Aquifer is prohibited.
  42. The historic, average rainfall volume discharged from the site shall be maintained in accordance with the LDC, Sections 604, 605, and 606, as applicable, and the *Stormwater Management Practices Manual*.

**Land Use**

43. The Master Developer shall control the allocation, exchange, advancement and assignment of all development entitlements and land uses to lands within the Wiregrass Ranch DRI in accordance with Section 4.e of the DRI DO.
44. The attached Wiregrass MPUD Land Use by Parcel Type Matrix identifies the land uses that are allowed in each type of parcel within the MPUD as shown on the MPUD master plan (Attachment 1).
45. Interim agricultural uses not inconsistent with the DRI DO shall be allowed on all parcels pending development thereof.
46. Mixed-use parcels (M Parcels) may contain one or more land uses including but not limited to residential, office, medical office, hospital, hotel, community college, attraction recreational facility, civic, light industrial, retail, golf course, or special exception uses (where approved).
47. Subject to the County notifying the Master Developer and subject to compliance with the Wireless Facilities Ordinance in effect at the time, Cellular Communication Towers are allowed within the project.
48. Attraction and Recreation Facility (ARF). ARF may be developed on C, M or O parcels.
  - a. Currently, the DRI has 300,000 sq. ft. ARF entitlements approved which shall be broken down as follows:

- (1) Up to 200,000 square feet may be sports arena and companion uses including, but not limited to, hockey rink(s), skating rink(s), swimming pool(s), alcoholic beverage sales and consumption, restaurant/food service, office/meeting space, conference/convention facilities, indoor sports, arcade, bowling, daycare, sports retail, laser tag, training and fitness center, rock climbing, sports-related uses, or other similar uses, and all accessory uses thereto. The sports arena shall comprise at least 100,000 square feet.
- (2) Up to 100,000 sq. ft. may be general retail (ITE Code 820) uses.
- (3) The 300,000 sq. ft. of ARF shall be located on parcel(s) adjacent but not farther than 1/2 mile from each other.
- (4) Sports fields are a permitted accessory use to the ARF and shall not count against the ARF entitlement square footage.

49. Commercial design and development standards and uses shall be developed in accordance with the following standards:

- (1) Retail (including Hotel and Attraction and Recreation Facilities)

<b>Minimum</b>		<b>Setbacks<sup>(a)</sup></b>			<b>Maximum</b>
<b>Lot Width</b>	<b>Minimum</b>	<b>Front Yard</b>	<b>Side Yard</b>	<b>Rear Yard</b>	<b>Height (ft)</b>
<b>(ft)</b>	<b>Depth (ft)</b>				
0	0	25 <sup>(b)</sup>	10 <sup>(a)(b)</sup>	10 <sup>(a)(b)</sup>	65 <sup>(a)(c)</sup>

NOTES:

- a. A 20-foot building setback shall be provided on all non-residential yards in this category abutting to single family detached, single family attached, and townhouses. Any commercial or multifamily structure greater than 35 feet in height shall comply with the following building height, transition zone requirements when abutting to single family detached, single family attached, and/or townhouses:

Building Height	Minimum Setbacks
<=35'	20'
36"-45'	50'
46'-55'	80'
55'-65'	110'

- b. Minimum 30' separation between nonresidential uses except where the uses may be a part of a common development plan or site plan. Zero lot lines may be permitted for uses that are part of a common development plan or site plan.
  - c. For retail development located in Parcel M7 – see Condition #52 below.
  - d. The above standards may be deviated from for any development designed in accordance with the County's TND ordinance or Transit Oriented Development (TOD) ordinance upon adoption or other urban form of development as approved by the Planning & Growth Management Department.
  - e. Parking Structures (garages), if provided, may have 0' setbacks to all adjacent non-residential structures.
  - f. Attraction and Recreation Facilities and hotels are permitted a maximum height of 100'.
- (2) These commercial development standards and uses shall apply to C, M, and O parcels subject to any applicable conditions in the DRI Development Order and the underlying Future Land Use Classification.
  - (3) All C-1, C-2, and Professional Office Uses (per the LDC) shall be permitted uses within C, M and O-parcels, subject to the DRI DO requirements for support commercial uses on O3. Parcel M19 shall be restricted to professional office uses as defined in the LDC.
  - (4) Limited Exemption Hotel:
    - (a) 120 rooms of hotel shall be developed in accordance with the LDC EC-MPUD requirements for hotel and must include 1,000 square feet of conference meeting space with on-site catering services.
    - (b) This hotel may be located within M, C, or O parcels and shall be located within ¼ mile walking distance from a Corporate Business Park, Targeted Primary Business, or Light Industrial Use within O1, O2, O3, or another parcel designated or constructed in accordance with the EC-FLU and EC-MPUD criteria of the Comprehensive Plan and the Land Development Code.
  - (5) Distance limitation waiver for alcoholic beverages sales or consumption – Any alcoholic beverages sales or consumption located within Wiregrass Ranch DRI may be located within 1,000 feet of any school, park, place of worship, or church located within the boundary of the Wiregrass Ranch DRI despite any specific distance limitations included in the LDC which would otherwise preclude the application for a condition use, or

granting of a conditional use or other such permit as set forth in the LDC. However, any alcoholic beverages sales or consumption located within Wiregrass Ranch DRI that is located within 1,000 feet of any school, park, place of worship, or church located outside the boundary of Wiregrass Ranch DRI shall comply with the alcoholic beverages sales or consumption specific distance limitations required in the LDC unless waived by motion of the BCC or as may otherwise be allowed to be waived.

(6) Office (including civic uses), Medical Office, Community College and Hospital

	Minimum Lot Width (ft)	Minimum Depth (ft)	Setbacks <sup>(a)</sup>			Maximum Height (ft)
			Front Yard	Side Yard	Rear Yard	
Office/Medical Office/ Hospital/Community College	0	0	35	15 <sup>(a,b)</sup>	15 <sup>(a,b)</sup>	154 <sup>(a)</sup>

(a) A 20-foot building setback shall be provided on all yards adjacent to single family detached, single family attached, and townhouses. Any office or multifamily structure greater than 35 feet in height shall comply with the following building height, transition zone requirements when adjacent to single family detached, single family attached, and/or townhouses:

Building Height	Minimum Separation Between Office Buildings and Single Family Buildings
<=35'	20'
36"-45'	50'
46'-55'	80'
55'-65'	110'
>65'	110' plus an additional 10' for each additional story over 65'. (except for the hospital on Parcel O2 where such setback shall be 150' from residential uses)



- (b) Minimum 30' separation between nonresidential uses except where the uses may be a part of a common development plan or site plan. Zero lot lines may be permitted for uses that are part of a common development plan or site plan.
- (7) For office development located in Parcel M7, see Condition #51 below.
- (8) The above standards may be deviated from for any development designed in accordance with the County's TND ordinance or TOD ordinance upon adoption or other urban form of development as approved by the Planning & Growth Management Department.
- (9) All Professional Office Uses (per the LDC as amended) shall be permitted uses within C, O and M parcels subject to the underlying Future Land Use Classifications and subject to applicable DRI Development Order conditions.
- (10) Civic Uses developed consistent with the above standards are permitted on all parcels subject to an administrative determination of compatibility by the Zoning Administrator. Any adverse determination may be appealed to the County. Civic uses include, but is not limited to, churches, schools (public or private), library, parks (public or private), etc.
- (11) Hospital Uses, Medical Offices, Wellness Centers, Outpatient Clinics, and other limited exemptions uses pursuant to the DO are allowed in any O, M, or C Parcels.
- (12) Parcels O1 and O3 shall be developed in accordance with the applicable provisions in the DRI Development Order.
- (13) 900,000 s.f. of Office entitlements on O1 or O3 shall be developed in accordance with the LDC zoning and limited exemption concurrency criteria for the Corporate Business Park/Targeted Primary Business/Industrial Use portion of an Employment Center, unless comparable quantities of such development type is constructed on other DRI parcels, and approved by a 4/5<sup>th</sup> majority vote by the BCC.

50. Light Industrial Standards (pursuant to utilization of the DRI DO Land Use Exchange Matrix)

- a. At the time of this rezoning, there are no entitlements allocated to Light Industrial. However, in the event the Land Use Equivalency Matrix is utilized to convert entitlements to Light Industrial, light industrial uses shall be permitted and developed consistent with the I-1 permitted uses pursuant to the LDC as amended except for the following uses which shall not be permitted uses: recycling, boat manufacturing, lumber yards, and other light industrial uses that may necessitate outdoor processing, outdoor assembly, or outdoor manufacturing activity. Light industrial uses are permitted on Parcel M23 (f.k.a. S5) provided the uses are not located immediately adjacent to a category 1 wetland. Light Industrial uses shall have a minimum 50'

buffer between the use and a category 1 wetland. Any manufacturing use shall have a minimum 100' buffer between the use and a category 1 wetland. Light Industrial uses are allowed in any O-, M- or C- parcels subject to the following criteria:

- (1) Depending on the nature of the light industrial use, staff may require a masonry wall/sound buffer, lighting, or other type of mitigation at the time of preliminary plan/preliminary site plan review to prevent any intrusive effects on adjacent uses.
- (2) If adjacent to Parcel S1 or any area site planned as residential:
  - (a) A minimum building separation of 200' shall be required from any single family residential structure.
  - (b) Within such 200-foot building setback area, there shall be a minimum 50' landscape buffer. Such buffer shall be consistent with the planting requirements of the Type C landscape buffer per the LDC, as amended. Such buffer may also be satisfied by a natural wetland buffer.
- (3) If adjacent to commercial:
  - (a) The development standards shall be in accordance with the commercial standards set forth above.
  - (b) At the time of the pre-application meeting for submittal of a preliminary plan/preliminary site plan for any light industrial uses, the Parcel Developer shall provide a concept plan that demonstrates how such light industrial uses are integrated with other non-residential uses and how such integration promotes pedestrian connectivity and walk-ability to commercial uses.

51. Parcel M7: Parcel M7 shall be developed in accordance with the Traditional Neighborhood Development (TND) ordinance. The Town Center within M7 shall be designed and constructed in accordance with the Town Center requirements of the TND ordinance and shall accommodate a minimum of the limited exemption entitlements consisting of 400 multifamily dwelling units, 100,000 square feet of retail, and 100,000 square feet of office (or other pm peak hour trip equivalent land uses as approved by the County). A master plan consistent with the requirements of the TND ordinance shall be approved prior to any development within Parcel M7 or prior to the deadline set forth in Section 5.b.(2)(a) of the DRI DO, whichever occurs first. Such master plan shall include the location of the Town Center within Parcel M7.

52. Residential

a. The following standards may be deviated from for any development design in accordance with the County's Traditional Neighborhood Development (TND) ordinance or Transit Oriented Development (TOD) standards (once adopted). TND and TOD are allowable uses on any parcel. Staff shall consider deviations from the following standards for urban forms other than TND and TOD on a case by case basis at the time of preliminary plan submittal/review. Prior to preliminary plan/preliminary site plan submittal (and no later than the pre-application meeting for such submittal) for urban forms other than the County's adopted TND or TOD standards, the Developer shall include a concept plan and architectural schematic of the proposed urban form for approval by the Planning & Growth Management Department. Once approved by the Planning & Growth Management Department, such alternative setbacks and any other requirements necessitated by the setback deviation (such as drainage requirements) shall be included as conditions of approval for the subject site plan and shall not require an amendment to the Wiregrass Ranch DRI MPUD master plan or conditions of approval.

(1) The residential design standards are as follows:

	Minimum Lot Width (ft)	Minimum Lot Depth (ft)	Front Yard <sup>(e)</sup> Setback (ft)	Side Yard <sup>(f)</sup> Setback (ft)	Rear Yard Setback (ft)	Maximum Height (ft)	Maximum Lot Coverage
Single-Family Attached	18	100	20 <sup>(a)</sup>	7.5 <sup>(b)</sup>	10	35	100%
Single-Family Detached	45	100	20 <sup>(a)</sup>	7.5	15	35	65% <sup>(c)</sup>
Townhouses	15	60	20 <sup>(a)</sup>	0/7.5 <sup>(b)</sup>	5	35	100%
Multifamily (Condo or Apartments) <sup>(d)</sup>	N/A	N/A	20 <sup>(a)</sup>	(b)	15	35	100%

(a) 20' setback to primary structure and 25' from the back of sidewalk to the front loaded garage. Townhomes that do not provide garages or driveways shall have a minimum of 15' setback from the building to the back of sidewalk.

- (b) A minimum of 15 ft between structures. Structures shall be designed to reduce a straight line-of-sight by implementing one or more of the following:
  - (i) Curvilinear street alignment.
  - (ii) Varied building setbacks
  - (iii) Varied building-façade treatments.
- (c) Lot coverage represents 55% for primary structure and 10% for accessory structures.
- (d) Multifamily setbacks are measured from the perimeter of the overall multifamily parcel and not separation between each building. Any multifamily structure greater than 35 feet in height shall comply with the following building height, transition zone requirements when adjacent to single family detached, single family attached, and/or townhouses:

Minimum Distance Between Multifamily and Single Family Structures	
Building Height	Structures
<=35'	20'
36"-45'	50'
46'-55'	80'
55'-65'	110'
	110' plus an additional 10' for each additional story over
>65'	65'.

- (e) On corner lots where there is more than one front, one front-yard setback may be reduced to 10 feet.
- (f) In accordance with the prior approvals for portions of S1, M21 (f.k.a. S3), M22 (f.k.a. S3A) and S4: Side-yard setbacks may be reduced from 7.5 feet down to a maximum of 5 feet based upon the following conditions being met prior to construction plan approval for each phase or unit. Should the conditions not be met, the minimum side setback shall be 7.5 feet.
  - Prior to any construction on the lot, proper erosion and sedimentation controls shall be installed.

- Lots that back up to drainage-retention areas and wetland areas shall be "Type B," graded with high points at the midpoint of the side lot line and slopes toward both the front and rear yards. Discharge into wetlands shall only be allowed where the wetlands are designed and permitted to receive discharge. A minimum 15-foot-wide drainage and access easement shall be provided along all rear-lot lines. Drainage and access easements shall extend to the road right-of-way at block ends. Side-yard, cross-access easements shall be provided connecting the rear-yard easement to the front right-of-way.

- Lots graded as "Type A" which back up to other lots shall require the installation of gutters on the sides and backs directing drainage to the front.

- Lots graded as "Type B" or "Type C" which back up to other lots shall require that traffic-bearing grates be installed upon a FDOT inlet placed within each rear-lot line easement. Culverts connecting rear-yard inlets to acceptable outfalls shall be installed and shall be reinforced concrete pipe with premium sealed joints, designed to sustain an H-20 loading. A minimum 15-foot-wide drainage and access easement shall be provided along all rear-lot lines. Drainage and access easements shall extend to the road right-of-way at block ends. Side-yard, cross-access easements shall be provided connecting the rear-yard easement to the front right-of-way.

- Side-yard swales shall be sloped to create positive outfall to the front and/or rear of each lot with velocities no greater than allowable for grassed stabilization, as in the FDOT *Drainage Manual*.

- A minimum 15-foot-wide drainage and access easement shall be provided along all rear-lot lines. Drainage and access easements shall extend to the road right-of-way at block ends. Side-yard, cross-access easements shall be provided connecting the rear-yard easement to the front right-of-way.

- A Responsible Entity, other than the County and acceptable to the County, shall be designated to provide perpetual maintenance to all drainage and access easements. The approved maintenance entity shall provide annual inspections of side- and rear-yard easements and drainage facilities to verify that no modifications have been made to the grading and ground cover and to inspect any inlets and pipes to verify that no hydraulic restrictions exist. Any modification or hydraulic restriction observed, at any time, shall be corrected. Additional

inspections shall be performed, if requested by an adjoining resident or the County. The maintenance entity shall have the right to file a lien to charge property owners for corrections or modifications and collect sufficient funds to perform required maintenance.

- No obstruction/service equipment shall be permitted in the side yard between houses. This includes, but is not limited to, air conditioning systems, water softeners, pumps, fences, etc.

- Walkways shall be allowed if they do not create any obstruction and are flush with grade.

- Gutters and roof structures shall be installed so as to reduce direct discharge to the side-yard swales.

- The engineer of record shall provide to Pasco County signed and sealed, design calculations for each typical lot demonstrating compliance with Pasco County's drainage criteria. The typical site-grading plan shall identify elevations, grades, ground cover, allowable tolerances, and a quality-control plan addressing construction and post-construction phases. In addition, the engineer of record shall inspect the lot upon completion and complete the "as-built" certification prior to the issuance of the CO for the associated unit.

b. The above minimum setbacks are calculated based on minimum right-of-way widths in accordance with the LDC. Any reduction of the minimum right-of-way width may require an MPUD Master Planned Unit Development amendment to increase minimum setbacks.

c. Buildings located within golf course, recreational areas, civic uses or limited neighborhood commercial development internal to a residential community shall be developed in accordance with the C-1 Neighborhood Commercial District standards and shall be allowable uses on all S or M Parcels. Short term rentals, fractional and vacation ownership units shall be allowable uses on Parcels S2 and S4.

53. Land Use maximums shall be in accordance with the following Land Use Table and may be exchanged by the Master Developer in accordance with the Wiregrass Ranch DRI DO.

Land Use	TOTAL
Residential. d.u.	10,821
(Single family)	(7,295)*
(Multi family)	(3,526)
Retail s.f.	2,720,800
Hotel rooms	480
Office s.f.	1,059,080
Medical Office s.f.	199,180
Hospital beds	100
Community College (f.t.e. students)	707
Attractions & Recreation Facilities (ARF) s.f.	300,000
Golf Course (holes)	18
Elementary Schools	3

\* Includes 2,500 Retirement Housing Units that shall be deed restricted, designated and developed as adult communities as set forth in the DRI DO.

54. Office entitlements within the Wiregrass Ranch DRI shall not be reduced, exchanged or traded off for any other approved uses in the project except as provided in the DRI DO.

55. The approved 2,720,800 square feet of commercial entitlements may not be utilized or exchanged for residential land uses, unless otherwise allowed pursuant to the adopted DRI DO.

- 56. Nothing in these COA's guarantees that the maximum amount of entitlements set forth herein can be accommodated on any portion of the land within Wiregrass Ranch DRI due to other regulatory constraints and the physical constraints of the land itself.
- 57. Parcels may be developed out of numerical sequence and in fractions and in multiples as long as the parcels being developed do not rely upon infrastructure construction of future parcels.
- 58. Any overall increase to density/intensity or decrease in open space shall be calculated cumulatively from the last substantial amendment.
- 59. The Master Developer may designate a site or sites which do not exceed a total of 15 acre(s) to be used for recreational vehicle storage for the exclusive use of Wiregrass Ranch residents. Such site(s) shall have appropriate landscape buffering in compliance with Pasco County Landscaping and Irrigation Ordinance No. 02-04 as amended and shall be shown on the approved Master Development Plan. The site(s) must obtain preliminary site plan approval prior to development and be owned by the Responsible Entity.

**Procedures**

- 60. A disclosure statement regarding the construction of all known future arterial and collector roadways abutting and through the preliminary plan/preliminary site plan and all known future road interconnects to the roads within the preliminary plan/preliminary site plan shall be included in all sales contracts for residential within the MPUD. This disclosure shall include the future roadway's planned number of lanes and planned construction timing, if applicable.
- 61. Unless otherwise approved by the Emergency Services Director, each development within the Wiregrass Ranch DRI shall be included into a Pasco County Municipal Fire Service Taxing Unit to provide fire protection. The Parcel Developer 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.



62. Upon each preliminary plan/preliminary site plan submittal, the Parcel Developer shall provide a contextual map showing the entire MPUD parcel, where the subject property is located within the MPUD parcel and any adjacent previously approved preliminary plan/preliminary site plans or plats for that MPUD parcel.
63. 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.
64. Development shall occur in accordance with the LDC, Section 402, Concurrency Management System.
65. Rezoning of this property with conditions does not relieve the Master Developer or any Parcel Developer of responsibilities and obligations under the DRI DO or under State law including, but not limited to, Development of Regional Impact requirements under Chapter 380, Florida Statutes.
66. 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 and Site Development Department after the BCC action.
67. All conditions of this MPUD approval are material to the BCC approval. Accordingly, the conditions are not severable. In the event any section, subsection, sentence, clause, or provision of these conditions or the rezoning resolution is challenged and declared illegal, invalid, or in violation of any statutory or constitutional requirement by a body with jurisdiction to make such determination, the remainder of the conditions and MPUD approval shall be suspended until such time that the BCC modifies the MPUD conditions of approval to address the illegal or invalid provision, provided that such suspension shall not exceed nine months in duration. However, such determination shall not affect the validity of 1) Limited exemption entitlements, or MPUD entitlements or DRI entitlements for which a complete application has been submitted, or approval has been received, for a preliminary plan, preliminary site plan, plat, construction plans, Building Permit, or CO; or 2) any MPUD or DRI 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 conditions of approval or the DRI DO shall not be considered challenges and decisions by the BCC regarding any modification or the like shall not have the effect of suspending the conditions and the MPUD approval under any circumstances. Notwithstanding the foregoing, the MPUD shall not be suspended as to certain lands within the MPUD if the Parcel Developer(s) for such lands agree to abide by all of the provisions of the MPUD until an amendment is adopted to modify the MPUD in order to address the illegal or invalid provision. Notwithstanding the foregoing, if a third party challenges any section, subsection, sentence, clause, or provision of this MPUD and the challenged portion is subsequently declared illegal or invalid, the MPUD shall not be suspended and shall remain in full force and effect except for that portion declared illegal or invalid. If any section, subsection, sentence, clause or provision of this MPUD is declared illegal or invalid as the result of a third party challenge, the Master Developer shall cooperate with the County to amend this MPUD to address the portion which has been declared invalid or illegal.

**OWNERS/DEVELOPERS' ACKNOWLEDGMENT:**

The Master 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.**

LOCUST BRANCH, LLC

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
By: David J. Evans, Its Manager

I hereby certify on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, A.D., before me personally appeared the owner/developer, to me known to be the person described in and who executed the foregoing document and severally acknowledged the execution thereof to be its their 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)